European Public Law

Language of the course: English
No. of Hours: 90
Hours per week: 6
ECTS: 8
Lecturers: Siniša Rodin, Tamara Ćapeta, Iris Goldner Lang, Tamara Perišin

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I. Course description

The main objectives of the course are to develop knowledge of institutional framework and legal system of the European Union; to develop understanding of basic tensions in relationship of EC and national, particularly constitutional law; to develop understanding of basic economic logic and policy shaping the four freedoms, particularly free movement of goods; to make distinction between different branches of jurisdiction and understand differences and choices of different judicial procedures under the Treaty on Functioning of the European Union. The course is organized in fifteen 6-hour units.

II. Teaching units and learning objectives

Unit 1 – Evolution of the European Union and its basic legal framework

Learning objectives: to understand the structure of the European Union under the Treaty of Lisbon and its historic evolution. To understand the main stages of European economic integration, and how economic integration affects political and social sphere. To understand economic and political objectives of the European integration and to understand links between economic integration and political goals of the founding fathers of the EU.

Unit 2 – European Union after the Lisbon Treaty

Learning objectives: To understand the institutional setting of the European Union, to get acquainted with its institutions, particularly, their roles and interrelationship. To understand the vertical separation of powers between the EU and her Member States. To understand competences of the European Union and to develop ability to determine their scope. To understand the role of Member States in the European regulatory process, particularly the role of national parliaments. To get basic understanding of concepts of subsidiarity, proportionality and conferred powers. To understand the European regulatory process and roles of individual actors (Commission, the Council, the European Parliament).

Unit 3 – The European Court of Justice

Learning objectives: To get the basic overview of the judicial structure of the European Union, notably, the General Court and the European Court of Justice. To understand the main branches of jurisdiction of the European Court of Justice, notably, the preliminary rulings procedure (Art. 267 TFEU), infraction
proceedings (Arts. 258-261 TFEU), and actions for anulment of the acts of the EU and failure to act (Arts. 263-266 TFEU).

Unit 4 – The "new legal order"

Learning objectives: To understand the concept of the "new legal order of European Law" and what makes it different from the legal orders of Member States of the EU and the legal order of international law. To get familiarized with the legal reasoning of the ECJ. To develop understanding of inductive and deductive method and to understand their relevance for judicial reasoning. To understand the role of the ECJ in process of constitutionalisation of EU law. To understand place and function of its decision in the legal order of the EU. To acquire understanding of concepts of "direct effect" and "supremacy" of EU law.

Unit 5 – Supremacy of EU law from the national perspective

Learning objectives: To get acquainted with differences in understanding of supremacy of EU law that exist between the ECJ and national courts. To understand national arguments that challenge supremacy of EU law and counterarguments that contend the opposite. To familiarize with the major national judicial decisions that challenge supremacy of EU law, particularly the doctrine of the German Bundesverfassungsgericht.

Unit 6 – Procedural supremacy and the Simmenthal doctrine

Learning objectives: To understand obligations of national courts flowing from doctrines of supremacy and direct effect. To understand procedural and interpretative problems that may arise in this context. To understand different models of judicial review and how they are affected by the Simmenthal doctrine. To get a theoretical overview of national systems of preliminary rulings and how they compare to the Preliminary ruling procedure under Art. 267 TFEU. To develop understanding how Community law is applied in national legal systems, especially regarding the principle of supremacy of Community law and obligations of national courts when confronted with choice between national and European legal sources.

Unit 7 – Sources and effects of EU law (overview)

Learning objectives: To get acquainted with sources of secondary EU law and to understand the difference between primary and secondary EU law. To learn to distinguish vertical from horizontal direct effect of the Founding Treaties, to understand the importance of that distinction, and to understand what effects primary EU law has in national legal order. To understand the concept of general principles of EU law and how they relate to primary and secondary sources. To develop ability to determine the scope of EU law based on applicability of
particular categories of applicable legal rules (primary law, secondary law, general principles of law).

Unit 8 – Secondary EU law: Regulations

**Learning objectives:** To understand obligations of Member States related to application of Regulations. To understand effects of Regulations in national legal orders of Member States. To develop ability to identify and apply, in national law, individual rights created by a Regulation.

Unit 9 – Seconary EU law: Directives 1

**Learning objectives:** To understand specific characteristics of Directives as a source of secondary EU law. To develop basic knowledge about their effects in legal order of the EU and in national legal orders. To understand the difference between Directives and Framework Decisions under the Treaty of Nice, and the changes introduced by the Treaty of Lisbon. To understand the TFEU distinction between Regulations and Directives and reasons for choice of one of the two categories of sources.

