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Master of Laws (LLM)
Distance Learning Program

**International and European Business
Law**



2019-2020

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DLLM525: Internal Market Law

Course Title	Internal Market Law
Course Code	DLLM525
Course Type	Elective
Level	Postgraduate
Year	1st
Semester	1st
ECTS	7,5
Prerequisite or Required Courses	None
Other Recommended Courses	None
Language	Greek / English
Teaching Methodology	Distance learning
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1. Introduction

The present study guide for the course “Internal Market Law” follows the standards adopted by most of the distance learning programmes.

The approach that the programme will follow is teaching the various sub-units through the practical route, giving emphasis in specific case studies. Students will get familiar with the case-law of the European Court of Justice (ECJ) on the main issues concerning the functioning of the internal market.

2. Structure of the Study Guide

The Study Guide is divided in several parts, which cover all the fundamental thematic units of the above mentioned Course. More specifically, it includes:

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- ✓ The Course's learning outcomes.
- ✓ The required and further bibliography.
- ✓ An introduction to the Course's thematic units.
- ✓ An outline of each of the Course's units.
- ✓ A series of questions that will enable the student to assess the degree of his/her understanding of the subjects that he/she has been taught (self-assessment exercises).
- ✓ Assessment methods and grading

3. Activities

Apart from the abovementioned basic features, this Study Guide includes activities which will help you to study and interact with the relevant material. Even though these activities are not included in your final mark, we strongly recommend you to complete them as part of your study. These activities will also help to develop your skills, to boost your self-confidence for the newly acquired knowledge, as well as to effectively use this knowledge.

4. Course Purpose and Objectives

The Course aims at:

- ✓ Presenting the theoretical background and current legal framework of the internal market and explain its importance for the EU.
- ✓ Developing students' knowledge of when a private individual can benefit from the fundamental freedoms guaranteed in the context of the internal market.

5. Learning Outcomes

After the completion of the Course, students will be able to:

- ✓ O1. Independently research legislative texts and ongoing legislative initiatives for the evolution of the common and internal market from the beginning of the foundation of the European Communities until today
- ✓ O2. Identifying when a situation falls within the scope of the rules governing the functioning of the internal market.

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- ✓ O3. Question whether a State (or private) measure restricts one or more of the fundamental economic freedoms of the internal market and, if so, if this measure can nevertheless be justified on the basis of one or more of the exceptions provided for in EU law.

6. Course content

- ✓ Free movement of goods
- ✓ Free movement of persons in general
- ✓ Free movement of workers
- ✓ Right of establishment
- ✓ Freedom to provide services
- ✓ Free movement of capital and payments
- ✓ Specific issues of the internal market

7. Use of the Study Guide

The present Study Guide offers an introduction to the main subjects of study in the field of Financial management. As it is the case with any other similar Guide, the present one has been designed in order to help you in your study. It aims at answer to your queries about the Course, as well as to offer you information concerning your exams. However, a Study Guide cannot cover every detail. As a result, your study may well expand beyond the limits of this Guide. Moreover, you should not treat the Study Guide as a pupil's book. If you only emphasize on the content of the Guide without making additional efforts for studying, it will be difficult to have a positive result in your final exams. It is advisable that you keep your own notes as you study for the Course. These notes will help you to approach the offered material in a critical way and to present to the Course's instructor the issues that you find complicated or difficult. Detailed information about the exact content and the type of the final exams will be provided before the end of the semester.

8. Bibliography

Required reading

- P. Craig – G. De Búrca, EU Law: Texts, Cases and Materials, 6th edition, Oxford University Press, Oxford, 2015, pp. 607 et seq.

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- D. Chalmers – G. Davies – G. Monti, *European Union Law: Text and Materials*, 3rd edition, Cambridge University Press, Cambridge, 2014, pp. 466 et seq.
- R. Davis/T. St. Quintin/G. Tritton, *Tritton On Intellectual Property in Europe*, Sweet & Maxwell, 2018
- N. de Luca, *European Company Law. Text, Cases and Materials*, Cambridge University Press, 2017
- M. Horspool, M. Humphreys & M. Wells-Greco, *European Union Law* 10 edition, Oxford University press, 2018
- H. Breakey, Ch. Sampford, *Intellectual Liberty: Natural Rights and Intellectual Property*, Routledge 2015

Articles & Book's Chapters

- Article 1 Francesca Strumia, 'Divorce immediately, or leave. Rights of third country nationals and family protection in the context of EU citizens' free movement: *Kuldip Singh and Others*' (2016) 53 *Common Market Law Review*, Issue 5, pp. 1373–1393
- Article 2 Erik Ros, 'EU Citizenship and Taxation 'Is the European Court of Justice Moving Towards a Citizen's Europe?'' (2014) 23 *EC Tax Review*, Issue 1, pp. 43–55
- Article 3 Peter Oliver, Stefan Enchelmaier, 'Free movement of goods: Recent developments in the case law' (2007) 44 *Common Market Law Review*, Issue 3, pp. 649–704
- Article 4 Free Movement of Goods, Weatherill, Stephen *International and Comparative Law Quarterly*, 2012, Vol.61(2), pp.541-550

Further reading

- C. Barnard, *The Substantive Law of the EU: The Four Freedoms*, 6th edition, Oxford University Press, Oxford, 2019.
- D. Bailey – L.-A. John, *Belamy and Child European Union Law of Competition*, 8th edition, Oxford University Press, Oxford, 2018.
- Dimitri Kochenov, *EU Citizenship and Federalism, The Role of Rights*, Cambridge University Press: April 2017
- Bauböck. *Debating European Citizenship*, Springer International Publishing, 2019

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9. Additional Bibliographical Material

Apart from the required reading, you are free to study and book or article related to the content of the Course. It is useful to expand your study by making use of as many bibliographical sources as possible. To this end, you are offered free access to the Virtual Learning Environment (VLE) and to the electronic Library of Neapolis University.

10. Online Learning Resources

The tutor may upload notes, PowerPoint Presentations, quizzes, announcements, as well as any other additional material on the Course's webpage, which can be found at the electronic platform (moodle) used by Neapolis University. Moreover, students are able to use the discussion forum in order to communicate with his/her fellow students. Students are advised to visit the platform on a regular basis in order to have access to newly uploaded educational material.

11. Scheduled Online Educational Activities and Teaching Methods

- Notes and PowerPoint Presentations in digital format through the electronic platform
- Basic textbook(s) and additional bibliography
- Assignments
- Meetings with the tutor(s)
- Discussions through the electronic platform
- Web links

12. The Virtual Learning Environment (VLE)

The Virtual Learning Environment, which supplements this Study Guide, has been designed in order to enhance the educational experience of students by providing them with more support and by creating the sense of an academic community. It consists a significant part of the distance learning studies, and as a result students are highly encouraged to use it as often as possible. The Virtual Learning Environment offers a wide range of educational sources for distance learning:

- Self-assessment activities: understanding of the educational material.
- Digital study material: it is uploaded and is available to students.

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- Students' discussion forum: students can use it in order to exchange opinions, to ask for support from their fellow students, to cooperate in order to solve problems, and to discuss about any subject that is related with the courses they attend.
- Study skills: expert advice on the preparation for the exams and development of digital skill which help students in the studying process.

13. Electronic Library

The library of Neapolis University Pafos offers access to a rich collection of sources of information, ranging from printed books to electronic data bases. It supports the educational and research activities of Neapolis University and its academic community.

The Library's printed collection consists of 10 thousand books, whereas its digital collection consists of 300 thousand e-books and more than 5 million articles in electronic format which are drawn from 17 world famous publishing houses and data bases, such as Springer, Taylor & Francis, Ebsco, Emerald, Wiley, JSTOR, Cambridge University Press, Oxford University Press, Sage, Fame, Orbis, Westlaw, Proquest, TLG, CYS etc. It also offers to users as series of research tools, thus enabling them to search on all available electronic resources.

Users have access to both the printed and the digital material of the library through the federated search engine EDS (Ebsco Discovery Service). Through EDS (<https://www.nup.ac.cy/learning-resources/library/collection-discovery-tools/discovery-tools/>) you can submit generic-type queries to the sum of NUP Library resources and get back a list of relevant items. Depending on the format of material and your location (in campus or remote) you can even have access to the full text of resources.

The library has adopted a reference morphotype based on the Harvard style guide (author-date). Users may consult the short guide that has been prepared by the library concerning the Harvard morphotype.

For the organisation and management of bibliographic references, the library suggests the use of the Mendeley system. Mendeley is a free tool for the management of bibliographical references which helps students organizing and writing assignments.

Each user has his/her own library card which has codes that help the user to acquire the material he/she is interested in. The process for getting access to library material is very simple (see the

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library regulations: <https://www.nup.ac.cy/wp-content/uploads/2014/03/NUPs-Library-regulations-eng.pdf>).

For more information concerning the library of Neapolis University you may contact the library staff: email lib@nup.ac.cy, tel. +357 26843313.

14. Necessary Reading

It is important to read as many of the books and article included in the Course's bibliography as possible. By doing so, you will get all the basic and necessary knowledge related to the Course. In many cases, you may also read a synopsis of the lectures in PowerPoint format. These PowerPoint presentations are uploaded in the electronic platform.

15. Study Timetable per Week

Week	Subject	Study
1	The historical background of the internal market from the foundations of the European Communities until today The guarantees provided by freedoms of EU and the reverse discrimination The Customs Union The notion of goods under the EU Law	Horspool, Humphreys & Wells-Greco, pp.12-40
2	Free movement of goods I: Customs duties on imports and exports and charges having equivalent effect	Craig – De Búrca, pp. 611-636, Horspool, Humphreys & Wells-Greco, pp 293314 Article 4, Weatherill, Stephen pp.541-550
3	Free movement of goods II: Quantitative restrictions on imports and all measures having equivalent effect	Craig – De Búrca, pp. 638-690 Horspool, Humphreys & Wells-Greco, pp. 314-353

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	The restrictions under article 36 TFEU and imperative reasons of overriding public interest.	Article 3 Peter Oliver, pp. 649–704
4	Free movement of persons – Citizenship of the Union – Right Holders and the rights derived from the European Citizenship	Chalmers – Davies – Monti, pp. 466-516 Horspool, Humphreys & Wells-Greco, pp. 379-440 Article 1 Francesca Strumia, pp. 1373–1393
5	Free movement of workers I: The notion of the worker – Rightholders and the content of the freedom rights of the jobseekers – Access to social advantages and other benefits – Rights of the family members’ workers	Craig – De Búrca, pp. 715-741 Horspool, Humphreys & Wells-Greco, pp. 379-440
6	Free movement of persons 2: Restrictions for reasons of public policy, public safety and public health	Craig – De Búrca, pp. 742-764, Horspool, Humphreys & Wells-Greco, pp. 379-440 Article 2 Erik Ros, pp. 43–55
7	Freedom of establishment of natural persons –	Craig – De Búrca, pp. 765-788, Horspool, Humphreys and Wells-Greco pp. 402-410
8	Right of establishment – Corporate Mobility in the EU – Right Holders and content of the freedom	D. Chalmers – G. Davies – G. Monti, pp. 883-891

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9	Freedom to provide services - Right Holders and content of the freedom	D. Chalmers – G. Davies – G. Monti 798-846 Horspool, Humphreys & Wells-Greco, pp. 353-379
10	Directive 2006/123 regarding the provision of services in internal market	Horspool, Humphreys & Wells-Greco, pp. 374-377, D. Chalmers – G. Davies – G. Monti 842-846
11	Free movement of capital and Economic and Monetary Union	Craig – De Búrca, pp. - 693-712
12	EU Freedoms and fundamental rights – Specific issues of the internal market	Horspool, Humphreys & Wells-Greco, pp. 157-180, H. Breakey , Ch. Sampford pp. 1-97
13	Revision	

1st Week

Purpose and objectives

- To present the evolution of the internal market since the establishment of the Communities until today.
- To understand the basic principles of freedoms of the EU and the concept of reverse discrimination.
- To analyze the customs union as a particular stage of economic integration.
- To clarify the notion of the term “good” and understand the breadth of the concept through the jurisprudence of the CJEU

Expected learning outcomes

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After the completion of the study of the 1st week, students will be able to

- Clarify the contribution of the internal market and freedoms of EU to the process of European integration.
- Explain the concept of the Customs Union and its relevance to the Union's trade relations with third countries.
- Illustrate the concept of goods pursuant to EU law.

Key concepts

- Internal market
- Free movement
- Reverse discrimination
- Customs Union
- Good
- Common Customs Tariff
- Customs cooperation

Study

Horspool, Humphreys & Wells-Greco, pp.12-40

Activities

1. What are the stages of the development of the internal market since the establishment of the Communities until today?
2. How is the concept of goods defined in the context of the free movement of goods?
3. What is the meaning of reverse discrimination?

Self-evaluation exercises

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1. A Cypriot wine producer whose alcohol content is 20% exports and markets its product in Greece. Greek legislation prohibits the trading of wine in the Greek market with an alcohol content below 45%.

1. Can this legislation be opposed to the Cypriot wine exporter?
2. What consequences does the legislation in question have for Greek producers?

Quiz

1. What are the general principles governing Internal Market law?

2nd Week

Purpose and objectives

- To analyze the concepts of customs duties on imports and exports and of charges having equivalent effect.
- To analyze what measures can be justified and under what conditions.
- To analyze the differences in customs duties and charges having equivalent effect to the taxation arrangements that Member States may apply.

Expected Learning Outcomes

After the completion of the study of the 2nd week, students will be able to:

- Highlight the meaning of the customs duty and of the charges having equivalent effect.
- Demonstrate how to apply the rules on the free movement of goods and understand the legal exemptions.
- Interpret the provisions of Articles 110-113 TFEU.
- Outline the contribution of CJEU to the completion of the internal market.

Key concepts

- Customs Duty
- Charges having equivalent effect

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- Charges
- Treatment of imported products
- Domestic products
- Taxation
- Exceptions

Study

Craig – De Búrca, pp. 611-636, Horspool, Humphreys & Wells-Greco, pp 293314

Article 4, Weatherill, Stephen pp.541-550

Activities

1. What are the differences between tariff charges and internal tax measures?
2. Can the charges levied on products crossing the borders of the Member States be justified and in what reason?
3. Can a charge be both a tariff charge and a measure of internal taxation?
4. Evaluate Dassonville case law on the concept of goods. In your opinion, has it expanded or restricted the scope of this freedom?
5. What do you think might be the reasons for a Member State to impose export duties on some of its products at a time when all States are eager to encourage exports of their products?

Self-assessment questions

1. A Cypriot farmer sells beef to a greek company located in Athens. The Greek customs authorities stopped the truck carrying the beef because cases of bovine spongiform encephalopathy have been detected in Greece and it is therefore necessary to carry out a health check on the Cypriot beef keeper. This check is particularly expensive because it requires specialized personnel experienced in the particular disease and at that time there are not many specialists regarding this particular disease in Greece.

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Do the Greek authorities have the right to carry out the above-mentioned health check on beef and if so who is obliged to pay the costs of this health check and under what conditions?

2. Igor, a Russian citizen permanently living in Limassol, wishes to export from Italy to Cyprus a painting of great artistic and commercial value he has just bought. On export, the competent Italian authorities ask him to pay a levy equal to 5% of the purchase price of the painting. Indeed, according to an Italian law of 1923, each export of high value artistic work from the country is subject to a 5% levy in favor of the Ministry of Culture. Igor refuses to pay the levy, citing Article 30 TFEU. Is he right to think that the Italian law is contrary to that provision?

Videos

History: European Single Market

<https://www.youtube.com/watch?v=JbfNv783n9I>

3nd Week

Purpose and objectives

- To analyze the concepts of quantitative restrictions to imports and exports and of measures having equivalent effect.
- To specify when a quantitative restriction or a measure having an equivalent effect may be justified on the basis of one of the public interest objectives mentioned in Article 36 TFEU or of the mandatory exceptions recognized by the ECJ's case-law.

Expected learning outcomes

After the completion of the study of the 2nd week, students will be able to:

- Clarify the concepts of quantitative restrictions and of measures having equivalent effect.
- Explain how to apply the rule on the free movement of products legally produced and marketed in a Member State, as well as the exceptions for mandatory requirements of general interest.

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- Summarize the contribution of the CJEU's case-law to the completion of the internal market.

Key concepts

- Quantitative restrictions
- Measures having equivalent effect
- Positive and negative integration
- Mutual trust
- Technical barriers and requirements
- Selling arrangements
- Public interest objectives
- Mandatory requirements of general interest

Study

Craig – De Búrca, pp. 638-690 Horspool, Humphreys & Wells-Greco, pp. 314-353

Article 3 Peter Oliver, pp. 649–704

Activities

1. Describe how the ruling of the ECJ in *Cassis de Dijon* gave the decisive impetus to the completion of the internal market.
2. Why do you think the ECJ partially changed its case-law in *Keck and Mithouard*?

Self-evaluation exercises

1. In A., a Member State of the European Union suffering the consequences of the global economic crisis, a non-profit civil society organization undertakes a campaign to promote domestic poultry products, a sector of the economy which is indeed in a particularly difficult situation. The campaign includes advertisements for press, radio, television and the internet, encouraging consumers not to buy imported poultry products, but to trust the superior quality of the domestic ones. In order to carry out this campaign, the organization

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asked the Ministries of Commerce and Rural Development for funding. As most of the poultry products imported in the country come from other Member States of the European Union, the European Commission decided to initiate against A. infringement proceedings pursuant to Article 258 TFEU. In its reasoned opinion, the Commission claims that the advertising campaign is contrary to EU law and in particular to Article 34 TFEU. Do you agree with Commission's claim?

2. A national regulation of a Member State (Ministerial Decision of the Minister responsible) stipulates that undertakings trading in petroleum products are required to buy 35% of their oil needs from the national refinery. The purpose of this regulation is to ensure the energy security of the Member State concerned.

A. What measure does the abovementioned national law constitute?

B. It restricts the free movement of goods and why?

C. The above -mentioned national legislation may be justified under EU law and if so under what conditions?

Peer assessment

Model answers - use model answers from an anonymous piece of work from a previous class and students give feedback and compare their answers

4th Week

Purpose and objectives

- The presentation of the concept of European Citizenship and its specific rights, how it is acquired and lost.
- Analysis of the Articles 18-25 TFEU on non-discrimination and European Citizenship and the understanding of its contribution to the free movement of persons.
- An analysis of the basic rules governing European Citizenship under Primary Union Law, the EU Charter of Fundamental Rights and Directive 2004/38.
- The European Citizens' Initiative and the European Citizenship
- Relationship between the provisions of European Citizenship and the other provisions concerning the free movement of persons

Expected learning outcomes

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After the completion of the study of the 2nd week, students will be able to:

- Classify when to apply the general provisions of primary Union law on the free movement of persons and when the specific ones on the right of free movement of workers and the self-employed.
- Outline cases of application of Directive 2004/38 from cases of direct application of Article 21 TFEU.

Key concepts

- Citizenship of the Union
- Citizens of the Union
- Family members of EU citizens
- Right to move and reside in the Union
- Right to exit the Member State of origin
- Right to enter the host Member State
- Short-term residence
- Long-term residence
- Permanent residence

Study

Chalmers – Davies – Monti, pp. 466-516, Horspool, Humphreys & Wells-Greco, pp. 379-440, Article 1 Francesca Strumia, pp. 1373–1393

Activities

1. Refer briefly to the obligation of Member States to respect Union law when determining the conditions for the acquisition and loss of their nationality.
2. Does the free movement of persons mean that every citizen has the right to travel anywhere in the EU and live there on the same terms and conditions as nationals?
3. What is the contribution of the European Citizens' Initiative to European Citizenship?

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Self-evaluation exercises

1. A. is a Ukrainian citizen married to a Czech citizen, B. If her husband decided to go to Greece to work as a receptionist in a large hotel unit in the Chania region of Crete, would A. be able to follow him and work in the same business? Would your answer be different if A. and B. were not spouses?
2. A and C are married and their nationality is Algerian. While living in the United States of America, they decided to move in Poland where their child was born and acquired Polish citizenship. C worked for some time without a work permit and then lost her job. A did not work and instead stayed at home with their child (infant). C applied for an unemployment allowance but the competent authority refused to pay it because she was unemployed. A and C believe they will be forced to leave Poland and return to the US. Can they be protected under EU law?

5th Week

Purpose and objectives

- To emphasize the concept of employee over time and in the light of free movement of workers.
- To identify the rights holders and the content of free movement of workers.
- To highlight the differences and similarities between the provisions of European Citizenship and the free movement of workers.

Expected learning outcomes

After the completion of the study of the 5th week, students will be able to:

- Classify the concept of employees, the rights holders and the content of free movement of workers.
- Explain under which conditions the right holders can benefit from social advantages and benefits.
- Outline the rights of family members of workers.

Key concepts

- Worker

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- Right to reside
- Right to work
- Job seekers
- Social benefits
- Family members of worker
- Employment in the public service

Study

Craig – De Búrca, pp. 715-741, Horspool, Humphreys & Wells-Greco, pp. 379-440

Activities

1. How is the concept of worker defined?
2. How are social benefits defined in the light of EU law and what are the conditions for their recognition?
3. How are employees' family members protected and what principles govern their protection?

Self-evaluation exercises

1. Hans is a German citizen. He holds a degree in classical literature from the University of Munich, he is a great admirer of ancient Greek culture and has an excellent knowledge of Modern Greek. He would love to work in Greece as a secondary school teacher, but, according to a Greek law, only Greeks can be employed as teachers in Greek public schools. Is this law compatible with EU law on the free movement of workers?
2. Panos, a Cypriot citizen, wishes to work in Belgium because he cannot work in Cyprus on favorable working conditions (payment). Therefore, he sent his CV to three companies located in Belgium. In the end, he decides, though he has not received any response, about his upcoming hiring to move to Belgium to find a job. However, he was informed that Belgian national legislation requires that the EU citizen is obliged to have an employment contract with the company in which he wishes to work before exercising any right deriving from the free movement of workers in accordance with the relevant provisions of EU Law. Is this national legislation compatible with EU law on the free movement of workers? Can Belgian national legislation set any time-requirement for Panos to be employed and if so why?

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3. John, a Greek national, moved to Denmark to work for a computer company as a computer technician. He is accompanied by his wife Christina, a Greek national who is pregnant with twins. The authorities in Copenhagen, the city where they have settled, have rejected her applications for unemployment and maternity benefits. The reasons cited by the Danish authorities were that Christina is not a Danish national and has not resided in Denmark for the past 6 months as required. Her claim to be a dependent member of John's family is also rejected because she is not married to him.

How can Christina be protected in the context of the free movement of workers and the provisions of European Citizenship?

Videos

Free Movement of Workers

<https://www.youtube.com/watch?v=tJNJQhNvjtl>

6th Week

Purpose and objectives

- To analyze the restrictions on the free movement of workers which Member States may impose on grounds of public policy, security, or health under the provisions of the free movement of workers and the directive 2004/38

Expected learning outcomes

After the completion of the study of the 5th week, students will be able to:

- Demonstrate whether the personal conduct of a worker can justify restrictions on the right of entry and residence on grounds of public policy, public security, or public health.
- Relate if a national measure adopted by the national authorities restricting the right to reside and to move is compatible with the directive 2004/38.

Key concepts

Public order

- Public security
- Public health
- No exit

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- Prohibition of entry
- Expulsion
- Personal behavior
- Real and present threat
- Previous criminal convictions

Study

Craig – De Búrca, pp. 742-764, Horspool, Humphreys & Wells-Greco, pp. 379-440

Article 2 Erik Ros, pp. 43–55

Activities

1. Describe how the obligation to respect fundamental rights and observance of the principle of proportionality can prevent the expulsion from the host Member State of a Union citizen (or family member of a Union citizen) who constitutes a threat to public policy or public security.
2. Describe the gradual approximation of the concepts of public order and public security through the case law of the CJEU.

Self-evaluation exercises

1. Carlos is a Spanish citizen who has been living in Greece for eight years and works as a Spanish teacher in Thessaloniki. One day he is notified of a deportation decision on the ground that he constitutes a threat to public security because, while he was still living in Spain, he had published in a newspaper an article, which shows that he approves the acts of the Basque separatist organization ETA. It should be noted that in Spain, ETA is held responsible for a series of terrorist attacks. How would you comment on the decision to expel Carlos from Greece?
2. Alexis, a Cypriot citizen moved to Spain to find work four years ago. He initially worked for a bank in Madrid. However, six months ago, the Bank announced to Alexis that it would no longer need the services and that it had terminated its legal status. The reason was because he was sentenced to 12 months in prison for possessing illegal explosives inside the Bank branch where he worked. His immediate return to the Republic of Cyprus is

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planned. However, Lucia's wife claims that the expulsion of her husband will deprive her of the financial support she received and endanger her marriage and the upbringing of her child, Panayiotis.

a) In your opinion, is Alexi's expulsion justified?

b) How can Christina and her son be protected under EU law?

7^h Week

Purpose and objectives

- To Analyze the rights holders and the content of the right of establishment with regard to natural persons.
- To determine under what circumstances the right of establishment may be restricted pursuant to EU law.
- To analyze special professional categories with regard to the right of establishment combined with the mutual recognition of professional qualifications.

Expected learning outcomes

After the completion of the study of the 7th week, students will be able to:

- Demonstrate whether a natural person engaged in an economic activity is subject to the free movement of persons and is entitled to the right of establishment.
- Outline the content of the right of establishment exercised by natural persons.
- Relate whether a particular activity falls under the concept of public administration for the purposes of free movement of workers and the right of establishment.
- Distinguish the basic principles governing the mutual recognition of professional titles.

Key concepts

- Right of establishment
- Self-employed persons
- Formal qualifications
- Mutual recognition of diplomas

Study

Craig – De Búrca, pp. 848-882, Horspool, Humpreys and Well-Greco pp. 402-410

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Activities

1. What are the conditions under which the freedom of establishment is exercised and what is its content in relation to natural persons?
2. In what ways can the right of establishment be restricted under national state regulations?
3. Describe the different approaches taken by the European Union with regard to the recognition of professional qualifications. What were the advantages and disadvantages of the different approaches?

Self-evaluation exercises

1. Panos, after obtaining his law degree at the University of Paphos, worked as a lawyer in Limassol for a year. He then decides to settle in Belgium and pursue a legal profession. However, Belgian national law requires lawyers operating in Belgium to have Belgian nationality or at least sufficient knowledge of the language in order to represent their clients and to go before the courts performing their duties properly.

1. What are the obstacles that Belgian law poses to lawyers of other Member States?
2. Which is the freedom restricted and does the above restriction limit the freedom you specify?
3. Are there any grounds for justifying this national measure pursuant to EU law?

2. Gaston, a French national, is a holder of a French state degree in Massage Therapist and Osteopathy awarded on 1 October 2009 by the Maidstone European School of Osteopathy in Great Britain. He also holds the diploma and title of "Doctor of Naturopathy" from the London College of Applied Science. However, he does not hold any diplomas, certificates or other qualifications permitting him, under Article L 356-2 of the French Public Health Code, to pursue the profession of physician. Following the prosecution's prosecution, Gaston was summoned to the Nice District Court on charges of illegally practicing medicine in Nice, practicing osteopathy without a doctor's degree.

Is this specific national legislation and subsequent prosecution compatible with EU law?

8th Week

Purpose and objectives

- To analyze the content of the freedom of establishment regarding the legal persons

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- To understand the special legal issue of the legal person's seat under the rules governing the freedom of establishment.

Expected learning outcomes

After the completion of the study of the 7th week, students will be able to:

- Determine the rights of the legal persons in accordance with the freedom of establishment.
- Explain under what conditions and procedures a company may transfer its registered office to another Member State.
- Summarize the contribution of CJEU case law to enhancing the mobility of companies within the EU.

Study

D. Chalmers – G. Davies – G. Monti, pp. 883-891

Key concepts

- Right of establishment
- Companies
- Subsidiaries
- Branch
- Agencies
- Registered office
- Central office
- Main installation
- Headquarters transportation
- Cross-border merger
- Cross-border conversion

Study

Craig – De Búrca, pp. 770-788

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Activities

1. Briefly refer to the main forms a company can be established in another Member State.
2. Refer to the main obstacles laid down by a Member State in order to prevent the transfer of the seat of a company from its territory.

Self-evaluation exercises

1. Company A, with a registered office in Cyprus, wishes to open a branch in Bulgaria. The company's manager is informed that, in order to do so, he will have to pay a lump sum of EUR 300 to the mutual assistance fund of the Bulgarian railways. Indeed, under a law enacted long before Bulgaria's accession to the European Union, all foreign companies wishing to do business through the establishment of a branch or agency in Bulgaria and all Bulgarian companies wishing to do business through the establishment of a branch or agency abroad have to pay this lump sum. Should company A comply with this law?
2. Endysi SA is one of the largest Greek companies for the production and marketing of women's clothing, having two factories in Greece. In recent years the company has been implementing an expansion plan to the European market. Within the framework of this plan, Endysi SA established four subsidiaries in Germany, France, Belgium and the Netherlands with the aim of marketing its clothing on the relevant markets. At the same time, in order to reduce production costs, it attempted to establish a subsidiary in Bulgaria, which would take over the production of clothing intended for the European market. All the shares of the Bulgarian subsidiary belonged to Endysi SA. However, the establishment of the subsidiary in Bulgaria was rejected by the country's Ministry of Commerce, since Bulgarian law prohibits the establishment of companies in the country unless the majority of the shares are owned by Bulgarian nationals.
3. Is the abovementioned national measure compatible with EU Law?

9th Week

Purpose and objectives

[Type here]

- To analyze the central principles governing the freedom to provide and receive services as they are laid down in primary and secondary EU law and have been developed by the case-law of the ECJ.

Expected learning outcomes

After the completion of the study of the 9th week, students will be able to:

- Identify when an activity constitutes a service and when the rules on the freedom to provide and receive services apply to it.
- Illustrate the rights deriving from the freedom to provide and receive services for natural and legal persons.
- Show the restrictions on the movement of services.

Key Concepts

- Services
- Right to provide services
- Right to receive services
- Advertising
- Pricing
- Taxation

Study

D. Chalmers – G. Davies – G. Monti 798-846, Horspool, Humphreys & Wells-Greco, pp. 353-379

Activities

1. What is the meaning of services and how do we distinguish if the provisions of the freedom of establishment or the provisions of the free provision of services are applied in case law?
2. Which are the requirements under which a national measure can restrict the freedom to provide services?

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Self-evaluation questions

1. Television station A broadcasts its program from country B, an EU Member State. Country C, also an EU member state, where the station's signal is clear, attempts to block it, on the grounds that the station broadcasts on its territory without permission. In its defense, station A refers to the freedom to provide and receive services, but the authorities of C argue that, in this case, that freedom does not apply since neither the service provider nor the service recipients has left the Member State where they are established. What is your view on the matter?
2. Alpine Investments, a company governed by Dutch law, has decided to contact citizens of other Member States by telephone in order to propose to them the provision of various financial services. However, the specific activity of the company was carried out in breach of a decision by the Dutch Minister of Finance prohibiting companies approaching individuals via telephone, without their prior written consent, in order to propose to them the provision of various financial services (a method called 'cold calling').
 - a. Is the company's specific activity considered a service pursuant to free movement of services?
 - b. Could the above national legislation be justified in the context of the exceptions to the free movement of services?

10th week

Purpose and objective

- To analyze the directive 2006/123 relating to the services in internal market
- To analyze the principles and the most important provisions of the directive 2006/123

Expected learning outcomes

After the completion of the study of the 9th week, students will be able to:

- Summarize the basic principles of the directive 2006/123,
- Recommend sufficient advice in the framework of international provision of services

Key concepts

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- freedom to provide services
- administrative cooperation
- approximation of laws
- Single market
- Service
- administrative formulation
- right of establishment
- service contract

Study

Horspool, Humphreys & Wells-Greco, pp. 374-377, D. Chalmers – G. Davies – G. Monti 842-846

Activities

- What is the scope and *ratione materiae* of Directive 2006/123?
- How does administrative simplification contribute to the free movement of services within the EU?
- What do you know about licensing systems pursuant to the Directive 2006/123?
- What is the added value of Directive 2006/123?

Self-evaluation exercises

1. By application lodged on 28 November 2007, Société fiduciaire applied to the Conseil d'État for the annulment of Decree No 2007-1387 in so far as it prohibits canvassing. Société fiduciaire argues that the general and absolute prohibition on any canvassing under Article 12-I of the Code is contrary to Article 24 of Directive 2006/123 and seriously undermines the implementation of that directive. The national court considers that a reference for a preliminary ruling is necessary and so decides to send a preliminary reference. What do you think will be the judgment of the CJEU?
2. The Minister's decision IET / 389/2015 set out the conditions for updating the system of automatic fixing of pre-tax sales prices of bottled liquefied petroleum gas (LPG) and amending the automatic fixing of pre-tax sale prices of liquefied petroleum gas distributed through pipelines. The disputed decision was adopted on the basis of Spanish legislation

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on the hydrocarbons sector (Law 34/1998). National law stipulates that the Minister of Industry and Energy shall determine the maximum sales prices of bottled LPGs available in bottles containing between 8 kg and 20 kg. Additionally, the national legislation imposed on the undertakings the obligation to distribute liquified petroleum gas to consumers. This obligation is imposed on traders who have the largest market share in the LPG sector (for these bottles) in different territories of Spain. It should be noted that these measures have been in place since 1998 despite the fact that their respective legislation has made them transitional.

- a. The applicants have argued that the obligation to distribute bottles at a pre-determined price is discriminatory in that it is imposed on a single trader in each territory specified by Spanish law.
- b. Is the above-mentioned national measure compatible with the provisions of Directive 2006/123 on services in the internal market?

11th Week

Purpose and objectives

- To analyze the provisions of primary EU law governing the free movement of capital and payments.
- To link the free movement of capital and payments with the Economic and Monetary Union (EMU).

Expected learning outcomes

After the completion of the study of the 8th week, students will be able to:

- Distinguish the free movement of capital and payments from the other fundamental economic freedoms of the internal market.
- Illustrate the rights stemming from the free movement of capital and payments for natural and legal persons.
- Outline the exceptions to the free movement of capital and payments.
- Interpret whether a capital movement to or from a third country can trigger the safeguards designed to protect the Economic and Monetary Union (EMU).

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Key Concepts

- Capital
- Payments
- Direct investments
- Double taxation
- Movements of capital to or from third countries
- Economic and Monetary Union (EMU)

Study

Craig – De Búrca, pp. -693-712

Activities

1. Is double taxation contrary to the free movement of capital?
2. Are capital investments within the EU and between Member States and third countries treated the same?
3. In your view, what is the main exception to the free movement of capital and payments?

Discussion Forum

1. Which were the three stages of the Economic and Monetary Union (EMU)

Self-evaluation exercises

1. Is gold exported from Greece to Cyprus by a private bank subject to the free movement of capital and payments? Would your answer be different if, instead of gold, the private bank exported gold Sterling pounds? Would your answer be different if gold was exported from Greece to Turkey?
2. The provisions of the Royal Decree of 10 June 1994 vesting in the State a 'golden share' in Société nationale de transport par canalisations (Moniteur belge of 28 June 1994, p. 17333), which carries the following rights:
 - a) advance notice of any transfer, use as security or change in the intended destination of the company's system of lines and conduits which are used or are capable of being used as

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major infrastructures for the domestic conveyance of energy products must be given to the Minister responsible, who shall be entitled to oppose such operations if he considers that they adversely affect the national interest in the energy sector;

b) The Minister may appoint two representatives of the Federal Government to the board of directors of the company. Those representatives may propose to the Minister the annulment of any decision of the board of directors which they regard as contrary to the guidelines for the country's energy policy, including the Government's objectives concerning the country's energy supply

Is the above national legislation compatible with the free movement of capital and, if so, under what conditions?

12th Week

Purpose and objective

- Presentation of the historical evolution of fundamental rights within the EU and their potential for application in the field of the internal market
- The particularities of the application of internal market law in the field of intellectual property and industrial property.

Expected learning outcomes

After the completion of the 12th week, students will be able to:

- Outline how the provisions of the EU Charter of Fundamental Rights can be used to protect EU freedoms more effectively
- Classify how the provisions of the Charter can be used before national courts to strengthen Union freedoms more effectively
- Relate how intellectual and industrial property arrangements contribute to a more efficient functioning of the internal market

Key concepts

- Fundamental Rights
- EU Charter of Fundamental Rights
- Intellectual property

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- Internal market

Study

Horspool, Humphreys & Wells-Greco, pp. 157-172, H. Breakey, Ch. Sampford pp. 1-97

Activities

- How has the protection of rights in the EU evolved?
- What are the innovations of the EU Charter of Fundamental Rights?
- What are the peculiarities regarding the application of EU intellectual property freedoms?

Self-evaluation exercises

1. Viking, a company incorporated under Finnish law, is a large ferry operator. It operates seven vessels, including the Rosella which, under the Finnish flag, plies the route between Tallinn (Estonia) and Helsinki (Finland). FSU is a Finnish union of seamen which has about 10 000 members. The crew of the Rosella are members of the FSU. FSU is affiliated to the ITF, which is an international federation of transport workers' unions with its headquarters in London (United Kingdom). As long as Rosella bears a Finnish flag, Viking is required, under Finnish law and the applicable collective agreement, to pay to the crew the same wages as those paid in Finland. However, the salaries paid to Estonian crews are lower than those received by Finnish crews. The operation of Rosella was harmful as a result of the direct competition of Estonian vessels operating the same voyage at a lower wage cost. Instead of transferring the ship, Viking decided to relocate it either to Estonia in order to be able to conclude a new collective agreement with a trade union organization established in one of those states. FSU was unwilling to agree to renew the Crews Agreement and went on strike to force the company to sign a collective agreement whose work could prevent it from exercising its right of establishment.

Does the exercise of the right to strike by Finnish workers constitute a restriction on the freedom of establishment of the company?

2. The INA is a publicly owned industrial and commercial body of the French State which is responsible for conserving and promoting the national audiovisual heritage. In that capacity, it keeps, inter alia, the audiovisual archives of audiovisual producers, namely

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national broadcasting companies, and helps with the exploitation of those archives. PG and GF are the successors in title of ZV, a musician who died in 1985. During 2009, PG and GF became aware that INA was marketing, in its online shop, without their authorisation, video recordings and phonograms reproducing ZV's performances during the years 1959 to 1978. It is apparent from the file before the Court that those video recordings and phonograms had been produced and then broadcast by national broadcasting companies. On 28 December 2009, PG and GF, on the basis of Article L. 212-3 of the Intellectual Property Code, brought an action against the INA in order to obtain compensation for the alleged infringement of the performer's rights which they hold. They argued that INA had the obligation to ask for their consent before marketing video and any other audiovisual material of Z

If the national court estimates that is necessary to ask the CJEU regarding the disputed matter what should be the preliminary judgement of the CJEU?

13th Week

Purpose and objectives

- Students are expected to recap the basic notions that were analyzed during the semester.

Expected learning outcomes

After the completion of the study of the 13th week, students will be able to:

- Be adequately prepared in order to sit in the Course's final exams.

16. Exams

The overall academic performance of students is based on the assessment of a written assignment, on a formative assessment and their performance in the final exams. The physical presence of students in the final exams is mandatory. A passing mark in the mid-term assignment is not a prerequisite for his/her participation in the final exams. The final grade awarded to each student is the sum of the grades awarded for the assignment and the final exams. Both the assignments and the final exams are marked in the scale 0 (complete failure) to 100 (absolute success). In order to

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get a passing mark in the Course, a student must receive a passing mark in the final exams. In a nutshell:

- The grade awarded for the assignment represents the 20% of the Course's final grade.
- The grade awarded for the formative assessment activities represents the 10% of the Course's final grade
- The grade awarded for the final exams represents the 70% of the Course's final grade.
- In order to get an overall passing mark, a student must be graded with at least 50/100 in the final exams.

Assessment Methods	Percentage	CLO 1	CLO 2	CLO 3	CLO 4	CLO 5
Formative Assessment Activities	10%	√	√		√	
Midterm Exam/Midterm Written Assignment	20%			√		√
Final Exam	70%	√		√	√	√

Assignments Details

Written Exercise	Quiz	Oral Presentation	Problem Solving	Online Exam	Case Study
√	√				
10%	5%				

Formative Assessment (non-graded):

Peer Assessment	Discussion boards/forums	Video activity	Online Activities	Oral Presentation
√	√	√		

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Grading and the formative assessment of the course and its criteria are explained in the Programme's Handbook as well as in the Evaluation Policy of the learning process implemented by the Law School. It is expected that students will participate to on-line classes well-prepared in order to engage in discussion and clarify any questions they may have.

Evaluation standards:

Numerical grade	Descriptive grade	
85-100%	Excellent	A
65-84%	Very well	B
50-64%	Well	C
0-49%	Rejection	F

17. Tutor's Comments

Tutors give students feedback comments for their assignments. These comments give students two kinds of information:

- How your performance was.
- What the tutors expect from you.

One of the most common comments made by tutors is that the answers given by students are too vague. Make sure that you fully understand the real meaning of questions posed to you by your tutor before trying to answer them. Also, make sure that you always take good notice of your tutor's comments. Take as much time needed in order to reflect on these comments. This will help you during your study. Try not to move forward unless you:

- Have addressed all questions.
- Have taken into consideration all the comments made by your tutor.
- Have thought of ways to improve your answer(s).

