



Universität Hamburg

Nr. 13 vom 16. Juni 2009

AMTLICHE BEKANNTMACHUNG

Hg.: Die Präsidentin der Universität Hamburg
Referat 31 – Qualität und Recht

Examination regulations for the postgraduate degree programme „Master of European Law” at the China-EU School of Law (CESL)

February 4, 2009

On May 7, 2009, the Steering Committee (Präsidium) of the University of Hamburg approved, in accordance with § 108 Paragraph 1 of the Hamburg Higher Education Laws (HmbHG), the Examination Regulations for the postgraduate degree programme „Master of European Law” passed by the Faculty of Law on February 4, 2009 in accordance with § 91 Paragraph 2 Number 1 HmbHG from July 18, 2001 (HmbGVBl. p. 171) in the version of October 7, 2008 (HmbGVBl. p. 361).

§ 1

Scope, Academic degree

(1) These examination regulations are effective for the postgraduate degree programme „Master of European Law“ offered by the China-EU School of Law (hereinafter CESL) at the China University of Political Science and Law in Beijing (hereinafter CUPL) and the partner-universities of the CESL-Consortium.

(2) The successful participation in the European Law Master Programme will be certified by the granting of an LL.M master degree, which will be conferred by the University of Hamburg.

§ 2

Objectives of the degree programme

(1) The general purpose of CESL is to support the Government of the People's Republic of China in its efforts to develop a society based on the rule of law and to increase capacity for realising China's governance priorities by aiming at improving the knowledge, skills and performance of the Chinese legal profession, the transition process and the sustainability of legal, social and economic reforms.

(2) The goal of the European Law Master Programme is to enable the students to understand the functions of law in an economically and politically linked world. They therefore will be acquainted with the cultural, historical and theoretical foundations of European and international law. In addition they will be introduced to methods of comparative legal studies that will present them with manifold possibilities for solving legal problems by reverting to principles of other legal systems beyond the respectively applicable law.

§ 3

Execution of the degree programme

(1) The academic realisation of the degree programme is carried out by CESL at CUPL and the CESL-Consortium.

(2) The programme management and organisation is carried out by CESL. The scheduling of the detailed semester programme is the responsibility of CESL administration, using the information provided by the partner universities via the module coordinators. In addition, CESL is responsible for the selection of the candidates as well as a continuous evaluation of courses and teachers, thus guaranteeing for highest quality standards.

(3) The supreme body of governance of CESL shall be the Joint Managerial Committee (hereinafter referred to as the "JMC") which will be composed of 8 members. It shall have decision-making powers with regard to:

- a) Organization of courses and examinations;
- b) Determination of the concrete teaching content within the respective module descriptions;
- c) Decisions on issues regarding appeals;

- d) Development of suggestions on examination regulation modifications;
- e) Formulating educational guidelines, see Art. 6.2 Paragraph 1 CESL - Articles of Association.

(4) Members of the JMC are:

- a) 1 member appointed by UHH (permanent seat),
- b) 1 member appointed by CUPL (permanent seat),
- c) 1 member appointed by Tsinghua University or other Chinese Partner (term: 3 years),
- d) 2 representatives of the European Partners (term: 3 years),
- e) the Chinese and the Foreign Co-Dean,
- f) 1 representative of teachers and administrative staff appointed by CUPL.

(5) The JMC elects 2 Co-Chairpersons, one of Chinese nationality nominated by CUPL and one of a nationality other than Chinese nominated by UHH. The JMC may assign the chairperson with particular tasks.

(6) The term of office for members under Paragraph 4 Point a) and b) is permanent. The term of office for members under Paragraph 4 Points c), d), e) and f) is three years.

(7) The decisions of the JMC shall require a majority of more than fifty per cent of the votes, see Art. 6.3 Articles of Association.

(8) The JMC of the CESL in Beijing appoints two Co-Deans, one of Chinese nationality and one of a nationality other than Chinese. The Co-Deans are in charge of the following matters and take responsibilities jointly to the JMC for the

- a) execution of the decisions of the JMC;
- b) implementation of the development plan;
- c) drafting of work plans, financial budgets, rules and by-laws;
- d) employment and dismissal of the staff and administration of compensation and discipline;
- e) organisation of teaching and scientific research activities and teaching quality;
- f) taking charge of daily administrative work and
- g) any additional matter conferred upon the Co-Deans by the JMC.

(9) The Co-Deans, acting jointly, may empower one of them to act alone in the name and on behalf of CESL in specific cases or for a specific area of expertise, provided however that in case the relevant other Co-Dean withdraws her/his consent to such empowerment the power to act alone shall immediately cease. Any declarations destined to CESL shall in any case be valid if received by one of the Co-Deans.

(10) The co-ordination of the courses combined in one module is the duty of the partner university appointed for this purpose (module coordinator). The basis is the annual work plan as established by the CESL consortium. The module coordinator informs CESL of the teachers available. Decisive for the assortment are the professional qualification and a broad representation of different European legal cultures. If it comes to deviations from the pro-

gramme, CESL looks amicably to the module coordinators for a solution. In any case a smooth course of the programme must be guaranteed. Hence for every module a sufficient teacher capacity will be kept ready.

(11) An advisory committee will (in line with the decisions of the JMC) support CESL in the shaping and developing of the programme.

§ 4 Admissions and examination

The two Co-Deans act as the admissions and examination committee. The admissions and examination committee is responsible for the admission and examination procedures, acting accordingly to the guidelines of the Joint Managerial Committee (JMC).

§ 5 Admission requirements

(1) Persons may be admitted to this degree programme who provide proof of an equivalent of 240 credit points through

- a) a completed degree programme (e.g. a B.A. or another academic grade equivalent to a bachelor degree) with above-average results from an institution of higher education in economics, law, social sciences or humanities and
- b) who have exhibited above-average performance in the area of the degree programme (i.e., practical experience, academic performance, academic activities, publications, etc.) and
- c) who have the English language skills necessary for the programme and examinations. A sufficient level of written and spoken English is to be verified through a score of 213/550 on the TOEFL (computer-based/paper-based) or equivalent. Applicants who speak English as a native language are exempted from this requirement.

(2) The admissions and examination committee decides if an applicant meets all application requirements according to the application for admission.

§ 6 Application for admission

(1) The application for admission is to be submitted by the deadline to the admissions and examination committee.

The following documents are to be enclosed with the application for admission:

- a) Chronological curriculum vitae;
- b) Certified general higher education entrance qualification or leaving certificate of an equivalent secondary school;
- c) Certificate of degree from an institution of higher education;
- d) Documentation of above-average performance in the area of the degree programme;
- e) Certification of the English language skills necessary for the programme and examinations (see § 5 Paragraph 1 Point c);

- f) Letter of Motivation. In this letter, the applicant should express his/her reasons for applying to the degree programme;
- g) Recommendation letters from professors or persons who can provide information on the candidate's prior academic and professional development;
- h) If necessary, additional documentation noting particular suitability or motivation for the degree programme;
- i) Declaration that the applicant can pay degree programme costs set forth in the by-laws for fees;
- j) Signed application form.

(2) Applications for admission that are not submitted by the deadline and/or in the appropriate form and/or missing any of the documents listed in § 6 will not be considered.

§ 7

Selection procedure

(1) The admissions decision will be made by the admissions and examination committee based on the degree of the applicants' suitability and motivation. The following criteria are taken into consideration:

- a) results of the first academic degree,
- b) documented knowledge in the relevant academic areas of the degree programme,
- c) professional experience (i.e., as a company employee, as an intern, as a project collaborator),
- d) Letter of Motivation (written statement on academic and professional goals),

(2) Pre-selected candidates might be invited for interviews to be held at the premises of one of the European project partners or of the CESL. The applicants will be short-listed and the admissions and examination committee will choose, according to the criteria set forth in Paragraph 1 and in accordance with the number of study places available, a number of applicants and admit these to the programme.

(3) Applicants may be conditionally admitted and/or under special stipulations.

§ 8

Content, length and structure of the study programme

- (1) The content of the degree programme encompasses
- a) general knowledge of European and international law,
 - b) theory and practice of comparative legal studies as a method of creation of law,
 - c) knowledge of substance and functions of the rule of law and human rights,
 - d) in-depth knowledge of specific fields of law, especially of European and international law,
 - e) practical skills for independent handling of legal cases,

- f) basic skills for giving legal advice and the legal practice in general,
- g) cross-cultural competence,
- h) subject-specific foreign language skills.

(2) The standard period of study for the degree programme is three consecutive semesters. The students have to achieve 60 credits during the duration of the European Law Master Programme as follows: 39 credits within classes during the first two semesters, 6 credits in the third semester, 15 credits for the LL.M-thesis to be written in the third semester. The credits to be achieved on the completion of modules in the frame of the European Master will be based on the European Credit Transfer System (ECTS).

(3) The programme is preceded by a "Summer School". The basic skills acquired in the "Pre-Term" are required for participating in the modules. The 2-weeks summer school aims to expose the European students enrolled in the Master Programme to an introduction in the following subjects: EU-China relations, Chinese law, Chinese economics, Chinese culture and language. The participants, enrolled in the Master Programme in Beijing, will be invited to attend the programme before moving to Beijing. Accordingly, the programme will be organised in June each year. The methodology of teaching is based on a combination of prior distributed readings and face to face interactive teaching in class. The course will take place in Europe and will be held in English. It is structured on 48 hours of teaching on a total of 60 hours. 12 hours are devoted to weekly reviews and tests, to be administered by a tutor.

(4) The three semesters are held at the CUPL (Beijing).

(5) The programme is divided into compulsory courses and elective courses. Courses are combined into modules. A module forms a factual unit with specific study goals and respective final examinations (module exam). Number, scope and content of the modules and the module requirements are listed in the appendix to the examination regulations. In certain cases, the JMC may, for organizational reasons, modify individual modules.

(6) The compulsory courses are accompanied by tutorials which aim at splitting the classes into smaller learning and working units (25-30 students). This will not only improve the learning conditions but also give the opportunity to open discussions, to strengthen the language and other skills like presentation techniques.

(7) Furthermore, internships will be provided by several partners and associates. They are recommended but voluntary. Under specific conditions which will be defined by CESL the internship could be recognized as an elective course including the respective credits.

(8) The Master Programme is completed with the master thesis.

