

**UNIVERSITY OF
LUCERNE**

FACULTY OF LAW

COURSES IN ENGLISH

SPRING 2024–2025



Welcome to the University of Lucerne

Dear Incoming Students

Welcome to the Faculty of Law at the University of Lucerne. You have taken a courageous step in your academic career by choosing to spend the spring semester of 2024 at a foreign university, a decision that will be rewarded with unique opportunities both academically and socially.

The Law Faculty of Lucerne offers one of the broadest range of law courses in English at Master's level in Switzerland. Students enjoy the freedom of choice between multiple courses clustered mainly in the fields of human rights and international economic law, which are taught by renowned Swiss and international lecturers. You will have the opportunity to deepen your understanding of the law in a number of different fields and profit from a vibrant learning environment.

Importantly, we would like to draw your attention to our exceptional **Global Legal Studies (GLS) Certificate Program** in the fields of International Economic Law, Human Rights and Sustainability. The GLS Program is specifically tailored to our incoming students at Master's level. The GLS Certificate adds value to your professional profile and will allow you to gain unique insights into the law and practice of global law and earn an additional qualification.

We sincerely hope that you will make the best of these opportunities and prepare for the next steps in your career path.

On the following pages you will find an overview and the detailed descriptions of our courses in English language as well as useful information on contacts and the core semester dates.



Prof. Dr. Nicolas Diebold
Dean, Faculty of Law



Prof. Dr. Mira Burri
Managing Director Internationalisation

Information about the Faculty

Faculty of Law

Address Frohburgstrasse 3
Mailing address P.O. Box, 6002 Lucerne
E-Mail rf@unilu.ch
Website www.unilu.ch/law
Phone +41 (0)41-229.53.00

Faculty's Board

Dean	Prof. Dr. iur. Nicolas Diebold	+41 (0)41-229.53.10
Vice Dean	Asst.-Prof. Stefan Maeder	+41 (0)41-229.53.72
Faculty Manager	lic. iur. Madeleine Stämpfli	+41 (0)41-229.53.12
Member	Prof. Dr. iur. Karin Müller	+41 (0)41-229.53.33
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	lic. iur. Flavia Canali, RA	+41 (0)41-229.53.08
	Charlotte Wolfisberg, MLaw	+41 (0)41-229.53.09

Dean's Administration and Faculty Management

Opening hours	Monday to Friday	8 am to 12.15 pm
rf@unilu.ch		+41 (0)41-229.53.00
Administration (room 4.A03)	Sybille Bossert	+41 (0)41-229.53.17
Staff and Student Admin.	Margrit Derlet	+41 (0)41-229.53.03
Public Relations, <i>kommunikation-rf@unilu.ch</i>	Nicole Fischer Livio Lombardo	+41 (0)41-229.53.04 +41 (0)41-229.53.26
Course Administration, <i>lehrplanung-rf@unilu.ch</i>	Carmen Dusi	+41 (0)41-229.53.05
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<i>primius, primius-rf@unilu.ch</i>	Sandra Möstl	+41 (0)41-229.53.06
System Administration	Sandra Gisler	+41 (0)41-229.53.13
Apprentice	Alina Muff	+41 (0)41-229.53.23
Managing Director <i>international-rf@unilu.ch</i>	Mira Burri	+41 (0)41-229.53.71

Law Library, ZHB

Address	Frohburgstrasse 3	
Mailing address	P.O. Box, 6002 Lucerne	
E-Mail	info.upg@zhbluzern.ch	
Website	www.zhbluzern.ch	
Phone	+41 (0)41-349.76.00	
Opening hours	Monday to Friday	7.30 am to 9.30 pm
	Saturday	7.45 am to 3.30 pm

Core Semester Dates

Spring Semester 2024

Mon	19 Feb 2024	Start of courses
Fri – Sun	29 Mar – 7 Apr 2024	Easter Break / no courses
Thu	9 May 2024	Ascension Day / no courses
Mon	20 May 2024	Whit Monday / no courses
Fri	24 May 2024	End of courses

Examinations for Courses in English
27 May – 7 June 2024

Examinations for Courses in German
12 – 28 June 2024

Fall Semester 2024

Fri	13 Sep 2024	Incoming Welcome Event
Mon	16 Sep 2024	Start of courses
Wed	02 Oct 2024	St Leodegar / no courses
Fri	01 Nov 2024	All Saints' Day / no courses
Thu	07 Nov 2024	Dies Academicus / no courses in the morning
Fri	13 Dec 2024	End of courses

Examinations for Courses in English
09 – 20 Dec 2024

Examinations for Courses in German
06 – 24 Jan 2025

Details see: <https://www.unilu.ch/law/exams>

Guidelines Governing the Certificate Programme Global Legal Studies: International Economic Law, Human Rights and Sustainability

of 29 May 2017

The Faculty of Law,

based on § 19 section 2 and § 57 section 1 of the Study and Examination Regulations (Studien- und Prüfungsordnung, StuPO) of 28 September 2016 of the Faculty of Law of the University of Lucerne

decrees:

§ 1 Subject of the Guidelines

These Guidelines govern the Certificate Programme «Global Legal Studies: International Economic Law, Human Rights and Sustainability» (hereinafter «GLS»). The Study and Examination Regulations (Studien- und Prüfungsordnung) of 28 September 2016 are fully applicable.

§ 2 Scope and Aim of the GLS Programme

¹ The GLS programme is an educational offer of the Faculty of Law of the University of Lucerne that forms part of its Master programme. It does not lead to the grant of a specific degree but is meant to acknowledge a certain specialisation in the field of global legal studies.

² The GLS programme consolidates the English language courses offered at the Faculty of Law of the University of Lucerne.

§ 3 Structure and Content of the GLS Programme

¹ The GLS programme is an «à la carte» programme. Students can choose from all English language courses offered. The requirements for admission, attendance and evaluation of each specific course apply. All courses are assessed and need to be awarded a passing grade in order for credit to be granted.

² The course offer is published each year for the forthcoming two semesters. The updated information is made available under: www.unilu.ch/courses-in-english

§ 4 Admission and Fees

¹ The GLS programme is open for regular Lucerne students matriculated in the Master programme and officially admitted exchange students from partner universities.

² No additional fees apply.

§ 5 Award of a Certificate

¹ A minimum of 5 courses equivalent to a minimum of 25 ECTS credits must be successfully completed in the framework of the GLS programme for the award of the dedicated certificate.

² Credits earned for the GLS certificate cannot be counted as part of the Faculty of Law's Master Profiles, as specified by the Guidelines to Study and Examination Regulations (Wegleitung zur Studien- und Prüfungsordnung) of 12 September 2016.

³ The Certificate is awarded by the Dean of the Faculty of Law of the University of Lucerne, if all the requirements of the programme have been fulfilled. The Certificate to be awarded will read *Certificate in «Global Legal Studies: International Economic Law, Human Rights and Sustainability»*.

§ 6 Entry into Force of the GLS Guidelines

The present Guidelines shall enter into force on 1st August 2017.

Lucerne, 29 May 2017

On behalf of the Faculty of Law of the University of Lucerne

Prof. Dr. Bernhard Rütscbe
Dean

Courses in English, Spring 2024 - Spring 2025

Courses	Professor	Credits	Spring 24	Fall 24	Spring 25
Master					
Anti-Terrorism Law	Eran Fish, PhD, LL.M	5		*(X)	
Copyright in the Digital Age (Block Course)	Prof. Mira Burri	5	X		(X)
Current Issues in Human Rights Law (Workshop)	Prof. Martina Caroni Monika Plozza, MLaw (2025)	5	X		(X)
English for Law and Business (Advanced)	PD Dr. Gordon Millar	3		(X)	
European Economic Law	Prof. Sebastian Heselhaus	5		(X)	
International Arbitration	Prof. Daniel Girsberger	5		(X)	
International Banking & Capital Market Regulation ¹	Prof. Franca Contratto	5			
International Environmental Law (Block Course)	Prof. Thilo Marauhn	5		(X)	
International Human Rights Law	Monika Plozza, MLaw	5		(X)	
International Humanitarian Law	Prof. Martina Caroni Monika Plozza, MLaw (2025)	5	X		(X)
International Intellectual Property Law	Prof. Mira Burri	5		(X)	
International Investment Protection Law	Dr. Rodrigo Polanco Lazo	5	X		
International Law of Contemporary Media	Prof. Mira Burri	5		(X)	
International Migration Law	Dr. Stephanie Motz	5	X		(X)
International Sports Law	lic. iur. Michele Bernasconi	5		(X)	
International Trade Law	Prof. Krista Nadakavukaren	5		(X)	
Internet Law	Prof. Mira Burri	5	X		(X)
Introduction to Swiss Law (for incoming exchange students only)	Professors Mathis / Knöpfel / Coninx / Maeder	5	X	(X)	(X)
Law and Economics (Workshop)	Prof. Klaus Mathis	5	X		(X)
Law and Justice in Literature and Film	Dr. Steven Howe	3		(X)	
Law and Society in a Global Context	Prof. Vagias Karavas	5		(X)	