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DLLM530: International Trade

Course Title	International Trade Law
Course Code	DLLM530
Course Type	Elective
Level	Postgraduate
Year	1 ^o
Semester	1 ^o
ECTS	7,5
Prerequisite or Required Courses	None
Other Recommended Courses	None
Language	Greek / English
Teaching Methodology	Distance learning
Instructor	Professor Stavros Katsios Email: skatsios@ionio.gr Phone: +3069322652215 Tel.: +306972813136

1. Introduction

International trade law plays a prominent role in international economic relations and economic growth, calling for an ever-increasing variety of risks. The continued expansion of legal provisions and the enforcement of the rules of International Trade Law have exacerbated its influence both in European and national commercial law systems. The course provides graduate students with basic knowledge of the institutional framework, operation and principles that govern it, focusing on structures and general policies to enable students to understand the issues arising from rules, differences, politics and negotiations in world trade.

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2. Structure of the Study Guide

The Study Guide is divided in several parts, which cover all the fundamental thematic units of the above mentioned Course. More specifically, it includes:

- The Course's learning outcomes
- The required and further bibliography
- An introduction to the Course's thematic units
- An outline of each of the Course's units
- A series of questions that will enable the student to assess the degree of his/her understanding of the subjects that he/she has been taught (self-assessment exercises)
- Assessment methods and grading

3. Activities

In addition to the basic features described above, this guide lists activities that will help you study and interact with relevant material. Although these activities are not being evaluated, we recommend that you complete them consistently as you engage with the course. Once you have an active role from the beginning of the course and making an effort to develop the skills you are aiming to provide, you will be confident about the newly acquired knowledge, as well as the ability to use and apply them.

4. Course Purpose and Objectives

At the end of the course the student will be able to understand:

- The subject and specificity of international commercial law in relation to risk management in the international business environment.
- Basic understanding of contemporary developments and trends in international trade law.
- The institutional composition and sources of international trade law
- The content and effectiveness of international organizations and agreements to regulate international trade.
- Basic issues of the applicable International Transaction Law and international forms of commercial co-operation.
- Key issues of international and European bankruptcy law
- Applicable law governing the main international conventions, particularly those relating to the sale.
- Specific issues of international trade cooperation agreements relating to international trade and e-commerce.

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- The impact of corruption as a form of economic crime in international trade.

5. Course Learning Outcomes

After the completion of the Course, students will be able to:

O1. Independently research legislative texts and ongoing legislative initiatives of Commercial and International Commercial Law.

O2. Discuss the institutional framework of international and EU business law and understand the nature, structure and operation of the basic institutional framework of commercial and international commercial law.

O3. Evaluate contract clauses that are used in the context of international transactions and understand the peculiarities of international commercial co-operation and e-commerce contracts.

O4. Interpret the rights of private actors in the context of international and EU business law and develop a critical view of the legal and regulatory framework governing the applicable law for legal entities involved in international transactions, in particular as regards risks, bankruptcy and dispute resolution.

O5. Question the functionalities of dispute settlement in the context of international and EU business law and understand the issues that arise from the applicable law of the international sale.

6. Course content

1. Concept and subject of commercial and international commercial law.
2. The institutional composition and sources of international trade law
3. Tools and Institutional Framework for Harmonization of the International Emeral and Law
4. Harmonization and Regionalization of International Commercial Law
5. International Trade Agreements
6. International Trade Policy Tools
7. Risks in International Trade and Their Evaluation
8. International bankruptcies
9. International sales and international trade patterns
10. Settlement of disputes
11. E-commerce
12. Corruption and international transactions

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7. Use of the Study Guide

This guide is an introduction to the main topics of study in the field of International Trade Law - International Transactions Law. As with any such Guide, this one is designed to help you study these issues. It seeks to describe, explain and clarify any questions you may have, but also provide information about your exam study. On the other hand, a Guide is not able to cover all the details. A larger study is therefore necessary. In addition, you should not just treat the Guide as a student book. If you place too much emphasis on the Guide without further study, it will be extremely difficult to pass the final exam. You should also develop your own notes as you work with individual topics. These notes will help you access the offered material in a critical way and present the individual issues that make it difficult for you to have your own online or personal meetings with the teacher. Detailed instructions for exact content and exam type will be given to you before the end of the academic semester and in any case before the exam period.

8. Bibliography

Suggested as a keynote reading:

- Roy Goody et al., *Transnational Commercial Law – Text, Cases and Materials* (second edition) 2015, Oxford University Press
- Bridge M. (2017) *Benjamin's Sale Goods* (10th edition) (Sweet & Maxwell)

Suggested as additional reading:

- Bridge M.G. (2017) *The International Sale of Goods* (4th edition) (Oxford University Press)
- *Transnational commercial law: texts, cases and materials* / edited by Roy Goode, Herbert Kronke, Ewan McKendrick, 2015 2nd ed.
- Indira Carr, *International Trade Law* (fifth edition), Routledge 2014.
- Thomas Cottier, Panagiotis Delimatsis (eds.), *The prospects of international trade regulation: from fragmentation to coherence*, Cambridge University Press, 2011.
- Grath Anders, *The Handbook of international trade and finance: the complete guide for international sales, finance, shipping and administration* (fourth edition), Kogan Page, 2016
- William Kerr, James Gaisford, *Handbook on international trade policy*, Edward Elgar Publishing, 2007.

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- Daniel Bernhofen et. Al., Palgrave, *Handbook of Intenational Trade*, Palgrave Macmilan, 2013.
- Mitsuo Matsushita, Thomas J. Schoenbaum, Petros C. Mavroidis, & Michael Hahn, *The World Trade Organization, Law, Practice and Policy* (third edition), Oxford University Press, 2015
- Oisin Suttle, *Distributive Justice and world Trade Law: A Political Theory of International Trade Regulation*, Cambridge University Press, 2018

Journals

Lloyd's maritime and commercial law quarterly.

9. Additional studying material

In addition to studying mandatory bibliography, you are free to study any book or article relevant to the subject matter of the course. It is useful to broaden your study by using as many bibliographic sources as possible. For this purpose, you have free access to Virtual Learning Environment (VLE) and the University's electronic library.

10. Online Learning Resources

- The instructor may upload notes, PowerPoint Presentations, quizzes, announcements, as well as any other additional material on the Course's webpage, which can be found at the electronic platform (moodle) used by Neapolis University. Moreover, students are able to use the discussion forum in order to communicate with each other. Students are advised to visit the platform on a regular basis in order to gain access to newly uploaded educational material.

11. Scheduled Online Educational Activities and Teaching Methods

- Notes and slides in electronic form via the electronic platform
- Basic manuals and additional bibliography per course
- Preparing assignments
- Meetings with the instructor(s)
- Discussions via an online platform
- Web links

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- **12. The virtual learning environment (VLE)**

The Virtual Learning Environment, which complements this thematic guide, is designed to enhance the students' learning experience, providing additional support and community sense. It is an important part of the study experience with the University and therefore the students should use it regularly. The Virtual Learning Environment provides a range of learning resources for distance learning:

- Self-test activities: Understanding the training material.
- Study materials: Electronic educational material is posted and available.
- Student discussion forum: This is an open space in which students can exchange views, seek support from their fellow students, work together to solve problems, and discuss any subject related to the courses they are attending.
- Study Skills: Expert Advice for exam preparation and development of digital skills to facilitate student study.

13. E-Library

The Library of the University of Neapolis Paphos provides access to a rich collection of information sources, from printed books to electronic databases. It supports the educational and research mission of the University of Neapolis and its academic community. The collection of the library consists of 10,000 books in print, 250,000 e-books and 3,000,000 articles. Neapolis Paphos University Library also provides a range of information retrieval tools to enable search of all available information resources. The user can access both the printed and electronic library material through the Ebsco Discovery Services (EDS), which is also used as a remote access tool. Through EDS (<http://www.nup.ac.cy/gr/learning-resources/>), users can access the full text of library sources, depending on the format of the material and its location (in the University campus or outside). The Neapolis University library has adopted a report-based format based on Harvard model conventions (author-date). Users can consult the short guide to the Harvard format prepared by the library. The Neapolis University Library recommends using the Mendeley system to organize and manage bibliographic references. Mendeley is a free bibliographic reporting tool that can facilitate the organization and writing of tasks. Each user must have his / her own card, which has codes that help in obtaining the material of interest. The process of acquiring hardware is very simple (see the relevant guide: <http://www.nup.ac.cy/wp-content/uploads/2014/11/Library-User-Guide-2014-EN.pdf>). For more information about the Neapolis University Library, please contact the relevant staff: email lib@nup.ac.cy, tel. +357 26843313.

14. Necessary Reading

Many of the tools listed in the course modules in this Guide must be studied as they provide basic and necessary knowledge. This material will give you the most of your knowledge of the

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subject matter of the lesson. Hence it is important to study as much as you can. Most of the time, you will be able to read the lesson summary in the form of PowerPoint slides, which you will find on the online platform.

15. Course organization and study timetable per week

The course was designed to develop different parts of the learning process, including lectures, discussions on the online platform for specific and topical topics, developing new ideas, presenting and solving questions and problems, and self-assessment exercises at the end of each module. The table below shows an approximate structure of the course.

WEEK	TOPIC	STUDY
1	Concept and subject of the Law of International Trade	Goode, pp. 3-48
2	The institutional structure and sources of International Trade Law <i>Quiz: Identify the main sources of International Trade Law</i>	Goode, pp. 3-48 Cottier, pp. 69-102
3	Harmonization of International Trade Law	Goode, pp. 163-190
4	Regionalization of International Trade Law	Goode, pp. 181-214 Cottier, pp. 136-166
5	International Trade Agreements	Kerr, pp. 57-176 Cottier, pp. 245-283
6	Fairness and International Trade: the instruments of international trade policy <i>Discussion forum on the applicability of the basic principles of international trade law and the fairness of international rules</i>	Kerr, pp. 177-186 Kerr, pp. 282-319 Oisin, pp. 241-283
7	Risks in International Trade and their assessment	Anders, pp. 9-34
8	International Bankruptcies	Goode, pp. 493-518
9	International Sale and International Trading Traditions	Carr, pp. 5-94 Goode, pp. 215-267

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10	Dispute resolution <i>Practice: Mock Dispute Resolution</i>	Carr, pp. 584-624 Goode, pp. 556-606
11	E-Commerce <i>Video: regarding E-Commerce</i>	Carr, pp. 95-148
12	Corruption and international transactions	Carr, pp. 629-656
13	Revision	

Week 1

Purpose

- Study the concept and nature of International Trade Law.
- Analyze the specific features of International Trade Law.
- Analyze International Commercial Law as an independent epistemological field and its relation to other areas of law.

Expected results

By completing the study of the 1st week, students will be able to:

- Describe the context and specificity of International Trade Law.
- Evaluate the economic base of international transactions.
- Identify the type and characteristics of formal and informal principles in international trade

Key concepts

- International Commercial Law
- International Transactions Law
- Contract
- International Transaction

Study

Goode, pp. 3-48

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Activity

Refer to the main elements of international trade law

Goode, σσ. 3-11

Self-assessment exercise

To what extent should the Treaty have the force of law? (for an answer, see study and course material)

Week 2

Expected results

By completing the 2 nd week study, students will be able to:

- Understand the historical and political background of International Trade
- They distinguish the basis of the institutional constitution of international trade.
- Explain the main axes of the evolution of the sources of international trade law.
- Evaluate the National Law - Lex mercatoria

Key concepts

- International organizations
- European Law
- International law
- Lex mercatoria

Study

Goode, pp. 3-48

Cottier, pp. 69-102

Activity

What are the main sources of international trade law, starting from individual national laws and produced by international organizations (such as the WTO)?

Cottier, pp. 69-102

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Self-assessment exercise

Why did States develop rules on conflict of laws (private international law)? (for an answer, see study and course material)

Week 3

Purpose

- Analysis of the reasons for the harmonization of international trade law
- The nature of the instruments of international harmonization
- Presentation of the basic institutional framework for transnational harmonization of commercial law.

Expected results

By completing the 3rd week study, students will be able to:

- Identify the necessities and justification of transnational harmonization of commercial law
- Analyze the nature and degree of binding nature of applicable legal rules and recognize the conflict-of-law rules
- They have the oversight of the structure and role of the transnational services and bodies involved.

Key concepts

- Harmonization of Law
- Conditions
- Binding rules
- Conference of the Hague
- UNCITRAL
- UNIDROIT

Study

Goode, pp. 163-190

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Activity

Identify the extent to which harmonization of national legal systems affects harmonization through binding international treaties? (for an answer, see study and course material)

Self-assessment exercise

What is the degree of effectiveness of existing basic international services in harmonizing rules and law. (for an answer, see study and course material)

Week 4th

Purpose

- Explain the reasons for regional regrouping of international law.
- Analyze the hazards and challenges of regional harmonization of international trade law.
- Identify the nature and importance of coordinating the harmonization of international trade law at regional and global level.

Expected results

By completing the 4th week study, students will be able to:

- Critically analyze the context of developing regional harmonization of international trade law with particular reference to the EU.
- Evaluate the conflicts and ways of coordinating regional and global harmonization of the rules of international trade and trade.
- Understand the role of regional organizations in international negotiations.

Key concepts

- Regionalization
- Legal tools
- Model Laws
- Regional organizations
- International harmonization

Study

Goode, pp. 181-214

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Cottier, pp. 136-166

Activity

Refer to the role that regional harmonization plays in shaping the framework of international trade law.

Goode, pp. 186-190

Self-assessment exercise

Examples and evaluation of the involvement of the International Organizations of Regional Integration in the negotiations on the conclusion of the Treaties on International Trade Law. (for an answer, see study and course material)

Week 5th

Purpose

- Explain contemporary international trade agreements.
- Analyze the international regulatory framework on examples of international trade in services and intellectual property rights

Expected results

By completing the study of the 5th week, students will be able to:

- Evaluates the implications of international forms of cooperation in the area of commercial law.
- Understand the real dimensions of the consequences of international trade agreements in key areas of world trade

Key concepts

- Commercial Agreements
- Rules of Origin
- Trade of Services
- Copyright

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Study

Kerr, pp. 57-176

Cottier, pp. 245-283

Activity

Refer to the features and parameters of the international service sector regulation.

Kerr, pp. 150-162

Self-assessment exercise

Evaluate the protection of intellectual property rights in relation to trade volumes. (for an answer, see study and course material)

Week 6th

Purpose

- Explain the nature and the reasons for the commercial intervention policy focusing on tariffs and subsidies.
- Analyze the role of government procurement as a trade policy tool

Expected results

By completing the 6th week study, students will be able to:

- Understand the importance and techniques of tools that allow an intrusive commercial policy at an international level.
- Evaluate the issues and consequences of restricting international competition in the field of government procurement.

Key concepts

- Protectionism
- GDP
- Customs duties
- Subsidies
- Government procurement
- Transparency

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Study

Kerr, pp. 177-186

Kerr, pp. 282-319

Activity

What is the role of tariffs in shaping modern international trade policy.

Kerr, pp. 177-200

Kerr, pp 215-221

Self-assessment exercise

To what extent and why is the lack of competition in government procurement likely to affect the quality of governance? (for an answer, see study and course material)

Week 7th

Purpose

- Identify the existence and type of international business and commercial risks.
- Analyze possible ways of assessing and dealing with trading risks

Expected results

By completing the study of the 8th week, students will be able to:

- Understand the meaning and forms of commercial risk.
- Interpret the delivery and payment terms
- Understand and evaluate the notion of economic, monetary and political (non-commercial)

Key concepts

- Commercial risk
- Risk assessment
- International commercial practices
- Delivery and payment
- INCOTERMS

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- Economic and Monetary Risk
- Transport and freight risk

Study

Anders, pp. 9-34

Activity

Which are the main categories of business risk?

Anders, pp 20-34

Self-assessment exercise

Do you consider it feasible to implement a unified trade risk approach system? (for an answer, see study and course material)

Week 8th

Purpose

- Study the fundamental issues of bankruptcy International Law.
- Analyze the impact of international bankruptcies on international transactions.

Expected results

By completing the 7th week study, students will be able to:

- Understand the interactions between national and international and EU bankruptcy law
- Assess the jurisdiction to declare bankruptcy
- Understand procedures in the context of Community bankruptcy.

Key concepts

- Bankruptcy
- International law
- Community law
- Lex fori concursus

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Study

Goode, pp. 493-518

Activity

Refer to the fundamental issues of bankruptcy international law.

Goode, pp. 493-502

Self-assessment exercise

Evaluate the protection of intellectual property rights in relation to trade volumes. (for an answer, see study and course material)

Week 9th

Purpose

- Analyze international sales as the main type of contract in international trade.
- To highlight the international regulatory framework for the sale of mobile goods.
- Review the International Commercial Habits (INCOTERMS)

Expected results

By completing the study of the 9th week, students will be able to:

- Understand the structure and peculiarities of international sales
- Evaluate the international regulatory framework of mobile sales
- Understand the legal nature and structure of INCOTERMS

Key concepts

- Sale
- Contract
- United Nations Convention - Vienna Convention
- The Hague Conventions
- CISG
- International trade clause

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- Contractual obligation
- International trade habit
- INCOTERMS

Study

Carr, pp. 5-94

Goode, pp. 215-267

Activity

What are the scope of CISG and what are the issues not regulated by the CISG?

Goode, pp. 101-106

Self-assessment exercise

What are the characteristics of the individual trading clauses? (for an answer, see study and course material)

Week 10th

Purpose

- Analyze international sales as the main type of contract in international trade.
- To highlight the international regulatory framework for the sale of mobile goods.
- Review the International Commercial Habits (INCOTERMS)

Expected results

By completing the study of the 9th week, students will be able to:

- Understand the structure and peculiarities of international sales
- Evaluate the international regulatory framework of mobile sales
- Understand the legal nature and structure of INCOTERMS

Key concepts

- Sale
- Contract

[Type here]

- United Nations Convention - Vienna Convention
- The Hague Conventions
- CISG
- International trade clause
- Contractual obligation
- International trade habit
- INCOTERMS

Study

Carr, pp. 584-624

Goode, pp. 556-606

Activity

What is the scope of CISG and what are the issues not regulated by the CISG?

Goode, pp. 556-563

Carr, σσ. 584-608

Self-assessment exercise

What are the characteristics of the individual trading clauses? (for an answer, see study and course material)

Week 11th

Purpose

- Analyze the role of e-commerce in international trade.
- Analyze the peculiarities and risks of e-procurement and transactions.

Expected results

By completing the study of the 11th week, students will be able to:

- Evaluate electronic transactions in terms of their validity, applicable law and liability of the parties.

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- Explain the implicit effects of electronic transactions.
- Recognize side-by-side issues related to privacy and data protection.
- Identify the particular dangers of online payment.

Key concepts

- E-commerce
- Electronic signature
- Electronic contract
- Electronic payment
- Privacy

Study

Carr, pp. 95-148

Activity

What is the process of compiling an electronic contract?

Carr, pp. 99-119

Self-assessment exercise

Discuss the background, guiding principles and scope of the UNCITRAL model law on e-commerce. (for an answer, see study and course material)

Week 12th

Purpose

- Analyze the threats faced by international trade by corruption
- Discuss the negative effects of such international corruption practices at the economic, commercial and social level.
- Analyze the international legal framework to fight corruption in international trade.

Expected results

By completing the study of the 12th week, students will be able to:

[Type here]

- Evaluate the risks of corruption for international transactions.
- Have a full picture of international anti-corruption mechanisms
- Familiarize yourself with a risk-based approach to identifying potential cases of corruption in international transactions.

Key concepts

- Corruption
- International Transactions
- OECD Convention on the Fight against Bribery of Officials in International Business Transactions, 1997 (OECD Convention)
- UN
- UN Convention Against Corruption, 2003 (UNCAC)

Study

Carr, pp. 629-656

Activity

What specific features does the OECD Anti-Corruption Convention foresee?

Carr, pp. 634-636

Self-assessment exercise

Analyze how the jurisprudence of national and international mechanisms affects the Business Code of Conduct? (for an answer, see study and course material)

Week 13th

Purpose

- Make students repeat the most important points analyzed during the semester.

Expected results

By completing the study of the 13th week, students will be able to:

- be properly prepared to successfully participate in the final exam of the course.

[Type here]

16. Exam modes

The overall academic performance of students is based on the assessment of a written assignment, on a formative assessment and their performance in the final exams. The physical presence of students in the final exams is mandatory. A passing mark in the mid-term assignment is not a prerequisite for his/her participation in the final exams. The final grade awarded to each student is the sum of the grades awarded for the assignment and the final exams. Both the assignments and the final exams are marked in the scale 0 (complete failure) to 100 (absolute success). In order to get a passing mark in the Course, a student must receive a passing mark in the final exams. In a nutshell:

- The grade awarded for the assignment represents the 20% of the Course's final grade.
- The grade awarded for the formative assessment activities represents the 10% of the Course's final grade
- The grade awarded for the final exams represents the 70% of the Course's final grade.
- In order to get an overall passing mark, a student must be graded with at least 50/100 in the final exams.

Assessment Methods	Percentage	CLO 1	CLO 2	CLO 3	CLO 4	CLO 5
Formative Assessment Activities	10%	√	√		√	
Midterm Exam/Midterm Written Assignment	20%			√		√
Final Exam	70%	√		√	√	√

Assignments Details

Written Exercise	Quiz	Oral Presentation	Problem Solving	Online Exam	Case Study
√	√	√			

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10%	5%	5%			
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Formative Assessment (non-graded):

Peer Assessment	Discussion boards/forums	Video activity	Online Activities	Oral presentation
√	√	√		√

Grading and the formative assessment of the course and its criteria are explained in the Programme's Handbook as well as in the Evaluation Policy of the learning process implemented by the Law School. It is expected that students will participate to on-line classes well-prepared in order to engage in discussion and clarify any questions they may have.

Evaluation criteria:

Numerical Grading	Descriptive Grading	
85-100%	Excellent	A
65-84%	Very Good	B
50-64%	Good	C
0-49%	Rejection	F

17. Instructor's Comments

The Instructor's comments, which are provided after each assignment, are a very good form of educational process. The reports give you two sources of information:

- How was your performance?
- What do examiners expect from your answers?

One of the examiner's most usual comments is that the answers to the exam questions are vague and very descriptive. Some students, when they see a familiar meaning or word, write everything they know about it, but they do not address the terms of the question. This gives the impression that they do not know what the question is asking.

Make sure you often refer to the reviewers' comments throughout your study. As you will cover the topics, you should try to answer virtual exam questions, which will be available, and understand the examiner's comments on these answers. Take enough time to fully understand the

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testers' comments. This should be done topic by topic and you should not move from one topic to another until you have:

- Try to answer a previous question.
- Read the examiner's comments on this question.
- Think about ways you could improve your own response.

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DLLM 528: European Consumer Law – Electronic Transactions Law

Course Title	European Consumer Law – Electronic Transactions Law
Course Code	DLLM 528
Course Type	Obligatory
Level	Postgraduate
Year	First
Semester	First
ECTS	7,5
Prerequisite or Required Courses	Bachelor
Language	English
Teaching Methodology	Distance learning
Instructor	Dr. Timoleon Kosmides Email: tkosmides@law.auth.gr Tel.: +30 2310 996553

1. Introduction

The present study guide for the course “European Consumer Law – Electronic Transactions Law” follows the standards adopted by most of the distance learning programmes. The course analyzes basic subjects of European Consumer Law as well as Electronic Transactions Law. Beginning with an introduction to the economic and social framework of modern transactions, the course deals with topics from the field of European, International and national Law. The course focuses on Consumer’s rights within the scope of Consumer Contracts as well as aspects of Electronic Transactions, such as provider agreements and contracts concluded by electronic means.

2. Structure of the Study Guide

The Study Guide is divided in several parts, which cover all the fundamental thematic units of the above-mentioned Course. More specifically, it includes:

[Type here]

- ✓ The Course's learning outcomes.
- ✓ The required and further bibliography.
- ✓ An introduction to the Course's thematic units.
- ✓ An outline of each of the Course's units.
- ✓ A series of questions that will enable the student to assess the degree of his/her understanding of the subjects that he/she has been taught (self-assessment exercises).
- ✓ Assessment methods and grading.

3. Activities

Apart from the abovementioned basic features, this Study Guide includes activities which will help you to study and interact with the relevant material. Even though these activities are not included in your final mark, we strongly recommend you complete them as part of your study. These activities will also help to develop your skills, to boost your self-confidence for the newly acquired knowledge, as well as to effectively use this knowledge.

4. Course Purpose and Objectives

This course provides an overview of this modern legal discipline and examines critically the consumer regulations mainly as rules deviating from general private law and its core principle pacta sunt servanda. The course aims at:

- Presenting the "tools" of consumer protection law both in national and cross-border transactions, in particular pre-contractual information duties and rights of withdrawal
- Explaining the judicial control of contract terms as well as special jurisdiction and conflict-of-law regulations
- Presenting internet provider agreements
- Giving particular emphasis to the recent case law of the ECJ

5. Learning Outcomes

Upon completing the Course students will be able to:

[Type here]

- O1: Critically analyse case law relevant to European Consumer Law – Electronic Transactions Law.
- O2: Independently research legislative texts and ongoing legislative initiatives in European Union.
- O3: Evaluate contract clauses that are used in the context of consumer transactions and electronically formatted contracts.
- O4: Discuss the Europeanisation of consumer law in selected key aspects, distinguishing the basic appearances of the materialisation of contract law.
- O5: Question the functionalities of dispute settlement in the context of European Consumer Law – Electronic Transactions Law.

6. Course content

See below under no 15.

7. Use of the Study Guide

The present Study Guide offers an introduction to the main subjects of study in the field of European Consumer Law – Electronic Transactions Law. As it is the case with any other similar Guide, the present one has been designed in order to help you in your study. It aims at answer to your queries about the Course, as well as to offer you information concerning your exams. However, a Study Guide cannot cover every detail. As a result, your study may well expand beyond the limits of this Guide. Moreover, you should not treat the Study Guide as a pupil's book. If you only emphasize on the content of the Guide without making additional efforts for studying, it will be difficult to have a positive result in your final exams. It is advisable that you keep your own notes as you study for the Course. These notes will help you to approach the offered material in a critical way and to present to the Course's instructor the issues that you find complicated or difficult. Detailed information about the exact content and the type of the final exams will be provided before the end of the semester.

8. Bibliography

Required reading

[Type here]

1. Twigg-Flesner (ed.) (2016): Research Handbook on EU Consumer and Contract Law, Elgar
2. Weatherill (2016): Contract law of the internal market, Intersentia
3. Alexandridou (ed.) (2018): Consumer Protection Law, Nomiki Vivliothiki (in Greek)
4. Dellios, Consumer Protection and Private Law System, vol. I (2005), vol. II (2001)
5. Course material

Further reading

1. Howells/Twigg-Flesner/Wilhelmsson (2018), Rethinking EU Consumer Law, Routledge
2. Reich (2014) European consumer law. Ius communitatis, Intersentia
3. Howells (2018), Comparative consumer sales law. Markets and the law, Routledge
4. Weatherill (2013), EU consumer law and policy, Elgar
5. Micklitz (2017), Internationalization of consumer law: a game changer, Springer
6. Micklitz/Sibony/Esposito (2018), Research methods in consumer law: a handbook, Elgar
7. Grynbaum, European consumer law and its consolidation, The making of European private law. 2013, p. 111-116
8. Lurger, The European Union in the field of consumer law, Comparative law and international organisations. 2014, p. 83-103
9. Van Nuffel, Minimum harmonisation and consumer law, Landmark cases of EU consumer law: in honour of Jules Stuyck. 2013, p. 173-198
10. Whittaker, Distinctive features of the new consumer contract law, The law quarterly review: L.Q.R. Vol. 133 (2017), January, p. 47-72
11. Mak, The consumer in European regulatory private law, The images of the consumer in EU law. 2016, p. 381-400
12. Tulibacka, Proceduralisation of EU consumer law and its impact on European consumers, Review of European administrative law: REALaw. Vol. 8 (2015), 51-74
13. Loos, The modernization of European consumer law: a pig in a poke? European review of private law. Vol. 27 (2019), 113-134
14. Sein, Concluding consumer contracts via smart assistants: mission impossible under European consumer law? Journal of European consumer and market law: EuCML. Vol. 7 (2018), 179-188

[Type here]

15. Benöhr, Collective redress in the field of European consumer law, Legal issues of economic integration. Vol. 41 (2014), 243-256

9. Additional Bibliographical Material

Apart from the required reading, you are free to study any book or article related to the content of the Course. It is useful to expand your study by making use of as many bibliographical sources as possible. To this end, you are offered free access to the Virtual Learning Environment (VLE) and to the electronic Library of Neapolis University.

10. Online Learning Resources

The tutor may upload notes, PowerPoint Presentations, quizzes, announcements, as well as any other additional material on the Course's webpage, which can be found at the electronic platform (moodle) used by Neapolis University. Moreover, students are able to use the discussion forum in order to communicate with his/her fellow students. Students are advised to visit the platform on a regular basis in order to have access to newly uploaded educational material.

11. Scheduled Online Educational Activities and Teaching Methods

- Notes and PowerPoint Presentations in digital format through the electronic platform
- Basic textbook(s) and additional bibliography
- Assignments
- Meetings with the tutor(s)
- Discussions through the electronic platform
- Web links

12. The Virtual Learning Environment (VLE)

The Virtual Learning Environment, which supplements this Study Guide, has been designed in order to enhance the educational experience of students by providing them with more support and by creating the sense of an academic community. It consists a significant part of the distance

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learning studies, and as a result students are highly encouraged to use it as often as possible. The Virtual Learning Environment offers a wide range of educational sources for distance learning:

- Self-assessment activities: understanding of the educational material.
- Digital study material: it is uploaded and is available to students.
- Students' discussion forum: students can use it in order to exchange opinions, to ask for support from their fellow students, to cooperate in order to solve problems, and to discuss about any subject that is related with the courses they attend.
- Study skills: expert advice on the preparation for the exams and development of digital skill which help students in the studying process.

13. Electronic Library

The library of Neapolis University Pafos offers access to a rich collection of sources of information, ranging from printed books to electronic data bases. It supports the educational and research activities of Neapolis University and its academic community.

The Library's printed collection consists of 10 thousand books, whereas its digital collection consists of 300 thousand e-books and more than 5 million articles in electronic format which are drawn from 17 world famous publishing houses and data bases, such as Springer, Taylor & Francis, Ebsco, Emerald, Wiley, JSTOR, Cambridge University Press, Oxford University Press, Sage, Fame, Orbis, Westlaw, Proquest, TLG, CYS etc. It also offers to users as series of research tools, thus enabling them to search on all available electronic resources.

Users have access to both the printed and the digital material of the library through the federated search engine EDS (Ebsco Discovery Service). Through EDS (<https://www.nup.ac.cy/learning-resources/library/collection-discovery-tools/discovery-tools/>) you can submit generic-type queries to the sum of NUP Library resources and get back a list of relevant items. Depending on the format of material and your location (in campus or remote) you can even have access to the full text of resources.

The library has adopted a reference morphotype based on the Harvard style guide (author-date). Users may consult the short guide that has been prepared by the library concerning the Harvard morphotype.

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For the organisation and management of bibliographic references, the library suggests the use of the Mendeley system. Mendeley is a free tool for the management of bibliographical references which helps students organizing and writing assignments.

Each user has his/her own library card which has codes that help the user to acquire the material he/she is interested in. The process for getting access to library material is very simple (see the library regulations: <https://www.nup.ac.cy/wp-content/uploads/2014/03/NUPs-Library-regulations-eng.pdf>).

For more information concerning the library of Neapolis University you may contact the library staff: email lib@nup.ac.cy, tel. +357 26843313.

14. Necessary Reading

It is important to read as many of the books and article included in the Course's bibliography as possible. By doing so, you will get all the basic and necessary knowledge related to the Course. In many cases, you may also read a synopsis of the lectures in PowerPoint format. These PowerPoint presentations are uploaded in the electronic platform.

15. Study Timetable per Week

Week	Subject	Study
1	Introduction: Social and Economic Framework	Tulibacka, Proceduralisation of EU consumer law and its impact on European consumers, Review of European administrative law: REALaw. Vol. 8 (2015), 51-74 Lurger, The European Union in the field of consumer law,

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		Comparative law and international organisations. 2014, p. 83-103
2	Primary EU Law	Weatherill (2016): 1-94 Van Nuffel, Minimum harmonisation and consumer law, Landmark cases of EU consumer law: in honour of Jules Stuyck. 2013, p. 173-198 Whittaker, Distinctive features of the new consumer contract law, The law quarterly review: L.Q.R. Vol. 133 (2017), January, p. 47-72
3	Overview over the Secondary EU Law	Howells/Twigg-Flesner/Wilhelmsson (2018): 1-210 Grynbaum, European consumer law and its consolidation, The making of European private law. 2013, p. 111-116 Mak, The consumer in European regulatory private law, The images of the consumer in EU law. 2016, p. 381-400
4	Main terms: Consumer - trader	Twigg-Flesner ed. (2016): 199-220

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		<p>Vannerom, Consumer notion: natural or legal persons and mixed contracts, Landmark cases of EU consumer law: in honour of Jules Stuyck. 2013, 53-72</p> <p>Kingisepp and Väriv, The notion of consumer in EU consumer acquis and the Consumer Rights Directive: a significant change of paradigm?, <i>Juridica international. XVIII</i> (2011), 44-53</p>
5	Electronic conclusion of agreements	<p>Gebauer, Contracts concluded by electronic means in cross-border transactions: "click-wrapping" and choice-of-court agreements in online B2B contracts, European contract law and the digital single market. 2016, 209-220</p> <p>Kaufman and Haubold, Electronic promises: contract law reform and e-commerce in a comparative</p>

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		<p>perspective, European law review. Vol. 27 (2002), 567-588</p> <p>Sein, Concluding consumer contracts via smart assistants: mission impossible under European consumer law? Journal of European consumer and market law: EuCML. Vol. 7 (2018), 179-188</p>
6	Distance Contracts and information duties	<p>Howells/Twigg-Flesner/Wilhelmsson (2018): 94-128</p> <p>Castronovo, Information duties and precontractual good faith, European review of private law Vol. 17 (2009), 559-571</p> <p>Wilhelmsson and Twigg-Flesner, Pre-contractual information duties in the acquis Communautaire, European review of contract law. Vol. 2 (2006), 441-470</p>

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7	Legal consequences of the infringement of information duties	<p>Tigelaar, How to sanction a breach of information duties of the Consumer Rights Directive?, European review of private law Vol. 27 (2019), no. 1, p. 27-57</p> <p>Goanță, Information duties in the Internet era : case note on Content Services Ltd v. Bundesarbeitskammer, European review of private law Vol. 21 (2013), no. 2, p. 643-659</p>
8	Right of withdrawal I	<p>Twigg-Flesner ed. (2016): 241-265</p> <p>Loos, Right of withdrawal: interoperability of directives, Landmark cases of EU consumer law: in honour of Jules Stuyck. 2013, p. 545-558</p> <p>Howells, The right of withdrawal in European consumer law, European contract law in Community law 2002, p. 229-238</p> <p>Henning-Bodewig, Distance sales of</p>

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		heating oil and the consumer's right of withdrawal: a fair balance?: observations on the decision of the German Federal Supreme Court of 17 June 2015, Journal of European consumer and market law : EuCML. Vol. 5 (2016), p. 87-91
9	Right of withdrawal II	Twiggs-Flesner ed. (2016): 241-265 Rizos, The consumer's right of withdrawal in case of payment with bitcoins, European journal of consumer law 2 (2016), p. 173-205 Yilma, Scope of rights of withdrawal vis-à-vis auctions under the Consumer Rights Directive, Journal of European consumer and market law. Vol. 2 (2013), p. 212-224
10	Control of contractual clauses I	Twiggs-Flesner ed. (2016): 287-313 Fazekas, The consumer credit crisis and unfair contract terms regulation: before and after Kásler, Journal of European consumer and market law:

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		<p>EuCML. Vol. 6 (2017), p. 99-106</p> <p>Appenzeller, Towards a more effective regulation of unfair standard contract terms in Europe: of cartels, watchdogs and a "gorilla in the closet", Journal of European consumer and market law: EuCML. Vol. 6 (2017), issue 2, p. 60-67</p> <p>Micklitz, Unfair contract terms: public interest litigation before European courts, Landmark cases of EU consumer law : in honour of Jules Stuyck. 2013, p. 633-652</p>
11	Control of contractual clauses II	<p>Twigg-Flesner ed. (2016): 287-313</p> <p>Perriello, Right to housing and unfair contract terms, Journal of European consumer and market law : EuCML. Vol. 7 (2018), p. 96-103</p> <p>Cafaggi and Law, Unfair contract terms: effect of collective proceedings, Landmark cases of EU consumer law: in honour of Jules Stuyck. 2013, p. 653-676</p>

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		<p>Hondius, Unfair contract terms: revising the content of a term, Landmark cases of EU consumer law: in honour of Jules Stuyck. 2013, p. 625-631</p> <p>Beckers, The regulation of market communication and market behaviour: corporate social responsibility and the directives on unfair commercial practices and unfair contract terms, Common market law review. Vol. 54 (2017), p. 475-515</p>
12	Internet Provider Agreements	<p>Adeyemi, Liability and exemptions of Internet Service Providers (ISPs): assessing the EU electronic commerce legal regime, Computer and telecommunications law review: CTLR. Vol. 24 (2018), 6-12</p> <p>Honkkila, The Internet access provider's commercial practices under the EU rules on open Internet, Online distribution of content</p>

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		in the EU. 2019, p. 240-259 Vijay, Liability of Internet service providers: a review study from the European perspective, European intellectual property review : EIPR. Vol. 41 (2019), p. 451-458
13	Revision	---

1st Week

Introduction: Social and Economic Framework

Purpose and objectives

- To present the modern social and economic background of electronic transactions
- To analyze the advantages of modern transactions as well as the dangers arising from them
- To study the importance of consumer protection

Expected learning outcomes

After the completion of the study of the 1st week, students will be able to:

- Present the importance of electronic transactions
- Know the positive and negative aspects of such transactions
- Understand the importance of consumer protection

[Type here]

Key concepts

- Electronic transactions
- Consumer
- Consumer Protection
- General Terms
- Acceleration of transactions
- Simplification of transactions

Study

Tulibacka, Proceduralisation of EU consumer law and its impact on European consumers, Review of European administrative law: REALaw. Vol. 8 (2015), 51-74

Lurger, The European Union in the field of consumer law, Comparative law and international organisations. 2014, p. 83-103

Course material

Activities

1. Describe the meaning of electronic contracts (for an answer, see course material)
2. Explain the importance of electronic contracts for an answer, see course material)

Video

Oren Bar-Gill: Frontiers of Consumer Law

(<https://www.youtube.com/watch?v=vr8sKHFEbag>)

Self-evaluation exercises

1. Explain the meaning of consumer protection. for an answer, see course material)
2. Explain why is consumer protection important. for an answer, see course material)

2nd Week

Primary EU Law

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Purpose and objectives

- To demonstrate the Primary EU Law provisions which are of relevance to consumer protection and electronic transactions
- To present the relevant regulatory framework
- To analyze significance Primary EU Law provisions for the establishment of rules at Secondary EU Law level

Expected learning outcomes

After the completion of the study of the 2nd week, students will be able to:

- To present the Primary EU Law provisions which are of relevance to consumer protection and electronic transactions
- Describe importance of such rules

Key concepts

- Primary EU Law
- Consumer Protection
- Freedom of contracts
- Fundamental rights
- Internal market
- European contract law

Study

Weatherill (2016): 1-94

Van Nuffel, Minimum harmonisation and consumer law, Landmark cases of EU consumer law: in honour of Jules Stuyck. 2013, p. 173-198

Whittaker, Distinctive features of the new consumer contract law, The law quarterly review: L.Q.R. Vol. 133 (2017), January, p. 47-72

Activities

[Type here]

1. What are the main Primary EU Law provisions which are of relevance to consumer protection?
(for an answer, see Weatherill (2016): 1-94)

2. What are the main Primary EU Law provisions which are of relevance electronic transactions?
(for an answer, see Weatherill (2016): 1-94)

Quiz Identify the legislative measures that fall under Primary and secondary EU law regarding consumer protection and consumer rights.

