EU INTEGRATION & ETHICS

Introduction to course (Kick-off)

N.B. Please note that whenever appropriate,
screenshots are linked to the relevant website.

Co-funded by the
Erasmus+ Programme
of the European Union

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- After a short general introduction, this course aims at raising **awareness** of both **legal and ethical challenges** of some selected current topics; i.e. **affirmative action**, **surrogacy**, the **moral limits of markets**, and **migration**.

- This course also strives to promote and strengthen active European citizenship through **discussion and reflection of impact of EU integration** and ethics, based on some noteworthy examples.

- The course is aiming at students, traditionally not dealing with legal subjects (both outside, as well as inside MCI).

- The course is taking a more **holistic approach** (law, policy, philosophy), therefore, creating an added value for students and strengthening their critical thinking ability.

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Introduction lecturer

- ## Working experience (excerpt)
  - Jean Monnet Professor & Study Coordinator European Union Law at MCI
  - Scientific assistant (EU Law) at Innsbruck University (July 2000 / April 2004)
  - Conducted scientific studies at the Universidad Andina Simón Bolívar in Quito / Ecuador, at CEPAL in Santiago de Chile, ALADI and Mercosur, both in Montevideo / Uruguay and INTAL in Buenos Aires / Argentina (Feb. / March 2003)
  - Conducted scientific studies at the Court of Justice of the Andean Community in Quito / Ecuador and the General Secretariat of the Andean Community in Lima / Peru (Feb. / March 2002)
  - Served mandatory one-year clerkship at Innsbruck County Court (Oct. 1999 / June 2000)
  - Internship at the office of Dr. K. Schwaiger, European Parliament in Strasbourg / France (Oct. 1998 / Apr. 1999)
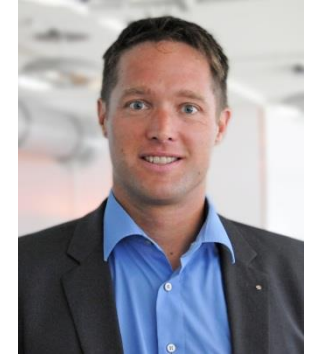
- ## Education (excerpt)
  - Received academic degree Doctor of Law (with distinction) from the University of Innsbruck / Austria (June 2002)
  - Postgraduate studies in European Law completed with the degree Master of Law, LL.M., Schloss Hofen / Austria (Oct. 1999 / Sept. 2001)
  - Received diploma in International Law, European Law and Private Comparative Law, University Robert Schuman in Strasbourg / France (1998/99)
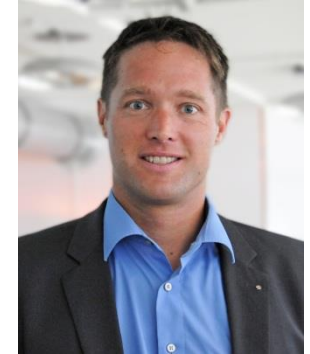 - Studied Law at the University of Innsbruck (1993/99)

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- **Research interests**
  - EU health law, EU law & ethics
  - EU law (application of EU law, fundamental freedoms)

- **Lectures (excerpt)**
  - Guest lectures: Kingston University London / UK; Kyung Hee University, Seoul / South Korea; Universidad Pontificia Comillas de Madrid / Spain
  - Conference speeches: 2nd Annual MTRC in Washington D.C. / USA; Open days in Brussels / Belgium; EMTC in Berlin / Germany; IMTEC in Monaco; CMTR in Heidelberg / Germany; UNESCO Chair in Bioethics 10th World Conference Jerusalem / Israel; Patient mobility conference in Trento / Italy; European Health Law Conference in Riga / Latvia; TAIEX Workshop in Ankara / Turkey; Health conference in Santander / Spain; 5th EAHL Conference in Prague / Czech Republic; UNESCO Chair in Bioethics 12th World Conference Cyprus; Key note at 6th EAHL Conference in Bergen / Norway; *Guest speech Lund University, Sweden*
  - Trainings for the "Amt der Tiroler Landesregierung" (department of the Tyrol state government)

- **Publications …**   **… and news**
  - See:

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As I only know where you are coming from, please introduce yourselves.

- – Austria: 7
- – Brazil: 3
- – Finland: 2
- – France: 4
- – Germany: 8
- – Italy: 4
- – Lithuania: 1
- – Mexico: 3
- – Republic of Korea: 2
- – Spain: 4
- – UK: 1
- – USA: 3
- – In total: 42

- – External participants: e.g. Greece

Picture credits:
http://www.geocaching.com/seek/cache_details.
aspx?wp=GC30GNP

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Earn a badge

- **Badge: online record of achievements, can be shared via social media etc.**
- **Different badges available**
- **This course: part of badge "Responsible Management"**
- **Further information: https://www.mci4me.at/en/services/career-center/digital-badges**

RESPONSIBLE MANAGEMENT

2017

Picture credits:
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aspx?wp=GC30GNP

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Why are the majority of sessions online?

In order to enable students from different departments as well as students etc. outside MCI to participate in this course.

