The Master's degree programme has a study load of 60 credits, 1 academic year.

Please check the Academic and Examination Regulations for more information about the compositions and the aim of the degree programme.
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Master's programme Law - Research Track Law

Vakken:

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<tr>
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<td>Legal Argumentation</td>
<td>Period 5+6</td>
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<td>Research Project Development</td>
<td>Period 3</td>
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<td>Scientific Journal Article</td>
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M IBL general

Opleidingsdelen:
- M IBL Compulsory courses
- M IBL Optional courses

M IBL Compulsory courses

Vakken:

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M IBL Optional courses

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<td>European Competition Law</td>
<td>Period 4</td>
<td>6.0</td>
<td>R_Eur.comp.l</td>
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<td>R_FinSecTr</td>
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<td>Government Regulation of Business</td>
<td>Period 4</td>
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<td>R_Gov.reg.bu</td>
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Comparative Law: Legal Culture and Language

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<td>Coordinator</td>
<td>mr. F.M. Gilligan</td>
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<tr>
<td>Teaching method(s)</td>
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</table>

Course objective
The aim of the course is in-depth understanding of Comparative law and legal-cultural differences. Special attention for writing in English and using English legal terminology that often refers to Common Law terminology.

Course content
Seminars.

Type of assessment
Assignments and Paper.

Course reading
Literature:
- Nelken, D & Feest, J (eds), Adapting Legal Cultures (Hart, 2001) (Nelken & Feest)
- Reimann, M & Zimmermann, R (eds), The Oxford Handbook of Comparative Law (Oxford University Press, 2006) (Reimann & Zimmermann)
- Riles, A (ed), Rethinking the Masters of Comparative Law (Hart, 2001) (Riles)
- Smits, JM (ed), Elgar Encyclopedia of Comparative Law (Edward Elgar, 2006) (Smits)
- Van Hoecke, M (ed), Epistemology and Methodology of Comparative Law (Hart, 2004) (Van Hoecke)

In addition frequent reference will be made to
- Frances Gilligan, Common law and language – Reader, VU Boekhandel

Assignments
Legal cultures and mentalities
EU Internal Market Law

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<td>Coordinator</td>
<td>prof. dr. G.T. Davies</td>
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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

Type of assessment
Exam.
European Competition Law

Course objective
The purpose of this course is a study of global antitrust law (competition law) and economics. This is not a course on comparative law in the sense of analysing comparisons purely in order to shed light on laws that are really national in application. Rather the conviction is that this combination of laws from varying nations in actual practice presents a truer picture of the overall regime of competition law that now faces multinational market players.

Course content
The focus is on EU and US for several reasons. First, as practical matter, the lion's share of global antitrust enforcement is done by the EU and US. Second, as a conceptual matter, nations outside those jurisdictions by and large borrow the basic statutory frameworks of either the US and EU and employ similar methods of antitrust analysis. Knowing how the US and EU have grappled with the standard set of antitrust problems thus goes a long way to understand how antitrust analysis is done in the rest of the world too. Other nations are discussed in a bit more length where they seem to clearly raise a 'third way' of addressing an important antitrust issue.

Form of tuition
Lectures, assignments and a take home examination.

Type of assessment
Grades will be based on assignments and a take home examination.

Course reading
- Richard Whish, Competition Law, Oxford University Press, 2011,
- Handouts and other literature to be announced

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

Financing and Secured Transactions
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.

Government Regulation of Business
Course objective
The course seeks to provide to students insight into the legal mechanisms of regulating markets. The course focuses on methods of regulation and the use of competition law. The course trains students in writing concise memos in complicated matters.

Course content
The legal framework for government regulation of business, also called 'regulated industries', within a market economy.
- The meaning of privatisation, liberalisation and regulatory reform.
- A general outline of competition law as an alternative of regulation of specific markets.
- A general introduction into methods of government regulation of business on the basis of EC law.
- A short introduction into separate legal methods for government regulation of business (regulation of access to markets, price regulation, licensing, quality regulation etc.) in several markets (such as telecoms, airlines, airports, water, postal services, energy).
- How to cope with government regulation of business as an attorney or a legal consultant.

Type of assessment
Each student will have to write four 2-page papers with an analysis of a specific case. These assignments are discussed in class. The course is concluded by a written examination. Assignments and exam each account for 50% of the final grade.

Course reading
Course reader, internet sources.

