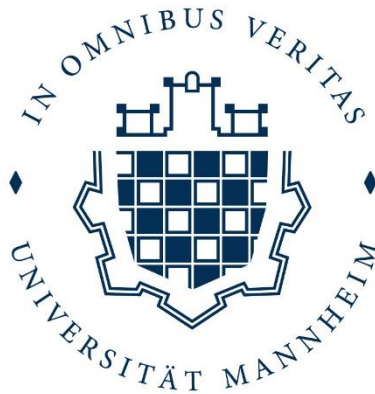


Module Guide Faculty of Law

For Incoming International Students

Universität Mannheim



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Bachelor

Spring Semester

Comparative Law II: The Common/Civil Law Divide				
Course suitable for: Bachelor, Master	Semester: SS	Language: English	Hours per Week: 2	ECTS: 6
<p>Course description:</p> <p>The class Comparative Law II – The Common/Civil Law divide will focus on the Common/Civil Law divide and in particular compare aspects of the legal system in Germany on the one hand, and Australia/the United States on the other hand. Methodological differences between the Civil law and the Common law systems will be pointed out, and subjects of particular importance for daily business, such as formation of contracts, agency, contract interpretation etc., will be treated in greater detail.</p> <p>The course has three main components. The first part of the course will consider the origins and utility of comparative law, its aims, tools and methods. The second part of the course will review and analyse the two main legal traditions in the world, Common Law and Civil Law. The objective will be to understand differences and similarities between these two ways of understanding law and organizing legal institutions and procedures, on the other hand. In this context, an overview on the differences with regard to the rule of law, judicial review and the legal profession will be provided. The third part of the course will focus upon applying comparative legal analysis to actual cases and international disputes and show how the results differ depending on which legal order is applied.</p> <ul style="list-style-type: none">▪ Basic features, tools and methods of comparative law▪ Development and current status of Common Law as a legal family▪ Development and current status of Civil Law as a legal family▪ The education and role of lawyers▪ Judges and judiciaries, lay judges and juries▪ Legal reasoning▪ Statutes and their construction▪ Judicial precedents▪ Particular legal institutions and instruments in a comparative assessment <p>Learning outcomes and qualification goals:</p> <p>The course Comparative Law II constitutes the basis for all M.C.B.L. courses in the area International & Comparative Business Law (taught in Mannheim during the Spring-Summer-Term). It deals with nature, technique and purpose of legal comparison both from a theoretical and from a practical point of view, but with a particular focus on the differences and common features of the world's two major legal families, Civil law and Common law. In doing so, it supplements and further enhances the content of the course Comparative Law I (taught during the Fall-Winter-Term). The aim is to provide students with the necessary analytical background allowing them to carry out sophisticated comparative legal analysis in their respective further fields of studies, and make them familiar with the most important aspects of the proverbial (but sometimes overstated) "Common/Civil Law divide".</p> <p>Examtype: Written examination</p> <p>Instructor(s): Oliver Brand , Miriam Buiten</p>				

Energy Law and Policy				
Course suitable for: Bachelor, Master	Semester: SS	Language: English	Hours per Week: 2	ECTS: 8
<p><u>Course description:</u></p> <p>This course will provide students with the knowledge of the technological and regulatory framework applying to energy markets. It will address the relevant issues of governance and liberalization of particular markets such as electricity and gas. Furthermore, the institutional legal framework will be explored, with the main focus on the European Union and the internal energy market it seeks to create.</p> <p>After presenting the regulatory framework and energy policy developments on the international and the EU level, the course will focus on competition rules, international trade in energy and energy subsidies. The following part of the course will examine how policy incentives for climate change mitigation affect the energy sector, with the EU often used as a case example. It will cover the current developments in Climate Change Law, legal and policy matters associated with the renewable energy sector, and the role of exemplary international organizations in the creation of more sustainable energy policies.</p> <p>The course will be conducted through lectures, discussions and seminars. Next to the results of the final written exam also the seminar presentation will contribute to the overall grade for this course.</p>				
<u>Examtype:</u>				
<u>Instructor(s):</u> Marija Turkovic				

EU Environmental Law				
Course suitable for: Bachelor, Master	Semester: SS	Language: English	Hours per Week: 2	ECTS: 8
<p>Course description:</p> <p>This course will provide a thorough introduction to EU Environmental Law. It focuses on how environmental resources can be managed in a specific context using the disciplines of law and policy making. The participants will follow lectures on the principles and sources of European environmental law and will devote their time to the discussion of practical cases on selected issues in this field.</p> <p>In the first part of the course the relevant primary, secondary legal framework and soft law in the EU environmental field will be presented. In the following part, special attention will be given to the specific matters such as EU-ETS, waste, and energy policy development. Finally, the international relations of the EU helping the fulfillment of the environmental protection objectives will be analyzed.</p> <p>The course will be conducted through lectures, discussions and seminars. Next to the results of the final written exam also the seminar presentation will contribute to the overall grade for this course.</p>				
Examtype:				
Instructor(s): Marija Turkovic				

External Relations Law of the European Union				
Course suitable for: Bachelor, Master	Semester: SS	Language: English	Hours per Week: 2	ECTS: 8
<p><u>Learning outcomes and qualification goals:</u></p> <p>Students shall acquire necessary knowledge on the legal foundations of the EU's foreign policy and its practical implications, on conferred competences on the EU to act in an international domain and on its role in creation of international legal order.</p> <p>The course will be conducted through lectures, discussions, and seminars which will allow students to work in small groups on legal cases from practice. Next to the results of the final written exam, active participation during the lectures and seminars will also contribute to the overall grade for this course.</p> <p>At least three years of studies in Law</p> <p>Required reading materials as well as additional sources will be provided electronically or during the lectures.</p>				
<u>Examtype:</u>				
<u>Instructor(s):</u> Marija Turkovic				

Forensic Psychology in Legal Contexts

Course suitable
for:
Bachelor, Master

Semester:
SS

Language:
English

Hours per Week:
2

ECTS:
8

Course description:

The growth of forensic psychology as a science in the recent decades represents an evolution in profiling and crime detection. Understanding the causes and characteristics of deviant actions – commonly known as abnormal behavior – is crucial in determining diagnoses, planning intervention strategies and answering forensic referral questions.

In this course, students will acquire a broad understanding of psychopathologies related to crime. They are provided with an extensive overview of the main topics, such as criminal profiling, psychology in the criminal courts, the links to legal systems and related topics. Furthermore criminal behavior will be examined and challenges in the field will be discussed.

Moreover, special issues such as cybercrime, family violence, victimology, and police psychology will be covered.

The course is law oriented, which means the roles that forensic psychology professional could have in the court system will be explored and basic psychology knowledge will be delivered.

Literature:

- Dennis Howitt - Introduction to Forensic and Criminal Psychology, 2018, 6th Edition
- Sandie Taylor - Forensic Psychology: The basis, 2015

The course will be a block lecture but conceptualized as a seminar including group work and student presentations. Many case studies will be examined and a lot of media (videos/podcasts) will be used.

Examtype: essay paper

The final grade will be based on active participation in class, the presentation and the final paper that students have to submit.

Instructor(s): Elisa Berdica

International Criminal Law				
Course suitable for: Bachelor, Master	Semester: SS	Language: English	Hours per Week: 2	ECTS: 8
<p>Course description:</p> <p>One of the most significant developments both in international law and international relations throughout the last two decades has been the (re-)emergence of an international legal order based on a robust interpretation of the concept of international criminal justice. By establishing both international and hybrid criminal courts addressing international core crimes such as genocide, crimes against humanity and war crimes, the international community has demonstrated an ever more growing commitment to end impunity for the most heinous crimes affecting mankind as a whole and to hold those bearing individual criminal responsibility personally accountable.</p> <p>This course aims at providing students with a fundamental understanding of this increasingly important realm of public international law. Thus, in a first approach, an overview both of international criminal law's theoretical foundation as well as its historical sources will be provided. Adjacently, focus will be given to the ad-hoc tribunals of the 1990s (such as the International Tribunal for the former Yugoslavia) and most prominently to the International Criminal Court (ICC) as the first permanent international organization addressing matters of international criminal justice.</p> <p>Complementary to this institutional approach, the second part of the course will address material law aspects: Besides the abovementioned crimes as stipulated in the Rome Statute forming the International Criminal Court, attention will be given to further international crimes such as piracy or terrorism. Additionally, questions such as immunity from prosecution for heads of state or government, modes of liability, interdependencies between the national and international judicial sphere and notions of state sovereignty will be addressed throughout the course.</p> <p>Required reading materials will be provided electronically.</p> <p>Introductory Readings (optional):</p> <ul style="list-style-type: none"> ▪ Cassese, Antonio, 'International Criminal Law' (Oxford, Oxford University Press, 2008) ▪ Cryer, Robert, 'An Introduction to International Criminal Law and Procedure' (Cambridge, Cambridge University Press, 2010) ▪ Schabas, William A., 'The International Criminal Court: A Commentary on the Rome Statute' (Oxford, Oxford University Press, 2010) ▪ Werle, Gerhard, 'Principles of International Criminal Law' (The Hague, Asser, 2005) <p>You don't need to buy one of these textbooks since they are only intended to provide you with a first insight into the subject matter. Besides, all are available at Mannheim University Library.</p> <p>Examtype: Mode of assessment for this course will be a written closed-book exam. In addition, oral participation will contribute to the final grade awarded for this course.</p> <p>Instructor(s): Raphael Oidtmann</p>				

International Sale of Goods				
Course suitable for: Master	Semester: SS	Language: English	Hours per Week: 2	ECTS: 6
<p>Course description:</p> <p>This course aims at studying the law of international sales agreements based on the United Nations Convention on Contracts for the International Sale of Goods (CISG), which entered into force in 1988 and today has almost eighty Contracting States world-wide. It is the most important uniform private law Convention in practice, covering potentially more than 80% of global trade. Since the CISG was influenced by both the common law and civil law systems of contract law, the course will furthermore focus on the basic principles of the law of contract of both systems in a comparative approach, where appropriate.</p> <ul style="list-style-type: none"> ▪ Scope of application of the CISG ▪ Hierarchy between the CISG and national sales law provisions ▪ Interpretation of the CISG and the aim of uniform application ▪ Formation of contracts under the CISG ▪ Obligations of the seller and the buyer ▪ Remedies in case of non- performance ▪ Damages under the CISG ▪ Relationship between the CISG and other current/future uniform law instruments <p>Learning outcomes and qualification goals:</p> <p>Students who have completed the course should be able to ascertain the applicability of the CISG and deal with the most common legal problems arising under international sales contracts. They should also be familiar with the structure and central rules of the CISG governing the formation of contracts and parties' remedies in cases of breaches of contract, enabling them to advise clients about contract drafting issues and strategies in litigations or arbitrations involving CISG contracts.</p> <p>Examtype:</p> <p>Instructor(s): Lea Tochtermann</p>				

International Organizations: legal sources, actors and means of influence

Course suitable
for:
Bachelor, Master

Semester:
SS

Language:
English

Hours per Week:
2

ECTS:
6

Course description:

Decades before the invention of the word “globalization”, economic activities were no longer, if ever, confined to the internal markets of States. However, the intensity of international trade and commerce at the beginning of the 21st century is quite probably unprecedented. Whether in efforts to enable, to enhance or to control international economic activities, the States of the world have grown dependent upon one another. This is reflected by cooperation at regional levels or in global contexts.

Such cooperation more and more makes use of the forums provided by international organizations, many of which are much more than mere “negotiation frameworks”, but are rather vested with legal personality and regulatory, or even adjudicative, powers.

- Economically relevant international organizations (ILO, WTO, UN, OECD)
- International organizations as subjects of public international law and of private law
- Distinguishing between governmental and non-governmental organizations
- Creation of international organizations
- International Organizations as law-makers and standard-setters
- Interaction of international law and domestic legal orders
- Responsibility of international organizations under public international law
- Legal remedies against acts of international organizations

Learning outcomes and qualification goals:

The course intends to provide students with the background knowledge of the law of international organizations, which they will need in pursuit of their in-depth studies of international business law.

