

LLM in International and European Law – curriculum for academic year 2022-23

I. Core Contemporary Areas	Semester	ECTS	Study time
EU Constitutional Law and Judicial Protection	1	3	90h
Legal Aspects of EU External Relations	2	3	90h
International Economic Law	1	3	90h
EU Economic Law	1	3	90h
EU Competition Law	1	3	90h
Case Study on EU Competition Law	2	3	90h
II. Global Legal Challenges			
Sustainability			
Global Governance and Sustainable Development	1	3	90h
International and EU Environmental Law	1	3	90h
Practice of EU Environmental Policymaking	2	3	90h
Social Inclusiveness and Human Rights			
International and European Protection of Human Rights	1	3	90h
Practice of Human Rights Protection	2	3	90h
International and European Migration and Asylum Law	1	3	90h
Digitalisation			
International and European Data Protection Law	2	3	90h
European Law and the Digital Transformation	2	3	90h
International and European Taxation	2	3	90h
III. Research			
Thesis	1-2	15	450h

Course title: EU Constitutional Law and Judicial Protection

Number of ECTS credits: 3

Grading basis: Grading scale from 0 to 20

Total study time: 90 h

2nd exam period: yes

Language of instruction: English

Semester: 1st semester

Course team

- Primary instructor: Youri Devuyt (EU Constitutional Law)
- Co-instructor: Dirk Arts (EU Judicial Protection)

Contact hours (per instructor)

- Lecture: EU Constitutional Law: 22 hours; EU Judicial Protection: 12 hours
- Self study: 56 hours

Content:

Scheduled at the start of the academic year, the course provides students with an in-depth understanding of EU Constitutional Law and Judicial Protection. The course is based on a discussion of the EU Treaties, the pertinent case-law and institutional practice as well as comparative references to the constitutions of (con)federal States and International Organisations. The advanced insights gained during the course are aimed to empower students with the independent capacity to reason as experts on the EU's current and future constitutional controversies and to participate in an active manner in the specialised courses on particular sub-topics of EU law (EU external relations law, EU economic law, etc.).

The part of the course dealing with **EU Constitutional Law** tackles the following key subjects: a) the evolution of the EU Treaties (revision, membership, withdrawal); b) the principle of conferral, the primacy of EU law, the autonomy of the EU's legal order and the legal relationship between the EU and its Member States; c) upholding the EU's founding values and fundamental rights; d) the categories and areas of EU competence; e) an insider's view of the functioning of the EU institutions and their decision-making practice; f) the various layers of EU legal acts and determining their legal basis; and g) EU legal integration methods (Community method, Union method, open method of coordination, enhanced cooperation).

The part of the course focusing on **Judicial Protection in the EU** comprises three sections: a) the structure of the EU judicial machinery and collaboration between national courts and Court of Justice of the EU; b) judicial protection against unlawful action by EU institutions; and c) enforcement of EU law against Member States .

Study material

- For EU Constitutional Law:
 - o Digital course materials provided on BSoG Canvas course site (required)
- For EU Judicial Protection:

- Digital course material (required):

Evaluation (course component assignments)

- For EU Constitutional Law:
 - Online oral exam (100%)
- For EU Judicial Protection:
 - Case study which comprises a written exam combined with an oral exam on the basis of the written submission.

Learning outcomes

- Students have the advanced knowledge and understanding to explain the European Union's constitutional evolution, its principles and concepts, its institutional and decision-making procedures, and its judicial protection framework. Students know and understand these aspects in their legal-theoretical dimension and their practical application.
- Students have the technical competence to independently understand, analyse and interpret the EU's primary and secondary law and the case-law of the Court of Justice of the European Union. Students understand the doctrinal and theoretical debates underpinning the Court's constitutional case-law.
- Students understand and are able to use the specialized vocabulary on EU Constitutional Law and Judicial Protection in the English language.

Course title: Legal Aspects of EU External Relations

Number of ECTS credits: 3

Grading basis: Grading scale from 0 to 20

Total study time: 90 h

2nd exam period: yes

Language of instruction: English

Semester: 2nd semester

Course team

- Primary instructor: Prof. Karel De Gucht

Contact hours (per instructor)

- Lecture: 26h
- Self study: 64h

Content

The course examines, from a legal perspective, the external relations of the EU. The first part analyses the EU as an international actor from a historical perspective, its legal personality, the institutional framework of EU external relations, and the external competences of the EU. The second part analyses the instruments and procedures of EU external relations, including the negotiation and conclusion of international agreements, the relationship of EU law and international law, mixed agreements, the EU's participation in international organisations, and the relationship of member states' agreements and EU law. The third part analyses major policy areas of EU external relations, i.a. the common foreign and security policy and the common commercial policy.