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

Remarks
The course will be given in English. An active command of the English language is required. This course is meant for foreign exchange and IBL students as well as for regular students of our faculty. Furthermore Exchange students must have successfully finalised basic courses on Constitutional Law. Administrative Law is recommended.

International Commercial Arbitration

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<tr>
<th>Course code</th>
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<tr>
<td>Faculty</td>
<td>Faculteit der Rechtsgeleerdheid</td>
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<tr>
<td>Coordinator</td>
<td>dr. J.J. van Haersolte-van Hof</td>
</tr>
<tr>
<td>Teaching staff</td>
<td>dr. J.J. van Haersolte-van Hof</td>
</tr>
<tr>
<td>Teaching method(s)</td>
<td>Reading</td>
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</tbody>
</table>
Course objective
The aim of this course is to introduce students to the contemporary practice of international commercial arbitration and the core internationally applicable instruments. It also aims through practical exercises and in-class participation to allow students to develop skills in drafting arbitral clauses and in dealing with procedural issues that arise in arbitration.

Course content
The course will focus on arbitration, the preferred method of dispute resolution in international trade. Attention will be given to major arbitral institutions and their rules of procedure, as well as ad hoc arbitration; the arbitration agreement with respect to drafting as well as its formal and substantive validity; the State as a party to arbitration; applicable procedural and substantive law; and the supporting and supervisory role of the national courts, taking into account, in particular, the UNCITRAL Model Law on International Commercial Arbitration and the 1958 New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards.

Form of tuition
Lectures; student presentations.

Type of assessment
Evaluation will be in the form of an exam and in-class participation.

Course reading
Reader International Commercial Arbitration containing excerpts from:
International Encyclopaedia of Comparative Law, Volume XVI, Civil Procedure, Chapter 12, 'Arbitration' by Pieter Sanders (J.C.B. Mohr (Paul Siebeck) 1996);
Alan Redfern and Martin Hunter, Law and Practice of International Commercial Arbitration, 5th ed. (Sweet & Maxwell 2010);
Jan Paulsson, Nigel Rawding, Lucy Reed and Eric Schwartz, The Freshfields Guide to Arbitration and ADR. Clauses in International Contracts (Kluwer Law International 1999);
Pieter Sanders, The Work of UNCITRAL on Arbitration and Conciliation (Kluwer Law International 2001);

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

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

International Company Law
Course objective
This course is intended for students from abroad as well as for regular students of the faculty. Through international trade and transnational activities of companies as well as non-commercial organisations, contracts with companies and organisations of different national laws are becoming more intense. National laws in these areas differ in many, often unexpected ways. The objective of this course is to broaden the perspective and understanding of the participants of differences in legal approaches to commercial and non-commercial organisations and deepen their knowledge and insight of international influences, especially the law of the European Union on company and corporation law.

Course content
Introduction: the approach of common law and civil law concerning company law;
- Basics of European Company law;
- Law of trusts, foundations and associations;
- Internal governance of companies;
- The position of directors and supervisors;
- Rights and obligations of shareholders
- Supervision on financial markets.

Form of tuition
Lectures

Type of assessment
The course will be evaluated by a written exam.

Course reading
An overview of the materials to be used during the course will be published on blackboard.

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

Entry requirements students Masters degree programme Ondernemingsrecht:
- there are no requirements.

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

and the course:
- 'Vennootschaps en rechtspersonenrecht'

Remarks
1. IBL students and Exchange students must have successfully finalised courses on the basics of Company Law (exam required). Dutch students must have successfully finalised the following course: Vennootschaps- en rechtspersonenrecht.
2. Course will be given in English. An active command of the English is required.

International Contract Law

<table>
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<th>Course code</th>
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<td>Coordinator</td>
<td>O.O. Cherednychenko</td>
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<tr>
<td>Teaching staff</td>
<td>prof. mr. R.P.J.L. Tijttes, prof. mr. C.E.C. Jansen, O.O. Cherednychenko</td>
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<tr>
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Course objective
The main goal of this course is to equip students with the basic knowledge of international contract law instruments and the contract law rules of the world major legal systems, as well as the purpose and meaning of important contract clauses regularly used in international commercial contracts.

Course content
During this course students will get acquainted with the basics of terminology and concepts of international contract law and they will learn how these terms and concepts are generally applied in international commercial contract practice. The reference framework is provided by the UNIDROIT Principles of International Commercial Contract and the Principles of European Contract Law. The course examines the way the two sets of Principles, as well as the major legal systems, deal with pre-contractual liability, agency, construction of contracts, remedies for non-performance and the effect of supervening events. This course provides the necessary basis for the course International Specific Contracts Law in which the aforesaid topics will be elaborated in the context of international contracts related to sale of goods, joint ventures, mergers and acquisitions, construction, franchise and distribution, and finance.

