



Universität Hamburg

DER FORSCHUNG | DER LEHRE | DER BILDUNG

Nr. 46 vom 7. Dezember 2011

## AMTLICHE BEKANNTMACHUNG

Hg.: Der Präsident der Universität Hamburg  
Referat 31 – Qualität und Recht

### **Examination regulations for the postgraduate degree programme “Master of European and International Law” at the China-EU School of Law (CESL)**

**July 4, 2011**

On July 4, 2011, 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 and International Law” passed by the Faculty of Law on April 20, 2011 in accordance with § 91 Paragraph 2 Number 1 HmbHG from July 18, 2001 (HmbGVBl. p. 171) in the version of November 16, 2010 (HmbGVBl. p. 605).

## **§ 1**

### **Scope, Academic degree**

(1) These examination regulations are effective for the postgraduate degree programme “Master of European and International 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 and International 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 and International 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 and
- 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 programme, 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 TOEFL score of 100 or IELTS 7.0. 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 d);
- 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) Statement that states how much the applicant is able to pay for the tuition fee,
- 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 two consecutive semesters. The students have to achieve 60 credits during the duration of the European and International Law Master Programme as follows: 45 credits within classes during the first and second semester, 15 credits for the master's thesis to be written in the second 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 two semesters are held at the CUPL (Beijing).

(4) 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.

(5) 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.

(6) 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.

(7) The Master Programme is completed with the master's 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 – Compulsory Modules

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

First Semester – Elective Modules

Module A:	Judicial Procedures, International Litigation and Arbitration	6 CP
Module B:	European Administrative Law	6 CP
Module C:	Comparative Criminal Procedures	6 CP

Second Semester – Compulsory Modules

Module VII:	European Private Law	3 CP
Module VIII:	Law of Regulation	3 CP
Module IX:	International Economic Law	3 CP

Second Semester – Elective Modules

Module D:	International Trade	6 CP
Module E:	Company Law	6 CP
Module F:	Law of Special Regulated Economic Sectors	6 CP
Module G:	Natural Resources and Climate Change Law	6 CP

Master's Thesis 15 CP

Total: 60 CP

**§ 10  
Course types**

(1) Courses consist in particular of:

- a) Lectures: for the detailed presentation of a subject area,
  - b) Exercises: for the immersion and further practice of the lecture material,
  - c) Seminars: for the independent preparation of knowledge and its mediation;
  - d) 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 module. 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 courses taken by the student in the programme. 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 second 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. One printed copy 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 (post-marked 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 the end of the teaching period of the second 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 re-taken.

(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 inci-

dent 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 and International 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.

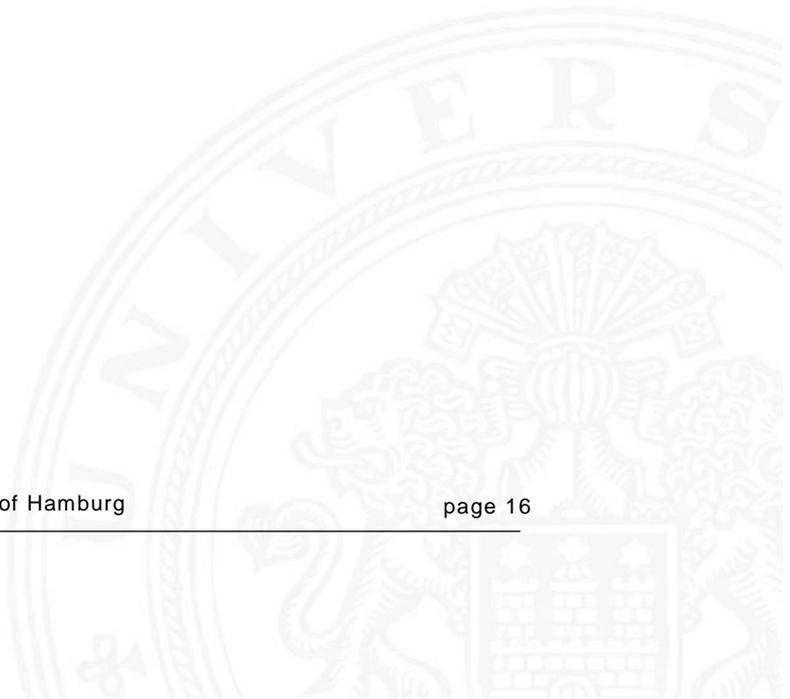
**§ 23**  
**Costs**

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 of Hamburg. They apply to all students taking up their studies as of September 2010. Course and exam work completed before these regulations become effective will be credited.

Hamburg, July 4, 2011  
**University of Hamburg**



**Supplement: Modules**

<b>Module I: Legal Writing and Research Compulsory Module Semester 1</b>	
<b>Content and qualification objectives</b>	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"> <li>- conduct legal research in the library</li> <li>- prepare coherent legal analysis</li> <li>- use proper citations and</li> <li>- organize the components of effective advisory writing</li> </ul>
<b>Methodology</b>	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.
<b>Examination</b>	Written Examination
<b>Total credit points for the module</b>	2 cp. Full workload of 60 hours for the students including 16 hours teaching.
<b>Courses (Individual breakdown of credits)</b>	<ol style="list-style-type: none"> <li>1. Course: Legal English (1 cp) <ul style="list-style-type: none"> <li>- Terminology</li> <li>- Legal citation</li> <li>- Principles of legal communication</li> <li>- Presentation</li> </ul> </li> <li>2. Course: Legal Writing (1 cp) <ul style="list-style-type: none"> <li>- Skills, techniques and motivation</li> <li>- Legal terms and concepts</li> <li>- Legal logic</li> <li>- Legal writing skills</li> <li>- Legal analysis</li> <li>- Methods and Sources</li> <li>- Practice</li> </ul> </li> </ol>
<b>Frequency offered</b>	Once a year
<b>Length</b>	2 weeks