§ 9 Modules and credit points

(1) Modules are thematically self-contained teaching and study units, generally consisting of several courses related in content to each other. A partial qualification for the qualification objective of the degree programme is imparted in the modules. Generally, a module is completed with an examination (module exam). The workload (course attendance, independent study and examination) for the individual module is accounted for in credit points (CP). One credit point equals a workload of 30 hours. The total volume of the degree programme, including the master's thesis, equals 60 credit points. Earning credit points is conditional upon passing the module exams.

(2) The degree programme consists of the following modules, for which the following number of credit-points (CP) will be rewarded in cases of their successful completion:

First Semester (Only Compulsory Courses)

Module I A: European Legal Traditions (Compulsory Elective)	4 CP
or	
Module I B: Introduction to Chinese Law (Compulsory Elective)	4 CP
Module II: Legal English/Legal Writing	2 CP
Module III: Introduction to Law and Politics of the European Union	4 CP
Module IV: Introduction to Public International Law	4 CP
Module V: EU-Law (Advanced)	6 CP

Second Semester - Compulsory Courses

Module VI: Rule of Law and Human Rights	4 CP
Module VII: Introduction to European Private Law	3 CP
Module VIII: Law of Regulation	3 CP
Module IX: Introduction to WTO law	3 CP

Second Semester - Elective Courses

Module A1: Judicial Procedures and Dispute Resolution	6 CP
Module B1: Public Administration	6 CP
Module C1: International Trade	6 CP
Module D1: Company Law	6 CP
Module E1: Law of special regulated economic sectors	6 CP

Third Semester - Elective courses and Master Thesis

Module A2: Judicial Procedures and Dispute Resolution	6 CP
Module B2: Public Administration	6 CP
Module C2: International Trade	6 CP
Module D2: Company Law	6 CP
Module E2: Law of special regulated economic sectors	6 CP
Master's Thesis	15 CP

Total:	60 CP
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**§ 10
Course types**

- (1) Courses consist in particular of:
- Lectures: for the detailed presentation of a subject area,
 - Exercises: for the immersion and further practice of the lecture material,
 - Seminars: for the independent preparation of knowledge and its mediation;
 - Case studies: for the practical clarification of the acquired knowledge.
 - Tutorials
- (2) Courses are held in English.

**§ 11
Recognition of study periods, academic performance and examinations**

- (1) Study periods, courses, achievements and examinations completed in comparable postgraduate degree programmes at CUPL and other universities or higher education institutions may be recognized if they are considered equivalent, i.e., if they are of the same type, content and scope as the requirements of this degree programme. Conditional recognition is possible.
- (2) The admissions and examination committee decides on recognition according to the conditions listed in Paragraph 1 if a student petitions for such. The student must include the necessary documents for recognition with his/her petition. The petition must be submitted prior to the participation in the Master Programme.

**§ 12
Regulations for disabled or chronically ill students**

- (1) If a student can believably prove that due to a chronic illness or disability he/she is unable to complete (entirely or partially) the examination requirements in the required form or within the examination deadlines stated

in these regulations, the examination committee may extend the time period or the deadlines for taking examinations or approve equivalent examinations in an appropriate form. The same applies for academic performance.

(2) The presentation of appropriate proof may be required as evidence of a chronic illness or disability.

§ 13 Examiners

(1) The appointment of examiners is undertaken by the admissions and examination committee. Lecturers teaching in one or more modules of the Master Programme at CESL are entitled to be chosen as examiners if they have obtained the academic qualification awarded through that exam, or an equivalent qualification. Professors and University Lecturers are entitled to examine in all examinations in their academic discipline. Other members of the scientific staff as well as assistant lecturers are only entitled to become examiners in the material of their lecture at CESL.

(2) Examiners for the module exams are generally the course instructors of the respective module. The admissions and examination committee may make exceptions.

(3) The admissions and examination committee may also appoint examiners who are not members of the partner universities.

§ 14 Module exams

(1) Each module is completed with an examination (module exam). In order to take a module exam, regular participation in the courses for the respective module is required. Regular Participation means not to miss more than 15 % of the courses.

(2) Module exams or module component exams take place on set dates in a form determined by the examiners in accordance with the module description. The module exams are normally held at the end of the respective course. Module requirements for the module exams may be planned in the module description.

(3) A module exam may be held as a complete exam or consist of component exams. The types of exams in the individual modules are set forth in each module description (see Appendix for details). The credit points for a module are earned when the module exam or all components of a module exam are passed with a grade of at least sufficient (D).

(4) The examination can be carried out in the following forms:

a) Oral exam

In an oral exam students should show that they have mastered the examination subject. Oral exams may be held individually or in groups of max. four persons. The length of the exam, depending on the examinee and subject,

should be at least 15 minutes and no longer than 45 minutes. Students may suggest examination topics for oral exams. Oral exams are held by an examiner and an assessor whose qualifications are at least equal to those to be attained through the respective exam. The essential subjects as well as the results of the oral exam are to be recorded in writing. This record is to be signed by the examiner and the assessor and filed with the exam record. Students who wish to take the same examination at a later point in time may be allowed to attend the exam only if the candidate has not petitioned for the exam to be closed to the public. This right does not extend to decisions on and notification of the grade.

b) Written examination

A written examination, completed under supervision, consists of given problems to be treated independently and only with the approved aids/resources. The length of a written exam is at least 60 minutes and no more than 240 minutes. Written exams may also be carried out in multiple choice form.

c) Term paper

A term paper treats a given problem which expands on the material of the respective course.

d) Oral presentation

The oral presentation of a given topic may also require the written preparation of said topic.

The oral presentation lasts at least 15 minutes and no more than 60 minutes.

e) Exercises finals

Exercises require active participation on the part of the students. Written work or other presentation of individual problems treated in the course may be required.

(5) If alternative examination forms are planned for a module, the individual exam form and the scope of the examination for this module will be made public by the beginning of the course by the instructor.

(6) Module exams are to be held in English.

§ 15 Master's thesis

(1) The candidate must write a master's thesis. In this thesis, the ability to conduct independent academic research must be shown.

(2) The topic of the master's thesis should be an independent contribution to the issues of the degree programme. It will be drawn from one of the elective courses taken by the student in the third semester. The successful completion of the thesis within the given timeframe should be made possible. The thesis is to be written in English.

(3) A professor from the corresponding module is appointed as thesis advisor. The advisor assigns the topic of the master's thesis. The candidate may suggest thesis topics. The JMC can decide to appoint further persons to the group of advisors.

(4) The time period for the writing of the master's thesis is 12 weeks at the end of the third semester. The admissions and examination committee may grant a one-time maximum extension of two weeks in exceptional cases. Conditions for an extension are circumstances beyond the candidate's control; these circumstances must be reported immediately. The candidate is to submit the reasons for the extension in writing, including documentation, and, in cases of illness, a doctor's certificate (see § 19 Paragraph 2).

(5) The time period for the thesis begins once the thesis topic has been issued, the time and date of which will be noted in the student's file. Two printed copies of the thesis and one copy in electronic form are to be handed in personally by the deadline to a pre-determined office or sent by mail (postmarked by the deadline). If the thesis is sent by mail, the postmark is considered the date the thesis is handed in. Regarding delivery of the thesis, the burden of proof is on the candidate. The date the thesis is turned in will be noted in the student's file.

(6) If the thesis is not turned in by the deadline due to circumstances beyond the candidate's control, the candidate will be given a new topic; this new topic will not be considered a retake. The new topic is to be assigned immediately or, at the latest, within 4 weeks. If the thesis is not turned in for other reasons, § 19, Paragraph 1 will apply.

(7) The candidate is to enclose a written statement with his/her master's thesis declaring the following:

- a) he/she wrote the thesis independently and did not use any other resources than those named in the bibliography, particularly with regard to internet resources;
- b) the master's thesis has not been used previously as part of an examination;
- c) the master's thesis has not been previously published;
- d) the electronic and print versions are identical.

(8) The student must provide proof of the chosen topic and the acceptance of his/her thesis advisor and the further examiner at least four months prior to the end of the third semester.

§ 16

Grading of the master's thesis

(1) The master's thesis is to be assessed in writing by the advisor and a further examiner from the group of examiners (§ 13). At least one of the examiners must be a member of one partner university.

(2) The assessment and grading of the master's thesis by the first examiner should be completed within ten weeks after receipt of the thesis and by the

second examiner within six weeks after receipt. The grading system applied is in accordance with § 18. The grade of the master's thesis is computed as the mathematical average of the two examiners' grades in consideration of § 18 Paragraph 4. If the master's thesis is only given the grade of "insufficient" (below 60%) by one of the examiners, the chairperson of the admissions and examination committee may assign a third examiner. If the third examiner gives the thesis a grade of at least "sufficient" (69-60%), the thesis' grade will be determined as the mathematical average of all three grades, at least "sufficient" (69-60%). If the third examiner grades the thesis as "insufficient" (below 60%), the thesis will receive a final grade of "insufficient" (below 60%).

(3) 15 credit points are awarded for the completed master's thesis.

§ 17

Retaking examinations, final failure of the master's exam

(1) If an examination for a course is graded „insufficient“ or is considered failed, this exam may be repeated twice. The first retake is held during the current programme as a written follow-up exam whose scope corresponds to the entire examination time planned for the course.

(2) Repeating an exam graded „sufficient“ (69-60%) or better is not permitted. If a module exam consists of several components and one component is graded "insufficient" (below 60%), this component may be repeated or retaken.

(3) A master's thesis graded „insufficient“ (below 60%) may be repeated once within four months following the final decision on the first master's thesis. A second repeat is only permitted in exceptional cases.

(4) The master's examination is definitively failed if an exam (module exam and/or master's thesis) is graded or is considered graded „insufficient“ (below 60%) in the final retake. The admission and examination committee is to inform the candidate of this in writing. If the master's exam is definitively failed, the admission and examination committee issues the student the results of all exams and the reasons for the failing of the master's exam. This document is to include the instructions on the appeal procedure.

§ 18

Grading of exams, grade computation, final grade

(1) The grading of written exams should take place within four weeks of being turned into the examiner. Oral exam grades are to be given to the candidate at the end of the exam.

(2) Grades for individual exams are determined by the individual examiner. The performance of the individual candidate is assessed in the exams. The following system is to be used for the grading of the exams for the modules and the master's thesis:

Grade	Percentage		
A	100-90	Excellent	Outstanding performance
B	89-80	Good	Performance is considerably above average
C	79-70	Satisfactory	Average performance
D	69-60	Sufficient	Despite deficiencies, performance meets the requirements
F	Below 60	Insufficient	Due to considerable deficiencies performance does not meet the requirements

(3) The examination for the Master Programme is passed when all module examinations have been passed with a grade of at least „sufficient“ (69-60%) and the candidate has received a grade of at least „sufficient“ (69-60%) for his/her master's thesis.

