Academic Course Guide

FACULTY OF PUBLIC MANAGEMENT, SAFETY AND LAW

International and European Law

Exchange Courses offered in English
Faculty of Public Management, Law & Safety

The Faculty of Public Management, Law & Safety is one of the largest faculties at The Hague University of Applied Sciences. The faculty contains seven programs, three of which are full-time English streams, namely International Public Management (IPM), International and European Law (Law) and Safety and Security Management Studies (SSMS).

In this guide you will find information about a variety of courses taught in English per programme. Please note that it is only possible to choose courses within one programme. Combining courses from different programmes is not possible.

In making the decision to study here, you will choose to be part of a dynamic and multicultural community where personal growth and intellectual stimulation are prioritized. In this Faculty, we teach our students to be analytical, to question, to engage in ‘out of the box’ thinking, to ask challenging questions and to use their imagination in solving real world problems. So that you return to your home country a changed individual, equipped to make a difference in society.

If this sounds exciting to you, then you will definitely thrive in The Hague, world’s capital of Peace, Justice and Safety, and you will enjoy your time with us.
Courses on offer by the International and European Law Programme
(subject to change)

of The Hague University of Applied Sciences
to Exchange / Visiting students

<table>
<thead>
<tr>
<th>Exchange</th>
<th>Course Name:</th>
<th>Code:</th>
<th>Credits:</th>
<th>Hours:</th>
<th>Assessment:</th>
<th>Duration:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Courses on offer LAW – The Hague University</td>
<td>LAW ----</td>
<td>---- ECTS</td>
<td>---</td>
<td>Assessment and Exams of the Courses selected by the Exchange / Visiting students</td>
<td>1 or 2 semesters</td>
</tr>
<tr>
<td>Coordinator</td>
<td>Hesther Calis</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Method:</td>
<td>Host university arrangement</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assessment:</td>
<td>Assessment and Exams of the Courses selected by the Exchange / Visiting students</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Learning goals & Legal Competences:
The Exchange aims at coordinating and facilitating the studying period for exchange / visiting students in the International and European Law Programme (LL.B.) of The Hague University and its international legal environment. Students are welcome to choose among the courses on offer in the present document.

Period: 1+2 and/or 3+4

Introduction

The city of The Hague is an international city known as the Legal Capital of the World by the United Nations. Numerous prestigious international organizations have set up an office in The Hague for this reason. The International and European Law Programme (LL.B.) of The Hague University of Applied Sciences enjoys this unique location for providing courses tailored for an international career in law, taught by experts and experienced professionals in their respective fields which vary from International Public Law and European Union Law to Comparative Commercial Law and legal skills.

The LAW Programme welcomes students from other universities to have the opportunity to study here and integrate with our student population who represent more than 60 nationalities. The management and the Faculty members are dedicated to offer an enriching interdisciplinary learning environment for Exchange / Visiting students.

The LAW Programme operates on two main axes: internationalization and professionalization (the Skills Line) which are displayed throughout the curriculum by means of special sessions organized by the lecturers and through practical assignments. The courses offered by the LAW Programme to Exchange/ Visiting students provide for opportunities to further the development of legal skills with the aim of increasing the employability of students. All the courses are taught in English by lecturers with experience working in international organizations, such as the International Criminal Court, European Commission, Permanent Court of Arbitration, European Parliament, top Dutch and International law firms, EU agencies like Europol, and Eurojust. The Faculty is joined by academic researchers in International and EU law.

Important to mention is that the LAW Programme has been evaluated in a recently conducted accreditation of the Ministry of Education of the Netherlands as a high quality LL.B. Programme surpassing the level of other LL.B. Programmes in Law. A national student satisfaction survey (conducted by Elsevier) rated the LAW Programme of The Hague University as the best Bachelor of Law Programme of the Netherlands in September 2014. A student team of the LAW Program has also won the prestigious Telders International Law Moot Court in 2014.
Exchange or visiting students from Partner universities may choose to spend one or two semesters in the Law Programme of The Hague University, electing courses only summarized in this document.

*Note: click on any course name and go directly to the corresponding page*

<table>
<thead>
<tr>
<th>Course Title</th>
<th>Code</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Skills 5 – Legal Analysis 2</td>
<td>3410</td>
<td>6</td>
</tr>
<tr>
<td>Skills 6 – Legal writing 2</td>
<td>3405</td>
<td>6</td>
</tr>
<tr>
<td>Skills 7 – Representing 2</td>
<td>3406</td>
<td>7</td>
</tr>
<tr>
<td>Skills 8 – Decision-Making 2</td>
<td>3408</td>
<td>7</td>
</tr>
<tr>
<td>Theory and Sources of Public International Law</td>
<td>3140</td>
<td>8</td>
</tr>
<tr>
<td>Civil &amp; Political Rights</td>
<td>3122</td>
<td>8</td>
</tr>
<tr>
<td>Use of Force</td>
<td>3131</td>
<td>8</td>
</tr>
<tr>
<td>International Humanitarian Law</td>
<td>3165</td>
<td>9</td>
</tr>
<tr>
<td>Individual Criminal Responsibility</td>
<td>3163</td>
<td>9</td>
</tr>
<tr>
<td>EU Health Law</td>
<td>3266</td>
<td>10</td>
</tr>
<tr>
<td>Principles &amp; Rules of Investment Law</td>
<td>3321</td>
<td>10</td>
</tr>
<tr>
<td>Maritime &amp; Transport Law</td>
<td>3341</td>
<td>10</td>
</tr>
<tr>
<td>Contract drafting</td>
<td>3323</td>
<td>11</td>
</tr>
<tr>
<td>Intellectual Property Law</td>
<td>3225</td>
<td>11</td>
</tr>
<tr>
<td>Refugee Law</td>
<td>3133</td>
<td>12</td>
</tr>
<tr>
<td>Gender &amp; Law</td>
<td>3123</td>
<td>12</td>
</tr>
<tr>
<td>Enforcement of International Law</td>
<td>3139</td>
<td>13</td>
</tr>
<tr>
<td>Core Crimes I (Genocide and Crimes against Humanity)</td>
<td>3162</td>
<td>13</td>
</tr>
<tr>
<td>Core Crimes II (Aggression &amp; War Crimes)</td>
<td>3155</td>
<td>13</td>
</tr>
<tr>
<td>Competition Law 2 (EU)</td>
<td>3232</td>
<td>14</td>
</tr>
<tr>
<td>EU Energy Law</td>
<td>3241</td>
<td>14</td>
</tr>
<tr>
<td>EU Fundamental Rights</td>
<td>3267</td>
<td>15</td>
</tr>
<tr>
<td>Principles &amp; Rules of Tax Law</td>
<td>3366</td>
<td>15</td>
</tr>
<tr>
<td>Insurance Law</td>
<td>3335</td>
<td>16</td>
</tr>
<tr>
<td>Investment Dispute Settlement</td>
<td>3338</td>
<td>16</td>
</tr>
<tr>
<td>NATO &amp; International Security</td>
<td>3138</td>
<td>17</td>
</tr>
<tr>
<td>Social &amp; Economic Rights</td>
<td>3132</td>
<td>17</td>
</tr>
<tr>
<td>Law of International Organizations 2</td>
<td>3124</td>
<td>17</td>
</tr>
<tr>
<td>ICC &amp; Other Tribuness</td>
<td>3153</td>
<td>18</td>
</tr>
<tr>
<td>Rights of the Accused</td>
<td>3154</td>
<td>18</td>
</tr>
<tr>
<td>EU Sport Law</td>
<td>3240</td>
<td>18</td>
</tr>
<tr>
<td>EU Consumer Protection</td>
<td>3237</td>
<td>19</td>
</tr>
<tr>
<td>Internal Market Law 2</td>
<td>3222</td>
<td>19</td>
</tr>
<tr>
<td>International Taxation</td>
<td>3265</td>
<td>20</td>
</tr>
<tr>
<td>Private International Law</td>
<td>3331</td>
<td>20</td>
</tr>
<tr>
<td>Terrorism</td>
<td>3135</td>
<td>21</td>
</tr>
<tr>
<td>Environmental Law (International)</td>
<td>3125</td>
<td>21</td>
</tr>
<tr>
<td>Children’s Right in Family Law</td>
<td>3355</td>
<td>21</td>
</tr>
<tr>
<td>Evidence</td>
<td>3157</td>
<td>22</td>
</tr>
<tr>
<td>ICL Procedures</td>
<td>3164</td>
<td>22</td>
</tr>
<tr>
<td>EU Employment Law</td>
<td>3238</td>
<td>22</td>
</tr>
<tr>
<td>EU Foreign Relations</td>
<td>3233</td>
<td>23</td>
</tr>
<tr>
<td>EU Company Law</td>
<td>3242</td>
<td>23</td>
</tr>
<tr>
<td>Corporate Social Responsibility</td>
<td>3254</td>
<td>24</td>
</tr>
<tr>
<td>Internet Law</td>
<td>3333</td>
<td>24</td>
</tr>
<tr>
<td>Corporate Liability</td>
<td>3353</td>
<td>25</td>
</tr>
</tbody>
</table>
1. Exchange / Visiting students

Exchange / visiting students are registered as students of the LAW programme and are coordinated and informed during their stay by Hesther Calis (exchange-law@hhs.nl), Internship and External Relations Coordinator who is also the contact person with the Partner universities on exchange questions.

The subjects chosen by the Exchange / Visiting student, including those on the reserve list must be approved by the Partner university - sending institution, prior to the reception of the Exchange / Visiting student. This approval will not be withdrawn.

Transcripts of exam results will only be handed to the home institution if a student has complied with all our regulations for exchange students. The transcripts will be available no sooner than two months after the regular exam period at the end of each semester. No request for earlier processing of results can be granted.

2. Selection of offered courses

The course descriptions of the subjects possibly chosen by Exchange / Visiting students while at the LAW Program can be requested for helping the choice depending on the individual interests of the students for the best exchange experience possible. The Exchange coordinator can make here some suggestions of combinations which would be acceptable by both the exchange student and the Partner university.

The subjects shown in this document below are worth a certain number of ECTS (European Credit Transfer System) points. A full semester program should add up to 30 ECTS. We recommend not to choose a program of over 30 ECTS per semester.

When putting down your subject choices one should also remember that each semester is split up into two periods:

Semester 1  =  Period 1 and Period 2  (2 September 2019 – 7 February 2020)
Semester 2  =  Period 3 and Period 4  (10 February 2020 – 17 July 2020)

Please note: courses are offered only once a year (Semester 1 or Semester 2)

For year 2 Skills courses and year 3 courses, priority will be given to Exchange / Visiting students.

The Exchange students are advised informing the lecturers at the beginning of courses that they are Exchange / Visiting students and may need some additional guidance with regards to our teaching system & methods. The Exchange / Visiting students will be informed at the exact same way as the regular students concerning courses, assignments, exams and class participation.

In case of course and/or exam clashes in the timetable, the Exchange coordinator would ask the Exchange student to choose at least two other subjects as a reserve.

All subjects should be confirmed by the Exchange student upon his/her arrival. The confirmation happens during the Introduction for Exchange / Visiting students offered by the LAW Programme twice a year. For logistical reasons, Exchange / Visiting students are required to arrive approximately one week before the start of the semester for the Introduction, which is however on a voluntary basis, except for the general exchange presentation.