Study material

- Textbook (required): EU External Relations Law, Wessel & Larik
- Textbook (recommended): The law of EU External Relations, Kuijper, Wouters, Hoffmeister, De Baere & Ramopoulos
- Course text : (required) see Canvas modules
- Digital course material : see Canvas modules

Evaluation (course component assignments)

- Oral exam: 100%

Learning outcomes:

The course is law in context. External relations have an important political context and content. The EU has framed all this in a stringent legal frame. The objective and the challenge is that students having followed the course have a clear understanding of the legal structure and can translate and apply them to actual situations as they present them from year to year.

Course title: International Economic Law

Number of ECTS credits: 3

Grading basis: Grading scale from 0 to 20

Total study time: 90 h

2nd exam period : yes

Language of instruction: English

Semester: 1st semester

Course team

- Primary instructor: Prof. Dr. Frank Hoffmeister

Contact hours

- Lecture: 26h
- Self-study: 64h

Content:

This course provides an overview of the main international economic organisations, with particular attention to the structure and functioning of the "Bretton Woods" institutions (International Monetary Fund, World Bank). It also studies topics of trade and investment law, with a special focus on dispute settlement systems. Subsequently the course addresses the main substantive provisions regarding trade in goods, agriculture, services and intellectual property. The course emphasises the dynamic development of the law in these areas, by reference, where appropriate, to selected dispute settlement cases or to ongoing multilateral trade negotiations. Analysing relevant case law where the Appellate Body accepted that trade restrictions were justified for environmental reasons, the course will give an idea how the WTO is currently dealing with the cross-cutting challenge of sustainability.

Study material

- Textbook (recommended): Peter van den Bosche, The law and practice of the WTO
- Course text (required): Relevant primary sources and case law quoted in the outline
- Digital course material (recommended): Outline of the course

Evaluation (course component assignments)

- Written exam (%): 100%

The students will be evaluated on the basis of a final written exam. They are required to solve a case study with the help of relevant legal texts that will be circulated together with the study. The study tests the student's ability to apply his skills in a practical manner. Based on solid knowledge of the law and jurisprudence, the student is expected to formulate convincing replies to a number of questions that will be asked on the basis of the given facts. He will have to take the role of a legal advisor, lawyer or judge and reason accordingly.

Learning outcomes

Having followed the course, students

- should have thorough knowledge of the most important features of international economic law. This includes an understanding of how the most important international economic organizations function (objectives, principles, institutional frameworks, decision-making mechanisms, and most pertinent challenges). Moreover, they will have learned the core concepts of substantive trade and investment law as described above.
- should be able to effectively address issues of international economic law for both academic and practical purposes in English.
- Should be able to form an opinion on contemporary trade and investment topics. Emphasis is laid on practical reasoning as well as communication in a succinct and convincing way.
- Should be prepared for working at European or international institutions or in law firms.

Course title: EU Economic Law

Number of ECTS credits: 3

Grading basis: Grading scale from 0 to 20

Total study time: 90h

2nd exam period: yes

Language of instruction: English

Semester: 1st semester

Course team:

- Primary instructor: Tony Joris

Contact hours:

- Lecture: 26h contact hours
- Self-study: 64h

Content:

This course consists of interactive guest lectures on the EU Internal Market (the so called four freedoms (10h, including a Q&A session)) and on other EU economic law aspects, like “The New Economic Governance of the European Union” (Economic and Monetary Union, European Banking Union, Next Generation EU (8h, including a Q&A session)), “The Implications of Brexit for the EU Internal Market”, “The Internal Market and Migration in the EU”, “Linguistic Diversity and the EU Internal Market” (2021/2022). Other aspects, covered in the past, included “Tax Rulings”, “The Services Directive”, “EU Consumer Law”, ... This course allows for a yearly revision of the topics of most pressing interest.

Study material:

- Digital course material (required): materials, prepared by the guest speakers and the instructor.

Evaluation:

- Written exam; this exam, with a relative weight of 1, determines 100% of the final mark.

Learning outcomes:

- The student is able to reflect on and to explain the components of the EU Internal Market (the so called four freedoms).
- The student is able to reflect on and to explain why the EU Internal Market is the "nucleus" of the European construction.
- The student is able to reflect on (also in a critical manner) and to explain the other aspects of EU economic law, covered in the lectures.
- The student is able to reflect on and to explain the actors (why, how, ...), shaping the EU economic law.
- The student is able to do all the above in fluent English (orally (in class) and in writing (exam)).