(4) A final grade is computed for the master's exam in accordance with Paragraph 2 Sentence 3. It consists of the grades for the module exams (weighted up to 75%) and the grade for the master's thesis (weighted up to 25%).

(5) This grade is to be accompanied by an ECTS grade according to the respective regulations.

§ 19

Absences, withdrawal and breaks/interruptions

(1) An exam is considered graded „insufficient“ (5,0) if the examinee misses an exam or exam deadline without providing an excuse or if he/she backs out of an exam or exam component after it has begun or if he/she does not begin or complete a written exam within the given deadlines.

(2) The reason for the withdrawal or absence, along with any documentation, must be presented to the admissions and examination committee immediately. In case of illness, documentation by a doctor is required including the physical and mental effects the illness has on the examinee, the illness' effects on the examinee's exam-taking ability, the date of the doctor's appointment as well as the doctor's prognosis for the length of the illness. If the reason is recognized by the committee, the next possible examination date will be set. Component exams already completed will be credited. After completing of an exam, reasons for withdrawing are no longer considered valid.

(3) Regulations for the protection and the promotion of working mothers are to be taken upon request according to the national law of the native country of the respective applicant. The same applies for petitions for parental leave.

§ 20

Cheating, breach of regulations

(1) If the student tries to influence the results of his/her exam by cheating or using aids/resources not permitted, the exam will be graded "insufficient" (5,0) or "failed". Mobile telephones or internet, for example, fall into the group of aids not permitted for written and oral exams. The same rule applies for exams from students who provide their exam results to others during the exam procedure.

(2) If an examinee cheats or uses aids/resources not permitted while the exam is being distributed or afterwards as described in Paragraph 1, he/she will not be disqualified from continuing the exam. The exam proctor will write a report about the incident which he/she will then present immediately to the chairperson of the examination committee. The examinee is to be informed immediately of the allegations against him/her. A decision about such an incident is made by the chairing member of the admissions and examination committee. The examinee is to be given an opportunity to make a statement on his/her own behalf.

(3) If an examinee cheats on an exam and this fact comes to light after the exam has been completed, the grade may, in accordance with Paragraph 1, be changed and the master's exam, if necessary, declared as "failed". The incorrect transcript is to be recalled and a new one to be issued. Accordingly, the master's diploma is to be recalled if the master's exam has been declared as "failed" due to cheating. The statute of limitations in such cases is five years.

(4) An examinee who disturbs the orderly proceedings of an exam may be excluded from continuing the exam by the examiner or proctor; in this case, the respective exam is to be graded „insufficient“. In extreme cases the examination committee can exclude the examinee from taking or completing further exams.

(5) Upon decisions made in accordance with Paragraphs 1, 3 and 4, the examinee may petition for the Joint Managerial Commission for a review of his/her case. The petition is to be submitted promptly.

§ 21

Appeal procedure

Appeals against the exam procedure and exam decisions are to be presented to the admissions and examination committee within one month, if instructions on the appeal procedure were provided, or, in other cases, within one year of the given decision. The appeal must be substantiated in writing.

§ 22

Transcript, diploma and diploma supplement

(1) A transcript is to be issued promptly (if possible, within four weeks) after the successful completion of the last exam. The transcript contains details

about the completed modules, the topic and grade of the master's thesis, the final grade and the total credit points completed. The certificate is to be signed by the member of the JMC according to art. 3 paragraph 4 lit. a) and stamped with the seal of the University of Hamburg. The transcript is dated with the date of the last examination.

(2) In addition to the transcript, the candidate receives a diploma conferring the academic degree „Master of European Law” (LL.M.) from the Faculty of Law of the University of Hamburg bearing the same date as the transcript. The diploma will be issued in English and is to be signed by the Dean of the Faculty of Law as well as the chairperson of the JMC and stamped with the seal of the University of Hamburg.

(3) A diploma supplement will also be issued.

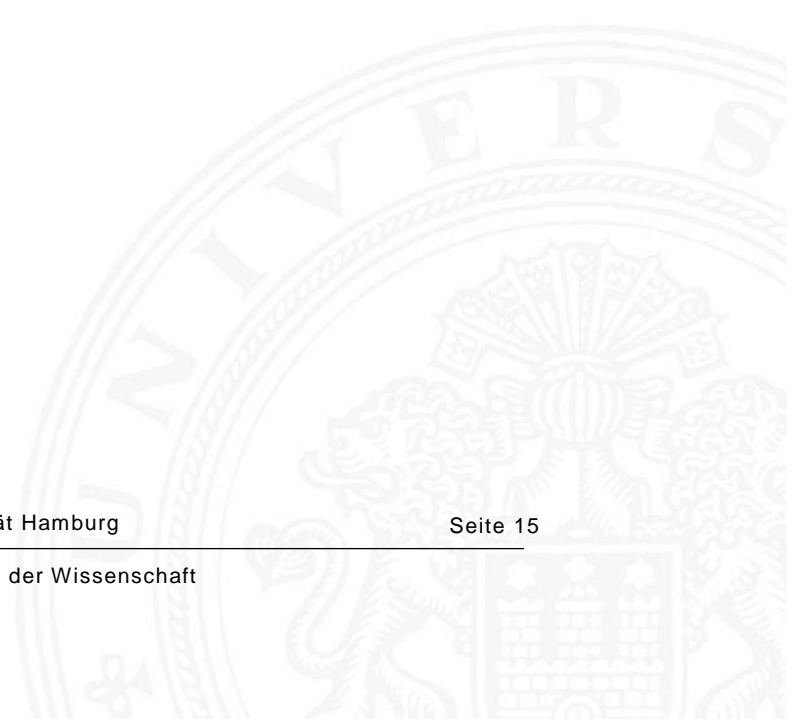
§ 23 Costs

Fees are charged for the Master Programme. These are carried out in accordance with the current by-laws for fees for the degree programme.

§ 24 Date in effect

These regulations will become effective the day after approval by the Steering Committee (Präsidium) of the university. They apply to all students taking up their studies as of October 2008. Course and exam work completed before these regulations become effective will be credited.

**Hamburg, May 7, 2009
University of Hamburg**



Supplement: Modules

Module I A: European Legal Traditions Compulsory Elective Module Semester 1	
<p>Content and qualification objectives</p>	<p>The module consists of three introductory courses to European Constitutional Law, Private Law and Criminal Law and, complementary, a course on Comparative Law, which aims to:</p> <ul style="list-style-type: none"> • Understand the differences between Private and Public Law, in order to appreciate the role of lawyers and the significance of efficiency in both public and private law. • Be familiar with the European legal traditions in Public and Private Law and with the analysis of Public and Private Law (legal dogmatic and economic analysis of law). • Be aware not only of the differences between Common Law and Civil Law legal systems, but also of their common features, and to introduce students to the terms of the debate on the institutional value of each both systems. • Comprehend the present-day irrelevance of the division between Commercial Law and Civil Law. • Convey to all participants a basic outline of how European Criminal Law works. • Study the Europeanization process of Public Law, Private Law (i.e., PECL; the Study Group on a European Civil Code; the Pavia Group; the Common Core of European Private Law) and Criminal Law (i.e., "Euro-harmonized" Criminal Law; Judicial cooperation in criminal matters; mutual recognition). • Introduce students to the terms of the debate on the desirability of a European Public, Private (particularly the law of obligations and contracts) and Criminal Law. <p>The course on Private Law presents it as a legal category different from Public Law, with its own set of values and its own methodology. Methods like the legal dogmatic and economic analysis of law are examined in detail. The course follows explaining the basic features of the Civil Law system as contrasted with the Common Law tradition and shows how some of the differences between the two systems are being overcome with new instruments, such as the Principles of European Contract Law (PELC). It also presents the level of convergence currently existing among European Civil and Commercial Law systems. Special attention is devoted to the link between Private law and the formation and the functioning of markets, particularly the Single Market in Europe. In this context, the course examines critically the rationality of the harmonization process, in particular related to law of contracts (i.e., PELC, The Study Group on a European Civil Code, etc.), in the European Internal Market.</p> <p>The course on Constitutional Law pursues to outline the specific profiles of European constitutionalism in the general context of some categories which, obviously, do not differ radically from one continent to another. However, those particularities do exist, and as such they should build the main argument of the course. The programme includes fifteen units divided into four parts which underline the evolution, the structural elements and the growing insertion of the supranational scale in a model that has always been characteristically national.</p>

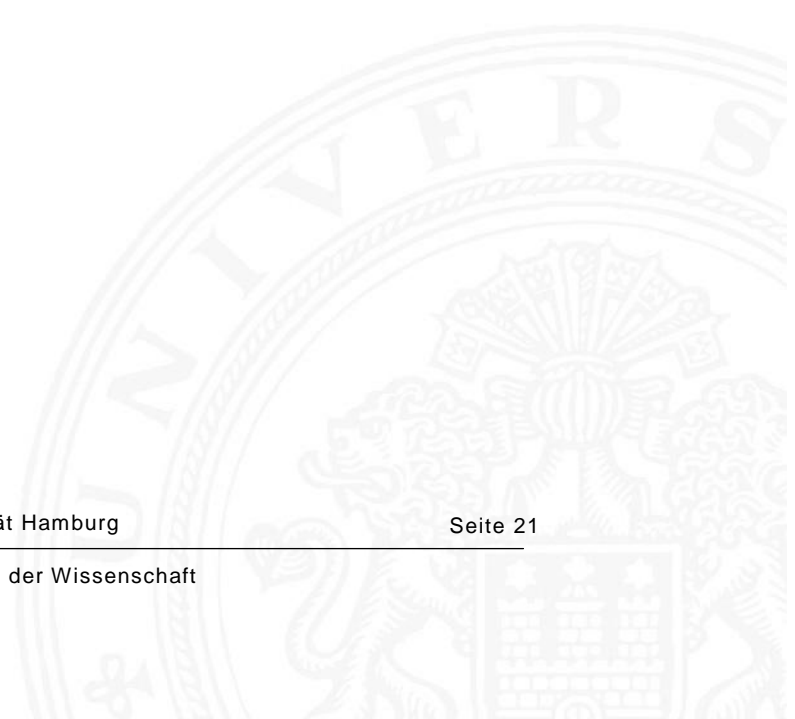
	As regard the course on Criminal Law, special attention will be paid to its historic evolution in Europe, showing the conformation of two dominant criminal law systems in Europe (legality principle – civil law countries vs. case law – common law countries), to the fundamental regulatory principles shared within the EU, and the genesis of the current process of harmonization and unification of criminal laws within the EU.
Methodology	Due to the introductory and general nature of the courses of this module, the methodology will be based on the combination of both lectures and discussions about the main themes of the subject matter. Prior to the attendance at every lecture, the students should carry out several readings and analyse some legal texts. Before the beginning of the module, a list of the readings and a copy of all the legal texts to be examined will be handed in to the students.
Examination	Written Examination
Total credit points for the module	4 CP. Full workload of 120 hours for the students including 40 hours of lecture time.
Courses (Individual breakdown of credits)	<ol style="list-style-type: none"> 1. Course: Introduction to and methods of Comparative Law (1 credit) <ul style="list-style-type: none"> • functions of comparative law • methods of comparative law • comparative law in European integration 2. Course: Private Law (1 credit) <ul style="list-style-type: none"> • Private Law vs. Public Law • The legal traditions on the analysis of Private Law • The legal families of Private Law • Commercial Law and Private Law • The Europeanization process of Private Law • The harmonization process: a critical approach 3. Course: Constitutional Law (1 credit) <ul style="list-style-type: none"> • The different constitutional traditions in Europe • Historical evolution • Basic dimensions • Constitutional structures • International and supranational dimension 4. Course: Functions and foundations of Criminal Law (1 credit) <ul style="list-style-type: none"> • Historical and Political Basis of the European Systems of Criminal Law • Constitutional elements of European system • Foundations of Criminal Law within and derived from the EU matters • Other Framework decisions regarding European Criminal Law.
Frequency offered	Once a year
Length	4 weeks