Unit 10 – Secondary EU law: Directives 2

**Learning objectives:** To understand how ECJ justifies vertical direct effect of directives and to develop understanding of judicial policy in case of Member State failure to implement a Directive. In this respect, to understand the concept of "emanation of State" in case law of the ECJ. To understand differences between vertical and horizontal effects of directives and to develop skill to discuss arguments for and against such effects.

Unit 11 – Interpretative duties of national authorities

**Learning objectives:** To understand obligation of Member States to apply EU law, particularly Directives, fully, correctly and effectively. To acquire ability to distinguish between direct and indirect effect of Directives. To understand concept of EU law-friendly interpretation and to be able to determine the limits of such interpretation. To understand motivation and method of the ECJ in relevant cases where that concept was introduced. To understand principles of equivalence and effectiveness of legal protection of rights based in EU law.

Unit 12 – State liability for damages in case of breach of EU law

**Learning objectives:** To understand criteria for Member State liability for damages in case of non-implementation of directives and other breaches of Community law. To acquire ability to recognize "sufficiently serious breach" of
Community law. To understand obligations of national courts for proper application of Community law and their responsibility for breach of Community law. To understand changes in balance of power in Member States that were caused by the relevant decisions of the ECJ.

Unit 13 – The 4 freedoms: legal regulation of economic disarmament

Learning objectives: To understand the economic and political background of the internal market. To understand the motivation of the ECJ that underlies its reasoning. To understand basic concepts such as: prohibition of quantitative restrictions and measures of equivalent effect, mutual recognition, mandatory requirements.

Unit 14 – The 4 freedoms: justification of national measures

Learning objectives: To understand how national measures restricting market freedoms can be justified. To understand concepts of subsidiarity, proportionality and non-discrimination, as applied in the law of the EU, especially to be able to perform basic proportionality analysis, based on the facts of a case. To understand the concept of margin of appreciation, as applied by the ECJ. To understand the roles of the actors, particularly, the legislature and the judiciary on national and European level.

Unit 15 – Fundamental rights in the EU

Learning objectives: To understand relationship between market freedoms and fundamental rights in the EU and how are they balanced by the ECJ. To acquire ability to critically assess the balance between market freedoms and fundamental rights in the legal order of the EU. To understand different sources of fundamental rights and how to interpret and apply them in the legal order of the EU. To get acquainted with evolution of protection of fundamental rights in the EU and to determine situations in which they can be invoked before national courts and before the ECJ.

III. General and specific learning outcomes

1. General learning outcomes

Application of law and problem solving

Students will have demonstrated basic skills in application of knowledge at situations of limited complexity in order to reach reasoned solutions to real or hypothetical problems.
Sources and research
Student will have demonstrated basic ability to identify legal issues, to find and retrieve legal sources in paper and electronic format, to use relevant primary and secondary legal sources.

Analysis, synthesis, critical judgment and evaluation
Student will have ability to identify sources and problems and to rank the materials as to their relevance and importance, to gather information from a variety of sources, to demonstrate synthesis of relevant doctrinal problems, to critically evaluate arguments, to choose among several possibilities and to explain the choice.

Independence and ability to learn
Student will have demonstrated basic capacity to implement student research supervised by a professor, regardless whether the area of research was previously discussed in class or not, to reflect upon process of learning and to be able to ask for and use advice of his or her supervisor.

Communication and literacy
Student will have been able to use professional language and to present information in a way that is comprehensible to others, to read and discuss legal materials written in technical and complex language, and to write a student essay and be able to present it in appropriate way.

Other general learning outcomes
Student will have ability to use internet, including e-mail, to work in a group and to contribute to achievement of group goals.

2. Specific learning outcomes

Knowledge of law and legal skills

(1) To have knowledge about relevant legal sources of the European Union law and to be able to distinguish them based on their characteristics and
effects. To be able to differentiate legal sources of EU law from national legal sources, international legal sources and law of the Council of Europe;

(2) To understand the object of study and scope of European union law. To be able to distinguish specific subject matter of European Union law from specific subject matter of other areas of law;

(3) To understand the main phases of development and the basic characteristics of economic integration in general, and specifically in Europe. To understand differences between a free trade area, a customs union and internal market and to develop skill of identifying different forms of economic integration by studying legal sources that define them;

(4) To understand how European integration affects political and social sphere in the Member States, especially, what are the effects of economic integration on cooperation in acceptance and implementation of common policies of the Member States;