Course title: EU Competition Law

Number of ECTS credits: 3

Grading basis: Grading scale from 0 to 20

Total study time: 90 h

2nd exam period : yes

Language of instruction: English

Semester: 1st semester

Course team

- Primary instructor: Ben Smulders

Contact hours (per instructor)

- Lecture: 26
- Self study: 64

Content:

The purpose of the course is to develop a thorough understanding, both from a theoretical and practical perspective, of the law and economics of international competition policy. The primary (but not exclusive) focus is on the main principles of the EU's competition policy, not only given the size of the EU's economy and its population but also since it increasingly serves as a model for competition law revisions of many countries outside the EU. Within the area of competition law, in particular restrictive practices, abuses of dominant position, mergers and public undertakings with special or exclusive rights are considered. For that purpose, reference is made to legislation and policy documents, important judgments of the European Court of Justice, decisions of the European Commission and doctrine. Both substantive and procedural questions are examined, as well as international aspects. Attention is also given to the political and economic rationale of competition rules, with a special emphasis on the role of economic analysis in the enforcement of competition law as well as the legality and acceptability of enforcement in light of the protection of fundamental rights and freedoms, in particular the right to a fair trial and the freedom of commerce.

Study material

- Textbook (required): Wish & Bailey, "Competition Law" (Oxford University Press 2021), 97801988836322

Evaluation (course component assignments)

- Oral exam (%): 100%

Learning outcomes:

The purpose of the course is to outline the main principles of the European Community's competition policy in respect of restrictive practices, abuses of dominant position, mergers, public undertakings with special or exclusive rights and state aid. Reference is made to legislation, important judgments of the European Court of Justice and decisions of the

European Commission. Both substantive and procedural questions are considered, as well as international aspects.

Course title: Case Study on EU Competition Law

Number of ECTS credits: 3

Grading basis: Grading scale from 0 to 20

Total study time: 90h

2nd exam period : no (case study, cannot be retaken)

Language of instruction: English

Semester: 2nd semester

Course team:

- Primary instructor: Tony Joris

Contact hours:

- Practical exercises: 26 contact hours Seminar, Exercises or Practicals
- Self-study: 64

Content:

- The case study is a practical exercise and a learning process, based on the theoretical knowledge, gathered by the students in the course "EU Competition Law".
- The aim of the case study is to provide field experience to the students, who will apply EU competition law to a particular case, learn how things work in practice, develop analytical and presentation skills, ... For this purpose, lawyers (tutors), all practising EU competition law in Brussels, will assist the students in clearing a EU competition case. The idea is to draw up a hypothetical case, similar to the ones the tutors are familiar with in their law firm. Each tutor assists a group of students, each student representing a party involved in the case (DG Comp of the European Commission, a national competition authority, companies a and b, involved in a price cartel, company c, competitor of companies a and b, ...). The students write, present and defend a memorandum, summarising the issues relevant to their role. In the past, the following economic sectors were concerned: soccer balls, athletic footwear, soft drinks, heavy trucks, telecommunications, semiconductor chips, remailing, and beer.

Study material:

- Practical course material (required): Case Study on EU Competition Law, Joris, T. (ed.).

Evaluation:

- A memorandum, with a relative weight of 1, determines 50% of the final mark; the presentation and defence (oral hearing) of this memorandum, also with a relative weight of 1, determines the other 50% of the final mark.

Learning outcomes:

- The student is able to apply EU competition law to a particular competition case.
- The student is able to develop analytical and presentation skills.
- The student is able to prepare an individual advisory memorandum, at the request of a client company or a superior.

- The student is able to present and to defend his/her memorandum in a structured and fluent manner (oral hearing).
- The student is able to do all the above in fluent English (in writing and orally).

