COURSE DESCRIPTION

EUROPEAN AND INTERNATIONAL COOPERATION ON JUSTICE AND HOME AFFAIRS
SECOND YEAR (FIRST SEMESTER)
DEGREE (S): INTERNATIONAL RELATIONS AND EU
ATTENDANCE REQUIRED
ACADEMIC YEAR 2019/2020
LAW SCHOOL
## 1. COURSE/SUBJECT IDENTITY

### 1.- COURSE/SUBJECT:

| Name: European and International Cooperation on Justice and Home Affairs |
|-----------------------------|-----------------------------|
| Code:                       |                             |
| Year (s) course is taught: Second | Semester(s) course is taught: 1st |
| Language: English:           | Type: Compulsory             |
| Degree (s) in which course is taught: Degree in International relations and EU (Grado en RRII y UE) |
| School in which course is taught: Law School |

### 2.- ORGANIZATION OF THE COURSE:

<table>
<thead>
<tr>
<th>Department: Public Law Department</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area of knowledge: International Public Law &amp; International Relations</td>
</tr>
<tr>
<td>Head of Area: José María Beneyto</td>
</tr>
</tbody>
</table>
2. TEACHING STAFF OF THE COURSE

1.- IDENTITY OF TEACHING STAFF:

<table>
<thead>
<tr>
<th>TEACHER (S)</th>
<th>CONTACT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prof. Miguel Verdeguer Segarra</td>
<td>Telephone: Ext.: e-mail:</td>
</tr>
</tbody>
</table>

2.- TUTORIAL ACTIVITY:

For any queries students can contact teachers by e-mail, phone or visiting their office during the teacher’s tutorial times published on the students’ gateway.

3. COURSE DESCRIPTION

This subject analyses the legal interaction and the main functioning mechanisms of the ‘area of freedom, security and justice’ of the EU as well as its impact on the international arena.

The challenges of immigration, terrorism and security will also be addressed throughout the academic term.

4. COMPETENCES & SKILLS

4.1.- COMPETENCES
Basic competences: CB 1, 2, 3, 4 & 5)  
Specific competences: CE 5,6,8,11,13 & 14

4.2.- LEARNING OUTCOMES

a) To understand the evolution of the EU legal framework on Justice and Home Affairs as well as the main principles that underlie the area of freedom, security and justice of the EU.
b) To become acquainted with the challenges that lie ahead on immigration, terrorism and security on a global scale.
c) To gain a deeper insight into the diverse International legal instruments applicable to Justice and Home Affairs issues.
5. TEACHING METHODOLOGY OF THE COURSE

LEARNING ACTIVITIES

1. – LECTURE (AF1):
Along the semester, lectures will systematically introduce the student to each of the blocks of the program, offering an overview and their main keys. In particular, the 6 lectures will devoted to:

2.- SEMINAR (AF2):
Seminars require prior reading and preparation of materials by the students. Seminars are conceived as dynamic and promote active participation by the students so that doubts, debate and personal opinions contribute to mature high education and critical assessment.

Resolution of hypothetical cases will compel the students to apply the ideas and concept previously developed in lectures and other seminars.

3. - GROUP WORKSHOP (AF3):
Six workshops will take place along the semester, all of them requiring a very active role of the students. They will have to resolve cases (both individually and in teams format), preparing short written and oral pleadings.

6. ASSESSMENT OF LEARNING

1.- CLASS ATTENDANCE:
A minimum of 75% attendance of lectures and seminars is indispensable for continuous assessment.
Workshops attendance and exercises are also compulsory (100% as a minimum)

2.- ASSESSMENT SYSTEMS AND CRITERIA:

3.- STUDENTS’ FINAL RESULTS:

<table>
<thead>
<tr>
<th>PARAMETER TO ASSESS</th>
<th>PERCENTAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>SE5: Attendance and continuous assessments in lectures and seminars</td>
<td>10</td>
</tr>
<tr>
<td>SE2: Partial exam</td>
<td>20</td>
</tr>
<tr>
<td>SE4: Workshops, case simulations and other presentations</td>
<td>10</td>
</tr>
</tbody>
</table>
7. COURSE PROGRAMME