Picture credits:
http://www.geocaching.com/seek/cache_details.
aspx?wp=GC30GNP

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Face-to-face phases

Orientation, Networking

Lectures, Input

Group work

Discussions

Presentations

Exams

Synchronous* Learning

Webinars

Chats

Input, Lectures

Brainstorming

FAQs

Asynchronous* interactive Learning

Online discussions

Social Networking

Group work

Wikis and blogs

Asynchronous* Self-paced Learning

Websites, Readings

Webcasts, Screencasts

Videos, Podcasts

Simulations, Multimedia

Tests & Quizzes

*Synchronous = all participants are online at the same time
*Asynchronous = participants work in their own time

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Blended learning – our course

Face-to-face phases

Orientation, Networking
Lectures, Input
Group work
Discussions
Presentations
Exams

1st session: Kick-off | face-to-face | 09:00 - 16:45h
- Introduction to the course
- Introduction lecturer and participants
- Code of conduct for eLearning
- *Content related introduction (other presentation)*

- *N.B. Will be recorded and posted for external participants (= those not on site at MCI)*
- *N.B. After kick-off one day time without session, so that the recording can be edited and uploaded*

Course material can be found on the Sakai (log in) learning platform
URL for external (!) participants: https://sakai.mci4me.at/x/p0rnPz

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Face-to-face phases

Orientation, Networking
Lectures, Input
Group work
Discussions
Presentations
Exams

Synchronous* Learning

Webinars
Chats
Input, Lectures
Brainstorming
FAQs

2ⁿᵈ – 5ᵗʰ sessions: online | 17:00 - 19:15h

– 2ⁿᵈ: affirmative action
– 3ʳᵈ: surrogacy
– 4ᵗʰ: moral limits of markets
– 5ᵗʰ: migration and refugees
– 6ᵗʰ: Q&A session

– *N.B: After Q&A session two days time without session, so that you can prepare your presentations*

Online session (synchronous) will take place via Adobe Connect.
URL: http://mci.adobeconnect.com/euethics1718/

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Course objectives

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- This course also strives to promote and strengthen active European citizenship through **discussion and reflection of impact of EU integration** and ethics, based on some noteworthy examples.

- The course is aiming at students, traditionally not dealing with legal subjects (both outside, as well as inside MCI).

- The course is taking a more **holistic approach** (law, policy, philosophy), therefore, creating an added value for students and strengthening their critical thinking ability.

- 2nd session (affirmative action): students **reflect** on how to determine **fairness**, both from a legal, as well as from a philosophical perspective

- 3rd session (surrogacy): students **reflect** on how to determine **human dignity**, both from a legal, as well as from a philosophical perspective

- 4th session (moral limits of markets): students **reflect**, whether there are **ethical, moral** (and legal) **limits** to the Single European Market

- 5th session (migration and refugees): students will **contrast EU law** in the context of migration and refugees with the **ethical approach** of a Canadian scholar

- 6th session (Q&A): students shall have time to address remaining questions

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7th session: Guest lecture | face-to-face | 09:00 - 12:15h

Thursday, 26th April 2018, 9:00–12:15 hours, MCI I (tba)
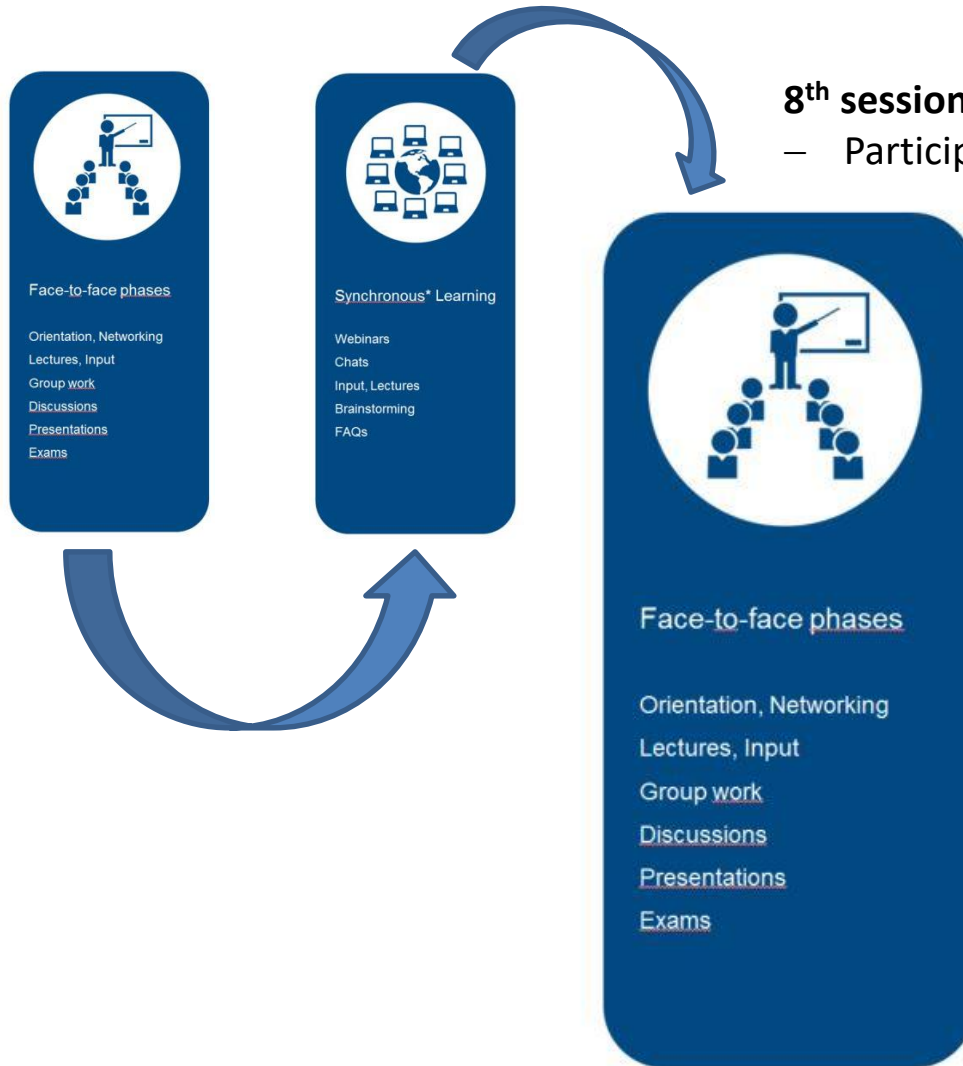
migration, the us perspective.

