Exchange programme Law (Bachelor)
VU University Amsterdam - Faculteit der Rechtsgeleerdheid - Exchange programmes Faculty of Law - 2011-2012
| Course: European Constitutional Law          | 1 |
| Course: Human Rights and Borders            | 1 |
| Course: Internet Governance                 | 2 |
| Course: Public International Law            | 4 |
| Course: EU Internal Market Law              | 5 |
| Course: European Law Seminars               | 6 |
| Course: International Trade and Investment Law | 6 |
| Course: European Private Law                | 7 |
| Course: Financing and Secured Transactions  | 8 |
| Course: Historical Introduction to European Legal Science | 9 |
| Course: Human Rights & the Citizenship of Aliens | 10 |
| Course: Risk, Security and Law              | 11 |
| Course: Current Issues in Transnational Law | 12 |
| Course: Current Issues of Migration Law     | 12 |
| Course: International Intellectual Property Law | 13 |
| Course: Victimology of International Crimes | 14 |
| Course: International Labour Law            | 15 |
European Constitutional Law

Course objective
This course develops an advanced understanding of EU constitutional law. Students will be required to read and analyse academic literature independently, and present their conclusions orally in the seminars. For the paper they will be required to formulate a subject, research independently, and write clearly. The exam requires them to analyse a problem and communicate that analysis in writing.

Course content
The core elements of European public law, at an advanced level, and selected recent developments in European public law, at an advanced level:
- EU competences and their control
- Human rights within the EU legal order
- Subsidiarity and general principles of EU law
- Enforcement of EU law
- The Court of Justice and its function
- The EU and international law
- European citizenship

Type of assessment
Exam and paper

Course reading
Chalmers, Davies and Monti, EU Law (CUP, 2nd edn, 2010)

Registration procedure
Students who wish to follow this course, should register for the course European Law Seminars.

Remarks
The course will be given in English. Students must have completed the course 'Europees recht' or 'EU Law' or an equivalent course.

Human Rights and Borders

Course code R_HumRB (200996)
Period Period 1
Credits 6.0
Language of tuition English
Faculty Faculteit der Rechtsgeleerdheid
Coordinator prof. mr. H. Battjes
Course objective
This course aims to enable students:
- To use and understand the law concerning borders and the changing meanings of borders (Term 1, 3, 6, 10, 11, 12);
- to relate domestic, European and international law, and to deal with conflicts among them (Term 2);
- to reflect critically on legislation and case-law concerning borders (Term 7, 9, 15);
- to see law on borders in a historical context (Term 5).

Course content
What is the border of a country? Who decides where it is? And for whom does it apply? During this course we will investigate which meanings the borders within and around Europe have for European citizens and other categories of migrants; who has drawn the border; and how the border is being guarded. We will do this during classes in which we will address the law of borders, and the meaning of human rights for border control and for crossing the border. In class, we will deal with relevant domestic, European and international law, and case law of - among others - the European Court of Human Rights. We discuss the borders among Member States of the European Union, external border control and its costs in the Mediterranean, the history of asylum and its relation to human rights, migration control through detention, and the relevance of (physical and other) borders for European societies. This last topic is a connection with the second course, which delves deeper into the different ways in which in modern societies distinctions are made between old and new inhabitants.

Form of tuition
5 lectures, 3 seminars.

Type of assessment
Written exam

Course reading
Required reading will be published on blackboard.

Entry requirements
Entry requirements students Bachelor's degree programme Law (Rechtsgeleerdheid):
- only open for students who have passed all the courses of the first bachelor year.

Internet Governance

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<tr>
<th>Course code</th>
<th>R_InternGov (200331)</th>
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<tr>
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<td>Faculty</td>
<td>Faculteit der Rechtsgeleerdheid</td>
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<tr>
<td>Coordinator</td>
<td>prof. mr. A.R. Lodder</td>
</tr>
<tr>
<td>Teaching staff</td>
<td>prof. mr. A.R. Lodder</td>
</tr>
</tbody>
</table>
Course objective
PLEASE TAKE NOTE: THIS IS DE STUDY GUIDE INFORMATION OF THE 201-2011 ACACEMIC YEAR. CERTAIN PARTS OF THE FOLLOWING TEXTS MAY HAVE SINCE CHANGED OF BE OUTDATED.