<b>Module II A: European Legal Traditions Compulsory Elective Module Semester 1</b>	
<b>Content and qualification objectives</b>	<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: 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.</p> <ul style="list-style-type: none"> <li>- 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).</li> <li>- 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.</li> <li>- Comprehend the present-day irrelevance of the division between Commercial Law and Civil Law.</li> <li>- Convey to all participants a basic outline of how European Criminal Law works.</li> <li>- 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).</li> <li>- 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.</li> </ul> <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> <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</p>

	genesis of the current process of harmonization and unification of criminal laws within the EU.
<b>Methodology</b>	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.
<b>Examination</b>	Written Examination
<b>Total credit points for the module</b>	4 cp. Full workload of 120 hours for the students including 32 hours of lecture time.
<b>Courses (Individual breakdown of credits)</b>	<p>1. Course: Introduction to and methods of Comparative Law (1 cp)</p> <ul style="list-style-type: none"> <li>- functions of comparative law</li> <li>- methods of comparative law</li> <li>- comparative law in European integration</li> </ul> <p>2. Course: Private Law (1 cp)</p> <ul style="list-style-type: none"> <li>- Private Law vs. Public Law</li> <li>- The legal traditions on the analysis of Private Law</li> <li>- The legal families of Private Law</li> <li>- Commercial Law and Private Law</li> <li>- The Europeanization process of Private Law</li> <li>- The harmonization process: a critical approach</li> </ul> <p>3. Course: Constitutional Law (1 cp)</p> <ul style="list-style-type: none"> <li>- The different constitutional traditions in Europe</li> <li>- Historical evolution</li> <li>- Basic dimensions</li> <li>- Constitutional structures</li> <li>- International and supranational dimension</li> </ul> <p>4. Course: Functions and foundations of Criminal Law (1 cp)</p> <ul style="list-style-type: none"> <li>- Historical and Political Basis of the European Systems of Criminal Law</li> <li>- Constitutional elements of European system</li> <li>- Foundations of Criminal Law within and derived from the EU matters</li> <li>- Other Framework decisions regarding European Criminal Law.</li> </ul>
<b>Frequency offered</b>	Once a year
<b>Length</b>	3 weeks

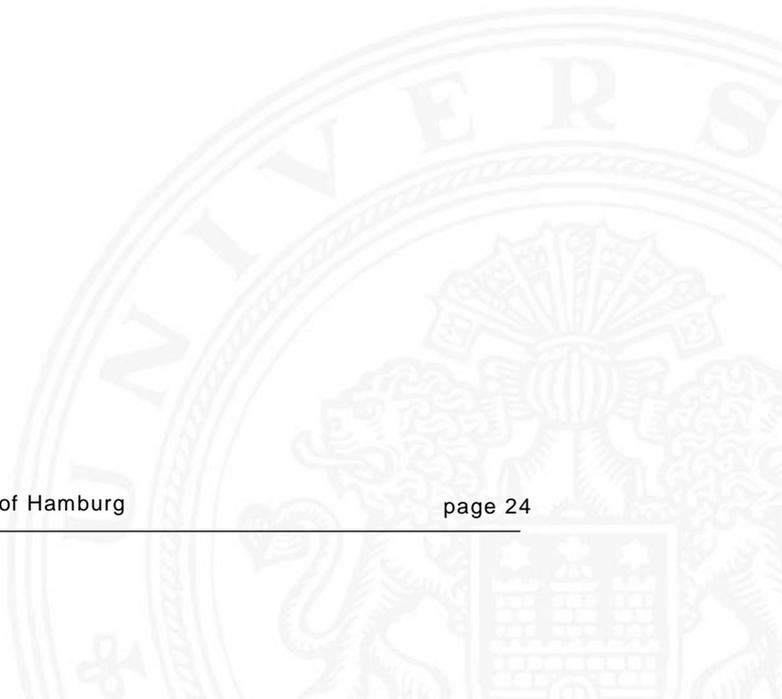
<b>Module II B: Introduction to Chinese Law Compulsory Elective Module Semester 1</b>	
<b>Content and qualification objectives</b>	<p>The Module consists of two courses. They explain the basic features of Chinese law as far as they are interesting and relevant for international students. In addition, 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"> <li>- to give an overall review of the legal system in China;</li> <li>- to understand the characteristics of legal tradition and tradition in China</li> <li>- to understand the constitutional arrangements concerning division of powers in China</li> <li>- to understand the structure of legislative body and law-making process in China;</li> <li>- to understand the basic features and structure of judicial system in China;</li> <li>- to understand the function, structure and power of administrative government in China;</li> <li>- to study basic features and operation of legal professionals in China;</li> <li>- to study the basic features of legal education in China.</li> </ul>
<b>Methodology</b>	The courses will be delivered as lectures, accompanied by tutorials.
<b>Examination</b>	Written Examination
<b>Total credit points for the module</b>	4 cp. Full workload of 120 hours for the students including 32 hours lecture time.
<b>Courses (Individual breakdown of credits)</b>	<p>1. Course: An Introduction to Chinese Legal System (2 cp)</p> <ul style="list-style-type: none"> <li>- An overall review of legal system</li> <li>- Constitution and division of powers</li> <li>- Structure and operation of legislative authorities</li> <li>- Structure and operation of judicial system</li> <li>- Structure and operation of administrative authorities</li> <li>- Regulation of lawyers</li> <li>- Review of legal education</li> </ul> <p>2. Course: Introduction to Chinese Business Law (2 cp)</p> <ul style="list-style-type: none"> <li>- Part one: Introduction of Chinese Law: Legal Framework and Sources of Law</li> <li>- Part two: The Law of Business Organizations</li> <li>- Frauds in Securities Markets: Misrepresentations, Insider Trading and Price Manipulations</li> <li>- Enterprise Bankruptcy Law (EBL)</li> <li>- Contract Law</li> <li>- Product Liability</li> </ul>
<b>Frequency offered</b>	Once a year
<b>Length</b>	3 weeks