(5) To understand main political objectives of the European integration and to be able to recognize them on grounds of analysis of primary sources, secondary sources and case law. To understand how economic integration and political objectives are interrelated, and how they were defined by the founding fathers of the EU. To acquire ability to identify such objectives by analysis of legal materials;

(6) To understand the basic institutional structure of the European Union, to understand difference between supranational method of decision making and intergovernmental method, to understand and be able to describe historic circumstances which led to the present structure of the European Union;

(7) To understand the role and basic competences of the institutions of the European Union, and to be able to distinguish them from institutions of other international organizations;

(8) To understand competences of the institutions of the European union and to have command of the basic concepts relevant for law making in the European Union;

(9) To understand the concept of conferred powers and why is the European union an organization of conferred powers. To understand importance of having a valid legal basis for enactment of secondary legislation of the European Union. To understand a concept of dual legal basis and to acquire ability to decide when certain legal act can be adopted on grounds of a single or dual legal basis;

(10) To understand concepts of subsidiarity and proportionality and to be able to recognize their main elements in legislative and judicial practice;

(11) To be acquainted with the main historic milestones of the development of the European Union, particularly with time and circumstances of signing of the Founding Treaties and other relevant legal instruments, and to have ability to orientate in time in order to be able to determine when certain legal sources were enacted or ceased to exist;
To understand basic methods of work of the European Court of Justice, including intellectual process that stands behind judicial decision-making. To acquire ability to distinguish between inductive and deductive method and to understand their relevance in legal analysis;

To understand the role of the European Court of Justice in development and constitutionalisation of EU law, and place and function of its decisions within the legal order of the EU;

To develop basic understanding of the Community method and to be able to distinguish it from international law method, method of civil law and the common law method;

To understand the concept of new legal order of European law, its main characteristics, and what makes it different from legal orders of Member States of the EU and the legal order of international law;

To understand concept of direct effect of EU law and to know which legal sources of EU law do have such effect and under what circumstances. Particularly, to be able to distinguish vertical and horizontal direct effect of the Founding Treaties and of secondary EU law;

To understand concept of indirect effect in general and horizontal indirect effect (German: Mittelbare Drittwirkung) in particular. To understand the relevance of that concept and to develop ability to apply criteria for its application in national legal orders of Member States;

To understand concept of supremacy of EU law in respect of law of Member States and to be able to apply it in concrete and hypothetical situations. To understand how supremacy of EU law affects work of national courts and other authorities, and how it affects national legal systems and hierarchy of national legal sources;

To familiarize with basic obligations of national courts when they apply EU law and their obligations in case of conflict between legal rules of national law and legal rules of EU law, particularly, in context of constitutional review of national law;

To understand obligations of Member States related to Regulations and effects of EU Regulations in legal orders of Member States. To develop ability to identify and apply, in national law, individual rights created by EU Regulations;

To understand obligations of Member States related to implementation and application of Directives and to understand specific characteristics of Directives, their effects in legal order of the EU and in legal orders of the Member States. To understand how the European Court of Justice justifies vertical direct effect of directives and to understand how the ECJ widens the scope of application of EU law by extensive interpretation of concept of State;

To understand difference between vertical and horizontal direct effect, and to be able to give arguments why Directives should or should not be recognized such effects;
(23) To understand obligation of State authorities to implement EU law timely, fully, correctly and effectively. To understand concept of EU law-friendly interpretation (German: Europarechtfreundliche Auslegung), and to be able to determine limits of such interpretation. In that context, to understand the role of Art. 4(3) of the Treaty on European Union (former Art. 10 of the TEC);

(24) To understand concepts of *equivalent legal protection* and *effective legal protection* of rights based in EU law by national courts. To develop ability to identify what national legal remedies are applicable (if any), in order for national courts to comply with requirements of equivalence and effectiveness;

(25) To understand motivation of the ECJ to introduce liability for damages in cases of breach of EU law by the Member States, and to know to apply, in real and hypothetical situations, criteria when such liability arises, as set forth by the ECJ. In that context, to understand concept of *sufficiently serious breach of EU law* and to be able to identify such situations;

(26) To understand sources of EU law adopted within framework of Common Foreign and Security Policy and within Judicial Cooperation in Criminal Matters introduced by the Treaty of Lisbon. To understand what happened to sources of former II. and III. pillar of the EU after entry into force of the Lisbon Treaty;

(27) To understand economic and political background of legal regulation of market freedoms, in particular in area of free movement of goods and services;