Module I B: Introduction to Chinese Law Compulsory Elective Module Semester 1	
Content and qualification objectives	<p>The Module consists of two courses. They explain the basic features of Chinese law as far as they are interesting and relevant for international students. In addition, the courses will give an introduction to Chinese legal culture which is necessary for a deeper understanding of the current developments in Chinese law. The aims of the module are:</p> <ul style="list-style-type: none"> • to give an overall review of the legal system in China; • to understand the characteristics of legal tradition and tradition in China • to understand the constitutional arrangements concerning division of powers in China • to understand the structure of legislative body and law-making process in China; • to understand the basic features and structure of judicial system in China; • to understand the function, structure and power of administrative government in China; • to study basic features and operation of legal professionals in China; • to study the basic features of legal education in China.
Methodology	The courses will be delivered as lectures, accompanied by tutorials.
Examination	Written Examination
Total credit points for the module	4 CP. Full workload of 120 hours for the students including 40 hours lecture time.
Courses (Individual breakdown of credits)	<p>1. Course: An Introduction to Chinese Legal System (2 credits)</p> <ul style="list-style-type: none"> • An overall review of legal system: • Constitution and division of powers: • Structure and operation of legislative authorities: • Structure and operation of judicial system: • Structure and operation of administrative authorities: • Regulation of lawyers: • Review of legal education: <p>2. Course: Introduction to Chinese Business Law (2 credits)</p> <ul style="list-style-type: none"> • Part one: Introduction of Chinese Law: Legal Framework and Sources of Law • Part two: The Law of Business Organizations • Frauds in Securities Markets: Misrepresentations, Insider Trading and Price Manipulations • Enterprise Bankruptcy Law (EBL) • Contract Law • Product Liability
Frequency offered	Once a year
Length	4 weeks

Module II: Legal Writing and Research Compulsory Module Semester 1	
Content and qualification objectives	In order to optimize the impact of the programme it will be necessary to improve the language skills of the participants. Even advanced speakers will need special courses teaching legal English and legal writing. Legal writing should include an introduction to the research methodology. Therefore the module is designed to teach students how to <ul style="list-style-type: none"> • conduct legal research in the library • prepare coherent legal analysis • use proper citations and • organize the components of effective advisory writing
Methodology	The student body has to be split into small working units (10 students max.). That provides students with a comfortable, small-class atmosphere in which they can develop the ability to analyze a problem, research the law, and logically and persuasively communicate the results of the research in clear, straightforward, simple English. Legal writing could be practised by analyzing legal articles and writing a case brief, a short office memorandums on a legal problem or completing research logs or other written assignments.
Examination	Written Examination
Total credit points for the module	2 CP. Full workload of 60 hours for the students including 20 hours teaching.
Courses (Individual breakdown of credits)	<p>1. Course: Legal English (1 credit)</p> <ul style="list-style-type: none"> • Terminology • Legal citation • Principles of legal communication • Presentation <p>2. Course: Legal Writing (1 credit)</p> <ul style="list-style-type: none"> • Skills, techniques and motivation • Legal terms and concepts • Legal logic • Legal writing skills • Legal analysis • Methods and Sources • Practice
Frequency offered	Once a year
Length	2 weeks

Module III: Introduction to Law and Politics of the European Union Compulsory Module Semester 1	
Content and qualification objectives	<p>The module consists of four courses dealing with the legal foundations of European integration, the different European political systems which are part of the integration process, and the economic and political dimension of the EU. The course "European Political Systems" will present the principal topics leading to the comprehension of the modern European political systems (political institutions, political behaviour, political ideology, the political culture, political socialization and the articulation of political interests). The course will consist of the study of governmental institutions and politics of the different European political systems, including Continental, Anglo, Southern Nordic and Eastern European systems as well as the supranational organization, the European Union. The course „Political and economic dimension of the EU“ analyses the EU as a multi-level governance system for an economic point of view. The economic theories of federalism and of systems competition are applied. Furthermore, the efficiency and democracy of collective decision-making at EC level are analysed. The course „Legal Foundations of European Union Law“ introduces the fundamental principles of European law, the institutions and legal instruments. In addition it gives a short introduction to the concept of internal market and the constitutional perspectives of the EU. In that background the module aims at providing</p> <ul style="list-style-type: none"> • basic knowledge of the historical, theoretical and economic foundations of the European Union; • an introduction to the legal system of the European Union; • better understanding of the characteristics of EU-Law compared to international law
Methodology	<p>The courses will be held as lectures. Supplementing materials such as scripts and readers will be provided, thus allowing students to deepen their knowledge obtained in class. The introduction to European Union law shall focus on the case law of the ECJ to emphasize the outstanding role of this institution has hitherto played in the extraordinary process of European integration. In addition the method of comparative legal studies as a source of law shall be demonstrated by means of practical examples.</p>
Examination	Written Examination
Total credit points for the module	4 CP. Full workload of 120 hours for the students including 40 hours lecture time.
Courses (Individual breakdown of credits)	<p>1. Course: European Political Systems (1 credit)</p> <ul style="list-style-type: none"> • Institutions and interests: governments, parliaments and judiciaries • Parties, elections and electoral systems • The policy-making process • Constitutional features of the parliamentary democracy in Europe. • States and nations: nation-states and nations without statehood. <p>The political agenda and the role of public administrations</p>

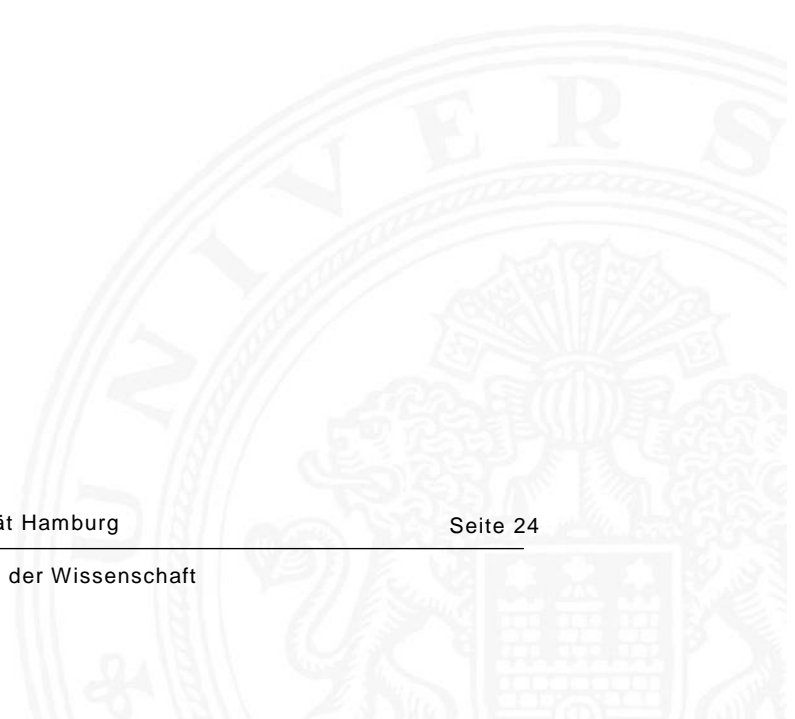
	<p>2. Course: Political and Economic Dimension of the EU (1 credit)</p> <ul style="list-style-type: none"> • EU as a multi-level governance system • Economic theories of federalism • Efficiency and democracy in the EU decision-making-process <p>3. Course: Legal Foundations of European Union Law (2 credits)</p> <ul style="list-style-type: none"> • Legal sources of European Law • European Law and National Law • Institutions • Legal Instruments • Introduction to the law of the internal market • Constitutional perspectives
Frequency offered	Once a year
Length	4 weeks



Module IV: Introduction to Public International Law Compulsory Module Semester 1	
Content and qualification objectives	This is a course designed to get a general understanding of international law from a Chinese European perspective. This area of law is unique and its principles will be explained before embarking on the vibrant issues as Guantanamo, Iraq, Human Rights in conflict with other obligations and so on. This course will expose most students to a new way of thinking and studying. Overall the object of this course is to <ul style="list-style-type: none"> • introduce to aspects of the law which are increasingly significant and • enable to deal with legal challenges wherever they may arise
Methodology	Reading court decisions and finding them, distinguishing procedural from material law, soft and strict law and overall in the abundance of material, finding out the significant of one from the other will require some independent study as directed in the course.
Examination	Written Examination
Total credit points for the module	4 CP. Full workload of 120 hours for the students including 40 hours lecture time.
Courses (Individual breakdown of credits)	<p>Course: Legal Foundations of Public International Law (2 credits)</p> <ul style="list-style-type: none"> • Historical and theoretical background • States and individuals • Treaties and other sources of international law • Basic principles of international law <p>2. Course: International Organisations (1 credit)</p> <ul style="list-style-type: none"> • History of international organisations • Characteristics of international organisations • United Nations WTO <p>3. Course: China in International Law (1 credit)</p> <ul style="list-style-type: none"> • China's special status as recognised by the UN Charter • Legal relations to European states and EU
Frequency offered	Once a year
Length	4 weeks

