



Summer School **EU Law and Its Implementation**

Luxembourg, 30 June-11 July 2014

Conference venue

European Centre for Judges and Lawyers (ECJL) / European Institute of Public Administration
Luxembourg (EIPA)
Circuit de la Foire Internationale, 2
Chambre des métiers building – Master room, 4th Floor
LU-1347 LUXEMBOURG

Programme

Target group

Junior to mid-level professionals actively taking part in the processes of law-making and national law approximation procedure/harmonization of national legislation with EU acquis, from the following institutions: Central EU coordination institution, Ministry of Justice, Ministry of Public Administration, Ministry of Economy and regional development, Ministry of Finance.

Description

The body of national law derived from EU directives and regulations expands into all areas of government, and officials in both national and EU administrative bodies play an increasingly active role as administrators and enforcers of EU law. Therefore, they need sufficient understanding of EU law to avoid actions incompatible with EU rules, leading to compensation claims against them and their authority. On the other hand, EU regulatory affairs professionals from business and professional associations are required to possess good knowledge of the EU legislative framework in order to actively influence the EU law-making process.

The course is divided into three parts, all taking into account the changes brought about by the Lisbon Treaty. It first provides a comprehensive overview of the constitutional organisation of the European Union, including the fundamental principles on which the Union is founded (five days). Secondly, it offers an overview of specific policy areas (two days). Lastly, it: a) introduces a practical overview of the implementation of EU law at the EU level (comitology) and by the Member

States, and the consequences thereof for the EU Member States in terms of administrative capacities and human resources; and b) updates participants on current development affecting the EU today (three days).

When reviewing the constitutional organisation of the EU, particular attention will be paid to the legislative and institutional framework of the EU, including the functioning, inter-relation and decision-making processes of the various institutions and the role of the Member States in these processes, as well as possible consequences of not fulfilling Treaty obligations. In addition, the procedures for the EU law implementation at EU level (the new comitology procedure) will be analysed in more detail in order to fine-tune participants' knowledge on the differences between various categories of legal acts introduced by the Lisbon Treaty (legislative vs. non-legislative acts). The sessions on implementation at the national level discuss practical approaches to identify national capacity needs and to react accordingly.

The sessions focusing on internal market law will explain the universal operation of principles founding the four freedoms, for example, the non-discrimination, proportionality and mutual recognition principles; while the sessions on Justice Freedom and Security focus on judicial and law enforcement cooperation, the free movement of people (including 3rd country nationals) and e-Justice. The programme also reviews the EU judicial system, including the tasks, structure and procedures of the European Courts and their role in the development of the law, as well as the national courts' role as enforcers of EU law.

Learning methodology

The Summer School is highly interactive in nature, and although it is based upon a solid foundation of presentations, more than forty per cent of the time will be dedicated to workshops, case studies, simulations and a study visit to the European Court of Justice.

Case studies and workshops will put the knowledge gained by participants in a practical context to demonstrate the relevance and consequences of the EU rules for their daily work.

During the second part of the programme (see above), participants will be able to choose between two different sets of sessions: one focusing on internal market issues, or one covering justice and home affairs; thus allowing participants to tailor the Summer School to meet their personal and professional needs and interests.

Objectives:

- To provide participants with in-depth knowledge of the fundamental concepts of EU law and the EU law-making process, and to deepen their understanding of their role in this process and of the obligations imposed by EU law to which they are subject.
- To offer a practical overview of the implementation of EU law at both the EU and national levels.
- To allow participants to gain practical understanding of the comitology process after Lisbon.
- To fine-tune practical understanding of the relevance and impact of EU legislation on their daily work and the mechanisms of its correct implementation into national systems.
- With regard to the implementation of EU law, special attention will be paid to the similarities and differences between the EU Member States and the candidate and associate countries.
- To provide a platform for the exchange of experience, information sharing and professional networking.