1.- COURSE PROGRAMME:

LESSON I: PRELIMINARY QUESTIONS ON INTERNATIONAL AND EUROPEAN COOPERATION ON JUSTICE AND HOME AFFAIRS

1. The ‘Communitarisation’ process on Justice and Home Affairs
2. Inception of Judicial Cooperation: JHA in the Maastricht Treaty
3. Changes brought about the Treaty of Amsterdam: Space of Freedom, Security and Justice
4. Integrating the Schengen acquis in the Treaties.

LESSON II: EU POLICIES ON BORDER CHECKS, ASYLUM AND MIGRATION

1- Control over internal borders and external border control (basic rules)
2- Asylum and the legal condition of a refugee
3- International co-operation

LESSON III: SPACE OF FREEDOM, SECURITY AND JUSTICE (I): CIVIL JUDICIAL COOPERATION

1. General legal framework
   1.1. Family Law issues: the negotiation of agreements between EU countries and third countries
   1.2.- The European Account Preservation Order (EAPO)
   1.3.- Judicial Cooperation and Civil Law agreements with third countries
2.- Applicable legislation
3.- Mutual recognition and enforcement of judgments
4.- Cooperation between EU Countries
   6.1.- Transmission Service between EU Member States of judicial and extrajudicial documents in civil or commercial matters
   6.2.- European Legislation Identifier (ELI)
   6.3.- The European Judicial Network in civil and commercial matters (EJN-civil)
   6.4.- Taking of evidence in civil and commercial matters

LESSON IV: SPACE OF FREEDOM, SECURITY AND JUSTICE (II): CRIMINAL LAW AND EUROPEAN UNION LAW

1. Influence exerted by EU Law on domestic Criminal Law
   a. Inconsistencies found between EU Law provisions and domestic Criminal Law provisions
   b. Integration of Criminal Law provisions by the EU Legal order
   c. The Corpus Iuris
2. Fraud against the European Public Finance
3. European Union Competence on Criminal Law
   a. Maastricht Treaty
b. Treaty of Lisbon
4. La difícil relación entre derecho penal nacional y derecho de la Unión Europea

LESSON V: POLICE AND CUSTOMS CO-OPERATION
1.- Police Co-operation
2.- Action Plans
   2.1.- Eurojust
3. - Asset seizure and confiscation systems
4.- Europol
5.- Maintenance of law and order and public security
6.- Customs Co-operation
7.- Agreements with third countries

LESSON VI: HUMAN RIGHTS
1.- Human Rights in the EU: Fundamental Freedoms
2.- Human Rights beyond EU borders.

8. RECOMMENDED READING

1.- BASIC READING:


2. - COMPLEMENTARY READING:

- BALZACQ, T. (Ed.): The external dimension of EU justice and home affairs: governance,
• HAVEL, V., El poder de los sin poder, Encuentro, Madrid, (2013).

3.- WEB SOURCES:
• Civil justice: http://ec.europa.eu/civiljustice/index_en.htm
• COM DG: http://ec.europa.eu/justice/mission/index_en.htm
• Council of Europe: http://www.coe.int
• Criminal justice: http://ec.europa.eu/justice/criminal/index_en.htm
• E-justice: https://e-justice.europa.eu/home.do
• Eur-Lex: http://eur-lex.europa.eu/homepage.html
• European Union portal: http://europa.eu/
• JHA: http://europa.eu/pol/justice/index_en.htm
• Página web de la Unión Europea: www.Europa.eu.int
• Real Instituto Elcano: www.realinstitutoelcano.org
9. ATTITUDE IN THE CLASSROOM

1.- REGULATIONS:

Any irregular act of academic integrity (no reference to cited sources, plagiarism of work or inappropriate use of prohibited information during examinations) or signing the attendance sheet for fellow students not present in class will result in the student not being eligible for continuous assessment and possibly being penalized according to the University regulations.