(28) To understand concepts of *quantitative restrictions*, *measures of equivalent effect*, *indistinctly applicable measures*, *distinctly applicable measures*... To understand the dynamics of measures of negative integration (Articles 34 and 36 TFEU) and positive integration (Art. 114 TFEU). To understand how ECJ case law in area of the Four Freedoms affects regulatory autonomy of Member States;

(29) To understand doctrine of *mutual recognition* and circumstances in which it was created by the ECJ, as well as its consequences for process of European integration. To understand limits of national regulation in context of internal market. To understand concepts of *product characteristics* and *selling arrangements*, and their relevance for jurisdiction of the ECJ and for regulatory autonomy of Member States;

(30) To understand basic rules applicable to freedom to provide services, freedom of establishment and free movement of workers. To acquire ability to identify national measures restricting those freedoms and to make informed judgments on their legality or illegality in terms of EU law;

(31) To understand proportionality test as applied by the ECJ and to be able to identify and apply its main elements in analysis of actual or hypothetical cases;

(32) To understand dynamics of market freedoms and fundamental human rights in the EU. To understand methods of their balancing, in particular
by understanding of concepts of margin of appreciation and proportionality. To develop ability of critical thinking about relationship of market freedoms and fundamental rights in the legal order of the EU;

(33) To familiarize with international agreements concluded between the EU and third States, particularly with Stabilisation and Association Agreements. To understand their effects in the legal order of the EU and in the legal orders of third States parties. In particular to understand requirements for direct effect of such agreements and law enacted in their implementation;

(34) To understand concept of mirror provisions of SAAs and to be able to identify similarities and differences in their application, as compared with mirror provisions of the Founding Treaties. To be able to identify and apply basic concepts of EU law in context of agreements with third States;

(35) To understand why ECJ interprets agreements with third States in accordance with their object and purpose, and to be able to identify economic and political reasons that affect interpretation of their provisions.

**Analytical and generic skills**

(1) To be familiar with the basic terminology of EU law and to know how to use it in oral and written form in appropriate and articulate way;

(2) To have ability to link complex factual situations with legal norms and concepts of EU law and ability to articulate linked factual and legal elements into legal issues. To have ability to suggest alternative solutions to legal problems;

(3) To have ability to connect EU law with concrete legal problems and ability to use such examples in new actual or hypothetical situations;

(4) To have ability to express, in form of a commentary of a particular legal issue, or in form of an answer to a legal question, and to explain it in clear and concise way, orally or in written, being aware of alternative approaches to their solving;

(5) To have ability to argue legal and factual issues, taking into account broader legal, economic and social context, being aware of alternative and different opinions and understandings;

(6) To have ability to solve legal issues from perspective of different actors and by playing different roles, such as the role of an European Commission representative, a Member State representative, an Advocate General, etc.;

(7) To have basic skills of searching relevant electronic information systems, particularly the EUR-LEX. To know how to develop a search strategy, and to be able to find a required document, even without a full reference;
(8) To have ability to analyze a legal source of EU law and to identify its relevant parts and interpret them in legal, economic and social context.

IV. Course delivery
The course will be delivered in Summer semester. Each of its fifteen units will comprise six teaching hours, totaling 90 hrs. Lectures will be interactive and students will have to prepare for each class.

V. Examination
Final grade comprises the following elements: mid term written exam, end term written exam, class attendance and discussion, short student paper and oral exam.

VI. Reading

General Reading

Treaty on European Union OJ C 115/13

Treaty on Functioning of the European Union, OJ C 115/47


Josephine Steiner, Lorna Woods and Christian Twigg-Flesner, EU Law, Oxford UP

Stephen Weatherill, Cases and Materials on EU Law, Oxford UP

Rudden and Wyatt’s EU Treaties and Legislation, Oxford UP

Class materials
Students have to prepare for each class by reading the assigned class materials.


