

UČNI NAČRT PREDMETA / COURSE SYLLABUS

Predmet: SKUPNA ZUNANJA IN VARNOSTNA POLITIKA EU
Course title: Common foreign and security policy of the EU

Študijski program in stopnja Study programme and level	Študijska smer Study field	Letnik Academic year	Semester Semester
Doktorski študij, 3. stopnja	Pravo	1.	1. ali 2.
Doctoral studies, 3rd level	Legal studies	1.	1. or 2.

Vrsta predmeta / Course type

Univerzitetna koda predmeta / University course code:

Predavanja Lectures	Seminar Seminar	Vaje Tutorial	Klinične vaje work	Druge oblike študija	Samost. delo Individ. work	ECTS
16		8		38	63	5

Nosilec predmeta / Lecturer:

Jeziki / Predavanja / Lectures:
Languages: Vaje / Tutorial:

Pogoji za vključitev v delo oz. za opravljanje študijskih obveznosti:

Poznavanje mednarodnega prava na ravni univerzitetnega dodiplomskega in magistrskega študija.

Prerequisites:

Knowledge of international law at the university undergraduate and postgraduate master level.

Vsebina:

Temeljni pravni področji vsebine predmeta sta mednarodno pravo in pravo EU.

Študijski program se prilagaja aktualnim problemom z navedenih področjih in predvsem razvoju pravnih pravil in relevantne prakse. Celovito bodo obravnavana pravna vprašanja, ki izhajajo iz določanja in vodenja skupnih zunanjih odnosov in obrambne politike znotraj EU kot tudi razvoj institucionalnih struktur v te namene. Pri tem bodo posamezna vprašanja obravnavana v okviru študije konkretnega primera. Osnovna struktura predmeta bo razdeljena na tri dele:

1. Zgodovinski razvoj evropskih integracij na področju zunanje, varnostne in obrambne politike
2. Materialnopravni del:

Content (Syllabus outline):

The basic legal disciplines of the course are international law and EU law.

The study program is adjusted to address the topical problems from the discussed discipline, specifically the development of legal norms and relevant state practice. Legal questions arising from the determination and leadership of common foreign relations and defence policy within the EU, as well as the development of institutional structures for these purposes will be discussed in a comprehensive manner. Certain questions will be addressed in the framework of the study of a concrete case. The structure of the course will be divided into three parts:

1. Historical developments of European integrations in the fields of foreign, security and defence policy.

- zunanji odnosi EU
 - varnostna/obrambna politika EU
3. Institucionalni del
- zunanji odnosi EU
 - varnostna/obrambna politika EU

Dodatne vsebine se bodo dodajale glede na dosežen pravni razvoj v času izvajanja predmeta.

2. Substantive part:
- foreign relations of the EU
 - security/defence policy of the EU
3. Institutional part:
- foreign relations of the EU
 - security/defence policy of the EU

Additional issues will be added to the curriculum due to new legal developments in the course of the lecture period.

Temeljni literatura in viri / Readings:

Temeljni študijski viri:

Van VOOREN, B., WESSEL, R. A.: EU External Relations Law : text, cases and materials, Cambridge University Press, 2014.

CREMONA, M., DE WITTE, B. e tal: EU Foreign Relations Law, Hart Publishing, 2008.

KOUTRAKOS, P.: EU INTERNATIONAL RELATIONS LAW, Hart Publishing, 2006.

WINN, N., LORD, C.: EU Foreign Policy Beyond the Nation-State: joint actions and institutional analysis of the common foreign and security policy, Palgrave, 2001.

SANCIN, V.: Mednarodno pravo v hierarhiji pravnih virov EU in njenih članic, Uradni list Republike Slovenije, Ljubljana, 2009.

LENAERTS, K. in VAN NUFFEL, P. (ur.: BRAY, R.): Constitutional Law of the European Union, Second Edition, Thomson, Sweet & Maxwell, 2010.

Koutrakos, P.: EU International Relations Law, Second Edition, Hart Publishing, 2015.

Kuijper, P.J., Wouters, J., Hoffmeister, F., De Baere, G., Ramopoulos, T.: The Law of EU External Relations, Cases, Materials and Commentary on the EU as an International Legal actor, Oxford University Press, 2013.

Action Plan on Human Rights and Democracy (2015-2019) »Keeping human rights at the heart of the EU agenda«, High representative of the EU for foreign and security policy, Brussels, 28.4.2015.

Nabor literature se vsako leto dopolni z aktualnimi deli s področja problemov, ki se obravnavajo.

Cilji in kompetence:

Cilj predmeta je poglobljen študij pristojnosti EU kot mednarodne organizacije in njenih držav članic na področju zunanjih odnosov in varnostne politike. Posamezni problemi se obravnavajo multidisciplinarno ob upoštevanju razvoja mednarodnega prava, prava EU in mednarodnih odnosov.

Objectives and competences:

The objective of the course is a detailed study of the competences of EU as an international organization and its member states in the fields of foreign relations and security policy. Individual issues will be discussed in a multidisciplinary manner considering the development of international law, EU law and international relations.

Predvideni študijski rezultati:

Znanje in razumevanje:
Študent pridobi sposobnost znanstvene analize problemov, vrednotenja različnih teoretičnih stališč, uporabe primerjalno pravne metode, kritične analize sodne prakse in pisnega oblikovanja zahtevnejše argumentacije.

Intended learning outcomes:

Knowledge and understanding:
The student will gain skills of scientific analysis of problems, valuation of different theoretical positions, use of comparative legal methods, critical analysis of case law and drafting of complex legal argumentation.

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Metode poučevanja in učenja:

Predavanja – predavajo se izbrane teme, ki se določijo posebej glede na formalni pravni razvoj ter razvoj teorije in prakse
Seminarske vaje – na seminarskih vajah študentje predstavijo vsebino seminarske naloge
Drugo – izdelava seminarske naloge, ki obravnava zahtevnejši pravni problem z navedenih področij.
Individualni študij za izpit.

Learning and teaching methods:

Lectures – specific topics, selected according to the development of the fundamental sources of international law and development of legal theory and practice will be discussed.
Seminar - students present the topic of their seminar research paper
Other - preparation of a seminar research paper, which addresses a more advanced legal problem within the relevant disciplines. Individual study for the exam.

Načini ocenjevanja:

Ustni izpit. Za pristop k izpitu se zahteva uspešno izdelana in predstavljena seminarska naloga. Predstavitev se lahko opravi na seminarskih vajah ali pred učiteljem ocenjevalcem.

Delež (v %) /
Weight (in %)

100%

Assessment:

Oral examination. Successful preparation and presentation of the seminar research paper is the predisposition for partaking in the exam. The seminar research paper may be presented in the seminar or before a teacher examiner.

Reference nosilca / Lecturer's references:

- [1.] Sancin, V.: Mednarodno pravo v hierarhiji pravnih virov EU in njenih članic, Uradni list Republike Slovenije, Ljubljana, 2009;
- [2.] Sancin V.: Evropski institucionalni nadzorni mehanizmi za varstvo manjšin, Javna uprava, Letn. 41, št. 2/3 (2005), str. 205-230;
- [3.] Sancin V. Neposredni učinek mednarodnega prava v pravu Evropske unije, Javna uprava, Letn. 40, št. 4 (2004), str. 634-651;
- [4.] Sancin, V.: Innovative arbitration agreements to resolve border disputes and the role of regional international organizations : Can the example of Slovenia-Croatia arbitration agreement be followed in the Asia Pacific?, Chinese (Taiwan) yearbook of international law and affairs, Vol. 29: 2011 (2013), str. 156-168.