Form of tuition
Lectures

Type of assessment
Written examination.

Course reading
Reader

International Intellectual Property Law

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<th>Course code</th>
<th>R_Int.prop.l (200991)</th>
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</tbody>
</table>
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 (Rechtgeleerdheid) 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.
International Tax Law

**Course objective**

PLEASE TAKE NOTE: THIS IS THE STUDY GUIDE INFORMATION OF THE 2011-2012 ACADEMIC YEAR. CERTAIN PARTS OF THE FOLLOWING TEXTS MAY HAVE SINCE CHANGED OR BE OUTDATED.

You will acquire a structured understanding of the concepts and principles of international tax law. You will know
- what to look for when dealing with international tax situations;
- the right questions to ask;
- the different approaches of national tax systems; and
- how to apply tax treaties.

Perhaps most importantly, you will obtain an overview of the framework of international tax law. This will provide you with the background knowledge and the confidence to pursue specific enquiries independently.

**Course content**

This course discusses the principles and mechanisms of international (direct) taxation of companies, the contents and effects of EU corporate tax directives and the impact of EU case law on the tax systems of EU Member States. The emphasis is on concepts rather than on technical details. The perspective is multilateral (mainly OECD and EU) rather than domestic, although examples of approaches and systems of various OECD Member States will be given.

Furthermore, there will be a course on VAT and customs duties in relation to international trade.

**Type of assessment**

Grades will be based on a written test.

**Course reading**

Reader containing various articles and overviews.

**Entry requirements**

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

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

Introduction to Common Law

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Course objective
This subject provides essential insight into the language and concept of Anglo- American Legal systems. Following this course gives the lawyer in all areas of future employment, reasoning and communication skills which is a necessity in today’s Globalized world.
Course content
Short history of the Common Law
The difference between Common law and Equity
Sources of law
The British constitution
Court structure
The role of the English judge and the legal Profession
Precedent and “Stare decisis”
Pivotal cases in English law
Contract law, consideration and estoppel
Criminal law
Company law
Communication skills – legal letters, e-mails memos.

Type of assessment
Paper, assignments and written Exam and

Course reading
* English Grammar in use, Murphy, ISBN 0-521-43680-x
* Gower’s Principles of Modern Company Law, Davies, Paul L., ISBN:0421524804

Legal Argumentation

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<td>dr. S.E.M. Herlin Karnell LLM</td>
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Course objective
Introduction to the process of writing a Ph.D in law and on how to write a PhD proposal. The course also offers an introduction to legal research method more broadly.

Course content
The basic structure of this course looks as follows. The introductory meeting is on why and how to write a Ph.D thesis as well as how to structure a Ph.D proposal and identifying research questions. The second meeting tries to unfold what it means to speak about ‘good’ scholarship and if there are any objective criteria in such a divergent area as legal research. Students will be asked to discuss their favorite piece of scholarship. In addition, there will be guest lectures by current
Ph.D students in different areas of law, e.g. on how to tackle interdisciplinary research questions. The students will also be asked to study specific pieces of research in any area and will be asked to discuss it. They will also learn about writing articles and will be introduced to the art of applying for funding. The course entails a compulsory course essay.

Form of tuition
Seminars and guest lectures

Type of assessment
Paper

Course reading
Provisional reading:
- D. Feldman, 'The Nature of Legal Scholarship' (1989) 52 Modern Law Review 498 (available as e-journal);
- Useful source on how to write a PhD proposal http://www.law.qmul.ac.uk/docs/ResearchPropGuide.pdf
- C Morris and C Murphy Getting a PhD in Law (Hart publishing Oxford 2011)
- H. Becker, Writing for Social Scientists: How to Start and Finish Your Thesis, Book or Article (2nd ed, University of Chicago Press, 2007);
- R. Murray, How to Write a Thesis (2nd ed, Open University Press, 2006);
- P. Dunleavy, Authoring a PhD (Palgrave, 2003);
- Fowler, How to Write (OUP, 2006);

Legal Research Methods

<table>
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<td>Faculteit der Rechtsgeleerdheid</td>
</tr>
<tr>
<td>Coordinator</td>
<td>prof. dr. B.M.J. van Klink</td>
</tr>
<tr>
<td>Teaching method(s)</td>
<td>Seminar</td>
</tr>
</tbody>
</table>

Course objective
Aim of the course is to reflect on the approach of research, and to learn to describe and justify methods in a dialogue with other students.