The Law Programme recommends the legal Skill courses. Surveys indicate that these courses are highly valued by internship providers. The competences obtained through the Skills courses allow students to immediately apply their legal knowledge in a working environment.

Each year 2 course represents 3 ECTS. The total study load per course is 84 hours (lectures + self-study hours). Contact hours represent 7 lectures of 1 hour 45 minutes each and 7 workshops of 1 hour 45 minutes each (1 lecture and 1 workshop per week).

Each Year 3 course represents 5 ECTS. The total study load per course is 140 hours. Contact hours represent 7 seminars of 2 hours each (1 seminar per week).

In order to pass and collect the credits of a Year 2 course, students are required to pass one in-class assignment and one written exam of 3 hours at the end of the quarter.
In order to pass and collect the credits of a Year 3 course, students are required to pass one assignment during the quarter and one written exam of 2 hours at the end of the quarter.

In addition:
All the Exchange / Visiting students are invited as guests of the LAW Programme at the Employment Network Event. This study and job fair takes place in April or May each year and is the largest law job fair for International Law in The Hague.

Workshops on professional and career development in an international legal environment (titled: “CV & Career”, “Cover Letter”, “Job Interviews”, “Professional networking online” and “CV Coaching day”) are offered to all the exchange students with The Hague students of the LAW Programme.

Exchange / Visiting students are also welcome at the in-house Meet-a-Lawyer events and are welcome to apply for tribunals/court trips.

Courses (*) available for exchange student are:

Year 2 (Introductory Courses – 3 ECTS per course)

<table>
<thead>
<tr>
<th>Semester 1 (Fall/Autumn term)</th>
<th>Semester 2 (Spring/Summer term)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Period 1</td>
<td>Period 2</td>
</tr>
<tr>
<td>3410 Skills-5: Legal Analysis 2</td>
<td>3405 Skills-6: Legal Advising 2</td>
</tr>
</tbody>
</table>

Year 3 (Advanced Courses – “Elective Courses” – 5 ECTS per course)

<table>
<thead>
<tr>
<th>Semester 1</th>
<th>Semester 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Period 1</td>
<td>Period 2</td>
</tr>
<tr>
<td>Specialization: Public International Law &amp; Human Rights</td>
<td></td>
</tr>
<tr>
<td>3140 Theory &amp; Sources of Int’l Law</td>
<td>3133 Refugee Law</td>
</tr>
<tr>
<td>3122 Civil &amp; Political Rights</td>
<td>3123 Gender &amp; Law</td>
</tr>
<tr>
<td>3131 Use of Force</td>
<td>3139 Enforcement of Int’l Law</td>
</tr>
<tr>
<td>Specialization: International Humanitarian Law &amp; International Criminal Law</td>
<td></td>
</tr>
<tr>
<td>3165 Int’l Humanitarian Law</td>
<td>3163 Individual Criminal Responsibility</td>
</tr>
<tr>
<td>3162 Core Crimes II (Genocide &amp; CAH.)</td>
<td>3155 Core Crimes I (Aggression &amp; War Crimes)</td>
</tr>
<tr>
<td>Specialization: European Law</td>
<td></td>
</tr>
<tr>
<td>3266 EU Health Law</td>
<td>3232 Competition Law (2)</td>
</tr>
<tr>
<td>3267 EU Fundamental Rights</td>
<td>3222 Internal Market Law (2)</td>
</tr>
<tr>
<td>Specialization: Commercial Law</td>
<td></td>
</tr>
<tr>
<td>3341 Maritime &amp; Transport Law</td>
<td>3366 Principles &amp; Rules of Tax Law</td>
</tr>
<tr>
<td>3323 Contract Drafting</td>
<td>3335 Insurance Law</td>
</tr>
<tr>
<td>3225 Intellectual Property Law</td>
<td>3338 Investment Dispute Settlement</td>
</tr>
</tbody>
</table>

(*) Our course offering is subject to change due to scheduling circumstances and personal circumstances of lecturers.
3. Course Descriptions

Year 2 courses on offer in 2017-2018

Skills 5 – Legal Analysis 2 3410

Legal Analysis II is differentiated from Legal Analysis I (IRAC) in the complexity of the context of the analysis: ability to reason from case law, statutes, treaties and scholarly works.

This course will cover body of knowledge material related to the categories “Practical Legal Research” Social and Oral Communication Skills,” “Legal Information Methods,” and “Written Communication Skills.”

Teaching Aims:
- Students will identify legal analysis and problem-solving skills within international, regional and national contexts encompassing both civil law and common law approaches.
- Students will apply different styles of legal analysis and problem-solving skills to a variety of cases, statutes and/or treaties.
- Students will qualify relevant facts, issues and rules of law in different legal contexts on the basis of fact patterns.
- Students will write a persuasive and coherent document for a variety of audiences (diplomats, states, UN personnel and NGO staff) and effectively edit their work by incorporating feedback from peers and comments from course instructors.
- Students will review the work of their peers and give verbal and written feedback regarding the quality of legal analysis and applications of legal rules and cases to fact patterns.

Study load hours: 3 x 28 = 84

Skills 6 – Legal writing 2 3405

This course builds on the students acquired competence level in legal advising and adds elements of both complexity and independence.

The first two workshops aim at enhancing the student’s understanding of the professional context of this competence. The students will be introduced to the differences between advising and counselling and the diverse ways advising is approached in different jurisdictions. The students will also be introduced to professional ethics and its interplay with advising.

The following two workshops will focus on the first phase of legal advice: fact gathering. Students will be introduced to more complex client conferences and will focus on special needs clients and cross cultural communication.

In workshop five students will focus on the second phase of legal advice: research and strategizing. They will especially be introduced to a more complex setting, such as multilevel negotiations.

In the last two workshops the focus will then be on the third phase of legal advice: the actual advice. Here the course aims at increasing the independence of the student in delivering both oral and written advice.

Teaching Aims:
- Describe the different phases of advice and the respective techniques to be applied
- Issue advice on the basis of known facts that is tailored to the client.
- Implement the appropriate formal/professional requirements
- Identify and take account of the legal interests/consequences of the advice in both a simple case

Study load hours: 3 x 28 = 84
Skills 7 – Representing 2  

Advocacy is a crucial skill for any legal professional, whether working in an advisory capacity in an organisation or as an advocate in the presentation of a case before any tribunal. Advocacy is also a creative skill, requiring a lawyer to use a combination of imagination, ingenuity and original ideas in such a way as to present a case to the best of his or her ability. Above all, advocacy is a practical skill; and, just like acting, dancing and making music, it is improved by study and practice.

The ability to communicate effectively, orally, is enhanced when information is communicated in an organised and interesting way that is both clear and delivered confidently, without reading a text.

The good use of language, a clear structure of arguments and an attractive delivery are important in both oral advocacy and in written advocacy, and practice makes perfect. Whilst this course concentrates upon oral advocacy, in many types of litigation the members of the tribunal read documents that have been prepared by the advocates before the hearing, forming an impression of the advocate before he or she appears in front of them. It need hardly be said that first impressions are of the greatest importance. During the course, students will be taught how to prepare skeleton arguments and submissions that will be part of their “toolkit” for their oral advocacy at a hearing.

The course begins with an analysis of the component parts of advocacy: examination in chief; cross-examination and re-examination. We will examine some of the basic “tools” used in oral advocacy and witness handling. We will consider the basic components for applications and submissions: preparing for court; the content and structure of the application; delivering the application and the art of persuasion. The roles of legal professionals and lawyers in international tribunals will be discussed, and styles of advocacy appropriate for those forums will be examined with a continuing focus on processes of oral advocacy and persuasion.

As the course progresses, the students will be actively involved as advocates in practical exercises, based upon a fictional case in the International Criminal Court. These workshops will provide students with the challenge of developing case theories, handling witnesses and presenting oral arguments. Peer review exercises will help students to identify effective advocacy, allowing them to observe and to put into practice the skills which they have identified in others.

Teaching Aims:
- address a court or other tribunal persuasively and concisely, presenting their cases in a manner which is clear, well organised and efficient;
- carry out an analysis of a case and prepare a case theory;
- prepare any necessary skeleton arguments and make any necessary oral legal submissions;
- conduct an examination-in-chief, cross-examination and re-examination;
- prepare and make an opening and closing speech.

Study load hours: 3 x 28 = 84

Skills 8 – Decision-Making 2

We make decisions all the time in every aspect of life. The legal profession, as a problem solving profession, requires constant decision making, often with considerable consequences. Our training as legal professionals, as well as the experience we gain on the job, does not necessarily make us good decision makers. Studies show that experienced lawyers make bad decisions too frequently. Poor decision making is not the result of a lack of expertise. Poor decision making results from the failure to incorporate decision making methodology.

This class will explore many of the decision making roles legal professionals find themselves in. We will examine some of the reasons legal professionals make poor decisions. Most importantly you will learn and apply decision making methodologies developed to help you make better legal decisions.

The class will focus on decisions made by legal professionals in resolving disputed matters and, in particular, on the choice to pursue a negotiated or adjudicated decision in the context of the ADR spectrum, including mediation.

Teaching Aims:
- Understand and apply decision making methodology to legal decision making.
- Understand the pitfalls of decision making without the use of appropriate methodology.
- Recognize and mitigate decision making biases that impeded effective legal decision making.
- Understand and apply decision making methodology in choosing to resolve a matter through an adjudicatory process or negotiation and in choosing whether ADR or mediation is appropriate.
- Understand the strengths and limitations of group decision making.

Study load hours: 3 x 28 = 84
Year 3 courses on offer in 2017-2018

Theory and Sources of Public International Law

The theory upon which public international law is built are often reviewed quickly before moving to more substantive matters such as the law governing the sea or the use of force, but for advanced students of public international law, it bears considering the sources more closely. If one appears before an international tribunal, what can one argue? We are accustomed to citing the Statute of the International Court of Justice for the authoritative description of the sources of public international law, although it is, of course, not an entirely clear provision and is only a statement of the sources that may be invoked before that tribunal. Who creates and is affected by international law? Again, we are accustomed to mentioning states only, although other actors have acquired international rights and duties, such as corporations, NGOs and individuals.

This course will examine the sources of public international law in depth. The class will read texts and discuss the sources in seminar meetings, examining treaties, custom and principles in detail. For treaties, the class will look at issues such as reservations, interpretation and the unique questions of human rights treaties. For custom, the class will consider the evidence and assessment of practice and opinio juris, among other topics. Additional topics will include general principles of law, the law making powers of international organizations and binding unilateral statements. Thus, the course provides a greater depth to the students existing knowledge of sources and can be applied throughout the remainder of the student’s education in public international law.

Teaching aims:
As a third year seminar that deals with treaties and other sources of international law in depth, this is not an introductory role. Students are advised to review their notes from Year 1, Public International Law, before commencing the course.

The goals of the course are for students to be able to:
1. Draw on cases and other original materials to synthesize and articulate the rules of sources of international law, and identify arguments and counter-arguments
2. Discuss, debate, defend and critique the rules pertaining to sources of international law
3. Solve hypotheticals by applying rules and arguments to new factual scenarios

Study load hours: 5 x 28 = 140

Civil & Political Rights

This course critically evaluate the sources and principles of law, enforcement mechanisms and the role of the European Court of Human Rights and the Inter-American Court of Human Rights by analysing a number of specific civil and political rights in context. Moreover, encourages participants to approach human rights litigation strategically, viewing litigating a human rights case as one step in the process of achieving social change. In addition, it will provide sound ability to identify legal problems and to systematize arguments under the international and regional civil and political rights framework.