Module V: EU-Law (Advanced) Compulsory Module Semester 1	
Content and qualification objectives	<p>The Internal Market course aims at providing the students with an in-depth understanding of the legal regime applicable to the free movement of goods, persons, services and capital and the relevant case law. Moreover, the rules applicable to states and undertakings in the field of competition law will be analysed in order to offer a comprehensive review of the various elements which compose the EC internal market policy. The second course, instead, will focus on the area of freedom, security and justice. Having dealt with the free movement of nationals of the member states, it will be possible to dwell upon the rules applicable to nationals from third countries and in particular on the visa, asylum and immigration policies. In addition to the substantive issues concerning the co-operation in civil and criminal matters, this part will approach the paramount topic of judicial, administrative and police cooperation within the EU. The third course aims at informing the students about the objectives and the functioning of the economic and monetary union. The fourth course on common commercial policy provides basic knowledge of the external relation of the EU. The objectives of the module are to</p> <ul style="list-style-type: none"> • provide the students with an overall yet exhaustive knowledge of the functioning of the internal market and of the EC competition law policy and regulation; • enable the students to fully appreciate the interconnection between the first and third pillar of the EU, the phenomenon of the approximations of national laws and the importance of judicial cooperation in civil and criminal matters; • enable the students to assess the importance and impact of the economic and monetary union; • provide knowledge of the EU as a “global player”
Methodology	<p>Starting from the provisions contained in the Treaty and the relevant acts of secondary law, the lectures will examine the most significant case law of the Court of First Instance and of the European Court of Justice. In analysing the substantive law of the EU, particular attention will be paid to the development of the capability on the part of the students to reason applying general principles of EU law acquired during previous courses (in particular Introduction to Law and Politics of the EU). Articles taken from the most important international law reviews and official documents will be distributed and commented during the lectures. Case studies will also be organized with a view to familiarize the students with the practical aspects of EU Law. Particular attention will be placed upon stimulating the active participation of the students. The technicalities characterizing the domains analysed during the courses require an interaction between the teaching staff and the students so to directly involve them in the learning process (see section below).</p>
Examination	Written Examination

Total credit points for the module	6 CP. Full workload of 180 hours for the students including 60 hours lecture time.
Courses (Individual breakdown of credits)	<ol style="list-style-type: none"> 1. Course: Internal Market (2 credits) <ul style="list-style-type: none"> • The functioning of the Internal Market • Free movement of goods • Free movement of persons (EU citizens) • Free movement of services and right of establishment • Free movement of capital and payments • Introduction to Competition Law 2. Course: Area of Freedom, Security and Justice (2 credits) <ul style="list-style-type: none"> • Visa, asylum and immigration policies • Judicial co-operation in civil matters • Judicial co-operation in criminal matters • Police and administrative co-operation • Police and customs co-operation 3. Course: Economic and Monetary Union (1 credit) <ul style="list-style-type: none"> • Historical and economic background • The Economic Union • Implementation of the European Monetary Union • European Central Bank and European system of central banks 4. Course: Common Commercial Policy (1 credit) <ul style="list-style-type: none"> • Factual background • Common rules • Commercial defence measures
Frequency offered	Once a year
Length	6 weeks



Module VI: Rule of Law and Human Rights Compulsory Module Semester 2	
Content and qualification objectives	<p>The rule of law and the human rights have acquired a major importance in the commercial and diplomatic relationships worldwide. The purpose of this module is to offer a thorough knowledge of these mechanisms. It will consist in the analysis of the conditions that allowed the rules of law and human rights to gain a central role both within and between the countries. Another important purpose will be to demonstrate how the rights of the individuals against the state have been recognized and effectively applied. The recent rights and the new perspectives will also be analyzed.</p> <p>The rule of law and the human rights offer a very interesting field to study how the national, European and international legal systems can articulate themselves. It is one of the most significant examples of normative interactions, which characterize the trend towards globalization, internationalisation and Europeanization of the national legal systems.</p>
Methodology	Lectures, seminars, e-learning
Examination	Written Examination
Total credit points for the module	4 CP. Full workload of 120 hours for the students including 40 hours lecture time.
Courses (Individual breakdown of credits)	<ol style="list-style-type: none"> 1. Course: European Human Rights Law (1 credit) <ul style="list-style-type: none"> • Introduction: European history of Human Rights • Human Rights within the Council of Europe • Human Rights and the EU • EU and European Convention on Human Rights 2. Course: International Treaties on Human Rights (1 credit) <ul style="list-style-type: none"> • General characteristics of international treaties on human rights • An inventory of international treaties on human rights 3. Course: National and International Aspects of the Rule of Law (1 credit) <ul style="list-style-type: none"> • The national developments of the rule of law • The international recognition of rule of law • The impact of the European concept on national systems 4. Course: New Human Rights and their Effectiveness (1 credit) <ul style="list-style-type: none"> • Recent developments • Institutional aspects • Enforcement of "New Human Rights"
Frequency offered	Once a year
Length	4 weeks

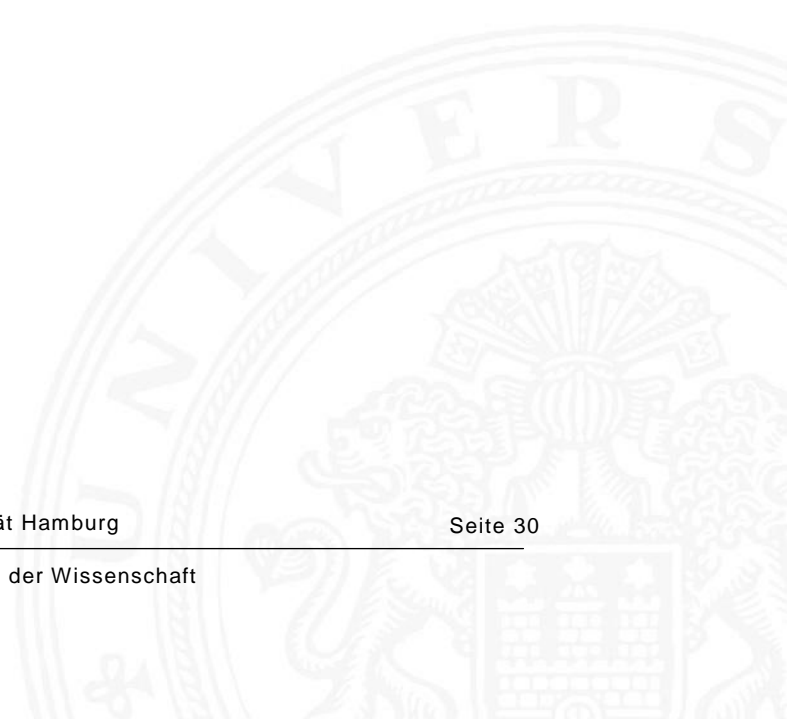
Module VII: Introduction to European Private Law Compulsory Module Semester 2	
Content and qualification objectives	The objective of the module is to make the students familiar with the interplay between EU private law and member states legislation, focusing on property law and tort law; a particular emphasis is given to the role of the European Court of Justice in the process of making up EU private law, also in the light of the resistances at the national level. The first part of the module (Course 1) aims at describing the normative framework and sources of the European private law, as related to the integration process of tort and property law. It also aims at identifying the concepts and the impact on these subjects of top-down harmonization and the variety of possible formulations which it may have. The following Courses 2 and 3 offer an analytical study of the areas of tort and property law.
Methodology	The module is delivered through an interactive teaching methodology, based on assigned readings and discussion of cases. Attendance and participation to in class discussions is considered to be part of the grading. Comparison between Chinese private law and cases and rules rooted in the European legal traditions is considered to be part of the module methodology. The module requires attendance to the lectures, interactive participation, based on assigned readings and cases
Examination	Written examination
Total credit points for the module	3 CP. Full workload of 90 hours for the students including 30 hours lecture time.
Courses (Individual breakdown of credits)	<ol style="list-style-type: none"> 1. Course: Introduction to European Private Law (1 credit) <ul style="list-style-type: none"> • EU law and European private law: competition amongst legal formants and resistances at the national level • The making of European private law with regard to torts and property: EU Directives and national implementations • The making of European private law with regard to tort and property: The role of scholars and courts at EU and national levels • “Soft” law projects of unification and the building of a European law of obligations: Implications for tort law 2. Course: Torts Law (1 credit) <ul style="list-style-type: none"> • European tort law: the steps of its process of unification • Aims and functions of tort liability: European models • Environmental liability • Product liability 3. Course: Property Law (1 credit) <ul style="list-style-type: none"> • Property: goods and new properties • European models of property law • Law of trusts • “Time-sharing” • Intellectual property
Frequency offered	Once a year
Length	3 weeks

Module VIII: Law of Regulation Compulsory Module Semester 2	
Content and qualification objectives	<p>In a global economy, markets and states aren't enemies and no more independent each others. Public bodies step in market organizations, for example by antitrust rules. This legal power to interfere is more present in regulated sectors, such as energy, telecommunication, financial markets, banking system, etc. It is primordial in an open economy and in China, which is building its new economic organization with a strong presence of official and administrative powers in the markets, which have their own dynamic, to understand, study and influence this new legal area: the regulatory Law. The European experience is precious and quite new, in confrontation with the traditional administrative organization in France, and must be confronted with the Chinese tradition. The courses proposed have the purpose of</p> <ul style="list-style-type: none"> • teach the fundamental principle of the regulatory law • analyse regulated sectors • show the relevance of the topics for current Chinese situation
Methodology	We begin with the traditional sources in European and Chinese law. The first approach allows studying the institutional design in European and present and future Chinese law. After that, the students are able to study and discuss the common principles in regulatory law, principles which are present in each regulated sectors.
Examination	Written Examination
Total credit points for the module	3 CP. Full workload of 90 hours for the students including 30 hours lecture time.
Courses (Individual breakdown of credits)	<p>1. Course: Traditional sources in European and Chinese Law (1 credit)</p> <ul style="list-style-type: none"> • Administrative law and organization • Interference with private law • Political background and feedback <p>2. Course: Institutional Design in European and Chinese Law (1 credit)</p> <ul style="list-style-type: none"> • Hieratical organization • Independent bodies and their relationship • Judicial review and accountability <p>3. Course: Common Principles in Regulatory Law (1 credit)</p> <ul style="list-style-type: none"> • Relations between regulators and economic operators • The concretisation of the access right • Contracts and liabilities in regulatory systems • International, regional and global dimension
Frequency offered	Once a year
Length	3 weeks