Self-evaluation exercises

1. Explain the importance of the above mentioned provisions (for an answer, see course material)
2. Explain why EU Contract Law is predominantly limited to Consumer Contracts. (for an answer, see course material)

3rd Week

Overview over the Secondary EU Law

Purpose and objectives

- Demonstrating the main European statutes in the field of consumer protection
- Demonstrating the main European statutes in the field of electronic transactions
- Presenting the importance of the above mentioned statutes

Expected learning outcomes

After the completion of the study of the 3rd week, students will be able to:

- Present the basic statutes of European Consumer Protection Law
- Describe importance of European electronic transactions law
- Present the relation of the above mentioned laws to each other

Key concepts

- European Consumer Protection Law

[Type here]

- European Electronic Transactions Law
- European Contract Law
- Directive on E-Commerce
- Directive on Consumer rights
- Directive on unfair terms

Study

Howells/Twigg-Flesner/Wilhelmsson (2018): 1-210

Grynbaum, European consumer law and its consolidation, *The making of European private law*. 2013, p. 111-116

Mak, The consumer in European regulatory private law, *The images of the consumer in EU law*. 2016, p. 381-400

Activities

4. Present briefly the main content of the Directive on E-Commerce (for an answer, see course material)
5. Present briefly the main content of the Directive on Consumer Rights (for an answer, see Howells/Twigg-Flesner/Wilhelmsson (2018): 94-128)

Video

The Guardian, A guide to your consumer rights

<https://www.youtube.com/watch?v=uDgT-w2qhuE>

Self-evaluation exercises

1. Present briefly the main content of the Directive on unfair terms (for an answer, see Howells/Twigg-Flesner/Wilhelmsson (2018): 129-166)
2. Explain the importance of the above-mentioned Directives for an answer, see course-material)

[Type here]

4th Week

Main terms: Consumer – trader

Purpose and objectives

- To analyze the term ‘consumer’
- To analyze the term ‘trader’
- To demonstrate the main ECJ jurisprudence on the meaning of the above mentioned terms

Expected learning outcomes

After the completion of the study of the 4th week, students will be able to:

- Present the meaning of the term ‘consumer’
- Present the meaning of the term ‘trader’
- Explain the meaning of the term ‘consumer contract’

Key concepts

- consumer
- trader
- consumer contract
- distance contract
- conclusion of contract

Study

Twigg-Flesner ed. (2016): 199-220

Vannerom, Consumer notion: natural or legal persons and mixed contracts, Landmark cases of EU consumer law: in honour of Jules Stuyck. 2013, 53-72

Kingisepp and Värvi, The notion of consumer in EU consumer acquis and the Consumer Rights Directive: a significant change of paradigm?, *Juridica international*. XVIII (2011), 44-53

[Type here]

Activities

1. Present the meaning of the term ‘consumer’ (for an answer, see Twigg-Flesner ed. (2016): 199-220)
2. Present the meaning of the term ‘trader (for an answer, see course material)

Discussion forum

What is your position on the argument that the notion of consumer must be abandoned in legislature and (some) special regulations absorbed in general civil law?

Self-evaluation exercises

1. Explain why it is important to consider a contract as consumer contract (for an answer, see course material)
2. What is the difference between consumer contracts and distance contracts? (for an answer, see course material)

5th Week

Electronic conclusion of agreements

Purpose and objectives

- To present the issue of electronic declaration of intent
- To explain the mechanism of conclusion of contracts by electronic means
- To examine the legal framework on the above mentioned issues

Expected learning outcomes

After the completion of the study of the 5th week, students will be able to:

- Understand the meaning of an electronically concluded agreement
- Deal with the main problems arising from such a contract conclusion
- Present special issues, such as shopping in ebay

[Type here]

Key concepts

- Electronic declaration of intent
- Electronically concluded contract
- proposal
- acceptance
- ebay

Study

Gebauer, Contracts concluded by electronic means in cross-border transactions: "click-wrapping" and choice-of-court agreements in online B2B contracts, European contract law and the digital single market. 2016, 209-220

Kaufman and Haubold, Electronic promises: contract law reform and e-commerce in a comparative perspective, European law review. Vol. 27 (2002), 567-588

Sein, Concluding consumer contracts via smart assistants: mission impossible under European consumer law? Journal of European consumer and market law: EuCML. Vol. 7 (2018), 179-188

Course material

Activities

1. Describe the way a contract is concluded by electronic means (for an answer, see course material)
2. Present the main provisions on the electronic conclusion of contracts (for an answer, see course material)

Self-evaluation exercise

1. Demonstrate the characteristics of contract conclusion via Internet auction platforms (for an answer, see course material)
2. Present the legal treatment of the delivery of not ordered goods (for an answer, see course material)

[Type here]

Peer assessment

Model answers - use model answers from an anonymous piece of work from a previous class and students give feedback and compare their answers

6th Week

Distance Contracts and information duties

Purpose and objectives

- To present distance contracts
- To present the provisions on distance contracts
- To examine the information duties

Expected learning outcomes

After the completion of the study of the 6th week, students will be able to:

- Explain the meaning of a distance contract
- Deal with the main issues arising from distance contracts
- Present the main information duties and their function, especially within the scope of distance contracts

Key concepts

- distance contracts
- internet contracts
- information asymmetry
- consumer protection
- information duties

Study

Howells/Twigg-Flesner/Wilhelmsson (2018): 94-128

[Type here]

Castronovo, Information duties and precontractual good faith, *European review of private law* Vol. 17 (2009), 559-571

Wilhelmsson and Twigg-Flesner, Pre-contractual information duties in the *acquis Communautaire*, *European review of contract law*. Vol. 2 (2006), 441-470

Activities

1. Explain the meaning of distance contracts (for an answer, see Howells/Twigg-Flesner/Wilhelmsson (2018): 94-128)
2. Describe the legal nature of distance contracts (for an answer, see Howells/Twigg-Flesner/Wilhelmsson (2018): 94-128)

Self-evaluation exercise

1. Sketch the main information duties arising from a distance contract (for an answer, see Howells/Twigg-Flesner/Wilhelmsson (2018): 94-128)
2. Describe the significance of information contracts within the scope of such contracts (for an answer, see Howells/Twigg-Flesner/Wilhelmsson (2018): 94-128)

Discussion forum:

What is your position on the argument that information duties tend to lead to information overload and are anti-productive?

7th Week

Legal consequences of infringement of information duties

Purpose and objectives

- To present the meaning of ‘infringement of information duties’
- To study the legal consequences of such an infringement
- To study the importance of such legal consequences

[Type here]

Expected learning outcomes

After the completion of the study of the 7th week, students will be able to:

- Explain when an infringement of information duties exists
- Know what are the results of an infringement of information duties
- Explain the meaning of the individual provisions on the legal consequences of such an infringement

Key Concepts

- information duties
- Infringement
- Non performance
- Contract invalidity
- Contract contestability
- Compensation

Study

Tigelaar, How to sanction a breach of information duties of the Consumer Rights Directive?, European review of private law Vol. 27 (2019), no. 1, p. 27-57

Goanță, Information duties in the Internet era: case note on Content Services Ltd v. Bundesarbeitskammer, European review of private law Vol. 21 (2013), no. 2, p. 643-659

Course material

Activities

1. Demonstrate the main forms of infringement of information duties (for an answer, see course material)
2. Explain the importance of the legal consequences of such an infringement (for an answer, see course material)

[Type here]

Self-assessment exercises

1. Demonstrate legal consequences of such an infringement foreseen in EU Law (for an answer, see course material)
2. Demonstrate legal consequences of such an infringement foreseen in Greek Law (for an answer, see course material)

Commentary of Case law

Case C-430/17, Walbusch Walter Busch, clarifying the scope of a trader's duty of information in distance contracts with consumers pursuant to Directive 2011/83/EU of 25 October 2011 on consumer rights

8th Week

Right of withdrawal I

Purpose and objectives

- To demonstrate the main provisions establishing a right of withdrawal within the scope of Consumer Law
- To analyze the right of withdrawal

Expected learning outcomes

After the completion of the study of the 6th week, students will be able to:

- Know when the consumer is entitled to withdraw from a contract
- Distinguish the consumer's right of withdrawal from other related rights

Key Concepts

- Withdrawal
- Consumer contract
- Consumer protection

[Type here]

- Contractual end
- Legal nature of the right of withdrawal

Study

Twigg-Flesner ed. (2016): 241-265

Loos, Right of withdrawal: interoperability of directives, Landmark cases of EU consumer law: in honour of Jules Stuyck. 2013, p. 545-558

Howells, The right of withdrawal in European consumer law, European contract law in Community law 2002, p. 229-238

Henning-Bodewig, Distance sales of heating oil and the consumer's right of withdrawal: a fair balance?: observations on the decision of the German Federal Supreme Court of 17 June 2015, Journal of European consumer and market law : EuCML. Vol. 5 (2016), p. 87-91

Activities

1. Demonstrate the provisions establishing a consumer's right of withdrawal (for an answer, see Twigg-Flesner ed. (2016): 241-265)
2. Explain the difference between consumer's right of withdrawal and the right of withdrawal arising from a breach of contract (for an answer, see Twigg-Flesner ed. (2016): 241-265)

Self-evaluation exercise

1. Sketch the relation between consumer's right of withdrawal and information duties (for an answer, see Twigg-Flesner ed. (2016): 241-265)
2. Describe the significance of the consumer's right of withdrawal (for an answer, see Twigg-Flesner ed. (2016): 241-265)

Discussion forum:

What is your position on the argument that rights of withdrawal must be rendered optional and dependent on an extra cost?

9th Week

Right of withdrawal II

[Type here]

Purpose and objectives

- Presenting the issues concerning the exercise of the right of withdrawal
- Analyzing the consequences of the exercise of the right of withdrawal

Expected learning outcomes

After the completion of the study of the 9th week, students will be able to:

- Present the way the right of withdrawal has to be exercised
- Present the main consequences of the exercise of the right of withdrawal

Key concepts

- *Withdrawal*
- *Consumer contract*
- *Consumer protection*
- *Contractual end*
- *Legal nature of the right of withdrawal*

Study

Twigg-Flesner ed. (2016): 241-265

Rizos, The consumer's right of withdrawal in case of payment with bitcoins, *European journal of consumer law* 2 (2016), p. 173-205

Yilma, Scope of rights of withdrawal vis-à-vis auctions under the Consumer Rights Directive, *Journal of European consumer and market law*. Vol. 2 (2013), p. 212-224

Activities

1. Present the main characteristics of the right of withdrawal (for an answer, see Twigg-Flesner ed. (2016): 241-265)
2. Present the conditions for the exercise of the right of withdrawal (for an answer, see Twigg-Flesner ed. (2016): 241-265)

[Type here]

Self-assessment exercises

1. Present the main consequences of the exercise of the right of withdrawal (for an answer, see Twigg-Flesner ed. (2016): 241-265)
2. What is the legal nature of the right of withdrawal? (for an answer, see Twigg-Flesner ed. (2016): 241-265)

Commentary of Case law

Case C-489/07 Pia Messner v Firma Stefan Kruger, whether a trader should be compensated for the use which a consumer has made of goods when the consumer withdraws from the contract and returns the goods within the specified withdrawal period

10th Week

Control of contractual clauses I

Purpose and objectives

- To examine the legal control of general terms
- To illustrate the importance of the legal control of general terms
- To offer an overview over the instruments of such control

Expected learning outcomes

After the completion of the study of the 10th week, students will be able to:

- Understand the importance of the legal control of general terms
- Know the main European provisions on the legal control of general terms

Key Concepts

- Consumer contract
- Requirement for transparency
- Review of incorporation of terms

[Type here]

- Unfairness test
- Unfair terms
- Good faith

Study

Twigg-Flesner ed. (2016): 287-313

Fazekas, The consumer credit crisis and unfair contract terms regulation: before and after Kásler, *Journal of European consumer and market law: EuCML*. Vol. 6 (2017), p. 99-106

Appenzeller, Towards a more effective regulation of unfair standard contract terms in Europe: of cartels, watchdogs and a "gorilla in the closet", *Journal of European consumer and market law: EuCML*. Vol. 6 (2017), issue 2, p. 60-67

Micklitz, Unfair contract terms: public interest litigation before European courts, *Landmark cases of EU consumer law: in honour of Jules Stuyck*. 2013, p. 633-652

Activities

1. Demonstrate the European framework of the legal control of contractual clauses (for an answer, see Twigg-Flesner ed. (2016): 287-313)
2. When is a contractual clause considered as unfair under European Law? (for an answer, see Twigg-Flesner ed. (2016): 287-313)

Self-assessment exercises

1. Which contracts are subject to the unfairness test? (for an answer, see Twigg-Flesner ed. (2016): 287-313)
2. Demonstrate an important ECJ judgement in the field of unfairness test (for an answer, see Twigg-Flesner ed. (2016): 287-313)

11th Week

Control of contractual clauses II

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Purpose and objectives

- To present the Review of incorporation of terms
- To study the unfairness test
- To study the legal consequences of the control of contractual terms

Expected learning outcomes

After the completion of the study of the 11th week, students will be able to:

- understand the way review of incorporation of terms should be performed
- understand the way unfairness test should be performed
- describe the legal consequences of the control of contractual terms

Key Concept

- Consumer contract
- Requirement for transparency
- Review of incorporation of terms
- Unfairness test
- Unfair terms
- Good faith
-

Study

Twigg-Flesner ed. (2016): 287-313

Perriello, Right to housing and unfair contract terms, *Journal of European consumer and market law: EuCML*. Vol. 7 (2018), p. 96-103

Cafaggi and Law, Unfair contract terms: effect of collective proceedings, *Landmark cases of EU consumer law: in honour of Jules Stuyck*. 2013, p. 653-676

Hondius, Unfair contract terms: revising the content of a term, *Landmark cases of EU consumer law: in honour of Jules Stuyck*. 2013, p. 625-631

Beckers, The regulation of market communication and market behaviour: corporate social responsibility and the directives on unfair commercial practices and unfair contract terms, *Common market law review*. Vol. 54 (2017), p. 475-515

[Type here]

Activities

1. What is an unfair clause? (for an answer, see Twigg-Flesner ed. (2016): 287-313)
2. What are the consequences of an unfair clause? (for an answer, see Twigg-Flesner ed. (2016): 287-313)

Peer assessment

Model answers - use model answers from an anonymous piece of work from a previous class and students give feedback and compare their answers

Self-assessment exercises

1. What are the consequences of the invalidity of a clause for the contract as a whole? (for an answer, see Twigg-Flesner ed. (2016): 287-313)
2. How can parties be protected in case of an unfair clause? (for an answer, see Twigg-Flesner ed. (2016): 287-313)

Week 12th

Internet Provider Agreements

Purpose and objectives

- Presenting the meaning of Internet Provider Agreements
- Distinguishing Internet Provider Agreements from electronically concluded contracts
- Familiarizing students with the different types of Internet Provider Agreements

Expected learning outcomes

After the completion of the study of the 12th week, students will be able to:

- Explain what are Internet Provider Agreements
- Present the main types of Internet Provider Agreements
- Illustrate the importance of such agreements

[Type here]

Key Concepts

- Access providing
- Presence Providing
- Email Providing
- Web design
- Domain name registration

Study

Adeyemi, Liability and exemptions of Internet Service Providers (ISPs): assessing the EU electronic commerce legal regime, Computer and telecommunications law review: CTRLR. Vol. 24 (2018), 6-12

Honkkila, The Internet access provider's commercial practices under the EU rules on open Internet, Online distribution of content in the EU. 2019, p. 240-259

Vijay, Liability of Internet service providers: a review study from the European perspective, European intellectual property review : EIPR. Vol. 41 (2019), p. 451-458

Course material

Activities

1. Demonstrate the main characteristics of Access Providing Agreements (for an answer, see course material)
2. Demonstrate the main characteristics of Presence Providing Agreements (for an answer, see course material)

Self-assessment exercises

1. Demonstrate the main characteristics of Email Providing Agreements (for an answer, see course material)
2. Demonstrate the main characteristics of Web Design Agreements (for an answer, see course material)

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Discussion forum:

What is your position on the argument that internet access need to be as a public infrastructure?

13th Week

Revision

Purpose and objectives

Students are expected to recap the basic notions that were analyzes during the semester.

Expected learning outcomes

After the completion of the study of the 13th week, students will be able to:

Be adequately prepared in order to sit in the Course's final exams.

16. Assessment

The overall academic performance of students is based on the assessment of a written assignment, on a formative assessment and their performance in the final exams. The physical presence of students in the final exams is mandatory. A passing mark in the mid-term assignment is not a prerequisite for his/her participation in the final exams. The final grade awarded to each student is the sum of the grades awarded for the assignment and the final exams. Both the assignments and the final exams are marked in the scale 0 (complete failure) to 100 (absolute success). In order to get a passing mark in the Course, a student must receive a passing mark in the final exams. In a nutshell:

- The grade awarded for the assignment represents the 20% of the Course's final grade
- The grade awarded for the formative assessment activities represents the 10% of the Course's final grade
- The grade awarded for the final exams represents the 70% of the Course's final grade
- In order to get an overall passing mark, a student must be graded with at least 50/100 in the final exams

Assessment Methods	Percentage	CLO 1	CLO 2	CLO 3	CLO 4	CLO 5
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Formative Assessment Activities	10%	√	√		√	
Midterm Exam/Midterm Written Assignment	20%			√		√
Final Exam	70%	√		√	√	√

Assignments Details

Written Exercise	Quiz	Oral Presentation	Problem Solving	Online Exam	Case Study
√	√		√		
10%	5%		5%		

Formative Assessment (non-graded):

Peer Assessment	Discussion boards/forums	Video activity	Online Activities	Oral presentation
√	√	√		

Grading and the formative assessment of the course and its criteria are explained in the Programme's Handbook as well as in the Evaluation Policy of the learning process implemented by the Law School. It is expected that students will participate to on-line classes well-prepared in order to engage in discussion and clarify any questions they may have.

Evaluation standards:

Numerical grade	Descriptive grade	
85-100%	Excellent	A
65-84%	Very well	B
50-64%	Well	C
0-49%	Rejection	F

[Type here]

17. Tutor's Comments

Tutors give students feedback comments for their assignments. These comments give students two kinds of information:

- How your performance was.
- What the tutors expect from you.

One of the most common comments made by tutors is that the answers given by students are too vague. Make sure that you fully understand the real meaning of questions posed to you by your tutor before trying to answer them. Also, make sure that you always take good notice of your tutor's comments. Take as much time needed in order to reflect on these comments. This will help you during your study. Try not to move forward unless you:

- Have addressed all questions.
- Have taken into consideration all the comments made by your tutor.
- Have thought of ways to improve your answer(s).

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DLLM 560: Energy Law

Course Title	Energy Law
Course Code	DLLM 560
Course Type	Elective
Level	Postgraduate
Year	1 st
Semester	1 st
ECTS	7,5
Prerequisite or Required Courses	None
Language	Greek / English
Teaching Methodology	Distance learning
Instructor	Dr. Timoleon Kosmides Email: tkosmides@law.auth.gr Tel.: +30 2310 996553

1. Introduction

The present study guide for the course “Energy Law” follows the standards adopted by most of the distance learning programmes. The course analyzes basic subjects of Energy Law. Beginning with an introduction to the energy industry, the course deals with topics from the field of European and International Law, such as the Energy Policy of the EU and the Exclusive Economic Zone. Besides, the course studies Hydrocarbon Law, Environmental Liability, investment protection and arbitration

2. Structure of the Study Guide

The Study Guide is divided in several parts, which cover all the fundamental thematic units of the above mentioned Course. More specifically, it includes:

- ✓ The Course’s learning outcomes.

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- ✓ The required and further bibliography.
- ✓ An introduction to the Course's thematic units.
- ✓ An outline of each of the Course's units.
- ✓ A series of questions that will enable the student to assess the degree of his/her understanding of the subjects that he/she has been taught (self-assessment exercises).
- ✓ Assessment methods and grading

3. Activities

Apart from the abovementioned basic features, this Study Guide includes activities which will help you to study and interact with the relevant material. Even though these activities are not included in your final mark, we strongly recommend you to complete them as part of your study. These activities will also help to develop your skills, to boost your self-confidence for the newly acquired knowledge, as well as to effectively use this knowledge.

4. Course Purpose and Objectives

The Course aims to:

- ✓ Critically approach the basic concepts of International and European Energy Law (incl. Greek and Cyprus Law)
- ✓ Familiarize with international policy, global economy and energy industry
- ✓ Demonstrate theoretical and practical applications of Energy Law at international, European and national level
- ✓ Familiarize with the most important challenges of Hellenism (Greece and Cyprus) and interpret the geopolitics of major states.

5. Learning Outcomes

Upon completing this course, students will be able to:

- O1. Independently research legislative texts and ongoing legislative initiatives in the light of current international and EU energy law
- O2. Discuss the impact of the institutional framework of the single European Market and the EU initiatives to diversify energy supply and to advance integration in the Trans-European Networks

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O3. Evaluate contract clauses that are used in the context of international oil and gas industry and the principal licensing and contractual arrangements

O4. Question the role of the State in the context of international and EU energy law

O5. Question the functionalities of dispute settlement in the context of international and EU energy law

6. Course content

See below under no 15.

7. Use of the Study Guide

The present Study Guide offers an introduction to the main subjects of study in the field of Energy Law. As it is the case with any other similar Guide, the present one has been designed in order to help you in your study. It aims at answer to your queries about the Course, as well as to offer you information concerning your exams. However, a Study Guide cannot cover every detail. As a result, your study may well expand beyond the limits of this Guide. Moreover, you should not treat the Study Guide as a pupil's book. If you only emphasize on the content of the Guide without making additional efforts for studying, it will be difficult to have a positive result in your final exams. It is advisable that you keep your own notes as you study for the Course. These notes will help you to approach the offered material in a critical way and to present to the Course's instructor the issues that you find complicated or difficult. Detailed information about the exact content and the type of the final exams will be provided before the end of the semester.

8. Bibliography

Required reading

- R. Heffron: Energy Law: Springer 2015
- O. Inshakov/A. Inshakova/E. Popkova (eds.), Energy Sector. A Systemic Analysis of Economy, Foreign Trade and Legal Regulations, Springer 2019
- K. Talus (ed.), Research Handbook on International Energy Law, Edward Elgar Publishing 2014
- K. Talus: Introduction to EU Energy Law, Oxford University Press 2016
- T.N. Papanastasiou, The Legal Protection of Foreign Investments against Political Risk: Japanese Business in the Asian Energy Sector, Quid Pro Books 2015

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- T. Kosmides: Contractual Agreements for Hydrocarbon Exploration and Exploitation in Greece - Contracting with Europe's Emerging Oil and Gas Eldorado, OGEL 2013, Vol. 11 – issue 3, pp. 1-25.
- T. Kosmides: Contractual Agreements for Hydrocarbon Exploration and Exploitation in Cyprus - Small Country, Gigantic Hydrocarbon Reserves, OGEL 2013, Vol. 11 – issue 3, pp. 1-17.
- Course material

Further reading

- P. Cameron, International Energy Investment Law - The Pursuit of Stability, OUP 2010
- Peter Cameron, Competition in Energy Markets - Law and Regulation in the European Union, OUP 2007
- R. Dolzer & C. Schreuer, Principles of International Investment Law, OUP 2012
- W. E. Hughes, Fundamentals of International Oil & Gas Law, Penn Well Corporation 2016
- J. Jenkins (ed.), Oil and Gas Production Contracts, Sweet and Maxwell 2008
- E. Mustafa, International Energy Investment Law: Stability through Contractual Clauses, Kluwer Law International 2011
- J. Crawford, Brownlie's Principles of Public International Law, 9th ed. OUP 2019
- M.M. Roggenkamp, C. Redgwell, A. Ronne and I. del Guayo (eds.), Energy Law in Europe: National, EU and International Regulation, OUP 2007
- I. Bantekas, J. Paterson, M. Suleimenov, Oil and Gas Law in Kazakhstan, Kluwer 2004,
- N. Bret-Rouzaut and Jean-Pierre Favennec, Oil and Gas Exploration and Production, 3rd edition, Editions Technip 2011
- A. Bruneton, E. Konofagos and A. E. Foscolos, The Importance of Eastern Mediterranean Gas Fields for Greece and the EU (2012), <https://www.academia.edu/>
- A. Bruneton, E. Konofagos and A. E. Foscolos, Cretan Gas Fields – A new Perspective for Greece's Hydrocarbon Resources (2012), https://images.derstandard.at/2013/08/21/greece_crete.pdf
- F. Jahn, M. Cook and M. Graham, Hydrocarbon Exploration and Production, 2nd edition, Elsevier 2008

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- Energy Secretariat, The State of Gas Market Integration in the Energy Community Special report for the CESEC High Level Group Meeting, Energy Community Secretariat Sofia (29 June 2018)
https://www.energy-community.org/dam/jcr:97524dfe-7ae9-4c83-83a3-52eca0d3eff1/ECS_CESEC_062018.pdf
- A. Herranz-Surrallés, “European External Energy Policy: Governance, Diplomacy and Sustainability”, in A.K. Aarstad, E. Drieskens, K.E Jørgensen, K. Laatikainen and B. Tonra (eds.) Sage Handbook of European Foreign Policy, Sage (2015)
https://www.researchgate.net/publication/290497929_European_external_energy_policy_Governance_diplomacy_and_sustainability

9. Additional Bibliographical Material

Apart from the required reading, you are free to study and book or article related to the content of the Course. It is useful to expand your study by making use of as many bibliographical sources as possible. To this end, you are offered free access to the Virtual Learning Environment (VLE) and to the electronic Library of Neapolis University.

10. Online Learning Resources

The tutor may upload notes, PowerPoint Presentations, quizzes, announcements, as well as any other additional material on the Course’s webpage, which can be found at the electronic platform (moodle) used by Neapolis University. Moreover, students are able to use the discussion forum in order to communicate with his/her fellow students. Students are advised to visit the platform on a regular basis in order to have access to newly uploaded educational material.

11. Scheduled Online Educational Activities and Teaching Methods

- Notes and PowerPoint Presentations in digital format through the electronic platform
- Basic textbook(s) and additional bibliography
- Assignments
- Meetings with the tutor(s)
- Discussions through the electronic platform

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- Web links

12. The Virtual Learning Environment (VLE)

The Virtual Learning Environment, which supplements this Study Guide, has been designed in order to enhance the educational experience of students by providing them with more support and by creating the sense of an academic community. It consists a significant part of the distance learning studies, and as a result students are highly encouraged to use it as often as possible. The Virtual Learning Environment offers a wide range of educational sources for distance learning:

- Self-assessment activities: understanding of the educational material.
- Digital study material: it is uploaded and is available to students.
- Students' discussion forum: students can use it in order to exchange opinions, to ask for support from their fellow students, to cooperate in order to solve problems, and to discuss about any subject that is related with the courses they attend.
- Study skills: expert advice on the preparation for the exams and development of digital skill which help students in the studying process.

13. Electronic Library

The library of Neapolis University Pafos offers access to a rich collection of sources of information, ranging from printed books to electronic data bases. It supports the educational and research activities of Neapolis University and its academic community.

The Library's printed collection consists of 10 thousand books, whereas its digital collection consists of 300 thousand e-books and more than 5 million articles in electronic format which are drawn from 17 world famous publishing houses and data bases, such as Springer, Taylor & Francis, Ebsco, Emerald, Wiley, JSTOR, Cambridge University Press, Oxford University Press, Sage, Fame, Orbis, Westlaw, Proquest, TLG, CYS etc. It also offers to users as series of research tools, thus enabling them to search on all available electronic resources.

Users have access to both the printed and the digital material of the library through the federated search engine EDS (Ebsco Discovery Service). Through EDS (<https://www.nup.ac.cy/learning-resources/library/collection-discovery-tools/discovery-tools/>) you can submit generic-type queries to the sum of NUP Library resources and get back a list of relevant items. Depending on the format

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of material and your location (in campus or remote) you can even have access to the full text of resources.

The library has adopted a reference morphotype based on the Harvard style guide (author-date). Users may consult the short guide that has been prepared by the library concerning the Harvard morphotype.

For the organisation and management of bibliographic references, the library suggests the use of the Mendeley system. Mendeley is a free tool for the management of bibliographical references which helps students organizing and writing assignments.

Each user has his/her own library card which has codes that help the user to acquire the material he/she is interested in. The process for getting access to library material is very simple (see the library regulations: <https://www.nup.ac.cy/wp-content/uploads/2014/03/NUPs-Library-regulations-eng.pdf>).

For more information concerning the library of Neapolis University you may contact the library staff: email lib@nup.ac.cy, tel. +357 26843313.

14. Necessary Reading

It is important to read as many of the books and article included in the Course's bibliography as possible. By doing so, you will get all the basic and necessary knowledge related to the Course. In many cases, you may also read a synopsis of the lectures in PowerPoint format. These PowerPoint presentations are uploaded in the electronic platform.

15. Study Timetable per Week

Week	Subject	Study
1	Introduction: Basic energy forms, the energy industry and introduction to international and EU energy law <i>Quiz:</i>	Heffron (2015), 1-12 Roggenkamp et al (2007), Part I: Introduction Course material

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	Find a company active in the Energy Industry and sort it into according to its specialized activity	
2	The EU competence in the energy sector	Talus (2016): 7-14 Roggenkamp et all (2007), Part II: Ch.4
3	The liberalization of the Energy Market according to European and national Law <i>Discussion forum</i> on the liberalization of the energy market	Talus (2016): 57-104
4	The external energy policy of the EU and Member States. Energy geopolitics and diplomacy <i>Discussion forum</i> on the Consistency of EU foreign energy strategy	Talus (2016): 141-154 Herranz-Surrallés (2015)
5	The EEZ and ist contribution to a new energy policy <i>Discussion forum</i> : Offshore energy activities in the EEZ and delimitation aspects, according to the Convention on the Law of the Sea	Talus (2014), 181-195 Crawford (2019), Part IV Course material
6	Introduction to prospection, exploration and exploitation of hydrocarbons: technical aspects <i>Discussion forum</i> : The exploration of energy resources in zones within the state's competence, from the <i>North Sea Continental Shelf</i> to the <i>Cameroon/Nigeria</i> case	Directive 94/22/EC Bruneton et all, The importance of Eastern Mediterranean Gas Fields (2012), pp. 1–28 Bruneton et all, Cretan Gas Fields (2012), pp. 1–24 Jahn et all (2008), pp. 1-8, 19-82

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		Bret-Rouzaut/Favenne (2011), pp. 1-120 Tordo et al (2009), pp. 1-7 Course material
7	Introduction to prospection, exploration and exploitation of hydrocarbons: legal aspects	Kosmides (Greece: 2013), 1-25 Kosmides (Cyprus: 2013), 1-17 Bantekas et al (2004), pp. 25-50, 115-186 Jahn et al (2008), pp. 9-19 Bret-Rouzaut/Favenne (2011), pp. 171-178 Tordo et al (2009), pp. 8-28
8	Hydrocarbons Concession Agreements <i>Discussion forum</i> on the differences in the legal framework of hydrocarbons activities between Greece and Cyprus	Kosmides (Greece: 2013), 1-25 Kosmides (Cyprus: 2013), 1-17 Bantekas et al (2004), pp. 187-222 Bret-Rouzaut/Favenne (2011), pp. 178-211, 211-242
9	The natural gas market: unbundling and contracts	Talus (2016): 24-28

[Type here]

		Energy Secretariat (2018) Course material
10	Liability for environmental pollution	Talus (2014), 548-592 Course material Bantekas et all (2004), pp. 451-498 Jahn et all (2008), pp. 83-94 Bret- Rouzaut/Favennec (2011), pp. 277-294
11	Investment protection in the hydrocarbons sector <i>Problem solving with peer assessment</i> on the interpretation and selection of clauses protecting energy investments against expropriation and physical insecurity	Papanastasiou (2015), 1-34, 51-87, 171-204
12	Dispute resolution through international arbitration – the Energy Charter <i>Case law</i> Critical analysis of selected case law from investment arbitration tribunals	Talus (2014): 199-274 Bantekas et all (2004), pp. 223-278
13	Revision	Course material

[Type here]

1st Week

Introduction: Basic energy forms and the energy industry

Purpose and objectives

- To evaluate the energy industry
- To analyze the basic forms of energy
- To critically assess the legal framework concerning the energy industry

Expected learning outcomes

After the completion of the study of the 1st week, students will be able to:

- Critically assess the importance of energy industry and the forms of energy
- Illustrate the legal framework concerning the energy industry

Key concepts

- Discovery of the steam engine
- Oil era
- Energy forms under exhaustion
- Renewable energy sources
- Biomass and biofuels
- Nuclear power
- Shale gas
- Natural gas
- Upstream, downstream

Study

Heffron (2015), 1-12

Roggenkamp/Redgwell/ Ronne/Guayo (2007), Part I: Introduction

Course material

[Type here]

Activities

1. Review the historical evolution of the forms of energy (for an answer, see course material)
2. Explore what Energy Law is (for an answer, see Heffron (2015), 1-12)

Self-evaluation exercises

1. Explain the difference between classical and renewable energy forms. (for an answer, see course material)
2. Present the characteristics of the companies in the energy sector. (for an answer, see course material)

Quiz:

Find a company active in the Energy Industry and sort it into one of the following areas: production / import of energy sources or products, networks, marketing.

2nd Week

The EU competence in the energy sector

Purpose and objectives

- To describe the division of responsibilities between the EU and the Member States
- To analyze the EU's competences to articulate a common energy policy
- To demonstrate the aims of the EU's energy policy

Expected learning outcomes

After the completion of the study of the 2nd week, students will be able to:

- To evaluate the basic provisions of the EU Primary Law concerning energy.
- Describe the competences of the EU in the energy sector
- To evaluate the significance of the EU's energy policy

[Type here]

Key concepts

- Energy policy
- Primary Law of the EU
- Competence of the EU in the energy sector
- Internal market
- Ensuring energy supply
- Interconnection of Energy Networks
- Environmental protection

Study

Talus (2016): 7-14

Roggenkamp/Redgwell/ Ronne/Guayo (2007), Part II: Ch. 4

Activities

1. Describe the importance of the EU's energy policy (for an answer see Talus (2016): 7-14)
2. Evaluate the significance of the EU's competences concerning the achievement of the objectives of the EU's energy policy. (for an answer see Talus (2016): 7-14)

Self-evaluation exercises

1. How does the EU Primary Law ensure the environmental protection? (for an answer see Talus (2016): 7-14)
2. Explain what is the meaning and the importance of the Ensuring of energy supply? (for an answer see course material)

3rd Week

The liberalization of the Energy Market according to European and national Law

Purpose and objectives

- Illustrating the characteristics of the energy sector
- Explaining the meaning of the liberalization of the Energy Market.

[Type here]

- Assessing the importance of the liberalization of the Energy Market

Expected learning outcomes

After the completion of the study of the 3rd week, students will be able to:

- Classify the basic organizational models of the energy sector
- Critically assess the regulatory framework on the liberalization of the Energy Market
- Evaluate the importance of the liberalization of the Energy Market

Key concepts

- Energy market
- Liberalization
- State monopoly
- Free market
- Independent regulatory authorities

Study

Talus (2016): 57-104

Herranz-Surrallés (2015)

Activities

6. Describe the Prohibited Cooperation between Undertakings (for an answer see Talus (2016): 58-61)
7. Analyze the meaning of the Abuse of a Dominant Position (for an answer see Talus (2016): 62-67).

Self-evaluation exercises

1. Present the basic EU regulatory framework in the field of the liberalization of the energy market (for an answer see Talus (2016): 57-104)
2. Evaluate the importance of the liberalization of the energy market (for an answer see course material)

[Type here]

Discussion forum:

Discuss the meaning of the term liberalization of the energy market? Do you agree with the privatization of public enterprises?

4th Week

The external energy policy of the EU and Member States. Energy geopolitics and diplomacy

Purpose and objectives

- To explain the evolution and the present characteristics of the External Energy Policy of the EU
- To summarize the External Energy Policy of the EU in view of modern geostrategic challenges

Expected learning outcomes

After the completion of the study of the 4th week, students will be able to:

- Analyze the evolution and the present characteristics of the External Energy Policy of the EU
- Evaluate the efficiency of the External Energy Policy of the EU

Key concepts

- External policy
- Energy policy
- External Energy Policy
- Dependence on imports of energy resources
- Diversification of energy sources

Study

Talus (2016): 141-154

[Type here]

Activities

1. Describe the key aspects of the External Energy Policy of the EU (for an answer see Talus (2016): 141-154)
2. Describe the modern challenges which the EU is facing in the energy sector (for an answer see Talus (2016): 141-142)

Self-evaluation exercises

1. What is the meaning of the diversification of energy sources? (for an answer see course material)
2. Explain why the diversification of energy sources is important for the EU (for an answer see course material).

Discussion forum:

Do you think that the "one voice" Policy in EU foreign energy strategy is consistent?

[see Talus (2016): 141-146]

5th Week

The EEZ and its contribution to a new energy policy

Purpose and objectives

- To analyze the meaning of the EEZ & the Continental Shelf
- To assess the importance of the EEZ
- To examine the existing EEZ boundary agreements concerning Greek interests

Expected learning outcomes

After the completion of the study of the 5th week, students will be able to:

- Explain the legal status of the EEZ with emphasis on the Greek and Cyprus EEZ.
- Distinguish the EEZ from other relative terms
- Critically assess the importance of the EEZ

[Type here]

Key concepts

- EEZ
- Maritime zones
- Continental shelf
- Hydrocarbons production
- Hydrocarbons transport

Study

Talus (2014), 181-195, Crawford (2019), Part IV & course material

Activities

1. Explore the meaning and the importance of the EEZ? (for an answer, see Talus (2014), 181-195)
2. Assess the importance for Greece and Cyprus to declare an EEZ? (for an answer, see course material)

Self-evaluation exercise

1. Summarize the basic rights and obligations of the coastal state under the Convention on the Law of the Sea (1982). (for an answer, see Talus (2014), 181-195)
2. Assess the agreements of Cyprus concerning the demarcation of its EEZ. (for an answer, see course material)

Discussion forum: Describe the offshore energy activities in the EEZ and explain delimitation aspects according to the Convention on the Law of the Sea

6th Week

Introduction to prospection, exploration and exploitation of hydrocarbons: technical aspects

Purpose and objectives

[Type here]

- To analyze the key elements of the prospection, exploration and exploitation of hydrocarbons from a technical point of view
- Assess the evolution of the licensing rounds in Greece and Cyprus

Expected learning outcomes

After the completion of the study of the 6th week, students will be able to:

- Demonstrate how prospection, exploration and exploitation of hydrocarbons is executed.
- Critically assess the basic technical concepts of the above mentioned activities

Key concepts

- hydrocarbons prospection
- hydrocarbons exploration
- hydrocarbons exploitation
- Seismic surveys
- Drilling
- Reservoirs

Study

Directive 94/22/EC of the European Parliament and of the Council of 30 May 1994 on the conditions for granting and using authorizations for the prospection, exploration and production of hydrocarbons & Course material

Bruneton/Konofagos/Foscolos, The importance of Eastern Mediterranean Gas Fields (2012), pp. 1–28

Bruneton/Konofagos/Foscolos, Cretan Gas Fields (2012), pp. 1–24

Jahn/Cook/Graham (2008), pp. 1-8, 19-82

Bret-Rouzaut/Favennec (2011), pp. 1-120

Tordo/David Johnston/Daniel Johnston (2009), pp. 1-7

[Type here]

Activities

1. Explain the meaning of hydrocarbons prospection (for an answer, see Directive 94/22/EC & the course material)
2. Explain the meaning of hydrocarbons exploration (for an answer, see Directive 94/22/EC & the course material)

Self-assessment exercises

1. What is the difference between prospection and exploration for hydrocarbons? (for an answer, see Directive 94/22/EC & the course material)
2. Describe the current status of the activities concerning the hydrocarbons production in Greece and Cyprus (for an answer, see course material)

Discussion forum: Express your opinion about the exploration of energy resources in zones within the state's competence, from the *North Sea Continental Shelf* to the *Cameroon/Nigeria* case

7th Week

Introduction to prospection, exploration and exploitation of hydrocarbons: legal aspects

Purpose and objectives

- To analyze the key elements of the prospection, exploration and exploitation of hydrocarbons from a legal point of view
- Introduction to the legal framework of the prospection, exploration and exploitation of hydrocarbons

Expected learning outcomes

After the completion of the study of the 7th week, students will be able to:

- Present the legal framework of the prospection, exploration and exploitation of hydrocarbons
- Comprehend the relevant key legal terms

[Type here]

Key Concepts

- hydrocarbons prospection
- hydrocarbons exploration
- hydrocarbons exploitation
- Agreement
- Upstream
- Midstream
- Downstream

Study

Kosmides (Greece: 2013), 1-25

Kosmides (Cyprus: 2013), 1-17

Bantekas/Paterson/Suleimenov (2004), pp. 25-50, 115-186

Jahn/Cook/Graham (2008), pp. 9-19

Bret-Rouzaut/Favenec (2011), pp. 171-178

Tordo/ David Johnston/Daniel Johnston (2009), pp. 8-28

Activities

1. Explain the meaning of upstream from a legal point of view (for an answer, see Kosmides (Greece: 2013), 1-25 and Kosmides (Cyprus: 2013), 1-17)
2. Present the main principles of the Greek Hydrocarbons Law (for an answer, see Kosmides (Greece: 2013), 5-6)

Self-assessment exercises

1. What are the parties of a concession agreement according to Greek law? (for an answer, see Kosmides (Greece: 2013), 13-14)

[Type here]

2. Present the basic legal framework of the prospection, exploration and exploitation of hydrocarbons in Greece and Cyprus (for an answer, see Kosmides (Greece: 2013), 1-25 and Kosmides (Cyprus: 2013), 1-17)

8th Week

Hydrocarbons Concession Agreements

Purpose and objectives

- To analyze the international contractual practice in the petroleum industry
- To examine the concession agreements under Greek and Cyprus Law

Expected learning outcomes

After the completion of the study of the 8th week, students will be able to:

- Know the main characteristics of the concession agreements
- Explain the main problems arising from such contracts

Key Concepts

- Concession agreements
- Right to prospect
- Right to explore
- Right to exploit
- Contractual price
- Contractual duration
- Applicable law
- Dispute resolution

[Type here]

Study

Kosmides (Greece: 2013), 1-25

Kosmides (Cyprus: 2013), 1-17

Bantekas/Paterson/Suleimenov (2004), pp. 187-222

Bret-Rouzaut/Favennec (2011), pp. 178-211, 211-242

Activities

1. Analyze the lease agreement under Greek Law (for an answer, see Kosmides (Greece: 2013), 9-21)
2. Analyze the production sharing contract under Greek Law (for an answer, see Kosmides (Greece: 2013), 21-23)

Self-assessment exercises

1. Analyze the service contracts in the sense of the international practice (for an answer, see Kosmides (Greece: 2013), 9)
2. Compare the lease agreement with the production sharing contract in the sense of the international practice (for an answer, see course material)

Discussion forum:

According to your opinion, what are the most important differences in the legal framework of hydrocarbons activities between Greece and Cyprus [see Kosmides (Greece: 2013), 1-25]

9th Week

The natural gas market: unbundling and contracts

Purpose and objectives

- Explain the meaning and importance of unbundling in the natural gas market
- To sketch the various natural gas contracts

Expected learning outcomes

After the completion of the study of the 9th week, students will be able to:

[Type here]

- Analyze the meaning of unbundling in the natural gas market.
- Describe the main natural gas contracts

Key concepts

- Unbundling
- Natural gas contracts
- Natural gas distribution
- Natural gas supply
- Natural gas transport
- Connection

Study

Talus (2016): 24-28

Energy Secretariat (2018)

Course material

Activities

3. Present the main characteristics of a natural gas supply contract (for an answer, see course material)
4. Present the main characteristics of a natural gas connection contract (for an answer, see course material)

Self-assessment exercises

1. Present the main characteristics of a natural gas distribution contract (for an answer, see course material)
2. Explain the meaning of unbundling (for an answer, Talus (2016): 24-28)

[Type here]

10th Week

Liability for environmental pollution

Purpose and objectives

- To present the environmental risks arising from energy activities
- To study the legal framework concerning liability for environmental pollution

Expected learning outcomes

After the completion of the study of the 10th week, students will be able to:

- Determine the main legal provisions which foresee liability for environmental pollution
- Sketch the importance of such provisions

Key Concepts

- Environment
- Environmental risks
- Environmental pollution
- Damages
- Civil liability
- Environmental liability

Study

Talus (2015), 548-592

Bantekas/Paterson/Suleimenov (2004), pp. 451-498

Jahn/Cook/Graham (2008), pp. 83-94

Bret-Rouzaut/Favenec (2011), pp. 277-294

[Type here]

Activities

1. Present the main legal provisions which foresee a civil liability for environmental pollution in Greek Law (for an answer, see course material)
2. Present the main legal provisions which foresee an environmental liability for environmental pollution in Greek Law (for an answer, see course material)

Self-assessment exercises

1. Explain the difference between strict liability and liability for torts (for an answer, see course material)
2. Present the regulation of oil spills from offshore installations (for an answer, see Talus (2015), 548-592)

11th Week

Investment protection in the hydrocarbons sector

Purpose and objectives

- To present the importance of investment protection in the hydrocarbons sector
- To study the laws of investment protection in the hydrocarbons sector

Expected learning outcomes

After the completion of the study of the 11th week, students will be able to:

- present the importance of investment protection in the hydrocarbons sector
- present the laws of investment protection in the hydrocarbons sector
- describe the importance of such laws.