Teaching Aims:
The course aims to explain, examine and interpret the scope of Civil and Political Rights, on both substantive and procedural issues at both the European Human Rights and Inter-American Human Rights systems.

Study load hours: 5 x 28 = 140

Use of Force

This 5 ECTS course will familiarize students with the international systems of the maintenance of peace and security. The general principles will touch upon as well as substantive issues through the various cases that have to be analysed.

One of the most important questions of international law is the existence and maintenance of international peace and security. Whereas traditional 16-17th century notions of balance of power still shadow the development of the modern world order, today States, international organizations and increasingly non-state actors are becoming actively involved in armed conflicts.

It is the ambition of international law to project as a prevalent, commonly shared-value on the international plane the maintenance of international peace and security; in a nutshell, to put an end to war.

This course will attempt to trace humanity’s recent efforts to prevent armed conflicts. In doing so, emphasis will be given to the preventive instruments available to the international system, such as the United Nations legal and political organs. This course will offer an overview of the way, in which contemporary international law deals with modern warfare.

The primary goal of this course will be an in-depth examination of the regulation of the legal situation following the failure of the peaceful settlement mechanisms, namely the law concerning the recourse to war (jus ad bellum). As such, both the centralized enforcement system of the UN Security Council and the different forms of the inherent right of self-defence will be the focal points of the present course.

Over the course of this 7 week’s lecture period students will have learned to identify the main legal rules concerning the prohibition of resorting to the use of force in international law, as well as the exceptions to this prohibition. Students will also be offered a general idea of the main types of legal regulation of use of force under customary international and treaty law. It is the ambition of this course to familiarize the students with the basic elements of the international system for the protection of peace and the means available under international law to avert armed conflicts.

Study load hours: 5 x 28 = 140
Teaching Aims:
Students should be able to achieve the following learning outcomes:
1. Understand the concept and function of public international law on the use of force and its exceptions.
2. Understand the arguments for and against use of force and its exceptions.
3. Identify and understand the different theoretical underpinnings for use of force and its exceptions.
4. Analyse the rules pertaining to the use of force in light of their historical development since 1945.
5. Analyse the basic doctrinal components of the contemporary prohibition on the use of force and its exceptions on the basis of case-law.

Study load hours: 5 x 28 = 140

International Humanitarian Law 3165

International humanitarian law pre-dates international criminal law and international human rights law. Also known as the law of war or the law of armed conflict, it is the foundation for crimes prosecuted at the international criminal tribunals. From The Hague Conventions to the Geneva Conventions to the Ad Hoc Tribunals created by the United Nations Security Council and the International Criminal Court, this area of law consists of principles guiding military action and rules to limit the effects of armed conflict for humanitarian purposes. Among its many goals are to protect persons no longer participating in an armed conflict and to restrain the means and methods of warfare.

This is a foundational course for the Specialization in International Humanitarian Law & International Criminal Law. The course material will address the topic of international humanitarian law (IHL) in the form of legal principles and rules which have been derived from conventional and customary international law since the inception of this area of the law to the present date and the enforcement mechanisms provided for in and outside IHL. The course begins with an overview lecture which places IHL within the larger body of public international law. The historical basis for IHL, core IHL treaties and the formation of customary IHL will be considered. This is followed by successive presentations of core areas comprising the essential study of IHL principles, rules and compliance: the protection of PoWs, the protection of civilians, military objectives, means and methods of warfare and compliance. In addition to surveying the rules and principles current situations and their legal issues will be highlighted as well. The final class will include student presentations on IHL and a conflict of choice (on a voluntary basis, no extra credits) and will further be a wrap up session of the course, including exam preparation and will allow room for questions and answers.

Teaching Aims:
Complement understanding and legal analysis of well-defined principles and rules of international humanitarian law with appreciation for current issues of applicability and compliance mechanisms.

Study load hours: 5 x 28 = 140

Individual Criminal Responsibility 3163

The course begins with a historical overview of individual criminal responsibility for war crimes and for crimes against humanity, beginning with ancient times and then jumping to Nuremberg and Tokyo, and then, fifty years later, to the ad hoc tribunals for Yugoslavia and Rwanda, followed by a mushrooming of international tribunals, including the creation and current blossoming of the International Criminal Court.

The course will provide students with an opportunity to identify and apply general principles of international law relating to individual criminal responsibility and to the jurisprudence of various international criminal courts.

Contextual elements, modes of participation, group criminality, inchoate crimes, criminal omissions, command responsibility, defences and sentencing factors are all examined. Both national and international case law will be used to illustrate commonalities and differences in the employment of the relevant legal concepts. Differences in jurisdiction and in the approach of Prosecutors of the different international tribunals will also be examined.

Within the context of the ad hoc tribunals and the ICC, the role of the United Nations Security Council in relation to waivers of immunity for heads of State will also be examined.

Teaching Aims:
At the end of the course, students have:
1. Deepened their understanding of the concept and scope of individual responsibility under International Criminal Law;
2. Become familiarized with the most recent scholarly developments in the field of international criminal responsibility;

At the end of the course, students can:
3. Identify and apply general principles of international law relating to individual criminal responsibility.

Study load hours: 5 x 28 = 140
EU Health Law 3266

Human health is becoming an increasingly important topic on the agenda of the European Union. EU competences in health have undergone a gradual expansion during the last decades, from isolated actions at the margins of the internal market to harmonization of Member States’ laws in a number of fields, and the task to ensure a high level of human health protection in the design and implementation of EU action taken in all other policy fields. In addition, action taken by the EU in a number of other areas, notably, the promotion of internal market and enforcement of competition rules, have an impact on human health and on health system governance. This course discusses EU action to (1) protect and improve human health, (2) address common safety concerns in health matters and (3) support the health systems of the Member States. In doing so, the course focuses on the main regulatory instruments used by the EU as well as the relevant case law of the Court of Justice of the European Union (CJEU). Specifically, the course addresses a number of key issues pertaining to EU law and health, such as the impact of internal market rules on patients, health professionals and health systems, the relevance of competition law, and the possibilities for the EU to support Member States’ health systems in their efforts to cope with the challenges brought about by the economic crisis. Case studies on tobacco control and pharmaceutical regulation will be used to highlight the practical implications of the relevant EU Directives and case law. Furthermore, the course aims to develop not only subject-specific knowledge and skills, but also transferable skills. In terms of the latter, particular attention is paid to analytical skills.

Teaching Aims:
Students should:
1. Identify and explain the rationale and achievements of human health protection in the EU in the light of relevant EU legislation;
2. Explain the functions, shared values and challenges faced by health systems in the EU and assess the added value of EU action in coping with those challenges;
3. Analyse the reasoning and point out the implications of the health-related CJEU rulings discussed throughout the course;
4. Explain the impact of internal market rules on Member States’ capacity to safeguard their competence in health system governance.

Study load hours: 5 x 28 = 140

Principles & Rules of Investment Law 3321

Investment law covers the legal aspects of cross-border investments and in particular investments that are meant to function as a structural investment in a country other than the country where the investor is (originally) located. From the perspective of the country receiving the investment, this type of investment is called foreign portfolio investment or foreign direct investment. The main focus of this course is on foreign direct investment (FDI) and the rules to attract and to control foreign direct investment including also the protection provided by international law to these investments. From the perspective of the State in which the investor is located, FDI leads to questions about the protection of the (corporate) citizen of that state in the foreign country. This protection is provided by means of bilateral investment treaties and investment contracts among other legal instruments.

This course aims to introduce the basic principles and rules of investment law and to provide the students with working knowledge of the instruments to promote foreign direct investment and to settle international investment disputes. In particular, it aims to introduce the main domestic and international investment provisions applicable to cross-border transactions including the use of bilateral investment treaties and to provide working knowledge of the instruments to deal with investment law, investment disputes, and FDI in developing and developed countries. The course will follow the pattern of the traditional topics in the field, including but not limited to history, sources, actors, investment treaties and their interpretation and application, standards of protection, admission & establishment, performance requirements, risk analysis, national regulations, expropriation, access to justice and settlement of investment disputes. The main aim of this course is to provide the theory of investment law, that latter on will be used on the advanced course on International Investment Dispute Settlement. Finally, foreign investment triggers questions around the relationship of this foreign direct investment with (international) labour standards, and its contribution to sustainable and inclusive development. Therefore, one of the last topics to be discussed will be the inclusion of labour provisions in international investment agreements and the prospects for the promotion of sustainable development.

Teaching Aims:
1. Identify and describe the fundamental concepts and rules of international investment law;
2. Explain the position of investors and host states towards foreign investments;
3. Explain the right to admission and establishment of foreign investment as well as the right to expropriate;
4. Describe the main features of bilateral investment treaties and multilateral instruments regulating foreign investments;
5. Identify and explain the main clauses concerning the standard of protection of foreign investments;
6. Identify and explain the different types of labour clauses in investment treaties.

Study load hours: 5 x 28 = 140

Maritime & Transport Law 3341

Four-fifths of the world merchandise trade (9.84 billion tons of cargo) is transported by sea. This course will introduce maritime law and examine core concepts of maritime law in the context of transportation of cargo and passengers and how some of those concepts provide the groundwork for other areas of transportation law. Unfortunately, the breadth of maritime law cannot be covered in one quarter. As for the even larger topic of transportation law (which includes all modes of transportation including pipelines, data transfer and space travel), we can only crack open the hatch and peek inside.

To avoid putting ourselves on beams end, we will begin by examining the broad nature of transportation in general, but quickly narrow our inquiry to an examination of the unique aspects of maritime law. Having learned the ropes, we will get underway and examine the specific aspects of maritime law related to the transportation of cargo including the unique aspect of inter or multimodal cargo, where a container arrives at its destination by means of 2 or more modes of transportation. Finally, we will look at the contract for carriage with regard to the transport of people.
**Teaching Aims:**
Upon completion of this course, a student will be able to:
1. Explain the origins, sources and jurisdiction of maritime law.
2. Classify different modes of transportation.
3. Apply international maritime law (treaty law), general principles of maritime law and case law from specific jurisdictions to resolve disputes regarding contracts for carriage of cargo and passengers.
4. Explain the historical and substantive connection of maritime law to other areas of transportation law.

**Study load hours:** 5 x 28 = 140

---

**Contract drafting**

Contract drafting is a means of communication between the parties, and possibly with a litigation body at a later time. A legal professional may frequently be asked to draft a contract, to revise a draft contract, or even to participate in the negotiations leading to the conclusion of a contract. It is necessary for a legal professional to know the reasons for inserting all terms and clauses in a contract. When a contract comes before a court or dispute settlement body for enforcement, these terms and conditions will be used to address the dispute between the parties. Cases are often a reflection of failure of the legal professional in anticipating contentious areas in the drafting the contract, or of the parties. A legal professional should see the function in a planning context and aim for the prevention of pitfalls. Therefore, a legal professional needs to predict what may occur, to provide for unforeseen circumstances, and to support parties' rights with remedies. Disputes are unavoidable. Therefore, contract drafting is also important to the litigation process. Moreover, when it comes to litigation, a well-drafted contract may help parties to settle their case by agreement. Drafting contracts is a skill which is learned through practice. It is a combination of applying substantial law of contract and enhancing additional skills. It is said that 'easy reading is the result of hard writing'.