DEAN HARRIS
Associate Professor
Gillings School of Global Public Health
University of North Carolina at Chapel Hill

Professor Harris received his B.A. degree in Asian Studies from Cornell University in 1973, and received his J.D. degree with high honors from the University of North Carolina School of Law in 1981. At UNC, he teaches courses on comparative health systems, health law, and global health.

Professor Harris is the author of Contemporary Issues in Healthcare Law and Ethics, (4th edition), which was published by Health Administration Press in 2014, and Ethics in Health Services and Policy: A Global Approach, which was published by Jossey-Bass/John Wiley & Sons, Inc., in 2011. He frequently travels to Europe and Asia to give lectures and seminars.

In addition, Professor Harris is a licensed attorney. He practiced law from 1981 to 1999, with a primary focus on representation of health care organizations and providers. In his work in the health care field, he has provided legal advice and representation in areas such as antitrust, certificate of need and other regulatory matters, mergers and acquisitions, joint ventures and corporate reorganization, medical staff membership and clinical privileges, Medicare and Medicaid, professional licensure, and patient care issues.

EU & ETHICS
Jean Monnet Prof. M. Frischhut

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Blended learning – our course

8th session: Presentations | face-to-face | 09:00 - 16:45h

- Participants presentations (MCI students)

Face-to-face phases

Orientation, Networking
Lectures, Input
Group work
Discussions
Presentations
Exams

Synchronous* Learning

Webinars
Chats
Input, Lectures
Brainstorming
FAQs

Face-to-face phases

Orientation, Networking

Lectures, Input

Group work

Discussions

Presentations

Exams

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Course manual ([Link](#)):

In the meantime, the law of the European Union (EU) has reached a considerable compass and influences the national laws to a significant extent. This manual at hand shall explain the **fundamentals of EU law** in a **short and precise** way by means of some **noteworthy examples**. The most important aspects of the EU shall be presented in a **clear and easily comprehensible** way, such as the EU institutions and their role in the decision-making process. Apart from the principles of EU law, and the fundamental freedoms of the EU internal market, the last chapter demonstrates how the **documents** mentioned in this manual can easily be **accessed on the websites of the EU** etc.

(*) N.B. Instead of this course manual, you are of course more than welcome to use any equivalent book, especially if it is more comprehensive / detailed,
e.g. Foster, N. (2016). EU Law Directions (5th ed.). Oxford: [Oxford University Press](#).
(6th edition only announced for June 2018, i.e. after our course)

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Flipped classroom – to be prepared in advance

Asynchronous* Self-paced Learning

Websites, Readings
Webcasts, Screencasts
Videos, Podcasts
Simulations, Multimedia
Tests & Quizzes

1st session: Kick-off | 09:00 - 16:45h
- Course manual: pages 9-26, 39-50
- Videos on EU decision making
  - 1st video: http://www.consilium.europa.eu/en/council-eu/decision-making/
  - 2nd video: https://www.youtube.com/watch?list=PLHQxK2YVsFVtJrQMoj1NQ-WYmfu7GOQK8&v=clmSKbV5Z9w

2nd session: Affirmative action | 17:00 - 19:15h
- Course manual: pages 51-59
- The Economist (April 27th 2013). *Time to scrap affirmative action: Social policies*. (via Sakai)

3rd session: Surrogacy | 17:00 - 19:15h
- Course manual: pages 60-77
  Question: does surrogacy qualify as a service under EU law?
- Video "Future Baby": https://www.youtube.com/watch?v=6XpVQ44J3fQ
- CJEU cases Z and D (via Sakai)

4th session: Moral limits of markets | 17:00 - 19:15h
- Video Sandel LSE: https://www.youtube.com/watch?v=ZafL7_CaMbg (5:13 - 35:25 min)

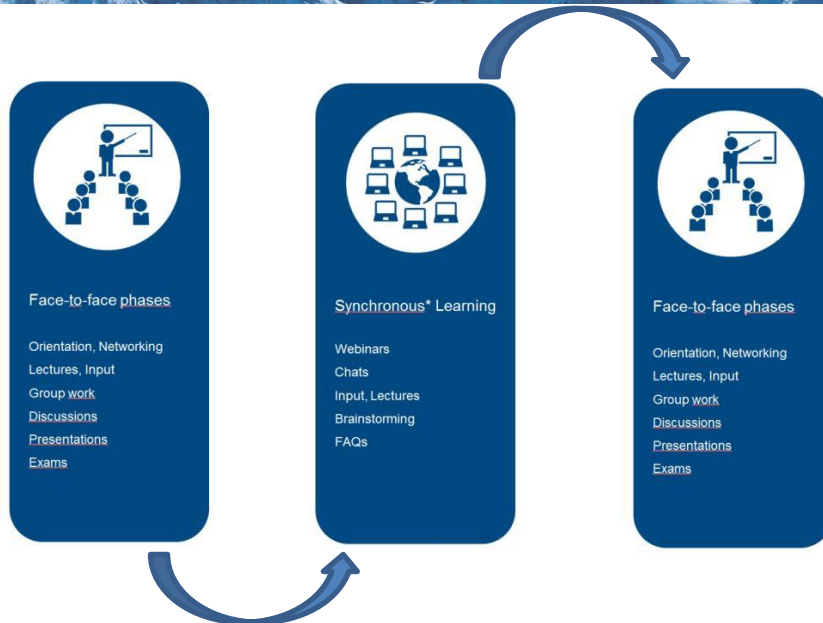## 5th session: Migration and refugees | 17:00 - 19:15h
- Doc Charter of Fundamental Rights of the European Union (CFR) (via Sakai)
- Doc Migration 1: Relocation scheme, COM(2015) 240, Annex (i.e. p. 19) (via Sakai)
- Doc Migration 2: Council Decision (EU) 2015/1601 (via Sakai)
- Doc Migration 3: Directive 2011/95/EU on the status of refugees (via Sakai)
- Doc Migration 4: Council Directive 2003/109/EC on long term TCN (via Sakai)
- Doc Migration 5: Directive 2009/52/EC on employers sanctions (via Sakai)