Key Concept

- Investments
- Investment protection
- Applicable law

[Type here]

- Stabilisation clauses
- Investment agreements
- Immunity

Study

Papanastasiou (2015): 1-34, 51-87, 171-204

Activities

1. Sketch the main dangers concerning investment in the energy sector (for an answer, see Papanastasiou (2015), 1-34)
2. Present the basic instruments of investment protection against expropriation (for an answer, see Papanastasiou (2015), 51-87)

Self-assessment exercises

1. What are stabilisation clauses? (for an answer, see Papanastasiou (2015), 188-195)
2. What is the role of arbitration clause in international energy contracts? (for an answer, see Papanastasiou (2015), 177-184)

Problem solving with peer assessment:

Problem solving / Various examples of clauses protecting energy investments against expropriation and physical insecurity

Peer assessment with model answers from an anonymous piece of work from a previous class.

Students give feedback and compare their answers

Week 12th

Dispute resolution through international arbitration – the Energy Charter

Purpose and objectives

- Analyze the reasons in favour of dispute resolution through international arbitration in the energy sector

[Type here]

- Present the legal framework concerning international arbitration in this field.

Expected learning outcomes

After the completion of the study of the 12th week, students will be able to:

- To explain the meaning and importance of Dispute resolution through international arbitration in the energy sector
- Define the basic rules of the relevant legal framework

Key Concepts

- International arbitration
- Energy Charter
- Disputes in the energy sector
- Dispute resolution
- Arbitration clause
- Arbitration court
- Exclusive expert

Study

Talus (2015): 199-274

Bantekas/Paterson/Suleimenov (2004), pp. 223-278

Activities

1. Describe the forms of alternative dispute resolution which are foreseen in petroleum contracts (for an answer, see Talus (2015): 199-224)
2. Explain the importance of alternative dispute resolution mechanisms (for an answer, see Talus (2015): 199-274)

[Type here]

Self-assessment exercises

1. Present the recent trends in energy disputes (for an answer, see Talus (2015): 225-240)
2. What is the role of the Court of Justice of the EU in the energy market liberalization? (for an answer, see Talus (2015): 241-274)

Case law

Critical analysis of selected case law from ICSID & UNCITRAL investment arbitration tribunals (available at moodle)

13th Week

Revision

Purpose and objectives

Students are expected to recap the basic notions that were analyzed during the semester.

Expected learning outcomes

After the completion of the study of the 13th week, students will be able to:

Be adequately prepared in order to sit in the Course's final exams.

16. Assessment

The overall academic performance of students is based on the assessment of a written assignment, on a formative assessment and their performance in the final exams. The physical presence of students in the final exams is mandatory. A passing mark in the mid-term assignment is not a prerequisite for his/her participation in the final exams. The final grade awarded to each student is the sum of the grades awarded for the assignment and the final exams. Both the assignments and the final exams are marked in the scale 0 (complete failure) to 100 (absolute success). In order to get a passing mark in the Course, a student must receive a passing mark in the final exams. In a nutshell:

- The grade awarded for the assignment represents the 20% of the Course's final grade
- The grade awarded for the formative assessment activities represents the 10% of the Course's final grade
- The grade awarded for the final exams represents the 70% of the Course's final grade

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- In order to get an overall passing mark, a student must be graded with at least 50/100 in the final exams

Assessment Methods	Percentage	CLO 1	CLO 2	CLO 3	CLO 4	CLO 5
Formative Assessment Activities	10%	√			√	√
Midterm Exam/Midterm Written Assignment	20%		√	√		
Final Exam	70%	√		√	√	√

Assignments Details

Written Exercise	Quiz	Oral Presentation	Problem Solving	Online Exam	Case Study
√	√		√		
10%	5%		5%		

Formative Assessment (non-graded):

Peer Assessment	Discussion boards/forums	Video activity	Online Activities	Oral presentation
√	√			

Grading and the formative assessment of the course and its criteria are explained in the Programme's Handbook as well as in the Evaluation Policy of the learning process implemented by the Law School. It is expected that students will participate to on-line classes well-prepared in order to engage in discussion and clarify any questions they may have.

[Type here]

Evaluation standards:

Numerical grade	Descriptive grade	
85-100%	Excellent	A
65-84%	Very well	B
50-64%	Well	C
0-49%	Rejection	F

17. Tutor's Comments

Tutors give students feedback comments for their assignments. These comments give students two kinds of information:

- How your performance was.
- What the tutors expect from you.

One of the most common comments made by tutors is that the answers given by students are too vague. Make sure that you fully understand the real meaning of questions posed to you by your tutor before trying to answer them. Also, make sure that you always take good notice of your tutor's comments. Take as much time needed in order to reflect on these comments. This will help you during your study. Try not to move forward unless you:

- Have addressed all questions.
- Have taken into consideration all the comments made by your tutor.
- Have thought of ways to improve your answer(s).

[Type here]

DLLM 526: European Tourism Law

Course Title	European Tourism Law
Course Code	DLLM 526
Course Type	Elective
Level	Postgraduate
Year	1st
Semester	1st
ECTS	7,5
Prerequisite or Required Courses	None
Language	Greek / English
Teaching Methodology	Distance learning
Instructor	Dr. Argalias Panagiotis Email:pargalias@gmail.com Tel.: +30 2310 996553

1. Introduction

The present study guide for the course “European Tourism Law” follows the standards adopted by most of the distance learning programmes. The course analyzes basic subjects of European Tourism Law. Beginning with an introduction to the tourism industry, the course deals with topics from the field of European, International and national Law. The course focuses on Private Tourism Law and deals mainly with tourist contracts, such as travel agreements and timesharing.

2. Structure of the Study Guide

The Study Guide is divided in several parts, which cover all the fundamental thematic units of the above mentioned Course. More specifically, it includes:

- ✓ The Course’s learning outcomes.
- ✓ The required and further bibliography.

[Type here]

- ✓ An introduction to the Course's thematic units.
- ✓ An outline of each of the Course's units.
- ✓ A series of questions that will enable the student to assess the degree of his/her understanding of the subjects that he/she has been taught (self-assessment exercises).
- ✓ Assessment methods and grading

3. Activities

Apart from the abovementioned basic features, this Study Guide includes activities which will help you to study and interact with the relevant material. Even though these activities are not included in your final mark, we strongly recommend you to complete them as part of your study. These activities will also help to develop your skills, to boost your self-confidence for the newly acquired knowledge, as well as to effectively use this knowledge.

4. Course Purpose and Objectives

The Course aims at:

- ✓ O1. Independently research legislative texts and ongoing legislative initiatives in order to outline the significance of tourism for the economy, society and law
- ✓ O2. Permitting students to demonstrate and explore the main terms, principles and rules of European Tourism Law
- ✓ O3. Permitting students to interpret the rights and obligations of the contracting parties regarding the tourism agreements.

5. Learning Outcomes

Upon completing this course, students will be able to:

- understand the key elements of European Tourism Law
- analyze the principles and rules governing tourism agreements
- deal with the main tourism agreements
- understand the significance of tourism and tourism law for the economy, society and law

[Type here]

6. Course content

See below under no 15.

7. Use of the Study Guide

The present Study Guide offers an introduction to the main subjects of study in the field of European Tourism Law. As it is the case with any other similar Guide, the present one has been designed in order to help you in your study. It aims at answer to your queries about the Course, as well as to offer you information concerning your exams. However, a Study Guide cannot cover every detail. As a result, your study may well expand beyond the limits of this Guide. Moreover, you should not treat the Study Guide as a pupil's book. If you only emphasize on the content of the Guide without making additional efforts for studying, it will be difficult to have a positive results in your final exams. It is advisable that you keep your own notes as you study for the Course. These notes will help you to approach the offered material in a critical way and to present to the Course's instructor the issues that you find complicated or difficult. Detailed information about the exact content and the type of the final exams will be provided before the end of the semester.

8. Bibliography

Required reading

Taeymans (ed.): Tourism Law, Gompel & Svacina 2018

Twigg-Flesner (ed.) (2016): Research Handbook on EU Consumer and Contract Law, Elgar

Articles & Book's Chapters

- Article 1: An. Villanueva - Cuevas, Tourism in European Union Law, Review of business information systems, 2011, Vol.15(5), pp. 105-112
- Article 2: P. Mankowski, The European World of Insolvency Tourism: Renewed, But Still Brave?, Netherlands International Law Review, Apr 2017, pp.95-114
- Article 3: J. Estol ; X. Font, European tourism policy: Its evolution and structure Tourism Management, 2016, Vol.52, p.230(12)
- Article 4: P. Omar, The Inevitability of 'Insolvency Tourism' Netherlands International Law Review, 2015, Vol.62(3), pp.429-444

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- Article 5: R. Zbornik, The acquisition of real estate by timesharing contract in Europe, Pravni Fakultet u Novom Sadu. 2017;51(3-2):1029-1040
- Article 6: M. Franks, Airline Liability for Loss Damage, or Delay of Passenger Baggage, Fordham Journal of Corporate & Financial Law, 2007, Vol.12(4), pp.735-752

Further reading

- Koutsouradis: Tourism Law, Thessaloniki 2017 (in Greek)
- Mylonopoulos: Tourism Law, Nomiki Vivliothiki 2016 (in Greek)
- Course material
- Koutsouradis (ed.): Recent Legal and Development Aspects of Greek Tourism, Thessaloniki 2013 (in Greek)
- Koutsouradis (ed.): The International and European Dimension of Tourism, Nomiki Vivliothiki 2012

9. Additional Bibliographical Material

Apart from the required reading, you are free to study and book or article related to the content of the Course. It is useful to expand your study by making use of as many bibliographical sources as possible. To this end, you are offered free access to the Virtual Learning Environment (VLE) and to the electronic Library of Neapolis University.

10. Online Learning Resources

The tutor may upload notes, PowerPoint Presentations, quizzes, announcements, as well as any other additional material on the Course's webpage, which can be found at the electronic platform (moodle) used by Neapolis University. Moreover, students are able to use the discussion forum in order to communicate with his/her fellow students. Students are advised to visit the platform on a regular basis in order to have access to newly uploaded educational material.

11. Scheduled Online Educational Activities and Teaching Methods

- Notes and PowerPoint Presentations in digital format through the electronic platform
- Basic textbook(s) and additional bibliography

[Type here]

- Assignments
- Meetings with the tutor(s)
- Discussions through the electronic platform
- Web links

12. The Virtual Learning Environment (VLE)

The Virtual Learning Environment, which supplements this Study Guide, has been designed in order to enhance the educational experience of students by providing them with more support and by creating the sense of an academic community. It consists a significant part of the distance learning studies, and as a result students are highly encouraged to use it as often as possible. The Virtual Learning Environment offers a wide range of educational sources for distance learning:

- Self-assessment activities: understanding of the educational material.
- Digital study material: it is uploaded and is available to students.
- Students' discussion forum: students can use it in order to exchange opinions, to ask for support from their fellow students, to cooperate in order to solve problems, and to discuss about any subject that is related with the courses they attend.
- Study skills: expert advice on the preparation for the exams and development of digital skill which help students in the studying process.

13. Electronic Library

The library of Neapolis University Pafos offers access to a rich collection of sources of information, ranging from printed books to electronic data bases. It supports the educational and research activities of Neapolis University and its academic community.

The Library's printed collection consists of 10 thousand books, whereas its digital collection consists of 300 thousand e-books and more than 5 million articles in electronic format which are drawn from 17 world famous publishing houses and data bases, such as Springer, Taylor & Francis, Ebsco, Emerald, Wiley, JSTOR, Cambridge University Press, Oxford University Press, Sage, Fame, Orbis, Westlaw, Proquest, TLG, CYS etc. It also offers to users as series of research tools, thus enabling them to search on all available electronic resources.

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Users have access to both the printed and the digital material of the library through the federated search engine EDS (Ebsco Discovery Service). Through EDS (<https://www.nup.ac.cy/learning-resources/library/collection-discovery-tools/discovery-tools/>) you can submit generic-type queries to the sum of NUP Library resources and get back a list of relevant items. Depending on the format of material and your location (in campus or remote) you can even have access to the full text of resources.

The library has adopted a reference morphotype based on the Harvard style guide (author-date). Users may consult the short guide that has been prepared by the library concerning the Harvard morphotype.

For the organisation and management of bibliographic references, the library suggests the use of the Mendeley system. Mendeley is a free tool for the management of bibliographical references which helps students organizing and writing assignments.

Each user has his/her own library card which has codes that help the user to acquire the material he/she is interested in. The process for getting access to library material is very simple (see the library regulations: <https://www.nup.ac.cy/wp-content/uploads/2014/03/NUPs-Library-regulations-eng.pdf>).

For more information concerning the library of Neapolis University you may contact the library staff: email lib@nup.ac.cy, tel. +357 26843313.

14. Necessary Reading

It is important to read as many of the books and article included in the Course's bibliography as possible. By doing so, you will get all the basic and necessary knowledge related to the Course. In many cases, you may also read a synopsis of the lectures in PowerPoint format. These PowerPoint presentations are uploaded in the electronic platform.

15. Study Timetable per Week

Week	Subject	Study
1	Introduction to tourism industry	Course material

[Type here]

2	Main legal framework for Tourism Law: International level	Taeymans (2018): 11-78, Article 4, P. Omar, pp.429-444
3	Main legal framework for Tourism Law: European level	Taeymans (2018): 11-78 Article 1, An. Villanueva - Cuevas, pp. 105-112 Article 2 P. Mankowski, pp.95-114 Article 3 J. Estol ; X. Font, pp. 230-241
4	Main legal framework for Tourism Law: National level (Greece, Cyprus)	Course material
5	The travel contract	Taeymans (2018): 33-70
6	The hospitality agreement	Course material
7	Liability issues in the field of hospitality agreements	Course material
8	Timesharing	Course material Article 5 R. Zbornik, pp. 1029-1040
9	Other tourist contracts	Course material
10	Tourist contracts and consumer protection	Twigg-Flesner (ed.) (2016): 360-387
11	Passenger's rights	Taeymans (2018): 19-28, 31-76, Article 6 M. Franks, pp.735-752

[Type here]

12	International jurisdiction and applicable law for tourist contracts	Course material
13	Revision	Course material

1st Week

Introduction to tourism industry

Purpose and objectives

- To present the tourism industry
- To analyze the basic forms of tourism
- To study the legal framework concerning the tourism industry

Expected learning outcomes

After the completion of the study of the 1st week, students will be able to:

- Demonstrate the tourism industry and the forms of tourism
- Outline the legal framework concerning the tourism industry

Key concepts

- Tourism
- tourist accommodation
- tourist company
- tourist services

Study

Course material

Activities

1. Review the historical evolution of the forms of tourism
2. Evaluate the main economic actions related to tourism

[Type here]

Self-evaluation exercises

1. Explain the meaning of the term tourism and present its forms.

Quiz

1. Present the characteristics of the companies in the tourism sector.

Videos

Europe whenever you are ready, European Commission

https://www.youtube.com/watch?v=NYX2Av1i_S4

2nd Week

Main legal framework for Tourism Law: International level

Purpose and objectives

- To define Tourism Law
- To present the main international legal framework for tourism
- To analyze the rights which are foreseen in International Tourism Law

Expected learning outcomes

After the completion of the study of the 2nd week, students will be able to:

- Illustrate the regulatory content of International Tourism Law
- Classify the relevant individual rights

Key concepts

- International Tourism Law
- Public International Law
- Right to recreation
- Right to rest

[Type here]

- Right to move freely
- Social Tourism

Study

Taeymans (2018): 11-78, Article 4, P. Omar, pp.429-444

Activities

1. Is there a right to recreation? (for an answer, see course material)
2. Is there a right to move freely? (for an answer, see course material)

Self-evaluation exercises

1. Explain the importance of the above mentioned rights for the tourism industry (for an answer, see course material)
2. Sketch the significance of International Law for tourism. (for an answer, see course material)

3rd Week

Main legal framework for Tourism Law: European level

Purpose and objectives

- Describing the foundations of European Tourism Law
- Studying the Primary and Secondary Law which is related to tourism.
- Presenting the importance of the jurisprudence of the ECJ for tourism

Expected learning outcomes

After the completion of the study of the 3rd week, students will be able to:

- Demonstrate the basic rules of European Tourism Law
- Assess the importance of European Tourism Law
- Evaluate the basic principles of European Tourism Law

[Type here]

Key concepts

- European Tourism Law
- Primary Law
- Secondary Law
- Directive
- Regulation
- ECJ jurisprudence
- Tourism advisory committee

Study

Taeymans (2018): 11-78, Article 1, An. Villanueva - Cuevas, pp. 105-112, Article 2 P. Mankowski, pp.95-114, Article 3 J. Estol; X. Font, pp. 230-241

Activities

8. Describe the regulatory framework for the passenger's rights under EU Law (for an answer, see Taeymans (2018): 11-78)
2. Describe the regulatory framework for organized trips under EU Law (for an answer, see course material)

Self-evaluation exercises

Present two important ECJ judgements on Tourism Law (for an answer, see course material)

Videos

Major challenges for EU tourism and policy responses - European Parliamentary Research Service
<https://www.youtube.com/watch?v=OpjEOyr2cwM>

4th Week

Main legal framework for Tourism Law: National level (Greece, Cyprus)

Purpose and objectives

[Type here]

- To analyze the foundations of Tourism Law in Greece and Cyprus
- To understand the difference between public and private Tourism Law
- To present the key players and the main administrative structures of Greek tourism.

Expected learning outcomes

After the completion of the study of the 4th week, students will be able to:

- Outline the main legal framework for tourism in Greece and Cyprus
- Outline and examine the key players and the main administrative structures of Greek tourism.

Key concepts

- Private Tourism Law
- Public Tourism Law
- Greek Tourism Organization
- Ministry of Tourism
- Tourist
- Provider of tourist goods and services
- Hospitality agreement
- Timesharing

Study

Course material

Activities

1. Present the main tourist agreements (for an answer, see course material)
2. Present the major private players in the tourism industry (for an answer, see course material)

Self-evaluation exercises

1. Why is public tourist infrastructure useful? (for an answer, see course material)

[Type here]

2. What is the influence of European Law on national Tourism Law? (for an answer, see course material)

5th Week

The travel contract

Purpose and objectives

- To analyze the main terms within the scope of travel contracts
- To present the legal sources for travel contracts
- To examine the legal nature of travel contracts

Expected learning outcomes

After the completion of the study of the 5th week, students will be able to:

- Explain the meaning of a travel contract
- Interpret the main issues arising from travel contracts
- Classify travel contracts from other tourist agreements

Key concepts

- Travel Agreement
- Package tour
- Directive 90/314/EC
- Directive 2015/2302
- PD 7/2018
- Contractual object
- Main obligations of the parties

Study

Taeymans (2018): 33-70

[Type here]

Activities

1. Describe the legal nature of travel contracts (for an answer, see Taeymans (2018): 33-70)
2. Present the main obligations of the parties within the scope of travel contracts (for an answer, see Taeymans (2018): 33-70)

Self-evaluation exercise

1. Sketch the laws on breach of contract concerning travel contracts (for an answer, see Taeymans (2018): 33-70 and course material)
2. Describe the significance of travel contracts (for an answer, see Taeymans (2018): 33-70 and course material)

6th Week

The hospitality agreement

Purpose and objectives

- To analyze the main terms within the scope of hospitality agreements
- To present the legal sources for hospitality agreements
- To examine the legal nature of hospitality agreements

Expected learning outcomes

After the completion of the study of the 6th week, students will be able to:

- Demonstrate the meaning of a hospitality agreement
- Evaluate the main issues arising from hospitality agreements
- Distinguish hospitality agreements from other tourist agreements

Key concepts

- Hospitality agreement
- Hotelier
- Client
- Accommodation

[Type here]

- Civil Code
- Law 1652/1986
- Contractual object
- Main obligations of the parties

Study

Course material

Activities

1. Describe the legal nature of hospitality agreements (for an answer, see course material)
2. Present the main obligations of the parties within the scope of hospitality agreements (for an answer, see course material)

Self-evaluation exercise

1. Sketch the laws on breach of contract concerning hospitality agreements (for an answer, see course material)
2. Describe the significance of hospitality agreements (for an answer, see course material)

Discussion forum:

What are the main rights and obligations under the hospitality agreement?

7th Week

Liability issues in the field of hospitality agreements

Purpose and objectives

- To present the typical reasons leading to liability for breach of contract
- To present the relevant provisions

Expected learning outcomes

After the completion of the study of the 7th week, students will be able to:

[Type here]

- Infer what is breach of a hospitality agreement
- Determine the main aspects of the relevant contractual liability

Key Concepts

- Hospitality agreement
- Hotelier
- Client
- Contractual Liability
- Tort Liability
- Compensation
- Breach of Contract

Study

Course material

Activities

1. Explain the meaning of contractual liability in the field of hospitality agreements (for an answer, see course material)
2. Present basic reasons leading to liability for breach of contract (for an answer, see course material)

Self-assessment exercises

1. Present main reasons leading to non-contractual liability in the field of hospitality agreements (for an answer, see course material)
2. Explain the significance of the existence of such liability (for an answer, see course material)

8th Week

Timesharing

[Type here]

Purpose and objectives

- To analyze the main terms within the scope of timesharing
- To present the legal sources for timesharing
- To examine the legal nature of timesharing

Expected learning outcomes

After the completion of the study of the 6th week, students will be able to:

- Assume the meaning of timesharing
- Identify the main issues arising from timesharing
- Distinguish timesharing from other tourist agreements

Key Concepts

- Timesharing
- Lease
- Law 1652/1986
- Directive 2008/122/EC
- Consumer
- Contractual object
- Main obligations of the parties

Study

Course material, Article 5 R. Zbornik pp. 1029-1040

Activities

1. Describe the legal nature of timesharing (for an answer, see course material)
2. Present the main obligations of the parties within the scope of timesharing (for an answer, see course material)

[Type here]

Self-evaluation exercises

1. Sketch the laws on breach of contract concerning timesharing (for an answer, see course material)
2. Describe the significance of timesharing (for an answer, see course material)

9th Week

Other tourist contracts

Purpose and objectives

- Present further contract forms in the field of tourism
- Analyze the short-term tourist lease
- Analyze the hospitality agreement

Expected learning outcomes

After the completion of the study of the 9th week, students will be able to:

- Demonstrate the main elements of the short-term lease
- Develop the main elements of the hospitality agreement
- Identify the above mentioned agreements from other tourist contracts

Key concepts

- Short-term lease
- Hotel agreement
- Entertainment agreement
- Tour guide agreement
- Transportation agreement

Study

Course material

[Type here]

Activities

5. Present the main characteristics of short-term lease (for an answer, see course material)
6. What is the difference between short-term lease and hotel agreements? (for an answer, see course material)

Self-assessment exercises

1. Present the main characteristics of hotel agreements (for an answer, see course material)
2. What is the difference between hotel agreements and hospitality agreements? (for an answer, see course material)

Peer assessment

Model answers - use model answers from an anonymous piece of work from a previous class and students give feedback and compare their answers

10th Week

Tourist contracts and consumer protection

Purpose and objectives

- To examine the relation between Tourism Law and Consumer Protection Law
- To study the importance of Consumer Protection Law for the protection of the tourist's legal interests

Expected learning outcomes

After the completion of the study of the 10th week, students will be able to:

- Determine the main legal provisions of Consumer Protection Law applicable on tourist contracts
- Identify the importance of such provisions

[Type here]

Key Concepts

- Tourist
- Consumer
- Provider of tourist goods and services
- Consumer's rights
- General terms
- Unfair terms
- Void terms

Study

Twigg-Flesner (ed.) (2016): 360-387

Activities

1. When may a tourist be considered as consumer? (for an answer, see Twigg-Flesner (ed.) (2016): 360-387 and course material)
2. When may a provider of tourist goods and services be considered as trader? (for an answer, see Twigg-Flesner (ed.) (2016): 360-387 and course material)

Self-assessment exercises

1. Present the main European provisions on consumer protection applicable on tourist contracts (for an answer, see Twigg-Flesner (ed.) (2016): 360-387 and course material)
2. How are the tourist's legal interests secured by applying consumer protection law? (for an answer, see Twigg-Flesner (ed.) (2016): 360-387 and course material)

11th Week

Passenger's rights

Purpose and objectives

- To present the European legal framework on passenger's rights

[Type here]

- To study the individual passenger's rights
- Familiarize students with the significance of such rights

Expected learning outcomes

After the completion of the study of the 11th week, students will be able to:

- Demonstrate the main European provisions on passenger's rights
- Evaluate the main passenger's rights
- Illustrate the importance of such rights.

Key Concept

- Air passenger's rights
- Rail passenger's rights
- Ship passenger's rights
- Bus passenger's rights
- Delay
- Compensation
- EU Regulation
- Civil Liability

Study

Taeymans (2018): 19-28, 31-76, Article 6 M. Franks pp.735-752

Activities

1. Present the main air passenger's rights (for an answer, see Taeymans (2018): 19-28, 71-76)
2. Present the main rail passenger's rights (for an answer, see course material)

Self-assessment exercises

1. Present the main ship passenger's rights (for an answer, see Taeymans (2018): 31-32)

[Type here]

2. Present the main bus passenger's rights (for an answer, see Taeymans (2018): 29-30)

Videos

EU Commission Passenger Rights – European Commission

https://www.youtube.com/watch?v=_OsJ9K24nUc

Week 12th

International jurisdiction and applicable law for tourist contracts

Purpose and objectives

- Familiarizing students with international tourist contracts
- Studying the applicable law on such contracts
- Studying the international jurisdiction for such contracts

Expected learning outcomes

After the completion of the study of the 12th week, students will be able to:

- Identify the applicable law on international tourist contracts
- Discover the provisions on the international jurisdiction for international tourist contracts
- Examine the relevant ECJ jurisprudence

Key Concepts

- Tourist contract
- Foreigner
- Applicable Law
- International Jurisdiction
- ECJ Jurisprudence
- Equality principle
- Service provision

[Type here]

Study

Course material

Activities

3. Present the main provisions determining the applicable law on international tourist contracts (for an answer, see course material)
4. Present the main provisions determining the international jurisdiction for international tourist contracts (for an answer, see course material)

Self-assessment exercises

Present two important ECJ judgments on applicable law and international jurisdiction for international tourist contracts (for an answer, see course material)

13th Week

Revision

Purpose and objectives

Students are expected to recap the basic notions that were analyzed during the semester.

Expected learning outcomes

After the completion of the study of the 13th week, students will be able to:

Be adequately prepared in order to sit in the Course's final exams.

16. Exams

The overall academic performance of students is based on the assessment of a written assignment, on a formative assessment and their performance in the final exams. The physical presence of students in the final exams is mandatory. A passing mark in the mid-term assignment is not a prerequisite for his/her participation in the final exams. The final grade awarded to each student is the sum of the grades awarded for the assignment and the final exams. Both the assignments and the final exams are marked in the scale 0 (complete failure) to 100 (absolute success). In order to

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get a passing mark in the Course, a student must receive a passing mark in the final exams. In a nutshell:

- The grade awarded for the assignment represents the 20% of the Course's final grade.
- The grade awarded for the formative assessment activities represents the 10% of the Course's final grade
- The grade awarded for the final exams represents the 70% of the Course's final grade.
- In order to get an overall passing mark, a student must be graded with at least 50/100 in the final exams.

Assessment Methods	Percentage	CLO 1	CLO 2	CLO 3	CLO 4	CLO 5
Formative Assessment Activities	10%	√	√		√	
Midterm Exam/Midterm Written Assignment	20%			√		√
Final Exam	70%	√		√	√	√

Assessment details

Written Exercise	Quiz	Oral Presentation	Problem Solving	Online Exam	Case Study
√	√				
10%	5%				

Formative Assessment (non-graded):

Peer Assessment	Discussion boards/forums	Video activity	Online Activities	Oral Presentation
√	√	√		

[Type here]

Grading and the formative assessment of the course and its criteria are explained in the Programme's Handbook as well as in the Evaluation Policy of the learning process implemented by the Law School. It is expected that students will participate to on-line classes well-prepared in order to engage in discussion and clarify any questions they may have.

Evaluation standards:

Numerical grade	Descriptive grade	
85-100%	Excellent	A
65-84%	Very well	B
50-64%	Well	C
0-49%	Rejection	F

17. Tutor's Comments

Tutors give students feedback comments for their assignments. These comments give students two kinds of information:

- How your performance was.
- What the tutors expect from you.

One of the most common comments made by tutors is that the answers given by students are too vague. Make sure that you fully understand the real meaning of questions posed to you by your tutor before trying to answer them. Also, make sure that you always take good notice of your tutor's comments. Take as much time needed in order to reflect on these comments. This will help you during your study. Try not to move forward unless you:

- Have addressed all questions.
- Have taken into consideration all the comments made by your tutor.
- Have thought of ways to improve your answer(s).

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DLLM 555 European Competition Law

Course Title	European Competition Law
Course Code	DLLM555
Course Type	Compulsory
Level	Postgraduate
Year	1 st
Semester	2 nd
ECTS	7,5
Prerequisite or Required Courses	None
Other Recommended Courses	None
Language	Greek / English
Teaching Methodology	Distance learning
Instructor	Dr. Evangelia Asimakopoulou Email: asimakopouloulaw@gmail.com Tel.: +306972813136

1. Introduction

The present study guide for the course “European Competition Law” follows the standards adopted by most of the distance learning programmes.

The approach that the programme will follow is teaching the various sub-units through the practical route, giving emphasis in specific case studies. The students will familiarize with mathematical and statistical models that are used for taking financial decisions.

2. Structure of the Study Guide

The Study Guide is divided in several parts, which cover all the fundamental thematic units of the above mentioned Course. More specifically, it includes:

- ✓ The Course’s learning outcomes.
- ✓ The required and further bibliography.

[Type here]

- ✓ An introduction to the Course's thematic units.
- ✓ An outline of each of the Course's units.
- ✓ A series of questions that will enable the student to assess the degree of his/her understanding of the subjects that he/she has been taught (self-assessment exercises).
- ✓ Assessment methods and grading.

3. Activities

Apart from the abovementioned basic features, this Study Guide includes activities which will help you to study and interact with the relevant material. Even though these activities are not included in your final mark, we strongly recommend you to complete them as part of your study. These activities will also help to develop your skills, to boost your self-confidence for the newly acquired knowledge, as well as to effectively use this knowledge.

4. Course Purpose and Objectives

The Course aims at:

- ✓ The deep understanding of the relevant provisions, their relationship with the general law system of European Competition Law and the interference with national law.
- ✓ Familiarizing students with the analysis of case law of European Court of Justice (E.C.J.)
- ✓ The acquisition of deep knowledge on European Competition Law, in order to be able to solve any relevant case in a doctrinal and practical way.

5. Course Learning Outcomes

After the completion of the Course, students will be able to:

- ✓ Critically analyze case law that is relevant to the module, especially case law of ECJ, enabling the students to identify infringements of European Competition Law.
- ✓ Discuss the institutional framework of competition law, enabling students to outline the importance of European Competition Law in a national and international level.
- ✓ Discuss the Europeanisation of business law in selected items, especially concerning the European Competition Law.

[Type here]

- ✓ Interpret the rights of private actors in the context of international and EU business law.
- ✓ Question the role of the State in the context of European Competition Law, with further result the understanding of the economic and political importance of European Competition Law.

6. Course content

- ✓ Forms of infringement of European Competition Law.
- ✓ National and ECJ case law.
- ✓ Interpretation of the relevant provisions: *Substantive and Procedural Aspects*
- ✓ The interference of European Competition Law in national law systems.
- ✓ The public and private enforcement of European Competition Law.
- ✓ The role of European Commission and National Competition Authorities.
- ✓ The role of national courts.

7. Use of the Study Guide

The present Study Guide offers an introduction to the main subjects of study in the field of European Competition Law. As it is the case with any other similar Guide, the present one has been designed in order to help you in your study. It aims at answer to your queries about the Course, as well as to offer you information concerning your exams. However, a Study Guide cannot cover every detail. As a result, your study may well expand beyond the limits of this Guide. Moreover, you should not treat the Study Guide as a pupil's book. If you only emphasize on the content of the Guide without making additional efforts for studying, it will be difficult to have a positive results in your final exams. It is advisable that you keep your own notes as you study for the Course. These notes will help you to approach the offered material in a critical way and to present to the Course's instructor the issues that you find complicated or difficult. Detailed information about the exact content and the type of the final exams will be provided before the end of the semester.

8. Bibliography

Required reading

[Type here]

Lianos I., Korah V., Siciliani P., Competition Law: Analysis, Cases and Materials (OUP 2018)

Craig P., Burca, de G., EU Law, Text, Cases and Materials (Oxford 2008) p. 959 et seq.

Extra Reading

Ezrachi A., European Competition Law, An analytical guide to the leading cases (2018)

Jones A., Sufrin B., EU Competition Law-Text, Cases and Materials (Oxford University Press 2014)

Lianos I., Gerardin D., Handbook in European Competition Law, Substantive Issues (Edward Elgar 2013)

Lianos I., Davis P., Nebbia P., Damages Claims for the Infringement of EU Competition Law (Oxford 2015)

Economic Analysis

Niels G., Jenkins H., Kavanagh J., Economics for Competition Lawyers (Oxford University Press 2016)

Journals

Journal of European Competition Law and Practice

Articles

Lianos I., Polycentric Competition Law, Current Legal Problems, 2018 p. 161

Simmonson I., Legal challenges arising from abuse of dominance, ERA Forum 2016 p.39

Kokkoris I./Gifford D./Kudrle R., The Google case in the EU: Is there a case? The Antitrust Bulletin 2017 p. 313

Frack J.U., Umbrella pricing and cartel damages under EU Competition Law, European Competition Journal 2015 p. 136

Bovis C./Clarke C., Private Enforcement of EU Competition Law, Liverpool Law Review 2015, p. 49

Brioves J., A balance of the impact of Economic Analysis on the EU Competition Policy, World Competition 2009 p. 27

Donders K./Raats T., Analyzing national practices after European state aid control: are multi shareholder negotiation beneficial for public service broadcasting?, Media, Culture and Society 2012 p. 162

9. Additional Bibliographical Material

Apart from the required reading, you are free to study and book or article related to the content of the Course. It is useful to expand your study by making use of as many bibliographical sources as

[Type here]

possible. To this end, you are offered free access to the Virtual Learning Environment (VLE) and to the electronic Library of Neapolis University.

10. Online Learning Resources

The tutor may upload notes, PowerPoint Presentations, quizzes, announcements, as well as any other additional material on the Course's webpage, which can be found at the electronic platform (moodle) used by Neapolis University. Moreover, students are able to use the discussion forum in order to communicate with his/her fellow students. Students are advised to visit the platform on a regular basis in order to have access to newly uploaded educational material.

11. Scheduled Online Educational Activities and Teaching Methods

- Notes and PowerPoint Presentations in digital format through the electronic platform
- Basic textbook(s) and additional bibliography
- Assignments
- Meetings with the tutor(s)
- Discussions through the electronic platform
- Web links

12. The Virtual Learning Environment (VLE)

The Virtual Learning Environment, which supplements this Study Guide, has been designed in order to enhance the educational experience of students by providing them with more support and by creating the sense of an academic community. It consists a significant part of the distance learning studies, and as a result students are highly encouraged to use it as often as possible. The Virtual Learning Environment offers a wide range of educational sources for distance learning:

- Self-assessment activities: understanding of the educational material.
- Digital study material: it is uploaded and is available to students.
- Students' discussion forum: students can use it in order to exchange opinions, to ask for support from their fellow students, to cooperate in order to solve problems, and to discuss about any subject that is related with the courses they attend.

[Type here]

- Study skills: expert advice on the preparation for the exams and development of digital skill which help students in the studying process.

13. Electronic Library

The library of Neapolis University Pafos offers access to a rich collection of sources of information, ranging from printed books to electronic data bases. It supports the educational and research activities of Neapolis University and its academic community.

The Library's printed collection consists of 10 thousand books, whereas its digital collection consists of 300 thousand e-books and more than 5 million articles in electronic format which are drawn from 17 world famous publishing houses and data bases, such as Springer, Taylor & Francis, Ebsco, Emerald, Wiley, JSTOR, Cambridge University Press, Oxford University Press, Sage, Fame, Orbis, Westlaw, Proquest, TLG, CYS etc. It also offers to users as series of research tools, thus enabling them to search on all available electronic resources.

Users have access to both the printed and the digital material of the library through the federated search engine EDS (Ebsco Discovery Service). Through EDS (<https://www.nup.ac.cy/learning-resources/library/collection-discovery-tools/discovery-tools/>) you can submit generic-type queries to the sum of NUP Library resources and get back a list of relevant items. Depending on the format of material and your location (in campus or remote) you can even have access to the full text of resources.

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For more information concerning the library of Neapolis University you may contact the library staff: email lib@nup.ac.cy, tel. +357 26843313.

14. Necessary Reading

It is important to read as many of the books and article included in the Course's bibliography as possible. By doing so, you will get all the basic and necessary knowledge related to the Course. In many cases, you may also read a synopsis of the lectures in PowerPoint format. These PowerPoint presentations are uploaded in the electronic platform.