In this course, the elements of drafting contracts with an emphasis on some important clauses will be taught. Students will be introduced to standard international contract clauses and standard contract structure, as well as issues specific to more specialized agreements.

The course begins with the role of the legal professional in negotiations leading to contracts, letters of intent, and recitals in international contracts. It continues with the review of some standard clauses in international contracts, such as interpretation, confidentiality, penalty, liability, exemption, force majeure, termination, post contractual obligations, and dispute settlement.

**Teaching Aims:**
Learning goals of this course are: understanding concept of international contract drafting; being able to find appropriate law governing contracts; and being able to analyse clauses, being able to draft international contracts.

The purpose of this course is to introduce students to the essentials of contract drafting through a review of basic clauses of international contracts. It introduces students to the role of legal professional in negotiations leading to international contracts, and the essentials of contract drafting through a review of some basic clauses of international contracts.

**Study load hours:** 5 x 28 = 140

---

**Intellectual Property Law**

This course explores the concept of intellectual property rights and their justifications. The legal and economic rationale of IPR's in respect of the creations and the rights granted will be intensively covered. The various IPR's such as copyrights, patents and trademarks will be juxtaposed with the modern technologies, revocation and relevant case law thereof. Moreover, this course will mainly discuss the procedural matters such as the application, registration, objection, duration, invalidity, the various jurisdictions as well as their relevant legal legislation/materials and the granting offices of all IPR's.

The sample questions that will be touched upon during the seminars are as follows;

Should the pharmaceutical company which invented a new AIDS medication be forced to license it at an affordable price for production in a developing country? How is the pharmaceutical company going to recover the millions spent on research and development during the last decades? Why is the software are protected differently in the US than in Europe where it is rather considered as computer programs falling under the copyright protection? What are the different steps in the Life Cycle of a patent, or a trademark or a copyright? What will be the next developments of the consideration of the IP rights in the EU and US legislation? What are the “minor areas” dealing with an Industrial and Intellectual Protection? These are some of the questions discussed.

Intellectual property rights have two main features: they can be exclusive or territorial in nature. Territorial criteria can determine largely the differences in the main areas of Trademark, Copyright or Patents. In order to soften the territoriality principle, minimum standards for protection of intellectual property rights were provided for in various international treaties (Berne Convention, Paris Convention among others). To reach the same goal, other international treaties provide for simplified mechanisms for obtaining national registrations (Madrid Agreement and Madrid Protocol).

**Teaching Aims:**
Upon completion of this course, a student should be able to:
1. Understand and apply the fundamental principles and rules of intellectual property law in both United States and Europe.
2. Understand the differences and similarities between these two legal major systems in the field of intellectual property law.
3. Develop the ability to advise on the legal issues related to intellectual property law and represent weighing up the relevant interests in a complex structured case, with interim supervision and instruction and some urgency.

**Study load hours:** 5 x 28 = 140
Refugee Law

Humans have been migrating from one place on the earth to another for their entire history and this is largely been unregulated in law. Over time, especially since the 19th century, migration is increasingly being regulated at the domestic level. Historically, states determined who their nationals were and provided for regulation to admit some foreigners and exclude others and international law was largely not involved. Domestic laws on nationality admission and exclusion were largely seen to be directly connected to a state’s sovereignty, and thus not something that was properly governed by international law. This situation is changing rapidly. Partly due to increasing inequity between states but also to situations of war and massive human rights violations, and facilitated by increasingly efficient international travel, migration numbers are now increasing, so much so that some states now host more foreign nationals than their own nationals. Following the First World War a number of international conventions entered into force that governed conflicts of nationality law. Later refugee flows, forced labour, human trafficking and slave trading inspired additional controls on international migration and forced migration. Lastly the human rights revolution since WWII that developed in earnest following the adoption of the Universal Declaration of Human Rights has further brought issues of nationality and migration into the human rights dialogue.

This course will cover international migration and refugee law in the widest sense. The class will read texts and discuss the sources of this law in seminar meetings. In particular, the course will cover the law of nationality, freedom of movement and state sovereignty, human rights of migrants, limitations on expulsion (such as refugee and asylum law), and various modes of migration, including employment-based immigration, family reunification, and smuggling and trafficking. Students will not have taken any course specifically on migration or refugee law so this course will begin with a broad overview and quickly move into detailed analysis of the law, building on the students’ existing knowledge of sources and legal analysis.

Teaching Aims:
As a third year seminar that deals with international migration and refugee law in depth, this is not an introductory course. Students are advised to review their notes from Year 1, Public International Law, before commencing the course.

The goals of the course are for students to be able to:
1. Draw on cases and other original materials to synthesize and articulate the rules on international migration and refugee law, and identify controversies in the law, arguments and counter-arguments.
2. Discuss, debate, defend and critique the rules pertaining to international migration/refugee law.
3. Solve hypotheticals by applying these rules and arguments to new factual scenarios.

Study load hours: 5 x 28 = 140

Gender & Law

The law is not a neutral body of rules and legal categories it often excludes groups reinforcing their disadvantage. Sexual and gender based violence, gender discrimination, along with other forms of discrimination, sexuality and reproduction control are embedded throughout the legal system, often in ways that are not immediately obvious.

The primary goal of this course will be an in-depth examination to the way law constructs and regulates equality, sexuality, reproduction, and sexual and gender-based violence. For this purpose, students will analyse and examine CEDAW Committee, Inter-American Court of Human Rights, European Court of Human Rights and Ad-Hoc Tribunals landmark cases that have contended gender stereotypes, inequality, sexuality and reproduction control discrimination and sexual and gender-based violence in international and transnational contexts.

Week by week, concrete legal contexts, such as direct, indirect, intersectional discrimination, substantive and transformative equality, gender stereotypes, sexual orientation and gender identity, sexual and reproductive health rights, human trafficking, and sexual and gender based crimes will be articulated to consider the relationships between legal rules and social context.

Teaching Aims:
Students should be able to achieve the following learning outcomes:
1. Understand the different theoretical underpinnings in the gender analysis of law and available legal remedies.
2. Understand how stereotypes promotes gender discrimination and gender based violence
3. Analyse and examine CEDAW Committee, Inter-American Court of Human Rights and European Court of Human Rights and Ad-Hoc Tribunals landmark cases that have contended gender stereotypes, inequality, sexuality and reproduction control, sexual and gender-based violence.

Study load hours: 5 x 28 = 140
Enforcement of International Law 3139

This seminar will focus on the enforcement of public international law. The first part of the course will cover the sources of states’ obligations to obey international law and different theories as to why states do – and sometimes do not – obey international law in practice. The second part will address the most common enforcement mechanisms available under international law, including countermeasures, collective action, and dispute settlement bodies. The third part of the course will focus on case studies of current enforcement problems in areas such as the use of force, human rights, and the environment.

**Teaching Aims:**
At the end of the course, students have:
1. Deepened their understanding of the concept and scope of International Law Enforcement;
2. Become familiarised with the major scholarly developments in the field of International Law Enforcement;

At the end of the course, students can:
3. Identify and apply general principles of international law relating to International Law Enforcement;
4. Identify and apply possible means of International Law Enforcement;
5. Deepened their understanding of the factors surrounding International Law Compliance

**Study load hours:** 5 x 28 = 140

Core Crimes I (Genocide and Crimes against Humanity) 3162

This course provides a comprehensive inquiry into the historical background, legal elements and problems of proof concerning genocide and crimes against humanity. We will examine these crimes through an analysis of selected jurisprudence from international courts and tribunals, including the IMT, ICI, ICC, ICTY, ICTR and the ECCC, scholarly articles and other relevant material.

**Teaching Aims:**
At the end of this course, students will have deepened their understanding of the concepts, elements, and proof required for genocide and crimes against humanity; familiarized themselves with the most recent developments in international criminal jurisprudence; and demonstrated their ability to identify and apply these concepts to the assessment of factual narratives.

**Study load hours:** 5 x 28 = 140

Core Crimes II (Aggression & War Crimes) 3155

Aggression and war crimes are crimes that are by their nature associated with armed conflict. Aggression (jus ad bellum) describes the situation when a state unlawfully attacks another state. Aggression is often regarded as a trigger crime, since this so-called ‘crime against peace’ starts the armed conflict, which provides the de facto lawless environment in which international criminality flourishes. Once armed conflict begins, international humanitarian law (jus in bello) comes into play, and it regulates the conduct of the hostilities and the protection of persons not participating. But despite comprehensive legal regulation of warfare, war crimes are a recurring feature.

The course will provide students with a comprehensive overview of the most important international crimes related to armed conflict: aggression and war crimes. After a brief introduction to the concepts of jus ad bellum and jus in bello, the course will tackle the development of the doctrinal and judicial debate on the crime of aggression, up to the most recent pronouncements of domestic and international courts and tribunals and the attempts to define ‘aggression’ as a crime within the ICC jurisdiction and the evolutions of the ICC Review Conference.

Students will then be exposed to the contemporary law of war crimes, from its evolution from a set of vague rules binding (some) states to its application by domestic and international tribunals in contexts as diverse as World War II, the former Yugoslavia, and the most recent International Armed Conflicts. The most important categories of war crimes (attack against civilians, torture, infringement of basic rights etc.) will be considered through case studies. Discussion of some of the hotly debated topics of the contemporary law of armed conflict – including targeted killings and the question of unlawful combatants – will be encouraged.

**Teaching Aims:**
At the end of the course, students have:
1. Deepened their understanding of the treaty and customary rules concerning Aggression and War Crimes;
2. Become familiarised with the major scholarly developments in the field of Aggression and War Crimes;

At the end of the course, students can:
3. Identify and apply general principles of international law relating to Aggression and War Crimes;
4. Critically analyse relevant case law;
5. Deepen their Knowledge of current developments in this area

**Study load hours:** 5 x 28 = 140
Competition Law 2 (EU) 3232

EU Competition Law is a challenging subject affecting many policy makers, industries and legal scholars in Europe and worldwide. Advanced knowledge of this area is thus indispensable for those students who wish to pursue a career in European Business or within the European Legal Profession. Furthermore, after the European Commission imposed a €497 million fine on Microsoft in 2004, a US based corporation, for abusing its dominant position on the European market, no one questions the cross border implications of EU competition law and its international relevance today.

The course covers the main principles of EU competition law, its scope of application and economic background. One of its core tasks is to define key concepts such as relevant market, market share, undertaking and to shed light on different approaches pursued by the Commission and the Court of Justice/General Court.

EU competition law
- forbids anti-competitive agreements (Article 101 TFEU);
- forbids the abuse of a dominant position (Article 102 TFEU);
- prevents anti-competitive mergers (EU Merger Control Regulation No139/2004) and
- controls state action in the common market (Article 106 TFEU; 107-109 TFEU).

The course will introduce students to all four aspects of EU competition law and will also cover the enforcement of EU competition law at the European and national level, including EU and national competition authorities as well as national courts. The course will offer students a thorough understanding of the analysis and interpretation of primary law as well as of the relevant secondary legislation, next to the interpretation of the key judgments in the field. One seminar will be dedicated to the analysis of a competition law case involving a variety of legal and procedural questions and will give students the opportunity to practice the skills of legal analysis and legal presentation in a real-life time setting.

