



LUND
UNIVERSITY

Faculty of Law

JAEN54, European Law Moot Court Competition, part II, 15 credits

European Law Moot Court Competition, del II, 15 högskolepoäng
Second Cycle / Avancerad nivå

Details of approval

The syllabus was approved by Faculty of Law Board of education at undergraduate and postgraduate levels on 2016-01-14 to be valid from 2016-01-14, spring semester 2016.

General Information

The course is an optional course within the Master's programme in European Business Law. The course is also open to students in the programme leading to a Swedish Professional Law degree with a specialisation in European Business Law, and to students participating in international exchange programmes with the Faculty of Law.

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 second part of the European Law Moot Court Competition (the oral stage). This oral stage follows after a qualification during the written stage.

The course is scheduled to require 10 weeks of full time studies.

Language of instruction: 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

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 EU 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 course aims at presenting the most important constitutional principles developed by the European Court of Justice through its case law. It will also give an overview of the most important legal remedies that individuals can rely against the Community institutions and the Member States measures falling within the scope of Community Law. These principles and remedies constitute the core framework of EU law.

Course design

The course is structured through succession of seminars, where student's participation is required. In order to pass, students are required to have 80% attendance on the course.

Assessment

Method of evaluation:

Through oral presentation of the questions raised by the case during the seminars, assessing the pleading skills of the student.

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

General entry requirements, and JAEN05 European Law Moot Court Competition.

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 JAEN54, European Law Moot Court Competition, part II

Applies from V16

1601 European Law Moot Court Competition, Part II, 15,0 hp
Grading scale: Fail, Pass, Pass with credit, Pass with distinction