



LUND
UNIVERSITY

Faculty of Law

JAEN05, European Law Moot Court Competition, 15 credits *European Law Moot Court Competition, 15 högskolepoäng* Second Cycle / Avancerad nivå

Details of approval

The syllabus was approved by on 2007-06-14 and was last revised on 2022-09-07 by Faculty of Law Board of education at undergraduate and postgraduate levels. The revised syllabus applies from 2022-09-07, spring semester 2022.

General Information

The course is an elective course within the Master's Programme in European Business Law at the Faculty of Law. The course is open to students on the programme leading to a Swedish Professional Law degree and to international students participating in exchange programmes with the Faculty of Law.

Language of instruction: English
Lectures and course material are in English.

Main field of studies

European Business Law

Depth of study relative to the degree requirements

A1F, Second cycle, has second-cycle course/s as entry requirements

Learning outcomes

The aims of the course are to: promote awareness of European law, promote expertise in the practice of European law, provide practical experience preparing and arguing cases before the Court of Justice, provide a forum for the discussion of questions of current legal, social and practical significance emerging from European integration and the legal and political changes in Europe. Also, the objective of this course is to enable students to critically reflect upon the fundamental EU law principles and legal remedies available before the European Court of Justice.

Knowledge and understanding

This is a translation of the course syllabus approved in Swedish

To pass the examination the students must be able to show a thorough understanding of the case submitted during the competition. This case, generally, focuses on issues of interactions between the national legal orders and the EU legal, fundamental principles and legal remedies applicable in the EU context.

Competence and skills

To pass the examination the students must be able to assess critically and analyse the jurisprudence of the ECJ with support of problem based learning methods and to communicate conclusions to specialists and non-specialists. The skills for which students will be trained consist mainly of presenting an analysis of a hypothetical case (preliminary ruling) before the European Court of Justice. Also, the students will be asked to cope with scientific literature related to EU integration.

Judgement and approach

Students shall train inter-disciplinary working methods with colleagues from different cultural backgrounds and of the opposite gender. They shall simultaneously perform independent research and take full responsibility for the development of their own knowledge in an objective, but critical manner. Students shall also consider and be able to discuss social and ethical responsibilities within a commercial environment and make personal judgments based on these reflections. Students will learn to rely on their knowledge of Community law when analyzing and solving practical and theoretical issues through the preparation and presentation of the case-studies but also through the written examination.

Course content

The European Law Moot Court is a traditional moot - i.e. simulated court competition, in which teams of students prepare written pleadings with respect to a problem of European law and present their arguments in oral proceedings before the Court of Justice ("the Court of Justice"). The Competition consists of three stages, one written and two oral. The course coincides with the first part of the European Law Moot Court Competition (the written stage).

Course design

The course is structured through succession of seminars, where student's participation is required.

In order to pass, students are required to meet 80% attendance on the course.

Assessment

Method of evaluation:

Through oral presentation of the questions raised by the case during the seminars.

Through the submission of written pleadings during and at the end of the course.

The examiner, in consultation with Disability Support Services, may deviate from the regular form of examination in order to provide a permanently disabled student with a form of examination equivalent to that of a student without a disability.

Subcourses that are part of this course can be found in an appendix at the end of this document.

Grades

Marking scale: Fail, Pass, Pass with credit, Pass with distinction.

All grading criteria rest on the baseline set up for the grade B. Criteria for the grade BA are additional to those for the grade B. Criteria for the grade AB are additional to those for the grade BA. Each grade criterion consists of a qualitative and a quantitative dimension. To be awarded a specific grade, the grade criterion must be satisfied in its qualitative as well as its quantitative dimension.

Grading criteria are applied to all dimensions listed as "Learning outcomes" in this syllabus. By way of example, an AB would presuppose that the student's examination reflect her or his mastery with regard to knowledge and understanding, skills and abilities and values and attitudes as laid down in the syllabus as "learning outcomes". Grading is done primarily using Qualitative and Quantitative criteria. The Quantitative criterion reflects how well read the student is whereas the Qualitative criterion reflects how well the student can use his/her knowledge to make a well structured critical and analytical argument and put it in a proper context.

B – Basic command

In order to pass the student must show sound knowledge of different ways in which EU law intersects with the case at issue (the so-called Moot Court case), using the EU legal order as a backdrop for this analysis.

The student must be able to demonstrate basic knowledge about current EU research and methodology and be able to highlight legal complexities in the case at issue.

The student has to show ability to put EU law in its proper legal framework, regionally as well as internationally, show an ability to identify legal problems independently, critically, creatively and be able to systematize arguments, as well as analyze, compare and assess theoretical and practical problems within the context of EU law.

The student must show a fair ability to analyze case law concerning EU law in an oral form.

BA – Advanced command

In order to pass the student must show good knowledge of different ways in which EU law intersects with the Moot Court case, using the EU legal order as a backdrop for this analysis.

The student must be able to demonstrate good knowledge about current EU law research and methodology and be able to highlight legal complexities in the case at issue.

The student has to show good ability to put EU law in its proper legal framework,

regionally as well as internationally, show good ability to identify legal problems independently, critically, creatively and be able to systematize arguments, as well as analyze, compare and assess theoretical and practical problems within the context of EU law.

The student must show good ability to analyze case law concerning EU law in an oral form.

AB – Mastery

In order to pass the student must show in-depth knowledge of different ways in which EU law intersects with the Moot Court case, using the EU legal order as a backdrop for this analysis.

The student must be able to demonstrate excellent knowledge about current EU law research and methodology and be able to highlight legal complexities in the case at issue.

The student has to show excellent command in putting EU law in its proper legal framework, regionally as well as internationally, show an ability to identify legal problems independently, critically, creatively and be able to systematize arguments, as well as analyze, compare and assess theoretical and practical problems within the context of EU law.

The student must show a very good ability to analyze case law concerning EU law, in an oral form.

Entry requirements

Passed examination in courses corresponding to the first year of the Master's programme in European Business Law, amounting to at least 45 credits.

For students on the Professional Law Degree Programme the entry requirements for semesters 7 and 8 are outlined in the Programme syllabus (utbildningsplanen).

Exchange students must have passed at least two and a half years of law studies at university level including basic knowledge of EU law.

Further information

The University views plagiarism as a very serious academic offence, and will take disciplinary actions against students for any kind of attempted malpractice in connection with examinations and assessments. The penalty that may be imposed for this, and other unfair practice in examinations or assessments, includes suspension from the University.

Subcourses in JAEN05, European Law Moot Court Competition

Applies from H07

0701 European Law Moot Court Competition, 15,0 hp
Grading scale: Fail, Pass, Pass with credit, Pass with distinction