<b>Module III: Public International Law Compulsory Module Semester 1</b>	
<b>Content and qualification objectives</b>	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"> <li>- introduce to aspects of the law which are increasingly significant and</li> <li>- enable to deal with legal challenges wherever they may arise</li> </ul>
<b>Methodology</b>	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.
<b>Examination</b>	Written Examination
<b>Total credit points for the module</b>	4 cp. Full workload of 120 hours for the students including 32 hours lecture time.
<b>Courses (Individual breakdown of credits)</b>	<ol style="list-style-type: none"> <li>1. Course: Legal Foundations of Public International Law (2 cp) <ul style="list-style-type: none"> <li>- Historical and theoretical background</li> <li>- States and individuals</li> <li>- Treaties and other sources of international law</li> <li>- Basic principles of international law</li> </ul> </li> <li>2. Course: International Organisations (1 cp) <ul style="list-style-type: none"> <li>- History of international organisations</li> <li>- Characteristics of international organisations</li> <li>- United Nations</li> <li>- WTO</li> </ul> </li> <li>3. Course: China in international Law (1 cp) <ul style="list-style-type: none"> <li>- China's special status as recognised by the UN Charter</li> <li>- Legal relations to European states and EU</li> </ul> </li> </ol>
<b>Frequency offered</b>	Once a year
<b>Length</b>	3 weeks

<b>Module IV: Rule of Law and Human Rights Compulsory Module Semester 1</b>	
<b>Content and qualification objectives</b>	<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>
<b>Methodology</b>	Lectures, seminars, e-learning
<b>Examination</b>	Written Examination
<b>Total credit points for the module</b>	4 cp. Full workload of 120 hours for the students including 32 hours lecture time.
<b>Courses (Individual breakdown of credits)</b>	<p>1. Course: European Human Rights Law (1 cp)</p> <ul style="list-style-type: none"> <li>- Introduction: European history of Human Rights</li> <li>- Human Rights within the Council of Europe</li> <li>- Human Rights and the EU</li> <li>- EU and European convention on Human Rights</li> </ul> <p>2. Course: International Treaties on Human Rights (1 cp)</p> <ul style="list-style-type: none"> <li>- General characteristics of international treaties on human rights</li> <li>- An inventory of international treaties on human rights</li> </ul> <p>- Course: National and International Aspects of the Rule of Law (1 cp)</p> <ul style="list-style-type: none"> <li>- The national developments of the rule of law</li> <li>- The international recognition of rule of law</li> <li>- The impact of the European concept on national systems</li> </ul> <p>4. Course: New Human Rights and their Effectiveness (1 cp)</p> <ul style="list-style-type: none"> <li>- Recent developments</li> <li>- Institutional aspects</li> <li>- Enforcement of "New Human Rights"</li> </ul>
<b>Frequency offered</b>	Once a year
<b>Length</b>	3 weeks

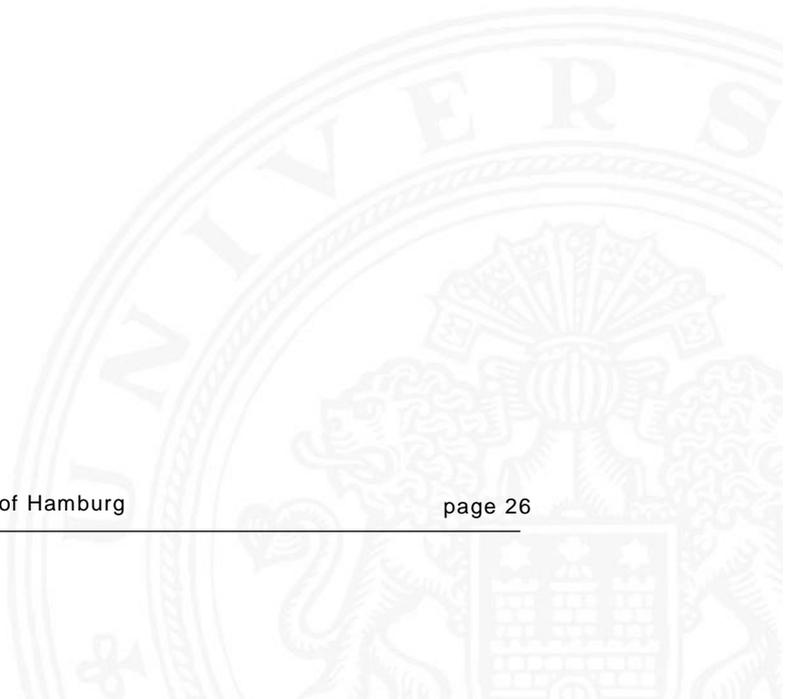
<b>Module V: Law and Politics of the European Union Compulsory Module Semester 1</b>	
<b>Content and qualification objectives</b>	<p>The module consists of four courses dealing with the legal foundations of European integration, the different European political systems which are part of the integration 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"> <li>- basic knowledge of the historical, theoretical and economic foundations of the European Union;</li> <li>- an introduction to the legal system of the European Union;</li> <li>- better understanding of the characteristics of EU-Law compared to international law</li> </ul>
<b>Methodology</b>	<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>
<b>Examination</b>	Written Examination
<b>Total credit points for the module</b>	4 cp. Full workload of 120 hours for the students including 32 hours lecture time.