Internet governance, and law on the internet raise mind boggling topics. Johnson & Post consider the internet to be special, and regulation and governance of the internet not self-evident. Goldsmith & Wu are so-called unexceptionalists and see the internet as just an infrastructure that needs no peculiar legal treatment. This course serves as an introduction into the transnational legal issues surrounding internet governance, since both national and international/European law cannot help in solving all questions on internet governance.

Course content
Internet governance, and law on the internet raise mind boggling topics. Johnson & Post consider the internet to be special, and regulation and governance of the internet not self-evident. Goldsmith & Wu are so-called unexceptionalists and see the internet as just an infrastructure that needs no peculiar legal treatment. This course serves as an introduction into the transnational legal issues surrounding internet governance, since both national and international/European law cannot help in solving all questions on internet governance.

Despite the internet's non-governmental nature, its origin is public: started as an army network in the 1960s, and primarily used by universities in the 1970s and 1980s. There was no need for law back then, the internet served as a communication infrastructure for decent people that committed themselves to so-called netiquettes. Commercial transactions were scarce, criminal behaviour almost absent, and occasional misbehaviour was handled by peers. From 1993 onwards the world-wide web changed the internet completely for it allowed, facilitated and eventually led to the mass use by citizens, companies and governments. As a consequence of all the activity on the internet, slowly but surely the law came into the picture.

The characteristics of internet, however, make it extremely difficult to apply the law. Law uses geography, jurisdiction is based on territory. But whose territory is the internet? Started from public roots the internet has evolved into a private communication infrastructure, that falls under no direct responsibility of any government. However, activities on this infrastructure can be legally relevant to and may fall under various jurisdictions. What to do? Should governments intervene? Are they allowed to anyway? And if so, what measures are effective and realistic?

During this course students learn how these questions should be approached, and what the possible answers are.

Form of tuition
Lectures and discussion classes.

Type of assessment
Written exam (60%) and 2 assignments (40%).

Course reading
J. Zittrain, The Future of Internet And how to stop it.
Entry requirements
Entry requirements students Bachelor's degree programme Law (Rechtsgeleerdheid):
- only open for students who have passed all the courses of the first bachelor year.

Public International Law

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<th>Course code</th>
<th>R_Pub.int.I (200950)</th>
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<tr>
<td>Period</td>
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<td>Faculty</td>
<td>Faculteit der Rechtsgeleerdheid</td>
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<tr>
<td>Coordinator</td>
<td>dr. T. Gazzini</td>
</tr>
<tr>
<td>Teaching staff</td>
<td>dr. H.M.G. Denters, dr. T. Gazzini</td>
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<tr>
<td>Teaching method(s)</td>
<td>Lecture</td>
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Course objective
At the end of the course, students will be able to identify the legal issues in international affairs and provide an initial response to them by making a coherent argument using the relevant sources of international law. The module will be delivered through seminars. Students are supposed to read the required materials beforehand and to actively participate in the discussion. Students are also invited to make an informal presentation starting with week 2.

Course content
The course is intended to provide a systematic and detailed treatment of the main principles of the international legal order. It focuses on the subjects and the sources of international law; the consequences of breaches of international rules and the settlement of international disputes.

Form of tuition
Seminars

Type of assessment
5,000 word written assignment.

Course reading
Recommended textbook:
- Official documents and international decisions are available through Blackboard.
The VU library (www.ubvu.vu.nl) has a limited printed collection on international law. Many legal journals are accessible electronically (http://www.ubvu.vu.nl).
For additional sources: library of the University of Amsterdam (http://centauri.ic.uva.nl); library of the Peace Palace, The Hague (www.ppl.nl).
Entry requirements
Entry requirements students Bachelor's degree programme Law (Rechtsgeleerdheid):
- only open for students who have obtained 150 credits of their Bachelors degree programme, including Pleitoefening.

Entry requirements ICC-students:
- there are no requirements.

Entry requirements LPIS-students:
- there are no requirements.

Recommended background knowledge
The course:
- Volkenrecht

Remarks
Course will be given in English. An active command of the English language is required. This course is meant for exchange as well as for regular students of our faculty.
Furthermore Exchange students must have successfully finalised basic courses on Introduction to Public International Law. Dutch students must have successfully finalised the following course: Beginselen volkenrecht.

EU Internal Market Law

Course objective
This course gives students and advanced knowledge of EU internal market law, and requires students to consider EU law in its economic, social, and national legal context, and to consider how economic and social factors influence the interpretation of the law and its use. They will study concrete problems of inter-state movement and trade, and will learn to analyse factual situations, and identify and resolve conflicts between policies and laws. The exam will require them to analyse and present conclusions in a clear and concise way.