* (X) = expected offer

¹ next offer: fall 2025

Law of Sustainable Development	Prof. Klaus Mathis	5	X		(X)
Private Law EU-CH	PD Dr. Dirk Trüten	5	X		(X)
Public International Law (Workshop) ²	Prof. Martina Caroni	5			

Moot Courts					
Helga Pedersen Moot Court Competition (HPMCC)	Prof. Sebastian Heselhaus	18		(X)	
Willem C. Vis Moot Court	Prof. Daniel Girsberger Roxane Schmidgall, MLaw	18		(X)	

Guest Courses					
Freshwater Resources and the Law	Dr. Ana Maria Daza Vargas The University of Edinburgh, GB	2	X		
Human Rights in South-East-Asia: The Indonesian Development on Constitutional and Human Rights	Dr. Rosa Ristawati Universitas Airlangga, IDN	2	X		

Summer School (3 weeks in July)					
Lucerne Academy for Human Rights Implementation	Prof. Sebastian Heselhaus et al.	7	X		

² next offer: fall 2025

Detailed Descriptions of the Courses, Spring 2024 – Spring 2025

Find the most up-to-date information in the [electronic course finder](#).

Anti-Terrorism Law

<i>Professor:</i>	Eran Fish, PhD, LL.M.
<i>Dates:</i>	Fall
<i>Course Type:</i>	Lecture
<i>Course Description:</i>	The aim of this course is to introduce students to the jurisprudential, doctrinal, and moral aspects of counter-terrorism law. The course will take a broad international and theoretical perspective. We will ask, among other things, what counts as terrorism, legally speaking, what is the right legal framework for addressing it, and how to reconcile our conflicting commitments to public security and to human rights. Though the course will be conducted as a series of lectures, students are warmly encouraged to participate in the discussion.
<i>Prerequisites:</i>	None.
<i>Course Objectives:</i>	By the end of the course, students will be familiar with the central court decisions and theoretical literature in anti-terrorism law, and will be able to analyze complex problems in the field.
<i>Weekly hours:</i>	2 hours a week
<i>Language:</i>	English
<i>Examination Mode / Credits:</i>	Written exam (open book) / 5 Cr
<i>Contact:</i>	eran.fish@doz.unilu.ch
<i>Material:</i>	Reading materials will be uploaded on OLAT.

Copyright in the Digital Age (Block Course)

<i>Professor:</i>	Prof. Dr. iur. Mira Burri
<i>Dates:</i>	Spring
<i>Course Type:</i>	Workshop
<i>Course Description:</i>	<p>Digital technologies and the Internet in particular have triggered disruptive changes in long-established modes of creating, distributing and using works, ranging from literature and music to scientific publications and computer software. International and national copyright law has adapted, at least partially, in an attempt to reflect these changes. Yet, the jury is still out on whether these changes are appropriate and there is an intense ongoing debate on the proper scope of copyright and the means of its enforcement in the digital space. On the one side, there are strong voices, especially from the entertainment industries, that claim that the digital revolution has seriously undermined copyright protection that is essential to encourage the creation and distribution of new works. On the counter side, there are those who believe that strong and ever stronger copyright protection in fact inhibits technological innovation, hampers creativity and chills freedom of expression.</p> <p>It is the purpose of this workshop to clarify the stakes in this debate and thematise the challenges that stand before policy- and rule-makers in the field of digital copyright law. It will use current developments, such as the Google Books case and the Creative Commons licence, or questions about the liability of Internet intermediaries, and discuss the law and practice at the international level and in selected national jurisdictions (US, EU and Switzerland).</p>

Prerequisites:	No specific prerequisites; knowledge in intellectual property law is an asset but not a requirement.
Course Objectives:	<ul style="list-style-type: none"> - Furthering of the understanding, the application of knowledge and professional judgment in the field of copyright law, in particular as to its application to digital media. - By the end of the course, students will be able to frame and independently assess current developments in digital copyright law, to actively engage in debates and formulate legal opinions on the topic based on acquired knowledge of national and international law and practice, as well as contemporary legal scholarship. - Students will acquire additional presentation and writing skills and learn to engage in scholarly debate on a legal topic.
Weekly hours:	Introductory and wrap-up lectures; workshop
Language:	English
Examination Mode / Credits:	Combined grade based on a written paper and a paper presentation. Each student will write a short paper on a selected topic, present it in class and engage in a subsequent debate. Further information on the modalities will be provided on OLAT before the start of the course. / 5 Cr
Limitation:	24 students The participation in all parts of the workshop, including the introductory lecture, is mandatory.
Registration:	Registration/deregistration mandatory on the "UniPortal"
Contact:	mira.burri@unilu.ch
Notice:	Information about the course will be made available on OLAT.
Material:	There is no particular script or textbook needed for the course. The relevant readings will be provided electronically and made available on OLAT. The different topics, papers' research questions and outlines will be discussed in personal and group interviews with the course convenor, who will provide additional dedicated literature and guidance.

Current Issues in Human Rights Law - Workshop

Professor:	Prof. Dr. iur. Martina Caroni
Dates:	Spring
Course Type:	Workshop "Human Rights and Climate Change"
Course Description:	<p>Climate change caused by human activity has undisputedly a negative impact on the full enjoyment of a wide variety of human rights, including the right to life, to food and water, to a adequate standard of living, to housing etc. In the workshop we want to shed light on the different aspects of the topic.</p> <p>The workshop will be held in two parts. During the first part of the semester students will work in groups (3 to 4 students) and prepare presentations and papers on self-chosen topics relating to this semester's theme. After a first organisational meeting at the beginning of the semester, there will be no weekly class meetings, but rather individual guidance sessions with Prof. Martina Caroni and her team for the groups. During the second part of the semester, there will be weekly meetings for the group presentations and discussion of the issues presented.</p>
Prerequisites:	Basic knowledge of international human rights law and/or international humanitarian law recommended (but not a requirement)
Weekly Hours:	2 hours a week
Language:	English
Examination Mode / Credits:	Grade based on class participation (1/3), presentation and conduction of discussion (1/3) and the paper (1/3) / 5 Cr
Limitation:	Yes, 12 students
Registration:	Registration/deregistration mandatory on the "UniPortal"
Contact:	lehrstuhl.caroni@unilu.ch

English for Law and Business (Advanced) (Non-Legal Course)

<i>Professor:</i>	PD Dr. Gordon Millar
<i>Dates:</i>	Fall
<i>Course Type:</i>	Lecture
<i>Course Description:</i>	<p>The nine sessions will be allocated to the following topics. Each topic will be exemplified with the help of a case/cases or an appropriate document.</p> <p>Session 1: Legal Framework (knowledge of the common law, precedent and court hierarchy)</p> <p>Session 2: Legal Analysis and Argument (identifying and formulating legal issues, synthesising legal arguments, criticising legal arguments)</p> <p>Session 3: Presenting Legal Arguments (presentation language and skills, the debating society culture, separating self and role)</p> <p>Session 4: Legal Ethics (the language of ethics and policy)</p> <p>Session 5: Business and the Law I (the language of tort and contract)</p> <p>Session 6: Business and the Law II (the language of trusts)</p> <p>Session 7: Management thinkers in English</p> <p>Session 8: Creative Construction: business strategy and design</p> <p>Session 9: Creative Destruction: innovation and change</p> <p>Information about the assessment, a take-home activity, will be given in Session 8.</p>
<i>Prerequisites:</i>	English from at least level B2; no native speakers admitted
<i>Course Objectives:</i>	In order to make the best out of an exchange semester, a double degree or an LLM in an Anglo-American context, preparation and acclimatisation is of great benefit. The same goes for a job start in an English-speaking context. This course aims to familiarise students with the legal and business English concepts, lexis and communication skills necessary to an effective start into an English-speaking experience.
<i>Weekly hours:</i>	9 sessions of 2 hours each
<i>Language:</i>	English
<i>Examination Mode / Credits:</i>	Paper, passed/failed (with grade) / 3 Cr
<i>Contact:</i>	gordon.millar@doz.unilu.ch

European Economic Law

<i>Professor:</i>	Prof. Dr. iur. Sebastain Heselhaus
<i>Dates:</i>	Fall
<i>Course Type:</i>	Lecture
<i>Course Description:</i>	
<i>Prerequisites:</i>	
<i>Course Objectives:</i>	
<i>Weekly hours:</i>	2 hours a week
<i>Language:</i>	English
<i>Examination Mode / Credits:</i>	Written or oral exam / 5 Cr
<i>Contact:</i>	sebastian.heselhaus@unilu.ch

International Arbitration

<i>Professor:</i>	Prof. Dr. iur. Daniel Girsberger
<i>Dates:</i>	Fall
<i>Course Type:</i>	Lecture with exercises
<i>Course Description:</i>	International arbitration has firmly established itself in dispute resolution as a private form of adjudication existing alongside the jurisdiction of the state courts. Switzerland is a popular venue for arbitration in particular for commercial, investment, sports and domestic arbitration.
<i>Prerequisites:</i>	Basic knowledge of Civil Procedure and Commercial Law
<i>Course Objectives:</i>	The aim of this course is to convey the principles and types of arbitration (with an emphasis on commercial arbitration, but also investment and sports arbitration) and to foster an understanding of how arbitration works in concrete cases.
<i>Weekly hours:</i>	2 hours a week
<i>Language:</i>	English; German knowledge not required.
<i>Examination Mode / Credits:</i>	Written or oral exam / 5 Cr
<i>Contact:</i>	daniel.girsberger@unilu.ch agatha.brandao@unilu.ch

Literature

- DANIEL GIRSBERGER/NATHALIE VOSER, International Arbitration – Comparative and Swiss Perspectives, 4th ed., 2021, Schulthess.
- Further required materials will be announced at the beginning of the course.