6th session: Q&A session | 17:00 - 19:15h

7th session: Guest lecture | face-to-face | 09:00 - 12:15h
- Newspaper article "Texas Hospitals Reflect Debate on Immigration"; available at:
  https://www.nytimes.com/2006/07/18/us/18immig.html
- Doc excerpt book Dean Harris (via Sakai)

New pre-readings!

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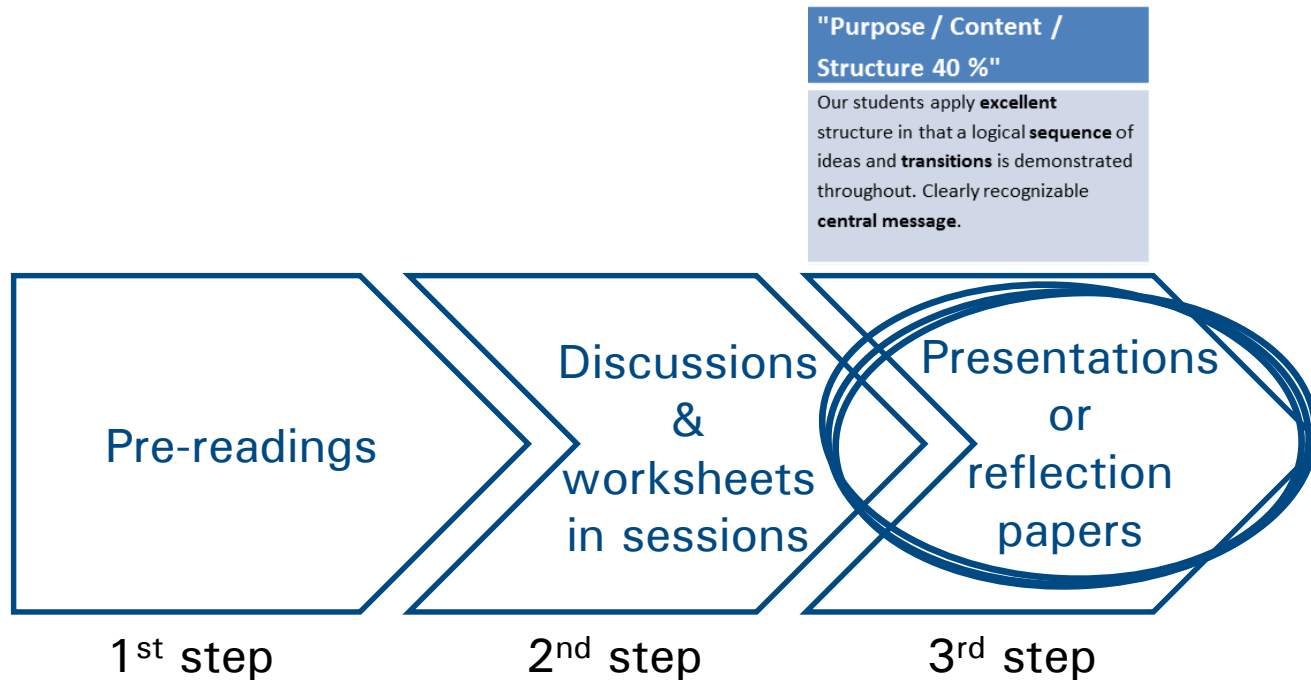
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- **Students on site (at MCI): presentations during 8th session**
  - Part of 'transcript of records' in case of positive assessment (4 ECTS)
  - *N.B. If unable to attend during 8th session, also possibility to go for reflection paper (see below); please contact lecturer*
  - 'Confirmation of attendance' in case of no or negative assessment
- **External participants (not at MCI): reflection paper to be mailed to lecturer** (markus.frischhut@mci.edu) **until May 13th at latest**
  - 'Certificate' in case of positive assessment
  - 'Confirmation of attendance' in case of no or negative assessment

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Grading – presentations rubric