Course content
Free movement of goods, services, persons and capital; EU citizenship; the internal situation; horizontal application of free movement law; social impact of the internal market; economic policy behind the internal market; proportionality and its application; derogations from free movement law and their scope.

Form of tuition
Lectures
European Law Seminars

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<th>Course code</th>
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<td>Faculteit der Rechtsgeleerdheid</td>
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<tr>
<td>Coordinator</td>
<td>dr. S.E.M. Herlin Karnell LLM</td>
</tr>
<tr>
<td>Teaching staff</td>
<td>dr. S.E.M. Herlin Karnell LLM</td>
</tr>
<tr>
<td>Teaching method(s)</td>
<td>Study Group</td>
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</tbody>
</table>

Course objective
This course develops an advanced understanding of the development of the EU, the state of EU public law and the scope and functions of the EU. Students will be required to read and analyse academic literature independently, and present their conclusions orally in the seminars. For the paper they will be required to formulate a subject, research independently, and write clearly. The course is a preparation for independent advanced research and academic writing.

Course content
The core elements of European public law, at an advanced level, and selected recent developments in European public law, at an advanced level:
- EU competences and their control
- Human rights within the EU legal order
- Subsidiarity and general principles of EU law
- Enforcement of EU law
- The Court of Justice and its function
- The EU and international law
- European citizenship
- The EU and national identity
- Reception of EU law in the member states and constitutional conflicts
- External relations of the EU
- The Area of Freedom, Security and Justice
- Flexibility and enhanced co-operation

Form of tuition
Seminars (interactive discussion).

Type of assessment
Paper(s) and written exam.

Course reading
Chalmers, Davies and Monti, EU Law (CUP, 2nd edn, 2010).
Course objective
The course prepares the student to practice professionally in the field of international trade and investment law and teaches the student specialized knowledge, skills and understanding in the field of international trade and investment law.

Course content
World Trading System (including WTO institutional and material law); Investment law (including legal framework of Bilateral Investment Treaties).

Form of tuition
Traditional teaching, seminar and student presentation.

Type of assessment
Short comments and assignments.

Course reading
- Materials

European Private Law

Course code
R_Eur.priv.l ()

Period
Period 2

Credits
6.0

Faculty
Faculteit der Rechtsgeleerdheid

Coordinator
mr. J.W. Rutgers

Teaching staff

Teaching method(s)
Reading

Course objective
European law has permeated the national legal orders to such an extent that European Private Law has become an integral part of the domestic systems of private law in Europe. The course European Private Law offers a unique opportunity to get the whole picture of already existing European Private Law in areas as different as: family law, contract law, property law, procedural law.
The present incoherency of European Private Law has inspired various groups and commissions all over Europe to start projects that aim to draft proposals for a harmonised private law in Europe. The increasing involvement on the part of the European Institutions makes those proposals increasingly influential. Maybe in ten years, when you will be working as a legal professional, there will be one and the same European Civil Code in the whole of Europe. Or will at least contract law be harmonised? Or family law? And what about procedural law? Answers to those and many other questions will be given during the course European Private Law.

Course content
This course focuses on the following subjects:
- General issues of European Private Law
- Methods of developing European Private Law,
- European family law,
- European contract law,
- European property law,
- European procedural law.

Form of tuition
The program consists of 7 seminars, two hours per week. All students enrolled in the course are expected to attend every seminar and to participate actively.

Type of assessment
Students are required to write three assignments on subjects of the course. Final grades will be based on the grades acquired for the assignments and on the participation in the course.

Course reading
Reader

Entry requirements
Entry requirements IBL-students:
- there are no requirements.

Remarks
The course will be taught in English. An active command of the English language is required. This course is meant for regular students of our faculty as well as for foreign exchange - and IBL students.

Financing and Secured Transactions

<table>
<thead>
<tr>
<th>Course code</th>
<th>R. FinSecTr (200914)</th>
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<tbody>
<tr>
<td>Period</td>
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<td>Credits</td>
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<td>Language of tuition</td>
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<tr>
<td>Faculty</td>
<td>Faculteit der Rechtsgeleerdheid</td>
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<tr>
<td>Coordinator</td>
<td>mr. R.I.V.F. Bertrams</td>
</tr>
<tr>
<td>Teaching staff</td>
<td>mr. R.I.V.F. Bertrams</td>
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<tr>
<td>Teaching method(s)</td>
<td>Reading</td>
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Course objective
Acquiring legal insight and effective knowledge and skill in relation to the subject.