<table>
<thead>
<tr>
<th>Unit 1</th>
<th>The Treaty of Lisbon</th>
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<tbody>
<tr>
<td></td>
<td>- Treaty on European Union</td>
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</tbody>
</table>
| Unit 2 | Arts. 4-5 TEU and Arts. 1-6 TFEU  
Protocol on the application of the principles of the subsidiarity and proportionality (OJ C 306/150)  
Protocol on the role of national parliaments in the European Union  
Case 22/70 Commission v. Council (ERTA)  
Case C-267/06 Maruko |
|---|---|
| Unit 3 | Relevant provisions of the TFEU applicable to the EC  
Lord Slyn of Hadley, What is a European Community Law Judge, Cambridge Law Journal 52(2) 1993 234-244 |
| Unit 4 | Case 26/62 Van Gend en Loos  
Case 6/64 Costa v. ENEL  
| Unit 5 | Case 11/70 Internationale Handelsgesellschaft  
Case Solange I – German Federal Constitutional Court  
Case Solange II – German Federal Constitutional Court  
Case Lisbon – German Federal Constitutional Court |
| Unit 6 | Case 11/70 Simmenthal II  
Case C-555/07 Seda Kücükdeveci v Swedex GmbH & Co. KG  
Case C-118/08 Transportes Urbanos y Servicios Generales SAL |
| Unit 7 | Case 36/74 Walrave and Koch  
Case 43/75 Defrenne II  
Opinion of AG Maduro in C-438/05 Viking (Rosella)  
Case C-555/07 Seda Kücükdeveci v Swedex GmbH & Co. KG |
| Unit 8 | Case 34/73 Variola  
Case 93/71 Leonesio  
Case 39/72 Commission v. Italy |
| Unit 9 | Case 41/74 Van Duyn  
Case 148/78 Ratti  
Case 152/84 Marshall  
Case C-188/89 Foster v. British Gas |
| Unit 10 | Case C-91/92 Faccini Dori  
Opinion of AG Lenz in Faccini Dori  
Opinion of AG Bot in Kücükdeveci |
| Unit 11 | Case 14/83 Von Colson and Kamman  
Case 80/86 Kolpinghuis Nijmegen  
Case C-106/89 Marleasing  
Case 222/84 Marguerite Johnston  
Case C-312/93 Peterbroeck  
Case C-432/05 Unibet  
Case 118/08 Transportes Urbanos |
| Unit 12 | Case C-6/90 and C-9/90 Francovich and Bonifaci v. Italy  
Joined Cases C-46/93 & C-48/9 - Brasserie de Pescheur & Factortame  
Case C-224/01 Köbler  
Case C-154/08 Commission v. Spain |
| Unit 13 | Case 8/74 Dassonville  
| Case 120/78 Cassis de Dijon  
| Commission Communication - Cassis de Dijon  
| C-145/88 Torfaen Borough Council  
| C-267/91 & C-268/91 Keck  
| C-368/95 Familiapress |
| Unit 14 | Case 90/86 Zoni  
| Case C-470/93 Mars  
| Opinion of AG Maduro in Case C-434/04 Leppik  
| Case C-55/94 Gebhard  
| Opinion of AG Maduro in Case C-570/07 and C-571/07 Perez and Gomez |
| Unit 15 | Case 4/73 Nold  
| Case 44/79 Liselotte Hauer  
| Case C-155/90 Grogan  
| Case C-112/00 Schmidberger  
| Case C-36/02 Omega |

**VII. Quality Assessment**

Quality of the course will be assessed by self-evaluation, student evaluation and institutional evaluation.
CURRICULUM VITAE

1. Family name: Rodin
2. First names: Siniša
3. Date and Place of birth: 23.02.1963 - Zagreb (Croatia)
4. Nationality: Croatian
5. Civil status and number of dependants: Married with 2 children
6. Education:

<table>
<thead>
<tr>
<th>Institution</th>
<th>University of Zagreb, Faculty of Law</th>
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<tbody>
<tr>
<td>Date:</td>
<td>12/1995</td>
</tr>
<tr>
<td>Degree obtained:</td>
<td>Ph.D. in Law</td>
</tr>
<tr>
<td>Institution</td>
<td>University of Michigan Law School, Ann Arbor, Michigan, U.S.A.</td>
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<tr>
<td>Date:</td>
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</tr>
<tr>
<td>Degree obtained:</td>
<td>Master of Laws (LL.M.)</td>
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<tr>
<td>Institution</td>
<td>University of Zagreb, Faculty of Law</td>
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<tr>
<td>Date:</td>
<td>from (10/82) to (09/96)</td>
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<tr>
<td>Degree obtained:</td>
<td>Law Diploma (LL.B.)</td>
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<tr>
<td>Institution</td>
<td>Klasična gimnazija u Zagrebu</td>
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<tr>
<td>Date:</td>
<td>from (06/78) to (06/82)</td>
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<td>Diploma obtained:</td>
<td>Diploma</td>
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7. Language skills: (Mark 1 to 5 for competence)

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<tr>
<th>Language</th>
<th>Reading</th>
<th>Speaking</th>
<th>Writing</th>
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</thead>
<tbody>
<tr>
<td>CROAT.</td>
<td>mother tongue (5)</td>
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<tr>
<td>ENGLISH</td>
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<td>5</td>
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<td>GERMAN</td>
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<td>4</td>
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<tr>
<td>ITALIAN</td>
<td>3</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>FRENCH</td>
<td>3</td>
<td>2</td>
<td>2</td>
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</tbody>
</table>

8. Computer skills: (computer literacy)
WINDOWS (W.‘95-XP, Office, Word, Excel, Power-Pont, Access, Works)
NETSCAPE NAVIGATOR + EXPLORER 5.0, ETC.