15. Study Timetable per Study Unit

Unit	Subject	Study
1	Fundamental Provisions and Principles of European Competition Law, The political and economic analysis of legislature	Notes/presentations/announcements of international readings, <i>Article Lianos p. 161 et seq.</i> , <i>Brioves p. 27 et seq.</i>
2	The procedural aspects of competition law, Public and private enforcement, Reg. 1/2003 and Dir. 2014/104/EU, The new era of private enforcement	<i>Lianos/Davis/Nebbia</i> (2.01, 3.01), <i>Craig/Burca</i> , p. 1005 et seq. and notes/presentations/announcements of international readings, <i>Article Bovis/Clarke p. 49 et seq.</i>
3	Relationship of national and european law	<i>Craig/Burca</i> , p. 256 et seq. and notes/presentations,

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		See again <i>Article Lianos p. 161 et seq.</i>
4	101 TFEE (1st Part) Provision Analysis	Lianos/Korah/Siciliani (relevant chapter), Craig/Burca, p. 963 et seq., and notes/presentations/ <i>Article Lianos p. 136 et seq. Frack p. 136 et seq.</i>
5	101 TFEE (2 nd Part) Provision Analysis	Lianos/Korah/Siciliani (relevant chapter), Craig/Burca 963 et seq. and notes/presentations <i>Article Frack p. 136 et seq.</i>
6	Abuse of Dominant Position (102 TFEE), Provision Analysis (1st Part)	Lianos/Korah/Siciliani (relevant chapter), Craig/Burca, p. 1012 et seq., and notes/presentations/ <i>Article Kokkoris/Gifford/Kudrl e p. 313 et seq., Simmonson p. 39 et seq.</i>
7	Abuse of Dominant Position (102 TFEE), Provision Analysis (2 nd Part)	Lianos/Korah/Siciliani (relevant chapter), Craig/Burca, p. 1012 et seq., and notes/presentations/ <i>Article Kokkoris/Gifford/Kudrl</i>

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		<i>e p. 313 et seq, Simmonson p. 39 et seq.</i>
8	Mergers (Reg 13/2004, 802/2004) Legal Analysis	Lianos/Korah/Siciliani (relevant chapter), Craig/Burca, p. 1047 et seq., and notes/presentations/
9	State Aid (1st Part) 107 TFEE	Lianos/Korah/Sicialian i (relevant chapter), Craig/Burca, p. 1087 et seq., and notes/presentations, <i>Article Donders/Raats p.162 et seq.</i>
10	State Aid (2 nd Part) 108/109 TFEE	Lianos/Korah/Siciliani (relevant chapter), Craig/Burca, p. 1087 et seq., and notes/presentations/
11	General Economic Interest Services/Public Services	Notes and Presentation Announcements, Craig/Burca, p. 1074 et seq.
12	Repetition Course	
13	Test for Final Exam	

1st Week

Purpose and objectives

- To underline the study goals.

[Type here]

- To interpret in a profound way the economic and political approach for the interpretation of European Competition Law.
- Classify the special legal features of European Competition Law.

Expected learning outcomes

After the completion of the study of the 1st unit, students will be able to:

- Understand the political and economic importance of European Competition Law.
- Concerning the European Competition Law matters on the basis of general principles.

Key concepts

- European Competition Law
- General Principles
- Fundamental Principles
- Internal Market
- Economic/Political Analysis
- Consumer Protection
- Intellectual Property
- Forms of Infringement

Study

Notes/presentations/announcements of international readings, *Article Lianos p. 161 et seq.*, *Brioves p. 27 et seq.*

Activities

1. Describe the general principles of European Competition Law (Notes/presentations/announcements of international readings, Craig/Burca p. 959 et seq.)
2. Define the fundamental legal context (See the legal provisions 101/102 TFEU, 107/108 TFEU)

Self-evaluation exercises

[Type here]

Describe the main goals of the implementation of European Competition Law in a frame of economic and political analysis (see Notes/presentations/announcements of international readings, Craig/Burca p. 959 et seq.)

Discussion forum

What is according to your perspective the main goal of European Competition Law? How Competition Law Policy can be described?

2nd Week

Purpose and objectives

- Function with the procedural aspects of the enforcement of European Competition Law.
- Recognize the distinction but also the relationship between the public and private enforcement of European Competition Law.

Expected learning outcomes

After the completion of the study of the 2nd unit, students will be able to:

- Broadly understand and implement the relevant legal provisions.
- Understand the distinction but also the relationship between the public and private enforcement of European Competition Law.
- Understand the role of European Commission and National Competition Authorities and the role of national courts.

Key concepts

- Regulation 1/2003
- Directive 2014/104/EU
- Public and Private Enforcement

Study

Lianos/Davis/Nebbia (2.01, 3.01), Craig/Burca, p. 1005 et seq. and notes/presentations/announcements of international readings, *Article Bovis/Clarke p. 49 et seq.*

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Activities

3. Written evaluation of the crucial matters that arise from the interpretation of Regulation 1/2003 (Notes/Presentations/Articles of International Readings and Craig/Burca, p. 1005 et seq.)
4. Study of the Commission Proposal for the new rules to enable Member States competition authorities to act more effectively (See notes/presentations)

Self-evaluation exercises

1. Which are the main matters that arise from the interpretation of Regulation 1/2003? (Notes/Presentations/Articles of International Readings and Craig/Burca, p. 1005 et seq.)
2. The fundamental issues of Directive 2014/104 and its implementation in the Member States law (Lianos/Devis/Nebia, Chapter 2.01, 3.01)

Quiz

Illustrate the main goals of Directive 2014/104/EU (Lianos/Devis/Nebia, Chapter 2.01, 3.01)

3rd Week

Purpose and objectives

Study of the importance of European Competition Law for the national law.

Expected learning outcomes

After the completion of the study of the 3rd Unit, students will be able to:

- Understand the importance of European Competition Law for the national law.
- Understand the doctrinal aspects of this topic, case law of ECJ.

Key concepts

- Direct Effect
- Supremacy of European Law
- Uniform Implementation

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- Parallel Implementation
- Public Order
- *Eco-Swiss Case*

Study

Craig/Burca, p. 256 et seq. and notes/presentations, See again *Article Lianos p. 161 et seq*

Activities

9. Written evaluation of the general topic for the implementation of European Law, especially studying case law of ECJ (Notes/presentations/announcements of international readings, Craig/Burca, p. 256 et seq.)
10. Especially, the implementation of European Competition Law. *Public Order. (Eurofood Case C-126/97)*

Self-evaluation exercises

1. Describe the general topic (*Craig/Burca*, p. 256 et seq.)
2. The fundamental provisions and legal texts of European Competition Law that are implemented in the national law of member states (Notes/Presentations and the text of legal provisions)
3. The definition of relevant market (*Craig/Burca* p. 1000-1005, 1011-1018, 1064, 1066-1067)

Discussion forum

Illustrate other ways of “interference” of European Competition Law (*Craig/Burca*, p. 256 et seq.)

4th Week

Purpose and objectives

- Understanding the infringement forms of article 101 TFEE.
- Studying the relevant legislature and case law.
- Studying the relevant cases of European Commission and National Competition Authorities.
- Analysis of relevant matters, taking into account the case law of ECJ.

[Type here]

Expected learning outcomes

After the completion of the study of the 4th Unit students will be able to:

- Recognising the infringement forms of 101 TFEU.
- Understanding the ways of enforcement of European Competition Law, in the case of 101 TFEU infringement.

Key concepts

- De minimis notice/doctrine
- Cartel
- Undertakings
- Agreements, decisions and concerted practices
- Distribution
- Leniency Programms
- Exclusive Purchase
- Vertical Restraints
- Horizontal Restraints
- Information Exchange
- Block Exemption
- Exemptions

Study

Lianos/Korah/Siciliani (relevant chapter), Craig/Burca, p. 963 et seq., and notes/presentations/
Article Lianos p. 136 et seq. Frack p. 136 et seq.

Activities

1. Written questionnaire for understanding the fundamental topics (Lianos/Corah/Siciliani (relevant chapter), Craig/Burca, p. 963 et seq.)
2. Comments on fundamental case law of ECJ (*C-75/84 Metro-SB-Grossmarkte Co KG v. Commission*, *C-70/93 Bayerische Motorenwerke* as basis of study and relevant recent case law, according to notes and presentations)

[Type here]

3. Studying the crucial decisions of European Commission and National Competition Authorities. International Readings (Notes/presentations/announcements of international readings, Lianos/Corah/Siciliani (relevant chapter), Craig/Burca, p. 963 et seq.)

Self-evaluation exercises

Evaluation of fundamental decisions of European Commission (*C-75/84 Metro-SB-Grossmarkte Co KG v. Commission*, *C-70/93 Bayerische Motorenwerke* as basis of study and relevant recent case law, according to notes and presentations)

Quiz

Which are the major forms of European Competition Law infringements?

5th Week

Purpose and objectives

- Further understanding of 101 TFEU.

Expected learning outcomes

After the completion of the study of the 5th Unit students will be able to:

- Acquire specialized knowledge of crucial recent cases.
- Understanding the ways of enforcement of European Competition Law, in the case of 101 TFEU infringement.

Key concepts

- De minimis doctrine
- Cartel
- Undertakings
- Agreements, decisions and concerted practices
- Distribution
- Leniency Programmes
- Exclusive Purchase

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- Vertical Restraints
- Information Exchange
- Exemptions

Study

Lianos/Korah/Siciliani (relevant chapter), Craig/Burca 963 et seq. and notes/presentations *Article Frack p. 136 et seq.*

Activities

- Comments on fundamental case law of ECJ (*International Skating Union (Press Release of European Commission)*)
- Studying the crucial decisions of European Commission and National Competition Authorities. International Readings (Lianos/Corha/Siciliani (relevant chapter), Craig/Burca, p. 963 et seq., and notes/presentations/announcements of international readings)
- Studying further results of infringement of 101 TFEU (*Kone AG C-557/12, Donau Chemie C-536/11 and further case law, according to notes and presentation*)

Self-evaluation exercises

Evaluation of fundamental decisions of European Commission (Notes/presentations/announcements of international readings, Press Release of European Commission, Lianos/Corah/Siciliani (relevant chapter))

Peer assessment

Model answers - use model answers from an anonymous piece of work from a previous class and students give feedback and compare their answers

6th Week

Purpose and objectives

- Understanding the form of infringement according to article 102 TFEU.

[Type here]

- Studying of relevant case law of ECJ and fundamental decisions of European Commission and National Competition Authorities.
- Analysing the fundamental matters, especially through studying the international readings.

Expected learning outcomes

After the completion of the study of the 6th Unit, students will be able to:

Illustrate the infringement of European Competition Law, especially the abuse of dominant position.

- Understand the ways of enforcement of European Competition Law.

Key concepts

- Relevant Market
- Dominant Position
- “Fairness”
- Abuse

Study

Lianos/Korah/Siciliani (relevant chapter), Craig/Burca, p. 1012 et seq., and notes/presentations/
Article Kokkoris/Gifford/Kudrle p. 313 et seq., Simmonson p. 39 et seq.

Activities

1. Written questionnaire for further understanding of article 102 TFEU (Lianos/Corah/Siciliani (relevant chapter), Craig/Burca, p. 1012 et seq., and notes/presentations/announcements of international readings)
2. Studying fundamental decisions of European Commission and National Competition Authorities (*See notes/presentations and Text of leading Commission Decisions*)

Self-evaluation exercise

Forms of infringements in the frame of article 102 TFEU (Lianos/Corah/Siciliani (relevant chapter), Craig/Burca, p. 1012)

[Type here]

Discussion forum

Comment of fundamental case law of ECJ (*T-68 and 77/89 Re Italian Flat Glass: Societa Italiana Vetro v. Commission, C-395/96 P Compagnie Maritime Belge Transports SA, Compagnie Maritime Balge SA, and Dafra Lines A/S v. Commission as basis and relevant case law*)

7th Week

Purpose and objectives

- Studying of relevant case law of ECJ and fundamental decisions of European Commission and National Competition Authorities.
- Analysing the fundamental matters, especially through studying the international readings.

Expected learning outcomes

After the completion of the study of the 7th Unit, students will be able to:

- Acquire specialized knowledge of crucial recent cases.
- Understand the ways of enforcement of European Competition Law.

Key concepts

- Relevant Market
- Dominant Position
- Abuse
- *Google case, Intel Case, Baltic Rail Case*

Study

Lianos/Korah/Siciliani (relevant chapter), Craig/Burca, p. 1012 et seq., and notes/presentations/
Article Kokkoris/Gifford/Kudrle p. 313 et seq, Simmonson p. 39 et seq.

Activities

- Comment of funamental case law of ECJ (*Lianos/Corah/Siciliani* (relevant chapter), Craig/Burca, p. 1012 et seq.)

[Type here]

- Studying fundamental decisions of European Commission and National Competition Authorities (*Baltic Rail case (Commission Decision) and Google case (Commission Decision)*)

Self-evaluation exercise

- Evaluation of fundamental decisions of European Commission (*Notes/presentations/announcements of international readings, Craig/Burca, p. 1012 et seq.*)
- Leading Cases: *British Airways v. Commission C-95/04, Microsoft Corp. v. Commission T-201/04, Deutsche Telekom c. Commission C-208/08*

Video

<https://www.youtube.com/watch?v=cemTusT9ufs>

<https://www.youtube.com/watch?v=Jbcf3Fxi02w>

Videos for abuse of dominant market position

8th Week

Purpose and objectives

- Understanding the infringement form of mergers.
- Emphasize on the European Commission Decisions.

Expected learning outcomes

After the completion of the study of the 8th Unit, students will be able to:

- Define the legal control merger.
- Broad knowledge of substantive and procedural matters.
- Understanding of the fundamental legal texts and decisions of European Commission.

Key concepts

- One Stop Shop

[Type here]

- Regulation 139/2004
- Regulation 802/2004
- Substantive Matters of 139/2004
- Procedural Matters of 139/2004
- Standard and Burden of Proof
- Merger Control
- Horizontal Mergers
- Vertical Mergers
- Common Shareholding

Study

Lianos/Korah/Siciliani (relevant chapter), Craig/Burca, p. 1047 et seq., and notes/presentations/

Activities

1. Written questionnaire for further understanding of mergers controls (*Lianos/Corah/Siciliani* (relevant chapter), *Craig/Burca*, p. 1047 et seq., and notes/presentations/announcements of international readings)
2. Comment of fundamental case law of ECJ (*C-68/94 France v. Commission, as basis and relevant case*) Leading Case: *C-413/06 Bertelsmann AG and Sony Corporation of America v. Independent Music Publishers and Labels Association (Impala)*
3. *Dow-Dupont* case

Self-assessment exercises

1. Forms of infringements in the frame of merger control (*Craig/Burca*, p. 1047 et seq)
2. Evaluation of fundamental decisions of ECJ and European Commission (See notes/presentations and European Commission Legal site, *Craig/Burca*, p. 1047 et seq.)

[Type here]

Videos

<https://www.youtube.com/watch?v=8DM3TzI3XBo>

Video on mergers control

9th Week

Purpose and objectives

- Understanding/analysing article 107 TFEU.
- Studying of fundamental case law of ECJ and European Commission Decisions.

Expected learning outcomes

After the completion of the study of the 9th Unit, students will be able to:

- Acquire a broad knowledge on the topic of state aids.
- Understanding the substantive matters of state aid.

Key Concepts

- State Aid
- Substantive Rules
- Internal Market
- National and European Policy Matters

Study

Lianos/Korah/Sicialiani (relevant chapter), Craig/Burca, p. 1087 et seq., and notes/presentations,
Article Donders/Raats p.162 et seq.

Activities

Case Study for State Aid (*See C- 142/87 Re Tubemeuse: Belgium v. Commission as basis and relevant notes/presentation*)

Self-assessment exercises

[Type here]

Comment of case law for State Aid (C-730/79) see also *Craig/Burca*, p. 1087, and notes/presentations/announcements of international readings

Discussion forum

Comment case C-142/87

10th Week

Purpose and objectives

- Understanding/analysing articles 108/109 TFEU.
- Studying of fundamental case law of ECJ and European Commission Decisions.

Expected learning outcomes

After the completion of the study of the 10th Unit, students will be able to:

- Acquire a broad knowledge on the topic of state aids.
- Understand the differentiation between the substantive and procedural matters of state aid.

Key Concepts

- State Aid
- Procedural Rules
- Internal Market
- National and European Policy Matters

Study

Lianos/Korah/Siciliani (relevant chapter), *Craig/Burca*, p. 1087 et seq., and notes/presentations/

Activities

Case Study for State Aid (C-730/79, C-142/87 and recent)

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Self-assessment exercises

Comment of case law for State Aid (*C-730/79, C-142/87 and recent*)

Videos

<https://www.youtube.com/watch?v=MoPita-vdIY>

Video on what is State Aid

11^h Week

Purpose and objectives

- General Overview of General Interest Services/Public Services topic

Expected learning outcomes

After the completion of the study of the 11th Unit, students will be able to:

- Gain a general overview General Interest Services/Public Services topic

Key Concepts

- General Interest Services/Public Services

Study

Notes and Presentation Announcements, Craig/Burca, p. 1074 et seq.

Activities

Multiple Choice questionnaire for the topic (Notes/Presentations, Craig/Burca p. 1074 et seq.)

Self-assessment exercises

- Describe the crucial matters of the topic of General Interest Services/Public Services topic
(Notes/Presentations, Craig/Burca p. 1074 et seq.)

Quiz

Multiple Choice questionnaire for the topic

[Type here]

12th Week

Purpose and objectives

- General Overview/Repitition of crucial topics of European Competition Law.

Expected learning outcomes

After the completion of the study of the 12th Unit, students will be able to:

- Gain a general overview of the crucial latest developments of European Competition Law.

Videos

<https://www.youtube.com/watch?v=rIFEDPwBJmo>

Brexit impact on Competition Law

13th Week

Purpose and objectives

Simulation Test for Final Exams

Expected learning outcomes

After the completion of the study of the 13th, students will be able to:

Be adequately prepared for the final exam.

16. Assesement

The overall academic performance of students is based on the assessment of a written assignment, on a formative assesement and their performance in the final exams. The physical presence of students in the final exams is mandatory. A passing mark in the mid-term assignment is not a prerequisite for his/her participation in the final exams. The final grade awarded to each student is the sum of the grades awarded for the assignment and the final exams. Both the assignments and the final exams are marked in the scale 0 (complete failure) to 100 (absolute success). In order to get a passing mark in the Course, a student must receive a passing mark in the final exams. In a nutshell:

- The grade awarded for the assignment represents the 20% of the Course's final grade.

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- The grade awarded for the formative assessment activities represents the 10% of the Course's final grade
- The grade awarded for the final exams represents the 70% of the Course's final grade.
- In order to get an overall passing mark, a student must be graded with at least 50/100 in the final exams.

Assessment Methods	Percentage	CLO 1	CLO 2	CLO 3	CLO 4	CLO 5
Formative Assessment Activities	10%	√	√		√	
Midterm Exam/Midterm Written Assignment	20%			√		√
Final Exam	70%	√		√	√	√

Assignments Details

Written Exercise	Quiz		Problem Solving	Online Exam	Case Study
√	√				
10%	5%	5%			

Formative Assessment (non-graded):

Peer Assessment	Discussion boards/forums	Video activity	Online Activities	
√	√	√		

Grading and the formative assessment of the course and its criteria are explained in the Programme's Handbook as well as in the Evaluation Policy of the learning process implemented by the Law School. It is expected that students will participate to on-line classes well-prepared in order to engage in discussion and clarify any questions they may have.

Evaluation standards:

Numerical grade	Descriptive grade	
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85-100%	Excellent	A
65-84%	Very well	B
50-64%	Well	C
0-49%	Rejection	F

17. Tutor's Comments

Tutors give students feedback comments for their assignments. These comments give students two kinds of information:

- How your performance was.
- What the tutors expect from you.

One of the most common comments made by tutors is that the answers given by students are too vague. Make sure that you fully understand the real meaning of questions posed to you by your tutor before trying to answer them. Also, make sure that you always take good notice of your tutor's comments. Take as much time needed in order to reflect on these comments. This will help you during your study. Try not to move forward unless you:

- Have addressed all questions.
- Have taken into consideration all the comments made by your tutor.
- Have thought of ways to improve your answer(s).

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DLLM580: Private International Law – International Transactions Law

Course Title	Private International Law – International Transactions Law
Course Code	DLLM580
Course Type	Compulsory
Level	Postgraduate
Year	1 st
Semester	2 nd
ECTS	7,5
Prerequisite or Required Courses	None
Other Recommended Courses	None
Language	Greek / English
Teaching Methodology	Distance learning
Instructor	Dr. Evangelia Asimakopoulou Email: asimakopouloulaw@gmail.com Tel.: +306972813136

1. Introduction

The present study guide for the course “Private International Law – International Transactions Law” follows the standards adopted by most of the distance learning programmes.

The course examines the concepts, principles and rules of international transactions law and private international law, as well as its mechanisms of interpretation and implementation. It explains the methods and sources of private international law and emphasis is also given on the rules relating to international transactions.

2. Structure of the Study Guide

The Study Guide is divided in several parts, which cover all the fundamental thematic units of the above mentioned Course. More specifically, it includes:

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- ✓ The Course's learning outcomes.
- ✓ The required and further bibliography.
- ✓ An introduction to the Course's thematic units.
- ✓ An outline of each of the Course's units.
- ✓ A series of questions that will enable the student to assess the degree of his/her understanding of the subjects that he/she has been taught (self-assessment exercises).
- ✓ Assessment methods and grading

3. Activities

Apart from the abovementioned basic features, this Study Guide includes activities which will help you to study and interact with the relevant material. Even though these activities are not included in your final mark, we strongly recommend you to complete them as part of your study. These activities will also help to develop your skills, to boost your self-confidence for the newly acquired knowledge, as well as to effectively use this knowledge.

4. Course Purpose and Objectives

The Course aims at:

- ✓ Presenting and analyzing the concepts, principles and rules of international transactions law, as well as its interpretation and implementation mechanisms.
- ✓ Familiarizing students with the sources of international transactions law.
- ✓ Developing students' specialized knowledge on contemporary and dynamically evolving issues of international transactions law.

5. Learning Outcomes

After the completion of the Course, students will be able to:

O1. Critically analyse case law in the field of international transactions law

O2. Independently research legislative texts and ongoing legislative initiatives at national, EU and international law with relevance to international transactions law and private international law

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O3. Evaluate contract clauses that are used in the context of international transactions law and private international law

O4. Question the functionalities of dispute settlement in the field of international transactions and private international law, with emphasis on the importance of choice of law and choice of forum clauses.

6. Course content

- ✓ Object, scope and features of international business transactions law
- ✓ International business transactions, with emphasis on business ethics
- ✓ The institutional framework of international trade
- ✓ Special issues related to the subjects of international transactions, with an emphasis on international forms of business collaboration
- ✓ The role of State in the international transactions
- ✓ International contracts
- ✓ The law applicable to contractual obligations, with emphasis on Regulation Rome I
- ✓ International sales and CISG
- ✓ International Chamber of Commerce INCOTERMS
- ✓ Problems related to specific areas of international business transactions

7. Use of the Study Guide

The present Study Guide offers an introduction to the main subjects of study in the field of private international law and international transactions. As it is the case with any other similar Guide, the present one has been designed in order to help you in your study. It aims at answer to your queries about the Course, as well as to offer you information concerning your exams. However, a Study Guide cannot cover every detail. As a result, your study may well expand beyond the limits of this Guide. Moreover, you should not treat the Study Guide as a pupil's book. If you only emphasize on the content of the Guide without making additional efforts for studying, it will be difficult to have a positive result in your final exams. It is advisable that you keep your own notes as you study for the Course. These notes will help you to approach the offered material in a critical way and to present to the Course's instructor the issues that you find complicated or difficult. Detailed

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information about the exact content and the type of the final exams will be provided before the end of the semester.

8. Bibliography

Required reading

- ✓ DiMatteo L. (2016), *International Business Law and the Legal Environment*, Routledge.
- ✓ Vagts D. *et al* (2014), *Transnational Business Problems*, West Academic, 5th edition.

Further reading

- ✓ Accominotti O., Ugolini S. (2019), *International Trade Finance from the Origins to the Present: Market Structures, Regulation, and Governance*, Center for Economic Policy Research, CEPR Discussion Paper No. DP13661, pp. 1-39.
- ✓ Bhogal T., Trivedi A. (2019), *INCOTERMS 2010*, in: *International Trade Finance*, Finance and Capital Markets Series, Palgrave Macmillan, pp 117-130.
- ✓ Block-Lieb S. (2018), *Soft and Hard Strategies: The Role of Business in the Crafting of International Commercial Law*, *Michigan Journal of International Law*, vol. 40, p. 433 ff.
- ✓ Bonell M. (2018), *The law governing international commercial contracts and the actual role of the UNIDROIT Principles*, *Uniform Law Review*, vol. 23(1), pp. 15–41.
- ✓ Brand R. (2019), *The CISG: Applicable Law and Applicable Forums*, University of Pittsburgh Legal Studies Research Paper No. 2019-14, pp. 1-16.
- ✓ Brenkert G. (2019), *Mind the Gap! The Challenges and Limits of (Global) Business Ethics*, *Journal of Business Ethics*, vol. 155(4), pp 917–930.
- ✓ Deng Z., Jean R., Sinkovics R. (2018), *Rapid expansion of international new ventures across institutional distance*, *Journal of International Business Studies*, vol. 49(8), pp. 1010–1032.
- ✓ Gaughan P., Javalgi R. (2018), *A framework for analyzing international business and legal ethical standards*, *Business Horizons*, vol. 61(6), 813-822.
- ✓ Greenwood M. & Freeman R. (2018), *Deepening Ethical Analysis in Business Ethics*, *Journal of Business Ethics*, vol. 147(1), pp 1-4.
- ✓ Hellwege P. (2018), *Understanding Usage in International Contract Law Harmonization*, *The American Journal of Comparative Law*, vol. 66(1), pp. 127–174.

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- ✓ International Chamber of Commerce, ICC Guide to INCOTERMS, Paris, 2011 (available at the course's website)
- ✓ Janssen A., Ahuja N. (2018), Bridging the Gap: The CISG as a Successful Legal Hybrid between Common Law and Civil Law?, in: F. de Elizalde (ed.), Uniform Rules for European Contract Law? A Critical Assessment, Hart Publishing, pp. 137–162.
- ✓ Kramer X. (2019), A Common Discourse in European Private International Law? A View from the Court System, in: J. von Hein, E. Kieninger, G. Rühl (eds.), How European is European Private International Law, Intersentia, pp. 211-230.
- ✓ Meeusen J. (2019), Comparing Interstate and European Conflict of Laws from a Constitutional Perspective: Can the United States Inspire the European Union?, The American Journal of Comparative Law [Advance Articles]
- ✓ OECD (2019), Assessing Regulatory Changes in the Transport Sector, OECD/ITF Roundtable Report, November 2019, pp. 1-33
- ✓ Reuber A. et al. (2018), International entrepreneurship: The pursuit of entrepreneurial opportunities across national borders, Journal of International Business Studies, vol. 49(4), pp. 395–406.
- ✓ Richardson A., Meiklejohn S. (2019), ICC INCOTERMS 2020 at a Glance, HFW Briefing Paper.
- ✓ Schöne E. (2019), Foreign Trade Finance: Requirements and Challenges in Times of Change, Global Policy, vol. 10 (3), pp. 419-420.
- ✓ Trautman L. (2017), How Law Operates in a Wired Global Society: Cyber and E-Commerce Risk, Korea Legislation Research Institute (KLRI), pp. 1-28.
- ✓ Ward B., Sipior J., Volonino L. (2016), Internet Jurisdiction for E-commerce, Journal of Internet Commerce, vol. 15(1), pp. 1-17.

9. Additional Bibliographical Material

Apart from the required reading, you are free to study and book or article related to the content of the Course. It is useful to expand your study by making use of as many bibliographical sources as possible. To this end, you are offered free access to the Virtual Learning Environment (VLE) and to the electronic Library of Neapolis University.

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10. Online Learning Resources

The tutor may upload notes, PowerPoint Presentations, quizzes, announcements, as well as any other additional material on the Course's webpage, which can be found at the electronic platform (moodle) used by Neapolis University. Moreover, students are able to use the discussion forum in order to communicate with his/her fellow students. Students are advised to visit the platform on a regular basis in order to have access to newly uploaded educational material.

11. Scheduled Online Educational Activities and Teaching Methods

- Notes and PowerPoint Presentations in digital format through the electronic platform
- Basic textbook(s) and additional bibliography
- Assignments
- Meetings with the tutor(s)
- Discussions through the electronic platform
- Web links

12. The Virtual Learning Environment (VLE)

The Virtual Learning Environment, which supplements this Study Guide, has been designed in order to enhance the educational experience of students by providing them with more support and by creating the sense of an academic community. It consists a significant part of the distance learning studies, and as a result students are highly encouraged to use it as often as possible. The Virtual Learning Environment offers a wide range of educational sources for distance learning:

- Self-assessment activities: understanding of the educational material.
- Digital study material: it is uploaded and is available to students.
- Students' discussion forum: students can use it in order to exchange opinions, to ask for support from their fellow students, to cooperate in order to solve problems, and to discuss about any subject that is related with the courses they attend.
- Study skills: expert advice on the preparation for the exams and development of digital skill which help students in the studying process.

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13. Electronic Library

The library of Neapolis University Pafos offers access to a rich collection of sources of information, ranging from printed books to electronic data bases. It supports the educational and research activities of Neapolis University and its academic community.

The Library's printed collection consists of 10 thousand books, whereas its digital collection consists of 300 thousand e-books and more than 5 million articles in electronic format which are drawn from 17 world famous publishing houses and data bases, such as Springer, Taylor & Francis, Ebsco, Emerald, Wiley, JSTOR, Cambridge University Press, Oxford University Press, Sage, Fame, Orbis, Westlaw, Proquest, TLG, CYS etc. It also offers to users as series of research tools, thus enabling them to search on all available electronic resources.

Users have access to both the printed and the digital material of the library through the federated search engine EDS (Ebsco Discovery Service). Through EDS (<https://www.nup.ac.cy/learning-resources/library/collection-discovery-tools/discovery-tools/>) you can submit generic-type queries to the sum of NUP Library resources and get back a list of relevant items. Depending on the format of material and your location (in campus or remote) you can even have access to the full text of resources.

The library has adopted a reference morphotype based on the Harvard style guide (author-date). Users may consult the short guide that has been prepared by the library concerning the Harvard morphotype.

For the organisation and management of bibliographic references, the library suggests the use of the Mendeley system. Mendeley is a free tool for the management of bibliographical references which helps students organizing and writing assignments.

Each user has his/her own library card which has codes that help the user to acquire the material he/she is interested in. The process for getting access to library material is very simple (see the library regulations: <https://www.nup.ac.cy/wp-content/uploads/2014/03/NUPs-Library-regulations-eng.pdf>).

For more information concerning the library of Neapolis University you may contact the library staff: email lib@nup.ac.cy, tel. +357 26843313.

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14. Necessary Reading

It is important to read as many of the books and article included in the Course's bibliography as possible. By doing so, you will get all the basic and necessary knowledge related to the Course. In many cases, you may also read a synopsis of the lectures in PowerPoint format. These PowerPoint presentations are uploaded in the electronic platform.

15. Study Timetable per Week

Week	Subject	Study
1	Object, scope and features of international business transactions law <i>Discussion Forum on the 'nationalization' of cross-border transactions</i>	DiMatteo pp. 1-39 Reuber and others, 395-406 Bonell, pp. 15-41
2	International business transactions, with emphasis on business ethics <i>Discussion Forum on tension between host-home country standards and international standards</i>	DiMatteo pp. 40-78 Gaughan & Javalgi, pp. 813-822 Greenwood & Freeman, pp. 1-4 Brenkert, pp. 917-930
3	The institutional framework of international trade <i>Discussion Forum on the interaction of state and business interests</i>	DiMatteo pp. 141-226 Vagts pp. 123-133 Block-Lieb, 433-477
4	Special issues related to the subjects of international transactions, with an emphasis on international forms of business collaboration	DiMatteo pp. 79-106 Deng, Jean, & Sinkovics 1010-32
5	The role of State in international transactions <i>Discussion Forum on the functionalities of dispute settlements involving a State</i>	DiMatteo pp. 171-199 Vagts pp. 41-61 Block-Lieb, 433-477

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6	International contracts <i>Discussion Forum on the traditional State-law centred conflict-of-laws approach</i>	DiMatteo pp. 287-349 Hellwege, pp. 127-174 Bonell, pp. 15-41
7	The law applicable to contractual obligations, with emphasis on Regulation Rome I <i>Case Law Study: Critical analysis of selected case law from the ECJ</i>	DiMatteo pp. 229-254 Kramer, pp. 211-230 Meeusen [Advance Article] Regulation Rome I
8	International sales and CISG <i>Problem solving with peer assessment on the interpretation of the CISG</i>	DiMatteo pp. 350-382 Brand, pp. 1-16 Janssen & Ahuja, pp. 137-162
9	International Chamber of Commerce INCOTERMS <i>Problem solving with peer assessment on the interpretation of INCOTERMS</i>	ICC Guide, pp. 15-46 Richardson & Meiklejohn, pp. 1-5 Bhogal & Trivedi, pp 117-130
10	Problems of private international law and personal jurisdiction in international e-commerce transactions <i>Video Activity: Conflict of Laws in Cyberspace, Max Planck Institute Luxembourg, YouTube: https://www.youtube.com/watch?v=NYt6SFUkeYU</i>	Ward et al, pp. 1-17 DiMatteo pp. 603-630 Trautman, pp. 1-28
11	Financing issues in international transactions	Accominotti & Ugolini, pp. 1-39 DiMatteo pp. 453-479
12	International transport contracts as a special type of international transactions	DiMatteo pp. 385-421 OECD Report, pp. 1-33
13	Revision	

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1st Week

Purpose and objectives

- Study the definition and nature of international business transactions law.
- Analyze the scope and specific features of international business transactions.

Expected learning outcomes

After the completion of the study of the 1st week, students will be able to:

- Critically assess the specificity of the international transactions law and the risk management of the international business environment
- Classify international business risks.
- Assess the importance of managing international business risks

Key concepts

- International Transactions Law
- Business risk
- Cultural and linguistic risk
- Currency risk
- Legal risk
- Political risk
- Risk management

Study

DiMatteo pp. 1-39

Reuber and others, 395–406

Bonell, pp. 15-41

Activities

- What is the specificity of international business transactions law? [see, DiMatteo p. 6]

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- What are the main categories of business risk? [see, DiMatteo p. 14]
- Which factors affect the pursuit of business opportunities across borders? [see Reuber and others, p. 396]

Self-evaluation exercises

- Which problems are associated with a business entering foreign markets? [see, DiMatteo p. 3]
- Which are the methods for managing international business risks? [see, DiMatteo p. 30]

Discussion Forum

There has been criticism on the traditional and still prevailing approach to ‘nationalize’ cross-border transactions, that is, to subject them to the law of a particular country [see Bonell, p. 16]
What is your opinion?

2nd Week

Purpose and objectives

- Critically assess the concept of international business transactions in relation to the concept of business ethics.
- Evaluate the fundamental issues and the current trends in international transactions law and international business ethics.

Expected learning outcomes

After the completion of the study of the 2nd week, students will be able to:

- Analyse the essential and functional characteristics of business ethics.
- Interpret the national and international nature of business ethics.
- Critically assess the relationship between international transactions law and business ethics

Key concepts

- Economic aspects of transactions

[Type here]

- Ethical dimension of doing business at international level

Study

DiMatteo pp. 40-78

Gaughan & Javalgi, pp. 813-822

Greenwood & Freeman, pp. 1-4

Brenkert, pp. 917-930

Activities

- How is the scope of international business transactions related to business ethics? [see, DiMatteo p. 40]
- How is the problem of corruption and bribery dealt at international business transactions? [see, DiMatteo p. 59]
- In which different ways can ethical analysis be brought to life? [see Greenwood & Freeman, 1-4]
- Which are the challenges and limits of global business ethics [see Brenkert, p. 917]

Self-evaluation exercises

- How feasible is it to expect from businesses both to compete and pursue ethical behavior across national markets? [see Gaughan & Javalgi, p. 813]
- Comment on the US federal sentencing guidelines for organizations [see, DiMatteo p. 59]

Discussion Forum

Comment on the tension between host-home country standards and international standards in the international business ethics [see, DiMatteo p. 49]

3rd Week

Purpose and objectives

- The institutional organization of world trade.
- The basic sources and methods of World Trade Organization (WTO) law

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Expected learning outcomes

After the completion of the study of the 3rd week, students will be able to:

- Evaluate the pillars of institutional set-up in international trade law.
- Evaluate the hierarchy of the sources of international trade law.

Key concepts

- International intergovernmental organizations
- International law
- World Trade Organization
- WTO Agreements
- WTO Dispute Settlement
- National law

Study

DiMatteo pp. 141-226

Block-Lieb, 433-477

Activities

- How is the world trade system organized? [see, DiMatteo p. 141]
- What are the main actors and factors that shape WTO trade agreements? [see, DiMatteo p. 147]
- Block-Lieb, 433-477

Self-evaluations exercises

- How do you perceive the WTO dispute settlement system? [see, DiMatteo p. 156]
- What is the value and WTO authorized unilateral actions? [see, DiMatteo p. 164]

Discussion Forum

How do state and business interests interact in the production of international trade law? [see Block-Lieb, p. 448]

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4th Week

Purpose and objectives

- To describe the subjects of the international business transaction and their strategies
- To highlight specific issues related to these subjects, with an emphasis on international forms of business collaboration.

Expected learning outcomes

After the completion of the study of the 4th week, students will be able to:

- Analyze and understand the legal forms and strategies for entering a foreign market
- Evaluate the process of shaping international forms of business collaboration.

Key concepts

- Private legal entities
- Seat
- Transnational enterprise
- Multinational groups
- Joint Ventures
- Franchises

Study

DiMatteo pp. 79-106

Deng, Jean, & Sinkovics 1010-32

Activities

- How do joint ventures differ from franchises? [see, DiMatteo p. 89]
- What theories and strategies have been developed for establishing a business in a foreign country? [see, DiMatteo p. 86]
- What is the importance of export expansion in international new ventures? [see, Deng, Jean, & Sinkovics p. 1032]

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Self-evaluation exercises

- Critically assess the notion of strategy for doing business [see, DiMatteo p. 80]
- What is the importance and the impediments of strategies for entering a foreign market? [see, DiMatteo p. 79]

5th Week

Purpose and objectives

- Analyze the role of the State in the international transaction, with emphasis on national import and export regulations
- Analyze the problems associated with investor-State dispute resolution.

Expected learning outcomes

After the completion of the study of the 5th week, students will be able to:

- Evaluate the role of the State in the international transaction
- Critically assess the litigation procedure and arbitration dispute settlement involving a State.

Key concepts

- State
- Contractual obligation
- Import and export regulations
- Undertaking
- Litigating party
- Litigation
- Alternative Dispute Resolution
- Arbitration

Study

DiMatteo, pp. 171-199

Vagts, pp. 41-61

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Block-Lieb, pp. 433-477

Activities

- How can a State intervene in international transactions by its national regulations? [see DiMatteo, p. 171 & 190]
- Could the concentration on states as the only legitimate influence in the making of law, whether domestic or international, be criticized as “an outdated theory? [see Block-Lieb, 433-437]

Self-assessment exercises

- What are the advantages and disadvantages of litigation involving a State? [see Vagts pp. 41-51]
- What are the advantages and disadvantages of recourse to arbitration for resolving disputes with a State? [see Vagts pp. 41-51]

Discussion Forum

Question the functionalities of dispute settlement in the field of international transactions and private international law, with emphasis on disputes involving a State

6th Week

Purpose and objectives

- Analyze the significance of contractual transactions in the light of international transactions law.
- Compare the functioning of the relevant rules in different legal systems and legal traditions.

Expected learning outcomes

After the completion of the study of the 10th week, students will be able to:

- Evaluate the principles of international contract law.
- Critically assess the notion of *lex mercatoria*

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Key concepts

- International contract
- Autonomy of the parties
- Restrictions on autonomy
- Lex mercatoria
- National contract law
- International contract law
- Precontractual liability

Study

DiMatteo pp. 287-349

Hellwege, pp. 127-174

Bonell, pp. 15-41

Activities

- Assess the importance of the principle of the autonomy of the parties in international contracts law [see DiMatteo p. 317]
- Critically analyze the importance of lex mercatoria [see DiMatteo p. 307]

Self-evaluation exercises

- How is precontractual liability determined? [see DiMatteo p. 334]
- Which are the main issues to take into consideration when negotiating and international contract? [see DiMatteo, p. 313]
- The importance of usage, especially trade usage, is uncontested, but how can its binding force be explained? [see Hellwege, p. 127].

Discussion Forum

Are there valid alternatives to the traditional State-law centred conflict-of-laws approach in international commercial contracts? [see Bonell, p. 16]

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7th Week

Purpose and objectives

- Analyze the basic rules of Regulation Rome I.
- Analyze the effect of Regulation I on international transaction law.

Expected learning outcomes

After the completion of the study of the 7th week, students will be able to:

- Critically examine the historical development and structure of Regulation Rome I
- Interpret the rules of Regulation Rome I

Key concepts

- Regulation Rome I
- Contracts
- Choice of law
- Direct implementation rules
- Mandatory law provisions

Study

DiMatteo, pp. 229-254

Kramer, pp. 211-230

Meeusen [Introduction]

Selected case law from the ECJ (available at moodle)

Activities

- Which issues should be taking into consideration when doing trade in the EU? [see, DiMatteo p. 249]
- Which are the restrictions of the choice of law by the parties to the contract at EU level? [see, Regulation Rome I, articles 3-9]
- What is the role of the courts and the court system in the European Private International Law? [see Kramer, 216]

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Self-evaluation exercises

- How do overriding mandatory provisions function at EU level? [see, Regulation Rome I, article 9, par. 1-3]
- Could the process of Europeanization of conflict of laws benefit from a comparison with interstate conflict of laws in the United States? [see Meeusen, Introduction]

Case law

Critical analysis of selected case law from the ECJ (available at moodle)

8th Week

Purpose and objectives

- Analyze the problems associated with international sales
- Analyze the problems associated with the implementation of the United Nations Convention on International Sales of Mobile Goods (CISG)

Expected learning outcomes

After the completion of the study of the 8th week, students will be able to:

- Interpret the rules of private international law related to international sales
- Interpret the specific rules of the CISG.