	"Communication and Delivery (Verbal and Non-verbal) 40 %"	"Purpose / Content / Structure 40 %"	"Visual Aids 20 %"
Very good (90-100 %)	Our students have **excellent** communication skills reflected by outstanding **language** used. Language choices are **imaginative, compelling and appropriate** to audience. **Delivery techniques** (pace, pitch, intonation and fluency) contribute equally and positively to the overall message. Students **pro-actively** initiate interaction and rapport with the audience throughout the presentation.	Our students apply **excellent** structure in that a logical **sequence** of ideas and **transitions** is demonstrated throughout. Clearly recognizable **central message**.	Visual aids, notes and tools used support, focus, clarify, reinforce the message **throughout** the presentation.
Good (80-89 %)	Our students have **good** communication skills in that the language used includes some **metaphorical** items and is **appropriate** to audience. Pace, pitch and intonation and fluency contribute positively to the overall message. The students **pro-actively** initiate interaction and rapport with the audience **at most stages** of the presentation.	Our students apply **good structure** in that a logical sequence of ideas and transitions is demonstrated in **most parts** of the presentation; clearly recognizable central message.	Visual aids, notes and tools used support, focus, clarify, reinforce the message through **most** of the presentation.
Satisfactory (70-79 %)	Our students have **satisfactory** communication skills in that the language used is appropriate to audience. Pace, pitch and intonation and fluency **at times** contribute positively to the overall message. The students **initiate interaction** and rapport with the audience at some stages of the presentation.	Our students apply **satisfactory** structure in that a logical sequence of ideas and transitions is intermittently demonstrated in **most parts** of the presentation; a **recognizable** central message is observed.	Visual aids, notes and tools used support, focus, clarify, reinforce the message in **most parts** of the presentation.
Sufficient (60-69 %)	Our students have **sufficient** communication skills in that the language used is mostly appropriate to audience. The students **show an intention** to use pace, pitch and intonation and fluency as a way to contribute to the overall message. The students **attempt to initiate** interaction and rapport with the audience throughout the presentation.	Our students apply **sufficient** structure in that a logical sequence of ideas and transitions is intermittently demonstrated in **parts** of the presentation; a **recognizable** central message is observed.	Visual aids, notes and tools used support, focus, clarify, reinforce the message in **some** parts of the presentation.
Failed (0-59 %)	Our students have **insufficient** communication skills in that the language used is **inconsistent** and **inappropriate** to audience. The students show no intention to use pace, pitch and intonation and fluency as a way to contribute to the overall message. The students do **not attempt** to initiate interaction and rapport with the audience.	Our students apply **insufficient** structure in that a logical sequence of ideas and transitions is **lacking** in the presentation; there is **no** central message.	Visual aids, notes and tools used are **missing** in the presentation.

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Grading – reflection paper rubric

Criteria		Very good (90-100 %)	Good (80-89 %)	Satisfactory (70-79 %)	Sufficient (60-69 %)	Failed (0-59 %)
Content | 40%	Introduction / Identification of issues / topic	Intro is engaging; clearly states the main idea; allows essay to be developed with supporting details	Introduction is somewhat inviting; states the main idea; allows essay to be developed with supporting details	Introduction states the main idea; allows essay to be developed with supporting details	Introduction only slightly connects to the main idea	Introduction is incomplete, completely unrelated, or missing
	Discussion of theory/concepts	Interesting; sophisticated; insightful	Clear and thoughtful	Simplistic	Uneven in quality; lacking in relevance	Absent or ineffective
	Reflection on key learnings	Connected; clear; significant	Purposeful; perceptive	Reflection simply summarizes / describes	Reflection present; lacking in relevance	Reflection is incomplete, ineffective, or missing
Structure | 40%	Structure of the assignment	Contributes to an effective reasoning	Demonstrates a clear plan	Inconsistent	Ineffective	Random
	Transitions	Effective and varied	Clear and functional	Mechanical	Clumsy	Absent or ineffective
Formal aspects | 20%	# of words: # of sources:					
	Register	Register consistently appropriate to purpose and audience	Register on the whole appropriate to purpose and audience	Reasonable; if not always successful attempt at register	Unsuccessful at times	Little or no awareness of appropriate register and format
	Grammar / Punctuation / Spelling	Minimal errors; well-developed control of language	Generally accurate; errors occur when attempting more complex language	Careless; distracting	Errors impede communication to a limited extent	Frequent errors; little evidence of language control; block meaning
	Citation	Error-free	Limited inconsistencies	Inconsistencies	Inconsistent; incomplete	Wholly inaccurate

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"Purpose / Content / Structure 40 %"

Our students apply **excellent** structure in that a logical **sequence** of ideas and **transitions** is demonstrated throughout. Clearly recognizable **central message**.

Pre-readings

Discussions & worksheets in sessions

Presentations or reflection papers

1st step

2nd step

3rd step

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- Plan based on **groups of 4** students. (42-10[3+?7?] RP = 32 [=4 pax x 8 groups)]

- As **discussion** will be very important for creating an **added value**, presentations should be **short and precise** (preferably 10 min instead of 15 min, at maximum).

- If you need **further information** on those sensitive topics at the interface of law and ethics, you can find more on https://twitter.com/MaFrischhut

- **Tools for presentations** are completely free (pptx, flipchart, whatever). As it is also stated in the rubric on grading your presentations (see *above*), "visual aids, notes and tools used [shall] support, focus, clarify, reinforce the message throughout the presentation".