Examtype: Written examination

Instructor(s): Hans-Joachim Cremer

International Trade Law				
Course suitable for: Bachelor, Master	Semester: SS	Language: English	Hours per Week: 2	ECTS: 6
<p>Course description:</p> <p>The International Trade Law course seeks to familiarize students with the numerous legal issues that commonly arise in the context of the trade in goods and services between and among nations. In addition, the course provides students with the economic theories underlying international trade and the history of international trade. The areas of coverage during the course include the following:</p> <ul style="list-style-type: none"> ▪ The theory of „comparative advantage“ developed and popularized by the Eighteenth Century British economist, David Ricardo, along with subsequent critiques and modifications of this theory. ▪ The beginnings of trade between nations beginning in ancient times and its expansion, development and increasing sophistication during the subsequent centuries. ▪ The continuing conflict between the principles and practices of „free trade“ and those of „mercantilism,“ sometimes described as „import substitution.“ ▪ The development of free trade agreements („FTAs“) during the previous 300 years and the relatively recent phenomenon of „trade blocs“ and „customs unions“ involving groups of nations pursuing common economic and political objectives. Examples of these latter types of trade combinations are the European Union and the Association of Southeast Asian Nations („ASEAN“) ▪ The establishment of the General Agreement on Tariffs and Trade („GATT“) after World War II and its transformation into the World Trade Organization („WTO“) in 1995. ▪ The structure, operations and goals of the WTO and the various trade agreements that bind all WTO members („Multilateral Agreements“) and those agreements that only bind those nations acceding to their terms („Plurilateral Agreements“). ▪ The future of the WTO and trade blocs in the Twenty-First Century. 				
Examtype: Oral examination				
Instructor(s): Mears, Patrick				

Private International Law				
Course suitable for: Bachelor, Master	Semester: SS	Language: English	Hours per Week: 2	ECTS: 6
<p>Course description:</p> <p>Dealing with contract drafting and disputes in the context of international business transactions involves the potential applicability of domestic laws of more than one State. This lecture provides an introduction into the relevant issues of conflict of laws in cases with a foreign element, with a particular focus on the fields of contracts, corporations and torts.</p> <p>This course deals with methods and rules to be applied in such “conflict of laws” scenarios (as the topic is referred to by common lawyers) in order to determine which country’s legal system governs the merits of such cases. While rules of “Private International Law” (PIL) have traditionally been mostly rules of national (domestic) law, in the field of business law, two comprehensive EU regulations have been introduced in recent years (the “Rome I” and “Rome II” Regulations), which will be at the core of the present course along with the general doctrines of PIL as codified in the German Introductory Act to the Civil Code. In doing so, reference will also be made to general ideas and principles of Private International Law in other European countries and in the United States. For the time being, questions of property law as well as the law of corporations still underlie the autonomous (national) PIL of the forum state, yet with some impact of EU case law that needs to be considered in the context of free movement of corporations within the EU.</p> <p>As the student is supposed to take the perspective of a German court or of an attorney seeking the issuance of a German judgement, German PIL and its partial modification through EU case law will be discussed in class.</p> <ul style="list-style-type: none"> ▪ General principles of conflict of laws ▪ Private International Law in contracts cases: The Rome I Regulation ▪ The proposal for a Common European Sales Law (CESL) ▪ Private International Law in tort cases: The Rome II Regulation ▪ Private International Law in property matters under selected domestic laws ▪ Law applicable to corporations and free cross-border movement of companies ▪ Private International Law in EU courts and third-country disputes ▪ Brief overview of the jurisdiction of courts over cross-border disputes (in particular the Brussels I Regulation) <p>Learning outcomes and qualification goals: Students having completed the class should not only be able to spot special and general issues such as characterization, connecting factor, preliminary question, independent attachment, adaptation and ordre public but also be equipped with a method of how to approach and how to solve (find the applicable substantive law) on a step by step basis a private international law case from the perspective of a judge or an attorney.</p> <p>Examtype: Oral examination</p> <p>Instructor(s):</p>				

Reading Seminar: Is International Law International?

Course suitable
for:
Bachelor, Master

Semester:
SS

Language:
English

Hours per Week:

ECTS:
8

Course description:

What is essentially 'international' about international law? Is it justified to perceive contemporary international law as truly universal? Are current international law debates really global in nature? Beyond that, what has been the overall impact of Western and/or European legal thought on the development of the modern international legal order and how has it shaped our understanding of international law in the 21st century?

These are only some of the questions that will be addressed in the context of the present reading seminar. Based on Anthea Robert's seminal monograph 'Is International Law International' (OUP, 2017), single sessions will deal with notions such as the role of international legal scholars and their academic background(s), the relevance (and impact) of international law textbooks for the purpose of academic education as well as general patterns of difference and dominance in international legal discourse(s).

The seminar is designed as an old-fashioned 'reading class' – this means: you will have to read quite a bit (at least 50 pages for each session). Classes will be held bi-weekly, which means that seminar sessions are taking place every second week while the time in between should be dedicated to reading single chapters and preparing the sessions. For your information: including appendices, the book consists of c. 400 pages! Please be advised: this is not a beginner's course; (basic) knowledge in general international law is indispensable. Please also note: there will be no in-depth recapitulation of core legal principles, legal terms of art, international law theories, etc. during classes.

Moreover, you are required to purchase the book at the beginning of the seminar series (this means after the first session took place and you have decided that you will participate in the seminar). While it is not possible to provide students with individual copies, we will try to arrange for preferential prices with Oxford University Press.

If you want to engage in some additional reading (which is not mandatory), you may refer to one of the following textbooks:

- Cassese, Antonio (ed.), 'Realizing Utopia: The Future of International Law' (Oxford, Oxford University Press, 2012)
- Crawford, James and Ian Brownlie, 'Brownlie's Principles of Public International Law' (Oxford, Oxford University Press, 2012)
- Hall, Stephen, 'Principles of International Law' (Hong Kong, LexisNexis, 2014)
- Kaczorowska, Alina, 'Public International Law' (London, Routledge, 2010)
- Lowe, Vaughan, 'International Law' (Oxford, Oxford University Press, 2007)
- Shaw, Malcolm, 'International Law' (Cambridge, Cambridge University Press, 2017)
- Tourme-Jouannet, Emmanuelle, 'The Liberal-Welfarist Law of Nations: A History of International Law' (Cambridge, Cambridge University Press, 2012)

Further required readings as well as additional material will be provided electronically.

Mode of assessment for this course is a research paper based on the topics dealt with in the context of the seminar.

Since this is a reading class, active oral participation is strongly expected.

Examtype:

Instructor(s): Raphael Oidtmann

Simulating the United Nations Security Council

Course suitable
for:
Bachelor, Master

Semester:
SS

Language:
English

Hours per Week:

ECTS:
8

Course description:

Have you ever wondered how the United Nations Security Council arrives at its (sometimes controversial) decisions? Are you interested in how decision-making procedures within the Security Council function and what role the five permanent members play in this context?

These as well as other questions will be at the core of the present seminar, which is designed as a policy simulation and consists of two phases: in a first step, students are designated the role of Security Council members (e.g. single states or other actors such as the UN Secretary General), which they will later represent in the context of the simulation (roles are distributed in the first session). While you will have to complete the research required for fulfilling your role mostly off-class, there will be at least two on-site sessions at which you can ask questions and further prepare for your role. It may be the case that you end up representing states and policies that do not reflect your personal opinion!

The second phase will then comprise a full day of simulating the work of the Security Council, based on a real UNSC Resolution (the text of which will be circulated in due course).

This means: you will participate not in your capacity as a student, but as an "official" state representative (and it is strongly expected to stay in that role throughout the day!).

Further required readings as well as additional material will be provided electronically. Mode of assessment for this course is a brief report based on the experiences made within the context of the simulation.

Since this is a policy simulation, active oral participation is indispensable.

Examtype:

Instructor(s): Raphael Oidtmann

Adelaide Guest Lecture: International Insolvency Law				
Course suitable for: Bachelor, Master	Semester: FS	Language: English	Hours per Week:	ECTS: 8
<p><u>Course description:</u></p> <p>This course provides an introduction to gaining an understanding of international insolvency law using both the comparative law approach in exploring insolvency law in a number of selected countries representing a variety of different legal and socio-political traditions (including Germany) and the approach of exploring the international aspects of insolvency law (in particular where assets, business interests and/or creditors of an insolvent enterprise are located in two or more jurisdictions).</p> <p>The emphasis will be mainly on corporate enterprise insolvency, paying special regard to the differing jurisprudence to the subject of business rescue and rehabilitation, as an alternative to liquidation, and upon the use of insolvency procedures as an instrument of social and commercial policy. However, one session will be dedicated to personal insolvency in an international context.</p> <p>The course considers recent regional transnational insolvency rules and efforts at international regulation such as the UNCITRAL Model Law and the European Union Regulation on Insolvency Proceedings. It will consider the application of recent decisions in cross-border insolvency in Australia and elsewhere.</p> <p><u>Literatur:</u></p> <ul style="list-style-type: none"> ▪ Westbrook, Booth, Paulus and Rajak, A Global View of Business Insolvency Systems (World Bank Washington, 2010) ▪ Omar, International Insolvency Law Themes and Perspectives, Ashgate, 2008) ▪ Milman, Governance of Distressed Firms, (Elgar, 2013) 				
<u>Examtype:</u> Oral Exam				
<u>Instructor(s):</u>				

Common Foreign and Security Policy of the EU (CFSP)

Course suitable
for:
Bachelor, Master

Semester:
FS

Language:
English

Hours per Week:
2

ECTS:
8

Course description:

This course will provide students with an introduction to the history, decision-making process, institutions, instruments and challenges facing the CFSP and CSDP. Students will be given an overview of the history and evolution of European foreign policy and defense policy cooperation since the 1950s, including the institutional setup of CFSP and CSDP from Maastricht to Lisbon. Special attention will be given to the strengthening of CFSP and CSDP since the Treaty of Lisbon.

The course aims at defining the scope and limitations of the CFSP and CSDP in the context of the changing security threats and challenges and changing transatlantic relations.

This course will provide students with an introduction to the history, decision-making process, institutions, instruments and challenges facing the Common Foreign and Security Policy (hereafter CFSP) and the Common Security and Defense Policy (hereafter CSDP). Students will be given an overview of the history and evolution of European foreign policy and defense policy cooperation since the 1950s, including the institutional setup of CFSP and CSDP from Maastricht to Lisbon. Special attention will be given to the strengthening of CFSP and CSDP since the Treaty of Lisbon and the challenges facing the future development of CFSP and CSDP.

Upon completion of this course, the students will have acquired insight into the development and functioning of CFSP and CSDP and the major challenges facing this specific policy area. Moreover, students will be able to reflect critically their own thinking about European (and national) foreign security and defence policy from a legal perspective.

Next to the result of the final written exam, active participation (e.g. discussions, presentations, group assignments) during the course will also contribute to the overall grade.

Prior knowledge of EU law is recommended.

Literatur:

- Keukeleire, S. and Delreux, T. (2013), The Foreign Policy of the European Union (Basingstoke: Palgrave)
- Howorth, J. (2014), Security and Defence Policy in the European Union (Basingstoke: Palgrave Macmillan)
- Merlingen, M. (2011), EU Security Policy: What It Is, How It Works, Why It Matters (Lynne Rienner Publishers Inc)

Examtype: Next to the result of the final written exam, active participation (e.g. discussions, presentations, group assignments) during the course will also contribute to the overall grade.

Instructor(s): Meta Geisbüsch

Comparative Law I: European Legal Traditions

Course suitable
for:
Master

Semester:
FS

Language:
English

Hours per Week:
2

ECTS:
6

Course description:

This class makes the nature of Comparative Law as well as its functions and aims accessible to students from different legal backgrounds. As studying even one legal system fully is difficult and time-consuming, the course must necessarily take a selective approach to comparative law and to the multitude of legal systems in the world. The class Comparative Law I therefore will focus on European Legal Traditions, whose similarities and differences are an important driver of European harmonization. Matching the overall aim of this module the course will focus on private law and business law aspects of comparative law.

The course has three main components. The first part will cover the origins and utility of comparative law, its aims, tools and methods. This part will particularly focus on the legal orders, which the participants of the class are most familiar with.

The main second part of the course will look at common features of generally accepted concepts of both contract law and of building bricks necessary for any business law, such as division of work, liability, tort law and insurance. The different possible solutions for these problems, which appear in different forms in many jurisdictions, will be presented, followed by an analysis of how they are governed by legal orders belonging to different legal families. Lines of influence and hybrids will similarly be covered.

Furthermore, the course will give comparative legal insights to laws in transition as well as legal transplants. Whereas former socialist European countries may serve as an example for the first, the adoption of economic concepts in contract law (such as merchandising and franchising from the US in Europe and the respective related problems of integration into European Union law) are paradigmatic for the second. The third part of the course will cover a comparison of legal education and profession (e.g. role of the judiciary), a critical matter for proper delivery of legal services to foreign clients and working effectively with international law partners.

- Aims and methods of comparative law research
- Principle of equality of all legal orders
- Grouping of legal families according to historic origin or structure
- Basic concepts of contract law: party autonomy, formation of contract, performance
- Basic concepts of business law: division of work, liability, tort law, insurance
- Hybrids and legal transplants

Learning outcomes and qualification goals:

The course Comparative Law deals with nature, technique and purpose of legal comparison both from a theoretical and from a practical point of view. Further it aims at introducing students to fundamental concepts of the European Legal families, which more often than not serve as model for European harmonization. The insight will provide students with the necessary analytical background allowing them to carry out comparative legal analysis in their respective further fields of studies.