Teaching Aims:
Upon completion of the course, students will be able to:
1. Understand the fundamental concepts and rules of EU competition law;
2. Understand how to read and comprehend the case law of the European Courts;
3. Prepare and give a case presentation;
4. Identify the legal issues related to EU competition law and make decisions by weighing up the relevant interests and in accordance with the prescribed formal requirements.

Study load hours: 5 x 28 = 140

EU Energy Law 3241

This course explores the concepts of Energy law and the complex system of obligations of the States, energy regulators, companies in the European Union, respecting not only the EU regulations and packages but also the International Conventions applying to the European actors. Should oil, gas, nuclear energy, renewable energies have different system of regulation? How is it possible the European Competition rules applicable on markets generating more profits than any other market since the end of the 19th century? What is the link between Energy law and Environmental law? Considering that European Energy Companies operate outside of Europe for the exploitation of resources, how the liability is triggered on the territory of the European Union in the case of an accident happening outside of Europe?

EU Energy law has two main features: the role of the Public Authorities regulating, maintaining the competition between the actors and the role of the large energy companies supplying the whole economy with resources which are indispensable for all the sectors. Lex mercatoria, administrative law and environmental affairs show that Energy Law is one of the few areas where law, politics, economy and more and more environmental affairs are reforming the system in order to find a solution to the end of oil as main source of energy for the world that we know for almost two centuries. Various international treaties, EU regulations and policies will be discussed and analysed, starting with the European Coal and Steel Community agreement to the European Energy Policy triggering the next and future regulations currently in discussion.

Teaching Aims:
Upon completion of this course, a student should be able to:
1. Understand the context of the scarcity of old sources or energy and apparition of clean energy, the rights and obligations of actors and develop the ability to draft relevant legal instruments
2. Understand and apply the fundamental principles and rules of Energy Law on the territory and on economic interests of the European actors of the energy sector in the EU and outside.
3. Develop the ability to advise on the legal issues related to Energy Law and represent weighing up the relevant interests in a complex structured case, with interim supervision and instruction and some urgency.

Study load hours: 5 x 28 = 140
EU Fundamental Rights

If the Treaty of Rome was undoubtedly drafted as an instrument of economic integration, the topic of fundamental rights rapidly became prominent, both legally and politically. From the 1970s onward and without textual basis, the Court of justice of the European Union referred to common constitutional traditions of the Member States to guarantee the respect of fundamental rights in reviewing the actions of the European institutions. This process culminated with the proclamation of the Charter of fundamental rights of the EU with the Treaty of Nice and the recognition of its binding force with the Treaty of Lisbon. The importance of fundamental rights also grew with the political dimension of European integration. The surge of far rights politics at the end of the 1990s prompted the need for mechanisms to guarantee democracy and the rule of law at Europe level. This resulted in new competences to enact anti-discrimination norms and preventive methods to safeguard the values and principles of the European Union in national politics. The resulting picture would surprise the founders. Like it or not, the EU is today a distinctive constitutional regime, which aims at respecting, fulfilling and promoting human rights in all its domains of action, both internally and externally. In this setting, the CJEU has become a human rights adjudicator in its own right. Its case law, once limited to the rights of economic operators, now concerns the rights of victims in criminal procedures, the rights to privacy and the social media, the rights of asylum seekers, and complex relations between the Charter and other (international, regional and national) fundamental rights instruments. The emergence of the CJEU as a human rights court increases, day by day, the practical relevance of the study of EU fundamental rights law. This is what this proposed course seeks to do.

The proposed course approaches the salient features of EU fundamental rights law in multiple perspectives: its context, the centrality of the Charter, its relation to the European Convention on human rights, and the role of the EU in international human rights regimes. The last seminars deal with substantive and current questions in EU fundamental rights law: the right to asylum and the refugee crisis, and the right to data protection and the new legislative framework.

Teaching Aims:
At the end of this course, students should be able to:
- Understand and explain the context, institutions and enforcement mechanisms of EU fundamental rights law;
- Understand and apply the law of the Charter of fundamental rights of the EU, its principles, scope and methods of interpretations;
- Understand and discuss critically the issues treated in the case law of the Court of justice of the EU;
- Demonstrate the acquired knowledge in assignments and exams.

Study load hours: 5 x 28 = 140

Principles & Rules of Tax Law

In the context of globalization, countries around the world are introducing domestic tax rules to promote investment and to protect their revenue base. As a consequence, lawyers and companies are required to understand the differences among income and corporate tax systems around the world. This course aims to introduce the main domestic income (and corporate income) tax provisions in civil law and common law countries and to provide working knowledge of these rules from a perspective of developing and developed countries.

This course starts with an introduction to comparative tax law addressing first the differences between common law and civil law tax systems. Subsequently, the influence of the constitutional principles (e.g. legality, equality) in taxation will be studied. Thereafter, the basic structure of tax systems (i.e. global vs. scheduler) and the main concepts of income tax and corporate income tax will be addressed. Finally, specific issues regarding business income will be addressed including the differences in the taxation of business income and the methods for profit determination. This course will have a theoretical and a practical (comparative research) approach. During the course, the students will carry out comparative tax research on the issues discussed during the lectures. For this purpose, the students will choose 2 countries: one common law and one civil law country. The theory discussed during the lectures will be researched by the students in their two selected countries of study.

Teaching Aims:
Students should be able to achieve the following learning outcomes:
1. Understand the basic principles of direct taxation mainly income tax and corporate income tax.
2. Understand the different rules between common law and civil laws to attract investment and to obtain tax revenue.
3. Identify the practical challenges faced by developing and developed countries when making tax law rules.
4. Understand the main features of the tax systems of countries such as definition of tax, tax principles, sources of tax law, definition of income and taxable unit, scheduler versus global elements in income tax, rate schedules, business income, and methods for profit determination.

Study load hours: 5 x 28 = 140
Insurance Law

This course is designed to give students insight into the law of insurance in its different aspects. The course will focus primarily on common elements of insurance law across multiple jurisdictions.

Insurance, and the intrinsic concept of spreading the risk, is essential to any commercial, financial or personal endeavour. Insurance protects business and individuals from unpredictable events. Insurance preserves capital, both human and financial, and, thusly, promotes the risk taking necessary for the prosperity of capital based economies. While insurance regulation, and the concomitant business of insurance, is highly decentralized around the world, certain legal principles hold true across legal jurisdictions. This course will focus on those common concepts.

Insurance Law will be introduced from a historical context and a comparison will be made between the European attempt at a single market and the American experience of 50 separate markets with a focus on the importance of insurance in international commerce. A full lecture will be devoted to the concept of insurable interest with regard to who and what can be insured, and whom can benefit from such insurance. The concept of the insurance contract, formation requirements and questions of misrepresentation and disclosure as well as warranties and conditions will be considered. Questions of insurance policy construction will be examined, including coverage triggers and exclusions. The course will also look at the claims process, including questions of notice, causation and, ultimately benefits, or indemnity. Also examined are the concepts of subrogation and contribution and why they are critical in spreading the risk of loss. The course concludes its examination of insurance law through an examination of some specific types of insurance coverage often found in international commerce.

Teaching Aims:
At the end of this course, a student should be able to:
1. Identify and outline the basic elements of insurance law.
2. Analyse and evaluate the concepts in light of changing factual patterns by studying and analysing case law.
3. Undertake an advanced level of contract interpretation through examination of policy terms and by applying policy language to a variety of factual scenarios.
4. Exercise an advanced level of legal reasoning through the analysis of facts, policy language and applicable case law.

Study load hours: 5 x 28 = 140

Investment Dispute Settlement

This course is designed to give students insight into the concepts of international investment dispute settlement and its importance in facilitating international investment. It deals with the different approaches of the international tribunals on substantive issues with regards to the investment dispute.

The distinct field of international investment dispute settlement has arisen due to the increase in investment treaties that not only provide substantive investment protections, but also dispute resolution mechanisms. Arbitrations between investors and states regarding the protections afforded in these treaties interpret relevant treaty provisions, and these arbitrations create opportunities for attorneys and scholars to practice in the field and assist in its evolution, while also contributing more broadly to international law.

This course examines the foundations of international investment dispute settlement and the jurisdictional prerequisites for establishing international investment treaty claims. Then the substantive obligations of these international agreements, and the circumstances under which tribunals have found those obligations to have been breached, will be reviewed. Moreover, students learn about the states’ sovereignty concerns that have arisen in the context of the investment arbitration system. Last discussion will be devoted to the enforcement mechanisms. The course will be taught using seminars, discussion of case studies, and assignments. Students are expected to play an active participatory role in this seminar.

Teaching Aims:
Learning goals of the course are: legal analysis of investment treaties in disputes; legal analysis of arbitral tribunals' differing approaches to the substantive provisions of investment treaties; and making decisions with regard to the disputes on investment treaty terms and protections.

The course is intended to develop competency in legal analysis by comparing arbitral tribunals’ differing approaches to similar issues, regulation by discussing states’ choices in attracting investment while preserving sovereignty, and decision-making by requesting that students consider how they would define investment treaty terms. It allows students to deepen their knowledge and understanding of international investment law and international arbitration.

Study load hours: 5 x 28 = 140
NATO & International Security

This course introduces students to the North Atlantic Treaty Organization (NATO). Established in 1949 primarily to defend and protect the "West" against the Soviet-led communist threat, the 21st century NATO could rather be seen as a tool of its member states to influence and adjust regional and global power balances. Having carried out a number of small and large military operations, both in- and outside Europe, the Atlantic Alliance has proven to be a tool of collective security, acting as a 'subcontractor' to the United Nations.

Teaching Aims:
To enable students to:
1. Describe, analyse, interpret and critically reflect on NATO’s roles and tasks;
2. Understand the principles and rules of public international law pertaining to international peace and security and the use of force, apply them to NATO operations, and draw conclusions;
3. Evaluate and critique NATO from an International Relations and global security perspective at a basic level;
4. Understand, describe and analyse the functioning and accountability of NATO as a political-military intergovernmental organization, applying knowledge of the Law of International Organizations;
5. Describe, apply and critique the mechanisms and rules in place that facilitate the cooperation between NATO and third parties, in particular the European Union.

Study load hours: 5 x 28 = 140

Social & Economic Rights

Social and Economic Rights are often referred to as the second generation of human rights. While the distinction between the generations of human rights may be a useful one when it comes to the academic debate, in practice the distinction is less clear. The academic debate may focus on the distinction of the nature of the rights (civil & political vs. social & economic) and the difference in state obligations and legal protection of the rights. Practitioners will generally focus on the substance of the rights searching for means to make any human right justiciable.

The course Social & Economic Rights will look at a variety of rights that are generally considered as social & economic rights. In seven seminars the students will study the selected rights with a view to making them justiciable. This will be achieved by studying selected texts as well as comments and case law from the authoritative bodies of international and regional international organizations.

The first seminar will focus on the question what social and economic rights are. The discussion will focus on the difference between social and economic rights and other human rights, state’s obligations and justiciability of social and economic rights. The second seminar will offer insights into theoretical debates on the contribution of contemporary welfare states to securing social and economic rights. In the other seminars of the course specific rights will be studied and discussed. The rights have been selected on the basis of the impact that (the absence of) these rights have on people’s lives. The following rights will be studied: the right to health, the right to food and water, the right to housing, the right to social security, and the right to work. Besides looking at the rights themselves there will be specific attention for the position of women and children in relation to the rights.