Sustainable learning and award of certificate:

As part of a process

- √ to upgrade the academic value of the programme,
- √ to ensure the sustainability of the learning acquired, and
- √ to enhance the programme's networking opportunities and value

A number of novelties have been introduced in the 2014 edition of EIPA's Summer School on EU Law and Its Implementation, the most important of which are related to the conditions to be met in order to receive the certificate of attendance, namely that participants must:

1. attend 100% of the class room sessions and study visits;¹
2. submit, at the latest 4 weeks after the end of the Summer School, a final paper (max 8 pages) in English on the topic of *National law approximation procedure and accomplishments*, which will respect with the following outline:
 - Introduction
 - In brief presentation of the state of the play of EU integration process of the country from which participant of the Summer School came
 - Procedures for adoption of new laws
 - In brief presentation of the national procedures for adoption of new laws, starting from the drafting to the adoption in the Parliament
 - Procedures for adoption of new sub laws
 - In brief explanation of the internal government's procedures for adoption of new Sub Law
 - Harmonization of national legislation with EU acquis
 - In brief mentioning the (non)existence of NPAA, achieved results etc.
 - Procedures for checking the quality of harmonisation process
 - In brief explanation of the tools for quality checking: Statement of Compatibility and Table of Concordance (when these tools were introduced, how many until now, overall experience etc...)
 - Conclusion
 - Review of the capacities for the harmonization of national legislation with EU acquis
 - Needs for some changes in procedures or process (if any) based on the lessons learned on the Summer School
 - Annexes:
 - Example of the Statement of Compatibility for one new Law
 - Example of the Table of Concordance of one new Law

The submitted papers will be reviewed and returned to the individual participants with comments by EIPA's faculty staff. Please note that a copy of the submitted papers and EIPA's comments will be submitted to ReSPA.

Please note that the remaining second instalment of per diems will be paid to the participants upon receipt of confirmation of their regular attendance, boarding passes and valid instructions for payment from abroad, as well as the submission of final paper. Only participants who comply with all the above stated conditions will receive the certificate of attendance.

¹ Absence due to illness will be accepted if accompanied by a medical certificate.

Trainer(s):

- *Peter Goldschmidt*, Expert and Seminar Leader, European Centre for Judges and Lawyers, EIPA Luxembourg
- *Alina Domaradzka*, Lecturer and Seminar Leader, European Centre for Judges and Lawyers, EIPA Luxembourg
- *Juan Diego Ramirez Cardenas Diaz*, Senior Lecturer, European Centre for Judges and Lawyers, EIPA Luxembourg
- *Petra Jeney*, Senior Lecturer, European Centre for Judges and Lawyers, EIPA Luxembourg
- *Virgil Ivan-Cucu*, Senior Lecturer, European Centre for Judges and Lawyers, EIPA Luxembourg
- *Tomasz Kramer*, Lecturer, European Centre for Judges and Lawyers, EIPA Luxembourg
- *Igor Dizdarevic*, Lecturer, European Centre for Judges and Lawyers, EIPA Luxembourg
- *Cosimo Monda*, Senior Lecturer, European Decision Making, EIPA Maastricht
- *Katerina Kyrieri*, Lecturer, European Polices, EIPA Maastricht
- *Roberta Ribeiro Oertel*, Lecturer, European Centre for Judges and Lawyers, EIPA Luxembourg
- *Miriam Allam*, Economist, OECD, Paris (invited)
- *Morten Hansen*, Head of Economics Department, Stockholm School of Economics, Riga (LV)