Examtype: Written examination

Instructor(s): Oliver Brand

Energy Law and Policy				
Course suitable for: Bachelor, Master	Semester: FS	Language: English	Hours per Week: 2	ECTS: 8
<p>Course description:</p> <p>This course will provide students with the knowledge of the technological and regulatory framework applying to energy markets. It will address the relevant issues of governance and liberalization of particular markets such as electricity and gas. Furthermore, the institutional legal framework will be explored, with the main focus on the European Union and the internal energy market it seeks to create.</p> <p>After presenting the regulatory framework and energy policy developments on the international and the EU level, the course will focus on competition rules, international trade in energy and energy subsidies. The following part of the course will examine how policy incentives for climate change mitigation affect the energy sector, with the EU often used as a case example. It will cover the current developments in Climate Change Law, legal and policy matters associated with the renewable energy sector, and the role of exemplary international organizations in the creation of more sustainable energy policies.</p> <p>The course will be conducted through lectures, discussions and seminars. Next to the results of the final written exam also the seminar presentation will contribute to the overall grade for this course.</p>				
<p>Examtype: Next to the results of the final written exam also the seminar presentation will contribute to the overall grade for this course.</p>				
<p>Instructor(s): Marija Turkovic</p>				

English Contract Law				
Course suitable for: Bachelor, Master	Semester: FS	Language: English	Hours per Week: 2	ECTS: 8
<p>Course description:</p> <p>As its title suggests, this course takes students on a tour of English contract law. This tour cannot visit every destination on the map, but it will provide students with a comprehensive overview of the most frequently used governing law for international commercial contracts. Moreover, its structure is used through the Anglo-American law world, meaning that an understanding of it gives you an understanding of contract law in some of the world's most economically important jurisdictions, such as the United States and India. These are insufficient reasons to join the tour, which begs the question: why should students join? The real reason is the practical value that this course offers. In the moot court, which forms part of the assessment, students will have to apply their knowledge of English contract law to construct their arguments. This gives them the chance not only to develop their reasoning skills, but their oral and written presentation skills. To round it off, the students' judge for this moot court will be a part-time High Court Judge and leading Queen's Counsel practising in London.</p> <p>Learning Outcomes of 'English Contract Law'</p> <ul style="list-style-type: none"> ▪ Profound knowledge of the content and structure of English contract law ▪ Ability to apply that knowledge to construct arguments to resolve legal disputes involving contracts <p>Summary of Course Content</p> <ul style="list-style-type: none"> - Part 1: Foundations of English Contract Law - Part 2: Formation - Part 3: Contractual Parties - Part 4: Content - Part 5: Breach - Part 6: Defences - Part 7: Remedies <p>Examtype: addition to three online quizzes, the assessment will consist of participation in a moot court. Students will be divided into teams of 3 – 4 and will argue a case from the perspective of either the claimant or respondent.</p> <p>Instructor(s): Martin Jarrett</p>				

EU Fundamental Rights				
Course suitable for: Bachelor, Master	Semester: FS	Language: English	Hours per Week: 2	ECTS: 8
<p>Course description:</p> <p>The European Union (EU) possesses strong regulatory powers that deeply affect individuals within the EU Member States. Despite this, it was not until the late 1960s that the European Court of Justice started “taking rights seriously”, by acknowledging fundamental rights as general principles of the then European Economic Community law. Since then the EU institutions’ concern for fundamental rights has grown dramatically and culminated in the entry into force of the Charter of Fundamental Rights of the EU in 2009.</p> <p>The course aims to provide a comprehensive overview of the sources of fundamental rights and the mechanisms for their protection in the EU legal order. After a brief historical introduction, it will focus on the instruments in EU law that ensure the protection of fundamental rights and that provide redress for their violation by both European and domestic authorities. Particular attention will be devoted to the complex interplay between the three main sources of fundamental rights protection in Europe (namely, national constitutions, the European Convention of Human Rights and the Charter of Fundamental Rights of the EU) and their respective courts.</p> <p>Classes include both traditional lectures and the presentation and discussion of judgments and texts assigned in advance. Students will be encouraged to actively take part in the course and to contribute to a lively and thought-provoking atmosphere.</p> <ul style="list-style-type: none"> ▪ Historical development of the protection of fundamental rights in the EU ▪ The role of the European Court of Justice and its interaction with national courts ▪ The Charter of Fundamental Rights of the EU ▪ The EU and the European Convention on Human Rights ▪ EU fundamental rights and national fundamental rights ▪ Current issues in fundamental rights protection in Europe 				
Examtype: Written examination				
Instructor(s):				

European Legal Thinking: Meet Savigny & his Peers

Course suitable
for:
Bachelor, Master

Semester:
FS

Language:
English

Hours per Week:
2

ECTS:
6

Course description:

Continental European law strongly relies on written legal sources such as codes. Thus, theoretically, legal scholars from European nation states have similar approaches to handling the written sources when working on a concrete legal case. Still, the respective national legal tradition a lawyer first was trained in strongly influences the way she/he will interpret and apply the law to the facts of a case. To a significant extent this phenomenon can be attributed to different schools of legal thinking, which have found their way into the national codes and academic traditions. They lie between the lines of the respective sources and are often influencing unnoticed the reasoning adopted. In order to understand these approaches of both lawmakers and lawyers it is very helpful to acquaint oneself with the thinking of those persons, which have had long-lasting influence on the formation of national law & legal thinking.

In order to grasp the context of the works of Europe's – and Germany's – keenest legal thinkers we have to go back to the roots and acquaint us with the more than two thousand year old tradition of ancient Roman law. Already a glance at the titles of the main works of Carl Friedrich von Savigny (1779-1861) *History of Roman law in the Middle Age* (1815-31) and *The System of today's Roman Law* (1840-49) displays the everlasting impact on European legal tradition. Accordingly, also the course will follow a timeline, which starts in the age of classic Roman law and antique elocution – a powerful means of rhetoric –, then covers the renaissance of jurisprudence in the High Middle Ages and Early Modern Era and finishes with the capstone of this private law tradition, namely Bernhard Windscheid's '*Lehrbuch des Pandektenrechts*', which heavily influenced the German Civil Code. The selection of legal thinkers is either motivated by the outstanding quality of their works (cf. Cicero, Papinian, Accursius und Savigny) or their paramount influence on our understanding of law (cf. Svarez and Rabel) or a combination of both.

- The Roman Foundations of Law: Cicero, Papinian and Tribonian
- The Renaissance of Roman Law in the Middle ages: Accursius, Baldus and Zasius
- The foundations of the common law: Edward Coke
- The labyrinth of creditors: Salgado de Somoza
- Legal concepts of the age of enlightenment: Thomasius
- Early codification: Carl Gottlieb Svarez
- The pandectist tradition: Friedrich von Savigny
- The 'Interessensjurisprudenz': Rudolf von Jhering
- The foundations of the German Civil Code: Bernhard Windscheid
- From comparative to a uniform sales law: Ernst Rabel
- Current private law methodology: Karl Larenz and Claus Canaris

Literature:

- Peter Stein: Roman Law in European History, Cambridge University Press, UK, 1999 (translated from: Peter Stein, *Römisches Recht und Europa*, Fischer Verlag, Frankfurt a.M., Deutschland, 1996)
- Raymond Wacks, *Understanding Jurisprudence: An Introduction to Legal Theory*, Oxford University Press, USA, 3rd edition 2012

Eventually, further reading will be provided via ILIAS (Mannheim Online Ressources)

Examtype: Written examination

Instructor(s):

Forensic Psychology in Legal Contexts				
Course suitable for: Bachelor, Master	Semester: SS	Language: English	Hours per Week: 2	ECTS: 8
<p>Course description:</p> <p>The growth of forensic psychology as a science in the recent decades represents an evolution in profiling and crime detection. Understanding the causes and characteristics of deviant actions – commonly known as abnormal behavior – is crucial in determining diagnoses, planning intervention strategies and answering forensic referral questions.</p> <p>In this course, students will acquire a broad understanding of psychopathologies related to crime. They are provided with an extensive overview of the main topics, such as criminal profiling, psychology in the criminal courts, the links to legal systems and related topics. Furthermore criminal behavior will be examined and challenges in the field will be discussed.</p> <p>Moreover, special issues such as cybercrime, family violence, victimology, and police psychology will be covered.</p> <p>The course is law oriented, which means the roles that forensic psychology professional could have in the court system will be explored and basic psychology knowledge will be delivered.</p> <p>Literature:</p> <ul style="list-style-type: none"> ▪ Dennis Howitt - Introduction to Forensic and Criminal Psychology, 2018, 6th Edition ▪ Sandie Taylor - Forensic Psychology: The basis, 2015 <p>The course will be a block lecture but conceptualized as a seminar including group work and student presentations. Many case studies will be examined and a lot of media (videos/podcasts) will be used.</p> <p>Examtype: essay paper</p> <p>The final grade will be based on active participation in class, the presentation and the final paper that students have to submit.</p> <p>Instructor(s): Elisa Berdica</p>				

International Investment Law				
Course suitable for: Bachelor, Master	Semester: FS	Language: English	Hours per Week: 2	ECTS: 8
<p>Course description:</p> <p>Destroying 'Marlboro' for Public Health</p> <p>The tobacco giant Philip Morris owns some of the world's most recognisable trade marks, from the ubiquitous 'Marlboro red' to the 'Marlboro man'. These trademarks draw consumers to Philip Morris' products, but many governments argue that they also draw these same consumers to premature deaths. In an effort to avoid these outcomes, governments have begun to restrict the use of tobacco related trademarks, which in turn has hurt the value of tobacco companies. Should governments be able to avoid paying compensatory damages to private companies in the name of promoting public health? The answer to this question, and others like it, is found in international investment law.</p> <p>Purpose of International Investment Law</p> <p>International investment law is an area of law dealing with the regulation of one of the most topical global issues: foreign investment. Specifically, it contains the rules on how states may treat foreign investments within their territories. Those rules are principally concerned with identifying when a state action causes a devaluation or deprivation of a foreign investment, and then evaluating whether the state or the foreign investor should bear the cost of such devaluation or deprivation.</p> <p>Aside from its currency in global affairs, three other reasons make International Investment Law an interesting and professionally valuable course to study.</p> <p>Relevance of International Investment Law</p> <p>First, it is intellectually stimulating because it straddles two legal tectonic plates: private rights and public obligations. Fairly resolving this friction is one of the great challenges of international investment law'. Second, it is a genuinely international body of law. As such, the knowledge gained from 'International Investment Law' can be used in any jurisdiction.</p> <p>Third, over the past 20 years, the number of foreign investment disputes has rapidly and consistently grown. With the expected continued growth of foreign investment disputes, the demand for jurists with knowledge of this area of law will increase.</p> <p>Summary of Course Content</p> <ul style="list-style-type: none"> - Part 1: Foundations of International Investment Law - Part 2: The Legal Framework Applicable to Investment Disputes - Part 3: Jurisdiction of the Arbitral Tribunal - Part 4: Admissibility of Claims - Part 5: Liability <p>Examtype: The assessment will take the form of participation in a moot court. To this end, students will be expected to write up skeleton arguments and take part in the oral hearings. Additionally, there are three online quizzes to be completed during class.</p> <p>Instructor(s): Martin Jarrett</p>				

International Law and International Relations				
Course suitable for: Bachelor, Master	Semester: FS	Language: English	Hours per Week: 2	ECTS: 8
<p>Course description:</p> <p>What is the character of international legal rules? Do they matter in international politics, and if so, to what extent? How effective can they actually be? What should we expect from international law in shaping international relations? This seminar will provide introductory knowledge of the foundational principles and sources of public international law as well as a brief review of the most prominent IR-theories. Besides exploring how these theories address the role of IL in international politics, it will also consider a set of practical problems, in which international law and international relations intersect most dramatically, such as intervention and the use of force, the protection of human rights, or the fabric and enforcement of international criminal law. Further topics to be covered in the context of the lecture will also include notions such as international trade as well as questions related to international climate policy. Sessions will take place on a weekly basis and consist of both lecture and discussion parts. Within the discussion part, current developments such as inter alia as inter alia contemporary UNSC resolutions may be analysed more closely.</p> <p>Introductory Reading (optional):</p> <ul style="list-style-type: none"> • Armstrong, David, Theo Farrell & Hélène Lambert (2012): 'International Law and International Relations', Cambridge: CUP • Cali, Basak (2010): 'International Law for International Relations', Oxford: OUP • Dunoff, Jeffrey L. & Mark A. Pollack (2013): 'Interdisciplinary Perspectives on International Law and International Relations', Cambridge, CUP • Simmons, Beth & Richard H. Steinberg (eds.) (2007): 'International Law and International Relations: An International Organization Reader', Cambridge: CUP • <p>Required reading materials as well as additional sources will be provided electronically.</p> <p>Mode of assessment for this course will be a research paper. In addition, oral participation will contribute to the final grade awarded for this course.</p> <p>Course open for both Bachelor and Master Law students and recommended for Bachelor and Master Political Science students.</p>				
Examtype:				
Instructor(s): Raphael Oidtmann				

International Relations Law of the European Union				
Course suitable for: Bachelor, Master	Semester: FS	Language: English	Hours per Week: 2	ECTS: 8
<p>Course description:</p> <p>The course aims at familiarizing students with the objectives and role of the EU institutions and its Member States in their external relations, also with the practice and case law from the European Court of Justice (ECJ) and academic literature in this field.</p> <p>Throughout the course there will be a focus on:</p> <ul style="list-style-type: none"> ▪ Treaty foundations for external relations and external policies ▪ International foundations: life cycle of an international agreement and the EU's membership in international organizations ▪ Common Commercial Policy: legal scope, judicial review of measures, relation with the World Trade Organization ▪ Common Foreign and Security Policy ▪ Energy policy ▪ Sanctions Policy ▪ Non-EU perspectives on the European integration and its international cooperation <p>Students shall acquire necessary knowledge on the legal foundations of the EU's foreign policy and its practical implications, on conferred competences on the EU to act in an international domain and on its role in creation of international legal order.</p> <p>The course will be conducted through lectures, discussions, and seminars which will allow students to work in small groups on legal cases from practice. Next to the results of the final written exam, active participation during the lectures and seminars will also contribute to the overall grade for this course.</p> <p>Required reading materials as well as additional sources will be provided electronically or during the lectures.</p>				
Examtype:				
Instructor(s): Marija Turkovic				