Teaching Aims:
Enhancing knowledge on Social & Economic rights and the application of that knowledge. Developing research skills and applying them in a written assignment. Communication skills through class discussions and a simulation exercise.

Study load hours: 5 x 28 = 140

Law of International Organizations 2

The law of international organizations is an increasingly important field as these organizations are increasingly responsible for many competencies. International organizations exist in a variety of forms and serve a number of different functions with differing powers. However, they have many important common attributes such as their personality, governance, privileges, and responsibility. The legal officers of international organizations often look to other organizations for precedent for solving common problems. Over time, a coherent field of the law of international organizations is growing so that now a student of public international law must have an understanding of international organizations almost at the same level as an understanding of the international law of states. Also the number of positions at international organizations is increasing as the number of organizations grows making this an additionally important field.

This course will examine the current state of the law of international organizations. The class will read texts and discuss various topics. Initially the students will discuss the definition of the topic. What is an international organization? What organizations are included and excluded from consideration? The course will then move into substantive topics of international legal personality, powers and competences of international organizations, decision-making, legislative and executive powers, judicial review, privileges and immunities, and responsibility.

In contrast to the Year 2, Law of International Organizations mandatory course which serves as a basic introduction to the study of the law of international organizations, this advanced seminar will discuss in more depth some of the issues of the law of international organizations with the United Nations as the most important – yet, not only - example of an international organization. The course provides a greater depth to the students existing knowledge of organizations and can be applied throughout the remainder of the student’s education in public international law.

Teaching Aims:
The goals of the course are for students to be able to:
1. Draw on cases and other original materials to critically analyse a selected number of issues of the law of international organizations.
2. Discuss and critique international organizations/institutions, the UN in particular, on the basis of the applicable international law and identify arguments and counter-arguments.
3. Solve hypotheticals by applying rules and arguments to new factual scenarios

Study load hours: 5 x 28 = 140
ICC & Other Tribunals

The objective of the present course is to introduce students to the international institutions created to prosecute and punish international crimes. In doing so, this course gives students an overview of the ICC and other international criminal tribunals. It will highlight the diversity of international criminal tribunals in terms of jurisdiction, constitution, law and practice. It will further seek to explain their relationship with national jurisdictions in the prosecution of genocide, war crimes and crimes against humanity.

**Teaching Aims:**
- Identify the main international criminal fora and their constitutions.
- Understand the jurisdiction of the main international criminal institutions.
- Compare the function and scope of operation of each of the institutions examined.
- Critically reflect on the relationship between national and international criminal proceedings.

**Study load hours:** 5 x 28 = 140

Rights of the Accused

This course examines the rights of persons who are suspected or accused of having committed a criminal act. From suspicion and investigation to arrest and trial, culminating in the execution of a criminal sentence, we will examine the application of international human rights standards in the administration of justice by domestic courts and international tribunals. We will analyse current and historical events through the lens of international human rights standards as interpreted by the European Court of Human Rights, the International Criminal Court and ad hoc international tribunals. Through role-play, advocacy exercises and case studies, we will explore how the rights of the accused can be given full effect.

We will start by examining the roles of the judges, prosecutors and lawyers in upholding the rule of law. We will consider the application of standards governing the investigation and prosecution of crimes, and the treatment of persons who are suspected of criminal activity but not formally charged. We will also consider the rights of persons deprived of their liberty following trial.

Our investigation of the rights of the accused will include the “war on terror”, extraordinary rendition and enforced disappearances, arbitrary or indefinite detention, torture, and extra-judicial killings. Finally, we will examine special issues concerning victims of crimes and human rights violations, the imposition of the death penalty, and the treatment of children accused of crime.

This course focuses on the application of human rights standards in the administration of justice, with particularly emphasis on the interpretation of relevant human rights instruments by the European Court of Human Rights, the International Criminal Court and the International Criminal Tribunals for the former Yugoslavia and for Rwanda. Readings will be drawn from primarily two texts: The Trial Observation Manual for Criminal Proceedings by the International Commission of Jurists and the United Nations training manual Human Rights in the Administration of Justice.

**Teaching Aims:**
By the end of the course, students will have been introduced to the concepts and elements of international human rights standards which are involved in the administration of criminal justice in member states of the Council of Europe, the OSCE, the ICC and the ad hoc international criminal tribunals.

Drawing on the IRAC approach (Issue, Rule, Analysis, Conclusion), students will draw on their competence for legal analysis and develop the competence of giving legal advice on the basis of legal analysis by:
- gathering all the facts to allow him/her to weigh the arguments to present on behalf of the accused person; and
- exploring and applying basic concepts and principles in the field of human rights guarantees in criminal law.

Students will learn how to:
- give practical advice on the basis of known facts;
- apply to the court for a remedy for violations of fair trial rights;
- apply appropriate formal requirements to the advice;
- weigh up the relevant interests when providing advice; and
- take account of the legal interests/consequences of the advice in a simple and structured case.

**Study load hours:** 5 x 28 = 140

EU Sport Law

The insertion of Article 165 TFEU in the Treaty of Lisbon marked an important step towards the recognition of the EU’s competence on sport issues. This provision highlights one of the most important features of sport law, its specific nature. In fact, not only academics but also practitioners have paid closer attention at the question as to whether a lex sportiva exists. At European level, sports law has been dealt with mainly in the context of provisions on free movement of workers, free movement of establishment as well as provision on competition law. Meca Medina, Bosman and Bernard are just a few of the major cases in this area of law. In addition, one cannot overlook that self-regulation plays a very important role in the establishment of sport rules. A substantial part of these rules is in fact made by private actors, be it for example international sports federations.

This course will provide students with a basic knowledge of the leading concepts, principles and rules of European Sports Law. The course will begin by exploring the evolution of International and European Sports law and the existence of a lex sportiva and lex ludica. (Week 1). Furthermore, during the course students will gain an in-depth understanding of how sports law is regulated at European level and the prominent role that European social partners have in defining minimum labour standards for sportmen. (Weeks 2). In week 3, students will be introduced to the litigation system in sports law and more specifically to the role of the European Court of Justice and of alternative disputes resolutions systems, such as the Court of Arbitration for Sport. In Week 4, students will study the concept of free movement of people as applied to sportspeople. Specificity of sport will be the leading term in this class together with the jurisprudence of the CJEU on free movement of sportmen. In addition to that, the contractual relationship between a
sportsman and its club (a football player in this class) will be analysed next to the status of sports agents/intermediaries in the EU (Week 5 and 6). Finally, the last class will be devoted to the topic of doping and its regulation as well as the analysis of some cases of the CAS. (Week 7).

**Teaching Aims:**
Upon completion of this course, a student should be able to:
1. Identify and explain the fundamental concepts and rules of EU Sports Law;
2. Explain what the main characteristics of the litigation system in sport are and how this works;
3. Identify and explain how the rules on free movement of workers have been applied to sportspersons;
4. Describe and explain the contractual relationship between a player and its club as well as the status of sports agents/intermediaries;
5. Explain how doping is regulated in the WADA code.
6. Be able to analyse a sport-related legal issue and give an advice tailored to the client.

**Study load hours:** 5 x 28 = 140.

**EU Consumer Protection 3237**

For a long time, EU consumers have been faced with difficulties when using financial services, which have been intensified by the financial crisis, leaving consumers with serious concerns about the future of their personal deposits and savings, loans, mortgages and pensions. Thus, the course will focus on ‘financial consumer protection’ regulation. Consequently, it will identify different instruments of regulation, legal techniques, rationales, benchmarks, best practices and legal remedies to enhance the protection of the consumers in financial services. Further, the course aims to develop not only subject-specific knowledge and skills, but also transferable skills. In terms of the latter, particular attention is paid to research and analytical skills.

**Teaching Aims:**
Upon completion of the course, students will be able to:
1. Understand the rationale and challenges of consumer protection in the EU in the light of European directives and the case law of the European Court of Justice.
2. Have working knowledge of the instruments, standards, remedies and case law relevant to enhancing the protection of the consumers in the EU.

**Study load hours:** 5 x 28 = 140.

**Internal Market Law 2 3222**

In the European Union there are common rules regulating the free movement of goods, persons, services and capital from one Member State to another. These rules have vast economic, social and political impact as they affect not only the EU but also companies or individuals wishing to enter this market. In that context many questions are raised. What is the importance of free trade in the EU in a global financial and economic crisis? Should there be leniency with protectionist measure for as long as the crisis lasts? Are imported goods and services a threat to local industries and jobs? Do migrant workers trigger a race to the bottom in social standards? One of the aims of the course is to answer these questions, among many others.

This course tackles some advanced topics on the law of the internal market of the European Union. Pursuant to the Treaty on the Functioning of the European Union (TFEU), the internal market is an area without internal frontiers, in which the free movement of good, persons, services and capital is ensured (Art. 26 TFEU). The starting point of the course is the internal market in a global economic context – the current economic and financial crisis. The course deals with the Lisbon Treaty amendments. The impact of the financial crisis on the internal market is discussed, the actions undertaken by the European institutions and governments of the Member States in that regard. This is followed by an in-depth discussion of the most recent developments in free movement of goods, the citizenship of the EU, right of establishment and the freedom to provide services from the perspective of corporate entities, free movement of capital and payments. The special focus on case solving aims to give insight into the application of the EU free movement law. The case law of the European Court of Justice on the four fundamental freedoms is thoroughly studied. Finally, the course deals with the topic of harmonization.

The course introduces the students to the law of the internal market in its economic context, in particular all the challenges which the internal market faces during the global economic crisis. The course deals with the Treaty of Lisbon changes, as well as any changes proposed as a measure to deal with the economic crisis. It aims to present the internal market law from not only European and legal stand point but also global, social and economic.

**Teaching Aims:**
1. To deepen and broaden your knowledge of the internal market and the four fundamental freedoms;
2. To enable you to understand and apply in case studies the legal issues faced by individuals and businesses;
3. To prepare you to understand and apply in case studies the legal issues faced by individuals and businesses;
4. To evaluate and discuss recent publications from legal journals.

**Study load hours:** 5 x 28 = 140
International Taxation

In the context of globalization, countries around the world are introducing international tax rules to remove obstacles to cross-border transactions as well as to protect their revenue base. As a consequence, lawyers and companies are required to understand the international tax consequences of their cross-border transactions. This course aims to introduce the main domestic and international tax provisions applicable to cross-border transactions and to provide working knowledge of the instruments to deal with juridical double taxation and tax treaty abuse in developing and developed countries.

This course starts with a description of the principles of residence and source and of the concepts of active and passive income. Subsequently, the instruments to prevent double taxation such as bilateral tax treaties and unilateral tax provisions will be addressed. Thereafter the methods to prevent double taxation will be explained.

Thereafter, an introduction to international tax planning and the measures to prevent tax evasion, tax avoidance, and base erosion and profit shifting (BEPS) will be presented. Finally, a general introduction will be made to the influence of International Taxation rules in EU Tax Law.

Teaching Aims:
Students should be able to achieve the following learning outcomes:
1. Understand the basic principles and international aspects of Income Taxation.
2. Understand the domestic and international tax provisions to prevent juridical double taxation in cross-border transactions available in the Tax Code and Bilateral Tax Treaties.
3. Understand the domestic and international tax issues influencing tax systems in developing and developed countries such as transfer pricing, permanent establishment, taxation of active and passive income (e.g. dividends, interest, and royalties), technical services, and exchange of information.
4. Identify the practical challenges faced by developing and developed countries in order to prevent tax fraud, tax evasion and aggressive tax planning including the solutions provided by the G20, OECD and UN to address base erosion profit shifting (BEPS).