Key concepts

- Sale
- Commercial sale
- International commercial sale
- Uniform commercial code
- United Nations Convention on the International Sale of Mobile Goods (CISG)

Study

DiMatteo pp. 350-382

Brand, pp. 1-16

Janssen & Ahuja, pp. 137–162

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Activities

- Review the possibility of opting out of article 1(1)(b) CISG [see, article 95 CISG]
- Could it be argued that the CISG is dominated either by civil law or common law system? [see Janssen & Ahuja, p. 155]

Self-evaluation exercises

- Critically assess the practical value of CISG [see, DiMatteo p. 350]
- In which three levels of international sales contract relationships does significant opportunity for success remain? [see Brand, p. 16]
- How does the scope and content of CISG differ from the scope and content of the Uniform Commercial Code? [see, DiMatteo p. 356]

Problem solving with peer assessment

Problem solving / hypothetical scenarios on the interpretation of the CISG. Peer assessment with model answers from an anonymous piece of work from a previous class. Students give feedback and compare their answers

9th Week

Purpose and objectives

- Interpret the international commercial terms (INCOTERMS) in the field of international transactions law

Expected learning outcomes

After the completion of the study of the 9th week, students will be able to:

- Critically assess the legal nature, function and characteristics of INCOTERMS.
- Question the differences between INCOTERMS.

Key concepts

- INCOTERMS
- EXW clause

[Type here]

- FCA clause
- FOB clause
- FAS clause
- CIF clause
- C & F clause
- CIP clause
- DAF clause
- DES clause
- DDU clause
- DDP clause

Study

ICC Guide, pp. 15-46

Richardson & Meiklejohn, pp. 1-5

Bhogal & Trivedi, pp 117-130

Activities

- Which factors influence contracting parties in choosing INCOTERMS rules? [see, ICC Guide, p. 26]
- Which are the main changes that INCOTERMS 2020 will introduce compared to the INCOTERMS 2010? [see Bhogal & Trivedi, pp 117-130; Richardson & Meiklejohn, pp. 1-5]

Self-evaluation exercises

- How does the FOB clause differ from the CIF clause? [see, ICC Guide, p. 34]
- How are Incoterms rules linked to dispute resolution? [see, ICC Guide, p. 45]

Problem solving with peer assessment

Problem solving / hypothetical scenarios on the interpretation of the INCOTERMS. Peer assessment with model answers from an anonymous piece of work from a previous class. Students give feedback and compare their answers

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10th Week

Purpose and objectives

- Analyze the importance and function of international E-Commerce
- Analyze specific aspects of E-Commerce, such as personal jurisdiction, electronic documentation, E-Commerce risks, etc.

Expected learning outcomes

After the completion of the study of the 10th week, students will be able to:

- Evaluate the rules applicable to international E-Commerce in general.
- Evaluate the rules applicable specific aspects of E-Commerce, such as personal jurisdiction, electronic documentation, E-Commerce risks, etc

Key concepts

- E-Commerce
- Personal jurisdiction
- Electronic documentation
- E-Commerce risks

Study

Ward et al. pp. 1-17

DiMatteo pp. 603-630

Trautman, pp. 1-28

Activities

- Critically assess the legal theories for jurisdiction and the application to e-commerce [see, Ward et al. pp. 1-17]
- Assess the importance of personal jurisdiction in international E-commerce. [see, DiMatteo p. 604]
- Assess the major risks as perceived by those engaged in e-commerce [see, Trautman, pp. 1-28]

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Self-evaluation exercises

- What is the rationale behind the development of E-contracting? [see, DiMatteo p. 614]
- How could companies reduce the uncertainty of jurisdiction, should legal action be initiated in the context of e-commerce? [see, Ward et al. pp. 1-17]

Video

Jurisdiction, Conflict of Laws and Data Protection in Cyberspace, conference organized by the Max Planck Institute Luxembourg. YouTube Video available at: <https://www.youtube.com/watch?v=NYt6SFUkeYU>

11th Week

Purpose and objectives

- Analyze specific issues of international transactions with emphasis on financing

Expected learning outcomes

After the completion of the study of the 11th week, students will be able to:

- Analyze the functions of the financial system in trade finance.
- Critically assess the differences in the sources of trade finance.
- Assess the differences between payment systems.
- Interpret the rules governing the standby letter of credit.

Key concepts

- Trade finance
- Sources of trade finance
- Payment system
- Clearing and settlement system
- Documentary letter of credit
- Standby letter of credit.

[Type here]

Study

Accominotti & Ugolini, pp. 1-39

DiMatteo pp. 453-479

Shone, pp. 419-420

Activities

- Critically assess the increasing centralization of standardization of the financing of international transactions [see Accominotti & Ugolini, pp. 1-39]
- Critically assess the challenge of digitization for the financing of international transactions [see, Shone, pp. 419-420]
- Analyze the functions of a standby letter of credit [see, DiMatteo p. 468]
- Evaluate the types of uniform customs and practices that exist for documentary credits [see, DiMatteo p. 461]

Self-evaluation exercises

- Evaluate the function of the payments systems used in international trade finance [see, DiMatteo p. 467]

12th Week

Purpose and objectives

- Evaluate the importance of rules related to international transport.

Expected learning outcomes

After the completion of the study of the 12th week, students will be able to:

- Critically assess the importance and function of transport contracts
- Assess the need for better regulation in international transport transactions

Key concepts

- Transport contracts
- shipping bills

[Type here]

- Air waybill
- Warsaw Convention
- International Ocean Carriage Conventions
- Marine insurance

Study

DiMatteo pp. 385-421

OECD Report, pp. 1-33

Activities

- Critically assess the international regimes that govern international transport contracts [see DiMatteo, p. 386]
- Critically assess the methods for achieving better regulation in the field of international transport [see OECD Report, pp. 1-33]

Self-evaluation exercises

- How do air waybills function in international transport contracts? [see DiMatteo, p. 385]
- How does marine insurance function in international transport contracts? [see DiMatteo, p. 410]

13th Week

Purpose and objectives

- Students are expected to recap the basic notions that were analyzed during the semester.

Expected learning outcomes

After the completion of the study of the 13th week, students will be able to:

- Be adequately prepared in order to sit in the Course's final exams.

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16. Assessment

The overall academic performance of students is based on the assessment of a written assignment, on a formative assessment and their performance in the final exams. The physical presence of students in the final exams is mandatory. A passing mark in the mid-term assignment is not a prerequisite for his/her participation in the final exams. The final grade awarded to each student is the sum of the grades awarded for the assignment and the final exams. Both the assignments and the final exams are marked in the scale 0 (complete failure) to 100 (absolute success). In order to get a passing mark in the Course, a student must receive a passing mark in the final exams. In a nutshell:

- The grade awarded for the assignment represents the 20% of the Course's final grade.
- The grade awarded for the formative assessment activities represents the 10% of the Course's final grade
- The grade awarded for the final exams represents the 70% of the Course's final grade.
- In order to get an overall passing mark, a student must be graded with at least 50/100 in the final exams.

Assessment Methods	Percentage	CLO 1	CLO 2	CLO 3	CLO 4
Formative Assessment Activities	10%	√			√
Midterm Exam/Midterm Written Assignment	20%		√		
Final Exam	70%	√	√	√	

Assignments Details

Written Exercise	Quiz	Problem Solving	Online Exam	Case Study
		√		
		10%		

[Type here]

Formative Assessment (non-graded):

Peer Assessment	Discussion boards/forums	Video activity	Online Activities	Case Study
√	√	√		

Grading and the formative assessment of the course and its criteria are explained in the Programme's Handbook as well as in the Evaluation Policy of the learning process implemented by the Law School. It is expected that students will participate to on-line classes well-prepared in order to engage in discussion and clarify any questions they may have.

Evaluation standards:

Numerical grade	Descriptive grade	
85-100%	Excellent	A
65-84%	Very well	B
50-64%	Well	C
0-49%	Rejection	F

17. Tutor's Comments

Tutors give students feedback comments for their assignments. These comments give students two kinds of information:

- How your performance was.
- What the tutors expect from you.

One of the most common comments made by tutors is that the answers given by students are too vague. Make sure that you fully understand the real meaning of questions posed to you by your tutor before trying to answer them. Also, make sure that you always take good notice of your tutor's comments. Take as much time needed in order to reflect on these comments. This will help you during your study. Try not to move forward unless you:

- Have addressed all questions.

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- Have taken into considerations all the comments made by your tutor.
- Have thought of ways to improve your answer(s).

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DLLM575: European Banking Law

Course Title	European Banking Law
Course Code	DLLM575
Course Type	Elective
Level	Postgraduate
Year	1 ^o
Semester	2 ^o
ECTS	7,5
Prerequisite or Required Courses	None
Other Recommended Courses	None
Language	Greek
Teaching Methodology	Distance Learning
Instructor	Lecturer Dr. Stavroula Antoniou Office: 249 Email: stavroula.antoniou@nup.ac.cy Phone: 26843300

1. Introduction

The present study guide for the course “European Banking Law” follows the standards adopted by most of the distance learning programmes.

The approach that the programme will follow is analyzing the fundamental concepts and principles of Banking Law, as well as the interpretation and implementation mechanisms. The methods and sources of Banking Law are explained, in a national level (Greek and Cypriot Law), European and international level.

2. Structure of the Study Guide

The Study Guide is divided in several parts, which cover all the fundamental thematic units of the above mentioned Course. More specifically, it includes:

[Type here]

- The Course's learning outcomes.
- The required and further bibliography.
- An introduction to the Course's thematic units.
- An outline of each of the Course's units.
- A series of questions that will enable the student to assess the degree of his/her understanding of the subjects that he/she has been taught (self-assessment exercises).
- Assessment methods and grading

3. Activities

Apart from the abovementioned basic features, this Study Guide includes activities which will help you to study and interact with the relevant material. Even though these activities are not included in your final mark, we strongly recommend you to complete them as part of your study. These activities will also help to develop your skills, to boost your self-confidence for the newly acquired knowledge, as well as to effectively use this knowledge.

4. Course Purpose and Objectives

The Course aims at:

- ✓ The deep understanding of the concepts, principles and rules of Banking Law, as well as the interpretation and implementation mechanisms.
- ✓ Familiarizing students with the sources of Banking Law, in a national level (Greek and Cypriot), European and international level.
- ✓ The acquisition of deep knowledge on modern and dynamically evolving issues of Banking Law.

5. Course Learning Outcomes

After the completion of the Course, students will be able to:

O1. Independently research legislative texts and ongoing legislative initiatives about the fundamental law issues related to providing finances and the ways under which financing institutions deal with such issues

[Type here]

O2. Interpret the main operations which are characterized as banking and therefore are subject to review by Banking Law identifying the importance of Banking Law in economy

O3. Question the relation between national and community banking law, as well as exploring the possibility and the process of sanction in cases of infringement of the European Banking Law rules.

O4. Question and understand the fundamental concepts and fundamental institutions of European Banking Law.

6. Course Content

The course is organized in two parts: In the First Part the students are provided with the necessary background for better studying of European Banking Law, emphasizing on the general principles and concepts of Banking Law, the competent authorities and institutions of the E.U. and the relation between community and national law, licensing, the activity and the deposit guarantee scheme.

The Second Part focuses on more specialized matters of European Banking Law as the bank – customer relation, the legislation on the resolution of financial institutions, guarantees and commitments, banking operations and investment services.

7. Use of the Study Guide

The present Study Guide offers an introduction to the main subjects of study in the field of European Banking Law. As it is the case with any other similar Guide, the present one has been designed in order to help you in your study. It aims at answering to your queries about the Course, as well as offering you information concerning your exams. However, a Study Guide cannot cover every detail. As a result, your study may well expand beyond the limits of this Guide. Moreover, you should not treat the Study Guide as a pupil's book. If you only emphasize on the content of the Guide without making additional efforts for studying, it will be difficult to have a positive result in your final exams. It is advisable that you keep your own notes as you study for the Course. These notes will help you to approach the offered material in a critical way and to present to the Course's instructor the issues that you find complicated or difficult. Detailed information about the exact content and the type of the final exams will be provided before the end of the semester.

[Type here]

8. Required reading

Required bibliography

Nik. Rokas και Chr. Gortsos, 'Banking Law Elements', Last Edition

Further reading

1. Spyros D. Psychomanis, 'Law of Banking System', 2nd Edition 2009
2. Ellinger, Lomnicka and Hare, 'Ellinger's Modern Banking law', OUP Oxford; 5th edition (Jun 2010)
3. Andreas Neocleous & Co LLC, 'Neocleous's Introduction to Cyprus Law', 3rd ed. 2010
⇒
4. International Monetary and Financial Law, Giovanoli, Devos, Oxford 2010

Articles & Book's Chapters

- Article 1: Penn Bob, Recognized Investment Exchanges and Recognized Clearing Houses, p. 89 in Financial Markets and Exchanges Law (2007), Michael Blair- George Walker (editors)
- Article 2: The Controversy and Confusion over Mifid, IFRL (2006), p. 14
- Article 3: Vauplane Hubert de, A European Market Model between Quote-Driven and Order- Drive Trading, p. 231-237, στο Χρηματιστήριο και Προστασία των Επενδυτών. Το ελληνικό θεσμικό πλαίσιο και ο ευρωπαϊκός και διεθνής οικονομικός χώρος, Πρακτικά Δημερίδας 9-10 Ιουνίου 2000 (2001)
- Article 4: Walker George, Financial Markets and Exchanges, p. 3 in Financial Markets and Exchanges Law (2007), Michael Blair- George Walker (editors)
- Article 5: Yours Questions on Mifid. Markets in Financials Instruments Dierective 2004-39-EC and implementing measures. Questions and answers, on <http://europa.eu/internalmarket/securiti/isd/questions>

9. Additional Bibliographical Material

Apart from the required reading, you are free to study books or articles related to the content of the Course. It is useful to expand your study by making use of as many bibliographical sources as possible. To this end, you are offered free access to the Virtual Learning Environment (VLE) and to the electronic Library of Neapolis University.

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10. Online Learning Resources

The tutor may upload notes, PowerPoint Presentations, quizzes, announcements, as well as any other additional material on the Course's webpage, which can be found at the electronic platform (moodle) used by Neapolis University. Moreover, students are able to use the discussion forum in order to communicate with his/her fellow students. Students are advised to visit the platform on a regular basis in order to have access to newly uploaded educational material.

11. Scheduled Online Educational Activities and Teaching Methods

- Notes and PowerPoint Presentations in digital format through the electronic platform
- Basic textbook(s) and additional bibliography
- Assignments
- Meetings with the tutor(s)
- Discussions through the electronic platform
- Web links

12. The Virtual Learning Environment (VLE)

The Virtual Learning Environment, which supplements this Study Guide, has been designed in order to enhance the educational experience of students by providing them with more support and by creating the sense of an academic community. It constitutes a significant part of the distance learning studies, and as a result students are highly encouraged to use it as often as possible. The Virtual Learning Environment offers a wide range of educational sources for distance learning:

- Self-assessment activities: understanding of the educational material.
- Digital study material: it is uploaded and is available to students.
- Students' discussion forum: students can use it in order to exchange opinions, to ask for support from their fellow students, to cooperate in order to solve problems, and to discuss about any subject that is related with the courses they attend.
- Study skills: expert advice on the preparation for the exams and development of digital skill which helps students in the studying process.

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13. Electronic Library

The library of Neapolis University Pafos offers access to a rich collection of sources of information, ranging from printed books to electronic data bases. It supports the educational and research activities of Neapolis University and its academic community.

The Library's printed collection consists of 10 thousand books, whereas its digital collection consists of 300 thousand e-books and more than 5 million articles in electronic format which are drawn from 17 world famous publishing houses and data bases, such as Springer, Taylor & Francis, Ebsco, Emerald, Wiley, JSTOR, Cambridge University Press, Oxford University Press, Sage, Fame, Orbis, Westlaw, Proquest, TLG, CYS etc. It also offers users a series of research tools, thus enabling them to search on all available electronic resources.

Users have access to both the printed and the digital material of the library through the federated search engine EDS (Ebsco Discovery Service). Through EDS (<https://www.nup.ac.cy/learning-resources/library/collection-discovery-tools/discovery-tools/>) you can submit generic-type queries to the sum of NUP Library resources and get back a list of relevant items. Depending on the format of material and your location (in campus or remote) you can even have access to the full text of resources.

The library has adopted a reference morphotype based on the Harvard style guide (author-date). Users may consult the short guide that has been prepared by the library concerning the Harvard morphotype.

For the organisation and management of bibliographic references, the library suggests the use of the Mendeley system. Mendeley is a free tool for the management of bibliographical references which helps students organize and write assignments.

Each user has his/her own library card which has codes that help the user acquire the material he/she is interested in. The process for getting access to library material is very simple (see the library regulations: <https://www.nup.ac.cy/wp-content/uploads/2014/03/NUPs-Library-regulations-eng.pdf>).

For more information concerning the library of Neapolis University you may contact the library staff: email lib@nup.ac.cy, tel. +357 26843313.

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14. Necessary Reading

It is important to read as many of the books and articles included in the Course's bibliography as possible. By doing so, you will get all the basic and necessary knowledge related to the Course.

In many cases, you may also read a synopsis of the lectures in PowerPoint format. These PowerPoint presentations are uploaded in the electronic platform.

15. Study Timetable per Week

Week	Subject	Study
1	Introduction to Fundamental Principles of European Banking Law/ Fundamental Concepts of European Banking Law	E.P. Ellinger/E. Lomnicka/ C. Hare (Part I.3)
2	Economic and Monetary Union and Main European Institutions	E.P. Ellinger/E. Lomnicka/ C. Hare (p. 39-50)
3	Licensing, activity and supervision of credit institutions	E.P. Ellinger/E. Lomnicka/ C. Hare (p. 86-87) Article 2: The Controversy and Confusion over Mifid, p. 14
4	Bank deposit guarantee scheme	E.P. Ellinger/E. Lomnicka/ C. Hare (p. 36-39)
5	Law on the Protection of Financial Services Consumers	E.P. Ellinger/E. Lomnicka/ C. Hare (p.84-86)
6	Banking activities I <ul style="list-style-type: none">• The usual customer and bank relationship• Banking confidentiality (secrecy)	E.P. Ellinger/E. Lomnicka/ C. Hare (p.103-151) Article 5: Yours Questions on Mifid. Markets in

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	<ul style="list-style-type: none">• Bank account	Financials Instruments Directive 2004-39-EC and implementing measures. Questions and answers, on http://europa.eu/internalmar ket/securiti/isd/questions
7	Banking activities II <ul style="list-style-type: none">• Distinctions of banking activities: Bank deposit agreement, Credit Agreements	E.P. Ellinger/E. Lomnicka/ C. Hare (p. p.36-39, p.278- 286, p.496-497, p. 597-597)
8	Banking activities III <ul style="list-style-type: none">• Distinctions of banking activities: Payment Transactions and transfer of funds, Issuing and administering means of payment	E.P. Ellinger/E. Lomnicka/ C. Hare (p. 286-291, p. 421- 472, p.473) Article 4: Walker George p. 3
9	Guarantees and commitments	E.P. Ellinger/E. Lomnicka/ C. Hare (p. 598-599, p. 626- 630)
10	Modern financing agreements	Rokas-Gkortsos (p. 638- 655) Article 4: Walker George p. 3
11	Banking and Investment services and activities – Financial instruments The trade of financial instruments	E.P. Ellinger/E. Lomnicka/ C. Hare (Part III.21) Penn Bob, p. 89
12	Obligations of credit institutions when providing investment services	E.P. Ellinger/E. Lomnicka/ C. Hare (p. 96-97) Vauplane Hubert de, p. 231- 237

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13	Repetition Course	
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1st Week

Objective

- To study Greek public banking law through the prism of international and European banking law
- To analyze the background of this law branch
- To analyze the subject and the specific characteristics of European Banking Law
- To analyze the fundamental community (union) freedoms
- To analyze the Community Directives and their relation to the free movement of capital (Background)

Expected learning outcomes

After the completion of the study of the 1st week, students will be able to:

- Understand and classify the sources of European banking law and their effect on the formation of Greek banking law
- Outline and evaluate public banking law

Key concepts

- European Banking Association
- Free movement of capital
- Establishment and services provision freedom
- Single internal market – A single market for financial services under construction since 1973
- Principle of minimum harmonization
- Financial Services Action Plan (1999)
- Lamfalussy Committee - New wave of instructions

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- Political Risk

Study

E.P. Ellinger/E. Lomnicka/ C. Hare (Part I.3)

Activities

1. What is the second wave of community / union Directives?
2. What are the sources of the Greek public banking system?

Self-assessment exercises

1. What are the fundamental community freedoms?
2. What is the public banking system?

2nd Week

Objective

- To study the mechanisms in the framework of the European banking association and the national institutions

Expected learning outcomes

After the completion of the study of the 2nd week, students will be able to:

- Demarcate the institutions of the Economic and Monetary Union.

Key concepts

- Economic and Monetary Union
- European System of Central Banks (ESCB),
- European Central Bank (ECB),
- National Central Banks and
- other European banking institutions

Study

E.P. Ellinger/E. Lomnicka/ C. Hare (p. 39-50)

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Activities

What are the competences of the Bank of Greece?

Self-assessment exercises

1. What is the cause of the Hellenic Financial Stability Fund?
2. What is the Deposit and Investment Guarantee Fund (TEKE)?

Quiz: Identify the activities of the European System of Central Banks (ESCB), European Central Bank (ECB) and National Central Banks

Video:

Explore some of the most basic institutions of the Economic and Monetary Union (<https://www.youtube.com/watch?v=StZhbA7HMcQ>)

3rd Week

Objective

- The analysis of licensing,
- The activity and
- the supervision

Expected learning outcomes

After the completion of the study of the 3rd week, students will be able to:

- Explain the terms of licensing and withdrawing authorised credit institutions
- Explain the terms of the activity of credit institutions

Key concepts

- Law 4261/2015

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- Credit Institutions
- Branch

Study

E.P. Ellinger/E. Lomnicka/ C. Hare (p. 86-87 and Part.1.3)

Article 2: The Controversy and Confusion over Mifid, p. 14

Activities

11. What are the terms of licensing authorised credit institutions?
12. What are the terms of activity?

Self-assessment exercises

4. How do you perceive the limitations in the principle of mutual recognition?
5. What are the activities subject to mutual recognition?

4th Week

Objective

- To describe the operating conditions of the deposit guarantee scheme of the Deposit and Investment Guarantee Fund (TEKE)
- To highlight the recovery of money procedures

Expected learning outcomes

After the completion of the study of the 4th week, students will be able to:

- Analyze and comprehend the concept of deposits
- Comprehend the coverage levels

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Key concepts

- TEKE
- Coverage level
- “Unavailable deposit”

Study

E.P. Ellinger/E. Lomnicka/ C. Hare (p. 36-39)

Activities

1. What is the concept of deposit?

Self-assessment exercises

- What is the rule for the coverage level?
- Which deposits are not covered by the guarantee and recovery for damages?

5th Week

Objective

- To analyze the terms of general transactions in banking agreements.
- To analyze the role of the consumer of banking services through the case-law.

Expected learning outcomes

After the completion of the study of the 5th week, students will be able to:

- Evaluate when a customer of banking products and services is considered a consumer
- Evaluate the legal framework of consumer protection and its implementation on the banking services.

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Key concepts

- Consumer
- Law 2251/2994
- Banking products
- Provision of services

Study

E.P. Ellinger/E. Lomnicka/ C. Hare (p. 84-86)

Activities

1. Search for judgments referring to the protection of banking services recipient.

Self-assessment exercises

1. What are the advantages of the protection of banking services consumer?

6th Week

Objective

- To analyze the importance of the particular relationship between bank and customer.
- To examine the function of current-account credit facility.

Expected learning outcomes

After the completion of the study of the 6th week, students will be able to:

- Evaluate the increased obligations of credit institutions towards the customers.
- Evaluate the concept of current-account credit facility.

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Key concepts

- The usual relationship between customer and bank
- Banking confidentiality (secrecy)
- Bank account
- Bank current-account credit facility

Study

E.P. Ellinger/E. Lomnicka/ C. Hare (p.103-151)

Article 5: Yours Questions on Mifid. Markets in Financials Instruments Directive 2004-39-EC and implementing measures. Questions and answers, on <http://europa.eu/internalmarket/securiti/isd/questions>

Activities

1. What are the general obligations of credit institutions?
2. What are the specific obligations of credit institutions?

Self-assessment exercises

- What is the importance of the current- account credit facility?
- What are the outcomes of the current-account credit facility?

7th Week

Objective

- To analyze the distinctions of banking activities
- To analyze the fundamental concepts of Banking deposit Agreement and Credit Agreements

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Expected learning outcomes

After the completion of the study of the 7th week, students will be able to:

- Comprehend who the payee is and what the legal nature of the banking deposit is
- Comprehend which the credit agreements are

Key concepts

- Passbook
- Types of loans
- Non-performing loans
- Credit line
- Collateralized credit

Study

E.P. Ellinger/E. Lomnicka/ C. Hare (p. 36-39, p. 278-286, p.496-497, p. 597-597)

Activities

1. What are the types of bank deposits?
2. What are the special forms of loans?

Self-assessment exercises

1. What is the consumer credit?
2. What do we mean when we use the term “collateralized credit”?

8th Week

Objective

- To analyze the problems related to credit cards
- To analyze the problems related to the electronic means of payment

[Type here]

Expected learning outcomes

After the completion of the study of the 8th week, students will be able to:

- Comprehend the rules related to the issue and administration of the means of payment
- Comprehend the bank transfer agreements

Key concepts

- Payment services according to Law 3862/2010
- Credit cards
- Transactions in foreign currency

Study

E.P. Ellinger/E. Lomnicka/ C. Hare (p. 286-291, p. 421-472, p. 473)

Article 4: Walker George p. 3

Activities

1. What is a credit card?
2. What are the electronic means of payment?

9th Week

Objective

- To analyze the letter of credit
- To analyze the acceptance credit

Expected learning outcomes

After the completion of the study of the 9th week, students will be able to:

- Explain the legal nature, function and characteristics of the letter of credit

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Key concepts

- “Documentary credit”

Study

E.P. Ellinger/E. Lomnicka/ C. Hare (p. 598-599, p. 626-630)

Activities

1. What do we mean when we use the term letter of credit agreement?
2. What relations of contracting parties are created?

Self-assessment exercises

1. What is a banking letter of credit?

10th Week

Objective

- To analyze factoring
- To analyze forfaiting
- To analyze leasing

Expected learning outcomes

After the completion of the study of the 10th week, students will be able to:

- Evaluate the rules implemented and the relations between the contracting parties in factoring
- Evaluate the rules implemented and the relations between the contracting parties in forfaiting
- Evaluate the rules and the relations between the contracting parties in leasing

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Key concepts

- factoring
- forfaiting
- leasing
- legal nature
- economic significance
- relations between contracting parties

Study

Rokas-Gortsos, p. 638-655

Article 4: Walker George p. 3

Activities

- Evaluate the legislation of leasing.
- What are the relations between the contracting parties in factoring?

Self-assessment exercises

- What are the relations between the contracting parties in leasing?

11th Week

Objective

- To analyze the Banking and Investment services and activities
- To analyze the Financial instruments
- To analyze the trading of the financial instruments

Expected learning outcomes

After the completion of the study of the 11th week, students will be able to:

[Type here]

- Evaluate the functions of the financial instruments
- Explain the differences between direct and indirect funding
- Explain the differences between primary and secondary markets
- Explain the rules governing the infrastructure and the function of the financial system

Key concepts

- financial intermediation
- Payment “instrument”
- Collective investment undertakings
- Trading facilities
- Primary and secondary markets
- Transferable securities
- Financial derivative instruments

Study

E.P. Ellinger/E. Lomnicka/ C. Hare (Part III.21)

Penn Bob, p. 89

Activities

1. What are the two “main” infrastructures of the financial system?
2. What types of services are provided in the financial system?

Self-assessment exercises

- Under which forms are the systems of clearing and payment settlement organized?
- Explain the individual distinctions of markets.

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Peer assessment

Model answers - use model answers from an anonymous piece of work from a previous class and students give feedback and compare their answers

12th Week

Objective

- To analyze the content and the legal nature of the provision of investment advisory agreement
- To analyze the obligation and the rights of the contracting parties

Expected learning outcomes

After the completion of the study of the 12th week, students will be able to:

- To understand the obligations of the credit institutions during the provision of investment services

Key concepts

- Obligation of best execution of the customers' orders
- Obligations of information

Study

E.P. Ellinger/E. Lomnicka/ C. Hare (p. 96-97)

Vauplane Hubert de, p. 231-237

Activities

1. What is the legal nature of the investment service?

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Self-assessment exercises

1. What are the rights and the obligations of the contracting parties during the Investment service agreement?

13th Week

Objective

- The students must revise the main points analyzed during the semester

Expected outcomes

After the completion of the study of the 13th week, students will be able to:

Be adequately prepared for the final exam.

16. Assessment

The overall academic performance of students is based on the assessment of a written assignment, on a formative assessment and their performance in the final exams. The physical presence of students in the final exams is mandatory. A passing mark in the mid-term assignment is not a prerequisite for his/her participation in the final exams. The final grade awarded to each student is the sum of the grades awarded for the assignment and the final exams. Both the assignments and the final exams are marked in the scale 0 (complete failure) to 100 (absolute success). In order to get a passing mark in the Course, a student must receive a passing mark in the final exams. In a nutshell:

- The grade awarded for the assignment represents the 20% of the Course's final grade
- The grade awarded for the formative assessment activities represents the 10% of the Course's final grade
- The grade awarded for the final exams represents the 70% of the Course's final grade.
- In order to get an overall passing mark, a student must be graded with at least 50/100 in the final exams.

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Assessment Methods	Percentage	CLO 1	CLO 2	CLO 3	CLO 4	CLO 5
Formative Assessment Activities	10%	√	√		√	
Midterm Exam/Midterm Written Assignment	20%			√		√
Final Exam	70%	√		√	√	√

Assignments Details

Written Exercise	Quiz	Oral Presentation	Problem Solving	Online Exam	Case Study
√	√				
10%	5%				

Formative Assessment (non-graded):

Peer Assessment	Discussion boards/forums	Video activity	Online Activities	Oral presentation
√	√	√		

Grading and the formative assessment of the course and its criteria are explained in the Programme's Handbook as well as in the Evaluation Policy of the learning process implemented by the Law School. It is expected that students will participate to on-line classes well-prepared in order to engage in discussion and clarify any questions they may have.

Evaluation standards:

Numerical grade	Descriptive grade	
85-100%	Excellent	A

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65-84%	Very well	B
50-64%	Well	C
0-49%	Rejection	F

17. Tutor's Comments

Tutors give students feedback comments for their assignments, which is a successful educational process. These comments give students two kinds of information:

- How your performance was.
- What the tutors expect from you.

One of the most common comments made by tutors is that the answers given by students are vague. When some students see a familiar concept or word, they write anything they know about it, without addressing the terms of the question. Therefore, they give the impression that they do not know what the question asks. Make sure that you fully understand the real meaning of questions posed to you by your tutor before trying to answer them. Also, make sure that you always take good notice of your tutor's comments. As you go through the exams subjects, you should try to answer the questions of mock exams, which are available, and understand the tutors' comments on these answers. Take as much time needed in order to reflect on these comments. This will help you during your study. Try not to move forward unless you:

- Have addressed the previous question(s).
- Have taken into consideration all the comments made by your tutor.
- Have thought of ways to improve your answer(s).

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DLLM 540: International Economic Law

Course Title	International Economic Law
Course Code	DLLM 540
Course Type	Compulsory
Level	Postgraduate
Year	First
Semester	Second
ECTS	7,5
Prerequisite or Required Courses	None
Other Recommended Courses	None
Language	English
Teaching Methodology	Distance learning
Instructor	Panayotis M. Protopsaltis – Dimitra Papageorgiou

1. Introduction

This study guide for the module “International Economic Law” follows the standards adopted by most of the distance learning programs.

The module intends to initiate students to the basic principles and institutions of international economic law, the World Trade Organization (WTO), the World Bank, the mechanisms of investor – State dispute settlement as well as the International Monetary Fund (IMF). The module is structured in three parts. After an introductory lecture, the first part will focus on the rules of international trade. The second part is dedicated to the law of foreign direct investment. In the third, finally, part we will examine the international monetary system.

2. Structure of the Study Guide

The Study Guide is divided in several parts, which cover all the fundamental thematic units of the above mentioned Course. More specifically, it includes:

- The Course’s learning outcomes
- The required and further bibliography
- An introduction to the Course’s thematic units
- An outline of each of the Course’s units
- A series of questions that will enable the student to assess the degree of his/her understanding of the subjects that he/she has been taught (self-assessment exercises)

[Type here]

- Assessment methods and grading

3. Activities

Apart from the above-mentioned basic features, this Study Guide includes activities that will facilitate your study and will allow you to interact with the relevant material. Even though these activities are not taken into account for your final mark, we strongly recommend that you participate in them during your study. These activities will also help you to develop your skills, boost your self-confidence for the newly acquired knowledge and effectively use this knowledge.

4. Course Purpose and Objectives

The Course aims to:

- Critically approach the rules of the international economic system, particularly the rules of international trade and investment as well as the rules of the international monetary system
- Explain the problems that the relevant rules attempt to solve and the rationale behind the content of the particular regulations
- Provide the students with the necessary tools that will allow them to form a learned opinion on some of the topical issues of the international economic system

5. Course Learning Outcomes

After the completion of the Course, students will be able to:

O1. Independently research legislative texts and ongoing legislative initiatives about the operation of the international economic system

O2. Interpret the rights of private actors identifying the basic principles of promotion and protection of foreign direct investment as established by bilateral, multilateral or EU free trade and investment agreements

O3. Question the role of the State in the context of international trade law as established by the agreements of the Uruguay round, bilateral and regional free trade agreements, as well as exploring the basic principles of international monetary system, particularly the rules of the International Monetary Fund (IMF)

O4. Question the functionalities of dispute settlement in the context of international and EU business law, distinguishing the basic principles of bilateral investment treaties and international investment agreements as well as analyzing the relevant awards of investor – State arbitral tribunals

6. Course content

- The lectures delivered along with the relevant Power Point presentations and reading material

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7. Use of the Study Guide

This Study Guide offers an introduction to the main subjects of study in the field of international economic law. As it is the case with any other similar Guide, it has been designed in order to help you in your study. It aims to answer to your queries about the content of the Course, the topics to be discussed and the material to read as well as to provide information on the exam. However, a Study Guide cannot cover every detail. As a result, your study may well expand beyond the limits of this Guide. Moreover, you should not treat the Study Guide as a textbook. If you restrict yourself to the content of the Guide without making additional efforts for further study, you will have difficulties in obtaining positive results in your final exam. It is advisable that you keep your own notes as you study for the Course. These notes will help you to approach the relevant material in a critical manner and to ask for the instructor's assistance on issues that you find complicated or difficult. Detailed information about the exact content and the type of the final exam will be provided before the end of the semester.

8. Bibliography

Required reading

- D. Bethlehem, I. Van Damme, D. McRae, and R. Neufeld (eds) *The Oxford Handbook of International Trade Law*, OUP 2009
- R. Dolzer & Chr. Schreuer, *Principles of International Investment Law*, OUP 2012
- M. Herdegen, *Principles of International Economic Law*, OUP 2016
- A.F. Lowenfeld, *International Economic Law*, OUP 2002
- P. Muchlinski, F. Ortino & Chr. Schreuer, *The Oxford Handbook of International Investment Law*, OUP 2008

Further reading

- J.M. Chwiero, "The silent revolution: How the staff exercise informal governance over IMF lending" 8 *Rev Int Organ* (2013), pp 265-290.
- M. Dixon, R. McCorquodale & S. Williams, *Cases and Materials on International Law*, OUP, 2016
- A. A. Fatouros, 'Transnational Corporations: Looking for an International Legal framework for Transnational Corporations', in: Chr. Rozakis, H. Dipla, P. M. Protosaltis (eds), A. A. Fatouros, *Selected Essays on International Economic Law*, Sideris 2014, pp. 187-235
- D. A. Gantz, *Liberalizing International Trade after Doha: Multilateral, Plurilateral, Regional and Unilateral Initiatives*, CUP 2012
- J. Gold, *The Stand-By Arrangements of the International Monetary Fund*, IMF 1970
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- M. Matsushita, T. J. Schoenbaum & P. C. Mavroidis, *The World Trade Organization Law, Practice and Policy*, OUP 2003
- T.N. Papanastasiou, *The Legal Protection of Foreign Investments against Political Risk: Japanese Business in the Asian Energy Sector*, Quid Pro Books 2015
- P. M. Protopsaltis, 'Compliance with the Laws of the Host Countries in Bilateral Investment Treaties', *in: In Memoriam Professor Ilias Krispis: Contributions to the Study of Law and International Relations*, Sakkoulas 2015, pp. 583-602
- J. Salacuse, *The Three Laws of International Investment*, OUP 2013
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- Th. A. Zimmermann, 'WTO Dispute Settlement at Ten: Evolution, Experiences, and Evaluation', *Aussenwirtschaft – The Swiss Review of International Economic Relations*, Vol. 60 (2005), No. I, pp. 27-61

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The library of the Neapolis University Pafos offers access to a rich collection of sources of information, ranging from printed books to electronic data bases. It supports the educational and research activities of Neapolis University and its academic community.

The Library's collection consists of 10 thousand printed books, whereas its digital collection consists of 300 thousand e-books and more than 5 million articles in electronic format which are drawn from 17 world famous publishing houses and data bases, such as Springer, Taylor & Francis, Ebsco, Emerald, Wiley, JSTOR, Cambridge University Press, Oxford University Press, Sage, Fame, Orbis, Westlaw, Proquest, TLG, CYS etc. It also offers to users as series of research tools, thus enabling them to search on all available electronic resources.

Users have access to both the printed and the digital material of the library through the federated search engine EDS (Ebsco Discovery Service). Through EDS (<https://www.nup.ac.cy/learning-resources/library/collection-discovery-tools/discovery-tools/>) you can submit generic-type queries to the sum of NUP Library resources and get back a list of relevant items. Depending on the format of material and your location (in campus or remote) you can even have access to the full text of resources.

The library has adopted a reference morphotype based on the Harvard style guide (author-date). Users may consult the short guide that has been prepared by the library concerning the Harvard morphotype.

For the organisation and management of bibliographic references, the library suggests the use of the Mendeley system. Mendeley is a free tool for the management of bibliographical references which helps students organizing and writing assignments.

Each user has his/her own library card which has codes that help the user to acquire the material he/she is interested in. The process for getting access to library material is very simple (see the library regulations: <https://www.nup.ac.cy/wp-content/uploads/2014/03/NUPs-Library-regulations-eng.pdf>).

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For more information concerning the library of Neapolis University you may contact the library staff: email lib@nup.ac.cy, tel. +357 26843313.

14. Necessary Reading

It is important to read as many of the books and articles included in the Course's bibliography as possible. By doing so, you will get all the basic and necessary knowledge related to the Course. In many cases, you may also read the synopsis of the lectures in PowerPoint format. These PowerPoint presentations are uploaded in the electronic platform.