The recommended literature will be available at the "Studiladen".

Legislation required for the exam

The necessary laws and rules will be made available to participants at the beginning of the lecture.

International Banking & Capital Market Regulation

<i>Professor:</i>	Prof. Dr. iur. Franca Contratto
<i>Dates:</i>	Fall 2025
<i>Course Type:</i>	Lecture
<i>Course Description:</i>	This course gives an overview of the international regulatory framework for banks and capital markets. It conveys the economic, legal, and geopolitical foundations necessary to understand the key pillars of today's «architecture» for global financial markets. The course program is based on the key body of current international standards (Basel Committee on Banking Supervision/BCBS, Financial Stability Board/FSB, International Commission of Securities Regulators/IOSCO, etc.) and analyzes the challenges of their implementation in the jurisdictions of leading financial centres in the world (namely the EU, UK, US, Hong Kong & Singapore). The course not only covers the classical elements of international financial regulation (banking supervision, capital market regulation, enforcement & sanctions), but also sheds light on various «hot topics», such as climate change and green finance, digital finance and cryptocurrencies as well as current trends in enforcement, such as internal investigations, whistleblower protection and the «globalisation of class actions».
<i>Prerequisites:</i>	The course does not require any particular prior knowledge, except for a good command of English. For students who have previously attended the course “Finanz-markrecht”, this course offers the opportunity to deepen their understanding of regulatory approaches to banks and capital markets in a global context, to critically

reflect on their previous knowledge of Swiss law with comparative law analyses, and thus to prepare for a practical activity in this challenging legal field.

Course Objectives:

The key goals of this course are to:

- Foster a deep understanding of the legal, economic and political challenges of regulating and supervising banks and capital market transactions in a global context.
- Enable students to identify market failures in the global financial system and to critically assess various regulatory approaches to correct them.
- Raise awareness of differing regulatory approaches in various jurisdictions through comparative legal analysis and reflections on the role of regulatory and legal «culture».
- Familiarise students with current issues that will shape the future design of global financial regulation.

Weekly hours:

2 hours a week

Language:

English

Examination Mode / Credits:

Oral or written exam / 5 Cr

Contact:

franca.contratto@unilu.ch

Notice:

No specific textbook will be required. All relevant information on the course, including a detailed syllabus as well as all course materials and readings will be available for download on OLAT. Students are responsible for keeping updated on potential changes of the syllabus and/or class dates and times announced on OLAT.

International Environmental Law

Professor:

Prof. Dr. iur. Thilo Marauhn

Dates:

Fall

Course Type:

Block Course

Course Description:

International environmental law has emerged as one of the fastest growing areas of public international law. Originally created by States for States to address problems arising between States, it has moved beyond this and has become part of global governance. This course offers a critical account of the history, key concepts, governance structures and regulatory techniques of this branch of public international law. In addition, we will have a closer look at particular subject matters and their management by the international community, including climate change, atmospheric protection, oceans, freshwater and biodiversity.

Prerequisites:

Basic knowledge of international law

Course Objectives:

1. To understand governance structures and regulatory techniques of international environmental law
2. To understand key concepts of international environmental law
3. To know important multilateral environmental agreements (MEAs)

Weekly hours:

Block Course

Language:

English

Examination Mode / Credits:

Written exam / 5 Cr

Contact:

thilo.marauhn@doz.unilu.ch

Literature

What's indispensable?

Selected course materials will be available, both online and at the Studiladen.

- ULRICH BEYERLIN/THILO MARAUHN, International Environmental Law, Hart Publishing, Oxford 2011.

Further Literature

- PATRICIA W. BIRNIE/ALAN E. BOYLE/CATHERINE REDGWELL, International Law and the Environment, Oxford University Press, Oxford 3rd ed 2009;

- PHILIPPE SANDS/JACQUELINE PEEL, Principles of International Environmental Law, Cambridge University Press, Cambridge et al 4th ed 2018;
- JUTTA BRUNNÉE, Procedure and Substance in International Environmental Law, Brill/Nijhoff 2020;
- LAVANYA RAJAMANI AND JACQUELINE PEEL (eds.), The Oxford Handbook of International Environmental Law, Oxford University Press, Oxford 2nd ed 2021.

Legislation required for the exam

- Will be made available as course material.

International Human Rights Law

<i>Professor:</i>	Monika Plozza, MLaw
<i>Dates:</i>	Fall
<i>Course Type:</i>	Lecture
<i>Course Description:</i>	<p>The course focuses on the sources, emergence, expansion, and enforcement of international human rights norms. It introduces the major international institutions and political processes by which international human rights norms are established and enforced, namely the regimes established under the United Nations, regional human rights conventions (European, Inter-American, African), and the various treaties.</p> <p>The course is divided into two parts: the first part introduces the evolution and conceptual foundations of human rights, the most important human rights treaties and the mechanisms for their implementation; the second part considers selected substantive human rights guarantees (e.g. the right to life, prohibition of torture) and cross-cutting issues (e.g. human rights and the environment, business and human rights etc.) in a comparative mode using standards developed in international human rights law as well as regional standards.</p> <p>As the course will be held in a seminar-like style, i.e. emphasizing class discussions, active preparation for and participation in the class is expected.</p>
<i>Prerequisites:</i>	Basic knowledge of Public International Law recommended
<i>Course Objectives:</i>	Students are able to identify, analyse and assess issues relating to human rights questions.
<i>Weekly hours:</i>	2 hours a week
<i>Language:</i>	English
<i>Examination Mode / Credits:</i>	The examination type (oral or written) will be announced at the beginning of the semester. / 5 Cr
<i>Contact:</i>	lehrstuhl.caroni@unilu.ch

Literature

Essential teaching materials?

- Reader "International Human Rights Law": the reader will be available at the Studiladen;
- Collection of Treaties "International Human Rights Law": a collection of relevant human rights law treaties will be available at the Studiladen.

Further Reading

Further reading can be done on the basis of any book on international human rights law.

Treaties pertinent for the exam

- Covenant on Economic, Social and Cultural Rights (CESCR);
- Covenant on Civil and Political Rights (CCPR);
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT);
- European Convention for the Protection of Human Rights and Fundamental Freedoms (as amended by Protocols Nos. 11 and 14 and supplemented by Protocols Nos. 1, 4, 6, 7, 12, 13 and 16) (ECHR);

- African Charter on Human and Peoples Rights (AfCHR);
- American Convention on Human Rights (ACHR);
- Arab Charter on Human Rights (2004);
- Convention on the Prevention and Punishment of the Crime of Genocide;
- International Convention for the Protection of all Persons from Enforced Disappearance (CED);
- Convention on the Rights of Persons with Disabilities (CRPD);
- International Convention on the Elimination of All Forms of Racial Discrimination (CERD);
- Convention on the Rights of the Child (CRC);
- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

International Humanitarian Law

<i>Professor:</i>	Prof. Dr. iur. Martina Caroni
<i>Dates:</i>	Spring
<i>Course Type:</i>	Lecture
<i>Course Description:</i>	Despite the fact that the UN Charter prohibits the use of force, armed conflicts remain a reality in today's world. The special legal regime for situations of armed conflicts is provided by International Humanitarian Law (IHL). IHL neither addresses the reasons nor the possible legal justifications of armed conflicts; instead it focuses on the protection of the victims of warfare. IHL aims at mitigating the effects of armed conflicts by constraining the means and methods of warfare and by obliging all parties to a conflict to protect persons not engaged in hostilities, mainly civilians and soldiers out of combat. Humanitarian law therefore aims at limiting harm and suffering caused by wars, thereby accepting the existence of armed conflict in today's world. The course offers an introduction to IHL, its development, legal bases and challenges. It focuses on the two branches of international humanitarian law, the law of Geneva (protection of victims) and the law of The Hague (means and methods of warfare), the rules governing international and non-international armed conflicts as well as the implementation of those legal norms. These issues will be discussed and analysed in the light of current developments, recent events and challenges to IHL.
<i>Prerequisites:</i>	Basic knowledge of Public International Law and Human Rights Law is recommended.
<i>Course Objectives:</i>	Students are able to identify, analyse and assess issues relating to IHL when faced with situations of armed conflict.
<i>Weekly hours:</i>	2 hours a week
<i>Language:</i>	English
<i>Examination Mode / Credits:</i>	The examination type (oral or written) will be announced at the beginning of the semester / 5 Cr
<i>Contact:</i>	lehrstuhl.caroni@unilu.ch

Literature

Essential teaching materials

- The Course Reader „International Humanitarian Law“.