Course title: Global Governance and Sustainable Development

Number of ECTS credits: 3

Grading basis: Grading scale from 0 to 20

Total study time: 90 h

2nd exam period : yes

Language of instruction: English

Semester: 1st semester

Course team

- Primary instructor: Servaas Van Thiel
- Co-instructor: Liliana Lizarazo Rodriguez

Contact hours (per instructor)

- Lecture: 26 hours (interactive lectures on the basis of course outlines and materials)
- Practical exercises: 34 hours Joint Research Paper (preparation of successive drafts)
- Self-study: 30 hours (reading of the course outlines and materials)

Content:

This course advances students' understanding of the extent to which existing global governance structures (international organisations and related regulatory frameworks) are contributing to the realisation of the 2030 Agenda on Sustainable Development. It is framed in accordance with the five dimensions of this consensually agreed UN Agenda, or the 5 P's: prosperity, partnership, people, peace and planet. The dimensions of prosperity and partnership examine how international trade (WTO), investment (World Bank, OECD, regional development banks,) and development assistance, including structural adjustment programmes (World Bank, IMF, DAC) contribute to reducing poverty and closing the development gap. It also deals with the new international frameworks that should improve corporate social responsibility and the sustainability of business transactions (OECD guidelines and Business and Human Rights). The people dimension examines how labour (ILO and decent work) and health (WHO and pandemic control) help reduce exclusion and how global governance helps provide relief and refugee protection in humanitarian emergency situations (OCHA, UNHCR, IOM). The planetary dimension examines the global responses to climate change (UNFCCC) and loss of biodiversity (CBD) and how environmental conflicts are being addressed on a transnational global scale. The peace dimension examines the global attempts to prevent war between states (Security Council, Chapter VII, PKO) and war within states (good governance). In each dimension, strengths and weaknesses of existing global governance will be assessed and possible improvements will be discussed. Although the course focuses on the global governance of sustainable development, the role of the EU in each of these dimensions at the global level is also addressed.

Study material

- Digital course material (required / recommended): Outlines and materials (distributed electronically to students) and selected references per topic.

Evaluation

- Practical exam (90%): Joint Research Paper
- Other exam (10 %): Class participation and take-home assignment

Learning outcomes

- Conceptualise the economic, social, environmental and political challenges of globalisation and the international framework for Sustainable Development.
- Critically assess whether existing global governance structures (international and regional organisations) and their regulatory frameworks and actions effectively respond to those challenges in line with their statutory documents and the 2030 Agenda.
- Formulate recommendations to improve the working of those global governance structures to respond better to the globalisation challenges
- Draw solid conclusions on the main frameworks that are needed to realise the objectives of sustainable development and their targets.

Course title: International and EU Environmental Law

Number of ECTS credits: 3

Grading basis: Grading scale from 0 to 20

Total study time: 90 h

2nd exam period : yes

Language of instruction: English

Semester: 1st semester

Course team

- Primary instructor: Harri Kalimo

Contact hours (per instructor)

- Lecture: 26h (incl. 2 exercises)
- Self-study: 64h

Content:

The planetary boundaries of economic growth are rapidly approaching. This course focuses on the main sustainability challenges of the global economy, such as the depletion of natural resources, climate change and the loss of biodiversity, and explores how the European and international environmental law address these challenges. The ethos of the course is discursive and interdisciplinary (combining law with environmental and political sciences), while the methodology relies on case analysis and a real-time study of the latest legal developments in the field. The course commences by introducing the students to the foundations and the evolution of EU and international environmental law as a part of the economy. The course then explores the central principles and the rich diversity of hard and soft means of governance in transnational environmental law. Finally, the course focuses on the seminal substantive areas of modern environmental law, such as the circular economy, climate law, renewable energy law and green public procurement.

Study material

- Textbook (required / recommended): The course material consists of a selection of recent scientific, legal and policy literature from multiple, annually reviewed sources that represent the most advanced and insightful analysis on the issues in question.
- Digital course material (required / recommended): All reading material in the course is provided on Canvas (or similar) in electronic format.
- Practical course material (required / recommended): All other material is also provided in electronic format.

Evaluation (course component assignments)

- Written exam (%): Closed book 45%*; open book (45%)
- Oral exam (%): * In exchange for open book exam in virtual teaching circumstances, (45%)
- Other exam (%): participation in the classroom (10%)

Learning outcomes:

- Knowledge: After the course, students have gained a thorough knowledge of the most important features of European and international environmental law (objectives, principles, institutional frameworks and most pertinent challenges) and are familiar with core substantive areas of modern international and European environmental law (such as the circular economy, climate change and renewable energy law).
- Skills: On this basis, the students will be able to apply their knowledge and skills effectively and independently while addressing topical challenges of environmental law for both academic and practical purposes. The student is also able to analyse the larger legal and econo-political context of global environmental protection law and policy (historical background, current situation, future perspectives) as well as the complicated, interlinked frameworks of actors, institutions, instruments and decision-making processes of EU and international environmental law. Finally, students will be able to engage in basic tasks of legal nature in the field of EU and international environmental law (e.g., drafting legal opinions and memoranda, advising non-legal decision makers, drafting outlines of judicial and administrative decisions, claiming and defending rights, assessing the suitability of specific environmental law instruments, etc.).
- Attitudes: During the course, the students gain an attitude of a responsible yet critical participant of the sustainable society.