15. Study Timetable per Week

Week	Subject	Study
1	The general principles of international economic law – The rationale and the structure of its rules <i>Quiz:</i> Identify the activities that fall within each of the three branches of international economic law.	Herdegen, pp. 3-115
2	The birth and development of the GATT system and of the World Trade Organization <i>Video:</i> Explore some of the basic features of the WTO.	Herdegen, pp. 195-211 Bethlehem, Van Damme, McRae & Neufeld, pp. 5-67
3	The content of the rules of the World Trade Organization Discussion forum on the applicability of the basic principles of international trade law	Herdegen, pp. 212-307 Dixon, McCorquodale & Williams, pp. 492-509
4	International trade dispute settlement mechanism	Herdegen, pp. 205-206, 300-307 Zimmermann, pp. 27-61
5	Freedom of trade, protectionism & neo-protectionism: The network of bilateral and multilateral free trade agreements <i>Discussion forum</i> on the view that neo-protectionism serves national priorities	Herdegen, pp. 306-347 Gantz, pp. 201-310
6	Methods for promotion of foreign direct investment and the problem of political risk <i>Discussion forum</i> on the distinction between governmental unwarranted interference and the sovereign right of states to regulate.	Herdegen, pp. 405-420, 427-494 Dolzer & Schreuer, pp. 1-25, 228-231

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		Krajewski & Hoffmann, 299-333
7	The rules on entry and establishment and rules on treatment of foreign direct investors in bilateral investment treaties and international investment agreements	Herdegen, pp. 448-466 Dolzer & Schreuer, pp. 87-97, 130-160, 198-214
8	The rules on protection of foreign direct investors in bilateral investment treaties and international investment agreements <i>Discussion forum</i> on the fairness of the international investment law system against the rights of developing countries	Herdegen, pp. 466-475 Dolzer & Schreuer, pp. 98-129, 160-166, 293-298
9	Investor - State dispute settlement mechanism and the role of case law in the development of international investment law <i>Problem solving with peer assessment</i> on the interpretation of investor – State arbitration clauses.	Dolzer & Schreuer, pp. 235-312 Krajewski & R. Hoffmann, pp. 193-340
10	Investors' obligations in the case law of the International Centre for the Settlement of Investment Disputes <i>Discussion forum</i> on the need of introducing international obligations of foreign investors	Dolzer & Schreuer, pp. 92-97 A.A. Fatouros, 187-235 Protopsaltis, pp. 583-602
11	The lex monetae and the restriction of monetary sovereignty of States	Herdegen, 504-505, 520-530 Lowenfeld, 495-643, 804-810
12	The assistance of the International Monetary Fund <i>Discussion forum</i> on the major drawbacks of the IMF conditionality	Herdegen, pp. 526-530 Gold, 40-64 Gutián
13	Revision	

1st Week

The general principles of international economic law – The rationale and the structure of its rules
Purpose and objectives

[Type here]

- To explain the content of the activities falling within the scope of the three branches of international economic law: international trade, foreign direct investment and international monetary relations
- To describe the actors of these activities, the sources of the relevant rules and the relation between customary international law and treaty law as well as between municipal and international law in the regulation of the activities in question
- To underline the restrictions of sovereignty involved in the regulation of these activities and the conflicting standpoints of developed and developing countries

Expected learning outcomes

After the completion of the study of the 1st week, students will be able to:

- Classify the content of the activities involved in the three branches of international economic law as well as the actors and the sources of the relevant rules
- Explain the need for the introduction of international rules as well as the obstacles to the introduction of such rules

Key concepts

- National sovereignty
- Developed countries
- Developing countries
- Customary international law
- International treaties
- New International Economic Order

Study

Herdegen, pp. 3-115,

Activities

- What are the restrictions to national sovereignty involved in the introduction of international economic law rules?
Herdegen, pp. 77-115
- What are the main positions of developing countries in the framework of their demands for the establishment of a New International Economic Order (NIEO)?
Herdegen, pp. 17-19

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Self-evaluation exercises

- What is the particular subject matter of regulation of the rules of international economic law?
Herdegen, pp. 3-5
- What is the role of the State in the international economic system?
Herdegen, pp. 28-29, 65-66

Quiz: Identify the activities that fall within each of the three branches of international economic law.

2nd Week

The birth and development of the GATT system and of the World Trade Organization

Purpose and objectives

- Analyse the history and the development of the central system of international trade from the Havana Charter to the Doha Declaration
- Analyse the architecture of the results of the Uruguay Round

Expected learning outcomes

After the completion of the study of the 2nd week, students will:

- Illustrate the development of the negotiations for the establishment of a central system of international trade rules, particularly the positions of developing countries
- Recognize the distinctions between multilateral and plurilateral agreements and the organisation and operations of the World Trade Organization (WTO)

Key concepts

- Havana Charter – General Agreement on Trade and Tariffs (GATT)
- Uruguay Round
- World Trade Organization
- Multilateral and plurilateral agreements

Study

Herdegen, pp. 195-211, Bethlehem, Van Damme, McRae & Neufeld, pp. 5-67

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Activities

- Analyse the evolution of the positions of developed and developing countries from the Havana Charter to the Doha Declaration
Herdegen, pp. 195-201
- Explain the distinction between multilateral and plurilateral agreements and try to explain the choice of areas regulated through each category
Herdegen, pp. 208-209

Self-evaluation exercises

- What are the differences between the General Agreement on Trade and Tariffs (GATT) system and the World Trade Organization (WTO) system?
Herdegen, p. 197
- Which are the multilateral and plurilateral agreements concluded in the context of the World Trade Organization (WTO) and what are their differences?
Herdegen, pp. 208-209

Video: Explore some of the basic features of the WTO.
(https://www.wto.org/english/thewto_e/thewto_e.htm)

3rd Week

The content of the rules of the World Trade Organization

Purpose and objectives

- The analysis of the content of the rules of international trade of the World Trade Organization (WTO) system and the problems of their application

Expected learning outcomes

After the completion of the study of the 3rd week, students will:

- Be able to analyse the general principles of international trade law

Key concepts

- Principle of transparency
- National treatment
- Most favored nation treatment
- Standards

[Type here]

- World Trade Organization (WTO)
- Multilateral and plurilateral agreements

Study

Herdegen, pp. 212-307, Dixon, McCorquodale & Williams, pp. 492-509

Activities

- Analyse the importance of the most favored nation treatment provision.
Herdegen, pp. 213-216
- Explain the importance of the provision on special treatment of developing countries and study its effects in practice.
Herdegen, pp. 216-219

Self-evaluations exercises

- What are the general principles of the General Agreement on Trade and Tariffs (GATT)?
Herdegen, pp. 212-249
- What are the general principles of the General Agreement on Trade in Services (GATS)?
Herdegen, pp. 265-271

Discussion forum:

There has been criticism on the application of the basic principles of international trade law. What is your opinion? [Dixon, McCorquodale & Williams, pp. 492-509]

4th Week

International trade dispute settlement mechanism

Purpose and objectives

- To explain the dispute settlement mechanism of the World Trade Organization (WTO)
- To analyse the relevant case law and the role of this case law in the development of the international trade law

Expected learning outcomes

After the completion of the study of the 4th week, students will:

[Type here]

- Explain the procedure for the settlement of trade disputes in the World Trade Organization (WTO)
- Apply a general knowledge of the evolution of the relevant case law

Key concepts

- Panel
- Appellate Body
- Consensus
- Exclusivity of the mechanism
- Juridicisation of trade disputes
- Countermeasures

Study

Herdegen, pp. 205-206, 300-307, Zimmermann, pp. 27-61

Activities

- Evaluate the importance and the possibilities of influence of the decision of the World Trade Organization (WTO) dispute settlement organs by third, non-litigant, parties
Herdegen, p. 301

Self-evaluation exercises

- Which are the institutional dispute settlement organs of the World Trade Organization (WTO) and what is the extent of their jurisdiction?
Herdegen, pp. 205-206, 300
- What are the limits of countermeasures?
Herdegen, p. 303

5th Week

Freedom of trade, protectionism & neo-protectionism: The network of bilateral and multilateral free trade agreements

Purpose and objectives

- Analyse the notions and the basic problems of protectionism and neo-protectionism

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- Explain the birth of the network of bilateral and multilateral free trade agreements outside the World Trade Organization (WTO)
- Compare the content of the basic rules of bilateral and multilateral free trade agreement to the rules of the World Trade Organization (WTO)
- Underline the use of bilateral and multilateral free trade agreements to undermine the rules of the World Trade Organization (WTO)

Expected learning outcomes

After the completion of the study of the 5th week, students will be able to:

- Distinguish between the basic forms of protectionism and neo-protectionism
- Illustrate the content of some basic rules of bilateral and multilateral free trade agreements concluded by the United States and the European Union
- Explain the transformation of the legal framework of international trade as a result of the development of bilateral and multilateral free trade agreements.

Key concepts

- Protectionism and neo-protectionism
- Free trade agreements
- North American Free Trade Agreement (NAFTA)
- Cotonou Agreement
- WTO plus and WTO extra provisions

Study

Herdegen, pp. 306-347, Gantz, pp. 201-310

Activities

- Give some examples of protectionism and neo-protectionism
Herdegen, p. 340
- Evaluate the effects of the development of bilateral and multilateral free trade agreements
Herdegen, p. 344

Self-assessment exercises

- What are the means of action available to States for the protection of the freedom of international trade against the rise of protectionist policies?

[Type here]

Herdegen, p. 340

- What are the consequences of the development of bilateral and multilateral free trade agreements concluded outside the World Trade Organization for the international trade flows?

Herdegen, p. 344

Discussion forum: What is your view on the argument that neo-protectionism in some cases serves national priorities and is therefore permissible? [see Gantz, pp. 201-310]

6th Week

Methods for promotion of foreign direct investment and the problem of political risk

Purpose and objectives

- Explain the birth of the construct of the promotion of foreign direct investment in order to fund development
- Explain the problem of political risk and the methods for its alleviation
- Provide an overview of the existing legal framework on foreign direct investment

Expected learning outcomes

After the completion of the study of the 6th week, students will:

- Distinguish the role of investment for the development of national economy
- Be able to distinguish between political and business risk
- Demonstrate the theories on political risk and be able to apply the theories for the method of its alleviation
- Identify the main sources of international law on foreign direct investment

Key concepts

- Political risk
- Insurance against political risk
- Customary international law
- Bilateral investment treaties and international investment agreements
- Washington Consensus

[Type here]

Study

Herdegen, pp. 405-420, 427-494; Dolzer & Schreuer, pp. 1-25, 228-231, Krajewski & Hoffmann, 299-333

Activities

- Assess the role of bilateral investment treaties and international investment agreements for the alleviation of political risk
Dolzer & Schreuer, p. 23
- Assess the role of political risk insurance for the alleviation of political risk
Dolzer & Schreuer, p. 228

Self-evaluation exercises

- Which are the main factors for the decision of an investor to invest in one country rather than in another?
Herdegen, pp. 405-406; Dolzer & Schreuer, p. 23
- Which are the basic consequences of bilateral investment treaties and international investment agreements?
Dolzer & Schreuer, pp. 22-23

Discussion forum:

The distinction between governmental unwarranted interference and the sovereign right of states to regulate is not always clear. Write your opinion and give some real-cases examples.

7th Week

The rules on entry and establishment and on treatment of foreign direct investors in bilateral investment treaties and international investment agreements

Purpose and objectives

- Analyse the rules on entry and establishment of foreign direct investment in the United States and in the European models of bilateral investment treaties
- Analyse the rules on the treatment of foreign direct investments in the bilateral investment treaties

Expected learning outcomes

After the completion of the study of the 7th week, students will:

[Type here]

- Demonstrate the content of the relevant rules in relation to entry and establishment and in relation to treatment of foreign direct investment
- Explain the development of the relevant case law

Key concepts

- World Bank Guidelines on the treatment of foreign direct investment
- United States and European models of bilateral investment treaties
- Fair and equitable treatment
- National treatment
- Most favoured nation treatment
- Standards

Study

Herdegen, pp. 448-466; Dolzer & Schreuer, pp. 87-97, 130-160, 198-214

Activities

- Explain the difference between the European and the American model on admission of foreign direct investment
Dolzer & Schreuer, pp. 88-89
- Evaluate the effects of the most favoured nation treatment provision on the obligations of the host country
Dolzer & Schreuer, p. 206

Self-evaluation exercises

- What is the reason for the introduction of rules on entry and establishment of foreign direct investment?
Dolzer & Schreuer, p. 88
- What is the difference between national treatment and most favourable nation treatment?
Dolzer & Schreuer, p. 198, 206

8th Week

The rules on protection of foreign direct investors in bilateral investment treaties and international investment agreements

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Purpose and objectives

- Analyse the evolution of the rules on protection of foreign direct investment
- Analyse the relevant rules of the bilateral investment treaties and international investment agreements
- Focus on the problems of definition of the quantum of compensation in the takings of foreign direct investments

Expected learning outcomes

After the completion of the study of the 8th week, students will be able to:

- Illustrate the content of the relevant rules on protection of foreign direct investment
- Relate the evolution of the relevant case law

Key concepts

- Full protection and security
- Taking of property
- Principle of compensation

Study

Herdegen, pp. 466-475, Dolzer & Schreuer, pp. 98-129, 160-166, 293-298

Activities

- Evaluate the position of developing countries in relation to the takings of property in the light of the need for allocation of appropriate compensation
Dolzer & Schreuer, p. 100
- Comment on the relation between the right of the home country to introduce legislative measures to protect the public interest and the obligation of compensation of foreign direct investors
Dolzer & Schreuer, p. 162

Self-evaluation exercises

- What are the conditions of appropriate compensation?
Dolzer & Schreuer, pp. 296-297
- In your view, should there be limits to the compensation of foreign investors and in which cases?

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Dolzer & Schreuer, pp. 92-97

Discussion forum:

There is a growing criticism on the fairness of the international investment law system against the rights of developing countries. Do you agree? [Dolzer & Schreuer, p. 100, 162]

9th Week

Investor – State dispute settlement mechanisms and the role of case law in the development of international investment law

Purpose and objectives

- Analyse investor – State dispute settlement mechanisms, which particular focus on the International Centre for Settlement of Investment Disputes (ICSID)
- Explain the influential role of case law in the development of international investment law

Expected learning outcomes

After the completion of the study of the 9th week, students will:

- Explain the content of the relevant rules of investor – State dispute settlement mechanisms
- Be aware of the evolution of case law and of its role in the development of the content of the rules of the bilateral investment treaties and international investment agreements

Key concepts

- International Centre for Settlement of Investment Disputes (ICSID)
- Depoliticisation – juridicisation of investor – State disputes
- Case law of international investment arbitration

Study

Dolzer & Schreuer, pp. 235-312, Krajewski & R. Hoffmann, pp. 193-340

Activities

- Evaluate the importance of confidentiality in the arbitral procedure and the possible limits of confidentiality in the light of the criticism on the legitimization of arbitral tribunals

Dolzer & Schreuer, pp. 286-288

[Type here]

- Evaluate the importance and the possibilities of influence of the decision of arbitral tribunals by third, non-litigant parties

Dolzer & Schreuer, p. 287

Self-evaluation exercises

- Which are the mechanisms of settlement of investor – State disputes?
- What are the techniques States may use to give consent to arbitration?

Dolzer & Schreuer, pp. 235-245
Dolzer & Schreuer, pp. 254

Problem solving with peer assessment

Problem solving / hypothetical scenarios on the interpretation of investor – State arbitration clauses.

Peer assessment with model answers - use model answers from an anonymous piece of work from a previous class and students give feedback and compare their answers

10th Week

Investors' obligations in the case law of the International Centre for the Settlement of Investment Disputes

Purpose and objectives

- Analyse the problem of introduction of obligations of multinational corporations and the failures of the relevant attempts
- Analyse the evolution of case law of the arbitral tribunals in investor – State disputes in relation to the introduction of obligations of foreign investors

Expected learning outcomes

After the completion of the study of the 10th week, students will:

- Explain the relevant debate on the obligations of foreign direct investors in the host countries
- Identify the basic obligations recognised in arbitral awards

[Type here]

Key concepts

- Multinational – Transnational corporation
- UN Code of Conduct on Transnational corporations
- OECD Guidelines for multinational enterprises
- Law of the host country
- Forum shopping

Study

Dolzer & Schreuer, pp. 92-97, A.A. Fatouros, 187-235, Protopsaltis, pp. 583-602

Activities

- In your view, is it enough to ask foreign investors to respect the rules and regulations of the host country and what should be the limits of this obligation?
Dolzer & Schreuer, pp. 92-97
- Do you think it is possible to establish uniform rules for the activities of multinational corporations in all countries of the world?

Self-evaluation exercises

- What are the main obligations of foreign investors in the host countries?
Dolzer & Schreuer, pp. 92-97
- What are the main international attempts to establish liability of multinational corporations?
Discussion forum: Do you think that the introduction of international obligations of foreign investors is necessary in view of the fact that foreign investors are already subject to the laws of the host country? [Dolzer & Schreuer, pp. 92-97]

11th Week

The lex monetae and the restriction of monetary sovereignty of States

Purpose and objectives

- Analyse the content of monetary sovereignty of States and the scope of application of the lex monetae
- Analyse the rules of the International Monetary Fund (IMF) in relation to exchange rates, convertibility and special regimes

[Type here]

Expected learning outcomes

After the completion of the study of the 11th week, students will:

- Explain the monetary powers of the State and the international restrictions to monetary sovereignty

Key concepts

- Lex monetae
- Freely usable currency
- Currency exchange regimes
- Convertibility
- Special regimes
- International Monetary Fund (IMF)

Study

Herdegen, pp. 504-505, 520-530, Lowenfeld, 495-643, 804-810

Activities

- Compare the provisions on capital movement in bilateral investment treaties and international investment agreements with the rules of the International Monetary Fund (IMF) in relation to exchange, convertibility and special regimes

Dolzer & Schreuer, pp. 212-215; Herdegen, pp. 523-525

Self-evaluation exercises

- Under which circumstances is the restriction of current payments allowed under the rules of the International Monetary Fund (IMF)?

Herdegen, pp. 521-522

- Do the IMF Articles of Agreement allow the performance of exchange contracts involving the currency of a member State contrary to restrictions of that member in another member State?

Herdegen, pp. 523-525

12th Week

The assistance of the International Monetary Fund (IMF)

[Type here]

Purpose and objectives

- Analyse the permanent mechanisms of assistance of the International Monetary Fund (IMF), namely the stand-by arrangements and the ad hoc credit mechanisms
- Analyse the content of the conditionality of the International Monetary Fund (IMF) and its development model

Expected learning outcomes

After the completion of the study of the 12th week, students will:

- Identify the content of the mechanisms of assistance and the conditionality of the International Monetary Fund (IMF)
- Demonstrate the development policies promoted by the International Monetary Fund (IMF) through the conditionality

Key concepts

- International Monetary Fund (IMF)
- Stand-by arrangement
- Special Drawing Rights
- Conditionality

Study

Herdegen, pp. 526-530, Gold, 40-64, Guitián

Activities

- Comment and evaluate the aims of the Washington Consensus in the light of the UN Millennium Development Goals (MDG)
Herdegen, pp. 529-530

Self-evaluation exercises

- What is the legal nature of stand-by arrangements of the International Monetary Fund (IMF)?
Herdegen, pp. 528-529
- What are the consequences of the violation of the conditionality of the International Monetary Fund?
Herdegen, p. 529

[Type here]

Discussion forum: What do you think are the major drawbacks of the IMF conditionality? [Gold, 40-64]

13th Week

Purpose and objectives

⇒ Students are expected to recap the basic notions that were analyzed during the semester

Expected learning outcomes

After the completion of the study of the 13th week, students will be able to:

- Be adequately prepared in order to sit for the final exam

16. Assessment

Students' overall academic performance is calculated on the basis of their performance on the written assignment, the formative assessment and the final exam. Physical presence of students in the final exam is mandatory. A passing mark in the mid-term assignment is not a prerequisite for student's participation in the final exam. The final grade awarded is the sum of the grades awarded on the assignment and the final exam. Both marked on a scale of 0 (complete failure) to 100 (absolute success). In order to pass, a student must earn a pass mark in the final exam. In a nutshell:

- The grade awarded for the assignment represents the 20% of the Course's final grade
- The grade awarded for the formative assessment activities represents the 10% of the Course's final grade
- The grade awarded for the final exam represents the 70% of the Course's final grade
- In order to get an overall passing mark, a student must be graded with at least 50/100 in the final exam

Assessment Methods	Percent age	CL O 1	CL O 2	CL O 3	CL O 4
Formative Assessment Activities	10%	√			√
Midterm Exam/Midterm Written Assignment	20%		√	√	
Final Exam	70%	√		√	√

Assignments Details

[Type here]

Written Exercise	Quiz	Oral Presentation	Problem Solving	Online Exam	Case Study
√	√		√		
10%	5%		5%		

Formative Assessment (non-graded):

Peer Assessment	Discussion boards/forums	Video activity	Online Activities	Oral presentation
√	√	√		

Grading and the formative assessment of the course and its criteria are explained in the Programme's Handbook as well as in the Evaluation Policy of the learning process implemented by the Law School. It is expected that students will participate to on-line classes well-prepared in order to engage in discussion and clarify any questions they may have.

Evaluation standards:

Numerical grade	Descriptive grade	
85-100%	Excellent	A
65-84%	Very well	B
50-64%	Well	C
0-49%	Rejection	F

17. Instructor's Comments

Instructors give students feedback for their assignments. Feedback contains two kinds of information:

- Student's performance
- Instructor's expectations

One of the most common comments instructors make is that the answers given by students are too vague. Please make sure that you fully understand the real meaning of questions asked by your instructor before trying to answer. Also, make sure that you always take good notice of your instructor's comments. Take as much time as you need in order to reflect on these comments. This will help you during your study. Try not to move forward unless you:

[Type here]

- Have addressed all questions
- Have taken into consideration all the comments made by the instructor
- Have thought of ways to improve your answer(s)

[Type here]

DLLM 540: International Economic Law

Course Title	International Economic Law
Course Code	DLLM 540
Course Type	Compulsory
Level	Postgraduate
Year	First
Semester	Second
ECTS	7,5
Prerequisite or Required Courses	None
Other Recommended Courses	None
Language	English
Teaching Methodology	Distance learning
Instructor	Panayotis M. Protopsaltis – Dimitra Papageorgiou

1. Introduction

This study guide for the module “International Economic Law” follows the standards adopted by most of the distance learning programs.

The module intends to initiate students to the basic principles and institutions of international economic law, the World Trade Organization (WTO), the World Bank, the mechanisms of investor – State dispute settlement as well as the International Monetary Fund (IMF). The module is structured in three parts. After an introductory lecture, the first part will focus on the rules of international trade. The second part is dedicated to the law of foreign direct investment. In the third, finally, part we will examine the international monetary system.

2. Structure of the Study Guide

The Study Guide is divided in several parts, which cover all the fundamental thematic units of the above mentioned Course. More specifically, it includes:

- The Course’s learning outcomes
- The required and further bibliography
- An introduction to the Course’s thematic units
- An outline of each of the Course’s units
- A series of questions that will enable the student to assess the degree of his/her understanding of the subjects that he/she has been taught (self-assessment exercises)

[Type here]

- Assessment methods and grading

3. Activities

Apart from the above-mentioned basic features, this Study Guide includes activities that will facilitate your study and will allow you to interact with the relevant material. Even though these activities are not taken into account for your final mark, we strongly recommend that you participate in them during your study. These activities will also help you to develop your skills, boost your self-confidence for the newly acquired knowledge and effectively use this knowledge.

4. Course Purpose and Objectives

The Course aims to:

- Critically approach the rules of the international economic system, particularly the rules of international trade and investment as well as the rules of the international monetary system
- Explain the problems that the relevant rules attempt to solve and the rationale behind the content of the particular regulations
- Provide the students with the necessary tools that will allow them to form a learned opinion on some of the topical issues of the international economic system

5. Course Learning Outcomes

After the completion of the Course, students will be able to:

O1. Independently research legislative texts and ongoing legislative initiatives about the operation of the international economic system

O2. Interpret the rights of private actors identifying the basic principles of promotion and protection of foreign direct investment as established by bilateral, multilateral or EU free trade and investment agreements

O3. Question the role of the State in the context of international trade law as established by the agreements of the Uruguay round, bilateral and regional free trade agreements, as well as exploring the basic principles of international monetary system, particularly the rules of the International Monetary Fund (IMF)

O4. Question the functionalities of dispute settlement in the context of international and EU business law, distinguishing the basic principles of bilateral investment treaties and international investment agreements as well as analyzing the relevant awards of investor – State arbitral tribunals

6. Course content

- The lectures delivered along with the relevant Power Point presentations and reading material

[Type here]

7. Use of the Study Guide

This Study Guide offers an introduction to the main subjects of study in the field of international economic law. As it is the case with any other similar Guide, it has been designed in order to help you in your study. It aims to answer to your queries about the content of the Course, the topics to be discussed and the material to read as well as to provide information on the exam. However, a Study Guide cannot cover every detail. As a result, your study may well expand beyond the limits of this Guide. Moreover, you should not treat the Study Guide as a textbook. If you restrict yourself to the content of the Guide without making additional efforts for further study, you will have difficulties in obtaining positive results in your final exam. It is advisable that you keep your own notes as you study for the Course. These notes will help you to approach the relevant material in a critical manner and to ask for the instructor's assistance on issues that you find complicated or difficult. Detailed information about the exact content and the type of the final exam will be provided before the end of the semester.

8. Bibliography

Required reading

- D. Bethlehem, I. Van Damme, D. McRae, and R. Neufeld (eds) *The Oxford Handbook of International Trade Law*, OUP 2009
- R. Dolzer & Chr. Schreuer, *Principles of International Investment Law*, OUP 2012
- M. Herdegen, *Principles of International Economic Law*, OUP 2016
- A.F. Lowenfeld, *International Economic Law*, OUP 2002
- P. Muchlinski, F. Ortino & Chr. Schreuer, *The Oxford Handbook of International Investment Law*, OUP 2008

Further reading

- J.M. Chwiero, "The silent revolution: How the staff exercise informal governance over IMF lending" 8 *Rev Int Organ* (2013), pp 265-290.
- M. Dixon, R. McCorquodale & S. Williams, *Cases and Materials on International Law*, OUP, 2016
- A. A. Fatouros, 'Transnational Corporations: Looking for an International Legal framework for Transnational Corporations', in: Chr. Rozakis, H. Dipla, P. M. Protopsaltis (eds), A. A. Fatouros, *Selected Essays on International Economic Law*, Sideris 2014, pp. 187-235
- D. A. Gantz, *Liberalizing International Trade after Doha: Multilateral, Plurilateral, Regional and Unilateral Initiatives*, CUP 2012
- J. Gold, *The Stand-By Arrangements of the International Monetary Fund*, IMF 1970
- [M. Guitián](#), *Fund Conditionality : Evolution of Principles and Practices*, IMF, 1981
- M. Krajewski & R. Hoffmann (eds), *Research Handbook on International Investment Law*, Elgar 2019

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- M. Matsushita, T. J. Schoenbaum & P. C. Mavroidis, *The World Trade Organization Law, Practice and Policy*, OUP 2003
- T.N. Papanastasiou, *The Legal Protection of Foreign Investments against Political Risk: Japanese Business in the Asian Energy Sector*, Quid Pro Books 2015
- P. M. Protopsaltis, 'Compliance with the Laws of the Host Countries in Bilateral Investment Treaties', *in: In Memoriam Professor Ilias Krispis: Contributions to the Study of Law and International Relations*, Sakkoulas 2015, pp. 583-602
- J. Salacuse, *The Three Laws of International Investment*, OUP 2013
- M. Sornarajah, *The International Law on Foreign Investment*, CUP 2010
- Th. A. Zimmermann, 'WTO Dispute Settlement at Ten: Evolution, Experiences, and Evaluation', *Aussenwirtschaft – The Swiss Review of International Economic Relations*, Vol. 60 (2005), No. I, pp. 27-61

9. Additional Bibliographical Material

Apart from the required reading, you are free to consult any book or article related to the content of the Course. It is useful to expand your study using as many bibliographical sources as possible. To this end, you are offered free access to the Virtual Learning Environment (VLE) and to the electronic Library of Neapolis University.

10. Online Learning Resources

The instructor may upload notes, PowerPoint Presentations, quizzes, announcements, as well as any other additional material on the Course's webpage, which can be found at the electronic platform (moodle) used by Neapolis University. Moreover, students are able to use the discussion forum in order to communicate with each other. Students are advised to visit the platform on a regular basis in order to gain access to newly uploaded educational material.

11. Scheduled Online Educational Activities and Teaching Methods

- Notes and PowerPoint Presentations in digital format through the electronic platform
- Basic textbook(s) and additional bibliography
- Assignments
- Meetings with the instructor(s)
- Discussions through the electronic platform
- Web links

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12. The Virtual Learning Environment (VLE)

The Virtual Learning Environment, which supplements this Study Guide, has been designed in order to enhance the educational experience of students by providing them with more support and by creating the sense of an academic community. It consists a significant part of the distance learning studies, and as a result students are highly encouraged to use it as often as possible. The Virtual Learning Environment offers a wide range of educational sources for distance learning:

- Self-assessment activities: understanding of the educational material
- Digital study material: it is uploaded and is available to students
- Students' discussion forum: students can use it in order to exchange opinions, to ask for support from their fellow students, to cooperate in order to solve problems, and to discuss about any subject that is related with the courses they attend
- Study skills: expert advice on the preparation for the exam and development of digital skill which help students in the studying process

13. Electronic Library

The library of the Neapolis University Pafos offers access to a rich collection of sources of information, ranging from printed books to electronic data bases. It supports the educational and research activities of Neapolis University and its academic community.

The Library's collection consists of 10 thousand printed books, whereas its digital collection consists of 300 thousand e-books and more than 5 million articles in electronic format which are drawn from 17 world famous publishing houses and data bases, such as Springer, Taylor & Francis, Ebsco, Emerald, Wiley, JSTOR, Cambridge University Press, Oxford University Press, Sage, Fame, Orbis, Westlaw, Proquest, TLG, CYS etc. It also offers to users as series of research tools, thus enabling them to search on all available electronic resources.

Users have access to both the printed and the digital material of the library through the federated search engine EDS (Ebsco Discovery Service). Through EDS (<https://www.nup.ac.cy/learning-resources/library/collection-discovery-tools/discovery-tools/>) you can submit generic-type queries to the sum of NUP Library resources and get back a list of relevant items. Depending on the format of material and your location (in campus or remote) you can even have access to the full text of resources.

The library has adopted a reference morphotype based on the Harvard style guide (author-date). Users may consult the short guide that has been prepared by the library concerning the Harvard morphotype.

For the organisation and management of bibliographic references, the library suggests the use of the Mendeley system. Mendeley is a free tool for the management of bibliographical references which helps students organizing and writing assignments.

Each user has his/her own library card which has codes that help the user to acquire the material he/she is interested in. The process for getting access to library material is very simple (see the library regulations: <https://www.nup.ac.cy/wp-content/uploads/2014/03/NUPs-Library-regulations-eng.pdf>).

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For more information concerning the library of Neapolis University you may contact the library staff: email lib@nup.ac.cy, tel. +357 26843313.

14. Necessary Reading

It is important to read as many of the books and articles included in the Course's bibliography as possible. By doing so, you will get all the basic and necessary knowledge related to the Course. In many cases, you may also read the synopsis of the lectures in PowerPoint format. These PowerPoint presentations are uploaded in the electronic platform.

15. Study Timetable per Week

Week	Subject	Study
1	The general principles of international economic law – The rationale and the structure of its rules <i>Quiz:</i> Identify the activities that fall within each of the three branches of international economic law.	Herdegen, pp. 3-115
2	The birth and development of the GATT system and of the World Trade Organization <i>Video:</i> Explore some of the basic features of the WTO.	Herdegen, pp. 195-211 Bethlehem, Van Damme, McRae & Neufeld, pp. 5-67
3	The content of the rules of the World Trade Organization Discussion forum on the applicability of the basic principles of international trade law	Herdegen, pp. 212-307 Dixon, McCorquodale & Williams, pp. 492-509
4	International trade dispute settlement mechanism	Herdegen, pp. 205-206, 300-307 Zimmermann, pp. 27-61
5	Freedom of trade, protectionism & neo-protectionism: The network of bilateral and multilateral free trade agreements <i>Discussion forum</i> on the view that neo-protectionism serves national priorities	Herdegen, pp. 306-347 Gantz, pp. 201-310
6	Methods for promotion of foreign direct investment and the problem of political risk <i>Discussion forum</i> on the distinction between governmental unwarranted interference and the sovereign right of states to regulate.	Herdegen, pp. 405-420, 427-494 Dolzer & Schreuer, pp. 1-25, 228-231

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		Krajewski & Hoffmann, 299-333
7	The rules on entry and establishment and rules on treatment of foreign direct investors in bilateral investment treaties and international investment agreements	Herdegen, pp. 448-466 Dolzer & Schreuer, pp. 87-97, 130-160, 198-214
8	The rules on protection of foreign direct investors in bilateral investment treaties and international investment agreements <i>Discussion forum</i> on the fairness of the international investment law system against the rights of developing countries	Herdegen, pp. 466-475 Dolzer & Schreuer, pp. 98-129, 160-166, 293-298
9	Investor - State dispute settlement mechanism and the role of case law in the development of international investment law <i>Problem solving with peer assessment</i> on the interpretation of investor – State arbitration clauses.	Dolzer & Schreuer, pp. 235-312 Krajewski & R. Hoffmann, pp. 193-340
10	Investors' obligations in the case law of the International Centre for the Settlement of Investment Disputes <i>Discussion forum</i> on the need of introducing international obligations of foreign investors	Dolzer & Schreuer, pp. 92-97 A.A. Fatouros, 187-235 Protopsaltis, pp. 583-602
11	The lex monetae and the restriction of monetary sovereignty of States	Herdegen, 504-505, 520-530 Lowenfeld, 495-643, 804-810
12	The assistance of the International Monetary Fund <i>Discussion forum</i> on the major drawbacks of the IMF conditionality	Herdegen, pp. 526-530 Gold, 40-64 Gutián
13	Revision	

1st Week

The general principles of international economic law – The rationale and the structure of its rules

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Purpose and objectives

- To explain the content of the activities falling within the scope of the three branches of international economic law: international trade, foreign direct investment and international monetary relations
- To describe the actors of these activities, the sources of the relevant rules and the relation between customary international law and treaty law as well as between municipal and international law in the regulation of the activities in question
- To underline the restrictions of sovereignty involved in the regulation of these activities and the conflicting standpoints of developed and developing countries

Expected learning outcomes

After the completion of the study of the 1st week, students will be able to:

- Classify the content of the activities involved in the three branches of international economic law as well as the actors and the sources of the relevant rules
- Explain the need for the introduction of international rules as well as the obstacles to the introduction of such rules

Key concepts

- National sovereignty
- Developed countries
- Developing countries
- Customary international law
- International treaties
- New International Economic Order

Study

Herdegen, pp. 3-115,

Activities

- What are the restrictions to national sovereignty involved in the introduction of international economic law rules?

Herdegen, pp. 77-115

- What are the main positions of developing countries in the framework of their demands for the establishment of a New International Economic Order (NIEO)?

Herdegen, pp. 17-19

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Self-evaluation exercises

- What is the particular subject matter of regulation of the rules of international economic law?
Herdegen, pp. 3-5
- What is the role of the State in the international economic system?
Herdegen, pp. 28-29, 65-66

Quiz: Identify the activities that fall within each of the three branches of international economic law.

2nd Week

The birth and development of the GATT system and of the World Trade Organization

Purpose and objectives

- Analyse the history and the development of the central system of international trade from the Havana Charter to the Doha Declaration
- Analyse the architecture of the results of the Uruguay Round

Expected learning outcomes

After the completion of the study of the 2nd week, students will:

- Illustrate the development of the negotiations for the establishment of a central system of international trade rules, particularly the positions of developing countries
- Recognize the distinctions between multilateral and plurilateral agreements and the organisation and operations of the World Trade Organization (WTO)

Key concepts

- Havana Charter – General Agreement on Trade and Tariffs (GATT)
- Uruguay Round
- World Trade Organization
- Multilateral and plurilateral agreements

Study

Herdegen, pp. 195-211, Bethlehem, Van Damme, McRae & Neufeld, pp. 5-67

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Activities

- Analyse the evolution of the positions of developed and developing countries from the Havana Charter to the Doha Declaration
Herdegen, pp. 195-201
- Explain the distinction between multilateral and plurilateral agreements and try to explain the choice of areas regulated through each category
Herdegen, pp. 208-209

Self-evaluation exercises

- What are the differences between the General Agreement on Trade and Tariffs (GATT) system and the World Trade Organization (WTO) system?
Herdegen, p. 197
- Which are the multilateral and plurilateral agreements concluded in the context of the World Trade Organization (WTO) and what are their differences?
Herdegen, pp. 208-209

Video: Explore some of the basic features of the WTO.
(https://www.wto.org/english/thewto_e/thewto_e.htm)

3rd Week

The content of the rules of the World Trade Organization

Purpose and objectives

- The analysis of the content of the rules of international trade of the World Trade Organization (WTO) system and the problems of their application

Expected learning outcomes

After the completion of the study of the 3rd week, students will:

- Be able to analyse the general principles of international trade law

Key concepts

- Principle of transparency
- National treatment
- Most favored nation treatment
- Standards

[Type here]

- World Trade Organization (WTO)
- Multilateral and plurilateral agreements

Study

Herdegen, pp. 212-307, Dixon, McCorquodale & Williams, pp. 492-509

Activities

- Analyse the importance of the most favored nation treatment provision.
Herdegen, pp. 213-216
- Explain the importance of the provision on special treatment of developing countries and study its effects in practice.
Herdegen, pp. 216-219

Self-evaluations exercises

- What are the general principles of the General Agreement on Trade and Tariffs (GATT)?
Herdegen, pp. 212-249
- What are the general principles of the General Agreement on Trade in Services (GATS)?
Herdegen, pp. 265-271

Discussion forum:

There has been criticism on the application of the basic principles of international trade law. What is your opinion? [Dixon, McCorquodale & Williams, pp. 492-509]

4th Week

International trade dispute settlement mechanism

Purpose and objectives

- To explain the dispute settlement mechanism of the World Trade Organization (WTO)
- To analyse the relevant case law and the role of this case law in the development of the international trade law

Expected learning outcomes

After the completion of the study of the 4th week, students will:

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- Explain the procedure for the settlement of trade disputes in the World Trade Organization (WTO)
- Apply a general knowledge of the evolution of the relevant case law

Key concepts

- Panel
- Appellate Body
- Consensus
- Exclusivity of the mechanism
- Juridicisation of trade disputes
- Countermeasures

Study

Herdegen, pp. 205-206, 300-307, Zimmermann, pp. 27-61

Activities

- Evaluate the importance and the possibilities of influence of the decision of the World Trade Organization (WTO) dispute settlement organs by third, non-litigant, parties
Herdegen, p. 301

Self-evaluation exercises

- Which are the institutional dispute settlement organs of the World Trade Organization (WTO) and what is the extent of their jurisdiction?
Herdegen, pp. 205-206, 300
- What are the limits of countermeasures?
Herdegen, p. 303

5th Week

Freedom of trade, protectionism & neo-protectionism: The network of bilateral and multilateral free trade agreements

Purpose and objectives

- Analyse the notions and the basic problems of protectionism and neo-protectionism

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- Explain the birth of the network of bilateral and multilateral free trade agreements outside the World Trade Organization (WTO)
- Compare the content of the basic rules of bilateral and multilateral free trade agreement to the rules of the World Trade Organization (WTO)
- Underline the use of bilateral and multilateral free trade agreements to undermine the rules of the World Trade Organization (WTO)

Expected learning outcomes

After the completion of the study of the 5th week, students will be able to:

- Distinguish between the basic forms of protectionism and neo-protectionism
- Illustrate the content of some basic rules of bilateral and multilateral free trade agreements concluded by the United States and the European Union
- Explain the transformation of the legal framework of international trade as a result of the development of bilateral and multilateral free trade agreements.

Key concepts

- Protectionism and neo-protectionism
- Free trade agreements
- North American Free Trade Agreement (NAFTA)
- Cotonou Agreement
- WTO plus and WTO extra provisions

Study

Herdegen, pp. 306-347, Gantz, pp. 201-310

Activities

- Give some examples of protectionism and neo-protectionism
Herdegen, p. 340
- Evaluate the effects of the development of bilateral and multilateral free trade agreements
Herdegen, p. 344

Self-assessment exercises

- What are the means of action available to States for the protection of the freedom of international trade against the rise of protectionist policies?

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Herdegen, p. 340

- What are the consequences of the development of bilateral and multilateral free trade agreements concluded outside the World Trade Organization for the international trade flows?

Herdegen, p. 344

Discussion forum: What is your view on the argument that neo-protectionism in some cases serves national priorities and is therefore permissible? [see Gantz, pp. 201-310]

6th Week

Methods for promotion of foreign direct investment and the problem of political risk

Purpose and objectives

- Explain the birth of the construct of the promotion of foreign direct investment in order to fund development
- Explain the problem of political risk and the methods for its alleviation
- Provide an overview of the existing legal framework on foreign direct investment

Expected learning outcomes

After the completion of the study of the 6th week, students will:

- Distinguish the role of investment for the development of national economy
- Be able to distinguish between political and business risk
- Demonstrate the theories on political risk and be able to apply the theories for the method of its alleviation
- Identify the main sources of international law on foreign direct investment

Key concepts

- Political risk
- Insurance against political risk
- Customary international law
- Bilateral investment treaties and international investment agreements
- Washington Consensus

Study

Herdegen, pp. 405-420, 427-494; Dolzer & Schreuer, pp. 1-25, 228-231, Krajewski & Hoffmann, 299-333

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Activities

- Assess the role of bilateral investment treaties and international investment agreements for the alleviation of political risk
Dolzer & Schreuer, p. 23
- Assess the role of political risk insurance for the alleviation of political risk
Dolzer & Schreuer, p. 228

Self-evaluation exercises

- Which are the main factors for the decision of an investor to invest in one country rather than in another?
Herdegen, pp. 405-406; Dolzer & Schreuer, p. 23
- Which are the basic consequences of bilateral investment treaties and international investment agreements?
Dolzer & Schreuer, pp. 22-23

Discussion forum:

The distinction between governmental unwarranted interference and the sovereign right of states to regulate is not always clear. Write your opinion and give some real-cases examples.