The reader will be available at the "Studiladen" and on OLAT.

- Copies of the four Geneva Conventions and the three Additional Protocols to the Geneva Conventions. These can be ordered from the International Committee of the Red Cross (www.icrc.org) and are also available at the "Studiladen".

Further Reading

Further reading can be done on the basis of any book on International Humanitarian Law.

Treaties required for the exam

- Geneva Conventions I-IV;
- Additional Protocols I-III.

International Intellectual Property Law

Professor:	Prof. Dr. iur. Mira Burri
Dates:	Fall
Course Type:	Lecture
Course Description:	<p>This course focuses on the increasing importance of intellectual property rights in international law, business transactions and litigation. It offers an introduction to the basic notions, forms, principles and problems of intellectual property protection in transnational relations by discussing the law and leading cases decided in the United States, the European Union and Switzerland, and by studying the TRIPS Agreement of the World Trade Organisation and relevant materials of the World Intellectual Property Organisation. Students will learn about the critical current and future policy issues underlying the protection of intellectual property rights at the national and global level.</p> <p>The knowledge gained in the course will be a great asset for those seeking to pursue a career in large internationally positioned legal firms, in international and non-governmental organisations and in the Swiss federal administration.</p>
Prerequisites:	No specific prerequisites; knowledge of Swiss intellectual property law is an asset but not a requirement.
Course Objectives:	<ul style="list-style-type: none">- Furthering of the understanding, the application of knowledge and professional judgment in the field of international intellectual property law.- Acquiring core knowledge in the areas of patents, copyright, trademarks, the protection of trade secrets and geographical indications.- By the end of the course, students will be able to frame and independently assess current developments in intellectual property law, to actively engage in debates and formulate legal opinions on the topic based on acquired knowledge of national and international law and practice, as well as of contemporary legal scholarship.
Weekly hours:	2 hours a week
Language:	English
Examination Mode / Credits:	Oral and open book exam / 5 Cr Class attendance and active participation are critical to success in the course. Each class requires adequate preparation.
Contact:	mira.burri@unilu.ch
Material:	<p>A tailored reader based on chapters from FREDERICK M. ABBOTT/THOMAS COTTIER/FRANCIS GURRY <i>International Intellectual Property in an Integrated World Economy</i>, 4th ed., New York 2019. The reader will be available as a hard copy at Studiladen as well as an electronic copy on OLAT. Specific mandatory readings on the basis of the reader will be specified.</p> <p>The relevant legal texts can be downloaded from the websites of the WTO and the WIPO, and will be provided on OLAT.</p>

Literature

A tailored reader based on chapters from *International Intellectual Property in an Integrated World Economy*, 4th edn, New York 2019, ed. by FREDERICK M. ABBOTT/THOMAS COTTIER/FRANCIS GURRY.

International Investment Protection Law

<i>Professor:</i>	Dr. iur. Rodrigo Javier Polanco Lazo
<i>Dates:</i>	Spring
<i>Course Type:</i>	Lecture and case studies
<i>Course Description:</i>	The international regime for the protection of foreign investments is an important part of International Economic Law. Switzerland alone has entered into over 120 Bilateral Investment Promotion and Protection Agreements (BITs) in order to protect the investments of Swiss companies in partner countries from non-commercial risks such as unlawful expropriation, discriminatory regulations or restrictions on capital flows. Investment protection clauses are also part of preferential trade agreements (PTAs), like CETA and the CPTPP, as well as multilateral treaties, such as the Energy Charter Treaty. In total, today there are more than 3000 international investment agreements (IIAs), including both BITs and PTAs with investment chapters. The lecture offers an in-depth introduction to international investment protection law with a focus on both the substantive principles governing the protection of foreign investments and procedural mechanisms for the settlement of disputes between the host state and the foreign investor. Following an overview of the history and the underlying rationale of investment protection law, the course will examine the general principles such as expropriation, non-discrimination, fair and equitable treatment, as well as investor-state dispute settlement. Emphasis is also placed on the criticisms against international investment protection, as well as the tension between the international obligations relating to investment protection and the state's sovereign right to regulate social standards, environmental protection or human rights issues.
<i>Prerequisites:</i>	The course is designed for advanced students with an interest in globalisation and international economic relations. Ideally (but not necessarily), students have basic knowledge of Public International Law.
<i>Course Objectives:</i>	To provide students with an understanding of the need for international protection of foreign investors and investments, and the solutions offered by different treaty regimes; to assess the downsides and risks of investment protection; to promote practical skills in arbitration cases; to offer a deeper understanding of the role of investment arbitration in recent treaty negotiations with a view to a comparative law analysis.
<i>Weekly hours:</i>	4 lessons every two weeks
<i>Language:</i>	English
<i>Examination Mode / Credits:</i>	The final grade will be determined based on an exam (oral, open book) at the end of the course. / 5 credits
<i>Registration:</i>	Registration/Deregistration mandatory on the "UniPortal"
<i>Limitation:</i>	Yes, 28 students
<i>Contact:</i>	rodrigo.polanco@doz.unilu.ch

Literature

What's indispensable?

- Reader (Syllabus, Cases, legal texts) will be provided as PDF;
- KRISTA NADAKAVUKAREN SCHEFER, International Investment Law – Text, Cases and Materials, 2nd edition, Edward Elgar Publishing, 2016.

International Law of Contemporary Media

<i>Professor:</i>	Prof. Dr. iur. Mira Burri
<i>Dates:</i>	Fall
<i>Course Type:</i>	Lecture
<i>Course Description:</i>	<p>The course provides an introduction to the current issues in the regulation of media at the international level, covering the pertinent human rights norms, the rules of the World Trade Organization, and the relevant topics of international telecommunications, Internet Governance and copyright law. Digital media build the specific focus of the course and spur interesting discussions on the evolution of cyberlaw, taking into account current developments, such as around fake news, creativity online and the role of platforms.</p> <p>The course includes two interactive sessions in the form of a mini-moot court, where students discuss in opposing teams critical questions from the course topics.</p>
<i>Course Objectives:</i>	<ul style="list-style-type: none">- Furthering of the understanding, the application of knowledge, and professional judgment in the area of the international law of contemporary media.- By the end of the course, you will be able to frame and independently assess the legal implications of modern media phenomena, such as Google Books, online misinformation or net neutrality.
<i>Weekly hours:</i>	2 hours a week
<i>Language:</i>	English
<i>Examination Mode / Credits:</i>	Oral and open book exam (5 Cr); there is a mandatory participation in one interactive session.
<i>Contact:</i>	mira.burri@unilu.ch
<i>Material:</i>	There is no particular script or textbook needed for the course. The relevant readings for each session will be provided electronically and made available on OLAT.

Legislation required for the exam

None.

International Migration Law

<i>Professor:</i>	Dr. iur. Stephanie Motz
<i>Dates:</i>	Spring
<i>Course Type:</i>	Lecture
<i>Course Description:</i>	<p>As a result of globalisation of labour markets, demographic pressures in sending and receiving States, environmental disasters, political changes in sending States etc. international migration is a topic of ever-increasing interest and relevance. The course focuses on the international legal framework that regulates the flow of people across international borders as regular or irregular migrants including the rights and responsibilities of States as they pertain to international migration and the protection of human rights of migrants. Topics will include: Contemporary patterns of international migration; International Human Rights of Migrants; Regulation of entry and exit of persons; Refugees and asylum seekers; Nationality and statelessness; International labour migration, international labour law and protection of non-nationals; Trafficking in persons and smuggling of migrants; International, regional and bilateral migration processes; Emerging migrations issues.</p>
<i>Prerequisites:</i>	Basic knowledge of Public International Law, Human Rights Law and/or Migration Law would be an asset.
<i>Course Objectives:</i>	Students are able to identify, analyse and assess issues relating to international migration law.
<i>Weekly hours:</i>	4 lessons every two weeks

<i>Language:</i>	English
<i>Examination Mode / Credits:</i>	Oral exam / 5 Cr
<i>Contact:</i>	stephanie.motz@doz.unilu.ch
<i>Material:</i>	Will be announced in due course

Legislation required for the exam

- UNO-Pakt II: <http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>;
- UNO-Pakt I: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>;
- Genfer Flüchtlingskonvention: <http://www.unhcr.org/3b66c2aa10>.