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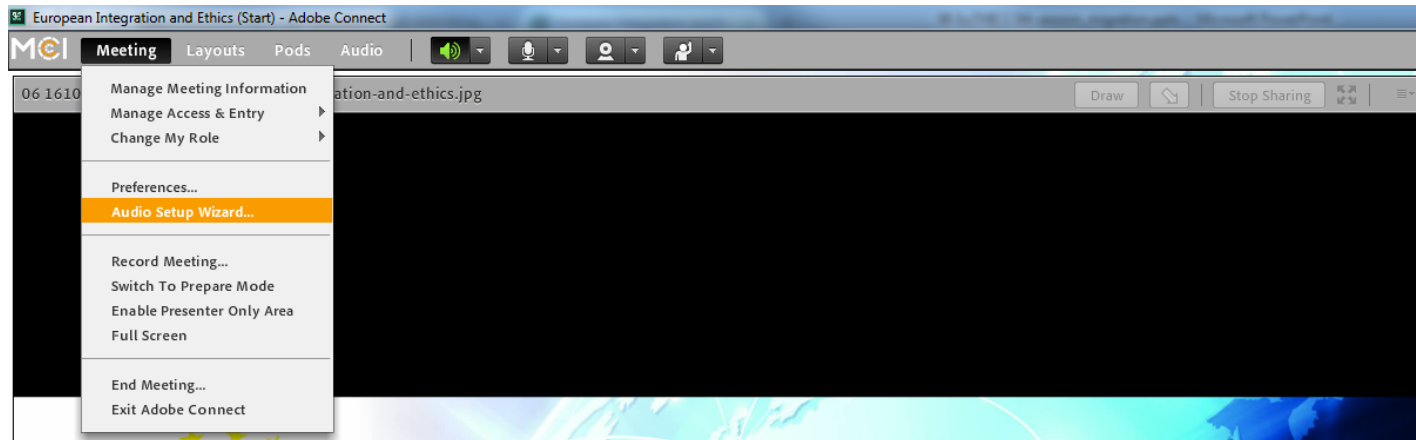markus.frischhut@mci.edu

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- Basically, I want to give you as much freedom as possible in **shaping the content** of your presentations.

- Nevertheless, we need some **organization** in order to guarantee a coherent overall concept.

- Therefore, I kindly ask you to send me a **mail** (markus.frischhut@mci.edu) until Friday (April 20th), 13:00h, indicating …
    - The planned topic / title of your presentation
    - The research question (i.e. what you try to answer)
    - A short description (2-3 sentences only).

- Based on this information, I will try to **structure** the presentations **and maybe** be **reshaping** certain proposals, to reach to goal of an overall coherent concept of presentations given on this day.

- As already announced, the online session on Tuesday, April 24th will be an **Q&A session** in order to answer all remaining questions.

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Code of conduct for eLearning
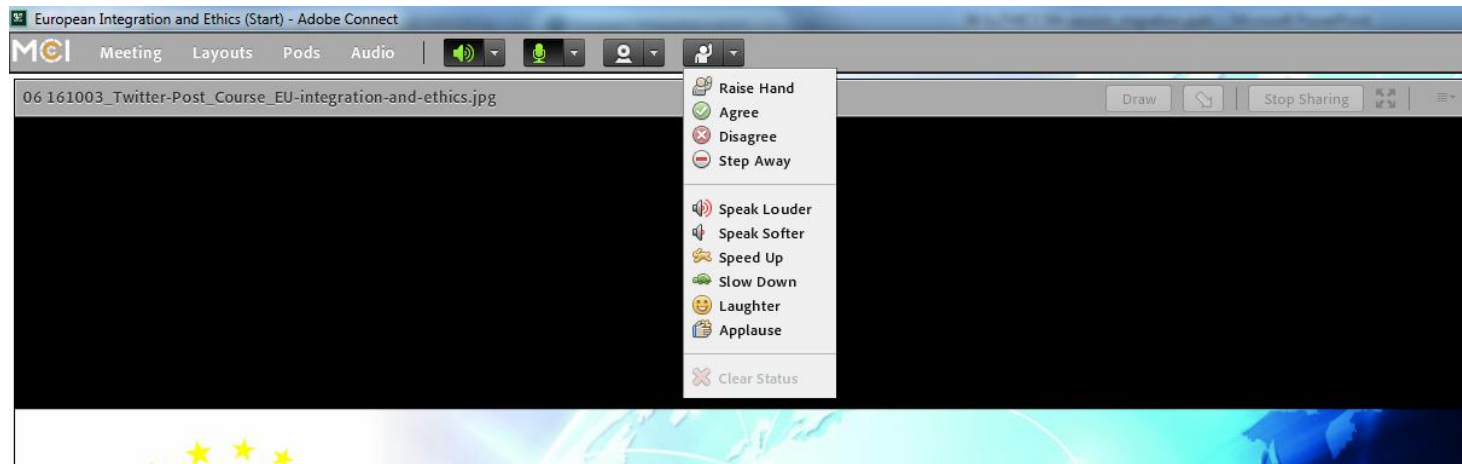
- Netiquette   **(please use Google Chrome)**
  - Before we start, please switch off your mobile phones.
  - At the beginning of each session I will **check if you can hear me**, by using the "**raise hand**" button.
  - If you have to leave the computer, please let me know by using the "**step away**" button.
  - If you have an **urgent question or concern**, you can indicate this with the "**raise hand**" button; I can then grant the "speaking right"; make sure you have a **functioning headset** before the session starts; always run the "audio setup wizard" at the beginning of a session.
  - **If** your **question** has been **answered**, please press "**clear status**".
  - If you address questions in the **chat** while I am speaking, please note that I would only be able to **answer** it **later** on.
  - Please make sure to be in the room approx. 10 min before the session starts (in order to test your headset etc.).
  - After a short **welcome** we will then get started …
    … and **record** the session