Introduction to German Private Law				
Course suitable for: Bachelor, Master	Semester: FS	Language: English	Hours per Week: 2	ECTS: 10
<p>Course description:</p> <p>The course is designed to give a comprehensive survey of German private law, i.e. general rules of private law, commercial law, and civil procedure.</p> <p>An important structural decision of German private law (sic!) is already displayed by the fact that the Civil Code is the 'law book for citizens' - today including consumers - whereas particular rules for businesses are comprised in the commercial code, corporate law, and various other codifications.</p> <p>However, both general private law, and commercial law are enforced by the same rules of civil procedure. The German Civil Code is of paramount importance for understanding German law as its concept and system has impressed the legal thinking of generations of German lawyers. Students will be acquainted with both its sources, and its general principles. In the course of the class students will learn to work with the German civil code, understand the underlying system, influences on the Civil Code from the European Union (EU), and the accepted methods of interpretation.</p> <ul style="list-style-type: none"> ▪ Introduction to German Private Law ▪ The division between public law, general private law and commercial law ▪ The German Civil Code ▪ Influence from the EU ▪ Basic concepts and means of interpretation ▪ Function and Content of the General Part ▪ Law of obligations (contracts, torts, and unjust enrichment) ▪ Property Law ▪ Law of succession and company law (including partnerships and corporations) ▪ The system of law enforcement <p>Students will be acquainted with the overall structure of German private law and the German Civil Code as its main source. They will acquire the necessary skills to find the respective legal sources, do research on academic writing and case law and analyze whether a specific intended business action appears admissible or may imply legal risks.</p> <p>Students are encouraged to make reference, by way of comparison, to the law of their own country in the class.</p>				
Examtype: Written examination				
Instructor(s):				

Public International Law

Course suitable
for:
Bachelor, Master

Semester:
FS

Language:
English

Hours per Week:
2

ECTS:
8

Course description:

This course provides students with an understanding of the system of public international law, regulating relations between actors on the global stage. Topics include: the nature of international law, sources of international law (including treaties, customary international law and general principles of law), participants in the international legal system (including notions of statehood, legal personality and diplomatic protection), territory and acquisition of title, state responsibility, jurisdiction and immunity, the relationship between international and domestic law, international human rights law, the (peacekeeping) operations of the United Nations including the role of the General Assembly, international dispute settlement and the role of the International Court of Justice as well as the law regulating the use of force and, correspondingly, the Security Council.

Sessions will take place on a weekly basis and consist of both lecture and discussion parts. Within the discussion part, current developments such as inter alia pending cases before the International Court of Justice and further contemporary topics will be discussed.

Introductory Reading (optional):

- Cassese, Antonio (ed.): 'Realizing Utopia: The Future of International Law' (Oxford, Oxford University Press, 2012)
- Crawford, James and Ian Brownlie: 'Brownlie's Principles of Public International Law' (Oxford, Oxford University Press, 2012)
- Hall, Stephen: 'Principles of International Law' (Hong Kong, LexisNexis, 2014)
- Kaczorowska, Alina: 'Public International Law' (London, Routledge, 2010)
- Lowe, Vaughan: 'International Law' (Oxford, Oxford University Press, 2007)
- Tourme-Jouannet, Emmanuelle: 'The Liberal-Welfarist Law of Nations: A History of International Law' (Cambridge, Cambridge University Press, 2012)

Required reading materials as well as additional sources will be provided electronically. Mode of assessment for this course will be a research paper. In addition, oral participation will contribute to the final grade awarded for this course.

Course is open for Bachelor and Master students and recommended for Bachelor and Master Political Science students.

Examtype: Mode of assessment for this course will be a research paper. In addition, oral participation will contribute to the final grade awarded for this course.

Instructor(s): Raphael Oidtmann

Master

Spring Semester

Comparative Law II: The Common/Civil Law Divide				
Course suitable for: Bachelor, Master	Semester: SS	Language: English	Hours per Week: 2	ECTS: 6
<p>Course description:</p> <p>The class Comparative Law II – The Common/Civil Law divide will focus on the Common/Civil Law divide and in particular compare aspects of the legal system in Germany on the one hand, and Australia/the United States on the other hand. Methodological differences between the Civil law and the Common law systems will be pointed out, and subjects of particular importance for daily business, such as formation of contracts, agency, contract interpretation etc., will be treated in greater detail.</p> <p>The course has three main components. The first part of the course will consider the origins and utility of comparative law, its aims, tools and methods. The second part of the course will review and analyse the two main legal traditions in the world, Common Law and Civil Law. The objective will be to understand differences and similarities between these two ways of understanding law and organizing legal institutions and procedures, on the other hand. In this context, an overview on the differences with regard to the rule of law, judicial review and the legal profession will be provided. The third part of the course will focus upon applying comparative legal analysis to actual cases and international disputes and show how the results differ depending on which legal order is applied.</p> <ul style="list-style-type: none"> ▪ Basic features, tools and methods of comparative law ▪ Development and current status of Common Law as a legal family ▪ Development and current status of Civil Law as a legal family ▪ The education and role of lawyers ▪ Judges and judiciaries, lay judges and juries ▪ Legal reasoning ▪ Statutes and their construction ▪ Judicial precedents ▪ Particular legal institutions and instruments in a comparative assessment <p>Learning outcomes and qualification goals:</p> <p>The course Comparative Law II constitutes the basis for all M.C.B.L. courses in the area International & Comparative Business Law (taught in Mannheim during the Spring-Summer-Term). It deals with nature, technique and purpose of legal comparison both from a theoretical and from a practical point of view, but with a particular focus on the differences and common features of the world's two major legal families, Civil law and Common law. In doing so, it supplements and further enhances the content of the course Comparative Law I (taught during the Fall-Winter-Term). The aim is to provide students with the necessary analytical background allowing them to carry out sophisticated comparative legal analysis in their respective further fields of studies, and make them familiar with the most important aspects of the proverbial (but sometimes overstated) "Common/Civil Law divide".</p> <p>Examtype: Written examination</p> <p>Instructor(s): Oliver Brand , Miriam Buiten</p>				

Corporate Governance II				
Course suitable for: Master	Semester: SS	Language: English	Hours per Week: 2	ECTS: 8
<p>Course description:</p> <p>The course offers an introduction to the economic theory of corporate governance and its application to corporate law, including aspects of insolvency and securities law. To obtain a thorough understanding of the theory, students are asked to read classic contributions to the corporate governance literature and to discuss them in class. They will also be required to apply the theory to a broad range of legal settings, both in the classroom and in preparing the course.</p> <p>Foundations of corporate governance</p> <ul style="list-style-type: none"> ▪ Corporate governance as a functional perspective ▪ Economic theory of the firm ▪ Agency cost view on corporate governance: agency costs of equity and debt ▪ Transaction cost view on corporate governance: bargaining over quasi-rents of the firm <p>Application to corporate, insolvency and securities law</p> <ul style="list-style-type: none"> ▪ Legal institutions to minimize the agency costs of equity: constraints on management and dominant shareholders in the public corporation ▪ Legal institutions to minimize the agency costs of debt: legal capital; piercing the corporate veil ▪ Legal institutions to minimize the costs of rent-seeking: management independence ▪ Employee codetermination ▪ Special focus on corporate control transactions: private benefits of control; the market for corporate control; mergers and acquisitions; insolvency 				
Examtype:				
Instructor(s): Kerstin Hoffmann , Alexander Morell				

Das französische Recht und seine Rechtssprache				
Course suitable for: Bachelor, Master	Semester: SS	Language: French	Hours per Week: 2	ECTS: 6
<u>Course description:</u>				
<u>Examtype:</u>				
<u>Instructor(s):</u> Rupert Vogel				

Energy Law and Policy				
Course suitable for: Bachelor, Master	Semester: SS	Language: English	Hours per Week: 2	ECTS: 8
<p>Course description:</p> <p>This course will provide students with the knowledge of the technological and regulatory framework applying to energy markets. It will address the relevant issues of governance and liberalization of particular markets such as electricity and gas. Furthermore, the institutional legal framework will be explored, with the main focus on the European Union and the internal energy market it seeks to create.</p> <p>After presenting the regulatory framework and energy policy developments on the international and the EU level, the course will focus on competition rules, international trade in energy and energy subsidies.</p> <p>The following part of the course will examine how policy incentives for climate change mitigation affect the energy sector, with the EU often used as a case example. It will cover the current developments in Climate Change Law, legal and policy matters associated with the renewable energy sector, and the role of exemplary international organizations in the creation of more sustainable energy policies.</p> <p>The course will be conducted through lectures, discussions and seminars. Next to the results of the final written exam also the seminar presentation will contribute to the overall grade for this course.</p>				
Examtype:				
Instructor(s): Marija Turkovic				

EU Environmental Law				
Course suitable for: Bachelor, Master	Semester: SS	Language: English	Hours per Week: 2	ECTS: 8
<p>Course description:</p> <p>This course will provide a thorough introduction to EU Environmental Law. It focuses on how environmental resources can be managed in a specific context using the disciplines of law and policy making. The participants will follow lectures on the principles and sources of European environmental law and will devote their time to the discussion of practical cases on selected issues in this field.</p> <p>In the first part of the course the relevant primary, secondary legal framework and soft law in the EU environmental field will be presented. In the following part, special attention will be given to the specific matters such as EU-ETS, waste, and energy policy development. Finally, the international relations of the EU helping the fulfillment of the environmental protection objectives will be analyzed.</p> <p>The course will be conducted through lectures, discussions and seminars.</p> <p>Next to the results of the final written exam also the seminar presentation will contribute to the overall grade for this course.</p>				
<p>Examtype: Next to the results of the final written exam also the seminar presentation will contribute to the overall grade for this course.</p>				
<p>Instructor(s): Marija Turkovic</p>				

External Relations Law of the European Union

Course suitable
for:
Bachelor, Master

Semester:
SS

Language:
English

Hours per Week:
2

ECTS:
8

Learning outcomes and qualification goals:

Students shall acquire necessary knowledge on the legal foundations of the EU's foreign policy and its practical implications, on conferred competences on the EU to act in an international domain and on its role in creation of international legal order.

The course will be conducted through lectures, discussions, and seminars which will allow students to work in small groups on legal cases from practice. Next to the results of the final written exam, active participation during the lectures and seminars will also contribute to the overall grade for this course.

At least three years of studies in Law

Required reading materials as well as additional sources will be provided electronically or during the lectures.

Examtype:

Instructor(s): Marija Turkovic

Forensic Psychology in Legal Contexts				
Course suitable for: Bachelor, Master	Semester: SS	Language: English	Hours per Week: 2	ECTS: 8
<p>Course description:</p> <p>The growth of forensic psychology as a science in the recent decades represents an evolution in profiling and crime detection. Understanding the causes and characteristics of deviant actions – commonly known as abnormal behavior – is crucial in determining diagnoses, planning intervention strategies and answering forensic referral questions.</p> <p>In this course, students will acquire a broad understanding of psychopathologies related to crime. They are provided with an extensive overview of the main topics, such as criminal profiling, psychology in the criminal courts, the links to legal systems and related topics. Furthermore criminal behavior will be examined and challenges in the field will be discussed.</p> <p>Moreover, special issues such as cybercrime, family violence, victimology, and police psychology will be covered.</p> <p>The course is law oriented, which means the roles that forensic psychology professional could have in the court system will be explored and basic psychology knowledge will be delivered.</p> <p>Literature:</p> <ul style="list-style-type: none"> ▪ Dennis Howitt - Introduction to Forensic and Criminal Psychology, 2018, 6th Edition ▪ Sandie Taylor - Forensic Psychology: The basis, 2015 <p>The course will be a block lecture but conceptualized as a seminar including group work and student presentations. Many case studies will be examined and a lot of media (videos/podcasts) will be used.</p> <p>Examtype: essay paper</p> <p>The final grade will be based on active participation in class, the presentation and the final paper that students have to submit.</p> <p>Instructor(s): Elisa Berdica</p>				

Intellectual Property Law				
Course suitable for: Master	Semester: SS	Language: English	Hours per Week: 2	ECTS: 8
<p>Course description:</p> <p>Intellectual property is an indispensable tool to foster innovation and assure protection of achievements. They are an important factor for remaining competitive in the global knowledge-based economy. The shift from corporal goods to intellectual property however has many implications for today's businesses: they have to play the system to gain from it, have to develop new business models, acquire rights by contract and closely watch the market and competitors to avoid liability. The course accordingly is designed to provide an overview on the concept of intellectual property and the practical implications for businesses. Students will familiarize themselves with the multi-level system of IP-protection on a worldwide (TRIPS and WIPO-Treaties), European (EU-legislation) and national level. With regard to the latter the transformation of international and European requirements into national law, German intellectual property law will be taken as an example. Participants from other jurisdictions however will be encouraged to analyse differences to the corresponding legal concepts in their home jurisdictions.</p> <p>The course will cover the legal concepts of patent protection and utility models, the rules on the protection of trademarks and designations of origin, the basics of copyright law and of design protection. Where appropriate the course will also highlight certain rules under unfair competition law providing ancillary remedies for avoiding unfair exploitation of work results.</p> <p>The course devotes to the co-existence of national and Community IP-rights. The advantages and disadvantages of the existing unitary Community concepts, i.e. the Community Trade Mark and the Community Design as compared to national IPRs will be discussed in the light of relevant case law.</p> <p>Furthermore, the conflicting aims of freedom of competition (and in particular free movement of goods) on the one hand and strict IP-protection on the other hand will be tackled. This gives the opportunity to discuss current trends to narrow the scope of protection by means of compulsory licences, FRAND-licences and similar limitations imposed by cartel and competition law.</p> <ul style="list-style-type: none"> ▪ Concept of IP-law ▪ The legal sources (TRIPS, WIPO-Treaties, EU-Regulations and Directives) ▪ The distinct IP-rights: patent, utility model, trademark, design & copyright ▪ The impact of competition law on intellectual property protection ▪ Contractual exploitation of IPRs (transfer and licence agreement) ▪ Enforcement of IP-rights (remedies and procedural strategies) <p>Learning outcomes and qualification goals:</p> <p>The course is designed to provide an overview of the principles of intellectual property law and its importance in our knowledge-based society. The teaching and case studies will enable students to understand the relevance of IP-law for businesses, both as a means of protecting their own innovation and to be aware of liability risks, which always accompanies placing new products in the market. A thorough knowledge of the legal framework at the same time is the indispensable basis for successful contract negotiations, which will be tackled by group exercises.</p> <p>Examtype: Oral examination</p> <p>Instructor(s): Simon Apel</p>				