International Sports Law

<i>Professor:</i>	lic. iur. Michele A.R. Bernasconi, LL.M.
<i>Semester:</i>	Fall
<i>Course Type:</i>	Lecture with exercises
<i>Course Description:</i>	There is hardly another field of law that has seen in recent years a development such as that of sports law. It is sufficient to look at the number of sports-related disputes or at the size of sports-related business around the world, to realise that law and lawyers are now a crucial part of the world of sport. The course provides an introduction to all the current issues at international level, so as for example doping, transfer of players, match fixing, sports-related arbitration, ambush marketing, governance issues, media and IP matters, etc.
<i>Prerequisites:</i>	No specific prerequisites; a general interest for sports is of advantage.
<i>Course Objectives:</i>	The aim of the course is to provide a legal and practical insight into all current issues of Sports Law.
<i>Weekly hours:</i>	Six blocks of 4 hours each
<i>Language:</i>	English
<i>Examination Mode / Credits:</i>	Oral exam / 5 Cr
<i>Contact:</i>	michele.bernasconi@doz.unilu.ch

Legislation required for the exam

None.

International Trade Law

<i>Professor:</i>	Prof. Dr. iur. Krista Nadakavukaren Schefer
<i>Dates:</i>	Fall
<i>Course Type:</i>	Lecture and case studies
<i>Course Description:</i>	<p>This course introduces the principles of international trade law as set forth in the legal instruments of the World Trade Organisation (WTO). After setting forth the organisational structures and processes of the WTO as an international organisation, it turns to the provisions of the General Agreement on Trade in Goods (GATT). Students will learn of the rules and the exceptions that govern trade in goods in the WTO system and get an understanding of how those principles may arise in the context of regional trade agreements. Building on this understanding, we turn to the rules set forth in the General Agreement on Trade in Services (GATS) and the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) before turning to the procedures and law of dispute settlement set out in the Understanding on the Rules and Procedures Governing the Settlement of Disputes (DSU). The students will end the course with a brief look into the specialized agreements of the WTO and/or a preferential trade arrangement.</p> <p>Students of the course will gain the knowledge necessary to understand the trade rules behind many of today's most pressing questions – from environmental degradation to war. They will also learn to work with cases and to think about legal problems in a holistic manner. Finally, students will be encouraged to participate actively in discussions designed to highlight the inter-connections among the principles and rules of international trade law, general international law, and domestic regulation.</p>
<i>Prerequisites</i>	The course is designed for students with a good command of English and an interest in globalisation and international relations. Students should have basic knowledge in Public International Law or be willing to learn the points that are necessary for an elementary understanding.
<i>Course Objectives:</i>	The students become familiar with the legal framework of the international trading system and the legal principles of trade law, such as market access, non-discrimination, and transparency/good governance as well as the exceptions available. The students will learn how the WTO functions as an organisation and how its treaties are interpreted in its dispute settlement system. Importantly, they become aware of the balance between international trade liberalisation and national regulatory authority and interests.
<i>Weekly hours:</i>	2 hours a week
<i>Language:</i>	English
<i>Examination Mode / Credits:</i>	The final grade will be determined on the basis of class participation and the exam (oral, open book) at the end of the course. / 5 credits
<i>Contact:</i>	krista.nadakavukaren@doz.unilu.ch

Internet Law

<i>Professor:</i>	Prof. Dr. iur. Mira Burri
<i>Dates:</i>	Spring
<i>Course Type:</i>	Lecture
<i>Course Description:</i>	The course explores the legal issues arising out of the Internet's growing role as a commercial, public and personal platform. The course looks at how regulators and courts respond to the novel issues raised by the rapid changes in digital technologies. Topics include, among others: jurisdictional questions over the borderless Internet; intellectual property rules around digital content and how they can be enforced online; liability of intermediaries, such as social networks or digital content platforms; online privacy protection; and freedom of speech questions. The course covers global legal developments, as well as those in the major jurisdictions of the United States and the European Union.
<i>Course Objectives:</i>	Furthering the understanding, the application of knowledge and professional judgment in the different areas of Internet law and policy. By the end of the course, students will be able to frame and independently assess current developments in Internet law, to actively engage in debates and formulate legal opinions on the topic based on acquired knowledge of national and international law and practice, as well as contemporary legal scholarship.
<i>Weekly Hours:</i>	2 hours a week
<i>Language:</i>	English
<i>Examination Mode / Credits:</i>	The final exam is oral and open book. 5 credits will be awarded. Class attendance and active participation are strongly encouraged.
<i>Contact:</i>	mira.burri@unilu.ch
<i>Information:</i>	Information about the course, including detailed schedule of sessions, will be made available on OLAT.

Literature

What's indispensable?

Textbook: JAMES GRIMMELMANN, *Internet Law: Cases and Problems*, 13th edn. (Semaphore Press, 2023).

The textbook is available for download in a PDF format (as a whole, or separate chapters) at <http://internetcasebook.com/>. Semaphore Press lets you choose your price. For students, USD 30 is the recommended price, which is a fair deal. A printed version is available on all major book-selling platforms.

All relevant chapters, treaties and additional literature will be made available on OLAT.

Introduction to Swiss Law

<i>Professor:</i>	Prof. Klaus Mathis Prof. Anna Coninx / Asst.-Prof. Stefan Meader Dr. Laura Knöpfel
<i>Course Type:</i>	Lecture and excursions
<i>Course Description:</i>	<p>The course gives an overview on Swiss law and provides incoming students with the background for their legal studies in Switzerland. Therefore, participation is highly recommended. The course comprises three main parts: (1) Constitutional Law (i.e. the history of Swiss Constitutional Law, organisational structure of the Swiss State, fundamental rights and the specific democratic political rights in Switzerland), (2) Swiss Civil Law (i.e. an overview of the law of persons, family law, contracts, torts & Swiss company law) as well as (3) an introduction to the criminal justice system in Switzerland. The lectures will be taught in class and on excursions.</p> <p>Constitutional History and Constitutional Law: Prof. Klaus Mathis</p> <ul style="list-style-type: none">- Introduction to the Constitutional History of Switzerland- Introduction to Constitutional Law <p>Private Law: Dr. Laura Knöpfel</p> <ul style="list-style-type: none">- Civil Law vs Common Law: Sources and Procedural Differences- Contracts and Torts / Family Law / Associations & Corporations / Private International Law- Court hearing / visit <p>Criminal Law: Prof. Anna Coninx / Asst. Prof. Stefan Maeder</p> <ul style="list-style-type: none">- Introduction to Criminal Law and Criminal Procedure Law in Switzerland- Excursion to a Swiss Prison
<i>Prerequisites:</i>	None
<i>Course Objectives:</i>	The course aims at providing students with a good understanding of the Swiss legal system, the organisation of the Swiss state and the principles of the Swiss political system.
<i>Weekly hours:</i>	2 hours a week, partly replaced by excursions
<i>Language:</i>	English
<i>Examination Mode / Credits:</i>	Written exam, graded / 5 Cr
<i>Limitation:</i>	Only for incoming exchange students
<i>Contact:</i>	daniel.gmuer@unilu.ch
<i>Notice:</i>	Attendance to all lectures is mandatory. For further details see the guidelines on OLAT.

Literature

What is indispensable?

- WALTER HALLER, The Swiss Constitution in a Comparative Context, 2nd Edition, Zurich/St. Gall 2016 (will be distributed in class);
- Further reading materials will be distributed in class or made available online.

Legislation required for the exam

- Federal Constitution of the Swiss Confederation (will be distributed in class);
- Swiss Civil Code (available online on https://www.fedlex.admin.ch/eli/cc/24/233_245_233/en);
- Swiss Code of Obligations (available online on https://www.fedlex.admin.ch/eli/cc/27/317_321_377/en);
- Handout with selected provisions of the Swiss Criminal Code and the Swiss Criminal Procedure Code (will be provided).

Law and Economics (Workshop)

<i>Professor:</i>	Prof. Dr. iur. Klaus Mathis, MA in Economics et al.
<i>Dates:</i>	Spring
<i>Course Type:</i>	Workshop
<i>Course Description:</i>	In this course international scholars in the field of Law and Economics present their research findings. The participants critically discuss the working papers and comment on them.
<i>Course Objectives:</i>	Students have a critical look at scientific lectures and working papers in the field of Law and Economics.
<i>Prerequisites:</i>	Attendance of the course „Rechtsökonomie“ or good knowledge of economics
<i>Weekly hours:</i>	2 hours a week
<i>Language:</i>	English
<i>Examination Mode / Credits:</i>	Writing a comment to a working paper, graded essay / 5 Cr
<i>Contact:</i>	klaus.mathis@unilu.ch
<i>Notice:</i>	In order to receive the credits for this course, students must fulfil a mandatory attendance requirement at the conference which takes place in Lucerne, as well as write an 8-10 page essay in either German or English on the topic of one of the presented papers. The essay must be submitted electronically and, additionally, as a signed hardcopy by 31 May and will be graded.