9. Present Position:
Jean Monnet Professor of European Law at University of Zagreb, Faculty of Law

10. Years of experience: 22

11. Key qualifications: (relevant to the programme):
- Legal research in law of the European Union and comparative law
- Management of scientific projects
- Constitution, governance and strengthening of institutions at local and national level
- Democratisation and human rights
- Electoral processes, rules and procedures
13. Experience with research and high education projects (SELECTED PROJECTS).
(country, years. Short description)

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<thead>
<tr>
<th>Country</th>
<th>Date: from (month/year) to (month/year)</th>
<th>Short Description (more information available upon specific request)</th>
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<tbody>
<tr>
<td>U.K. &amp; CROATIA</td>
<td>2009 -</td>
<td>FP 7 project IME – Identities and Modernities in Europe – national research coordinator</td>
</tr>
<tr>
<td>CROATIA</td>
<td>2006 -</td>
<td>Jean Monnet Professor</td>
</tr>
<tr>
<td>CROATIA</td>
<td>2005 -</td>
<td>Academic Co-director of the Master of European Studies program at University of Zagreb</td>
</tr>
<tr>
<td>CROATIA</td>
<td>2002-2004</td>
<td>TEMPUS Curriculum Development Project in Consortium with University of London, London School of Economics and Universidade Nova de Lisboa (Project coordinator for Croatia)</td>
</tr>
<tr>
<td>CROATIA</td>
<td>2003 - 2009</td>
<td>International Jean Monnet seminar &quot;Advanced Issues of European Law and Policy&quot; – IUC Dubrovnik (Course Co-Director)</td>
</tr>
<tr>
<td>UNITED STATES</td>
<td>09/2001 to 07/2002</td>
<td>Fulbright visiting scholar at Harvard Law School</td>
</tr>
<tr>
<td>CROATIA</td>
<td>since 2000 recurring annually</td>
<td>International Seminar &quot;Protection of Fundamental Rights in Comparative Perspective&quot; (Seminar Co-director)</td>
</tr>
<tr>
<td>CROATIA AND U.K.</td>
<td>1998-2001</td>
<td>JUDICIAL AND NON-JUDICIAL PROTECTION OF HUMAN RIGHTS IN THE UNITED KINGDOM AND CROATIA (International project financed by the British Council and Croatian Ministry of Science) - project co-director</td>
</tr>
<tr>
<td>U.S.A.</td>
<td>1998</td>
<td>Visiting Research Fellow - University of Michigan Law School research topic: XIV AMENDMENT - SUBSTANTIVE DUE PROCESS CLAUSE</td>
</tr>
<tr>
<td>GERMANY</td>
<td>1996/7</td>
<td>Visiting Research Fellow - Max-Planck Institut für ausländisches öffentliches Recht und Völkerrecht, Heidelberg, Germany - research topic: ARTICLE 2(1) OF GERMAN CONSTITUTION - RIGHT TO FREE DEVELOPMENT OF PERSONALITY</td>
</tr>
<tr>
<td>ITALY</td>
<td>1992/3</td>
<td>Research Fellow - European University Institute, Florence, Italy - research topic: CONSTITUTIONAL REQUIREMENTS FOR MEMBERSHIP IN THE EUROPEAN UNION</td>
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14. Conference reports and invited lectures