Course content
Major transactions nearly always require large pre-expenditure before performance by one contracting party, e.g. the seller, supplier of capital goods or building contractor, while they confer benefits to the other contracting party, e.g. the buyer or employer, only over a period of time. The element of 'credit' or 'financing' the transaction is, therefore, crucial. This issue entails questions such as which party will finance the transaction (or perhaps both), the role of banks and financing techniques (bank credits, bills of exchange, factoring, etc). The second crucial issue in international transactions is the element of 'risk' and 'risk management'. Here we will examine various techniques to reduce the risk of non-payment and non-performance, such as letters of credit, bank guarantees and export credit insurance (secured transactions). The last part of this course focuses on such financing techniques as financial lease/sale-and-lease back and project finance in relation to such projects as energy power stations and infra-structure. This course is very much business law and practice oriented.
It is essential to attend all (seven) lectures.

Form of tuition
Reader Financing and Secured Transactions.

Type of assessment
Written examination.

Entry requirements
Entry requirements IBL-students:
- there are no requirements.

Entry requirements students Master's degree programme Ondernemingsrecht:
- there are no requirements.

Historical Introduction to European Legal Science

<table>
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<tr>
<th>Course code</th>
<th>R_Hist.intro (200926)</th>
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<tr>
<td>Period</td>
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<td>Credits</td>
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<td>Language of tuition</td>
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<tr>
<td>Faculty</td>
<td>Faculteit der Rechtsgeleerdheid</td>
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<tr>
<td>Coordinator</td>
<td>mr. J.H. Dondorp</td>
</tr>
<tr>
<td>Teaching staff</td>
<td>prof. mr. J. Hallebeek, mr. J.H. Dondorp</td>
</tr>
<tr>
<td>Teaching method(s)</td>
<td>Reading</td>
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</table>

Course objective
The course offers the opportunity to pursue the historical development of law and legal doctrine in Europe. In order to show such a development for the 2010-2011 course one topic is chosen, viz. contracts for a third party beneficiary.

Course content
This subject will be treated discussing Roman law, the medieval interpretation of the Roman texts, Canon law, legal Humanism and late
scholastic doctrine, Hugo Grotius, Roman Dutch law and the codifications in continental Europe compared with Anglo-American common law.

**Form of tuition**
The course consists of a series of lectures and seminars. The lectures have an introductory character and provide for each period an overview of the topic. In the seminars texts from each period on third-party rights will be read and discussed.

**Type of assessment**
The exam consists of an oral exam about the content of the course and the literature studied. Instead of such an exam students are allowed to write a paper on a subject related to the course.

**Course reading**
Jan Hallebeek & Harry Dondorp (ed), Contracts for a third party beneficiary. A historical and comparative account, Leiden 2008. (The book is available at a reduced price for participants of this course via our secretary.

**Entry requirements**
Enter requirements students Bachelor's degree programme Law (Rechtgeleerdheid) and Notarial law (Notarieel recht):
- only open for students who have obtained 150 credits of their Bachelor's degree programme, including Pleitoefening.

**Human Rights & the Citizenship of Aliens**

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<tr>
<th>Course code</th>
<th>R_HumRC (200995)</th>
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<tr>
<td>Faculty</td>
<td>Faculteit der Rechtgeleerdheid</td>
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<tr>
<td>Coordinator</td>
<td>prof. mr. T.P. Spijkerboer</td>
</tr>
<tr>
<td>Teaching staff</td>
<td>prof. mr. T.P. Spijkerboer</td>
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<tr>
<td>Teaching method(s)</td>
<td>Lecture, Tutorial</td>
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**Course objective**
- Knowledge and understanding of the layered nature, as well as the changing nature of citizenship;
- relate social reality to this knowledge;
- on the basis of knowledge of 'law in the books': to carry out a small investigation about 'law in action'.

**Course content**
What is a citizen? Which rights do migrants have? These are seemingly simple questions, but migrants enjoy all kinds of civil rights, while some citizens feel treated as aliens. In this course we will investigate which rights can be invoked by nationals and by migrants. This will happen both during lectures, as well as during working groups including an excursion where the subject of the course is related to social reality. We will address citizenship of the European Union; the possibility to be joined by family members from abroad; nationality; dress codes; and political theory about citizenship and civil rights.
Form of tuition
5 lectures, 3 seminars.