International Business Transactions				
Course suitable for: Master	Semester: SS	Language: English	Hours per Week: 2	ECTS: 8
<p>Course description:</p> <p>The course addresses the particularities and pitfalls of international trade transactions. It focuses on international aspects of business transactions and their legal and commercial backgrounds, and allows students to get an initial understanding of what legal advice in practical terms is like. In this context, the course will focus on legal as well as on non-legal institutions that can help solving problems of cross-border transactions. At the end of the course, students will participate in a simulated negotiation of an international contract.</p> <ul style="list-style-type: none"> ▪ Pitfalls of cross-border transactions ▪ The role of contracts in international business ▪ Legal and non-legal means of contract enforcement ▪ Financing of international transactions ▪ European regulations on cross-border trade ▪ International Conventions related to cross-border trade ▪ Transnational Law ▪ Dispute resolution ▪ The enforcement of court decisions and arbitral awards ▪ Distribution networks ▪ Regulatory issues in international business ▪ Accountability in international trade <p>The course will scrutinize processes of contract drafting and highlight the institutional framework, national and international as well as legal and non-legal, of international business transactions. Students will learn to analyse pitfalls from an interdisciplinary perspective and create sustainable solutions for cross border trade. The course will give a comprehensive overview over legal, ethical, political, economic, environmental, societal, and strategic questions of international trade. Students will acquire skills to negotiate, develop, design, finance, and implement sustainable business partnerships.</p> <p>Learning outcomes and qualification goals:</p> <p>At the conclusion of the course, students will be expected to have a comprehensive understanding of the legal issues appertaining to the trade of goods across national borders.</p> <p>Examtype: Oral examination</p> <p>Instructor(s): Andreas Maurer</p>				

International Labour Law				
Course suitable for: Master	Semester: SS	Language: English	Hours per Week: 2	ECTS: 8
<p>Course description:</p> <p>This course offers the opportunity to take a comparative view on various employment and labor law issues that cover a wide range of subject matters. The class focuses on seven in some aspects quite similar, in others however completely different legal systems. These are: Germany, Japan, Brazil, Australia, France, Great Britain and the US. After an introduction we will pick out specific topics and compare and discuss the various approaches of these legal systems to deal with them. Among others, we will speak about:</p> <ul style="list-style-type: none"> ▪ Employees request to pray during working time ▪ Dating Policies ▪ Surveillance of employees by use of video cameras ▪ Critical blogs and the employment relationship <p>Active participation is expected. This encompasses in particular that the students give lectures about the legal system of the country they come from and solve the cases provided in advance on the basis of this legal system.</p> <p>Learning outcomes and qualification goals:</p> <p>The goal of the class is to provide students with a strong background in international human rights particularly as they apply to global workers and employers of various forms, as well as enable a deeper understanding of questions in the field.</p> <p>The goal of the class is to provide students with a strong background of the international framework, including human rights protection, particularly as they apply to global workers and employers of various forms, as well as enable a deeper understanding of questions in the field.</p> <p>Examtype: Oral examination</p> <p>Instructor(s): Philipp Fischinger</p>				

International Organizations: legal sources, actors and means of influence

Course suitable
for:
Bachelor, Master

Semester:
SS

Language:
English

Hours per Week:
2

ECTS:
6

Course description:

Decades before the invention of the word “globalization”, economic activities were no longer, if ever, confined to the internal markets of States. However, the intensity of international trade and commerce at the beginning of the 21st century is quite probably unprecedented. Whether in efforts to enable, to enhance or to control international economic activities, the States of the world have grown dependent upon one another. This is reflected by cooperation at regional levels or in global contexts.

Such cooperation more and more makes use of the forums provided by international organizations, many of which are much more than mere “negotiation frameworks”, but are rather vested with legal personality and regulatory, or even adjudicative, powers.

- Economically relevant international organizations (ILO, WTO, UN, OECD)
- International organizations as subjects of public international law and of private law
- Distinguishing between governmental and non-governmental organizations
- Creation of international organizations
- International Organizations as law-makers and standard-setters
- Interaction of international law and domestic legal orders
- Responsibility of international organizations under public international law
- Legal remedies against acts of international organizations

Learning outcomes and qualification goals:

The course intends to provide students with the background knowledge of the law of international organizations, which they will need in pursuit of their in-depth studies of international business law.

Examtype: Written examination

Instructor(s): Hans-Joachim Cremer

International Criminal Law				
Course suitable for: Bachelor, Master	Semester: SS	Language: English	Hours per Week: 2	ECTS: 8
<p>Course description:</p> <p>One of the most significant developments both in international law and international relations throughout the last two decades has been the (re-)emergence of an international legal order based on a robust interpretation of the concept of international criminal justice. By establishing both international and hybrid criminal courts addressing international core crimes such as genocide, crimes against humanity and war crimes, the international community has demonstrated an ever more growing commitment to end impunity for the most heinous crimes affecting mankind as a whole and to hold those bearing individual criminal responsibility personally accountable.</p> <p>This course aims at providing students with a fundamental understanding of this increasingly important realm of public international law. Thus, in a first approach, an overview both of international criminal law's theoretical foundation as well as its historical sources will be provided. Adjacently, focus will be given to the ad-hoc tribunals of the 1990s (such as the International Tribunal for the former Yugoslavia) and most prominently to the International Criminal Court (ICC) as the first permanent international organization addressing matters of international criminal justice.</p> <p>Complementary to this institutional approach, the second part of the course will address material law aspects: Besides the abovementioned crimes as stipulated in the Rome Statute forming the International Criminal Court, attention will be given to further international crimes such as piracy or terrorism. Additionally, questions such as immunity from prosecution for heads of state or government, modes of liability, interdependencies between the national and international judicial sphere and notions of state sovereignty will be addressed throughout the course.</p> <p>Required reading materials will be provided electronically.</p> <p>Introductory Readings (optional):</p> <ul style="list-style-type: none"> ▪ Cassese, Antonio, 'International Criminal Law' (Oxford, Oxford University Press, 2008) ▪ Cryer, Robert, 'An Introduction to International Criminal Law and Procedure' (Cambridge, Cambridge University Press, 2010) ▪ Schabas, William A., 'The International Criminal Court: A Commentary on the Rome Statute' (Oxford, Oxford University Press, 2010) ▪ Werle, Gerhard, 'Principles of International Criminal Law' (The Hague, Asser, 2005) <p>You don't need to buy one of these textbooks since they are only intended to provide you with a first insight into the subject matter. Besides, all are available at Mannheim University Library.</p> <p>Examtpe: Mode of assessment for this course will be a written closed-book exam. In addition, oral participation will contribute to the final grade awarded for this course.</p> <p>Instructor(s): Raphael Oidtmann</p>				

International Sale of Goods				
Course suitable for: Master	Semester: SS	Language: English	Hours per Week: 2	ECTS: 6
<p>Course description:</p> <p>This course aims at studying the law of international sales agreements based on the United Nations Convention on Contracts for the International Sale of Goods (CISG), which entered into force in 1988 and today has almost eighty Contracting States world-wide. It is the most important uniform private law Convention in practice, covering potentially more than 80% of global trade. Since the CISG was influenced by both the common law and civil law systems of contract law, the course will furthermore focus on the basic principles of the law of contract of both systems in a comparative approach, where appropriate.</p> <ul style="list-style-type: none"> ▪ Scope of application of the CISG ▪ Hierarchy between the CISG and national sales law provisions ▪ Interpretation of the CISG and the aim of uniform application ▪ Formation of contracts under the CISG ▪ Obligations of the seller and the buyer ▪ Remedies in case of non- performance ▪ Damages under the CISG ▪ Relationship between the CISG and other current/future uniform law instruments <p>Learning outcomes and qualification goals:</p> <p>Students who have completed the course should be able to ascertain the applicability of the CISG and deal with the most common legal problems arising under international sales contracts. They should also be familiar with the structure and central rules of the CISG governing the formation of contracts and parties' remedies in cases of breaches of contract, enabling them to advise clients about contract drafting issues and strategies in litigations or arbitrations involving CISG contracts.</p> <p>Examtype: Oral examination</p> <p>Instructor(s): Lea Tochtermann</p>				

International Trade Law				
Course suitable for: Bachelor, Master	Semester: SS	Language: English	Hours per Week: 2	ECTS: 6
<p>Course description:</p> <p>The International Trade Law course seeks to familiarize students with the numerous legal issues that commonly arise in the context of the trade in goods and services between and among nations. In addition, the course provides students with the economic theories underlying international trade and the history of international trade. The areas of coverage during the course include the following:</p> <ul style="list-style-type: none"> ▪ The theory of „comparative advantage“ developed and popularized by the Eighteenth Century British economist, David Ricardo, along with subsequent critiques and modifications of this theory. ▪ The beginnings of trade between nations beginning in ancient times and its expansion, development and increasing sophistication during the subsequent centuries. ▪ The continuing conflict between the principles and practices of „free trade“ and those of „mercantilism,“ sometimes described as „import substitution.“ ▪ The development of free trade agreements („FTAs“) during the previous 300 years and the relatively recent phenomenon of „trade blocs“ and „customs unions“ involving groups of nations pursuing common economic and political objectives. Examples of these latter types of trade combinations are the European Union and the Association of Southeast Asian Nations („ASEAN“) ▪ The establishment of the General Agreement on Tariffs and Trade („GATT“) after World War II and its transformation into the World Trade Organization („WTO“) in 1995. ▪ The structure, operations and goals of the WTO and the various trade agreements that bind all WTO members („Multilateral Agreements“) and those agreements that only bind those nations acceding to their terms („Plurilateral Agreements“). ▪ The future of the WTO and trade blocs in the Twenty-First Century. 				
Examtype: Oral examination				
Instructor(s): Mears, Patrick				

Law & Economics				
Course suitable for: Master	Semester: SS	Language: English	Hours per Week: 2	ECTS: 6
<p>Course description:</p> <p>The course provides an introduction to “law and economics” (also known as the “economic analysis of law”), i.e. the application of concepts and methods from economics to legal problems. It is offered in collaboration with the university’s economics department. The course starts with the foundations of microeconomic theory, welfare economics and law and economics and then covers selective topics from the three main areas of private law.</p> <p>Foundations of law and economics</p> <ul style="list-style-type: none"> ▪ Basic positive economics: utility maximization under constraints ▪ Basic welfare economics: Pareto and Kaldor/Hicks efficiency ▪ Coase theorem <p>Property law and economics</p> <ul style="list-style-type: none"> ▪ Tragedy of the commons as the main rationale of property rights ▪ Information problems in property rights ▪ The limits of property rights: tragedy of the anticommons <p>Tort law</p> <ul style="list-style-type: none"> ▪ The objective of accident cost minimization ▪ Negligence liability and strict liability ▪ Unilateral and bilateral care ▪ Special problems: causation, punitive damages, pure economic loss, liability for physical injury <p>Contract law</p> <ul style="list-style-type: none"> ▪ The objective of maximizing surplus ▪ Default rules as a way to economize on transaction costs ▪ Efficient and inefficient breach of contract ▪ Penalty defaults ▪ Legal remedies to adverse selection caused by asymmetric information ▪ Economic analysis of standard terms and conditions <p>Learning outcomes and qualification goals:</p> <p>Students obtain a sound understanding of how economic methodology can be applied to legal problems. They know to employ economic efficiency criteria as arguments for resolving legal cases. They are aware of the main theories advanced in law and economics scholarship relating to property law, tort law and contract law.</p>				
Examtype: Written examination				
Instructor(s): Miriam Buiten				

Law & Economics of Regulation in Evolving Markets

Course suitable
for:
Master

Semester:
SS

Language:
English

Hours per Week:

ECTS:
6

Course description:

The fast rate at which technology and business models develop requires legislators to consider if and how they should respond with new laws and regulation. For example, companies such as Uber and Airbnb disrupt the markets for taxis and hotels, posing the question whether the current regulatory framework needs to be more strictly enforced, or instead be reconsidered altogether. Online platforms such as Amazon or Expedia have raised questions with competition agencies regarding the use of „best price clauses“, which may serve consumers but also might hamper market entry by competitors. In some cases it is not even clear which regulatory framework ought to deal with the problem. For example, geographical limitations for sports subscriptions and PC games result in varying prices for EU citizens, hindering the internal market. Competition agencies could address this issue, but since fragmented copyrights could lie at the root of it, possibly a review of IP law would be preferable.

