



**NOVA
UNIVERZA**

FAKULTETA
ZA DRŽAVNE IN
EVROPSKE ŠTUDIJE

UČNI NAČRT PREDMETA / COURSE SYLLABUS

Predmet:	Evropsko upravno pravo
Course title:	European administrative law

Študijski program in stopnja Study programme and level	Študijska smer Study field	Letnik Academic year	Semester Semester
Javna uprava - 2. stopnja		1	2
Public Administration – 2nd degree		1	2

Vrsta predmeta / Course type

obvezni / mandatory

Univerzitetna koda predmeta / University course code:

Predavanja Lectures	Seminar Seminar	Sem. vaje Tutorial	Lab. vaje Laboratory work	Teren. vaje Field work	Samost. delo Individ. work	ECTS
30	0	0	0	0	220	10

Nosilec predmeta / Lecturer:

prof. dr. Matej Avbelj

**Jeziki /
Languages:**

**Predavanja /
Lectures:** slovenski /
slovenian, optional angleščina/english
Vaje / Tutorial:

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

Vpis v 1. letnik.

Prerequisites:

Enrollment in the 1st year of study.

Vsebina:

Content (Syllabus outline):



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1. Splošno o pravu EU
2. Institucije EU
3. Pojem in razvoj upravnega prava EU
4. Načini upravljanja v EU
5. Pluralizem in večnivojski sistem nadzora nad upravno funkcijo v EU
6. Izbrani sodni primeri evropskega upravnega prava

1. Intro to EU law
2. EU institutions
3. The concept and development of EU administrative law
4. Modes of governance in the EU
5. Pluralism and the multi-level system of control of the administrative function in the EU
6. Selected case law on European administrative law

Temeljni literatura in viri / Readings:

1. Paul Craig, EU Administrative Law (OUP, 2019).
2. Matej Avbelj, Sodno pravo EU (GV Založba, 2020).
3. Vatovec (ur), Lizbonska pogodba z uvodnimi pojasnili (GV Založba 2011).
4. Matej Avbelj, The European Union under Transnational Law (Hart, 2018).

Cilji in kompetence:

Pričujoči predmet prispeva k razvoju naslednjih splošnih in specifičnih kompetenc študentov:

a) Splošne kompetence :

- sposobnost razumevanja temeljnih institutov javne uprave na ravni magistrskega strokovnega študija,
- poznavanje in razumevanje pravnih pojmov, pravnih pravil, pravnih načel s področja javnega prava,
- sposobnost in razvoj kritičnega mišljenja pri obravnavi temeljnih vprašanj, procesov in problemov,
- sposobnost poznavanja in izvirnega reševanja konkretnih sodnih, pravnih in drugih družbenih problemov,
- sposobnost prehoda od opisnega načina učenja do analitičnega učenja s poudarkom na samokritičnem mišljenju,

Objectives and competences:

The present course contributes to the development of following generic and specific competencies of students:

a) General competencies:

- ability to understand the fundamental institutes of public administration at the level of the master of professional studies,
- development of knowledge and understanding of legal concepts, rule of law, legal principles in the field of public law,
- ability and development of critical thinking in addressing the fundamental issues, processes and problems,
- ability and knowledge of the original resolution of concrete judicial, legal and other social problems,
- ability to transition from a descriptive



- sposobnost izboljšanja izbire in uporabe raziskovalnih metod glede na specifični problem,
- razumevanje nujnosti nevtralnega svetovnonazorskega pristopa pri reševanju problemov v javni upravi,
- izboljšanje učinkovitosti in nediskriminatornosti uporabe pridobljenega znanja,
- izboljšanje sposobnosti odločanja o temeljnih dilemah slovenske družbe v konkretnih primerih,
- vključevanje pridobljenega znanja v delovni proces in reševanje delovnih nalog,
- sposobnost iskanja utemeljenih alternativnih rešitev in njihovo uporabo pri konkretnih problemih,
- sposobnost pridobljenega znanja in veščin v prostovoljno delo,
- sposobnost interdisciplinarnega učenja in uporabe znanj iz različnih strokovnih področij,
- sposobnost predanega samostojnega dela in njegove samorefleksije,
- sposobnost skupinskega dela in odločanje ter mreženja na strokovnem področju,
- sposobnost iskanja rešitev in njihove uporabe v praksi,
- izboljšanje in razvoj govorniških sposobnosti v akademskem svetu in v praksi,
- razvoj sposobnosti pisanja strokovnih prispevkov na visoki strokovni ravni,
- sposobnost pravilnega citiranja v besedilu in na njegovem koncu.

b) Specifične kompetence

Predmet podaja temeljna znanja o upravno-

way of learning to analytical learning with an emphasis on self-critical thinking,