Type of assessment
Written exam; paper.

Course reading
Will be announced on blackboard.

Entry requirements
Entry requirements students Bachelor's degree programme Law (Rechtsgeleerdheid):
- only open for students who have passed all the courses of the first bachelor year.

Risk, Security and Law

<table>
<thead>
<tr>
<th>Course code</th>
<th>R_RiskSecL ()</th>
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<td>Period</td>
<td>Period 2</td>
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<tr>
<td>Credits</td>
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<tr>
<td>Language of tuition</td>
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<tr>
<td>Faculty</td>
<td>Faculteit der Rechtsgeleerdheid</td>
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<tr>
<td>Coordinator</td>
<td>prof. dr. W.G. Werner</td>
</tr>
<tr>
<td>Teaching method(s)</td>
<td>Lecture</td>
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</table>

Course objective
After completion of the course the student:
• Knows and understands the basic tenets of theories of ‘risk society’
• Is able to critically reflect on some key concepts of risk society theories
• Knows how to apply key notions of risk society to problems in the field of environmental law, peace and security law, migration law and European criminal law.
• Is able to critically reflect on the consequences of incorporating notions of risk in different fields of law.

Course content
This course studies the way in which modern societies deal with risks in different fields. The course specifically focuses on the way in which societal understandings of risk and insecurity have affected the development of (international) law.

Central topics are:
Theories of risk society
Theories of international security
The use of ‘risk’ in conflict and security law, environmental law, migration law and criminal law

Form of tuition
Students are required to prepare the seminars well and to actively engage in discussions .

Type of assessment
Papers
Course reading
Reader, available on blackboard.

Current Issues in Transnational Law

<table>
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<tr>
<th>Course code</th>
<th>R_CIsTrL ()</th>
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<td>Period</td>
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<td>Faculty</td>
<td>Faculteit der Rechtsgeleerdheid</td>
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<tr>
<td>Coordinator</td>
<td>dr. U. Belavusau LLM</td>
</tr>
<tr>
<td>Teaching staff</td>
<td>prof. dr. G.T. Davies</td>
</tr>
<tr>
<td>Teaching method(s)</td>
<td>Lecture</td>
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Course objective
This course shows students the influence of transnational problems and policies on the law. Via guest speakers and academic literature it introduces them to current topics and research in transnational law. This helps them place national law in its broader context, gives them a deeper understanding of European and international law and their function, and prepares them for advanced courses at masters level. Students will have to read and analyse academic literature, and engage in active discussion of current issues, as well as formulating problems and questions. Analysis, oral presentation, and research skills are therefore the major skills in this course.

Course content
A selection of (usually 3) topics of current importance will be treated. Guest speakers will be invited, students will be asked to read their work in advance. The students will then discuss this work and prepare questions before hearing the guest. Topics will vary from year to year, but will include both international and European legal concerns. They may be related to e.g. international conflicts and security, international trade and economic policy, climate and environmental problems, and the operation of international institutions.

Form of tuition
Seminars (interactive discussion).

Type of assessment
Paper

Course reading
Articles made available during or before the course.

Current Issues of Migration Law

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<tr>
<th>Course code</th>
<th>R_CurMLaw (200994)</th>
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<tr>
<td>Period</td>
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<tr>
<td>Faculty</td>
<td>Faculteit der Rechtsgeleerdheid</td>
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</table>
Course objective
- to understand and discuss academic texts
- to give an oral presentation
- participation in seminars

Course content
During this course, small groups of students will discuss one or more academic texts and/or other materials, such as films, (seminar-style), on the basis of presentations by students.

Form of tuition
Seminars

Type of assessment
Presentation (75%) and class participation.

Course reading
Will be announced on Blackboard.

Entry requirements
Entry requirements students Bachelor's degree programme Law (Rechtsgeleerdheid):
- only open for students who have passed all the courses of the first bachelor year.

International Intellectual Property Law

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<td>Faculteit der Rechtsgeleerdheid</td>
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<tr>
<td>Coordinator</td>
<td>prof. dr. M.R.F. Senftleben</td>
</tr>
<tr>
<td>Teaching staff</td>
<td>prof. dr. M.R.F. Senftleben</td>
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<tr>
<td>Teaching method(s)</td>
<td>Lecture</td>
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Course objective
The course provides an overview of the international legal framework for the protection of intellectual property (IP). Participants will obtain a general understanding of the role of IP protection in international trade, underlying policy considerations and the current debate on imbalances in the international protection system. Participants will acquire the ability to identify and solve problems arising from the international nature of intellectual property, and the ability to assess the current IP system critically in the light of social, cultural and economic needs in developing and developed countries.