Course title: Practice of EU Environmental Policymaking

Number of ECTS credits: 3

Grading basis: Grading scale from 0 to 20

Total study time: 90 h

2nd exam period : no (role play, cannot be retaken)

Language of instruction: English

Semester: 2nd semester

Course team

- Primary instructor: Harri Kalimo

Contact hours (per instructor)

- Lecture: 3 hours + 2 preparatory workshops (2 hours each)
- Practical exercises: Position paper (1 hour); Role play (8 hours)
- Self study: 74 hours

Content:

This course integrates substantive environmental law into international environmental decision-making through a case study of the EU's ordinary legislative procedure (OLP). The methodology of the course is a role play: each student is given a role in the OLP (Member of the European Parliament; representative of a Member State; official of the European Commission) and will participate in the drafting of a law on the protection of the environment. To ensure topicality, the law is chosen each year from amongst the proposals that are under preparation in the EU's OLP at that time. The second part proceeds in three steps. First, advanced lectures on the specific environmental issue at stake, the Ordinary Legislative Procedure as well as negotiation skills are provided as preparation. Next, the students are given dedicated roles in the OLP, and they conduct background research on their respective roles, on the one hand, and on the environmental law topic at issue, on the other. The role play itself goes through the main steps of the OLP, where the legislative proposal is drafted, amended and finalised, requiring the students to present their positions on the draft law in writing and orally. By focusing on procedural and institutional law, the course will improve the students' presentation and negotiation skills in an international context, while it deepens their knowledge in topical issues of environmental law and develops their skills to apply the environmental law knowledge in practice.

Study material

- Textbook (required / recommended): The course material consists of a selection of recent scientific, legal and policy literature from multiple, annually reviewed sources that represent the most advanced and insightful analysis on the issues in question (substantive topic, OLP, negotiation skills)
- Digital course material (required / recommended): All reading material in the course is provided on Canvas (or similar) in electronic format.
- Practical course material (required / recommended): All other material (such as schematisations of OLP procedures) is also provided in electronic format.

Evaluation (course component assignments)

- Written position paper + oral presentation (25%)
- Oral and written input during role play: Preparatory triologue (10 %) + legislative procedure (65%)

Learning outcomes:

- Knowledge: After the course, students have gained:
 - o a thorough knowledge of the core aspects of the specific area of environmental law that is the topic of the course that year
 - o a thorough knowledge of the main phases, roles, and points of leverage in the EU's Ordinary Legislative Process
 - o familiarity with the econo-political context within which the policy debate is taking place. with core substantive areas of modern international and European environmental law (such as the circular economy, climate change and renewable energy law).
- Skills: On this basis, the students will be able to engage in their roles while
 - o applying their environmental law knowledge and skills effectively and independently during the different phases of the OLP for the benefit of the position of their role
 - o leveraging the different phases of the OLP process for the benefit of their environmental law related objectives
 - o scanning, analysing and evaluating the larger legal, political and economic context (such as the current state and potential pathways of law on a specific issue; the positions of various stakeholders on pertinent legal issues; legal solutions to the challenges that the political process entails)
 - o analysing and drafting documents independently and as a member of an inter-cultural group; negotiating and defending positions in a larger constellation of interests
- Attitudes: During the course, the students gain an attitude of a responsible advocate, a critical participant and an open collaborator in developing the legal frameworks of a sustainable society.

Course title: International and European Protection of Human Rights

Number of ECTS credits: 3

Grading basis: Grading scale from 0 to 20

Total study time: 90 h

2nd exam period: yes

Language of instruction: English

Semester: 1st semester

Course team

- Primary instructor: Serge Gutwirth
- Co-instructor: Gloria Gonzalez-Fuster

Contact hours (per instructor)

- Lecture: 26
- Self study: 64

Content:

The course assumes good familiarity with the principles, actors, processes and objectives of law, particularly of international and European law, and of political issues.

The course *does not* expect students to have any prior familiarity in international and European human rights law.

The course aims at providing a broad overview of international and European human rights law, case law, policy and practice. The course is divided into 3 parts.