- ability to improve the selection and application of research methods depending on the specific problem,
- understanding the necessity of a neutral philosophical approach to resolving problems in public administration,
- improving the efficiency and non-discriminatory use of knowledge gained,
- improving the ability to make decisions about the fundamental dilemmas of Slovenian society in concrete cases,
- integration of acquired knowledge in the work process and solving tasks,
- ability to search for compelling alternative solutions and their application to concrete problems,
- ability to employ acquired knowledge and skills in voluntary work,
- ability to employ interdisciplinary learning and to apply the knowledge from different areas of expertise,
- ability to work independently and self-reflective,
- ability to work in a team and decision-making and networking in the professional field,
- ability to search for solutions and their application in practice,
- improvement and development of oral and presentation skills in the academic world and in practice,
- develop the ability to write professional articles on a high professional level,
- ability to cite sources correctly in the text and at its end.

b) Specific competencies

This course offers basic competences in the



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pravnem delovanju Evropske unije, tako da združuje tako teoretično kot praktično raven.

Spoznavanje ključne problematike pluralizma v Sloveniji in širšem evropskem prostoru.

field of administrative law of the European Union, facilitating the understanding both of theory and practice of European administrative law.

The student will understand the central problems of pluralism in Slovenia and beyond.

Predvideni študijski rezultati:

Znanje in razumevanje:

Študent bo razumel delovanje Evropske unije v upravno-pravnem smislu. Spoznal bo pojem, razvoj, institucije in pravna sredstva v okviru evropskega upravnega prava, ki ga razumemo kot upravno pravo Evropske unije.

Ker se predmet izvaja v okviru Jean Monnet katedre, projekta, ki ga sofinancira Evropska komisija, bodo vsi vsebinski sklopi predmeta posvečeni tudi analizi problematike pluralizma v Evropski uniji.

Intended learning outcomes:

Knowledge and understanding:

Students will understand the functioning of the EU in legal-administrative sense. She will become acquainted with the concept, evolution, institutions and legal remedies under European administrative law, which stands for the administrative law of the EU.

As the course is conducted as part of the Jean Monnet Chair, a project awarded and co-funded by the European Commission, the entire course will be pervaded by the focus on a problematique of pluralism in the European Union.

Metode poučevanja in učenja:

Poučevanje bo potekalo v obliki omiljene sokratske metode, z gradivi posredovanimi v naprej, katere bodo študenti morali prebrati pred predavanji. E-učenje.

Learning and teaching methods:

Teaching will be conducted on the basis of a milder version of a socratic method. The students will need to read the assigned materials in advance and actively participate in the classroom. E-learning.

Načini ocenjevanja:

Assessment:



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Način (pisni izpit, ustno izpraševanje, naloge, projekt) Pisni izpit. Sodelovanje na forumu v e-učilnici lahko prinese do 10% ocene.	100%	Type (examination, oral, coursework, project): Written exam. By actively participating in the e-forum, the students can earn up to 10% of the final grade.
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Pogoj za pristop k izpitu:

Vsaj 80% prisotnost na predavanjih in vajah.		At least 80% attendance at lectures and tutorials.
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Reference nosilca / Lecturer's references:

Dr. Matej Avbelj je redni profesor za evropsko pravo na Fakulteti za državne in evropske študije in nosilec Jean Monnet katedre na Novi univerzi. Doktoriral je na Evropskem univerzitetnem inštitutu v Firencah, magistriral na NYU School of Law in diplomiral na Pravni fakulteti Univerze v Ljubljani. Kot sodniški pripravnik je služboval na Višjem sodišču v Ljubljani, praktične izkušnje pa je nabiral tudi v Evropskem parlamentu kot Robert Schuman stažist v oddelku za ustavne zadeve. Njegovo raziskovanje in akademsko delo je osredotočeno na pravo EU, ustavno pravo in teorijo prava. Aktiven je tudi v stanovskih akademskih in civilnodružbenih iniciativah tako doma kot po svetu. Njegova bibliografija je dostopna na:

<http://splet02.izum.si/cobiss/bibliography?code=31643&langbib=eng>.

Matej Avbelj is a Full Professor of European Law at the Graduate School of Government and European Studies and a Jean Monnet Chair. He holds a PhD from the EUI and LLM from NYU School of Law. He graduated from Ljubljana Law School. He clerked in the European Parliament and at the Slovenian Court of Appeals. His academic and research work is focused on the law of the European Union, constitutional law and legal theory. He is active in professional associations and NGOs in Slovenia and abroad. His bibliography can be accessed here:

<http://splet02.izum.si/cobiss/bibliography?code=31643&langbib=eng>.