Course content
The course focuses on the principles and minimum standards of protection established in the Berne Convention for the Protection of Literary and Artistic Works, the Paris Convention for the Protection of Industrial Property and, in particular, the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS). The following issues will be dealt with in particular:
- the adaptation of the copyright system to the digital environment;
- patent protection and public health;
- the relationship between individual and collective rights in signs: trademarks and geographical indications;
- the discussion on the protection of traditional knowledge and traditional cultural expressions.
International IP registration systems constitute an additional topic of the course. The Madrid System for the International Registration of Marks and the Patent Cooperation Treaty will be discussed.

**Type of assessment**
Student presentations of case law (50%), written exam (50%).

**Course reading**
The WIPO Intellectual Property Handbook and additional material that will be made available on BlackBoard.

**Entry requirements**
Entry requirements IBL-students:
- there are no requirements.

Entry requirements students Master's degree programme Ondernemingsrecht:
- there are no requirements.

Entry requirements students Bachelor's degree programme Law (Rechtsgeneerheid) and Notarial law (Notarieel recht):
- only open for students who have obtained 150 credits of their Bachelors degree programme, including Pleitoefening.

**Remarks**
For Dutch students, this course complements the courses Auteursrecht, Industriële eigendom en Intellectuele eigendom in de digitale samenleving.

**Victimology of International Crimes**

<table>
<thead>
<tr>
<th>Course code</th>
<th>R_VictimIC (200911)</th>
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<tr>
<td>Period</td>
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<tr>
<td>Credits</td>
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<td>Language of tuition</td>
<td>English</td>
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<tr>
<td>Faculty</td>
<td>Faculteit der Rechtsgeleerdheid</td>
</tr>
<tr>
<td>Coordinator</td>
<td>dr. J. van Wijk</td>
</tr>
<tr>
<td>Teaching staff</td>
<td>dr. J. van Wijk</td>
</tr>
<tr>
<td>Teaching method(s)</td>
<td>Lecture</td>
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**Course objective**
Present students an introduction in field of Victimology. The course will discuss and combine 'mainstream' victimology and the victimology of the international crimes genocide, crimes against humanity and war.
Course content
In the course general theories on victimization and typologies of victims will be discussed. Similarities and differences between victims of conventional crimes and victims of international crimes will be addressed. Students are required to actively participate in group discussions where they critically assess the role of politics, media and academia on victimization. Concepts such as blaming the victim, secondary victimization, the ideal victim, coping, support, posttraumatic stress disorder (PTSD) and restorative justice will be discussed.

Form of tuition
Lectures.

Type of assessment
Continuous assessment (weekly multiple choice tests) and final presentation.

Course reading
Reader + additional literature.

Entry requirements
Entry requirements Criminology-students:
- only open for students who have completed the Bachelor's degree programme Criminology.

Entry requirements ICC-students:
- there are no requirements.

Entry requirements Law and Notarial Law-students:
- only open for students who completed their Bachelor's degree programme

Remarks
The course is open to master students in Law and Criminology. The maximum number of students is 40. Preference will be given to students following the ICC-programme.

International Labour Law

<table>
<thead>
<tr>
<th>Course code</th>
<th>R. Int.lab.I (200948)</th>
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<tr>
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</tr>
<tr>
<td>Coordinator</td>
<td>prof. dr. K. Boonstra</td>
</tr>
<tr>
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<tr>
<td>Teaching method(s)</td>
<td>Lecture</td>
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</tbody>
</table>

Course objective
Through a general Introduction in international labour law and international social security law students will be made familiar with the institutional framework and the legal nature of international social law (from both a global and a regional perspective), and various
legislative techniques, material aspects and the impact of international social law on the national legal order.

Course content
Through the course several topics are discussed:
- the institutional framework within which international social law has come into existence
- the legal nature of international social law and various legislative techniques
- the main principles of international social law seen from a material point of view
- the impact of international labour law on the national legal order.

Type of assessment
50% assignment, 50% final (take home) exam.

Course reading
Will be placed on blackboard.

Entry requirements
Entry requirements IBL-students:
- there are no requirements.

Entry requirements students Master's degree programme Ondernemingsrecht:
- there are no requirements.