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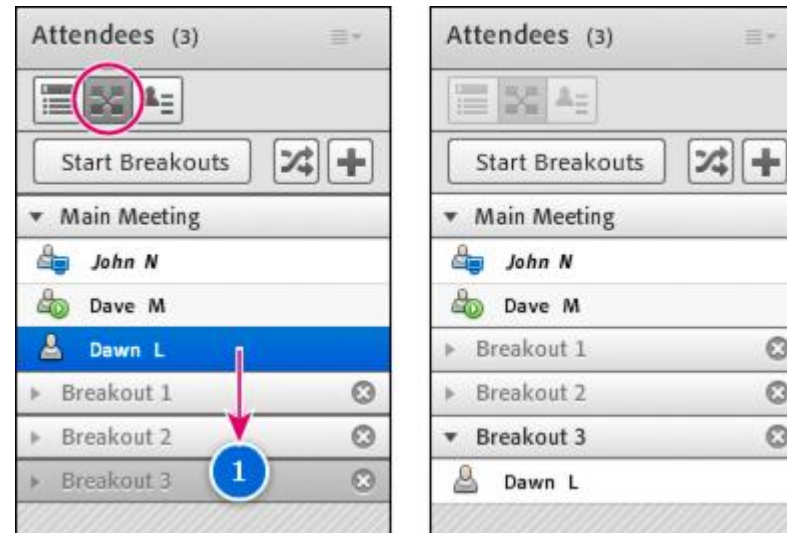markus.frischhut@mci.edu

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Code of conduct for eLearning