Literature

What's indispensable?

The course documents will be distributed via OLAT.

Law and Justice in Literature and Film (Non-Legal Course)

<i>Professor:</i>	Dr. phil. Steven Howe
<i>Dates:</i>	Fall
<i>Course Type:</i>	Lecture
<i>Course Description:</i>	<p>This course introduces students to a vibrant and vital area of interdisciplinary study. Readings of law with, against and across literature and film can</p> <ol style="list-style-type: none">(i) open up novel possibilities for understanding and critiquing legal values and ideologies,(ii) help engender a richer intellectual history of law,(iii) cast new light on key jurisprudential themes, and (iv) grant access to ethical issues frequently covered over in formal legal discourse. The recent 'cultural turn' in legal scholarship has, moreover, breathed new life into explorations of the moral and political significance of popular cultural representations of law. <p>The module proceeds in two parts. Part I will offer an overview of key texts introducing theories and methods in law-and-literature and law-and-film studies. Part II will focus on critical discussion of a selection of literary and cinematic case studies. Alongside classic and canonical texts that engage themes of law, justice and punishment, we will also consider a number of modern films, plays and novels that address urgent contemporary issues.</p>
<i>Course Objectives:</i>	<p>Upon completion of the module it is expected that students will:</p> <ul style="list-style-type: none">- have a working knowledge of scholarly approaches to the study of law-and-literature and law-and-film- be conversant with a selection of literary and cinematic texts and the legal ideas they articulate- comprehend how legal-theoretical approaches might be applied to the study of literature and film- have an appreciation of recent developments in the fields of cultural-legal and law-and-humanities studies and of their value to legal work- have a deeper understanding of how law and (popular) culture interact in different contexts
<i>Weekly hours:</i>	9 sessions of 2 lessons each
<i>Language:</i>	English
<i>Examination Mode / Credits:</i>	Essay (graded, 75%), class participation and assignments (25%) / 3 Cr
<i>Contact:</i>	steven.howe@unilu.ch

Literature

What's indispensable?

Relevant course material will be made available online via OLAT.

Law and Society in a Global Context

<i>Professor:</i>	Prof. Dr. iur. Vagias Karavas
<i>Dates:</i>	Fall
<i>Course Type:</i>	Lecture / Seminar
<i>Course Description:</i>	<p>Law and Society has already a long and interesting intellectual history with a global reach. As a discipline it aims at analysing the way law reflects and impacts society. Accordingly, law is not to be studied in cognitive isolation, but rather in connection with its various social and cultural environments. The course aims at introducing students into this fascinating field of study, and at providing them with a better understanding of law in its changing global contexts.</p> <p>Alongside a general introduction to the particular European history, theory and methods of the Law and Society discipline, the course shall further provide students with unique insights in current debates regarding law's increasingly important global dimensions and the challenges connected with them. Thus questions such as the following will be thoroughly discussed: What does globalisation mean? Can there be a law beyond the nation state? What are the features of a specific global law? Do global actors, like for example multinational firms, have to abide by human rights laws?</p>
<i>Course Objectives:</i>	The course objectives are to help students use interdisciplinary resources as well as international and comparative perspectives in their studies of law; to equip students with critical skills in their work with law; and to sharpen their view of law as part of a global society.
<i>Weekly Hours:</i>	2 hours
<i>Language:</i>	English
<i>Examination Mode / Credits:</i>	Essay (graded, 75%), class participation and assignments (25%) / 5 Cr
<i>Contact:</i>	vagias.karavas@unilu.ch

Literature

What's indispensable?

Relevant course material will be made available online via OLAT.

Further Literature:

- ROGER COTTERELL, *The Sociology of Law: An Introduction*, 2005;
- NIKLAS LUHMANN, *Law as a Social System*, 2008;
- MANFRED B. STEGER, *Globalization: A Very Short Introduction*, 2013;
- GUNTHER TEUBNER, *Global Law Without a State*, 1996.

Legislation required for the exam

None.

Law of Sustainable Development

<i>Professor:</i>	Prof. Dr. iur. Klaus Mathis
<i>Semester:</i>	Spring
<i>Course Type:</i>	Lecture
<i>Course Description:</i>	<p>In times of climate change, increasing inequality and societal division, we look at the role of the law in fostering sustainable development – in Switzerland and globally.</p> <p>The course provides an introduction to the origins, theories, and legal definition of 'sustainable development' on the international level and along with the law of sustainable development in Switzerland. It sheds light on the underlying concepts of sustainable development, how these concepts are translated into the law, the different regulatory instruments, and the challenges to implementing sustainable development.</p> <p>In particular, the three pillars (economic, ecological, and social) of sustainable development and their relationships will be discussed. Thereby, the course will focus on intra- and intergenerational justice and the relationship between humans and nature. Finally, the theoretical concepts will be applied to current debates such as climate litigation, rights for natural entities, and corporate responsibility.</p>
<i>Course Objectives:</i>	<p>The goal is to have a distinct understanding of the role of the law in «sustainable development». Students will be able to identify opportunities for and challenges to sustainable development in Switzerland and globally, and be aware of the interdependencies in the multilevel regulatory governance of sustainable development.</p> <p>Upon completion of the course, it is expected that students will:</p> <ul style="list-style-type: none">- Know the most relevant concepts of sustainable development- Know the history and regulatory framework of the UN Sustainable Development Goals (SDGs)- Know the different regulatory instruments to implement sustainable development- Be able to identify obstacles and opportunities in Swiss and international law for sustainable development- Be able to analyze current issues like climate litigation, rights for natural entities, and corporate responsibility in the light of sustainable development.
<i>Weekly hours:</i>	2 hours a week
<i>Language:</i>	English
<i>Examination Mode / Credits:</i>	Oral exam / 5 Cr
<i>Contact:</i>	daniel.gmuer@unilu.ch
<i>Material and Literature:</i>	Will be made available via OLAT.

Literature

What's indispensable?

- Reader

Legislation required for the exam

- Federal Constitution of the Swiss Confederation (SR 101).

Private Law EU - CH

<i>Professor:</i>	PD Dr. Dirk Trüten, LL.M.
<i>Semester:</i>	Spring
<i>Course Type:</i>	Lecture
<i>Course Description:</i>	<p>Through its extensive legislative activity, the European Union has played a decisive role in the development of private law both in the Member States of the European Union and in Switzerland in recent decades. The first part of the course is dedicated to the relevant primary law. EU primary law primarily binds only the Member States and the Union institutions. However, the relevant provisions can also directly establish rights and obligations vis-à-vis individual EU citizens and thus have an impact on legal relationships under private law.</p> <p>In the second part of the lecture, the most important areas of EU private law regulated by EU secondary law are dealt with in an overview. These lessons will include provisions of Swiss law that correspond to EU law in terms of content, which have been adopted by means of "autonomous implementation" or on the basis of bilateral agreements. Account will also be taken of the fact that the Swiss Federal Court generally interprets corresponding provisions of Swiss law in conformity with European law. This practice raises numerous questions that may be relevant to students' later professional practice.</p>
<i>Prerequisites:</i>	Basic knowledge of EU institutional law
<i>Course Objectives:</i>	Basic knowledge of the EU-legislation in the field of private law and of the respective Swiss legislation.
<i>Weekly hours:</i>	2 hours a week
<i>Language:</i>	English
<i>Examination Mode / Credits:</i>	Oral exam or presentation with written paper 5 Cr. Class attendance and active participation are strongly encouraged.
<i>Contact:</i>	dirk.trueten@unilu.ch
<i>Material:</i>	No specific textbook will be required. All relevant information on the course, including a detailed syllabus as well as all course materials and readings will be available for download on OLAT.

Literature will be announced at the beginning of the course.

