

Course Description

Master of Law in European Union Law , in International Law and in Comparative Law in English Language Program

IMLE101 PUBLIC INTERNATIONAL LAW

Theories on international law, New development of international law, Sources of international law, Relations between international law and domestic law, Subjects of international law, Responsibilities of states, International human rights, Law of treaties, Law of international organizations, Resolutions of international disputes.

IMLE102 COMPARATIVE LEGAL SYSTEMS

Macro and micro-comparison, Comparative method: elements and practical examples, The major contemporary legal systems, or the “legal families” or legal models throughout the world, Roman-Germanic or Civil Law Systems, Common Law Systems and non occidental Law Systems, with reference to the Far-East – Chinese and Japanese Law – as well as for the Religious Legal Systems – Islamic and Hindu Law: main features, essential historical elements and study of some of their most significant legal institutions and concepts.

IMLE103 LAW OF THE EUROPEAN UNION

The integration international theory and their economic justification, Integration of Western Europe, The evolution of the European Community, The realization of the internal market, The European Union: economic and monetary union and the policy of integration, The problem posed by the enlargement of the Union and institutional reform, The Nice Treaty, The federal impulses of European development.

IMLE111 INSTITUTIONAL LAW OF THE EUROPEAN UNION

The European Union, the European Communities and their legal system. The objectives. The institutions and bodies and their powers. The judicial system. The sources and scope of Community law. The interpretation and application of Community law, including the application of Community law by the Members States. The relationship between Community domestic law of the Members States.

IMLE112 ECONOMIC LAW OF THE EUROPEAN UNION

The economic system and the economic constitutional law: evolution, actual situation and the perspectives of development. The principles, the rules, the institutions and the fundamental economic rights. The four freedoms. The rules on competition. Economic law of companies. Banking, insurance, securities and capital markets.

IMLE201 INTERNATIONAL ECONOMIC LAW

Introduction and general aspects of International Economic Law, such as: concept of International Economic Law, the sources, the subjects, the methods of resolution of disputes and sanctions, International circulation of goods, services and factors of production, such as the international commercial relations in institutional (GATT/WTO) and substantive aspects (trade rules concerning goods, services and rules of intellectual property) and an introduction to international investment. International monetary relations. International redistribution of the wealth and the International Law of Development.

IMLE202 INTERNATIONAL CRIMINAL LAW

Introduction to the Rome Statute of the International Criminal Court, which came into force in 2002; issues of analysis include its jurisdiction and the co-operation of States. The second part discusses inter-State legal assistance in criminal matters, including extradition and other forms of mutual legal assistance; the traditional principles on its basis and the grounds for refusal of assistance and their justification will be analyzed.

IMLE203 INTERNATIONAL HUMAN RIGHTS LAW

Legal principles and norms of international human rights. Lecture topics include Historical development of human rights, the sources of international human rights law, civil and political rights, economic, social and cultural rights, international protection mechanism of human rights.

IMLE204 LAW OF INTERNATIONAL ORGANIZATIONS

Theory of international organizations, members of international organizations, legal status, organizational structure and function, rules of procedure, the privileges and immunities of international organizations, organizations of universal character (U.N.O., the specialized institutions of the UN, WTO, etc.) and regional organizations.

IMLE301 EUROPEAN CONTINENTAL LAW

Evolutions of Roman Law. The spirits and characteristics of Roman Law, The system and the basic contents of Roman private law, Origin, evolution and the basic contents and characteristics of Germanic law. The important of the France, German, Italian and Portuguese Civil Codes and the codification movement. Constitution in the European Continental Law systems, Importance of costumes, jurisprudence and doctrine as sources of law, Study of some fundamental civil law institutes and concepts based on the statute law and jurisprudence. The influence of European Continental Law in the world.

IMLE302 COMMON LAW

History of English Common Law. History of U.S. Common Law. English and U.S. law: main features, similarities and differences. Sources of law and judicial system. Study of some of the fundamental Common Law institutions and concepts. The influence of Common Law in the world.

IMLE113 POLICIES OF THE EUROPEAN UNION

Introduction to the different policies of the European Union. General concept of common policies. Agricultural, commercial, industrial, social, transport, education and vocational training policy. The fiscal harmonization. Cultural policy. Policy for research and technological development. The economic and social co-operation. The development co-operation. The new areas: energy, civil protection and tourism. The revision of the EU Treaty and the community.

IMLE114 EUROPEAN SOCIAL LAW

Social and employment policy – general principles. The European Social Fund. Employment policy. Social security for migrant workers. Health and safety at work. Social dialogue – information, consultation and participation of workers. Equality for men and women. Disabled persons, the elderly and the excluded.

IMLE115 INTERNAL AFFAIRS AND IMMIGRATION POLICY

Justice and home affairs: general aspects. Immigration policy and policy regarding nationals of third countries: conditions of entry and movement by nationals of third countries into and within the territory of Member States; conditions of residence by nationals of third countries in the territory of Member States, including family reunion and access to employment; combating unauthorized immigration, residence and work by nationals of third countries in the territory of Member States.

IMLE205 LAW OF THE UNITED NATIONS

The history of the UN. Principles and purposes of the UN. Its members. The bodies, in particular, the Security Council, the General Secretary and the General Assembly. The purposes of the UN, in particular, the maintenance of international peace and security. Issues of amendment of U.N. Charter.

IMLE206 INTERNATIONAL HUMANITARIAN LAW

General concepts. Sources of IHL. The aim of IHL. Application scope: international and non-international armed conflicts. The concept of armed conflicts. Implementation of IHL: aspects of control and repression. Relations between IHL and others international systems of protection of human rights.