Study load hours: 5 x 28 = 140

Private International Law

Private International law (PRIL) triggers the interests of practitioners and scholars across the globe due to the internationalization of commercial litigation. The key issues in Private International Law are jurisdiction of courts, applicable law and recognition and enforcement of foreign judgments. The differences in approach to these issues take into account whether a country has a common law or civil law approach. For instance, Private International law is known in common law countries like the United States and the United Kingdom as Conflict of Laws and it also contains principles that differ from civil law countries such as the principle of forum non conveniens.

Private international law has evolved a great deal in recent years, due in part to the successes of international agreements in harmonizing the laws of individual countries. At the European Level Regulations such as Brussels I Regulation, contain the main principles dealing with jurisdiction, recognition and enforcement, and Rome I and II Regulations the main principles dealing with applicable law for contractual and non-contractual obligations. At international level, the Conventions of The Hague Conference on Private International Law, the International Law Association (ILA) Principles and the Vienna Convention on the Sales of Goods (CISG) are of importance in Private International Law.

Teaching Aims:
Using the course text, selected cases and other materials students will learn to identify and anticipate the issues and problems that arise in the different issues of private international law. By the end of the course, students will be able to:
- distinguish different private international law questions (knowledge)
- describe the difference between private international law principles (comprehension)
- explain the importance of case law of the ECJ with respect to private international law (application)
- solve a case-based problem using private international law legislation (analysis)
- be able to articulate arguments to support the opinion of their client (representation)
- be able to reach a decision on a private international law based on the arguments delivered (decision-making)

Study load hours: 5 x 28 = 140
Terrorism

3135

Terrorism generally refers to the threat of use of violence against civilians in order to achieve political goals. It is one of the most controversial, contested and contemporary subjects of public international law. While ‘terrorist’ is often used by governments as a pejorative term to condemn their political enemies, in reality a terrorist is an individual who uses terrorist means and methods — that is, tactics designed to inculcate a feeling of terror in the civilian population, whether in time of war or peace. Because of the intense controversy surrounding what constitutes terrorism — as summarized in the aphorism, ‘one man’s terrorist is another man’s freedom fighter’ — the law regulating terrorism remains underdeveloped. While there is a plethora of anti-terrorism conventions, each one addressing specific aspects of terrorism, such as hijacking or hostage-taking, there remains no comprehensive international convention on the definition of, and legal responses to, terrorism. This is partly on account of the difficulty in agreeing on a common definition of the term ‘terrorism’. Yet efforts to draft and ultimately agree on a comprehensive treaty on terrorism continue under the auspices of the United Nations. A recent decision by the Special Tribunal for Lebanon holds some promise for formulating a future definition.

Teaching Aims:
1. Understanding the concept of terrorism and its modalities
2. Understand the international legal framework concerning counter-terrorism means
3. Familiarization with the various anti-terrorism conventions and other applicable international treaties and customary rules;
4. knowledge of current efforts to agree a comprehensive definition and obstacles to same
5. Ability to distinguish terrorist methods and means from legitimate methods and means of warfare
6. Analyse the legal rules pertaining to terrorism in light of their historical development

Study load hours: 5 x 28 = 140

Environmental Law (International)

3125

With the knowledge acquired in general international law courses and in the Environmental Law I course, this course focuses on the ability to understand and be able to discuss the functioning of International Environmental Law norms (or their absence) in practice in a number of substantive areas, including climate change, international financing and environmental protection, sustainable use of natural resources (notably where forests and fisheries are concerned) and international waste transports. Be able to apply the theory to fact scenarios.

The topic International Environmental Law looks at a number of specific institutional and material aspects of the way in which international law endeavours to contribute to the protection of the global, regional and national environment (including human health) and advances, or tries to advance, the goal of sustainable development and a greener economy.

Environmental law is one of the instruments used by governments to advance these goals, and to ensure that polluters are not free to shift the pollution costs of production on society as a whole. Throughout the course, a question that will be focused on is how principles like the principle of sustainable development, the precautionary principle and the polluter pays principle are to be made operational. Other questions that form recurring reference points are: what legal status do the different norms have and in what way do they determine, or influence, the outcome of legal disputes within different fora dealing with environmental issues, including the International Court of Justice and the WTO Panels and Appellate Body.

The focus will be on multilateral treaties (global and regional), rules of international customary law, global and regional principles of environmental law, the way in which IEL regulates the relationship between the developed and the developing world, the way in which different norms of IEL are used by the judiciary and in practice, and finally on enforcement and compliance issues, notably dispute settlement mechanisms.

Teaching Aims:
The aim of this course is to enable participants to gain deeper insight in the challenges of greening our economies, protecting the environment and human health, and advancing cooperation between different countries on these challenges. In this manner, the participants will be able to apply the theory to fact scenarios.

More specifically, they will be able to assess which norms apply to specific situations in which environmental disputes arise, and provide advice to parties in such disputes. Moreover, by gaining insight in regulating complex situations with multiple stakeholders with different interests, the skills to provide legal advice on advancing policy goals and stakeholders positions will be developed.

Study load hours: 5 x 28 = 140

Children’s Right in Family Law

3355

This course builds upon the knowledge and skills gained in the Family Law course in the second year, as well as the private international law course. Using the concepts of parental responsibility, parentage, formal and informal relationships, a number of current topics will be discussed on how these affect the current global familial society. Basic issues of EU family law will be discussed, such as jurisdiction in divorce cases, applicable law in custody cases. Furthermore, two major topics will be discussed, namely child abduction and international surrogacy. Both areas bring together all major aspects of family law, both within a national and international context.

Teaching Aims:
Understanding the fundamentals of international and EU family law with respect to a number of specific areas of law.

Study load hours: 5 x 28 = 140
Evidence

The course examines the evidentiary requirements that enable guilt or innocence to be proven before a tribunal. Fundamental to any system, is the requirement that the fact-finder consider evidence to prove or disprove facts. Comparisons will be made between Courts belonging to the common law tradition, (which rely on complex rules of evidence, with varying burdens of proof at different stages that are central to the adversarial trial process) and Courts belonging to the civil law tradition, (which consider all relevant evidence without the use of formal rules and utilizing a single burden of proof). Comparisons will be made with the International Criminal Court, which has combined inquisitorial and adversarial approaches and other systems and tribunals; all theoretically designed to assure the proper balance between the probative value and the prejudicial effect of potential evidence and its proper and timely disclosure.

Students will be introduced to international principles regarding the rules of evidence and its disclosure, as well as general evidentiary principles. They will then examine common law rules of evidence to illustrate the challenges associated with building a case and marshalling evidence. Four basic types of evidence will be discussed in detail, in addition to such concepts such as burden of proof, corroboration, reliability, relevance, probative and prejudicial evidence. Specific practical evidentiary issues will also be analysed, including; illegally obtained evidence, expert evidence, rules in relation to sexual assault offences, as well as evidentiary frailties. Evidence can be presented in a variety of ways and sometimes its effectiveness may depend on the manner in which it is presented, therefore students will develop the ability to; conduct witness interviews, examine witnesses, cross examine witnesses, introduce exhibits and tender expert evidence both through the synthesis of evidentiary principles drawn from various sources and practical exercises..

Teaching Aims:
At the end of the course, students will have:
1. An appreciation of what constitutes evidence and the ability to explain the main evidentiary concepts and significant distinctions/similarities between evidentiary frameworks under national and international criminal law;
2. Examined the various rationales for evidentiary rules and be able to accurately relate them when analysing a fact pattern;
3. Evaluated the arguments and various scholarly analyses of evidentiary rules and varied approaches to assess whether the introduction of evidence occurs in compliance with fair trial principles.

At the end of the course, students can:
4. Identify and apply general principles of criminal evidence;
5. Demonstrate the ability to introduce evidence in a proper fashion through the tendering of witnesses, exhibits and expert evidence, extracting the necessary essential information required to prove facts in a given case scenario.

Study load hours: 5 x 28 = 140

ICL Procedures

This course aims at providing students with an understanding of International Criminal Proceedings from a pragmatic and jurisprudential perspective. Students will be provided the basic theoretical framework to understand the law and jurisprudence of the Ad Hoc tribunals and the ICC on those procedural issues which are of utmost practical importance. Throughout the course, students will have the opportunity to develop and exercise the ability to analyse and criticize the relevant case law with a view to obtaining the necessary skills to work effectively International Courts as staff members or interns.

The course is part of the Bachelor of Law Programme in International and European Law at The Hague University. The main goal of the Programme, which has a strong focus on legal training in an international environment, is to prepare you for a wide variety of international careers in international, multinational or governmental organizations, firms or NGOs.

International Criminal Proceedings is part of the Advanced Courses – “Minor/Elective Courses”, to be taken during the third year of your Bachelor studies. During the third year you can take other courses as well, which cover specific issues of International Criminal Proceedings; such as: Rights of the accused and Evidence. The course on “International Criminal Procedure” will deliberately not address these issues but it will provide the theoretical and practical framework within which the tools gained in these courses become operative.

Teaching Aims:
Understanding International Criminal Proceedings from a pragmatic and jurisprudential perspective. Providing the basic theoretical framework to understand the law and jurisprudence of the Ad Hoc tribunals and the ICC on those procedural issues which are of utmost practical importance. Developing and exercising the ability to analyse and criticize the relevant case law. Obtaining the necessary skills to work effectively International Courts as staff members or interns.

Example of Assignment:
Write a short essay on the value of victims’ participation in the proceedings before the ICC.

Study load hours: 5 x 28 = 140

EU Employment Law

Few social provisions - and of limited scope of application – could be found in the Title on Social Policy of the Treaty of Rome. However, over the years, the Union social policy has started playing a very important role in the protection of living and working conditions and in the achievement of minimum labour standards at European level. Several European Directives and soft-law instruments now deal with different aspects of employment law, for instance working time and atypical workers (e.g. fixed-term, part-time workers) but also information and consultation of workers and social consequences stemming from the restructuring of enterprises. Moreover, among the actors involved in the development of the Union social policy, social partners at European level played and still play an important role.
This course will study and provide students with a basic knowledge of the leading concepts, principles and rules of EU Employment Law. This course will focus on the evolution of the EU Social Policy from the Treaty of Rome to the EU 2020 Strategies and the recent financial crisis (Week 1). Furthermore, during the course students will gain an in-depth understanding of free movement of workers as well as the rules on posting of workers (Week 2 and 3). In Week 4, students will study the concept of equal treatment and the principle of non-discrimination in employment and occupation. Different prohibited grounds of discrimination will be examined in detail. After that, the Union policy concerning health and safety and working conditions will be delved into (Week 5). Finally, in the last two weeks of the course (Week 6 and 7), student will study the social consequences of certain managerial decisions concerning, for example transfer of undertakings or collective redundancies, and the ways in which employees can participate in the employer’s decision-making process.

**Teaching Aims:**
Upon completion of this course, a student should be able to:
1. Understand the fundamental concepts and rules of EU employment law.
2. Understand how to apply the fundamental rules of EU employment law.
3. Develop the ability to identify legal issues related to EU employment law and provide a legal advice tailored to the client, that weighs up the relevant interests and with the appropriate formal requirements.

