
EU Internal Market Law

4 ECTS

Winter semester

Course Description

Understanding the internal market law is the key to understanding how the EU really works!

In the EU, difficulties in striking the appropriate balance between the interests of the internal market, on the one hand, and national regulatory autonomy, on the other, have been very visible in connection with all four fundamental freedoms – free movement of goods, persons, services and capital.

As far as movement of goods is concerned, the creation of an area in which manufactured goods flow freely across borders is plainly a central element in the pursuit of an internal market. Only if the free movement of goods is secured will the economic advantages of economic integration be fully realised. So the law governing the free movement of goods is designed to allow for an intensification of competition between producers that ought to generate higher quality products, lower prices and wider consumer choice. Trade should no longer be distorted by the fact of crossing a political border. Our interest lies in the scope and effect of the law of the free movement of goods – how is market integration to be achieved? In particular we will be looking at and comparing the distinct contributions made by, on the one hand, the Court and, on the other, by the EU's political institutions.

In the field of the free movement of persons and services, the mix of advantage and disadvantage can be complex, but without doubt it is a mix rather than a straightforward plus or minus. Free movement of workers can relieve high levels of unemployment in one State as unemployed persons move to jobs in other States, but competition for skilled workers can cause shortages as workers who are in employment in one State leave for higher wages or promotion in another. The mobility of workers is increased by mutual recognition of qualifications. Self-employed persons also enjoy the freedom of movement. This covers not only individuals, who can carry on professional activities (plumbers, doctors, lawyers) on a temporary or permanent basis in other States, but also companies, who are free to set up subsidiaries and branches in other States, and free to take over companies in other States. This can be controversial, when national “champions” are taken over by foreign businesses, but EU rules guarantee a free and open market.

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Basic information

4 ECTS

30 hrs. of teaching

Final exam

Regular attendance required

Additional information

https://www.pravo.unizg.hr/EJP/en/eu_internal_market_law

Materials

Materials will be available at the Merlin e-learning platform.

Guest lecturers:

TBC

Selection of topics to be covered in class:

Introduction to the law, politics and economics of the internal market;
Free movement of goods;
Freedom of establishment and free movement of services;
Free movement of workers;
Recognition of diplomas and qualifications;
Citizenship of the EU;
Positive integration in the EU – attributed competences, subsidiarity and proportionality;
Free movement of capital;
National tax rules and the internal market.

Dr. Melita Carević

Melita Carević (LLM Ann Arbor, Michigan, Ph.D Zagreb) is an assistant professor at the University of Zagreb Faculty of Law, at the Jean Monnet Centre of Excellence “EU Global Leadership in the Rule of Law”, where she teaches European Public Law and EU Internal Market Law at the graduate level, and EU Internal Market Law, EU Competition Law and EU Institutional Structure at the post-graduate level. She graduated magna cum laude in 2008 from the University of Zagreb Faculty of Law. In 2011 she earned an LL.M. degree from the University of Michigan Law School and in 2015 her doctoral degree from the University of Zagreb Law School. In 2014 she completed an internship at the Court of Justice of the EU at the chambers of Judge Siniša Rodin and was a visitor at the chambers of Advocate General Eleanor Sharpston. In 2016 she was a visiting researcher at the University of Oxford, Faculty of Law. She passed the Croatian bar exam in 2018. She has participated in a number of life-long learning workshops on EU law for Croatian judges and lawyers. She is the editor of the Croatian Yearbook of European Law and Policy.

Prof. Iris Goldner Lang

Iris Goldner Lang (LL.M. LSE, Ph.D. Zagreb), is a Jean Monnet professor of EU law and the holder of the UNESCO Chair on Free Movement of People, Migration and Inter-Cultural Dialogue. She works at the Department of European Public Law, which she chaired from 2013 until 2015. She was a John Harvey Gregory Visiting Professor of Law and World Organization and a Fulbright Visiting Researcher at Harvard Law School in 2015/16. She was a Visiting Academic at UCL, London (2018) and at Harvard Law School Immigration Clinic (2017). She has held a number of visiting lectures (Harvard, Boston University, Temple University, LSE, University of Stockholm, University of Vienna, University of Lisbon, Court of Justice, European Parliament, Vrije Universiteit Brussels, Alpbach Forum Summer School, etc.). As a British Government Chevening Scholar, she earned her LL.M. degree at the London School of Economics. She did part of her doctoral research at the LSE and as an Ernst-Mach Scholar at the Johannes Kepler University in Linz. She is one of the coordinators of the Jean Monnet Centre of Excellence “EU’s Global Leadership in the Rule of Law”. She has been the leader of two Jean Monnet Modules "EU Migration Law and Policy" and "EU Internal Market Law". She is the president of the Croatian Society for European Law and the Croatian representative in the Odysseus Monnet Network for Immigration and Asylum.