<p><b>Courses (Individual breakdown of credits)</b></p>	<p>1. Course: European Political Systems (1 cp)                  - 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.                  - The political agenda and the role of public administrations</p> <p>2. Course: Political and Economic Dimension of the EU (1 cp)                  - EU as a multi-level governance system                  - Economic theories of federalism                  - Efficiency and democracy in the EU decision-making-process</p> <p>3. Course: Legal Foundations of European Union Law (2 cp)                  - Legal sources of European Law                  - European Law and National Law                  - Institutions                  - Legal Instruments                  - Introduction to the law of the internal market                  - Constitutional perspectives</p>
<p><b>Frequency offered</b></p>	<p>Once a year</p>
<p><b>Length</b></p>	<p>3 weeks</p>



<b>Module VI: EU-Law (Advanced) Compulsory Module Semester 1</b>	
<b>Content and qualification objectives</b>	<p>The module consists of four courses dealing with the Internal Market, the Area of Freedom Security and Justice, the Economic and Monetary Union and the Common Commercial Policy. The course "Internal Market" outlines the four fundamental freedoms (persons, services, establishment and capitals) with a special focus on the case law of the EU Courts. The course on the Area of Freedom Security and Justice, divided in two subsections, will offer an extensive overview of the theoretical premises and practical impact of the measures adopted in the field of civil and commercial judicial cooperation and police and judicial cooperation in criminal matters, respectively. Moreover, it will analyse the EU asylum and immigration policy. The course on the Economic and Monetary Union, instead, will focus on the events leading to a single currency, the organisational and functional profiles as well as the external relations of the Euro-zone. Finally, the course on the Common Commercial Policy, will address the scope and main instruments available to the EU in this domain. The participation of the latter to the World Trade Organisation will also be considered.</p> <p>Based on these courses the module aims at providing:</p> <ul style="list-style-type: none"> <li>- providing an in-depth understanding of the legal framework governing the internal market, the judicial cooperation in civil and criminal matters, the economic and monetary Union, as well as the common commercial policy of the EU</li> <li>- developing the ability to carry out legal analysis and address practical problems related to the implementation of EU law in the areas covered by the programme</li> </ul>
<b>Methodology</b>	<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>
<b>Examination</b>	Written Examination
<b>Total credit points for the module</b>	6 cp. Full workload of 180 hours for the students including 48 hours lecture time.

<b>Courses (Individual breakdown of credits)</b>	<p>1. Course: Internal Market (2 cp)</p> <ul style="list-style-type: none"> <li>- The functioning of the Internal Market</li> <li>- Free movement of goods</li> <li>- Free movement of persons (EU citizens)</li> <li>- Free movement of services and right of establishment</li> <li>- Free movement of capital and payments</li> <li>- Introduction to Competition Law</li> </ul> <p>2. Course: Area of Freedom, Security and Justice (2 cp)</p> <ul style="list-style-type: none"> <li>- Visa, asylum and immigration policies</li> <li>- Judicial co-operation in civil matters</li> <li>- Judicial co-operation in criminal matters</li> <li>- Police and administrative co-operation</li> <li>- Police and customs co-operation</li> </ul> <p>3. Course: Economic and Monetary Union (1 cp)</p> <ul style="list-style-type: none"> <li>- Historical and economic background</li> <li>- The Economic Union</li> <li>- Implementation of the European Monetary Union</li> <li>- European Central Bank and European system of central banks</li> </ul> <p>4. Course: Common commercial policy (1 cp)</p> <ul style="list-style-type: none"> <li>- Factual background</li> <li>- Common rules</li> <li>- Commercial defence measures</li> </ul>
<b>Frequency offered</b>	Once a year
<b>Length</b>	5 weeks