Module IX: Introduction to WTO law Compulsory Module Semester 2	
Content and qualification objectives	<p>This module focuses on the rapidly expanding legal system of the World Trade Organization (WTO). Since its start in 1995, the WTO has become one of the most prominent international economic organizations. It thereby builds on the rules and principles developed under its predecessor scheme, the General Agreement on Tariffs and Trade (GATT).</p> <p>The module aims to provide a basic insight into the institutional and substantive law of the WTO. Especially the following issues will be dealt with: international trade theory and policy; institutional framework of the WTO; essential principles of WTO law, in particular most-favoured nation treatment, non-discrimination and market access; the WTO dispute settlement mechanism; tariffs, customs classification, customs valuation; non-tariff barriers, escape clauses and exceptions; anti-dumping, subsidies, public procurement; the General Agreement on Trade in Services (GATS); the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS).</p>
Methodology	<p>The module is delivered through an interactive teaching methodology, based on assigned readings and discussion of cases and historical developments. Attendance and participation to in class discussions is considered to be part of the grading. The role of China in international trade and within WTO plays an as important role as the EU's role. Thus, comparison is considered to be part of the module methodology.</p>
Examination	Written Examination
Total credit points for the module	3 CP. Full workload of 90 hours for the students including 30 hours of lecture time.
Courses (Individual breakdown of credits)	<p>1. Course: Introduction to WTO-law (2 credits)</p> <ul style="list-style-type: none"> • International trade and globalization • Historical developments • Sources of WTO law • Dispute settlement • GATS and TRIPS • WTO and the International Financing system (IMF, World bank) <p>2. Course: Regional and Bilateral Trade Agreements (1 credit)</p> <ul style="list-style-type: none"> • Introduction • The multiplicity of regional integration • Regional integration and WTO • Regional integration and international law • Forms of regional integration (free trade areas, customs union, internal market) • Outlook
Frequency offered	Once a year
Length	3 weeks

Module A 1: Judicial Procedures and Dispute Resolution Elective Module Semester 2	
Content and qualification objectives	<p>This elective module offers four different courses on comparative civil procedure, comparative criminal procedure, international litigation and legal aid. The first and second courses, civil and criminal law, aim to provide the basis knowledge and the principles of civil and criminal procedure, analyzing how is involved in the different types of jurisdictions and the structure of a case: courts, parties, pleadings, trials and other relevant aspects of the procedure rules in Europe.</p> <p>International litigation is the object of the third course, which covers major topics and essential themes emerging from international civil disputes and focuses on the practical and procedural aspects of litigating transnational private conflicts (international jurisdiction, foreign sovereign immunity, act of state doctrine, international service of process and taking of evidence, recognition and enforcement of foreign judgments, etc.). It presents international litigation rules as a distinct and cohesive body of norms with its own set of values and its own methodology that must be conceived according to the same principles that inspire the rest of private law. Special attention will be placed to rules developed in the Europeanization process of international litigation.</p> <p>As regard the fourth course, legal aid is envisaged both from the perspective of European law and national laws of the European member states. After an introduction on European law, the course deals with practice, conditions of granting, procedure, effects, withdrawal and financing of legal aid.</p> <p>The aims of the module are:</p> <ul style="list-style-type: none"> • To understand the basic principles of civil and criminal procedure, as well as of international litigation, with special attention to the <i>due process</i>. • To understand the differences between civil procedure and criminal procedure, underlying the importance of Human Rights in this context. • To analyzing the links between international civil litigation and national civil litigation rules and to understand the strategy and practice of forum selection and the dynamics of international litigation. • To provide a comprehensive, technical knowledge of the subjects, combined with a working understanding of its practical context. • To study the Europeanization process in all these fields. • To discuss the hypothetical projection of the European advances in this field on the Chinese regulation.
Methodology	Teaching in the courses will be practical and interactive. Assignments, normally based upon one or two leading cases, will be set in advance of each meeting and supplemented by additional, follow-up reading.
Examination	Written Examination
Total credit points for the module	6 CP. Full workload of 180 hours for the students including 60 hours of lecture time.

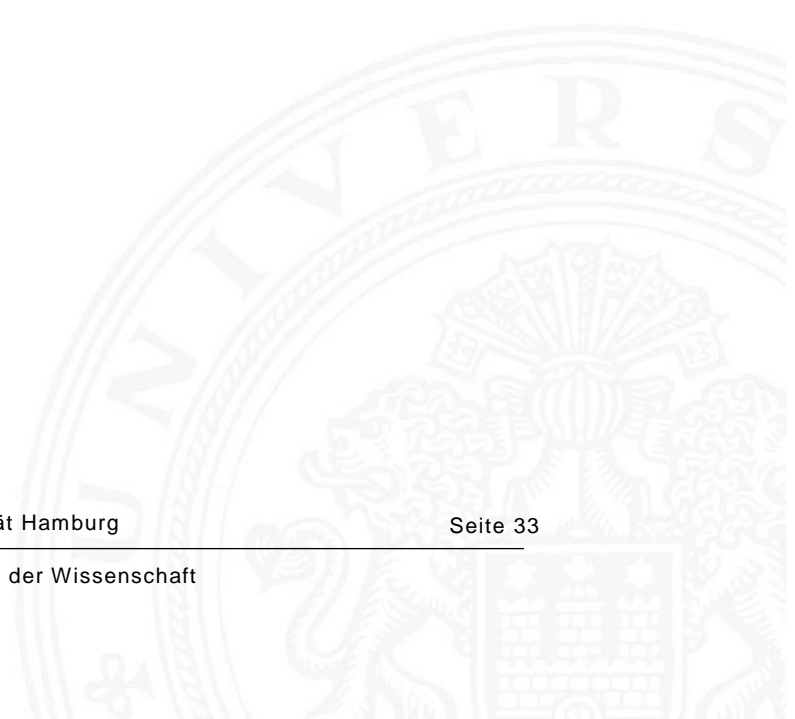
<p>Courses (Individual break-down of credits)</p>	<ol style="list-style-type: none"> 1. Course International Litigation (1 credit) <ul style="list-style-type: none"> • International jurisdiction • Service of process abroad • Obtaining evidence abroad • Recognition and enforcement of foreign judgements 2. Course: Enforcement of Civil Procedure (1 credit) <ul style="list-style-type: none"> • Introduction • The lawsuit • The civil suit 3. Course: Comparative Civil Procedure (1 credit) <ul style="list-style-type: none"> • European Legal System: Judiciary and judicial decision making in the UE. Civil Law and Common Law. Access to justice. Types of Courts. Appointment and training of judges • Legal profession: Lawyers. Legal Advice and Representation. Private Law and Civil Jurisdiction • The Civil process. Sources of Civil Procedure: The Civil Procedure Rules. The issue of process. Parties: Statements of de case: Claim Form and Response. Conferences. Disclosure: The proof. Trial. Judgment. Enforcement. Freezing injunctions. Costs. Appeal. Special and Fast Tracks (housing, debts enforcement, small claims, family matters, bankruptcy) 4. Course: Comparative Criminal Procedure (2 credits) <ul style="list-style-type: none"> • Criminal courts and criminal jurisdiction • Adversarial system and inquisitorial system. • The impact of European Convention on Human Rights • The issue of process. Parties. Investigation of crime. Prosecution • Trial by jury • Judgment and sentencing • Appeals 5. Course: Legal Aid (1 credit) <ul style="list-style-type: none"> • The field of application of legal aid • The conditions for granting • The proceeding of legal aid • The effects if the legal aid • The withdrawal of legal aid • The financing of legal aid
<p>Frequency offered</p>	<p>Once a year</p>
<p>Length</p>	<p>6 weeks</p>



Module B1: Public Administration Elective Module Semester 2	
Content and qualification objectives	The module aims at providing students with a basic knowledge of a constitutional administration governed by the rule of law. As the European experience has shown, any developing industrial country is reliant on an effective and dependable public administration. The module therefore focuses on the strengths of an executive branch bound by law. European administrative law forms the subject of the courses. Particular emphasis will be placed on its core principles such as efficiency, predictability and reliability but also the effective protection of individual rights. This includes in particular equal treatment under the law for all citizens. A thus increased general acceptance of administrative decisions leads in turn to better results with respect to their realization.
Methodology	Lecture with complementary materials. A complementary Moot Court will be offered in Course No 2.
Examination	Written Examination
Total credit points for the module	6 CP. Full workload of 180 hours for the students including 60 hours of lecture time.
Courses (Individual breakdown of credits)	<p>1. Course: Constitutional Foundations of Administrative Law (2 credits)</p> <ul style="list-style-type: none"> • Rule of law • Human rights • Legal certainty • Proportionality <p>2. Course: Administrative Procedures and Judicial Review (2 credits)</p> <ul style="list-style-type: none"> • Procedures • Administrative decisions (Adm. acts/Adm. contracts) • Enforcement • Judicial review <p>3. Course: EU-Anti-Discrimination Law (2 credits)</p> <ul style="list-style-type: none"> • Objectives • Instruments • Judicial control
Frequency offered	Once a year
Length	6 weeks

Module C 1: International Trade Elective Module Semester 2	
Content and qualification objectives	<p>While the compulsory module “international trade” focuses on fundamental principles and institutions of international trade the elective module C 1 provides a more detailed look on the different disciplines of this topic. Thus, a second WTO course will deal with the special questions and problems of GATT, GATS and TRIPS law. The other courses of this module provide overviews to the field of international sales and a third course gives an introduction to the field of international commercial contracts, the backbone of international commerce. The course “International Commercial Contracts” focuses on several other contracts which are relevant for international trade. The course does not deal with the general principles of international commercial contracts, as they have i.e. been laid down in the UNIDROIT Principles of International Commercial Contracts. Finally, the course “Competition law” put all relevant questions of this important field on an advanced level into the centre.</p> <p>The elective module aims to give a theoretical and practical overview to the whole field of international business transactions. The module will not only introduce the participants into the basic principles of each of the general principles and the specific transactions discussed but will also focus on the proper drafting of contract provisions in the light of i.e. the available alternatives.</p>
Methodology	The course will not only focus on the relevant treaty provisions but will mainly discuss the court and arbitral decisions rendered on the respective topics. The problem-oriented course aims at giving the participants the proper framework for their own analysis.
Examination	Written Examination
Total credit points for the module	6 CP. Full workload of 180 hours for the students including 60 hours of lecture time.