- Make sure you have a **functioning headset** before the session starts.
- Always run the "**audio setup wizard**" at the beginning of a session …
- … and **active your audio** if you "receive the microphone".
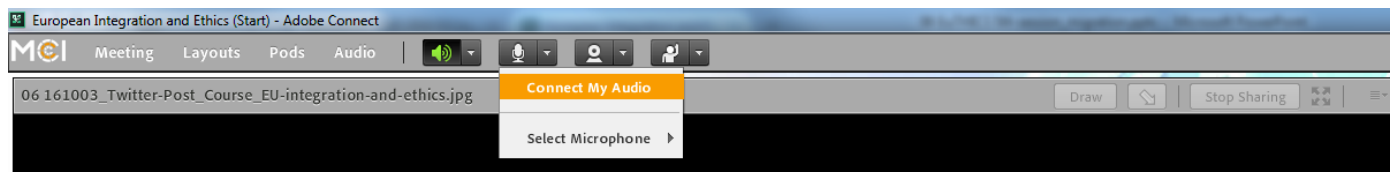
- As you will have to contribute by using your microphone, try to have a **quiet place** where you attend the online session.
- And, last but not lease, try to make sure you have a **"good" internet connection** and **don't use company laptops or** other electronic device with a **FIREWALL**, as this might cause problems in Adobe Connect (especially for the Breakout session, where you might "fall out" of a room).
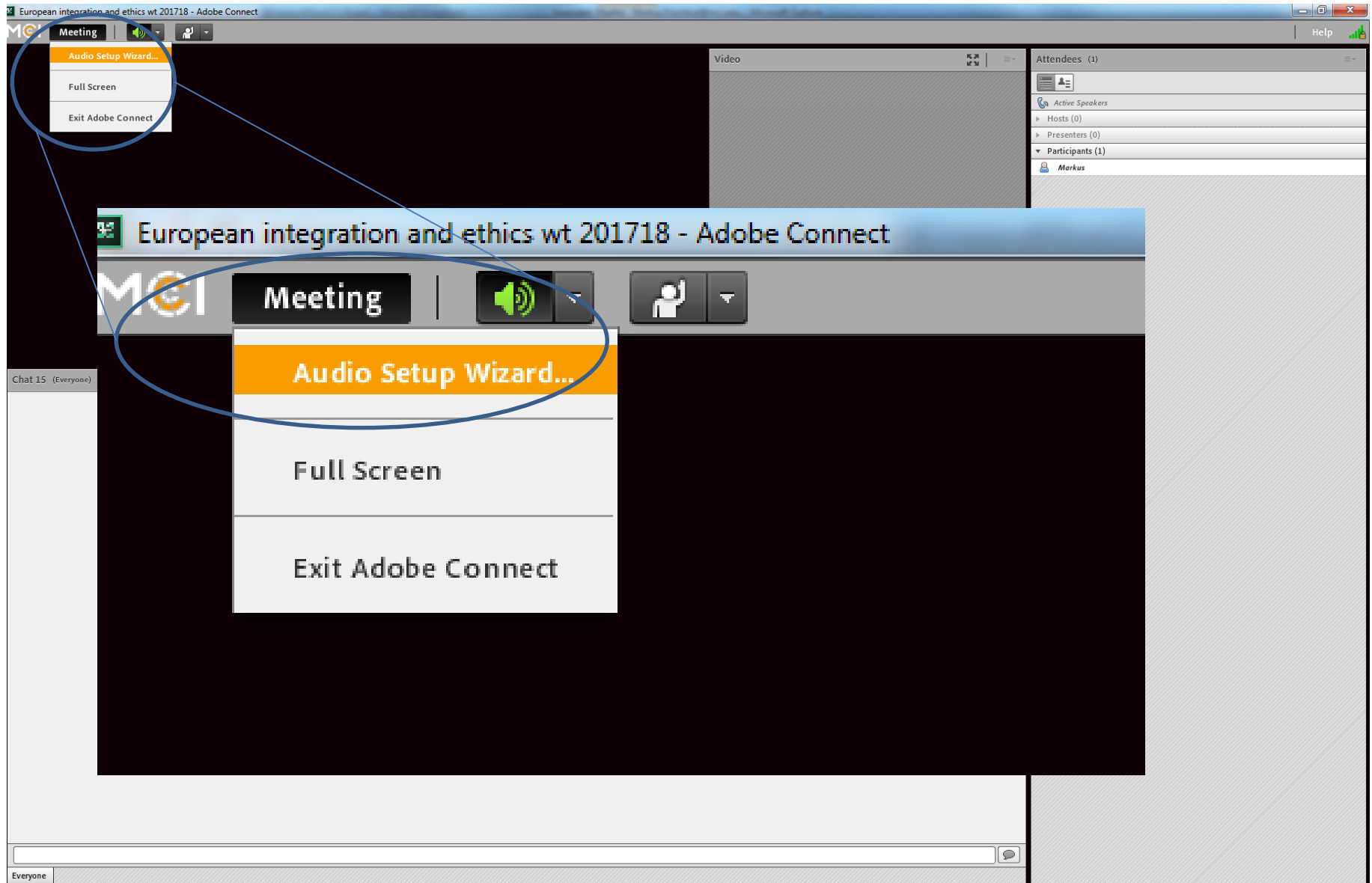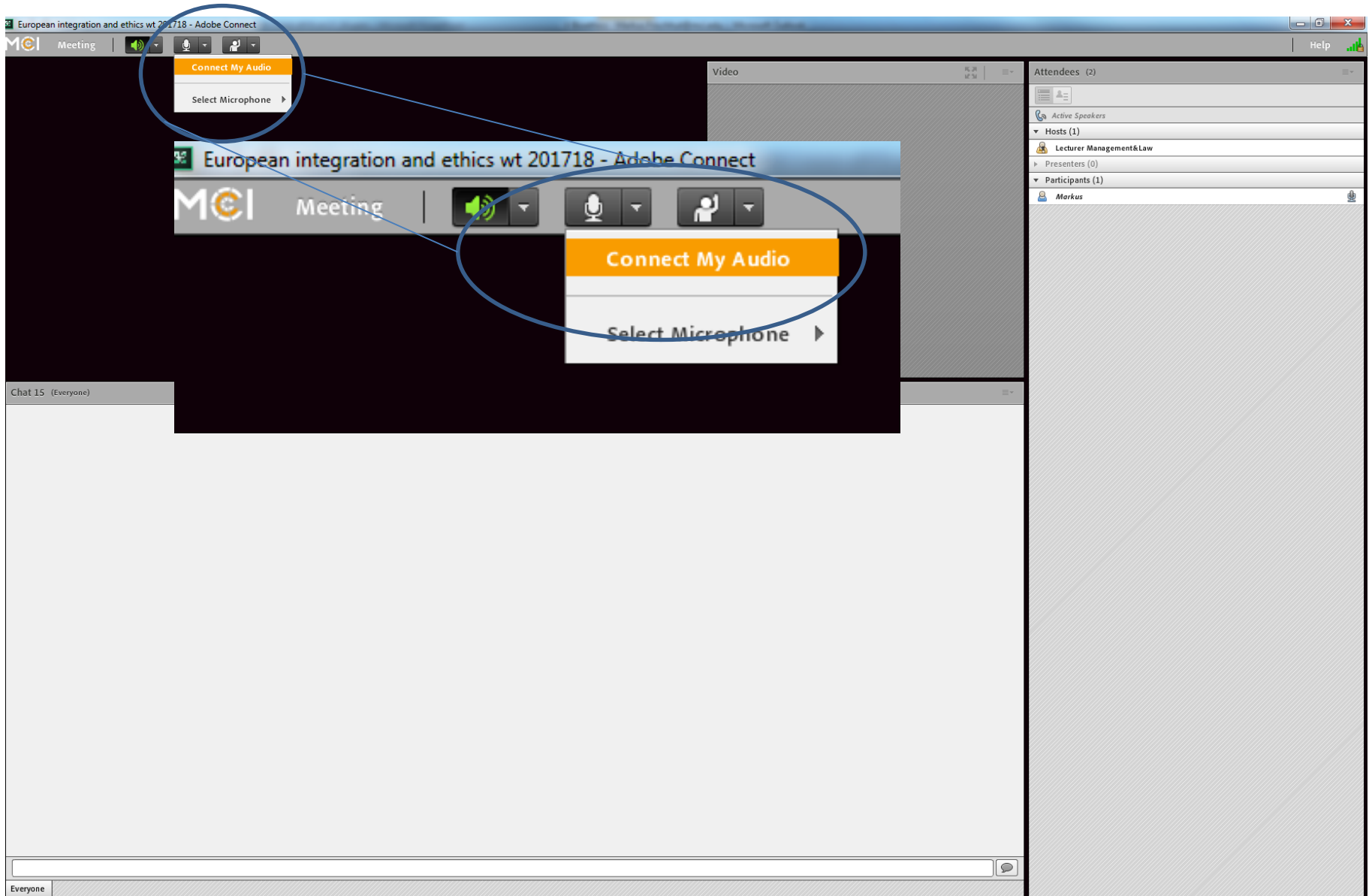
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Picture credit: http://help.adobe.com/en_US/connect/8.0/using/WS372813bbb4178f2417094f9e12b308681ed-8000.html

- Breakout groups:
  - You will be **randomly** allocated to different groups.
  - This forming of groups will be **valid for an entire session**; so if we have two breakout groups works during one session, you will work together with the same people.
  - Only if on another day we start a **new** session, **new** students would randomly meet in one group.

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At the beginning, please run the "Audio Setup Wizard"

Before you can use your headset, please click on "Connect My Audio"

Thank you for your attention!

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