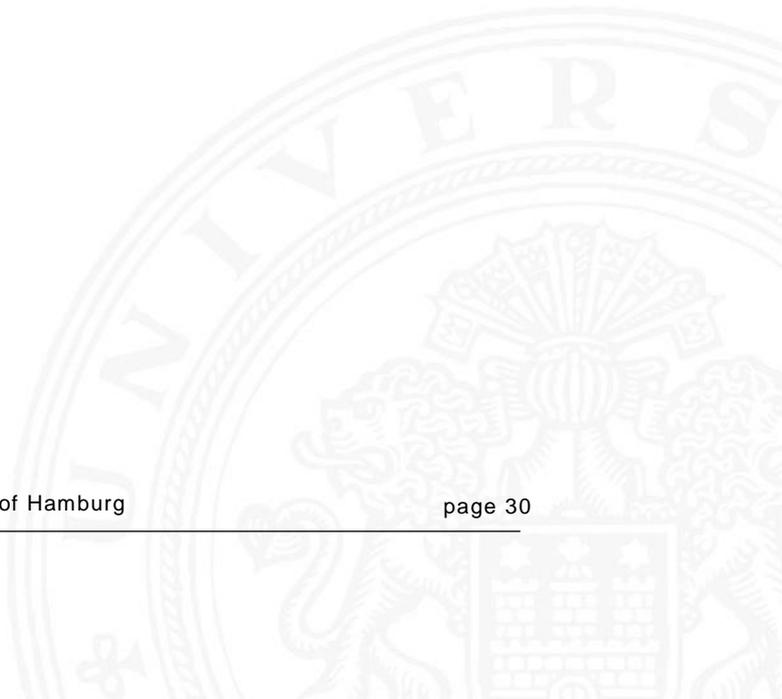


<b>Module A: Judicial Procedures, International Litigation and Arbitration Elective Module Semester 1</b>	
<b>Content and qualification objectives</b>	<p>This elective module offers five different courses on international litigation, comparative civil procedure, comparative criminal procedure, international enforcement and arbitration and Alternative Dispute Resolution.</p> <p>The first course covers major topics 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.).</p> <p>The courses on civil and criminal law, aim to provide the basis knowledge and the principles of civil and criminal procedure, analysing 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>The last course deals with methods of resolving disputes other than by judicial adjudication. It covers practical issues of commercial and investment arbitration agreements and their enforcement, the arbitration process and the relation between arbitral proceedings and national court systems. It also deals with the so-called "Alternative Dispute Resolution" (ADRs) procedures like negotiation, mediation and hybrid processes.</p> <p>The aims of the module are:</p> <ul style="list-style-type: none"> <li>- To understand the basic principles of civil and criminal procedure, as well as of international litigation, with special attention to the due process and to the importance of Human Rights in this context.</li> <li>- To discuss the hypothetical projection of the European advances in this field on the Chinese regulation.</li> <li>- To qualify students to understand the differences between "ordinary proceedings" and methods of resolving disputes others than by adjudication</li> <li>- To appreciate advantages and disadvantages of these kinds of resolving disputes</li> <li>- To examine the design of dispute resolution interventions, systems and principles</li> </ul>
<b>Methodology</b>	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. Moot Court simulation will be offered in course No. 5.
<b>Examination</b>	Written Examination
<b>Total credit points for the module</b>	6 cp. Full workload of 180 hours for the students including 48 hours of lecture time.

<p><b>Courses (Individual breakdown of credits)</b></p>	<p>1. Course International Litigation (1 cp)                      - International jurisdiction                      - Service of process abroad                      - Obtaining evidence abroad                      - Recognition and enforcement of foreign judgments</p> <p>2. Course: Comparative Civil Procedure (1 cp)                      - 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)</p> <p>3. Course: Enforcement in an international context (1 cp)                      - Introduction                      - The lawsuit                      - The civil suit</p> <p>4. Course: Comparative Criminal Procedure (1 cp)                      - 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</p> <p>5. Course: Arbitration and Alternatives Dispute Resolution Systems (ADRS) (2cp)                      - General questions of arbitration                      - The arbitration agreement                      - The role of the arbitrator and the judges                      - The arbitral procedure                      - Arbitrations in specialized fields                      - Introduction to ADRS                      - Most common techniques                      - Lawyers and judges                      - The future of ADRs</p>
<p><b>Frequency offered</b></p>	<p>Once a year</p>
<p><b>Length</b></p>	<p>5 weeks</p>

<b>Module B: European Administrative Law Elective Module Semester 1</b>	
<b>Content and qualification objectives</b>	<p>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 and reviewed by an independent judicial branch. 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.</p> <p>As the most important field for EU administrative procedures is competition law the course Administrative Procedures in Competition Matters is designed to provide the students with the knowledge of how administrative procedures are organized when the competences are shared between the EU and the member states. Another very important aspect in this regard is the question how to govern the activities of public enterprises. The course Public Enterprises aims at showing the problems which arise in the area of conflict between competences of the EU on the one hand and the member states on the other hand. The last course focuses on the special field of environmental law. By taking environmental law as an example the question should be discussed whether or not and to which extent European Law can be seen as a model for China.</p>
<b>Methodology</b>	Lecture with complementary materials. A complementary Moot Court will be offered in Course No 3.
<b>Examination</b>	Written Examination
<b>Total credit points for the module</b>	6 cp. Full workload of 180 hours for the students including 48 hours of lecture time.

<p><b>Courses (Individual breakdown of credits)</b></p>	<p>1. Course: Constitutional Foundations of Administrative Law (1 cp)                  - Rule of law                  - Human rights                  - Legal certainty                  - Proportionality                  2. Course: Administrative Procedures in Competition Matters (1 cp)                  - Regulation 1/2003                  3. Course: Administrative Procedures and Judicial Review (2 cp)                  - Procedures                  - Administrative Decisions (Adm. acts/Adm. contracts)                  - Enforcement                  - Judicial Review                  4. Course: Public Enterprises (1 Credit)                  - Distinction between Public and Private Enterprises                  - Applicable law                  - Organization of Public Enterprises                  - Chinese Public Enterprises in the European Internal Market                  5. Course: EU-Environmental Law as model for China? (1 Cp)                  - Substantive Law                  - Procedures                  - Certificate trading                  - Impact assessment</p>
<p><b>Frequency offered</b></p>	<p>Once a year</p>
<p><b>Length</b></p>	<p>5 weeks</p>