This course considers these and other legal policy issues, evaluating from a Law and Economics perspective which laws and regulation in new and evolving markets are effective and desirable.

The topics addressed in this course include the following:

- The economic rationale for laws and regulation
- Effects of laws and regulation on market competition
- Network effects in two-sided markets
- The challenges for competition policy, consumer protection and data protection policy of digital platforms and search engine
- Price discrimination and consumer welfare
- The balance between competition and innovation in IP law in digital markets
- Comparing regulatory tools: the example of competition law and IP law

Learning outcomes and qualification goals:

The course aims to provide students with a sound understanding of the economic rationales for laws and regulation, as well as their economic consequences. Students are expected to join a discussion of specific policy issues in new and evolving markets, applying these economic insights. At the end of the course, students will be able to critically evaluate legal policy issues from a Law and Economics perspective.

Examtype:

Instructor(s): Miriam Buiten

Private International Law				
Course suitable for: Bachelor, Master	Semester: SS	Language: English	Hours per Week: 2	ECTS: 6
<p>Course description:</p> <p>Dealing with contract drafting and disputes in the context of international business transactions involves the potential applicability of domestic laws of more than one State. This lecture provides an introduction into the relevant issues of conflict of laws in cases with a foreign element, with a particular focus on the fields of contracts, corporations and torts.</p> <p>This course deals with methods and rules to be applied in such “conflict of laws” scenarios (as the topic is referred to by common lawyers) in order to determine which country’s legal system governs the merits of such cases. While rules of “Private International Law” (PIL) have traditionally been mostly rules of national (domestic) law, in the field of business law, two comprehensive EU regulations have been introduced in recent years (the “Rome I” and “Rome II” Regulations), which will be at the core of the present course along with the general doctrines of PIL as codified in the German Introductory Act to the Civil Code. In doing so, reference will also be made to general ideas and principles of Private International Law in other European countries and in the United States. For the time being, questions of property law as well as the law of corporations still underlie the autonomous (national) PIL of the forum state, yet with some impact of EU case law that needs to be considered in the context of free movement of corporations within the EU.</p> <p>As the student is supposed to take the perspective of a German court or of an attorney seeking the issuance of a German judgement, German PIL and its partial modification through EU case law will be discussed in class.</p> <ul style="list-style-type: none"> ▪ General principles of conflict of laws ▪ Private International Law in contracts cases: The Rome I Regulation ▪ The proposal for a Common European Sales Law (CESL) ▪ Private International Law in tort cases: The Rome II Regulation ▪ Private International Law in property matters under selected domestic laws ▪ Law applicable to corporations and free cross-border movement of companies ▪ Private International Law in EU courts and third-country disputes ▪ Brief overview of the jurisdiction of courts over cross-border disputes (in particular the Brussels I Regulation) <p>Learning outcomes and qualification goals:</p> <p>Students having completed the class should not only be able to spot special and general issues such as characterization, connecting factor, preliminary question, independent attachment, adaptation and ordre public but also be equipped with a method of how to approach and how to solve (find the applicable substantive law) on a step by step basis a private international law case from the perspective of a judge or an attorney.</p> <p>Examtype: Oral examination</p> <p>Instructor(s):</p>				

Reading Seminar: Is International Law International?

Course suitable
for:
Master

Semester:
SS

Language:
English

Hours per Week:
2

ECTS:
8

Course description:

What is essentially 'international' about international law? Is it justified to perceive contemporary international law as truly universal? Are current international law debates really global in nature? Beyond that, what has been the overall impact of Western and/or European legal thought on the development of the modern international legal order and how has it shaped our understanding of international law in the 21st century?

These are only some of the questions that will be addressed in the context of the present reading seminar. Based on Anthea Robert's seminal monograph 'Is International Law International' (OUP, 2017), single sessions will deal with notions such as the role of international legal scholars and their academic background(s), the relevance (and impact) of international law textbooks for the purpose of academic education as well as general patterns of difference and dominance in international legal discourse(s).

The seminar is designed as an old-fashioned 'reading class' – this means: you will have to read quite a bit (at least 50 pages for each session). Classes will be held bi-weekly, which means that seminar sessions are taking place every second week while the time in between should be dedicated to reading single chapters and preparing the sessions. For your information: including appendices, the book consists of c. 400 pages! Please be advised: this is not a beginner's course; (basic) knowledge in general international law is indispensable. Please also note: there will be no in-depth recapitulation of core legal principles, legal terms of art, international law theories, etc. during classes.

Moreover, you are required to purchase the book at the beginning of the seminar series (this means after the first session took place and you have decided that you will participate in the seminar). While it is not possible to provide students with individual copies, we will try to arrange for preferential prices with Oxford University Press.

If you want to engage in some additional reading (which is not mandatory), you may refer to one of the following textbooks:

- Cassese, Antonio (ed.), 'Realizing Utopia: The Future of International Law' (Oxford, Oxford University Press, 2012)
- Crawford, James and Ian Brownlie, 'Brownlie's Principles of Public International Law' (Oxford, Oxford University Press, 2012)
- Hall, Stephen, 'Principles of International Law' (Hong Kong, LexisNexis, 2014)
- Kaczorowska, Alina, 'Public International Law' (London, Routledge, 2010)
- Lowe, Vaughan, 'International Law' (Oxford, Oxford University Press, 2007)
- Shaw, Malcolm, 'International Law' (Cambridge, Cambridge University Press, 2017)
- Tourme-Jouannet, Emmanuelle, 'The Liberal-Welfarist Law of Nations: A History of International Law' (Cambridge, Cambridge University Press, 2012)

Further required readings as well as additional material will be provided electronically.

Mode of assessment for this course is a research paper based on the topics dealt with in the context of the seminar.

Since this is a reading class, active oral participation is strongly expected.

Examtype:

Instructor(s): Raphael Oidtmann

Simulating the United Nations Security Council

Course suitable
for:
Bachelor, Master

Semester:
SS

Language:
English

Hours per Week:

ECTS:
8

Course description:

Have you ever wondered how the United Nations Security Council arrives at its (sometimes controversial) decisions? Are you interested in how decision-making procedures within the Security Council function and what role the five permanent members play in this context?

These as well as other questions will be at the core of the present seminar, which is designed as a policy simulation and consists of two phases: in a first step, students are designated the role of Security Council members (e.g. single states or other actors such as the UN Secretary General), which they will later represent in the context of the simulation (roles are distributed in the first session). While you will have to complete the research required for fulfilling your role mostly off-class, there will be at least two on-site sessions at which you can ask questions and further prepare for your role. It may be the case that you end up representing states and policies that do not reflect your personal opinion!

The second phase will then comprise a full day of simulating the work of the Security Council, based on a real UNSC Resolution (the text of which will be circulated in due course). This means: you will participate not in your capacity as a student, but as an "official" state representative (and it is strongly expected to stay in that role throughout the day!).

Further required readings as well as additional material will be provided electronically. Mode of assessment for this course is a brief report based on the experiences made within the context of the simulation. Since this is a policy simulation, active oral participation is indispensable.

Examtype:

Instructor(s): Raphael Oidtmann

Adelaide Guest Lecture: International Insolvency Law				
Course suitable for: Bachelor, Master	Semester: FS	Language: English	Hours per Week:	ECTS: 8
<p>Course description:</p> <p>This course provides an introduction to gaining an understanding of international insolvency law using both the comparative law approach in exploring insolvency law in a number of selected countries representing a variety of different legal and socio-political traditions (including Germany) and the approach of exploring the international aspects of insolvency law (in particular where assets, business interests and/or creditors of an insolvent enterprise are located in two or more jurisdictions).</p> <p>The emphasis will be mainly on corporate enterprise insolvency, paying special regard to the differing jurisprudence to the subject of business rescue and rehabilitation, as an alternative to liquidation, and upon the use of insolvency procedures as an instrument of social and commercial policy. However, one session will be dedicated to personal insolvency in an international context.</p> <p>The course considers recent regional transnational insolvency rules and efforts at international regulation such as the UNCITRAL Model Law and the European Union Regulation on Insolvency Proceedings. It will consider the application of recent decisions in cross-border insolvency in Australia and elsewhere.</p> <p>Literatur:</p> <ul style="list-style-type: none"> ▪ Westbrook, Booth, Paulus and Rajak, A Global View of Business Insolvency Systems (World Bank Washington, 2010) ▪ Omar, International Insolvency Law Themes and Perspectives, Ashgate, 2008) ▪ Milman, Governance of Distressed Firms, (Elgar, 2013) <p>Examtype: Oral Exam</p> <p>Instructor(s):</p>				

Common Foreign and Security Policy of the EU (CFSP)

Course suitable
for:
Bachelor, Master

Semester:
FS

Language:
English

Hours per Week:
2

ECTS:
8

Course description:

This course will provide students with an introduction to the history, decision-making process, institutions, instruments and challenges facing the CFSP and CSDP. Students will be given an overview of the history and evolution of European foreign policy and defense policy cooperation since the 1950s, including the institutional setup of CFSP and CSDP from Maastricht to Lisbon. Special attention will be given to the strengthening of CFSP and CSDP since the Treaty of Lisbon.

The course aims at defining the scope and limitations of the CFSP and CSDP in the context of the changing security threats and challenges and changing transatlantic relations.

This course will provide students with an introduction to the history, decision-making process, institutions, instruments and challenges facing the Common Foreign and Security Policy (hereafter CFSP) and the Common Security and Defense Policy (hereafter CSDP). Students will be given an overview of the history and evolution of European foreign policy and defense policy cooperation since the 1950s, including the institutional setup of CFSP and CSDP from Maastricht to Lisbon. Special attention will be given to the strengthening of CFSP and CSDP since the Treaty of Lisbon and the challenges facing the future development of CFSP and CSDP.

Upon completion of this course, the students will have acquired insight into the development and functioning of CFSP and CSDP and the major challenges facing this specific policy area. Moreover, students will be able to reflect critically their own thinking about European (and national) foreign security and defence policy from a legal perspective.

Next to the result of the final written exam, active participation (e.g. discussions, presentations, group assignments) during the course will also contribute to the overall grade.

Prior knowledge of EU law is recommended.

Literatur:

- Keukeleire, S. and Delreux, T. (2013), The Foreign Policy of the European Union (Basingstoke: Palgrave)
- Howorth, J. (2014), Security and Defence Policy in the European Union (Basingstoke: Palgrave Macmillan)
- Merlingen, M. (2011), EU Security Policy: What It Is, How It Works, Why It Matters (Lynne Rienner Publishers Inc)

Examtype: Next to the result of the final written exam, active participation (e.g. discussions, presentations, group assignments) during the course will also contribute to the overall grade.

Instructor(s): Meta Geisbüsch

Comparative Law I: European Legal Traditions

Course suitable
for:
Master

Semester:
FS

Language:
English

Hours per Week:
2

ECTS:
6

Course description:

This class makes the nature of Comparative Law as well as its functions and aims accessible to students from different legal backgrounds. As studying even one legal system fully is difficult and time-consuming, the course must necessarily take a selective approach to comparative law and to the multitude of legal systems in the world. The class Comparative Law I therefore will focus on European Legal Traditions, whose similarities and differences are an important driver of European harmonization. Matching the overall aim of this module the course will focus on private law and business law aspects of comparative law.

The course has three main components. The first part will cover the origins and utility of comparative law, its aims, tools and methods. This part will particularly focus on the legal orders, which the participants of the class are most familiar with.

The main second part of the course will look at common features of generally accepted concepts of both contract law and of building bricks necessary for any business law, such as division of work, liability, tort law and insurance. The different possible solutions for these problems, which appear in different forms in many jurisdictions, will be presented, followed by an analysis of how they are governed by legal orders belonging to different legal families. Lines of influence and hybrids will similarly be covered.

Furthermore, the course will give comparative legal insights to laws in transition as well as legal transplants. Whereas former socialist European countries may serve as an example for the first, the adoption of economic concepts in contract law (such as merchandising and franchising from the US in Europe and the respective related problems of integration into European Union law) are paradigmatic for the second. The third part of the course will cover a comparison of legal education and profession (e.g. role of the judiciary), a critical matter for proper delivery of legal services to foreign clients and working effectively with international law partners.

- Aims and methods of comparative law research
- Principle of equality of all legal orders
- Grouping of legal families according to historic origin or structure
- Basic concepts of contract law: party autonomy, formation of contract, performance
- Basic concepts of business law: division of work, liability, tort law, insurance
- Hybrids and legal transplants

Learning outcomes and qualification goals:

The course Comparative Law deals with nature, technique and purpose of legal comparison both from a theoretical and from a practical point of view. Further it aims at introducing students to fundamental concepts of the European Legal families, which more often than not serve as model for European harmonization. The insight will provide students with the necessary analytical background allowing them to carry out comparative legal analysis in their respective further fields of studies.

Examtype: Written examination

Instructor(s): Oliver Brand

Cross Border Litigation & Arbitration

Course suitable
for:
Master

Semester:
FS

Language:
English

Hours per Week:
2

ECTS:
6

Course description:

Parties to international disputes tend to strive for litigation in their home countries. This is primarily attributable to the parties' and their representatives' familiarity with the system and language. This tendency can even be observed in cases where an informed choice would prove a foreign venue to be more favourable, be it for procedural reasons (e.g. evidence, costs of litigation) or matters of substance (applicable law, ordre public, mandatory rules of the forum, scope of private autonomy).