CS - case study WS - workshop LE - lecture and discussion SV - study visit

Week 1: Institutions, decision-making, the legal system and the judicial system

	Monday, 30 June <i>Introduction and the EU legal system</i>	Tuesday, 1 July <i>The EU legal system and principles of EU law</i>	Wednesday, 2 July <i>The Court of Justice of the EU (CJEU)</i>	Thursday, 3 July <i>EU law-making procedures</i>	Friday, 4 July <i>EU law-making</i>
09.00-10:30	Welcome and mutual introduction: <ul style="list-style-type: none"> - presentation of the programme and trainers - individual presentation of participants Peter Goldschmidt and Alina Domaradzka	Main characteristics of EU law: relations between EU law and national systems Igor Dizdarevic - LE	Study visit to the CJEU Accompanied by Alina Domaradzka - SV	The EU policy cycle and internal decision-making procedures: different stages of law-making, from proposal to implementation Petra Jeney - LE	Simulation continued and debriefing Participants with Peter Goldschmidt - WS
Coffee break (10:30-11:00)					
11:00-12:30	EU law quiz Participants, Peter Goldschmidt and Alina Domaradzka - WS	Procedural aspects of the preparation of EU legislation and the choice of legal instruments. Alina Domaradzka - LE	<ul style="list-style-type: none"> ▪ Presentation on organisation and function of the CJEU ▪ Attending a hearing 	The EU legislative procedures after the Lisbon Treaty Petra Jeney - LE	Implementation of EU law: an overview Peter Goldschmidt - LE
LUNCHBREAK (12:30 – 13:30)					
13:30-15:00	The legal nature of the EU after Lisbon Igor Dizdarevic - LE	Case study: Main characteristics and general principles of EU law Participants, with Igor Dizdarevic – WS	Proceedings before the CJEU: the system of preliminary rulings Petra Jeney - LE	Simulation of the EU law-making procedure: introduction and preparation Participants, with Peter Goldschmidt - WS	EU law implementation at EU level: Comitology procedure after Lisbon (including introduction to workshop) Juan Diego Ramirez-Cardenas Diaz LE
Coffee Break (15:00 – 15:30)					
15:30-17:00	The European Union’s legal framework: practical analysis of EU legal instruments after the Lisbon Treaty Alina Domaradzka - LE	EU institutional framework after Lisbon: Commission, Council, Parliament and Court - roles, powers and structure Alina Domaradzka - LE	Proceedings before the CJEU (2): infringement proceedings Petra Jeney- LE	Simulation of the EU law-making procedure Participants - WS	Visit to Luxembourg winery Alina Domaradzka - SV
17.00	Welcome reception hosted by EIPA Luxembourg	A walking tour of Luxembourg town accompanied by Alina Domaradzka			

Week 2: Fundamental freedoms, selected policy areas (competition, freedom, security and justice) and law implementation at EU and national level

	Monday, 7 July <i>EU policies and internal market law</i>	Tuesday, 8 July <i>EU policies and internal market law</i>	Wednesday, 9 July <i>EU law implementation at EU level</i>	Thursday, 10 July <i>EU policies and EU law implementation at national level</i>	Friday, 11 July <i>Current issues</i>
Group 1 Room 2.2					
Group 2 4th floor	<i>European area of freedom, security and justice</i>	<i>European area of freedom, security and justice</i>			
9.00-10:30	Free movement of goods Igor Dizdarevic – LE	Free movement of services Tomasz Kramer - LE	EU information and documentation Cosimo Monda – LE	Implementation of EU law at the national level: national coordination and administrative requirements – part I Peter Goldschmidt- LE	Better regulation and RIA Miriam Allam – LE - <i>Invited</i>
	European area of freedom, security and justice: introduction and overview Petra Jeney – LE	Third country nationals Katerina Kyrieri - LE			
Coffee break (10:30-11:00)					
11:00-12:30	Free movement of persons Tomasz Kramer – LE	Case study: Free movement of persons and services Participants with Tomasz Kramer - LE+CS	EU information and documentation (continued) Cosimo Monda - LE	Implementation of EU law at the national level: national coordination and administrative requirements – part II Peter Goldschmidt - WS	Current issues with the Euro zone debt crisis Morten Hansen - LE
	Judicial cooperation in criminal matters Virgil Ivan-Cucu - LE	Judicial cooperation in civil matters Petra Jeney - LE			
Lunch break (12:30-13:30)					
13:30-15:00	Case study: Free movement of goods Participants with Igor Dizdarevic – WS+ CS	EU Competition law I: introduction to EU competition policy and linking it with the internal market Roberta Ribeiro Oertel - LE	Workshop: Identifying legislative and non-legislative acts – introduction Participants and Juan Diego Ramirez-Cardenas Diaz - WS	Simulation on coordination of implementing an EU legal act Participants with Peter Goldschmidt - WS	12:30-13:00 Conclusions and evaluation. Departure from Luxembourg Participants, Peter Goldschmidt and Alina Domaradzka
	Law enforcement cooperation Virgil Ivan Cucu - LE	Case study: Judicial cooperation in civil matters Participants with Petra Jeney - LE			
Coffee break (15:00-15:30)					
15:30-17:00	Free movement of capital Igor Dizdarevic - LE	EU competition law II Roberta Ribeiro Oertel - LE + CS	Workshop: Identifying legislative and non-legislative acts (continuation) Participants and Juan Diego Ramirez-Cardenas Diaz - WS	Simulation (continued) and debriefing Participants and Peter Goldschmidt - LE	
	EU citizenship and Schengen Katerina Kyrieri - LE	e-Justice and e-Portal Virgil Ivan Cucu – LE			
17.00		Visit to the ‘Centre d’études et de recherches européennes Robert Schuman’ accompanied by Alina Domaradzka	Group dinner		