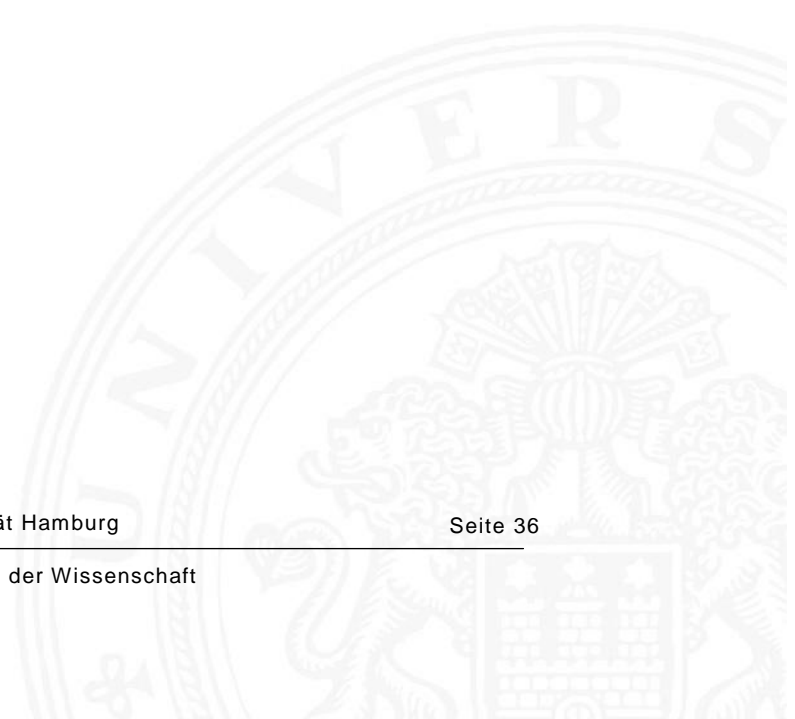
<p>Courses (Individual break-down of credits)</p>	<p>1. Course: WTO-Law (Advanced) (2 Credits)</p> <ul style="list-style-type: none"> • Introduction to the law of GATT • Main issues of GATT • Introduction of the law of GATS • Main issues of GATS • Introduction of the law of TRIPS • Main issues of TRIPS • Other sources of WTO law (GPA et seqq) <p>2. Course: International Commercial Contracts (2 credits)</p> <ul style="list-style-type: none"> • Distribution contracts • Agency contracts • Licence agreements • Brokerage contracts • International loans • Bank guarantees • Construction contracts • Engineering contracts • Project financing <p>3. Course: International Sales (2 credits)</p> <ul style="list-style-type: none"> • Applicable law • Uniform laws on international sales • CISG • Applicability and contents • Damages • Cancellation
<p>Frequency offered</p>	<p>Once a year</p>
<p>Length</p>	<p>6 weeks</p>



Module D 1: Company Law Elective Module Semester 2	
Content and qualification objectives	The importance of company law for private law as well as for business is beyond any doubt. It is impossible to understand business and trade from a pure legal perspective without being familiar with the basic principles of business entities (with corporations in particular) and with their international and interdisciplinary impact. With regard to the general topic of the lectures, the course structure will be divided into the following subjects: <ul style="list-style-type: none"> • Legal business forms in the national, international and European perspective • Corporate governance • Corporate finance • Corporate insolvency • Security regulations and takeover law
Methodology	Most courses will be presented by traditional lecturing, but by making use of the Socratic method with additional teamwork in working groups and open discussions. Some special questions – such as auditing or the role of worker's codetermination – may instead be subject to seminar discussions.
Examination	Written Examination
Total credit points for the module	6 Credits. Full workload of 180 hours for the students including 60 hours of lecture time.
Courses (Individual breakdown of credits)	<p>1. Course: Legal Business Forms in the National, International and European Perspective (2 Credits)</p> <ul style="list-style-type: none"> • Origins, history and trends in corporate law • Business forms (corporations and partnerships, public corporations in particular) • The recognition of companies in international private law (worldwide/intra-EU) • European supranational business forms <p>2. Course: Corporate Governance (2 Credits)</p> <ul style="list-style-type: none"> • Management and shareholders: Rights and duties • Supervision of management: One-tier system versus two-tier system • The corporate governance codex • Shareholder claims • The role of auditors • Pros and cons of workers' co-determination • Groups of companies <p>3. Course: Corporate Finance (2 Credits)</p> <ul style="list-style-type: none"> • Equity and debt financing • Accounting rules and international accounting standards • Changing of capital structure • Creditor protection by corporate law and insolvency law • Corporate finance in groups of companies
Frequency offered	Once a year
Length	6 weeks

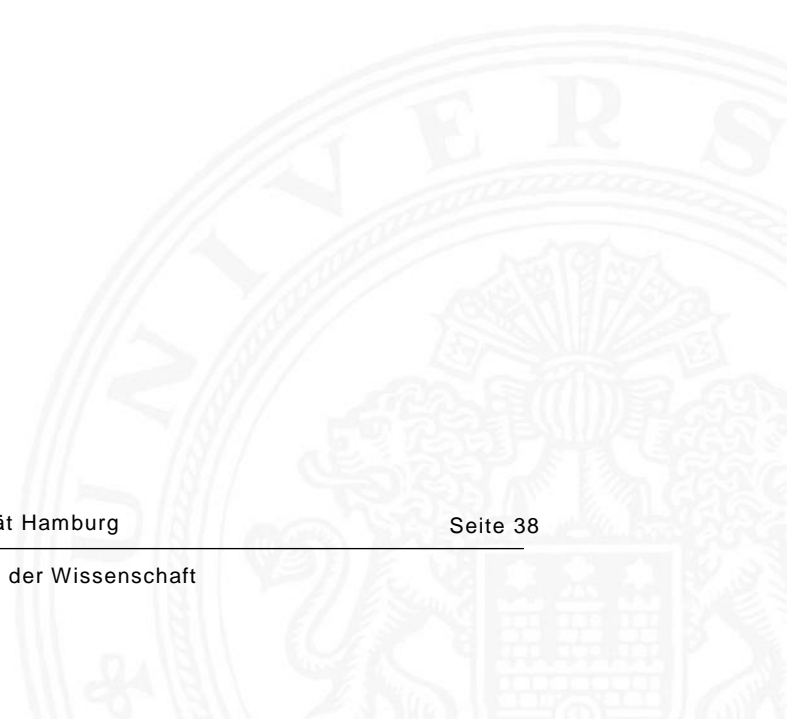
Module E 1: Law of Special Regulated Economic Sectors Elective Module Semester 2	
Content and qualification objectives	<p>After the global comprehension in the compulsory course about the regulatory law, giving the general elements of the regulatory functioning, it is very useful to take the special regulated economic sectors one by one and not only like simple examples of this general frame.</p> <p>These specific sectors are: telecommunication, media, energy, transportation, banking system, insurance, financial markets. In fact, at the same time, every sector follows general rules, such as the regulator's organization, and also is subject to special rules, such as the prevention of risks or the specific organization of information. In this perspective, the course takes sector by sector, in an international and comparative way, to focus on specific rules, legal framework and special reasoning. The part of economic rules is important in this type of description and analysis.</p> <p>The aims of this elective course are to</p> <ul style="list-style-type: none"> • provide a comprehension of the legal construction of economic sectors, led by their economic construction and by political system. More or less, these sectors are touched by economic and political interferences, for example in the banking sector and the course will provide the comprehension of the impact of the economic globalisation sector by sector. • complement the compulsory course in focussing more the economic preconditions and impacts of regulation.
Methodology	<p>The methodology of this course is a deduction of its aims. We will take sector by sector (telecommunication, media, energy, transportation, banking system, insurance, financial markets) and analyse the European legal framework in these matters. The material will be European legal documents and national legal documents, especially French laws and administrative and jurisdictional decisions. More precisely, after a description made by the professor, concrete analyses of laws and case decisions will be made by professors and scholars together.</p> <p>A casebook will be provided by the professor before the course beginning to permit the scholars to familiar themselves with these matters.</p> <p>At the end of every analysis of specific legal organization and decisions, the particular attention and a more synthetic perspective will be adopted to do a relation between general regulatory law (studied before through the compulsory course) and specific law applied to a specific sector.</p>
Examination	Written Examination
Total credit points for the module	6 credits. Full workload of 180 hours for the students including 60 hours lecture time.

Courses (Individual break-down of credits)	<p>1. Course: Telecommunication (2 credits)</p> <ul style="list-style-type: none"> • Economic and technical background • International law • European law • National implementation (examples) • Problems and perspectives <p>2. Course: Media law (2 credits)</p> <ul style="list-style-type: none"> • Economic and political relevance • International legal framework • European media law • Perspectives <p>3. Course: Energy-market law (2 credits)</p> <ul style="list-style-type: none"> • Factual background • Energy in international law • European regulations on energy • Liberalization vs. regulation • Perspectives
Frequency offered	Once a year
Length	6 weeks



