

Course Syllabus

The course title	Correlation of the Public International Law and the EU Law
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Course Code	The Code is granted under the general regulation of the University
Course Status	Tbilisi State University
	Masters Programme
	Course is Elective
The aim of the course	This course is intended to introduce the students the basics of the EU law and define its place within the Public International Law. The course also aims to develop the presentation and analytical skills of the students. The considerable time will be devoted to study of the important aspects of the EU law as well as drawing parallels between the EU and other international organisations, for example the WTO.
ECTS credits and hours taught	5 Credits

Admission precondition	No preconditions for admission to the course. Knowledge of English language is mandatory/
Course Output	After successful completion of the course, the students will gain the profound knowledge in the main areas of the EU law and the place of EU legal order in the system of the Public International Law. The course will allow the students to assess the current developments of the EU law, inter alia, in the context of Georgia.
The course content	The description of the particular topics to be discussed during the classes is attached in the form of an annex 1.
Teaching method	The course contains the informative as well as analytical components such as regular discussions and the presentations by the students. Last lecture will be devoted to the preparation for the final written exam.
Assessment Criteria	Class participation 20 % Written assignments and presentations 40 % Final written exam 40 %
Basic Literature	EU Law: Text, Cases and Materials, Paul Craig and Gráinne de Búrca, Oxford University Press 2008. [Furthermore referred as Craig & De Búrca] EU Law after Lisbon ; Andrea Biondi, Piet Eeckhout, Stefanie Ripley (eds), Oxford Publishings 2012 [Furthermore referred as Biondi/ Eeckhout/ Ripley] Cases and Materials on International Law, D.J. Harris, Sweet & Maxwell 2008. [Furthermore referred as Harris] Malcolm N. Shaw, International Law, Cambridge University Press; 6 edition , 2008, [Furthermore referred as Shaw] ლევან ალექსიძე, თანამედროვე საერთაშორისო სამართალი, 2010 [ამის შემდეგ ალექსიძე] ირინე ქურდაძე, საერთაშორისო

	სამართლის პრიმატი და საქართველოს კანონმდებლობა, სადისერტაციო ნაშრომი, 2005 [ამის შემდეგ ქურდაძე]
Additional Literature	EU Law, Steiner, Woods and Twigg-Flesner, 9th edition, Oxford University Press, 2006 [Furthermore referred as Steiner & Woods] European Union Law, Margot Horspool, Matthew Humphreys, Oxford university press, 4 edition (7 Sep 2006) [Furthermore referred as Horspool & Humphreys]
Additional Information	During the course the professor will provide the slides and additional reading materials considering the knowledge of foreign languages of the audience.

Annex 1

The Course Work-plan

	Topic of the Lecture	Literature
1	What is Public International Law, the history and evolution of Public International Law. The EU legal System as an autonomous legal order, origins and evolution of EU law.	1) Craig & De Búrca, pp 1-38. 2) Steiner & Woods, pp 3-20 3) Harris, pp 1-21 4) Shaw, pp 1-43 5) ალექსიძე, გვ 3-8
2	The different purposes of the Public International Law and the EU law as such, precise policies of the EU – common market, four freedoms (free movement of goods, services, workers, and capital), competition law. Compare to the main purposes of the Public International Law.	1) Craig & De Búrca, central issues from chapters 17-28. 2) Steiner & Woods, pp 309-508 3) Harris, pp 1-21. 4) Horspool & Humphreys, pp 283-384, 405-453. 6) Shaw, pp 43-69 7) ალექსიძე, გვ 31-56
3	How the Public International Law views international organizations (1986 Vienna Convention on the Law of Treaties with	1) Craig & De Búrca, pp 167-171 2) Harris, pp 132-144 3) Shaw, pp 259-265