The first part focuses on the history and development of human rights; identifies the particular position of human rights law in international law (the human as a “subject” of international law); discusses and compares the different categories (or “generations”) of rights in their historical and political contexts; endeavours to distinguish and articulate the political, ethical and legal modes of existing of human rights; and presents an overview of the law and institutional structures for international/universal and regional protection and promotion of human rights.

The second part looks closer at the different institutional and procedural systems of protection and promotion of human rights: the universal UN-system, and the regional systems at European (both CoE and EU), Inter-American and African level. It compares their principles and implementation mechanisms.

The third part is devoted to the analysis and discussion of more substantial issues in human rights, such as, for example:

- collective rights and the right to self-determination of peoples;
- privacy and personal data protection;
- the prohibition of torture and inhuman treatment, and imprisonment;
- the right to food and the fight against hunger;
- freedom of expression (on the internet);

- cultural diversity and universal human rights;
- freedom of religion in secular states;
- ...

For the third part, guest professors, specialised in a certain field, will be invited to inquire in specific human rights issues (e.g., prevention of torture, human trafficking, ...)

This course has the following teaching objectives:

- To introduce the history and theory of human rights
- To provide an overview and analysis of the universal and regional human rights system, including the UN-system, the European systems, the African or/and Inter-American systems
- To deepen the knowledge of the two European systems of protecting and promoting human rights, respectively the Council of Europe system and the EU-system
- To discuss and critically examine the role and practices of human rights in the contemporary world.

Study material

- Textbook (required): Rhona K.M. Smith, *International Human Rights Law*, last edition (now 8th, 2018) Oxford University Press
- Digital course material: Yes, a series of more pin-pointed texts are made available via Canvas

Evaluation (course component assignments)

- Written exam (%): 100%

Learning outcomes:

After the course, students

- should have thorough *knowledge of the most important features of international and European human rights law* to define objectives, principles, institutional frameworks, decision-making mechanisms, and assess the most pertinent challenges
- should be familiar with a number of substantial issues of international and European human rights law in order to examine the role of human rights law in democratic constitutional states, the right of self-determination of peoples and collective human rights, the rights to privacy and personal data protection, torture and inhuman treatment, human trafficking, the right to food, depending on the issues chosen that year.
- should be able to *effectively address issues of international and European human rights law* for academic, policy and practical-legal purposes.

Course title: Practice of Human Rights Protection

Number of ECTS credits: 3

Grading basis: Grading scale from 0 to 20

Total study time: 90 h

2nd exam period : no

Language of instruction: English

Semester: 2nd semester

Course team

- Primary instructor: Stefaan Smis

Contact hours (per instructor)

- Lecture: TBD
- Practical exercises: TBD
- Self study: TBD

Content:

This course aims to prepare students for the world of human rights protection in practice. The students will become familiar with the actors who traditionally claim the protection of the individual and collective rights of victims who are not able or have no possibility to claim their rights. They will also become familiar with options for claiming rights protection at the European and international level, this is, the judicial and quasi-judicial bodies of various international organisations such as the UN, the Council of Europe, the Inter-American and African human rights systems, and the EU. This is a legal field of growing relevance as many issues that were not traditionally the domain of human rights bodies are now being formulated in human rights terms. For example, corporate accountability, the implications of big data for the protection of personal data, etc. The course will be eminently practical; it could take the form of a moot court. To be decided with the appointed professor.

Study material

- Textbook: TBD
- Course text: TBD
- Digital course material: TBD
- Practical course material: TBD

To be defined by the professor

Evaluation (course component assignments)

- Written exam (%): TBD
- Oral exam (%): TBD
- Practical exam (%): TBD
- Other exam (%): TBD

To be defined by the professor

Learning outcomes:

- Identify the rightsholders and stakeholders involved in conflicts related to human rights violations
- explain which national, regional and international judicial, non-judicial and non-state mechanisms exist to resolve conflicts related to the violation of human rights
- Actively participate in judicial or extrajudicial human rights dispute resolution processes
- as party, as third party or as adjudicator.
- To formulate written claims or replies in the context of proceedings relating to human rights violations
- Participate in oral hearings as a representative of the parties, of third parties, in the general interest, or as an adjudicator or mediator.