Public International Law

<i>Professor:</i>	Prof. Dr. iur. Martina Caroni
<i>Dates:</i>	Fall 2025
<i>Course Type:</i>	Workshop "Statehood in International Law: Current Issues, Challenges and Disputes" (topic is tentative and may be changed)
<i>Course Description:</i>	<p>Territory – People – Power: the notion of statehood in international law is mostly uncontested. Nevertheless, many issues, challenges and disputes relate to statehood or are looming at the horizon. Just to mention a few: What about submerging states, will they lose their statehood? And what about the statehood of disputed entities (e.g. Taiwan, Palestine)? Is there a right to secession (e.g. Catalunya, Quebec)? Who decides on the statehood, the international community, courts? What about alternative, non-west-phalian notions of statehood?</p> <p>This workshop focuses on issues pertaining to statehood and will be held in three parts. Following an introductory and organisational session in the first week of the term, students will work in small groups (3-4 students) and prepare presentations and papers on self-chosen topics relating to current issues of public international law. During this period, there will be no weekly class meetings, but rather individual and group guidance sessions with Prof. Martina Caroni and her team. Finally, during the last weeks of the term, there will be meetings for the group presentations and class discussions.</p>

<i>Prerequisites:</i>	Knowledge of Public International Law recommended (but not a requirement)
<i>Weekly hours:</i>	See "Course Description"
<i>Language:</i>	English
<i>Examination Mode / Credits:</i>	Grade based on class participation, presentation and conduction of discussion (1/3) and the paper (2/3) / 5
<i>Limitation:</i>	Yes, 12 (6 exchange students and 6 Lucerne students)
<i>Registration:</i>	Registration/Deregistration mandatory on the "UniPortal". Only students who enrol during this period will receive a grade at the end of the semester.
<i>Contact:</i>	martina.caroni@unilu.ch

Moot Courts

For detailed information go to: <https://www.unilu.ch/en/mootcourts>

Please note, that participation of incoming students is subject to special arrangements to be made with the supervisors and coaches of the particular moot court.

Helga Pedersen Moot Court Competition (HPMCC)

<i>Professor:</i>	Prof. Dr. iur. Sebastian Heselhaus
<i>Course Type:</i>	Moot Court Competition
<i>Course Description:</i>	<p>The course prepares for the participation in the Helga Pedersen Moot Court Competition (HPMCC). This moot court is jointly organised by the European Law Students' Association (ELSA) and the Council of Europe. The subject of the moot court is a human rights case under the European Convention on Human Rights. The teams submit pleadings for both sides, the applicant and the respondent to the case. From all teams registered for the competition 18 teams will qualify for the final oral round. The final oral round is annually held in Strasbourg with the pleadings taking place at the European Court of Human Rights (ECtHR) and the Council of Europe. Judges of the ECtHR may sit on the bench.</p> <p>In 2022/23 the University of Lucerne participated successfully and the team was awarded "Best Team of the Regionla Round" and qualified for the finals in Strasbourg. This moot court competition is a unique opportunity to gain practical experience in Human Rights Law and to plead in front of the ECtHR. Participating in a moot court has an extremely high reputation among law firms. Students will be guided by coaches experienced in moot court competitions and are trained in Human Rights Law as well as in presenting legal arguments. In addition, the team will participate in a pre-moot court before the finals take place (if possible).</p> <p>The attendance of the course might serve as a basis for the master thesis.</p>
<i>Prerequisites:</i>	Basic knowledge of Human Rights Law; good command of English
<i>Course Objectives:</i>	In-depth analysis of specific Human Rights Law problems and the jurisdiction of the ECtHR; development of practical lawyer's skills; providing contacts to leading law firms.
<i>Weekly hours:</i>	Self organised; hours equivalent to credits; written phase expected between September and November, oral phase expected between January and March
<i>Language:</i>	English
<i>Examination Mode / Credits:</i>	Written papers and oral presentation / 18 Cr
<i>Registration:</i>	Please register as soon as possible by e-mail to the contact person below
<i>Limitation:</i>	4 students
<i>Contact:</i>	elsa-coach@unilu.ch
<i>Information:</i>	https://www.unilu.ch/studium/lehrveranstaltungen-pruefungen-reglemente/rf/lehrveranstaltungen/moot-courts/helga-pedersen-moot-court-competition-hpmcc/
<i>Material:</i>	All the necessary material will be provided in advance/at the start of the Moot Court.

Willem C. Vis Moot Court

<i>Professor:</i>	Prof. Dr. iur. Daniel Girsberger Roxane Schmidgall, MLaw
<i>Course Type:</i>	Moot Court Competition
<i>Course Description:</i>	<p>The Willem C. Vis International Commercial Arbitration Moot is a competition in the course of which close to 400 university teams from all over the world compete against each other representing the parties of a fictive case in front of simulated arbitration panels.</p> <p>The case revolves around typical issues arising out of the UN-Convention on International Sale of Goods (CISG) and the field of International Commercial Arbitration. On the basis of the case the participants draft a Memorandum for Claimant and subsequently for Respondent.</p> <p>The week before Easter the oral pleadings are planned to take place in Vienna. Due to COVID-19, in the past two years, they had to be conducted by videoconference.</p> <p>The course aims at teaching the participants in different theoretical and practical skills of a lawyer. On one side it inculcates profound knowledge of the CISG, International Commercial Arbitration and Comparative Law. On the other side, the participants acquire skills such as drafting memoranda, performing oral pleadings, broadening and strengthening the command of the spoken and written English language. Last but not least, the participants experience the intensive teamwork in a group of ambitious students.</p>
<i>Prerequisites:</i>	Bachelor degree; good command of English
<i>Course Objectives:</i>	Education of particularly proactive, interested and talented students in different theoretical and practical juridical skills in the English language.
<i>Weekly hours:</i>	One entire semester
<i>Language:</i>	English
<i>Examination Mode / Credits:</i>	Evaluation of the written and oral performance of the individual participants in the course of the entire Moot / 18 Cr
<i>Registration:</i>	Yes.
<i>Limitation:</i>	Yes
<i>Contact:</i>	daniel.girsberger@unilu.ch roxane.schmidgall@doz.unilu.ch
<i>Material:</i>	Announced in the preliminary stages of the course

Guest Courses

Freshwater Resources and the Law

<i>Professor:</i>	Dr. Ana Maria Daza Vargas The University of Edinburgh, GB
<i>Dates:</i>	Spring
<i>Course Type:</i>	Guest Course
<i>Course Description:</i>	<p>Freshwater is a finite and vulnerable resource made up of only 2.5 per cent of the world's total water resources. Water is essential to human, animal and plant life, as well as critical to any socio-economic activity. Demand for water is not only linked to human consumption, agriculture and industrial activities, it also important for social/cultural activities and ecosystem services. Globalisation and international trade have multiplying effects over the demand for freshwater resources. Today's global water crisis is largely attributed to increased hydrological variability and competing human activities. Climate change constitutes an additional driver exacerbating water's already variable nature. However, the water crisis also responds to a problem of governance: adequate water governance is critical to achieving the UN sustainable development goals (SDGs) and to securing resources for future generations.</p> <p>This course seeks to provide an overview of the different areas of water regulation, management and governance. This includes the broader framework of environmental governance, as well as the human rights framework with a critical reference to the UN SDGs. The course intends to explore the main challenges linked to the governance of water resources, discussed primarily in the context of international law, but taking into account the relevance of domestic law and its interface with international and transnational law.</p>
<i>Prerequisites:</i>	None
<i>Learning Objectives:</i>	<p>Core aims:</p> <ol style="list-style-type: none">1) to provide students with substantial background knowledge of the nature and specific characteristics of water resources and water management, from physical, economic and social perspectives;2) to introduce students to different forms of ownership of water resources and allocation of water rights;3) to provide in-depth knowledge of the international law related to transboundary water resources;4) to discuss current challenges surrounding the access to – and security of – freshwater resources at the crossroads of different areas of international law - international environmental law (including climate change and biodiversity), international human rights law, and international economic law.
<i>Weekly Hours:</i>	12-14 lessons in 3-4 blocks
<i>Language:</i>	English
<i>Examination Mode / Credits:</i>	Written exam, passed or failed / 2 Cr
<i>Registration:</i>	Registration/Deregistration mandatory on the "UniPortal" Law students with Bachelor's degree will be given priority.
<i>Limitation:</i>	Yes, 50
<i>Contact:</i>	AnaMaria.DazaVargas@ed.ac.uk

Literature

What's indispensable?

Primary sources:

- United Nations Convention on the Law of the Non-navigational Uses of International Watercourses (New York, 1997);
- The Convention on the Protection and Use of Transboundary Watercourses and International Lakes (1996);

- Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000, establishing a framework for Community action in the field of water policy. Available at: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A32000L0060>.

Secondary sources:

Selected chapters from:

- S.C. McCAFFREY, et al, *Research Handbook on International Water law* (Edward Elgar Publishing, 2019);
- L. BOISSON DE CHARZOURNES, et al, *International law and freshwater: the multiple challenges* (Boisson de CHAZOURNES, LAURENCE, *Fresh Water in International Law* (Oxford University Press, 2013);
- D. CAPONERA AND M. NANNI, *Principles of Water Law and Administration* (Routledge, 2019)
- H. SAVENIJE, 'Why Water Is not an Ordinary Economic Good, or Why the Girl Is Special' *Physics and Chemistry of the Earth* 27 (2002) 741–744;
- P. CULLET, 'Water Law in a Globalised World: The Need for a New Conceptual Framework' *Journal of Environmental Law* (2011) 1–22.