<table>
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<tr>
<th>Date</th>
<th>Event</th>
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<tbody>
<tr>
<td>December 5-6, 2008</td>
<td>Xth International Congress on European and Comparative Constitutional Law, Regensburg, December 5 and 6, 2008, Congress paper – Constitutional Developments Related to Accession of Croatia to the European Union</td>
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| April 17-19, 2008 | International conference "Ceci n’est pas une constitution – Constitutionalisation without a constitution", organised by the New Bulgarian
<table>
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<tr>
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<th>Event</th>
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<tbody>
<tr>
<td>October 2007</td>
<td>International Conference &quot;Quo Vadis Europo&quot;, University of Warsaw, conference paper - Towards an Increased Responsibility of Member States for Functioning of the European Union</td>
</tr>
<tr>
<td>June 2007</td>
<td>IX. International Congress on European Constitutional Law, Universitaet Regensburg, Congress Paper, Divergence of Public Discourses in Croatia and the European Union</td>
</tr>
<tr>
<td>April 2007</td>
<td>Jean Monnet Conference organised by University of Zagreb, Faculty of Law, Jean Monnet Chair of European Public Law in cooperation with Hans Seidel Stiftung, Friedrich Ebert Stiftung, Foreign and Commonwealth Office - Constitutional Implications of EU Membership; conference paper: &quot;Preparing the Croatian Constitution for EU Membership&quot;</td>
</tr>
<tr>
<td>January 2007</td>
<td>Conference, University of Rotterdam, Rotterdam 11-13 January 2007, Judicial Deliberations - The Legitimacy of Highest Courts’ Rulings, Conference Report, Functions of Judicial Opinions and the New Member States</td>
</tr>
<tr>
<td>November 2006</td>
<td>22nd FIDE CONGRESS, 1 – 4 November 2006, Limassol – Cyprus, Conference paper (with Iris Goldner) External Relations of the EU and the Member States: Competence, Mixed Agreements, International Responsibility, and Effects of International Law</td>
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<td>November 2006</td>
<td>Cetrti dnevi Evropskega prava, Kranjska gora, 16-18 November, Conference paper, The Least Interesting Branch Actions for Failure to Act (Art. 232 TEC)</td>
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<td>November 2005</td>
<td>The Third Annual Conference on EU Law, Kranjska Gora, Slovenia, Conference paper: A view on the Constitution for Europe from a future Member State</td>
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<td>October 2005.</td>
<td>International Conference organized by the Faculty of Political Science,</td>
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<td>October 2004</td>
<td>Zagreb, symposium National Legal Cultures and Making of the Constitution for Europe, Pravni fakultet Sveučilišta u Zagrebu i Universitäts Hamburg, Europa Kolleg, znanstveno izvješće: Discourse and Authority in European and Post Communist Legal Culture</td>
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<td>October 2004</td>
<td>Den Haag, national report to MATRA Multi-country project: Impact of EU Accession on the National Legal Orders of Candidate Countries</td>
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<tr>
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<td>December 2003</td>
<td>Zagreb, symposium organized by Zagreb Faculty of Law and University of Manchester, Faculty of Law: &quot;From Legislation to Action: The Equality of Men and Women, European Experiences and Croatian Perspectives&quot;, report: &quot;Indirect Discrimination and Croatian Gender Equality Act&quot;</td>
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<td>November 2003</td>
<td>Zagreb, Symposium organized on occasion of anniversary of the Zagreb Faculty of Law, report: &quot;Stabilization and Association Agreement in Legal Order of EU and Croatia&quot;</td>
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<tr>
<td>February 2003</td>
<td>UNIDEM CAMPUS, Trieste, Italy – The Venice Commission – Supremacy of Community Law and Principle of Subsidiarity (lectures)</td>
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<td>August 2002</td>
<td>National Legal Cultures and Global Integration; Tradition v. New Standards, Lecture at Summer University, Europe 2000, Selce, Croatia</td>
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<td>July 2002</td>
<td>Equality of Men and Women – Croatian Problems - Global Solutions, Round table organized by working group on gender equality, University of Zagreb, Faculty of Law, report &quot;Normative Approach to Gender Equality&quot;</td>
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<td>April 2002</td>
<td>University of Michigan, European union Center and Center for Russian and East European Studies, Accession Roundtable “EU Enlargement: The Changing Political Map of Europe”</td>
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<td>April 2002</td>
<td>University of Michigan Law School lecture: European Union and South-East Europe</td>
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<td>April 2002</td>
<td>Chicago-Kent College of Law: Faculty Colloquia-Guest Lecture Association Agreements Between EU and European States - An Asymmetric Approach</td>
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<td>Zagreb, Croatia International Conference on the EU Enlargement &amp; SEE organized by the European Movement, Conference paper: &quot;Requirements of EU Membership and Legal Reform in Croatia&quot;</td>
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<tr>
<td>November 2001</td>
<td>VS/VR Colloquium at Harvard Law School: Stabilization and Association Agreements</td>
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<tr>
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<td>Lisbon, Portugal, Multi-level Constitutionalism – Transatlantic Perspectives, Comparative Federalism: the US and the EU, paper presentation &quot;EU and its Candidate Countries - Asymmetric Approach to Association Agreements and Association Law&quot;</td>
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| April 2001     | Split, Croatia - 5th German/Croatian Law Symposium: Legal Requirements and
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<td>November 2000</td>
<td>Rijeka - Post-graduate European Law Studies - invited lectures on constitutional requirements for EU membership</td>
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<tr>
<td>September 2000</td>
<td>International Symposium: INTERPRETATIVE ROLE OF CONSTITUTIONAL COURTS, Croatian Constitutional Court, Novi Vinodolski, Croatia; Report - Fundamental Rights and Admissibility of Constitutional Complaint</td>
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<td>May 2000</td>
<td>International Conference: CONSTITUTIONALISM AND CONSTITUTIVE POLICIES BEYOND THE STATE, The Institute of European Studies, Queens University, Belfast; Conference report: Principle of Proportionality and Codification of Fundamental Rights – Lessons for Supranational Legal Order</td>
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<tr>
<td>March 2000</td>
<td>International Seminar: LEGAL ASPECTS OF EUROPEAN UNION, organized by the Croatian Ministry for European Integration, Zagreb, Croatia; invited lecture: Protection of Fundamental Rights in European Union</td>
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<td>February 2000</td>
<td>International Seminar: EDUCATION FOR DEMOCRACY AND EUROPEAN STUDIES IN CENTRAL AND EASTERN EUROPE, Lovran, Croatia; invited lecture: Constitutional Aspects of Integration of Croatia into European Organizations</td>
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<td>June 1999</td>
<td>Conference organized by the Croatian Law Center: POSITION OF NGO’S IN CROATIAN LEGAL SYSTEM, Zagreb, Croatia; conference report: Freedom of Association in Croatian Legal System and Within Framework of the European Human Rights Convention</td>
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<td>March 1999</td>
<td>Conference organized by the Croatian Law Center: RIGHT TO HOME AND RIGHT TO PEACEFUL ENJOYMENT OF PROPERTY, Zagreb, Croatia; conference report: Discrimination - normative and actual</td>
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<td>March 1999</td>
<td>International Conference organized by the Croatian Law Center: LEGAL CONSEQUENCES OF COLLAPSE OF THE SFR YUGOSLAVIA IN AREA OF LABOR AND SOCIAL LAW, Zagreb, Croatia; conference report: Constitutional Definition of Croatia as Welfare State</td>
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<td>June 1997</td>
<td>INTERNATIONAL POLITICAL SCIENCES ASSOCIATION (IPSA) CONFERENCE 1997, Brussels, Belgium; conference paper: Constitutional Restraints of Supranational Judicial Activism - a Challenge to European Integration</td>
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<td>April 1997</td>
<td>Symposium organized by the Croatian Academy of Sciences and Arts:</td>
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Abstract:

Paper explores concept of public policy in post-communist legal environment and compares it to its understanding in the case law of the ECJ. It identifies problems related to balancing of fundamental rights and market freedoms in process of harmonisation.

Abstract:

Stronger position of MSs is exemplified by stronger accentuation of the indirect effect of Community law, stronger accentuation of the margin of appreciation allowed to the Member States, shift of the focus of judicial scrutiny of the ECJ from comprehensive to market access review, and developments in regulatory arena.

Abstract:

Paper explores two parliamentary practices that have crystallised from the 1990 onwards: so-called authentic interpretation, and stringent control of governmental external relations action. This is explained by insufficient legislative framework, post-communist inertia, selective perception and political landscape.

Abstract:

Legal nature of the Union’s legal order, and in that context of its constitutional foundation, affects national constitutional arrangements and political debate in Croatia. Authors address possible descriptions of the nature of the EU legal order, and Croatia-specific constitutional problems related to the EU membership.

Abstract:

Paper explores the path of Croatia’s relationship with the EU from early 90’s
to the opening of membership negotiations.

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<td>Abstract:</td>
<td>Based on Feyerabend’s distinction between guided and free exchange, author argues that the accession of post-communist states to the EU took the form of communication where participants in the process voluntarily embrace the meaning of law developed through EU inter-institutional discourse.</td>
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Rodin, S., Ćapeta, T., and Goldner I., (eds.) REFORMA EUROPSKE UNIJE – LISABONSKI UGOVOR (Reform of the EU – The Lisbon Treaty), Narodne novine, Zagreb 2009


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PRAVNI SUSTAV I INSTITUCIJE EVROPSKE ZAJEDNICE (Legal system and institutions of the European Community), Zagrebačka poslovna škola, Biblioteka Effective Management, Zagreb 1990. 258+XIV pages.

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Rodin, S., Divergencija javnog diskursa u Hrvatskoj i Europskoj uniji – uzroci i posljedice, 44 Politička Misao 2 (2007) 3


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