Course title: International and European Migration and Asylum Law

Number of ECTS credits: 3

Grading basis: Grading scale from 0 to 20

Total study time: 90 h

2nd exam period : yes

Language of instruction: English

Semester: 2nd semester

Course team

- Primary instructor: TBD

Contact hours (per instructor)

- Lecture: TBD
- Practical exercises: TBD
- Self study: TBD

Content:

This course analyses the phenomenon of migration from an international and European legal perspective as well as the main challenges for the governance of migration. In particular, it analyses the international regimes of regular and irregular migration flows. It also deals with issues such as asylum, forced displacement, smuggling and trafficking of human beings. The course also addresses the new EU Pact on Migration and Asylum and the Common European Asylum System (CEAS). The course also assesses interstate cooperation mechanisms on these phenomena, border management and the main institutions dealing with migration and asylum such as Frontex. Finally, migration will also be assessed from a critical perspective adopted by approaches such as Critical Race Theories, Decolonisation or Third World Approaches to International Law (TWAIL).

Study material

- Textbook: TBD
- Course text: TBD
- Digital course material: TBD
- Practical course material: TBD

To be defined by the professor

Evaluation (course component assignments)

- Written exam (%): TBD
- Oral exam (%): TBD
- Practical exam (%): TBD
- Other exam (%): TBD

To be defined by the professor

Learning outcomes:

- Categorise the various situations that can be considered as migration.
- Explain the difference between migration, forced displacement and asylum.
- Illustrate the international and European regulatory framework applicable to migration (legal and illegal), forced displacement, trafficking human beings and asylum.
- Evaluate the existing international and European legal regimes from a critical perspective, considering the situation of vulnerable persons in a situation of migration or displacement.
- Assess whether critical approaches to migration can feed current International and Legal regimes on migration in a way that vulnerable migrants can be better protected.

Course title: International and European Data Protection Law

Number of ECTS credits: 3

Grading basis: Grading scale from 0 to 20

Total study time: 90 h

2nd exam period : yes

Language of instruction: English

Semester: 2nd semester

Course team

- Primary instructor: Hielke Hijmans

Contact hours (per instructor)

- Lecture: 26 hrs
- Practical exercises: 4 hrs
- Self study: 60 hrs

Content:

This course tackles the fundamentals of International and European Data Protection Law, granting particular attention to the protection of fundamental rights in a rapidly developing digital environment. How can the rights to privacy and data protection be safeguarded, where technology and societal needs encourage massive data use? It covers topics like fundamental rights protection, the institutional role of the EU, as well as global challenges in an interconnected world.

It also enters into an in-depth exploration of EU data protection law, covering most notably the General Data Protection Regulation (GDPR), including contributions of data protection and other key stakeholders. Some leading cases of the EU Court of Justice, for instance on mass surveillance, the right to be forgotten and the transfer of data to third countries, will be intensively discussed. Sometimes experts will be involved.

Study material

- Textbook (required / recommended): Handbook Fundamental Rights Agency
- Digital course material (required): Yes
- Practical course material (required): GDPR

Evaluation (course component assignments)

- Oral exam : 75%
- Practical exam: 25% - Presentation of a case

Learning outcomes

As a result of following this course, students will obtain: a sound understanding of International and European data protection law and their conceptual underpinnings, a clear view of the main international legal systems on privacy and data protection, as well as the crucial differences and similarities between them, and confirmed knowledge on the fundamental elements of EU data protection law. The students will learn to grasp the

complexities of regulating data processing in light of stringent fundamental rights requirements, massive flows of data and were incessant technological development. They will have knowledge on contemporary and upcoming challenges and have an understanding and initial familiarity with the skills of the practitioners and decision-makers. In sum, the students will be prepared to apply present International and European data protection law, and capable of thinking about, and adapting to, the evolution of such law in the future.

Course title: European Law and the Digital Transformation

Number of ECTS credits: 3

Grading basis: Grading scale from 0 to 20

Total study time: 90 h

2nd exam period : yes

Language of instruction: English

Semester: 2nd semester

Course team

- Primary instructor: Paul de Hert
- Co-instructor: Joris van Hoboken

Contact hours (per instructor)

- Lecture: 26h
- Self study: 64h

Content:

This course analyses the challenges that new developments in communication, computing and data processing represent for the law, taking a European perspective. The course explores the intersections between EU policies and the digital transformation from the perspective of the digital economy and public security. It throws light on the major challenges of the digital economy and contextualises contemporary debates on data (data 'ownership' and data 'sovereignty') and new types of services (cloud computing, online platforms). It will also address criminal law aspects of digital transformation, such as the fight against cybercrime. **The first part** focuses on the EU legal response to the digital transformation, the digital ecosystem of digital services. It assesses the algorithmic systems (AI), online platform regulation, telecommunications and media regulation. It also tackles the EU approach to the liability and responsibility of online service providers, the role of fundamental rights in relevant legal frameworks, the emergence of new risk regulation approaches, oversight and enforcement, transparency and accountability. **The second part** focuses on public law, security, and criminal law-based regulation to combat cyber-crime. It discusses state techniques to combat (cyber)criminality, including terrorism, such as assistance in the administration of criminal justice (extraterritorial competence of criminal courts, extradition, execution of foreign judgments, transmission of prosecutors, minor international legal assistance) and the growing trend towards European criminal law (Schengen, Europol, etc.). After a discussion of concepts, methods and prevalence, and the substantive and procedural criminal law, the course focuses on the governance of cybercrime (c.f. the Council of Europe's Cybercrime Convention). Substantive criminal issues deal with hacking, malware, phishing, and (virtual) child pornography. Procedural issues deal with investigation powers, such as computer and network searches, smartphone investigations, and wiretapping.

Study material

- Textbook (required / recommended): TBD
- Course text (required / recommended): TBD

- Digital course material (required / recommended): TBD
- Practical course material (required / recommended): TBD

Evaluation (course component assignments)

- Written exam: 50 %, take home exam
- Oral exam: 50 %

Learning outcomes:

1. Explain the concept of digital transformation and the major legal challenges this brings about for the EU
2. Understand the emergence of cloud computing and online platforms and their regulation at the EU level;
3. Argue how fundamental rights are relevant in the EU's response to the digital transformation;
4. Understand the relevance of important regulatory approaches, including risk regulation as well as the combination of transparency and accountability;
5. Apply relevant legal provisions from platform regulation, the regulation of AI and algorithmic systems;
6. explain what cybercrime is and what the major challenges of cybercrime are for legislators and for practitioners;
7. compare cybercrime provisions in her own national legal system with those of the Cybercrime Convention;
8. identify differences in national cybercrime laws and explain what are the main consequences of this;
9. apply substantive cybercrime provisions to a case describing a (potential) cybercriminal activity;
10. apply procedural cybercrime provisions to a case describing a cyber-investigation;
11. evaluate how cybercrime can be governed, including a critical assessment of the role of the law in combating cybercrime and assessing how social norms, market forces and technology can play a role in cybercrime governance;
12. argue how specific types of cybercrime can be combated.

Course title: International and European Taxation

Number of ECTS credits: 3

Grading basis: Grading scale from 0 to 20

Total study time: 90 h

2nd exam period : yes

Language of instruction: English

Semester: 2nd semester

Course team

- Primary instructor: Marie Lamensch

Contact hours (per instructor)

- Lecture: 26
- Self study: 64

Content: (please add the course description here, see document 01)

Following a terminological introduction (including some public finance considerations), the course concentrates on tax obstacles to the cross-border movement of products and production factors and discusses the relevant legal frameworks developed at the international and regional levels to eliminate these obstacles or mitigate their adverse effects. It first focuses on the main direct tax obstacles to the international movement of production factors (including economic and juridical double taxation and discrimination) and compares the legal remedies formulated in the framework of the OECD (the OECD Treaty Model) and the EU (positive and negative harmonisation). It also discusses recent developments related to states' attempts at addressing the challenges of the digital economy including the fight against fraud and aggressive tax planning strategies (the OECD BEPS project and Pillars 1 and 2 Agreements and the EU transparency package and ATAD directives). Secondly it focuses on the main indirect tax obstacles to international trade (including customs duties, discriminatory internal taxes, and inconsistencies leading to double taxation) and compares the legal remedies formulated in the framework of the World Trade Organisation (GATT and GATS agreements), the OECD (International VAT/GST guidelines) and the EU (positive and negative harmonisation).

Study material

- Digital course material: PPT presentations and reading materials are made available on CANVAS

Evaluation (course component assignments)

- Written exam (%): 100

Learning outcomes:

The students will acquire knowledge and understanding of:

1. the EU and international tax rules and principles;

2. the policy making and legislative decision process in the field of taxation;
3. the tax challenges of the globalized and digital economy.

In terms of skills, the students will:

4. be able to apply their theoretical legal knowledge to practical cases.
5. be able to assess the impact of tax rules on investment and business decisions.
6. be able to develop critical thinking regarding the international and EU tax rules and principles.

In terms of attitudes, the students will:

7. be able to develop their own autonomous and critical legal reasoning regarding complex global and European challenges and to proactively develop pertinent legal solutions;
8. be able to work with and express themselves in the English language on complex legal matters.