Further literature (not mandatory):

- A. RIEU-CLARKE, et al, *Routledge Handbook of Water Law and Policy* (Routledge, 2017);
- A. RIEU-CLARKE, et al, UN Watercourses Convention: Users' Guide, Open Access (2012): https://discovery.dundee.ac.uk/ws/portalfiles/portal/1477328/UN_Watercourses_Convention_User_s_Guide.pdf;
- L. BOISSON DE CHARZOURNES, 'Freshwater and International Law: The Interplay between Universal, Regional and Basin Perspectives, United Nations World Water Assessment Programme, 2009;
- A. RIEU-CLARKE, 'Can Reporting Enhance Transboundary Water Cooperation?', *Review of European, Comparative & International Environmental Law*, 29(3) (2020);
- C. BRUCH, et al., 'Water Law and Governance in Post-Conflict Settings', *Review of European, Comparative & International Environmental Law*, 29 (2020);
- M. MOÏSE MBENGUE, 'A Model for African Shared Water Resources: The Senegal River Legal System', *Review of European, Comparative & International Environmental Law*, 23 (2014);
- E. BROWN WEISS, et al. (eds), *Fresh Water and International Economic Law* (Oxford University Press, 2005);
- C. LEB, *Cooperation in the Law of Transboundary Water Resources* (Cambridge University Press 2013).

Audiovisual:

- Global Water Partnership 'Transboundary Freshwater Security Governance Train – an Interactive Online Session Series'. Available at: <https://www.gwp.org/en/transboundary-freshwater-security-governance-train--an-interactive-online-session-series-by-gwp-and-iwla/>

Legislation required for the exam:

- United Nations Convention on the Law of the Non-navigational Uses of International Watercourses (New York, 1997).

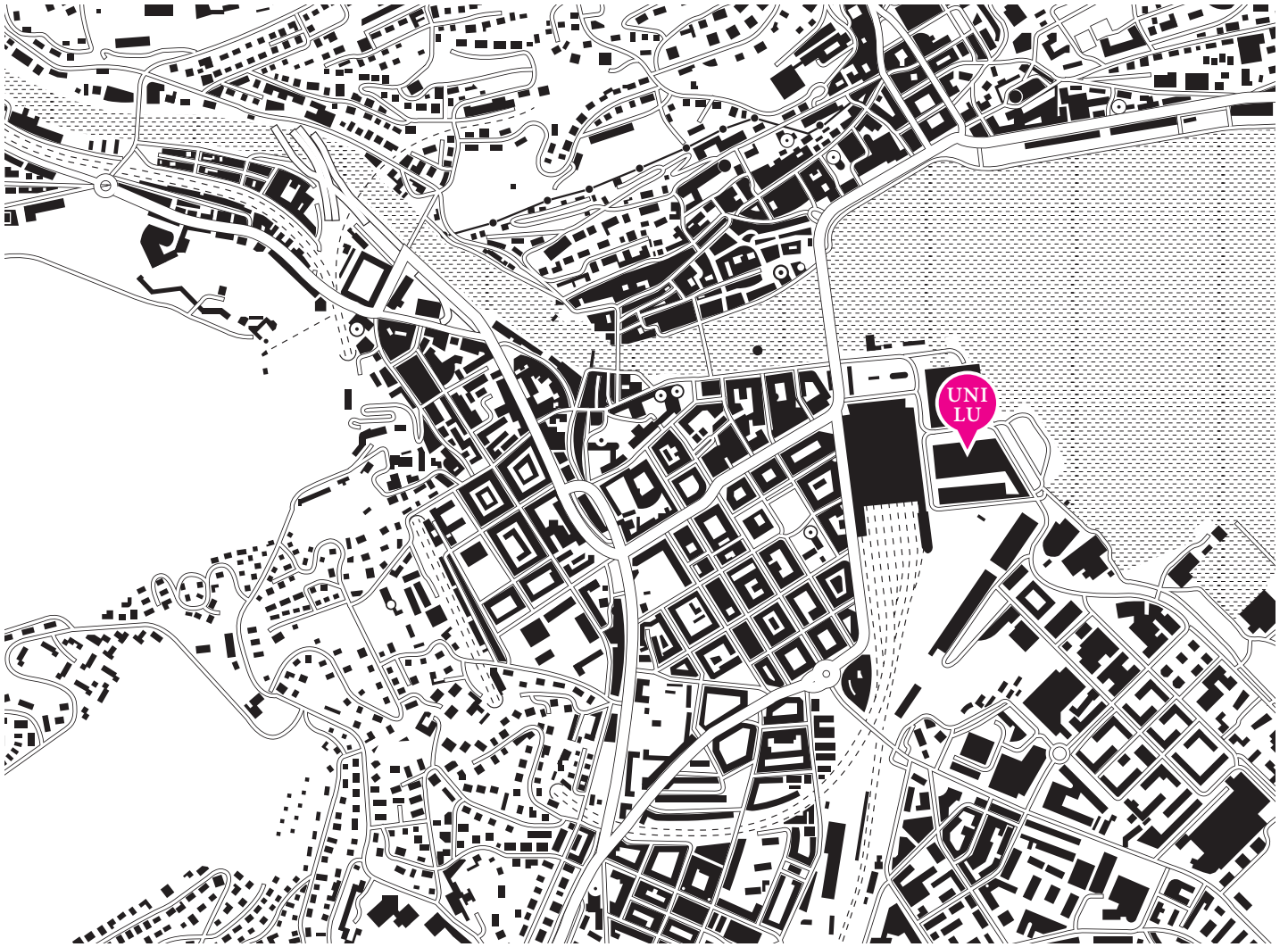
Human Rights in South-East-Asia: The Indonesian Development on Constitutional and Human Rights

<i>Professor:</i>	Dr. Rosa Ristawati Universitas Airlangga, IDN
<i>Dates:</i>	Spring 2024
<i>Course Type:</i>	Guest Course
<i>Course Description:</i>	The course will focus on the specific legal culture of human rights in Southeast Asia (esp. in Indonesia). It will compare and contrast the approaches to human rights in Indonesia and Europe. The course will carry out an in depth-analysis of the following issues: The constitutional development of human rights in Indonesia; the role of the Indonesian Constitutional Court in the evolution of civil political and social economic rights in Indonesia; the Indonesian legal culture of human rights; and aspects influenced by Southeast Asian culture (e.g. ASEAN human rights mechanism and intergovernmental commission on Human Rights). The course will examine Southeast Asian countries with a focus on freedom of expression, educational rights, and indigenous rights.
<i>Prerequisites:</i>	Basic knowledge of (national) human rights
<i>Weekly Hours:</i>	Block course
<i>Language:</i>	English
<i>Examination Mode / Credits:</i>	Written exam, passed or failed / 2 Cr
<i>Registration:</i>	Registration/Deregistration mandatory on the "UniPortal" Law students with Bachelor's degree will be given priority.
<i>Limitation:</i>	Yes, 50
<i>Contact:</i>	rosa@fh.unair.ac.id sebastian.heselhaus@unilu.ch
<i>Material:</i>	Will be provided for before the start of the lecture.

Summer School

Lucerne Academy for Human Rights Implementation

<i>Professor:</i>	Prof. Dr. iur. Sebastian Heselhaus et al.
<i>Dates:</i>	July
<i>Course Type:</i>	Summer School
<i>Course Description:</i>	<p>The Lucerne Academy for Human Rights Implementation is a worldwide two-week program of coursework and hands-on learning for law students and legal practitioners held in the heart of Europe at the University of Lucerne, Faculty of Law, in Switzerland, in partnership with several distinguished international law schools. It will be offered in July at the University of Lucerne.</p> <p>This is a Summer School with a distinctly global relevance. Given the realities of human rights implementation, the focus of the program will be on the challenges and practical aspects of litigation and advocacy of human rights. Participants will not only learn about the field of human rights, but about how to incorporate that knowledge into the actual work of defending human rights. Special focus will be placed on advocacy skills such as case assessment and oral argumentation.</p> <p>Participants will be given a choice of coursework on a variety of topics related to human rights on progressive and traditional issues under both the European Convention of Human Rights and the UN Conventions.</p> <p>In addition, the Summer School includes two excursions, one to the UN headquarters (Geneva) and one to the European Court of Human Rights and the Council of Europe (Strasbourg). This is a Summer School with a global focus established to create a dynamic and unique training program in human rights. Participants can earn seven (7) ECTS credits for the successful completion of the courses. Upon successful completion of the program participants will be awarded a Certificate of Completion.</p>
<i>Language:</i>	English
<i>Examination Mode / Credits:</i>	Written exams / 7 Cr
<i>Information/Registration:</i>	www.lucerne-academy.ch
<i>Limitation:</i>	Yes
<i>Contact:</i>	lucerne-academy@unilu.ch



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