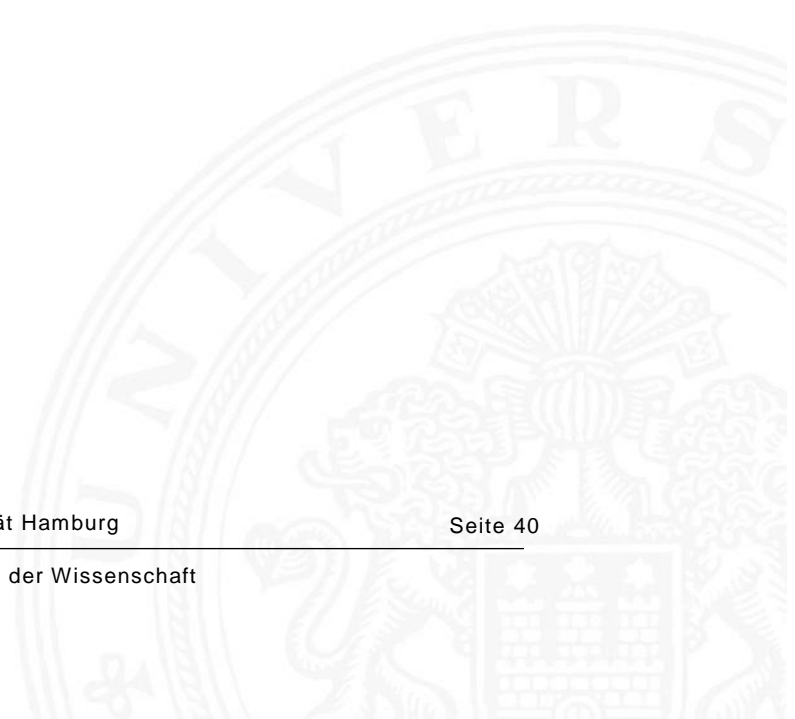
Module A2: Judicial Procedures and Alternative Dispute Resolution Elective Module Semester 3	
Content and qualification objectives	<p>The proposed module will deal with methods of resolving disputes other than by judicial adjudication. It is divided into two courses.</p> <p>The first one covers major topics emerging from the most consolidated of these methods (arbitration), with special emphasis on the theoretical and practical issues of commercial and investment arbitration. Among other things, the course considers issues relating to arbitration agreements and their enforcement, the arbitration process and the relation between arbitral proceedings and national court systems. It devotes special attention to international instruments, national laws and institutional arbitration rules.</p> <p>The second one focuses on examination of the “informal justice” movement and has been designed to provide a thorough understanding of the practice and procedure of the so called “Alternative Dispute Resolution” (ADRs). This part will address with general features of negotiation and mediation and hybrid processes. Special attention will be paid to contemporary debates and advances surrounding it, especially to the rules developed within the framework of the European Union and the ICC.</p> <p>The aims of the course are:</p> <ul style="list-style-type: none"> • To qualify students to understand the differences between “ordinary proceedings” and methods of resolving disputes others than by adjudication • To appreciate advantages and disadvantages of these kinds of resolving disputes • To identify the main problems that arise in this area • To examine the design of dispute resolution interventions, systems and principles • To appreciate the relationship (and possible complementarity) between different processes
Methodology	Teaching in the courses will be practical and interactive. Assignments, normally based upon one or two leading cases, will be set in advance of each meeting and supplemented by additional, follow-up reading.
Examination	Written Examination
Total credit points for the module	6 CP. Full workload of 180 hours for the students including 60 hours of lecture time.

<p>Courses (Individual break-down of credits)</p>	<p>1. Course: Arbitration (3 Credits)</p> <ul style="list-style-type: none"> • General questions • The arbitration agreement • The role of the arbitrator • The arbitral procedure • The role of the judges • Arbitrations in specialized fields <p>2. Course: Alternative Dispute Resolution Systems (ADRS) (3 Credits)</p> <ul style="list-style-type: none"> • Introduction • Most common techniques • Lawyers and judges • The future of ADRs
<p>Frequency offered</p>	<p>Once a year</p>
<p>Length</p>	<p>6 weeks</p>



Module B 2: Public Administration Elective Module Semester 3	
Content and qualification objectives	<p>This module is designed to present the main administrative concepts and theories regarding the organization and processes of the machinery through which governments implement their decisions and policies: Public Administrations. It attempts to familiarise students with the major features and organisation of European public administrations in a comparative perspective, how and why public administration systems differ, and to what extent they have implemented similar reforms of new public management. It would be a perfect complement to enrich and strengthen the knowledge acquired in the courses of public law, regulatory law and public administration law.</p> <p>The module is intended to demonstrate the importance of learning from the experience of other countries as opposed to the development of an 'inward' field of study and to deliver a comparative overview of major aspects of public administration such as relationships between politics and public administration, central / local relations, the public service (representativeness, socialization and training) and reform processes (since all topics are in some way on the agenda of reform in many countries).</p>
Methodology	<p>Due to the introductory and general nature of the courses of this module, the methodology will be based on the combination of both lectures and discussions about the main themes of the subject matter. Prior to the attendance of every lecture, the students should carry out several readings and analyse some legal texts. Before the beginning of the module, a list of the readings and a copy of all the legal texts to be examined will be handed in to the students.</p>
Examination	Written Examination
Total credit points for the module	6 CP. Full workload of 180 hours for the students including 60 hours of lecture time.

<p>Courses (Individual breakdown of credits)</p>	<p>1 . Course: European Public Administrations (2 Credits)</p> <ul style="list-style-type: none"> • Introduction to the discipline of public administration • The need for comparison in the study of public administration. • Basic models for public administration • Modern administrative systems in historical perspective • Public employment and civil service systems • Politico-administrative relationships • Internal dynamics within public administrations • Central-local administrations and their relations • Implementation and evaluation of public policies <p>2. Course 3: Public Enterprises (1 Credit)</p> <ul style="list-style-type: none"> • Distinction between public and private enterprises • Applicable law • Organisation of public enterprises • Chinese public enterprises in the European internal market <p>3. Course: Law of Non-Profit-Organisations (1 Credit)</p> <ul style="list-style-type: none"> • Practical importance (China/Europe) • Aims of non-profit organisations • Legal framework in China • Problems (i.e. taxation) <p>4. Course 4: EU-Environmental Law as model for China? (2 Credits)</p> <ul style="list-style-type: none"> • Substantive Law • Procedures • Certificate trading • Impact assessment
<p>Frequency offered</p>	<p>Once a year</p>
<p>Length</p>	<p>6 weeks</p>



Module C 2: International Trade Elective Module Semester 3	
Content and qualification objectives	This elective module which deals with international trade focuses on all relevant aspects of intellectual property issues and competition law. Intellectual property rights are very important to grant innovations and a competitive industry. One course deals with the economics incentive effects of intellectual property rights. The different economic incentives underlying patent, copyright and trademark law will be developed and analysed. Competition law is an essential element of a market economy. It will be treated in from a European and an international perspective.
Methodology	The methodology of course 1 and course 2 will be based on the combination of both lectures and discussions about the main themes of the subject matter. Prior to the attendance of every lecture, the students should carry out several readings and analyse some legal texts. Especially the field of intellectual property requires clear illustrations and examples. Thus, a lot of case studies will be an integral part of the courses. Course 3 will be a classical lecture with a main emphasis on all relevant legal documents.
Examination	Written Examination
Total credit points for the module	6 CP. Full workload of 180 hours for the students including 60 hours of lecture time.
Courses (Individual breakdown of credits)	<ol style="list-style-type: none"> 1. Course: Law of Intellectual Property (2 Credits) <ul style="list-style-type: none"> • Software and European directive • Free software and copy right • Data base and European directive • Personality rights: right of privacy versus right of publicity • Internet and copyright 2. Course: Law and Economics of Intellectual Property Rights (2 credits) <ul style="list-style-type: none"> • Economic incentive effects of intellectual property rights. • Patent law • Copyright law • Trademark law 3. Course: Competition Law – advanced (2 credits) <ul style="list-style-type: none"> • Introduction to competition theory • Horizontal scenarios • Vertical scenarios • Exemption • Mergers • The enforcement process • Judicial review • International aspects
Frequency offered	Once a year
Length	6 weeks

Module D 2: Company Law Elective Module Semester 3	
Content and qualification objectives	This elective module dealing with company law focuses on corporate insolvency and securities regulation and takeover law. The first course will demonstrate the significance of all rules dealing with corporate insolvency, especially the aspects of disciplination, the procedural elements, and the reorganization schemes. Due to the extraordinary relevance of capital markets around the world the law of securities and takeovers is more important than ever. The course will focus on all relevant aspects of these fields of law.
Methodology	Teaching in the courses will be practical and interactive. Assignments, normally based upon one or two leading cases, will be set in advance of each meeting and supplemented by additional, follow-up reading.
Examination	Written Examination
Total credit points for the module	6 Credits. Full workload of 180 hours for the students including 60 hours of lecture time.
Courses (Individual breakdown of credits)	<ol style="list-style-type: none"> 1. Course: Corporate Insolvency (3 Credits) <ul style="list-style-type: none"> • The case of insolvency law and its disciplining effects on management and shareholders • Liquidation procedures • Reorganization schemes 2. Course: Securities Regulations and Takeover Law (3 Credits) <ul style="list-style-type: none"> • The growing importance of capital market law • Trading rules in a transparent capital market • Mergers and acquisitions • Takeover law in particular
Frequency offered	Once a year
Length	6 weeks

Module E 2: Law of Special Regulated Economic Sectors Elective Module Semester 3	
Content and qualification objectives	<p>After the global comprehension in the compulsory course about the regulatory law, giving the general elements of the regulatory functioning, it is very useful to take the special regulated economic sectors one by one and not only like simple examples of this general frame.</p> <p>These specific sectors are: telecommunication, media, energy, transportation, banking system, insurance, financial markets. In fact, at the same time, every sector follows general rules, such as the regulator's organization, and also is subject to special rules, such as the prevention of risks or the specific organization of information. In this perspective, the course takes sector by sector, in an international and comparative way, to focus on specific rules, legal framework and special reasoning. The part of economic rules is important in this type of description and analysis.</p> <p>The aims of this elective course are to</p> <ul style="list-style-type: none"> • provide a comprehension of the legal construction of economic sectors, led by their economic construction and by political system. More or less, these sectors are touched by economic and political interferences, for example in the banking sector and the course will provide the comprehension of the impact of the economic globalisation sector by sector. • complement the compulsory course in focussing more the economic preconditions and impacts of regulation.
Methodology	<p>The methodology of this course is a deduction of its aims. We will take sector by sector (telecommunication, media, energy, transportation, banking system, insurance, financial markets) and analyse the European legal framework in these matters. The material will be European legal documents and national legal documents, especially French laws and administrative and jurisdictional decisions. More precisely, after a description made by the professor, concrete analyses of laws and case decisions will be made by professors and scholars together.</p> <p>A casebook will be provided by the professor before the course beginning to permit the scholars to familiar themselves with these matters.</p> <p>At the end of every analysis of specific legal organization and decisions, the particular attention and a more synthetic perspective will be adopted to do a relation between general regulatory law (studied before through the compulsory course) and specific law applied to a specific sector.</p>
Examination	Written Examination
Total credit points for the module	6 CP. Full workload of 180 hours for the students including 60 hours lecture time.

<p>Courses (Individual break-down of credits)</p>	<p>1. Course: Transportation (2 credits)</p> <ul style="list-style-type: none"> • Historical and economic background • Maritime law • Air law • Perspectives <p>2. Course: Banking Systems (2 credits)</p> <ul style="list-style-type: none"> • Historical and economic background • International developments • European situation • Examples of banking systems • Perspectives <p>3. Course: Financial Markets (2 credits)</p> <ul style="list-style-type: none"> • Recent developments • Actors, products, consumers • Market regulations • European experiences • Perspectives
<p>Frequency offered</p>	<p>Once a year</p>
<p>Length</p>	<p>6 weeks</p>

