

STRUCTURE OF THE DOCTORAL STUDY SUBJECT

Subject	Area (direction) of science, code	Faculty	Department
Problems of European Union Substantive Law	Law (S001)	Law	Public Law
Study method	Number of credits	Study method	Number of credits
lectures	-	consultations	3
individual work	9	seminars	-
Subject annotation			
<p>The subject of Problems of European Union Substantive Law is designed to develop the doctoral student's ability to understand and impede the fundamental freedoms of movement in the EU internal market (free movement of goods, persons, services and capital and freedom of establishment). removing or preventing restrictions on these freedoms of movement imposed by the EU Member States, as well as the justification and justification of derogations and other restrictions in the public interest set out in the TFEU; it also aims to improve the doctoral student's ability to analyze and understand the jurisprudence of the ECJ in relation to the application of fundamental freedoms; aims at independent analytical and critical thinking of doctoral students.</p> <p>Topics analyzed: the legal nature and unity of fundamental freedoms; competition for fundamental freedoms; the relationship between fundamental rights and fundamental freedoms; fundamental freedoms as a basis for extending the application of fundamental rights, whether or not they are EU citizens; functions of fundamental freedoms; restrictions on fundamental freedoms (limits on the application of fundamental freedoms in terms of persons, time and subject matter); the lawfulness of restrictions (inability or inability to justify restrictions on fundamental freedoms); the content and lawfulness of restrictions on fundamental freedoms which are discriminatory and apply in the same way; the content and cases of application of exceptions enshrined in primary law and those not enshrined in primary law; compatibility of national characteristics with the internal market; fundamental rights as a basis for justifying restrictions on fundamental freedoms? mutual recognition of national standards (principle of reciprocity) and harmonization of law (scope and basic principles); Problematic aspects of the application and transposition of the Services Directive 2006/123 / EC; the status of family members in accordance with the provisions of Directive 2004/38 / EC; restrictions on the free movement of capital with third countries.</p>			
Main literature			
1. CATHERINE BARNARD. THE SUBSTANTIVE LAW OF THE EU: THE FOUR FREEDOMS. 4th ed, Oxford University Press, 2013.			
2. REICH, NORBERT; NORDHAUSEN SCHOLE, ANNETTE; SCHOLE, JEREM: UNDERSTANDING EU INTERNAL MARKET LAW: 3rd edition 2013.			
3. DAMIAN CHALMERS, GARETH DAVIES AND GIORGIO MONTI. EUROPEAN UNION LAW: Text and Materials: Third Edition. Cambridge University Press, 2014/ CRAIG, PAUL; BÚRCA, GRÁINNE DE: EU LAW: Text, Cases and Materials, 6. Aufl. 2015.			
4. TAKIS TRIDIMAS. THE GENERAL PRINCIPLES OF EU LAW. Oxford European Community Law Library, Second Editon, 2007.			
5. ROBIN C. A. WHITE. WORKERS, ESTABLISHMENT, AND SERVICES IN THE EUROPEAN UNION. Oxford European Community Law Library, 2005.			
6. LAURENCE W. GORMLEY. EU LAW OF FREE MOVEMENT OF GOODS AND CUSTOMS UNION. Oxford University Press, 2009.			
7. PETER OLIVER. STEPHAN ENCHELMAIER. FREE MOVEMENT OF GOODS IN THE EUROPEAN UNION. HART Publishing, 2010.			
8. IGNAS VĖGĖLĖ. ES TEISĖ. VIDAUS RINKOS LAISVĖS, KONKURENCIJA IR TEISĖS DERINIMAS. Registrų centras, Vilnius, 2011.			
Names, surnames of advising	Science degree	Major works in the area (direction) of science published over the last 5 years	

lecturers		
Skirgailė Žalimienė	Dr.	<p>Europos Sąjungos pagrindinių teisių chartijos taikymas ir aiškinimas. // Europos Sąjungos teisės įtaka Lietuvos teisei sistemai. Lietuvos narystei Europos Sąjungoje – 10 metų (mokslinių straipsnių, skirtų ES teisės įtakai Lietuvos teisei, rinkinys). Vilnius, 2014. P. 529-556.</p> <p>Interpretation and application of the European Union Charter of Fundamental Rights.// Lithuanian Legal System under the Influence of European Union Law. The 10th Anniversary of the European Union (collection of scientific articles on the influence of European Union law on the Lithuanian law). Vilnius, 2014. P. 543-573.</p> <p>Zasada bezpieczeństwa prawnego w orzecznictwie Sądu Konstytucyjnego Republiki Litewskiej.// Aktualne problemy polskiego i litewskiego prawa konstytucyjnego (recenzuotų mokslinių straipsnių rinkinys). Łódź: Wydawnictwo uniwersytetu Łódzkiego, 2015. P. 175-185.</p> <p>Europos Sąjungos pagrindinių teisių chartijos turinio paieškos. ISSN 1392-1274. Mokslo darbai. Teisė. 2015, Nr. 97.</p> <p>Implications of a Broad Application of the EU Charter of Fundamental Rights by Domestic Courts for the Level of Protection of Fundamental Rights// European Yearbook on Human Rights. 2016.</p>
Approved by the Doctoral Committee of Law Science of Vilnius university on December 2, 2021, protocol No. (7.17 E) 15600-KT-12		
Chairman of the Doctoral Committee		prof. dr. T. Davulis