<b>Module C: Comparative Criminal Procedure Elective Module Semester 1</b>	
<b>Content and qualification objectives</b>	<p>This module aims to make students aware of the variety of systems for prosecuting and convicting offences, whether it consists of offences against persons or against goods. There are very deep differences between the Anglo-American tradition and the continental European legal systems, as far as prosecuting and sentencing are concerned. The influence of international and European instruments and notably the European Convention of Human Rights is deep-rooted. This reveals the existence of tensions between speed and fairness, efficiency and predictability, safety and freedom.</p> <p>The module will be held on the following topics:</p> <ul style="list-style-type: none"> <li>- Sources of criminal procedure</li> <li>- Prosecution authorities</li> <li>- Sentencing Authorities</li> <li>- Guaranties for due process</li> <li>- Alternatives to criminal proceedings (mediation, composition, etc).</li> </ul> <p>Comparison is the only method for understanding the range of variation in phenomena of a particular type, as well as noting what is common to all of them. Ideally, in order to achieve this knowledge, one should compare all known members of a species. But, frequently, it is impractical, and one is constrained to examine selected members. In this module studying the morphology of criminal procedure, the Chinese and European systems shall be compared regarding laws and practice. Though sharp differences exist, a case approach shall point out a lot of common questions. In order to allow a comparative approach, the module is divided into six courses.</p>
<b>Methodology</b>	The module is delivered through an interactive teaching methodology, based on assigned readings and discussion of cases. Case studies will be organized with a view to familiarize the students with the practical aspects of the criminal procedure. The students are stimulated to active participation.
<b>Examination</b>	Written examination
<b>Total credit points for the module</b>	6 cp. Full workload of 180 hours for the students including 48 hours of lecture time.
<b>Courses (Individual break-down of credits)</b>	<ul style="list-style-type: none"> <li>- Sources of Criminal Procedure (1 cp)</li> <li>- Preliminary Inquiry Itself (1 cp)</li> <li>- Fundamental Principles of the Pre-trial Procedure (1 cp)</li> <li>- The Pre-trial Procedure (1 cp)</li> <li>- Fundamental Principles of the Trial Process (1 cp)</li> <li>- Sentencing, Punishment and Appeals (1cp)</li> </ul>
<b>Frequency offered</b>	Once a year
<b>Length</b>	5 weeks

<b>Module VII: European Private Law Compulsory Module Semester 2</b>	
<b>Content and qualification objectives</b>	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.
<b>Methodology</b>	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
<b>Examination</b>	Written examination
<b>Total credit points for the module</b>	3 cp. Full workload of 90 hours for the students including 24 hours lecture time.
<b>Courses (Individual breakdown of credits)</b>	<p>1. Course: Introduction to European Private Law (1 cp)</p> <ul style="list-style-type: none"> <li>- EU law and European private law: competition amongst legal formants and resistances at the national level</li> <li>- The making of European private law with regard to torts and property: EU Directives and national implementations</li> <li>- The making of European private law with regard to tort and property: The role of scholars and courts at EU and national levels</li> <li>- "Soft" law projects of unification and the building of a European law of obligations: Implications for tort law</li> </ul> <p>2. Course: Torts Law (1 cp)</p> <ul style="list-style-type: none"> <li>- European tort law: the spets of its process of unification</li> <li>- Aims and functions of tort liability: European models</li> <li>- Environmental liability</li> <li>- Product liability</li> </ul> <p>3. Course: Property Law (1 cp)</p> <ul style="list-style-type: none"> <li>- Property: goods and new properties</li> <li>- European models of property law</li> <li>- Law of trusts</li> <li>- "Time-sharing"</li> <li>- Intellectual property</li> </ul>
<b>Frequency offered</b>	Once a year
<b>Length</b>	2 weeks

<b>Module VIII: Law of Regulation Compulsory Module Semester 2</b>	
<b>Content and qualification objectives</b>	<p>In a global economy, markets and states aren't enemies and no more independent each other's. Publics 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"> <li>- teach the fundamental principle of the regulatory law</li> <li>- analyze regulated sectors</li> <li>- show the relevance of the topics for current Chinese situation</li> </ul>
<b>Methodology</b>	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.
<b>Examination</b>	Written Examination
<b>Total credit points for the module</b>	3 cp. Full workload of 90 hours for the students including 24 hours lecture time.
<b>Courses (Individual breakdown of credits)</b>	<p>1. Course: Introduction to and Common Principles of Regulatory Law (1 cp)</p> <ul style="list-style-type: none"> <li>- Administrative law and organization</li> <li>- Interference with private law</li> <li>- Political background and feedback</li> <li>- Relations between regulators and economic operators</li> <li>- The concretisation of the access right</li> <li>- Contracts and liabilities in regulatory systems</li> <li>- International, regional and global dimension</li> </ul> <p>2. Course: Institutional Design in European and Chinese Law (1 cp)</p> <ul style="list-style-type: none"> <li>- Hieratical organization</li> <li>- Independent bodies and their relationship</li> <li>- Judicial review and accountability</li> </ul> <p>3. Course: Problems and Obstacles in the field of Regulatory Law (1 cp)</p>
<b>Frequency offered</b>	Once a year
<b>Length</b>	2 weeks