Course content
The following meetings will be dedicated to the discussion of methodological issues through the process of intervision, und supervision of a teacher.
In a plenary meeting the main issues from the intervision process will be discussed. The course ends with a battle: students will be divided into two groups and will have to defend given theses.
Form of tuition
Seminars.

Type of assessment
Paper

Course reading

Presentation Training

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<tr>
<td>Coordinator</td>
<td>mr. F.M. Gilligan</td>
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<tr>
<td>Teaching staff</td>
<td>dr. H.M.G. Denters</td>
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<tr>
<td>Teaching method(s)</td>
<td>Study Group</td>
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</table>

Course objective

This course enables non-native speakers of English to compose and present an academic paper in English. This life skill enhances communication competence in general and English language skills in particular

Course content
Presentation theory
• Presentation planning
• Written vs. spoken text
• Non-verbal communication
• Using words for structure
• Verbal cues in presentation
Audio structure
Linkage words
• Question & Answer techniques

Presentation practice
• Each student prepares a paper on an area of law and presents it in front of class members and lecturers.
• Students must give a 10 minute presentation and must answer a number of questions on their topic.
• At the end of the presentation, students receive a Score Sheet on which the written comments and marking of the lecturers is clearly stated.

Form of tuition
PowerPoint and presentation training

Type of assessment
Presentation of a legal paper

Course reading
Reader - Presentation in English – F. Gilligan

Private International Commercial Law

<table>
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<tr>
<th>Course code</th>
<th>R. PrivIntCom (200917)</th>
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<td>prof. mr. P. Vlas</td>
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<td>prof. mr. P. Vlas, mr. M. Zilinsky</td>
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<tr>
<td>Teaching method(s)</td>
<td>Lecture</td>
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Course objective
The main goal of this course is to equip students with the knowledge and skills to apply private international law rules in international commercial trade practice.

Course content
This course deals with aspects of private international law that may be relevant whenever cross-border commercial disputes are to be resolved. Students will first be familiarised with general principles of private international law. Subsequently, they will be introduced to how to resolve the question of jurisdiction in international contracts, and how parties to a contract may prevent themselves from being sued in a foreign jurisdiction. The course further deals with issues of choice of law. In particular, it will examine which law governs an international commercial contract, having regard to the rules of the Rome I Regulation. Issues regarding recognition and enforcement of foreign court judgements and legal issues regarding insolvency conclude the topics that are focussed on in this course.

Type of assessment
Written exam (cases) and paper.

Course reading
• Reader available on Blackboard
• M. Bogdan, Concise Introduction to EU Private International Law, Europa Law Publishing: Groningen, 2006
Entry requirements
Entry requirements IBL-students:
- there are no requirements.

Research Project Development

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<tr>
<td>Coordinator</td>
<td>drs. R.M. Lips</td>
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<tr>
<td>Teaching method(s)</td>
<td>Seminar</td>
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</table>

Course objective
The aim is to learn how to develop a research proposal that could form the basis of a NWO-research proposal or any other research project.

Course content
The course commences with two introductory sessions on the development and writing of research proposals. The students will be introduced to different proposal formats, guides for applicants of several funding schemes, learn about CV presentation, and how to write an abstract. With their individual supervisors they will develop a research proposal according to the NWO format: abstract, topic, approach, scientific and societal impact, CV and references. The draft of proposals will be discussed in class.

Form of tuition
Seminars, individual coaching and peer review.

Type of assessment
Paper

Course reading
To be determined individually.

Scientific Journal Article

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<td>Teaching method(s)</td>
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</table>

Course objective
The first aim is to learn how to write a scientific journal article. The second aim is to learn to connect and/or explain the research topic to other disciplines. Students of various disciplines will be coaching each other in this process.
Course content
Under supervision of an individual supervisor students develop a scientific article. Each student will be matched with a student of another (sub-)discipline; they will coach each other in the process of developing the article. The course starts with a first assignment to hand in a title and problem definition; second assignment is to define a hypothesis and make an outline of the article. After this a first draft of the article is written. All assignments will be discussed with the individual supervisor and the fellow-student. The final assignment is the Journal article that will be handed in as a paper.

Form of tuition
Individual coaching and peer review.

Type of assessment
Paper.

Course reading
To be determined individually.