The opposite effect can be observed with regard to arbitration. Arbitration often is chosen by parties in the belief that it is a superior means of dispute resolution, e.g. because it is said to be time- and cost-efficient, neutral, arbitrators ensure high legal quality and superior understanding of business contexts. In fact arbitration can be a very reasonable means of solving legal disputes. But whether state courts must be shy of the comparison will depend on the arbitration rules and venue chosen and the subject matter or the dispute.

The course consists of two parts: The first focuses on cross border litigation before state courts, the second will provide an overview on arbitration law.

- Introduction: Impact of the forum on the dispute (lex fori and lex causae)
- International Jurisdiction of state courts (Brussels I Regulation)
- Provisional measures and procedural strategy
- Access to evidence in cross-border litigation
- Recognition and enforcement of foreign judgments (Brussels I Regulation)
- Advantages and Disadvantages of Arbitration
- Drafting arbitration agreements
- Introduction of common arbitration rules (ICC, LCIA, Swiss Rules, DIS)
- Conduct of arbitration proceedings
- Enforcing arbitration awards and the New York Convention

Examtype: Written examination

Instructor(s): Lea Tochtermann

E-Commerce & Internet				
Course suitable for: Master	Semester: FS	Language: English	Hours per Week: 2	ECTS: 8
<p><u>Course description:</u></p> <p>The course gives a thorough introduction to the legal problems, which may occur in the course of the use of the internet in general and e-commerce in particular. It is focused on the view of business related activities. Based on an introduction to the infrastructure of the internet the course will analyse the major legal issues of five economically relevant sections :</p> <ul style="list-style-type: none"> ▪ E-Commerce & Private Law ▪ Advertising for e-commerce ▪ Online shops and copyright law ▪ Domains ▪ Cross border e-commerce <p>The chapter on E-Commerce & Private Law will inter alia cover formation of contract, standard terms and conditions, consumer protection and specific problems connected to internet auctions and mobile commerce.</p> <p>Advertising for e-commerce will take a look at rules of unfair competition, required imprint information, the ban on spamming, specific requirements for sales of pharmaceutical products via the internet and, of course, on ad-words. Further the liability under tele media law, for hyperlinks, hotspot operators and for user generated content will be an important issue.</p> <p>The section on copyright law and online shops will focus on copyright restrictions for the presentation of content (including file sharing and streaming) and will take a look on the protection of content and websites. The section on domains will explain the domain name system and its implications on trademark law and unfair competition law. It will also look at the possibilities to protect a domain as trademark. Finally and the legal consequences of infringement will be covered.</p> <p>The students are instructed to apply their knowledge of structures and rules to the field of e-commerce. They will be acquainted with the general legal rules and regulations for e-commerce. Most important they will learn how the general rules have to be adapted to suit this virtual environment. Leading cases will be discussed and demonstrate how the courts have adjusted the legal regime, overcome some uncertainties and filled the gaps. Students shall be enabled to audit the requirements for e-commerce projects and to solve legal problems which have resulted in the course of e-business. The class will learn argumentation and procedural strategies of legal challenge and defense in e-commerce cases. Students are invited to draft general terms of business, website imprints and cancellation policies in study groups.</p>				
<u>Examtype:</u> Written examination				
<u>Instructor(s):</u> Markus Köhler				

Energy Law and Policy				
Course suitable for: Bachelor, Master	Semester: FS	Language: English	Hours per Week: 2	ECTS: 8
<p><u>Course description:</u></p> <p>This course will provide students with the knowledge of the technological and regulatory framework applying to energy markets. It will address the relevant issues of governance and liberalization of particular markets such as electricity and gas. Furthermore, the institutional legal framework will be explored, with the main focus on the European Union and the internal energy market it seeks to create.</p> <p>After presenting the regulatory framework and energy policy developments on the international and the EU level, the course will focus on competition rules, international trade in energy and energy subsidies. The following part of the course will examine how policy incentives for climate change mitigation affect the energy sector, with the EU often used as a case example. It will cover the current developments in Climate Change Law, legal and policy matters associated with the renewable energy sector, and the role of exemplary international organizations in the creation of more sustainable energy policies.</p> <p>The course will be conducted through lectures, discussions and seminars. Next to the results of the final written exam also the seminar presentation will contribute to the overall grade for this course.</p>				
<p><u>Examtype:</u> Next to the results of the final written exam also the seminar presentation will contribute to the overall grade for this course.</p>				
<p><u>Instructor(s):</u> Marija Turkovic</p>				

English Contract Law				
Course suitable for: Master	Semester: FS	Language: English	Hours per Week: 2	ECTS: 8
<p>Course description:</p> <p>As its title suggests, this course takes students on a tour of English contract law. This tour cannot visit every destination on the map, but it will provide students with a comprehensive overview of the most frequently used governing law for international commercial contracts. Moreover, its structure is used through the Anglo-American law world, meaning that an understanding of it gives you an understanding of contract law in some of the world's most economically important jurisdictions, such as the United States and India. These are insufficient reasons to join the tour, which begs the question: why should students join? The real reason is the practical value that this course offers. In the moot court, which forms part of the assessment, students will have to apply their knowledge of English contract law to construct their arguments. This gives them the chance not only to develop their reasoning skills, but their oral and written presentation skills. To round it off, the students' judge for this moot court will be a part-time High Court Judge and leading Queen's Counsel practising in London.</p> <p>Learning Outcomes of 'English Contract Law'</p> <ul style="list-style-type: none"> ▪ Profound knowledge of the content and structure of English contract law ▪ Ability to apply that knowledge to construct arguments to resolve legal disputes involving contracts <p>Summary of Course Content</p> <ul style="list-style-type: none"> - Part 1: Foundations of English Contract Law - Part 2: Formation - Part 3: Contractual Parties - Part 4: Content - Part 5: Breach - Part 6: Defences - Part 7: Remedies <p>Examtype: addition to three online quizzes, the assessment will consist of participation in a moot court. Students will be divided into teams of 3 – 4 and will argue a case from the perspective of either the claimant or respondent.</p> <p>Instructor(s): Martin Jarrett</p>				

EU Fundamental Rights				
Course suitable for: Bachelor, Master	Semester: FS	Language: English	Hours per Week: 2	ECTS: 8
<p>Course description:</p> <p>The European Union (EU) possesses strong regulatory powers that deeply affect individuals within the EU Member States. Despite this, it was not until the late 1960s that the European Court of Justice started “taking rights seriously”, by acknowledging fundamental rights as general principles of the then European Economic Community law. Since then the EU institutions’ concern for fundamental rights has grown dramatically and culminated in the entry into force of the Charter of Fundamental Rights of the EU in 2009.</p> <p>The course aims to provide a comprehensive overview of the sources of fundamental rights and the mechanisms for their protection in the EU legal order. After a brief historical introduction, it will focus on the instruments in EU law that ensure the protection of fundamental rights and that provide redress for their violation by both European and domestic authorities. Particular attention will be devoted to the complex interplay between the three main sources of fundamental rights protection in Europe (namely, national constitutions, the European Convention of Human Rights and the Charter of Fundamental Rights of the EU) and their respective courts.</p> <p>Classes include both traditional lectures and the presentation and discussion of judgments and texts assigned in advance. Students will be encouraged to actively take part in the course and to contribute to a lively and thought-provoking atmosphere.</p> <ul style="list-style-type: none"> ▪ Historical development of the protection of fundamental rights in the EU ▪ The role of the European Court of Justice and its interaction with national courts ▪ The Charter of Fundamental Rights of the EU ▪ The EU and the European Convention on Human Rights ▪ EU fundamental rights and national fundamental rights ▪ Current issues in fundamental rights protection in Europe 				
Examtype: Written examination				
Instructor(s):				

European Competition Law				
Course suitable for: Master	Semester: FS	Language: English	Hours per Week: 2	ECTS: 6
<p>Course description:</p> <p>Over the past 40 years, the rules on Competition Law (Antitrust) in the EU have developed into a substantial body of law. They constitute directly applicable rules for enterprises, and as such they are of immediate concern to them. Contracts in violation of the rules are unenforceable and huge fines are imposed in case of infringements while parties that suffered damages may litigate before a national civil court.</p> <p>This course offers an introduction to main areas of EU competition law illustrated by practical examples which in part reflect the lecturer's own experience as an eminent German antitrust practitioner. Core elements of EU competition law treated include the concepts of horizontal and vertical restraints of competition, the importance of market definitions and the various techniques used therefore, the role of market power for Articles 101 and 102 TFEU (and implementing regulations and guidelines) and the basic outlines of merger control (articles 107-109 TFEU).</p> <p>It is the aim of the course to provide the participants with a solid basis for the practice of competition law. The course will cover the main features of the EU rules both from a substantive and a procedural perspective, including government induced distortions of competition, the relationship between EU and national competition law, the economic principles and procedures concerning merger control, and the rules on state aid.</p> <ul style="list-style-type: none"> ▪ The fight against cartels ▪ Abuse of dominance ▪ Investigating and sanctioning cartels ▪ Merger control <p>Students will be required to understand the specific economic approach to the application of competition law favoured by the EU Commission. They will become familiar with original decisions by the EU Commission and the European Courts dealing with competition aspects. The course aims to allow a basic understanding of how competition law affects business decisions. The students will be required to draw comparisons between the system of EU competition law and their own national competition law. To the extent possible the students will be invited to contribute skills developed in neighbouring subjects such as economics and institutional law of the European communities.</p>				
Examtype: Written examination				
Instructor(s): Albrecht Bach				

European Infrastructure Law				
Course suitable for: Master	Semester: FS	Language: English	Hours per Week:	ECTS: 3
<p>Course description:</p> <p>The objective of the course is to impart a basic understanding of infrastructure regulation under European Law as well as to provide a deeper insight into the characteristics of the sectors energy, telecommunications and media. In this context, the course aims to create awareness for the relevant issues that imply the need for regulation.</p> <p>The course imparts as a first step basic ideas and structures of European Infrastructure Law (inter alia common objectives of regulation, economic foundations, overview of the European legal framework) in order to provide a basis of understanding. As a second step, it takes a closer look at sector specific regulation involving e.g. the energy sector, the telecommunications sector and the media sector. With regard to the telecommunications sector the course addresses in particular market, access and price regulation as well as current issues such as the aim of a Digital Agenda for Europe. The consideration of the energy sector covers the EU energy policy including the goal of climate protection and discusses institutional power structures as well as legal issues of network access, network charges and unbundling. The characteristics of the media sector to be addressed include the differentiation between media types with regard to regulation in the light of convergence of media due to digitalisation.</p> <p>The course discusses the media related legislation and jurisdiction in particular under consideration of the field of tension between media as economic asset and cultural asset.</p>				
Examtype:				
Instructor(s): Ralf Müller-Terpitz				

European Legal Thinking: Meet Savigny & his Peers

Course suitable
for:
Bachelor, Master

Semester:
SS

Language:
English

Hours per Week:
2

ECTS:
6

Course description:

Continental European law strongly relies on written legal sources such as codes. Thus, theoretically, legal scholars from European nation states have similar approaches to handling the written sources when working on a concrete legal case. Still, the respective national legal tradition a lawyer first was trained in strongly influences the way she/he will interpret and apply the law to the facts of a case. To a significant extent this phenomenon can be attributed to different schools of legal thinking, which have found their way into the national codes and academic traditions. They lie between the lines of the respective sources and are often influencing unnoticed the reasoning adopted. In order to understand these approaches of both lawmakers and lawyers it is very helpful to acquaint oneself with the thinking of those persons, which have had long-lasting influence on the formation of national law & legal thinking.

In order to grasp the context of the works of Europe's – and Germany's – keenest legal thinkers we have to go back to the roots and acquaint us with the more than two thousand year old tradition of ancient Roman law. Already a glance at the titles of the main works of Carl Friedrich von Savigny (1779-1861) *History of Roman law in the Middle Age* (1815-31) and *The System of today's Roman Law* (1840-49) displays the everlasting impact on European legal tradition. Accordingly, also the course will follow a timeline, which starts in the age of classic Roman law and antique elocution – a powerful means of rhetoric –, then covers the renaissance of jurisprudence in the High Middle Ages and Early Modern Era and finishes with the capstone of this private law tradition, namely Bernhard Windscheid's '*Lehrbuch des Pandektenrechts*', which heavily influenced the German Civil Code. The selection of legal thinkers is either motivated by the outstanding quality of their works (cf. Cicero, Papinian, Accursius und Savigny) or their paramount influence on our understanding of law (cf. Svarez and Rabel) or a combination of both.