<b>Module IX: International Economic Law Compulsory Module Semester 2</b>	
<b>Content and qualification objectives</b>	<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>
<b>Methodology</b>	<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>
<b>Examination</b>	Written Examination
<b>Total credit points for the module</b>	3 cp. Full workload of 90 hours for the students including 24 hours of lecture time.
<b>Courses (Individual breakdown of credits)</b>	<p>1. Course: WTO-law (2 cp)</p> <ul style="list-style-type: none"> <li>- International trade and globalization</li> <li>- Historical developments</li> <li>- Sources of WTO law</li> <li>- Dispute settlement</li> <li>- GATS and TRIP</li> <li>- WTO and the International Financing system (IMF, World bank)</li> </ul> <p>2. Course: International Investment Law (1 cp)</p>
<b>Frequency offered</b>	Once a year
<b>Length</b>	2 weeks

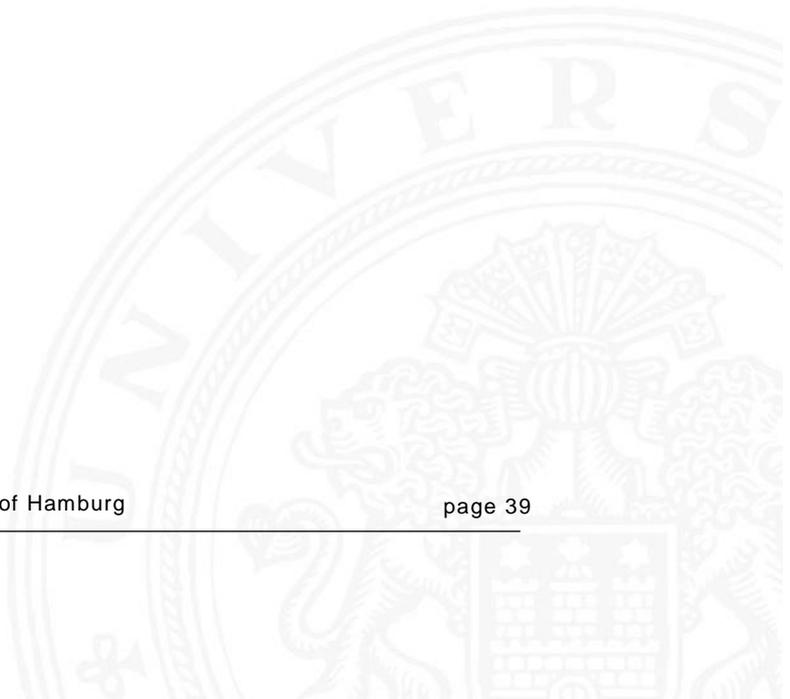
<b>Module D: International Trade Elective Module Semester 2</b>	
<b>Content and qualification objectives</b>	This elective module provides an introduction to the most relevant elements of international trade law. In the course on private international law /conflict of laws students are made familiar with transnational applications of private law discuss the rules regarding jurisdiction, and applicable law, with a focus on how they apply in the EU. The other courses of this module provide overviews of international commercial contracts, the backbone of international commerce, and international sales (distribution, agency) as well as payments. They also introduce competition law.
<b>Methodology</b>	The module gives a theoretical and practical overview of the whole field of international business transactions. The module does not only introduce the participants to 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 e.g. available alternatives..
<b>Examination</b>	Written Examination
<b>Total credit points for the module</b>	6 cp. Full workload of 180 hours for the students including 48 hours of lecture time.
<b>Courses (Individual break-down of credits)</b>	<ol style="list-style-type: none"> <li>1. Course: Conflict of Laws/Private International Law (2 cp) <ul style="list-style-type: none"> <li>- Transnational applications of private law</li> <li>- Jurisdiction</li> <li>- Application</li> </ul> </li> <li>2. Course: International Commercial Contracts (2 cp) <ul style="list-style-type: none"> <li>- Distribution contracts</li> <li>- Agency contracts</li> <li>- Licence agreements</li> <li>- Brokerage contracts</li> <li>- International loans</li> <li>- Bank guarantees</li> <li>- Construction contracts</li> <li>- Engineering contracts</li> <li>- Project financing</li> </ul> </li> <li>3. Course: International Sales (2 cp) <ul style="list-style-type: none"> <li>- Applicable law</li> <li>- Uniform laws on international sales</li> <li>- CISG</li> <li>- Applicability and contents</li> <li>- Damages</li> <li>- Cancellation</li> </ul> </li> </ol>
<b>Frequency offered</b>	Once a year
<b>Length</b>	5 weeks