IMLE207 INTERNATIONAL ENVIRONMENTAL LAW

The objectives and nature, evolution, sources and basic principles of the international environmental law. Topics also cover marine pollution, air pollution, cross-border movement of hazardous wastes and other global and cross-border environmental problems. The enforcement mechanism and international responsibilities.

IMLE208 LAW OF THE SEA

The course examines the legal status of the each area of the sea and settlements of maritime disputes. Topics cover codification of the law of the sea, internal sea, territorial sea straits, exclusive economic zones, continental shelf, high sea, international seabed, protection of ocean environment and settlement of

ocean disputes.

IMLE209 AIR LAW

The course examines the legal status of air space, conventions on international aviation, legal issues of hijacking, The course also examines the law and practice relevant to the carriage of passengers and goods by air. International conventions governing air safety and the operation of civil aviation will also be discussed.

IMLE210 PRIVATE INTERNATIONAL LAW

Concept “international private law”, the sources and the historical development of private international law. Rules of conflicts, stressing on such important concepts such as classification, remission, evasion of law etc. An analysis note to the recent development of this branch of law and its specific areas shall also be presented in the course.

IMLE211 GENERAL THEORY OF WTO

This course examines laws and institutions of the World Trade Organization (WTO), Lecture topics cover the history of its establishment, negotiations rounds, basic principals and its regulation of trade in goods and services as well as trade related to intellectual property, dispute-settlement system, and the policy issues (such as environment and labour standards). Provides both an overviews of the main features of the WTO system and an in-depth examination of critical issues that have emerged in the dispute-settlement process or in negotiations, also including WTO-China-Macau.

IMLE212 INTERNATIONAL LAW OF TRANSACTIONS

Characteristics of international business transactions including the sale of goods and the transfer of intellectual property. Relevant international conventions and conflict rules. The law and practice relating to sea, land and air transport of goods.

IMLE213 RESOLUTION OF INTERNATIONAL COMMERCIAL DISPUTES

Mediation and arbitration as alternative means to resolve international commercial disputes. Mediation and arbitration rules of leading international organizations including the UNCITRAL, the International Chamber of Commerce, and the London Court of International Arbitration. The role played by national courts at various stages of mediation or arbitration.

IMLE214 INTELLECTUAL PROPERTY LAW

Characteristics of Intellectual Property Law, namely, intangibility, exclusivity, territorial, and time limits of rights, and the concept of copying. Afterwards, the course will focus on the rules of Patents, Trade Marks and Copyright.

IMLE303 CHINESE LAW

The characteristics of Ancient Chinese legal system. Constitution Law of P. R. China. Criminal and criminal procedural law, civil law, marriage and succession law, economic and commercial law. Judicial organizations of P. R. China.

IMLE304 LAW OF MACAU

Features and evolution of the Macau legal system. Evolution and sources of Macau Law. The Macau Special Administrative Region Basic Law. General concepts and principles of Macau civil law, commercial law, procedural law, criminal law and administrative law. Judicial organizations of Macau.

IMLE305 LAW OF HONG KONG

Introduction to the legal system of Hong Kong. Structure of Government pursuant to the Basic Law, participants in this course will be taught the General principles governing criminal law, contract and tort and the law of property and company law, Judicial organizations of Hong Kong.

IMLE306 INDIAN LAW

Religious Legal Systems and Hindu Law. The Law of the Hindu community and the Hinduism: Hindu law sources, Hindu Law and Indian Law. Indian Law institutions and development of the Indian Legal system, diversity and challenges in the Indian Law.

IMLE307 ISLAMIC LAW

Religious Legal Systems and Islamic Law. Shariah Law: sources, original and derived from rationality,

and characterization. The Law of the Islamic countries: diversity, main dominance. Practical examples chosen from some of the Legal Systems in force.

IMLE308 JAPANESE LAW

Japanese Law and history of Japan. Concept of law in Japan prior to 1868. The subsequent reception of foreign law in between 1868 and 1920. Changes during the post-war occupation. Law and legal mentality. The importance of conciliation and arbitration in Japan. Living together of Modernity and Tradition.

IMLE309 HISTORY OF LEGAL CULTURES

This course assesses the formation and development of law and emphasizes the history of European legal culture, specially the history of Continental Legal Systems. Topics include European ancient law (Hebrew law, Greek law, Roman law, etc.), European medieval law (Canonic law, Germanic law, Feudal law, Mercantile law, the revival of Roman law and the formation of common European law, etc.), Modern European law after the Renaissance and the legal evolution of Western Europe after the French Revolution, namely the sources of contemporary European law. The course also examines the ancient and contemporary legal philosophy of China, legal history of China and touches other legal system.

IMLE110 SEMINARS ON EUROPEAN LAW

Topics include the policies of the judicial system of the EU and relations with domestic law of the Member Countries, The Competition law and the Four Freedoms, European Institutions and Administrative Processes-the Legal Framework, The Legal Aspects in Trade- EU-WTO-Asia, the Europeanization of private law and the process of European integration.

IMLE200 SEMINARS ON INTERNATIONAL LAW

Topics include theoretical approach to international law, Role of the International Court of Justice, and other international and regional judicial courts. Role of the UN in contemporary world, new development of International Law, Space law, Anti-terrorism and analysis of contemporary cases.

IMLE300 SEMINARS ON COMPARATIVE LAW

Comparative Civil Law, Comparative Criminal Law, Comparative Commercial Law, Comparative Public Law, National Laws of Asian Countries such as Korea, Singapore, Malaysia, etc. Analysis of the western law in no-western world. Seminar can include the legal issues on tourism and gaming from comparative approach.