	or between International Organizations.), particularities of the EU as international organization, comparisons with other international organizations, for example with the WTO.	4) ალექსიძე, გვ 57-61
4	Applicable law, sources in the Public International Law and EU law, how law is made in the system of 1) the Public International Law and 2) the EU law. Application of the customary international law by the ECJ.	1) Craig & De Búrca, pp 268-305 2) Steiner & Woods, pp 41-68 3) Biondi/ Eeckhout/ Ripley, pp 62-85 4) Harris, pp 21-68 5) Shaw, pp 69-129 6) Horspool & Humphreys, pp 127-171 7) ალექსიძე, გვ 16-21
5	The issue of the legal personality of the EU under the Public International Law., and its capacity to act internationally. Latest developments in this regard, the Lisbon Treaty.	1) Craig & De Búrca, pp 169-182 2) Biondi/ Eeckhout/ Ripley, pp 85-107 3) Harris, pp 101-103 4) Shaw, pp 259-265 5) ალექსიძე, გვ 101-155
6	The precise capacity and powers of the EU to act under international law as international organization, specific commercial and internal legislative powers.	1) Craig & De Búrca, pp 182-195 2) Harris, pp 132-144 3) Shaw, pp 259-265 4) ალექსიძე, გვ 101-155
7	The relationship between 1) the Public International and domestic laws and 2) the EU law and the laws of the Member States, similarities and differences, the main principles (supremacy, proportionality, exclusivity, subsidiary,	1) Craig & De Búrca, pp 242-379, 309-312 2) Steiner & Woods, pp 69-115 3) Biondi/ Eeckhout/ Ripley, pp

	direct and indirect effect)	213-228 ; 248-265 4) Harris, pp 68-101 5) Shaw, pp 129-195 6) Horspool & Humphreys, pp 157-199 7) ქერდაძე, გვ 8-38
8	The conclusion of International Agreements by the EU, procedure of concluding international agreements, the procedure of concluding international agreements in the Public International Law. The 1969 Vienna Convention on the Law of Treaties .	1) Craig & De Búrca, pp 195-220 2) Biondi/ Eeckhout/ Ripley, pp 107-128 3) Harris, pp 765-859 4) Shaw, pp 902-956 5) ალექსიძე, გვ 82-97
9	Membership of the EU in other organizations such as the WTO, International representation of the EU, EU as successor of EC, Rules on succession under the Public International Law.	1) Craig & De Búrca, pp 220-229 2) Harris, pp 144-190 3) Shaw, pp 960- 1010 4) ალექსიძე, გვ 75-82
10	The application and enforcement of the EU Law, application and enforcement of the Public International Law, remedies.	1) Craig & De Búrca, pp 305-344, 428-460 2) Steiner & Woods, pp 155-306 3) Harris, pp 484-624 4) Shaw, pp 1001-1005 5) Horspool & Humphreys, pp 199-282 6) ალექსიძე, გვ 155-161
11	The role of 1) the ICJ and 2) the ECJ to develop 1) the Public International Law and 2) the EU law, comparison between these two principal judicial bodies of two distinct legal orders	1) Craig & De Búrca, pp 66-76, 213-220 2) Biondi/ Eeckhout/ Ripley, pp 197-213

		3) Horspool & Humphreys, pp101-125 4) Steiner & Woods, pp 147-155 5) Harris, pp 985-1048 6) Shaw, pp 1057-1115 7) ალექსიძე, გვ 329-336
12	Human Rights in the context of the EU law and the Public International Law.	1) Craig & De Búrca, pp 379-427 2) Biondi/ Eeckhout/ Ripley, pp 155-197 3) Harris, pp 624-765 4) Shaw, pp 265-345 5) Horspool & Humphreys, pp 127-155 6) ალექსიძე, გვ 198-271 7) ქურდაძე, გვ 38-49
13	The future of 1) the Public International Law and 2) EU law, the more EU develops and acts as a global power, the more fundamental issues concerning its position in the Public International Law will be raised.	1) Craig & De Búrca, review of previous reading assignments 2) Biondi/ Eeckhout/ Ripley, review of previous reading assignments 3) Steiner & Woods, review of previous reading assignments 4) Harris, review of previous reading assignments 5) Shaw, review of previous reading assignments 6) Horspool & Humphreys, review of previous reading assignments 7) ალექსიძე, გავლილი მასალების მიმოხილვა 8) ქურდაძე, გავლილი მასალების მიმოხილვა
14	Active discussion on correlation of the Public International Law and the EU law, whether the EU law sits in Public International law or represents a distinct	

	'new' legal order, the students divided in two groups are supposed to argue For and Against.	
15	Summary of the classes, preparation for the exam	