<b>Module E: Company Law Elective Module Semester 2</b>	
<b>Content and qualification objectives</b>	<p>The module is divided into three parts. The first part is about Legal Business Forms and Groups of Companies. It is on corporations and will be devoted to an overview over the most important legal forms of business organizations in Germany, France and England. The basic legal structure (formation, governance structure, liability regime and financing) of companies and groups of companies will be compared within the framework of the three dominant legal traditions in Europe, namely German, French and English. The EU legislation harmonizing the important aspects of Member States' company laws, and to the development of supranational forms of business associations will also be taught. The objective of the course is to put students in a position to understand the common structural features of the law of business organizations in Europe. Students will be provided with a detailed syllabus and will comprehensive legislative materials</p> <p>The course on corporate finance will provide a comparative survey of the law on the two main avenues whereby businesses are financed in market economies: 1/ based on credits and 2/ by tapping the capital markets. In the first part of the course, thus, the main building blocks and distinguishing features of leading credit-securing laws will be analyzed. This branch of law is known under various names (e.g., 'secured transactions law' in the United States, personal property security law in England, or the 'law of credit-securities' in Germany), yet it is undoubtedly one of those emerging areas of commercial law that has been in the center of developments both, on the international and regional levels (e.g., the many reforms in Eastern Europe) since the European Bank for Reconstruction and Development launched its secured transactions reform project in 1992. The second half of the course will be devoted to raising finances on the capital markets and the main corollary regulatory challenges. In addition to a look at the most important types of securities (common v. preferential stocks, convertible bonds and derivatives), the main building blocks of modern capital and securities regulatory systems will be analyzed.</p> <p>The third part of the module deals with Corporate Governance. Inspired by the seminal work of Berle and Means (1932), the corporate governance has time and again been the subject of extensive scrutiny and controversy, especially in the 1960's and 1970's. These debates focused on the managerial corporations in the USA and UK, triggered by spectacular business failures, the built-up of huge excess capacities, and unscrupulous managers expropriating shareholders. The ENRON and similar cases have definitely shown the loopholes of company laws. This course will therefore focus on corporate control and accountability of US, European and Asian Corporations beyond the respective company laws examining, i.a., the voting power concentration in listed companies, owner-controls versus manager controls, board and ownership structures as well as making international comparison of identities of owners. Lastly, the course will examine the employees' co-determination in the member states of EU and the workers' role in Japan as well as the corporate governance codes in main industrialized countries.</p>

<b>Methodology</b>	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.
<b>Examination</b>	Written Examination
<b>Total credit points for the module</b>	6 cp. Full workload of 180 hours for the students including 48 hours of lecture time.
<b>Courses (Individual breakdown of credits)</b>	<p>1. Course: Legal Business Forms (1 cp)</p> <ul style="list-style-type: none"> <li>- Origins, history and trends in corporate law</li> <li>- Business forms (corporations and partnerships, public corporations in particular)</li> <li>- The recognition of companies in international private law (worldwide/intra-EU)</li> <li>- European supranational business forms</li> </ul> <p>2. Course: Groups of Companies (1 cp)</p> <p>3. Course: Corporate Finance (2 cp)</p> <ul style="list-style-type: none"> <li>- Equity and debt financing</li> <li>- Accounting rules and international accounting standards</li> <li>- Changing of capital structure</li> <li>- Creditor protection by corporate law and insolvency law</li> <li>- Corporate finance in groups of companies</li> </ul> <p>4. Course: Corporate Governance (2 cp)</p> <ul style="list-style-type: none"> <li>- Management and shareholders: Rights and duties</li> <li>- Supervision of management: One-tier system versus two-tier system</li> <li>- The corporate governance codex</li> <li>- Shareholder claims</li> <li>- The role of auditors</li> <li>- Pros and cons of workers’ co-determination</li> <li>- Groups of companies</li> </ul>
<b>Frequency offered</b>	Once a year
<b>Length</b>	5 weeks

<b>Module F: Law of special regulated economic sectors</b> <b>Elective Module</b> <b>Semester 2</b>	
<b>Content and qualification objectives</b>	<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. e 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.</p> <p>- complement the compulsory course in focussing more the economic preconditions and impacts of regulation.</p>
<b>Methodology</b>	<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>
<b>Examination</b>	Written Examination
<b>Total credit points for the module</b>	6 cp. Full workload of 180 hours for the students including 48 hours lecture time.

<b>Courses (Individual breakdown of credits)</b>	<p>1. Course: Telecommunication (2 cp)</p> <ul style="list-style-type: none"> <li>- Economic and technical background</li> <li>- International law</li> <li>- European law</li> <li>- National implementation (examples)</li> <li>- Problems and perspectives</li> </ul> <p>2. Course: Media law (2 cp)</p> <ul style="list-style-type: none"> <li>- Economic and political relevance</li> <li>- International legal framework</li> <li>- European media law</li> <li>- Perspectives</li> </ul> <p>3. Course: Energy-market law (2 cp)</p> <ul style="list-style-type: none"> <li>- Factual background</li> <li>- Energy in international law</li> <li>- European regulations on energy</li> <li>- Liberalization vs. Regulation</li> <li>- Perspectives</li> </ul>
<b>Frequency offered</b>	Once a year
<b>Length</b>	5 weeks



<b>Module G: Natural Resources and Climate Change Law Elective Module Semester 2</b>	
<b>Content and qualification objectives</b>	The elective module 'Natural resources and climate change law', taps into two practice areas of the law which currently have a global appeal: energy law, especially, the link with environmental issues, and climate change law. Energy and Environmental law are two areas of law and policy which are subject to a high degree of harmonization at the European level, and an increasing harmonization at the international level. They are a very useful topic for comparative research and teaching.
<b>Methodology</b>	The module is presented by traditional lecturing concerning a theoretical and practical overview of the whole field of environmental law. Due to the nature of the courses of the module, the methodology of lecturing will be combined with additional teamwork in groups and open discussions.
<b>Examination</b>	Written Examination
<b>Total credit points for the module</b>	6 cp. Full workload of 180 hours for the students including 48 hours lecture time.
<b>Courses (Individual breakdown of credits)</b>	1. General Introduction to International and European Environmental and Energy law (2 cp) 2. Emissions Trading and other Market-Based Instruments (2cp) 3. International and European Climate Change Law (2 cp)
<b>Frequency offered</b>	Once a year
<b>Length</b>	5 weeks