- The Roman Foundations of Law: Cicero, Papinian and Tribonian
- The Renaissance of Roman Law in the Middle ages: Accursius, Baldus and Zasius
- The foundations of the common law: Edward Coke
- The labyrinth of creditors: Salgado de Somoza
- Legal concepts of the age of enlightenment: Thomasius
- Early codification: Carl Gottlieb Svarez
- The pandectist tradition: Friedrich von Savigny
- The 'Interessensjurisprudenz': Rudolf von Jhering
- The foundations of the German Civil Code: Bernhard Windscheid
- From comparative to a uniform sales law: Ernst Rabel
- Current private law methodology: Karl Larenz and Claus Canaris

Literature:

- Peter Stein: Roman Law in European History, Cambridge University Press, UK, 1999 (translated from: Peter Stein, *Römisches Recht und Europa*, Fischer Verlag, Frankfurt a.M., Deutschland, 1996)
- Raymond Wacks, *Understanding Jurisprudence: An Introduction to Legal Theory*, Oxford University Press, USA, 3rd edition 2012

Eventually, further reading will be provided via ILIAS (Mannheim Online Ressources)

Examtype: Written examination

Instructor(s):

European Market Freedoms				
Course suitable for: Master	Semester: FS	Language: English	Hours per Week: 2	ECTS: 6
<p>Course description:</p> <p>All private persons or companies upon entering one of the EU Member States not only come under this single State's national legal order. They are immediately affected by "European Law", the law of the European Union granting them certain rights and privileges but also requiring them to comply with certain duties and obligations.</p> <p>The internal market is one of the essential cornerstones of the European Union. The Market Freedoms lie at its heart. The free movement of goods, persons, services and capital is essential for unifying the markets while ensuring competition and trade within Europe. The freedoms grant direct effective rights to private persons and legal persons, which can be enforced before national courts, and guarantee the freedom of contract in a transnational perspective.</p> <p>The course will focus on a systematic survey of the market freedoms by the means of studying the jurisdiction of the European Court of Justice.</p> <ul style="list-style-type: none"> ▪ General concept of the market freedoms ▪ Development and aim of market freedoms ▪ Leading cases of the European Court of Justice ▪ Function of market freedom fostering integration ▪ Further development of market freedoms ▪ Impact of market freedoms (compliance) <p>This course is intended to give the students a thorough grounding in the substantive provisions on the internal market, i.e. on the 'four freedoms' as well as on their link to competition law. Participants will improve their ability to read and understand the Court's decisions. The course also aims at training students to discuss cases critically and to enhance their skills of dealing with new and as yet unknown problems of substantive European Community law by applying the generally acknowledged methods of interpretation.</p>				
Examtype: Written examination				
Instructor(s): Jens-Uwe Franck				

European Tax Law				
Course suitable for: Master	Semester: FS	Language: English	Hours per Week: 2	ECTS: 8
<p>Course description:</p> <p>European Union Law has an increasing impact on the taxation of private individuals as well as of companies doing business in Europe. While the European Union has no original tax authority its law has a major influence on national tax laws.</p> <p>The course will start with an introduction into European Union Tax Law, the aims and measures so far taken by European institutions. After that the course will cover the positive harmonization of indirect taxes mainly by European directives. In a third part the course will focus on secondary law harmonizing direct taxes in Europe, e.g. the Parent-Subsidiary Directive. In a last section the course deals with the importance of the fundamental freedoms for the taxation in Europe. A special focus will be put on the case law of the European Court of Justice.</p> <ul style="list-style-type: none"> ▪ Basic principles of European Law ▪ Harmonization of indirect and direct taxes by primary and secondary law ▪ Fundamental freedoms referring to taxation in Europe ▪ Important case law 				
Examtype:				
Instructor(s): Thomas Fetzner				

Forensic Psychology in Legal Contexts				
Course suitable for: Bachelor, Master	Semester: SS	Language: English	Hours per Week: 2	ECTS: 8
<p>Course description:</p> <p>The growth of forensic psychology as a science in the recent decades represents an evolution in profiling and crime detection. Understanding the causes and characteristics of deviant actions – commonly known as abnormal behavior – is crucial in determining diagnoses, planning intervention strategies and answering forensic referral questions.</p> <p>In this course, students will acquire a broad understanding of psychopathologies related to crime. They are provided with an extensive overview of the main topics, such as criminal profiling, psychology in the criminal courts, the links to legal systems and related topics. Furthermore criminal behavior will be examined and challenges in the field will be discussed.</p> <p>Moreover, special issues such as cybercrime, family violence, victimology, and police psychology will be covered.</p> <p>The course is law oriented, which means the roles that forensic psychology professional could have in the court system will be explored and basic psychology knowledge will be delivered.</p> <p>Literature:</p> <ul style="list-style-type: none"> ▪ Dennis Howitt - Introduction to Forensic and Criminal Psychology, 2018, 6th Edition ▪ Sandie Taylor - Forensic Psychology: The basis, 2015 <p>The course will be a block lecture but conceptualized as a seminar including group work and student presentations. Many case studies will be examined and a lot of media (videos/podcasts) will be used.</p> <p>Examtype: essay paper</p> <p>The final grade will be based on active participation in class, the presentation and the final paper that students have to submit.</p> <p>Instructor(s): Elisa Berdica</p>				

International Investment Law				
Course suitable for: Bachelor, Master	Semester: FS	Language: English	Hours per Week: 2	ECTS: 8
<p>Course description: Destroying 'Marlboro' for Public Health</p> <p>The tobacco giant Philip Morris owns some of the world's most recognisable trade marks, from the ubiquitous 'Marlboro red' to the 'Marlboro man'. These trademarks draw consumers to Philip Morris' products, but many governments argue that they also draw these same consumers to premature deaths. In an effort to avoid these outcomes, governments have begun to restrict the use of tobacco related trademarks, which in turn has hurt the value of tobacco companies. Should governments be able to avoid paying compensatory damages to private companies in the name of promoting public health? The answer to this question, and others like it, is found in international investment law.</p> <p>Purpose of International Investment Law International investment law is an area of law dealing with the regulation of one of the most topical global issues: foreign investment. Specifically, it contains the rules on how states may treat foreign investments within their territories. Those rules are principally concerned with identifying when a state action causes a devaluation or deprivation of a foreign investment, and then evaluating whether the state or the foreign investor should bear the cost of such devaluation or deprivation. Aside from its currency in global affairs, three other reasons make International Investment Law an interesting and professionally valuable course to study.</p> <p>Relevance of International Investment Law First, it is intellectually stimulating because it straddles two legal tectonic plates: private rights and public obligations. Fairly resolving this friction is one of the great challenges of international investment law'. Second, it is a genuinely international body of law. As such, the knowledge gained from 'International Investment Law' can be used in any jurisdiction. Third, over the past 20 years, the number of foreign investment disputes has rapidly and consistently grown. With the expected continued growth of foreign investment disputes, the demand for jurists with knowledge of this area of law will increase.</p> <p>Summary of Course Content - Part 1: Foundations of International Investment Law - Part 2: The Legal Framework Applicable to Investment Disputes - Part 3: Jurisdiction of the Arbitral Tribunal - Part 4: Admissibility of Claims - Part 5: Liability</p> <p>Examtype: The assessment will take the form of participation in a moot court. To this end, students will be expected to write up skeleton arguments and take part in the oral hearings. Additionally, there are three online quizzes to be completed during class.</p> <p>Instructor(s): Martin Jarrett</p>				

International Law and International Relations				
Course suitable for: Bachelor, Master	Semester: FS	Language: English	Hours per Week: 2	ECTS: 8
<p>Course description:</p> <p>What is the character of international legal rules? Do they matter in international politics, and if so, to what extent? How effective can they actually be? What should we expect from international law in shaping international relations? This seminar will provide introductory knowledge of the foundational principles and sources of public international law as well as a brief review of the most prominent IR-theories. Besides exploring how these theories address the role of IL in international politics, it will also consider a set of practical problems, in which international law and international relations intersect most dramatically, such as intervention and the use of force, the protection of human rights, or the fabric and enforcement of international criminal law. Further topics to be covered in the context of the lecture will also include notions such as international trade as well as questions related to international climate policy.</p> <p>Sessions will take place on a weekly basis and consist of both lecture and discussion parts. Within the discussion part, current developments such as inter alia as inter alia contemporary UNSC resolutions may be analysed more closely.</p> <p>Introductory Reading (optional):</p> <ul style="list-style-type: none"> • Armstrong, David, Theo Farrell & Hélène Lambert (2012): 'International Law and International Relations', Cambridge: CUP • Cali, Basak (2010): 'International Law for International Relations', Oxford: OUP • Dunoff, Jeffrey L. & Mark A. Pollack (2013): 'Interdisciplinary Perspectives on International Law and International Relations', Cambridge, CUP • Simmons, Beth & Richard H. Steinberg (eds.) (2007): 'International Law and International Relations: An International Organization Reader', Cambridge: CUP <p>Required reading materials as well as additional sources will be provided electronically.</p> <p>Mode of assessment for this course will be a research paper. In addition, oral participation will contribute to the final grade awarded for this course.</p> <p>Course open for both Bachelor and Master Law students and recommended for Bachelor and Master Political Science students</p>				
Examtype:				
Instructor(s): Raphael Oidtmann				

International Relations Law of the European Union

Course suitable
for:
Bachelor, Master

Semester:
FS

Language:
English

Hours per Week:
2

ECTS:
8

Course description:

The course aims at familiarizing students with the objectives and role of the EU institutions and its Member States in their external relations, also with the practice and case law from the European Court of Justice (ECJ) and academic literature in this field.

Throughout the course there will be a focus on:

- Treaty foundations for external relations and external policies
- International foundations: life cycle of an international agreement and the EU's membership in international organizations
- Common Commercial Policy: legal scope, judicial review of measures, relation with the World Trade Organization
- Common Foreign and Security Policy
- Energy policy
- Sanctions Policy
- Non-EU perspectives on the European integration and its international cooperation

Students shall acquire necessary knowledge on the legal foundations of the EU's foreign policy and its practical implications, on conferred competences on the EU to act in an international domain and on its role in creation of international legal order.

The course will be conducted through lectures, discussions, and seminars which will allow students to work in small groups on legal cases from practice. Next to the results of the final written exam, active participation during the lectures and seminars will also contribute to the overall grade for this course.

Required reading materials as well as additional sources will be provided electronically or during the lectures.

Examtype: Next to the results of the final written exam, active participation during the lectures and seminars will also contribute to the overall grade for this course.

Instructor(s): Marija Turkovic

Introduction to German Private Law				
Course suitable for: Bachelor, Master	Semester: FS	Language: English	Hours per Week: 2	ECTS: 10
<p>Course description:</p> <p>The course is designed to give a comprehensive survey of German private law, i.e. general rules of private law, commercial law, and civil procedure.</p> <p>An important structural decision of German private law (sic!) is already displayed by the fact that the Civil Code is the 'law book for citizens' - today including consumers - whereas particular rules for businesses are comprised in the commercial code, corporate law, and various other codifications.</p> <p>However, both general private law, and commercial law are enforced by the same rules of civil procedure. The German Civil Code is of paramount importance for understanding German law as its concept and system has impressed the legal thinking of generations of German lawyers. Students will be acquainted with both its sources, and its general principles. In the course of the class students will learn to work with the German civil code, understand the underlying system, influences on the Civil Code from the European Union (EU), and the accepted methods of interpretation.</p> <ul style="list-style-type: none"> ▪ Introduction to German Private Law ▪ The division between public law, general private law and commercial law ▪ The German Civil Code ▪ Influence from the EU ▪ Basic concepts and means of interpretation ▪ Function and Content of the General Part ▪ Law of obligations (contracts, torts, and unjust enrichment) ▪ Property Law ▪ Law of succession and company law (including partnerships and corporations) ▪ The system of law enforcement <p>Students will be acquainted with the overall structure of German private law and the German Civil Code as its main source. They will acquire the necessary skills to find the respective legal sources, do research on academic writing and case law and analyze whether a specific intended business action appears admissible or may imply legal risks.</p> <p>Students are encouraged to make reference, by way of comparison, to the law of their own country in the class.</p>				
Examtype: Written examination				
Instructor(s):				

Public International Law				
Course suitable for: Master	Semester: FS	Language: English	Hours per Week: 2	ECTS: 8
<p>Course description:</p> <p>This course provides students with an understanding of the system of public international law, regulating relations between actors on the global stage. Topics include: the nature of international law, sources of international law (including treaties, customary international law and general principles of law), participants in the international legal system (including notions of statehood, legal personality and diplomatic protection), territory and acquisition of title, state responsibility, jurisdiction and immunity, the relationship between international and domestic law, international human rights law, the (peacekeeping) operations of the United Nations including the role of the General Assembly, international dispute settlement and the role of the International Court of Justice as well as the law regulating the use of force and, correspondingly, the Security Council.</p> <p>Sessions will take place on a weekly basis and consist of both lecture and discussion parts. Within the discussion part, current developments such as inter alia pending cases before the International Court of Justice and further contemporary topics will be discussed.</p> <p>Introductory Reading (optional):</p> <ul style="list-style-type: none"> ▪ Cassese, Antonio (ed.): 'Realizing Utopia: The Future of International Law' (Oxford, Oxford University Press, 2012) ▪ Crawford, James and Ian Brownlie: 'Brownlie's Principles of Public International Law' (Oxford, Oxford University Press, 2012) ▪ Hall, Stephen: 'Principles of International Law' (Hong Kong, LexisNexis, 2014) ▪ Kaczorowska, Alina: 'Public International Law' (London, Routledge, 2010) ▪ Lowe, Vaughan: 'International Law' (Oxford, Oxford University Press, 2007) ▪ Tourme-Jouannet, Emmanuelle: 'The Liberal-Welfarist Law of Nations: A History of International Law' (Cambridge, Cambridge University Press, 2012) <p>Required reading materials as well as additional sources will be provided electronically.</p> <p>Mode of assessment for this course will be a research paper. In addition, oral participation will contribute to the final grade awarded for this course.</p> <p>Course is open for Bachelor and Master students and recommended for Bachelor and Master Political Science students.</p> <p>Examtype: Mode of assessment for this course will be a research paper. In addition, oral participation will contribute to the final grade awarded for this course.</p> <p>Instructor(s): Raphael Oidtmann</p>				