**Study load hours:** 5 x 28 = 140

---

### EU Foreign Relations

3233

This course aims at deepening the understanding of the external interaction of the EU with third states and International Organizations as well as more generally the role of the EU in the world.

Since the Maastricht Treaty entered into force in 1993, the EU’s foreign relations have been expanding beyond the classic realm of trade, development and environment, into foreign, security and defence policy under the remaining 2nd pillar, as well as into police and judicial cooperation now incorporated also into the 1st pillar. The abolishment of the third pillar, or even the pillar structure itself by the Lisbon Treaty provides new opportunities, but also new challenges, and the filling of the new provisions with life, which will be examined closely, including the development of the External Action Service, and the consequential contrast between Member States’ and EU interests and actions.

This course will provide a detailed overview of the constitutional and legal foundations of the EU foreign relations. The first part of the course is devoted to the fundamental principles and elements as codified by the Treaties and case-law, e.g. legal personality of the Union, the main actors in EU foreign relations, the division of competences, the instruments of EU external action and their effects. The second part of the course will explore some of the EU external policies, such as the Common Commercial Policy (CCP), the Common Foreign and Security Policy (CFSP), the Common Security and Defence Policy (CSDP), and the European Neighbourhood Policy (ENP).

**Teaching Aims:**
At the end of the course, students will be able to understand and discuss the concepts of EU Foreign Relations Law.

**Study load hours:** 5 x 28 = 140

---

### EU Company Law

3242

European Company Law (ECL) provides the top-most layer of EU regulation, which strives for a level playing field for businesses across the EU. It provides regulatory intervention in the complex relationships between businesses, investors, shareholders and creditors. If you compare it to any national EU law, it is not a well-developed area of law as it does not guide you how to set up or run a company in a given EU country. These issues are governed by the national law of the EU MS. In that sense, ECL deals with these major issues by providing uniform, harmonised rules: creditor protection, shareholder protection, domestic and cross-border mergers and divisions and rules on the European Company and European Private Company.

What exactly is the scope of ECL? It all started with the idea that creditor protection is important. This falls largely within the scope of the 1st Company Directive, which deals with the requirement to provide certain uniform information for companies limited by shares in the interest of their creditors. Specifically, the directive deals with rules on formation, capital and disclosure requirements, which will be discussed in detail together with the relevant case law. Another important part of the course deals with shareholder’s protections, including protection in case of hostile or friendly takeovers. The Takeover Directive is a relatively recent instrument, which deal with the interplay between management and shareholders or investors. Next the course will delve into the rules of domestic cross-border mergers and divisions under the 3rd, 6th and 10th Company Directives. Finally, we will address the issues concerning the transformation of a purely national company or a group of companies into a European one through the rules on cross-border mergers and on the European Company (SE) and the European Private Company (SPE).

This course in sum aims to provide an intensive, practically oriented discussion of current ECL issues. Both jurisprudence and legal doctrine will be pooled into the dynamic weekly seminars covering a number of topics in order to introduce the students to recent developments and main debating points in this area.

**Teaching Aims:**
1. To enable the students discuss and analyse key issues of European Company law;
2. To enable the students apply in key case studies the legal issues faced by individuals and businesses;
3. To prepare the students to analyse the case law of the Court of Justice;
4. To discuss recent publications from authoritative legal journals such as the European Law Review and the Common Market Law Review.

**Study load hours:** 5 x 28 = 140
Corporate Social Responsibility

The far reaching consequences of business practices on society is changing the perception of the role of the corporation. The traditional notion that the responsibility of a corporation is simply to increase shareholder profits no longer suffices. There is an increasing demand that corporations should play a bigger role as participants in society. A fundamental question of our time is what responsibilities do corporations bear to society? How are these responsibilities articulated? How are they managed?

This course introduces the concept and origins of corporate social responsibility (CSR). It provides a conceptual understanding of corporate citizenship and its importance to the multinational corporation. The course examines the link between business and society as well as the role of corporate stakeholders such as shareholders, customers, employees, regulators, suppliers, and communities. Students will examine CSR issues in the marketplace, workplace, community and in the environment. In addition, this course examines emerging methods of managing CSR.

Having completed the course, students should be able to recognize the responsibilities increasingly attributed to the corporation as well as the challenges faced by companies in responding to the call for social activism. They should be familiar with the concepts and theory underpinning corporate responsibility and be familiar with major trends in CSR management.

Teaching Aims:
Students should be able to achieve the following learning outcomes:
1. Understand the concept and function of CSR.
2. Understand the arguments for and against CSR.
3. Identify and understand the different theoretical underpinnings for the notion of CSR.
4. Understand the concept of 'stakeholders' and how this interrelates with CSR.
5. Understand the 4 principal areas of CSR Application – The Marketplace, the Workplace, the Community and the Environment.
6. Understand key steps that a corporation can take in Managing CSR.

Study load hours: 5 x 28 = 140

Internet Law

During the first decade of the 21st century, information is probably the most important factor in our modern society of interconnection between different communities. With information, many new economic activities went strengthening policies promoting a participating democracy (Web 2.0), development of communities by interest (social networks), and protection of citizens and consumers against the treatment of personal data without any consent from the concerned persons. Information needs channels in order to connect owners and consumers and in order to transmit content and messages. The Internet is the most advanced version of the telecommunication network which was the first physical network permitting exchange of data. Based on the modulation and de-modulation protocol, telecommunications allowed a sufficiently regulated market, protecting end-users, and maintaining a very efficient system of communication for the general interest. The Internet is the network of the cultural economy and abolishes borders. How can national and international rules frame the ongoing improvements of the networks and the electronic terminals?

The course starts with a discussion about the phenomenon of the Internet. The digital age started with the creation of a global network and the particular architecture of the network comes from organizations created for administering it. ICANN (Internet Corporation for Assigned Names and Numbers, created by the US department of commerce, located in California and submitted to the Californian law) or RIPE (Réseaux IP Européen, located in Amsterdam, submitted to the directives and policies of the ICANN on the allocation of block of IPs address and extensions like .nl, .de for the European continent from Iceland till Kazakhstan) are organizations at the center of regulation of the Internet due to the US centralization of the Internet. Another important aspect is the content of the internet which mainly deals with applications. Applications are the visual interface of computer programs or software, working in hardware. Legislations on these creations are viewed differently in the EU and in the US, due to the development of both software and hardware in the US and development of only computer programs in Europe. Cybercrime started with telecommunications, not in only since the advent of the Internet. Escaping from the owners of the telecom network, the open source codes invented by individuals entered in democracy (Web 2.0), not in applications, not in -content of the internet which mainly deals with applications. Applications are the visual interface of computer programs or software, working in hardware. Legislations on these creations are viewed differently in the EU and in the US, due to the development of both software and hardware in the US and development of only computer programs in Europe. Cybercrime started with telecommunications, not in only since the advent of the Internet. Escaping from the owners of the telecom network, the open source codes invented by individuals entered in democracy (Web 2.0), not in applications, not in

Teaching Aims:
Upon completion of this course, a student should be able to:
1. Understand the context of digital media and Internet applications, the rights and obligations of actors and develop the ability to draft relevant legal instruments.
2. Develop the ability to advise on the legal issues related to internet law and represent weighing up the relevant interests in a complex structured case, with interim supervision and instruction and some urgency.

Study load hours: 5 x 28 = 140
Corporate Liability

Liability for corporate misconduct and corporate torts forms a specific area of law, the understanding of which requires the studying of several legal systems – civil law and common law – and legal principles of corporate law, tort law, European law and, where relevant, international law combined.

Corporate Liability is a 5 ECTS course that concentrates on central subjects in determining the scope of liabilities of corporations, corporate groups (also referred to as ‘groups of companies’) or multinational enterprises and their key actors, being directors and shareholders. It does so from a comparative perspective and, as applicable, an international perspective.

The course is aimed at affording students a firm basic understanding of the theories of directors’ personal liability, parent company liability towards their subsidiaries’ creditors or tort victims, parent company liability for the conduct of their subsidiaries, foreign direct liability and legal and procedural issues occurring with corporations, specifically those which form part of corporate groups.

Introduction

As a development of a globalizing world various corporations with cross-border business activities have dynamically transformed themselves - during the course of the 20th and 21st century - and the way they are organized. From large companies at a domestic level they turned into companies that, in order to pursue global business activities, gradually became part of a collective of companies, a so-called ‘corporate group’. A corporate group combines multiple companies that cooperate intensively at multiple levels and carry out their corporate activities in a symbiotic manner.

A dilemma pertaining to corporations with cross-border activities, especially the larger and economically more influential ones, is that they readily interact with economically weaker counterparties; due to a strong economic position these corporations are in, they are at risk of inflicting harm or breaching laws, either intentionally or unwillingly. In terms of accountability the legally interesting discussions are triggered in this context. Under which circumstances should a corporation be held liable for damage that was indirectly caused to a third party? Who must pay the dues for the corporate misconduct or wrongful behaviour, is it possible to hold accountable the natural persons in a corporation who have ordered the actions that led to the damage? What legal doctrines or concepts are pivotal in scoping corporate liability? What obstacles or challenges may arise when exploring the field of corporate torts and can they be circumvented or overcome?

Teaching Aims:

Students should be able to achieve the following learning outcomes and will be assessed on:

1. their ability to describe the main legal issues of determining personal liability in case of corporate misconduct and/or corporate torts conducted by a director of a corporation.
2. their ability to describe the main legal issues relating to liability of corporations and, where applicable, analyse these within the context of a fact pattern and one of the chosen legal systems under discussion.
3. their ability to describe the legal difficulties of directors of corporations in a corporate group.
4. their ability to describe the rules pertaining to liability of parent companies in corporate groups or groups of companies within the context of one of the chosen legal systems under discussion.
5. their ability to describe the main legal procedural issues in cases regarding corporate groups or corporations that conduct cross-border business activities.
6. their ability to describe the concept of corporate criminal liability and reproduce arguments for the main legal discussions relating to the concept.

Study load hours: 5 x 28 = 140
Campus The Hague (main campus)

Johanna Westerdijkplein 75
2521 EN The Hague
The Netherlands

Why study at The Hague University of Applied Sciences?

The Hague University of Applied Sciences (THUAS) is the largest university of applied sciences in The Hague. It boasts more than 25,000 students (we have about 145 nationalities), has a central role in society, has close links with the professional field and is highly internationally orientated. Here you will grow as an independently thinking ‘world citizen’ in our cosmopolitan and multicultural environment.

Businesses and institutions work in cooperation with us in order to co-create practice-based education, which is hands-on, solution-orientated and reflects market conditions. Not only that, THUAS offers excellent facilities: our cutting-edge library, computer facilities and science labs will help facilitate your study. We have several restaurants, extensive sport facilities and diverse cultural activities. Our student associations will help you to make your time the best.

The Faculty of Public Management, Safety and Law welcomes international exchange students to our innovative and international environment for one semester (two blocks) or two semesters (four blocks).

More information?

Please also check the website for information, as changing circumstances may give rise to alterations:

www.thehagueuniversity.com/programmes/other-courses/exchange-programmes/what-can-i-study

Do you want to apply?

www.thehagueuniversity.com/programmes/other-courses/exchange-programmes/practical-information