7th Week

The rules on entry and establishment and on treatment of foreign direct investors in bilateral investment treaties and international investment agreements

Purpose and objectives

- Analyse the rules on entry and establishment of foreign direct investment in the United States and in the European models of bilateral investment treaties
- Analyse the rules on the treatment of foreign direct investments in the bilateral investment treaties

Expected learning outcomes

After the completion of the study of the 7th week, students will:

- Demonstrate the content of the relevant rules in relation to entry and establishment and in relation to treatment of foreign direct investment
- Explain the development of the relevant case law

[Type here]

Key concepts

- World Bank Guidelines on the treatment of foreign direct investment
- United States and European models of bilateral investment treaties
- Fair and equitable treatment
- National treatment
- Most favoured nation treatment
- Standards

Study

Herdegen, pp. 448-466; Dolzer & Schreuer, pp. 87-97, 130-160, 198-214

Activities

- Explain the difference between the European and the American model on admission of foreign direct investment
Dolzer & Schreuer, pp. 88-89
- Evaluate the effects of the most favoured nation treatment provision on the obligations of the host country
Dolzer & Schreuer, p. 206

Self-evaluation exercises

- What is the reason for the introduction of rules on entry and establishment of foreign direct investment?
Dolzer & Schreuer, p. 88
- What is the difference between national treatment and most favourable nation treatment?
Dolzer & Schreuer, p. 198, 206

8th Week

The rules on protection of foreign direct investors in bilateral investment treaties and international investment agreements

Purpose and objectives

- Analyse the evolution of the rules on protection of foreign direct investment
- Analyse the relevant rules of the bilateral investment treaties and international investment agreements

[Type here]

- Focus on the problems of definition of the quantum of compensation in the takings of foreign direct investments

Expected learning outcomes

After the completion of the study of the 8th week, students will be able to:

- Illustrate the content of the relevant rules on protection of foreign direct investment
- Relate the evolution of the relevant case law

Key concepts

- Full protection and security
- Taking of property
- Principle of compensation

Study

Herdegen, pp. 466-475, Dolzer & Schreuer, pp. 98-129, 160-166, 293-298

Activities

- Evaluate the position of developing countries in relation to the takings of property in the light of the need for allocation of appropriate compensation
Dolzer & Schreuer, p. 100
- Comment on the relation between the right of the home country to introduce legislative measures to protect the public interest and the obligation of compensation of foreign direct investors
Dolzer & Schreuer, p. 162

Self-evaluation exercises

- What are the conditions of appropriate compensation?
Dolzer & Schreuer, pp. 296-297
- In your view, should there be limits to the compensation of foreign investors and in which cases?
Dolzer & Schreuer, pp. 92-97

Discussion forum:

There is a growing criticism on the fairness of the international investment law system against the rights of developing countries. Do you agree? [Dolzer & Schreuer, p. 100, 162]

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9th Week

Investor – State dispute settlement mechanisms and the role of case law in the development of international investment law

Purpose and objectives

- Analyse investor – State dispute settlement mechanisms, which particular focus on the International Centre for Settlement of Investment Disputes (ICSID)
- Explain the influential role of case law in the development of international investment law

Expected learning outcomes

After the completion of the study of the 9th week, students will:

- Explain the content of the relevant rules of investor – State dispute settlement mechanisms
- Be aware of the evolution of case law and of its role in the development of the content of the rules of the bilateral investment treaties and international investment agreements

Key concepts

- International Centre for Settlement of Investment Disputes (ICSID)
- Depoliticisation – juridicisation of investor – State disputes
- Case law of international investment arbitration

Study

Dolzer & Schreuer, pp. 235-312, Krajewski & R. Hoffmann, pp. 193-340

Activities

- Evaluate the importance of confidentiality in the arbitral procedure and the possible limits of confidentiality in the light of the criticism on the legitimization of arbitral tribunals
Dolzer & Schreuer, pp. 286-288
- Evaluate the importance and the possibilities of influence of the decision of arbitral tribunals by third, non-litigant parties
Dolzer & Schreuer, p. 287

Self-evaluation exercises

- Which are the mechanisms of settlement of investor – State disputes?
Dolzer & Schreuer, pp. 235-245

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- What are the techniques States may use to give consent to arbitration?
Dolzer & Schreuer, pp. 254

Problem solving with peer assessment

Problem solving / hypothetical scenarios on the interpretation of investor – State arbitration clauses.

Peer assessment with model answers - use model answers from an anonymous piece of work from a previous class and students give feedback and compare their answers

10th Week

Investors' obligations in the case law of the International Centre for the Settlement of Investment Disputes

Purpose and objectives

- Analyse the problem of introduction of obligations of multinational corporations and the failures of the relevant attempts
- Analyse the evolution of case law of the arbitral tribunals in investor – State disputes in relation to the introduction of obligations of foreign investors

Expected learning outcomes

After the completion of the study of the 10th week, students will:

- Explain the relevant debate on the obligations of foreign direct investors in the host countries
- Identify the basic obligations recognised in arbitral awards

Key concepts

- Multinational – Transnational corporation
- UN Code of Conduct on Transnational corporations
- OECD Guidelines for multinational enterprises
- Law of the host country
- Forum shopping

Study

Dolzer & Schreuer, pp. 92-97, A.A. Fatouros, 187-235, Protopsaltis, pp. 583-602

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Activities

- In your view, is it enough to ask foreign investors to respect the rules and regulations of the host country and what should be the limits of this obligation?
Dolzer & Schreuer, pp. 92-97
- Do you think it is possible to establish uniform rules for the activities of multinational corporations in all countries of the world?

Self-evaluation exercises

- What are the main obligations of foreign investors in the host countries?
Dolzer & Schreuer, pp. 92-97
- What are the main international attempts to establish liability of multinational corporations?

Discussion forum: Do you think that the introduction of international obligations of foreign investors is necessary in view of the fact that foreign investors are already subject to the laws of the host country? [Dolzer & Schreuer, pp. 92-97]

11th Week

The lex monetae and the restriction of monetary sovereignty of States

Purpose and objectives

- Analyse the content of monetary sovereignty of States and the scope of application of the lex monetae
- Analyse the rules of the International Monetary Fund (IMF) in relation to exchange rates, convertibility and special regimes

Expected learning outcomes

After the completion of the study of the 11th week, students will:

- Explain the monetary powers of the State and the international restrictions to monetary sovereignty

Key concepts

- Lex monetae
- Freely usable currency
- Currency exchange regimes

[Type here]

- Convertibility
- Special regimes
- International Monetary Fund (IMF)

Study

Herdegen, pp. 504-505, 520-530, Lowenfeld, 495-643, 804-810

Activities

- Compare the provisions on capital movement in bilateral investment treaties and international investment agreements with the rules of the International Monetary Fund (IMF) in relation to exchange, convertibility and special regimes
Dolzer & Schreuer, pp. 212-215; Herdegen, pp. 523-525

Self-evaluation exercises

- Under which circumstances is the restriction of current payments allowed under the rules of the International Monetary Fund (IMF)?
Herdegen, pp. 521-522
- Do the IMF Articles of Agreement allow the performance of exchange contracts involving the currency of a member State contrary to restrictions of that member in another member State?
Herdegen, pp. 523-525

12th Week

The assistance of the International Monetary Fund (IMF)

Purpose and objectives

- Analyse the permanent mechanisms of assistance of the International Monetary Fund (IMF), namely the stand-by arrangements and the ad hoc credit mechanisms
- Analyse the content of the conditionality of the International Monetary Fund (IMF) and its development model

Expected learning outcomes

After the completion of the study of the 12th week, students will:

- Identify the content of the mechanisms of assistance and the conditionality of the International Monetary Fund (IMF)

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- Demonstrate the development policies promoted by the International Monetary Fund (IMF) through the conditionality

Key concepts

- International Monetary Fund (IMF)
- Stand-by arrangement
- Special Drawing Rights
- Conditionality

Study

Herdegen, pp. 526-530, Gold, 40-64, Guitián

Activities

- Comment and evaluate the aims of the Washington Consensus in the light of the UN Millennium Development Goals (MDG)
Herdegen, pp. 529-530

Self-evaluation exercises

- What is the legal nature of stand-by arrangements of the International Monetary Fund (IMF)?
Herdegen, pp. 528-529
- What are the consequences of the violation of the conditionality of the International Monetary Fund?
Herdegen, p. 529

Discussion forum: What do you think are the major drawbacks of the IMF conditionality? [Gold, 40-64]

13th Week

Purpose and objectives

⇒ Students are expected to recap the basic notions that were analyzed during the semester

Expected learning outcomes

After the completion of the study of the 13th week, students will be able to:

[Type here]

- Be adequately prepared in order to sit for the final exam

16. Assessment

Students' overall academic performance is calculated on the basis of their performance on the written assignment, the formative assessment and the final exam. Physical presence of students in the final exam is mandatory. A passing mark in the mid-term assignment is not a prerequisite for student's participation in the final exam. The final grade awarded is the sum of the grades awarded on the assignment and the final exam. Both marked on a scale of 0 (complete failure) to 100 (absolute success). In order to pass, a student must earn a pass mark in the final exam. In a nutshell:

- The grade awarded for the assignment represents the 20% of the Course's final grade
- The grade awarded for the formative assessment activities represents the 10% of the Course's final grade
- The grade awarded for the final exam represents the 70% of the Course's final grade
- In order to get an overall passing mark, a student must be graded with at least 50/100 in the final exam

Assessment Methods	Percent age	CL O 1	CL O 2	CL O 3	CL O 4
Formative Assessment Activities	10%	√			√
Midterm Exam/Midterm Written Assignment	20%		√	√	
Final Exam	70%	√		√	√

Assignments Details

Written Exercise	Quiz	Oral Presentation	Problem Solving	Online Exam	Case Study
√	√		√		
10%	5%		5%		

Formative Assessment (non-graded):

[Type here]

Peer Assessment	Discussion boards/forums	Video activity	Online Activities	Oral presentation
√	√	√		

Grading and the formative assessment of the course and its criteria are explained in the Programme's Handbook as well as in the Evaluation Policy of the learning process implemented by the Law School. It is expected that students will participate to on-line classes well-prepared in order to engage in discussion and clarify any questions they may have.

Evaluation standards:

Numerical grade	Descriptive grade	
85-100%	Excellent	A
65-84%	Very well	B
50-64%	Well	C
0-49%	Rejection	F

17. Instructor's Comments

Instructors give students feedback for their assignments. Feedback contains two kinds of information:

- Student's performance
- Instructor's expectations

One of the most common comments instructors make is that the answers given by students are too vague. Please make sure that you fully understand the real meaning of questions asked by your instructor before trying to answer. Also, make sure that you always take good notice of your instructor's comments. Take as much time as you need in order to reflect on these comments. This will help you during your study. Try not to move forward unless you:

- Have addressed all questions
- Have taken into consideration all the comments made by the instructor
- Have thought of ways to improve your answer(s)

[Type here]

MEG505: Public Administration and European Integration

Course Title	Public Administration and European Integration
Code Title	MEG: 505
Course Type	Obligatory
Course Level	Postgraduate
Year	A'
Semester	A'
Credit Units (ECTS)	7,5
Prerequisite courses	Non exist
Other Recommended Optional Courses	Not recommended
Language	Greek
Teaching method	Conventional teaching
Tutor	Prof. Const. GE. ATHANASOPOULOS

DESCRIPTION AND OBJECTIVE OF THE COURSE

MEG505 Public Administration and European Integration

Given the necessity and the significance of implementing decisions of various institutions of the European Union, the formation and the functionality of Central Administration is present as *condicio sine qua non* for the existence of the overall European Foundation. This element is not really possible to emerge effectively without any precondition within the united European space, or with no national or separate Central Administration of Member States.

Furthermore, the knowledge of both ways of producing administrative work is more necessary than ever. Theoretical approaches of concept, texture, and mission of Public Administration are many and vary. Also there are multiple problems that emerge especially in eras of crises and various formations (constitutional, political, economic, social, etc). Among the targets of the

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courses includes analysis of an a-frontier nature, its multi-central character, and interdisciplinary constitution. For complete information of the Students systems of organizing Public Administrations of various countries are presented, the obligations of the National Administrations to the Law and the Institutions of the European Union, etc.

COURSE OBJECTIVES / EXPECTED RESULTS

Through teaching, and other parallel actions (e.g. visits to Public Services, Local Structures, Lectures of Special Scientists, etc.), students are expected to be able to understand that Public Administration is an a-frontier science, and that, on the other hand, beyond its national dimension, it constitutes an extension of the European operation, as its decisions, with the ultimate aim of homogenizing the relevant systems of both the European Union and the et al the part of Member States.

This homogenization is considered necessary because it facilitates to a maximum extent the ordinary activities of the citizens, but also their business aims, etc.

Week	Subject	Study
1	Concept and definition of the law. Distinction of Rules of the Law. Concept and sources of Administrative Law. Organization and Operation of the State. The Administrative Operation.	ATHANASOPOULOS(A'): CH. 1 O. HUGHES: CH. 1, CH. 2
2	Public Administration: introductory approach. The Organic Concept of Public Administration. The Administrative Administration of the Public Administration: general reference.	ATHANASOPOULOS(A'): CH. 1 O. HUGHES: CH. 3
3	The Systems. The Public Services. The Administrative Bodies. The organization of the Central Administration	ATHANASOPOULOS(A'): CH. 6 O. HUGHES CH. 3
4	Organization of Regional Administration: State, with elected Administration. The organization of local governments.	ATHANASOPOULOS(A'): CH. 6 O. HUGHES: CH. 4

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	<p>The organization of Local Administration (State).</p> <p>Forms of organization of the State similar to private enterprises: Public Organizations, Public Enterprises.</p>	
5	<p>The organization of Local Government:</p> <ul style="list-style-type: none">- Level A- Level B- Level C	<p>ATHANASOPOULOS(A'): CH. 9</p> <p>O. HUGHES: CH. 10</p>
6	<p>Independent Authorities.</p>	<p>ATHANASOPOULOS(A'): CH. 17</p>
7	<p>Fundamental 4 principles governing the activities of Public Administration in general and of Local Government.</p> <p>The manifestations of the action of the Public Administration in general and of the Local Government: the administrative acts.</p>	<p>ATHANASOPOULOS(A'): CH. 13</p> <p>O. HUGHES: CH. 10</p>
8	<p>The hierarchical control of general administrative action.</p> <p>The partial responsibility of the institutions and the local government and the public administration for illegal acts.</p> <p>State Liability by the Instruments of the Judicial Functions.</p>	<p>ATHANASOPOULOS(A'): CH. 14</p> <p>O. HUGHES: CH. 4</p>
9	<p>The obligations of the National Public Administrations to the Law and the Institutions of the European Union: current practice.</p> <p>Codes of Administrative Procedure.</p>	<p>ATHANASOPOULOS(A'): CH. 19</p> <p>E.U RULES</p>
10	<p>Problems in general of Public Administrations:</p> <ul style="list-style-type: none">A. Bureaucracy and size issues.B. The Problem of Administrative Burdens.	<p>ATHANASOPOULOS(C'): 2ND VOL.</p> <p>O. HUGHES: CH. 7</p> <p>O. HUGHES: CH. 14</p>

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	<p>C. The problem of the financial resources of management and its controls.</p> <p>D. Human resource management issues.</p>	
11	<p>The organization of the Public Administration of other states.</p> <p>Comparative Overview of Administrative Systems.</p> <p>Globalization and Public Administration.</p> <p>The organization of Local Government and other States.</p>	<p>ATHANASOPOULOS(A'): CH. 8,9</p> <p>O. HUGHES: CH. 5, CH. 1</p>
12	<p>International Texts on Public Administration and Local Government.</p> <p>Law of Public Employees.</p> <p>The Civil Service Tribunal of the EU</p> <p>Management of International Entities: The Case of the European Union: System, Institutions, Competences, Funding, Relations with National Administrations of Member States.</p>	<p>ATHANASOPOULOS(B'): CH. 2</p> <p>E.U. RULES</p>
13	<p>European Union's ultimate aims: (inter alia) or through homogenized Member States' administrative systems, European integration, (homogenization) or through bilateral (multilateral) negotiations.</p>	<p>ATHANASOPOULOS(B'): CH. 2</p> <p>E.U. POLICIES</p>

MANDATORY BIBLIOGRAPHY

- Owen E. HUGHES, Public Management and Administration, 5th ed. 2017, Macmillan International Higher Education.
- A. Const. GE. ATHANASOPOULOS: Administrative Law. New version. 2018. Center for Training, Studies, Research and Development. (KEMEN). Athens.
- B. Const. GE. ATHANASOPOULOS: European Union Law. Reissue, 2018. KEMAN. Athens.

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- C. Const. GE. ATHANASOPOULOS (Scientific Coordinator), R. NOE, J. HOLLENBECK, B. GERHART, P. WRIGHT: Human Resources Management. Vol. 1, 2006, Vol. 2, 2007. PAPAZISI Publications. Athens.
- D. Const. GE. ATHANASOPOULOS et al.: Public Administration in the Challenge of the 21st Century. Edition of Academy of Athens

FURTHER LEARNING ACTIONS ON TEACHING SUBJECTS

Besides this, for the fullest information of the Students, the Traditions of the Course are supported and enriched, always free of charge, with the following elements and the following activities:

- Lectures of Distinguished and well known Personalities.
- Continuous updating of current bibliography, Greek language / foreign language.
- Reviews of new related publications.
- Reproduction of articles from the Law Magazines, with the permission of their Publishers.
- Decisions of National Courts, in particular Administrative Courts.
- VIDEO Views
- Law of Independent Administrative Authorities.
- European Court of Justice rulings.
- Information on actions of Cyprus and Greece Bar Associations.
- Visits to Public Services and Courts in Cyprus and Greece.
- Visits to the Offices of the Delegations of Community Institutions in Nicosia, Athens and their headquarters in Brussels.
- Discussions via the H / Platform.
- Announcements of individual work within an amphitheatre.

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DLLM 500: INTRODUCTION TO LAW AND LEGAL STUDIES

Course title	Introduction to law and legal studies
Course code	DLLM 500
Course title	Elective
Level	Postgraduate
Year	1 ^o
Semester	1 ^o
ECTS	7,5
Prerequisite or Required Courses	Bachelor
Language	Greek / English
Teaching Methodology	Distance learning
Instructor	Dr. Dimitra Papageorgiou Email: dimitrapap@law.uoa.gr Tel.: +30 6937119602

1. INTRODUCTION

The present study guide for the course “Introduction to law and legal studies” follows the standards adopted by most of the distance learning programmes. This course introduces students to legal research, with emphasis on International Law and European Union Law. The course will provide students with a framework for legal research and writing, as well as a practical understanding of the process of identifying and organizing jurisprudence, national legislation, EU and international sources of law. Through this course, students are expected to enhance their analytical skills, and in particular the ability to use legal sources, express clear legal arguments and provide solutions to current legal problems.

2. STRUCTURE OF THE STUDY GUIDE

The Study Guide is divided in several parts, which cover all the fundamental thematic units of the above mentioned Course. More specifically, it includes:

- ✓ The Course’s learning outcomes.
- ✓ The required and further bibliography.
- ✓ An introduction to the Course’s thematic units.
- ✓ An outline of each of the Course’s units.

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- ✓ A series of questions that will enable the student to assess the degree of his/her understanding of the subjects that he/she has been taught (self-assessment exercises).

3. ACTIVITIES

Apart from the abovementioned basic features, this Study Guide includes activities which will help you to study and interact with the relevant material. Even though these activities are not included in your final mark, we strongly recommend you to complete them as part of your study. These activities will also help to develop your skills, to boost your self-confidence for the newly acquired knowledge, as well as to effectively use this knowledge.

4. COURSE PURPOSE AND OBJECTIVES

The course aims at

- Familiarizing students with legal research and the methods of planning and conducting legal research
- Providing students with a framework for legal research and writing
- Enhance students' understanding of the main concepts of law, in particular the nature of legal rights and the available remedies in a globalized world.

5. LEARNING OUTCOMES

Upon completing this course, students will be able to:

- Understand the basic principles and assumptions of the process of legal research, with emphasis on international and European law
- Understand and assess the different sources of law
- Gather, organize and evaluate legal information
- Know how to construct a legal argument
- Make effective use of relevant cases and statutes in support of legal arguments

6. COURSE CONTENT

See below under No 15.

7. USE OF THE STUDY GUIDE

The present Study Guide offers an introduction to the main subjects of study in the field of Financial management. As it is the case with any other similar Guide, the present one has been

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designed in order to help you in your study. It aims at answer to your queries about the Course, as well as to offer you information concerning your exams. However, a Study Guide cannot cover every detail. As a result, your study may well expand beyond the limits of this Guide. Moreover, you should not treat the Study Guide as a pupil's book. If you only emphasize on the content of the Guide without making additional efforts for studying, it will be difficult to have a positive result in your final exams. It is advisable that you keep your own notes as you study for the Course. These notes will help you to approach the offered material in a critical way and to present to the Course's instructor the issues that you find complicated or difficult. Detailed information about the exact content and the type of the final exams will be provided before the end of the semester.

8. BIBLIOGRAPHY

Required reading

- J. Crawford and M. Koskeniemi (eds), "The Cambridge Companion to International Law", Cambridge University Press, 2012
- Phil Harris, *An Introduction to Law*, 8th ed., Cambridge University Press, 2018
- J. Klabbers, *International Law*, Oxford University Press, 2013
- M. Zander, *The Law-Making Process*, 7th Ed., Cambridge University Press, 2015
- Lloyd L. Weinreb, *Legal Reason: The Use of Analogy in Legal Argument*, Cambridge University Press 2016
- Edward D. Re and Joseph R. Re, *Brief Writing and Oral Argument*, 9th ed., Oxford University Press, 2005
- Online sources (notes, articles, and any other material available on Moodle)

Further reading

- Finch & Fafinski, *Legal Skills*, 6th Ed. OUP, 2017
- S. Hanson, *Legal Method, Skills and Reasoning*, (3rd Ed. Taylor and Francis, 2010
- M. Shaw, *International law*, 8th ed. Cambridge University Press, 2017
- Gerald J. Postema, «Philosophy of the Common Law», in Jules L. Coleman και Scott Shapiro (eds), *The Oxford Handbook of Jurisprudence and Philosophy of Law*, Oxford: Oxford University Press, 2002
- Robert Schutze, *An Introduction to European Law*, Cambridge University Press, 2015.
- Anne Wagner, Wouter Werner, Deborah Cao (eds), *Interpretation, Law and the Construction of Meaning*, Springer, 2007

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- Kent Greenaway, *Statutory and Common law Interpretation*, Oxford University Press, 2013
- J. G. Merills, *International Dispute Settlement*, 5th ed, Cambridge University Press, 2011
- Markos Karavias, *Corporate obligations under international law*, Oxford 2013
- Celia Wells, *Corporations and criminal responsibility*, Oxford 2001
- Maria Gavouneli, *The international system of corruption control*, in Ilias Bantekas and Giannis Keramidas (eds.), *International & European Financial Criminal Law*, Butterworths 2006
- Tonia Novitz, *The European Union and International Labour Standards: The dynamics of dialogue between the EU and the ILO*, in Philip Alston (ed.), *Labour rights as human rights*, Oxford 2005
- Raymond Wacks, *Law: A Very Short Introduction*, Oxford University Press, 2016
- A. Mills, *Antinomies of the Public and Private at the Foundations of International Investment Law and Arbitration*, 14 *Journal of International Economic Law* (2011) 469.
- Referencing Guides: Chicago Manual of Style, Harvard Referencing, OSCOLA and Bluebook referencing (available on the internet)

9. ADDITIONAL BIBLIOGRAPHICAL MATERIAL

Apart from the required reading, you are free to study and book or article related to the content of the Course. It is useful to expand your study by making use of as many bibliographical sources as possible. To this end, you are offered free access to the Virtual Learning Environment (VLE) and to the electronic Library of Neapolis University.

10. ONLINE LEARNING RESOURCES

The tutor may upload notes, PowerPoint Presentations, quizzes, announcements, as well as any other additional material on the Course's webpage, which can be found at the electronic platform (moodle) used by Neapolis University. Moreover, students are able to use the discussion forum in order to communicate with his/her fellow students. Students are advised to visit the platform on a regular basis in order to have access to newly uploaded educational material.

11. SCHEDULED ONLINE EDUCATIONAL ACTIVITIES AND TEACHING METHODS

- Notes and PowerPoint Presentations in digital format through the electronic platform
- Basic textbook(s) and additional bibliography
- Assignments

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- Meetings with the tutor(s)
- Discussions through the electronic platform
- Web links

12. THE VIRTUAL LEARNING ENVIRONMENT (VLE)

The Virtual Learning Environment, which supplements this Study Guide, has been designed in order to enhance the educational experience of students by providing them with more support and by creating the sense of an academic community. It consists a significant part of the distance learning studies, and as a result students are highly encouraged to use it as often as possible. The Virtual Learning Environment offers a wide range of educational sources for distance learning:

- Self-assessment activities: understanding of the educational material.
- Digital study material: it is uploaded and is available to students.
- Students' discussion forum: students can use it in order to exchange opinions, to ask for support from their fellow students, to cooperate in order to solve problems, and to discuss about any subject that is related with the courses they attend.
- Study skills: expert advice on the preparation for the exams and development of digital skill which help students in the studying process.

13. ELECTRONIC LIBRARY

The library of Neapolis University Pafos offers access to a rich collection of sources of information, ranging from printed books to electronic data bases. It supports the educational and research activities of Neapolis University and its academic community.

The Library's printed collection consists of 10 thousand books, whereas its digital collection consists of 300 thousand e-books and more than 5 million articles in electronic format which are drawn from 17 world famous publishing houses and data bases, such as Springer, Taylor & Francis, Ebsco, Emerald, Wiley, JSTOR, Cambridge University Press, Oxford University Press, Sage, Fame, Orbis, Westlaw, Proquest, TLG, CYS etc. It also offers to users as series of research tools, thus enabling them to search on all available electronic resources.

Users have access to both the printed and the digital material of the library through the federated search engine EDS (Ebsco Discovery Service). Through EDS (<https://www.nup.ac.cy/learning-resources/library/collection-discovery-tools/discovery-tools/>) you can submit generic-type queries to the sum of NUP Library resources and get back a list of relevant items. Depending on the format of material and your location (in campus or remote) you can even have access to the full text of resources.

The library has adopted a reference morphotype based on the Harvard style guide (author-date). Users may consult the short guide that has been prepared by the library concerning the Harvard morphotype.

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For the organisation and management of bibliographic references, the library suggests the use of the Mendeley system. Mendeley is a free tool for the management of bibliographical references which helps students organizing and writing assignments.

Each user has his/her own library card which has codes that help the user to acquire the material he/she is interested in. The process for getting access to library material is very simple (see the library regulations: <https://www.nup.ac.cy/wp-content/uploads/2014/03/NUPs-Library-regulations-eng.pdf>).

For more information concerning the library of Neapolis University you may contact the library staff: email lib@nup.ac.cy, tel. +357 26843313.

14. NECESSARY READING

It is important to read as many of the books and article included in the Course's bibliography as possible. By doing so, you will get all the basic and necessary knowledge related to the Course. In many cases, you may also read a synopsis of the lectures in PowerPoint format. These PowerPoint presentations are uploaded in the electronic platform.

15. STUDY TIMETABLE PER WEEK

Week	Subject	Study
1	Introduction to legal studies and research	Phil Harris, An Introduction to Law, 8th ed., Cambridge University Press, 2018 Raymond Wacks, Law: A Very Short Introduction, Oxford University Press, 2016 J. Crawford and M. Koskenniemi (eds), "The Cambridge Companion to International Law", (2012, Cambridge University Press), pp. 64-92
2	The legal question: methodology and research, with emphasis in international law	Peter Butt, Model Legal Drafting, 3rd ed., Cambridge University Press, 2013 James Holland and Julian Webb, Learning Legal Rules, 10 th ed., Oxford University Press, 2019

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		Hanson, Legal Method, Skills and Reasoning (3rd Ed. Taylor and Francis, 2010), pp. 269-304
3	The legal argument	<p>Peter Butt, Model Legal Drafting, 3rd ed., Cambridge University Press, 2013</p> <p>Lloyd L. Weinreb, Legal Reason: The Use of Analogy in Legal Argument, Cambridge University Press 2016</p> <p>Edward D. Re and Joseph R. Re, Brief Writing and Oral Argument, 9th ed., Oxford University Press, 2005</p> <p>Hanson, Legal Method, Skills and Reasoning (3rd Ed. Taylor and Francis, 2010), pp. 196-250</p> <p><i>Quiz: In a given case, briefly present the arguments of each party and the court's conclusions</i></p>
4	The nature of law	<p>Phil Harris, An Introduction to Law, 8th ed., Cambridge University Press, 2018</p> <p>M. Shaw, International law, 8th ed. Cambridge University Press, 2017, pp. 1-50, 96-154</p> <p>Gerald J. Postema, «Philosophy of the Common Law», in Jules L. Coleman και Scott Shapiro (eds), The Oxford Handbook of Jurisprudence and Philosophy of Law (Oxford: Oxford University Press, 2002)pp.588</p> <p>Robert Schutze, An Introduction to European Law, Cambridge University Press, 2015, pp.7-37</p>

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5	Law-making (I): How is law created?	Phil Harris, An Introduction to Law, 8th ed., Cambridge University Press, 2018 M. Zander, The Law-Making Process (7th Ed. Cambridge University Press, 2015)
6	Law-making (II): The sources of law	M. Zander, The Law-Making Process (7th Ed. Cambridge University Press, 2015) Boyle and Chinkin, The Making of International Law (2007, Oxford University Press) J. Klabbbers, International Law (2013, Oxford University Press), pp.21-66 Robert Schutze, An Introduction to European Law, Cambridge University Press, 2015, pp. 39-63. <i>Quiz: In a given case, put the sources of law in priority order</i>
7	Principles of Legal Interpretation	J. Crawford and M. Koskenniemi (eds), "The Cambridge Companion to International Law", (2012, Cambridge University Press), pp. 187-202 Anne Wagner, Wouter Werner, Deborah Cao (eds), Interpretation, Law and the Construction of Meaning, Springer, 2007 Kent Greenaway, Statutory and Common law Interpretation, Oxford University Press, 2013
8	The Subjects of Law	Phil Harris, An Introduction to Law, 8 th ed., Cambridge University Press, 2018 J. Klabbbers, International Law (2013, Oxford University Press), pp.67-90, 107-123 Robbie Robinson, The Legal Nature of the Embryo: Legal Subject or Legal Object?, 21 Potchefstroom Electronic Law Journal (2018)

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9	Sovereignty and jurisdiction	<p>J. Crawford and M. Koskenniemi (eds), "The Cambridge Companion to International Law", (2012, Cambridge University Press), pp. 117-157</p> <p>M. Shaw, International law, 8th ed. Cambridge University Press, 2017, pp. 483-522</p> <p>Robert Schutze, An Introduction to European Law, Cambridge University Press, 2015, pp.65-88</p> <p><i>Case-law, critical analysis and discussion:</i></p> <p>Joined Cases C-402/05 P and C-415/05 P Kadi and Al Barakaat International Foundation v Council of the European Union and Commission of the European Communities [2008] ECR I-6351</p>
10	Dispute resolution	<p>Phil Harris, An Introduction to Law, 8th ed., Cambridge University Press, 2018</p> <p>J. Klabbers, International Law (2013, Oxford University Press), pp.287-303</p> <p>J. G. Merills, International Dispute Settlement, 5th ed, Cambridge University Press, 2011, ch. 2,3,4</p> <p>A. Mills, Antinomies of the Public and Private at the Foundations of International Investment Law and Arbitration, 14 <i>Journal of International Economic law</i> (2011) 469.</p>
11	Business and human rights	<p>Markos Karavias, Corporate obligations under international law, Oxford 2013</p> <p>Celia Wells, Corporations and criminal responsibility, Oxford 2001</p> <p>Maria Gavouneli, The international system of corruption control, in Ilias Bantekas and</p>

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		<p>Giannis Keramidas (eds.), <i>International & European Financial Criminal Law</i>, Butterworths 2006, pp. 180-200</p> <p>Tonia Novitz, <i>The European Union and International Labour Standards: The dynamics of dialogue between the EU and the ILO</i>, in Philip Alston (ed.), <i>Labour rights as human rights</i>, Oxford 2005, pp. 214-241</p>
12	Law and development	<p>Sarah Fick Vendzules, <i>The struggle for legitimacy in environmental standards systems: The OECD Guidelines for Multinational Enterprises</i>, 21 <i>Colorado JIELP</i> 2010, pp. 451-489</p> <p>J. Crawford and M. Koskenniemi (eds), <i>“The Cambridge Companion to International Law”</i>, (2012, Cambridge University Press), pp. 398-420</p> <p>J. Klabbers, <i>International Law</i> (2013, Oxford University Press), pp.304-314</p> <p>The <i>Trafigura</i> litigation, 2006-2014</p> <p><i>Discussion forum: Do SDGs matter to businesses?</i></p>
13	Wrap-up	
		Final Exams

1st Week

«Introduction to legal studies and research»

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Purpose and objectives

- To introduce students to legal studies
- To explore the methods of legal science

Expected learning outcomes

After the completion of the study of the 1st week, students will be able:

- To understand the role of law in society
- To develop a better understanding of the origins of law and how it is shaped

Key concepts

- enforcement
- social relationships
- set of rules
- regulation

Study

Phil Harris, *An Introduction to Law*, 8th ed., Cambridge University Press, 2018

Raymond Wacks, *Law: A Very Short Introduction*, Oxford University Press, 2016

J. Crawford and M. Koskeniemi (eds), "The Cambridge Companion to International Law", (2012, Cambridge University Press), pp. 64-92

Activities

3. Study the relation of legal science and the philosophy of law.
4. Study the concepts of "legal positivism, normative force and law's normativity".

Self-assessment exercises

3. Why peoples obey the law?
4. Is law a science?

2nd Week

«The legal question: methodology and research, with emphasis in international law»

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Purpose and objectives

- To present to the students the necessary methodological tools for conducting legal research in the field of International and European law.

Expected learning outcomes

After the completion of the study of the 2nd week, students will be able:

- To understand the basic principles and assumptions of the process of legal research, with emphasis on international law
- To understand the importance of precise and timely legal information.

Key concepts

- approach
- legal question
- processing

Study

Peter Butt, *Model Legal Drafting*, 3rd ed., Cambridge University Press, 2013

James Holland and Julian Webb, *Learning Legal Rules*, 10th ed., Oxford University Press, 2019

Hanson, *Legal Method, Skills and Reasoning* (3rd Ed. Taylor and Francis, 2010), pp. 269-304

Activities

1. Explain the characteristics of legal research.
2. Study the steps in research process.

Self-assessment exercises

1. What are the methods of an international law research?
2. How can I delimit my research question?

3rd Week

«The legal argument»

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Purpose and objectives

- To present the techniques of formulating a legal argument.

Expected learning outcomes

After the completion of the study of the 5th week, students will be able:

- To construct a legal argument
- To establish and evaluate a legal reasoning.

Key concepts

- conclusion
- major premise
- minor premise
- reasoning

Study

Peter Butt, Model Legal Drafting, 3rd ed., Cambridge University Press, 2013

Lloyd L. Weinreb, Legal Reason: The Use of Analogy in Legal Argument, Cambridge University Press 2016

Edward D. Re and Joseph R. Re, Brief Writing and Oral Argument, 9th ed., Oxford University Press, 2005

Hanson, Legal Method, Skills and Reasoning (3rd Ed. Taylor and Francis, 2010), pp. 196-250

Activities

1. Think about how you can apply the facts to the law.
2. Study the types of reasoning.

Self-assessment exercises

1. What are the elements of legal reasoning?
2. What is necessary in order to conceive a legal reasoning?

Quiz: In a given case, briefly present the arguments of each party and the court's conclusions

[Type here]

4th Week

«The nature of law»

Purpose and objectives

- To present the nature of law and its different classifications

Expected learning outcomes

After the completion of the study of the 4th week, students will be able:

- To understand the nature of law and the ways in which the law may be classified, including the differences between public and private law, civil and criminal law.
- To identify the different types of legal proceedings which might arise from a particular case.
- To understand basic legal principles and concepts.

Key concepts

- Civil law
- Criminal law
- Public law
- Private law
- Principles
- Common law

Study

Phil Harris, *An Introduction to Law*, 8th ed., Cambridge University Press, 2018

M. Shaw, *International law*, 8th ed. Cambridge University Press, 2017, pp. 1-50, 96-154

Gerald J. Postema, «Philosophy of the Common Law», in Jules L. Coleman και Scott Shapiro (eds), *The Oxford Handbook of Jurisprudence and Philosophy of Law* (Oxford: Oxford University Press, 2002) pp.588

Robert Schutze, *An Introduction to European Law*, Cambridge University Press, 2015, pp.7-37

Activities

1. Study the distinction between public and private law
2. Familiarize yourselves with the basic legal principles of good faith, abuse of rights, proportionality, necessity.

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Self-assessment exercises

1. What is the difference between substantive and procedural law?
2. Which are the crime classifications based on the seriousness of the offence and the type of harm inflicted?

5th Week

« Law-making (I): How is law created? »

Purpose and objectives

- To present to the students the various sources of law in different legal systems.
- To teach students how to gather, organize and evaluate legal information.

Expected learning outcomes

After the completion of the study of the 5th week, students will be able:

- To understand the different sources of law and their hierarchy.
- To identify and integrate a diverse range of primary and secondary sources in their research.

Key concepts

- case-law
- legislation
- sources of law
- hierarchy of law

Study

Phil Harris, *An Introduction to Law*, 8th ed., Cambridge University Press, 2018, chapter 6.

M. Zander, *The Law-Making Process* (7th Ed. Cambridge University Press, 2015)

Activities

1. Study and familiarize yourselves on the various sources of law, according to your own legal system.
2. Study and familiarize yourselves with the proper citation of case-law.

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Self-assessment exercises

1. Which are the types of sources appropriate for my research and where do I find them;
2. What is the difference between primary and secondary sources of law?
3. What is legislation? What are treaties?

6th Week

« Law-making (II): The sources of International and European law? »

Purpose and objectives

- To present to the students the various sources of International and European law
- To explain the process of law-making in European law

Expected learning outcomes

After the completion of the study of the 6th week, students will be able:

- To understand the binding force of sources of international and European law
- To understand the relationship between national and international law

Key concepts

- treaties
- soft-law
- customary law
- conflict of laws
- Regulations
- Directives

Study

M. Zander, *The Law-Making Process* (7th Ed. Cambridge University Press, 2015)

Boyle and Chinkin, *The Making of International Law* (2007, Oxford University Press)

J. Klabbers, *International Law* (2013, Oxford University Press), pp.21-66

Robert Schutze, *An Introduction to European Law*, Cambridge University Press, 2015, pp. 39-63.

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Activities

1. Study and familiarize yourselves on the sources of international and European law.
2. Study the relationship between national and international law.

Self-assessment exercises

1. What is the role of general principles of law as a source of international law?
2. Is customary law binding in international law?
3. Can a unilateral act be binding?

Quiz: In a given case, put the sources of law in priority order

7th Week

«Principles of legal interpretation»

Purpose and objectives

- To present the methods of interpretation of legal norms.
- To get students acquainted with the rules of interpretation (with emphasis on International and European law)
- To help students understand the relationship between interpretation and application of law
- To teach students to apply law in a given context.

Expected learning outcomes

After the completion of the study of the 7th week, students will be able:

- To apply legal interpreting techniques in a variety of legal settings
- To understand the difference between theory and practice
- To express and interpret legal theory and practice
- To adopt and express in their own words a new meaning.

Key Concepts

- contra legem
- grammatical interpretation
- intra legem

[Type here]

- praeter legem
- teleological interpretation
- text and context

Study

J. Crawford and M. Koskeniemi (eds), "The Cambridge Companion to International Law", (2012, Cambridge University Press), pp. 187-202

Anne Wagner, Wouter Werner, Deborah Cao (eds), *Interpretation, Law and the Construction of Meaning*, Springer, 2007

Kent Greenaway, *Statutory and Common law Interpretation*, Oxford University Press, 2013

Activities

1. Study the need for interpretation.
2. Study the methods of legal interpretation.
3. Evaluate the impact of legal interpretation in practice.

Self-assessment exercises

1. How should law be interpreted?
2. Why does law need to be interpreted?
3. How can the *contra legem* interpretation problem be solved?

8th Week

«The Legal Subjects»

Purpose and objectives

- To help students understand what/who legal subjects
- Explain what is meant by 'capacities' and discuss the different types of capacities.
- Explain what a legal right is, with reference to a. the basic elements of a legal right b. the relationship between rights and duties of a legal subject.

Expected learning outcomes

After the completion of the study of the 8th week, students will be able:

- To understand the concept of legal personality.

[Type here]

- To describe and explain with clarity and precision the different subjects of law.

Key concepts

- Legal personality
- Natural person
- legal entity
- non-state actors
- corporation
- locus standi
- capacity

Study

Phil Harris, *An Introduction to Law*, 8th ed., Cambridge University Press, 2018, chapter 4.

J. Klabbers, *International Law* (2013, Oxford University Press), pp.67-90, 107-123

Robbie Robinson, *The Legal Nature of the Embryo: Legal Subject or Legal Object?*, 21 *Potchefstroom Electronic Law Journal* (2018)

Activities

1. Identify the business entities in your own legal system.
2. Study the role of non-state actors as subjects of international law.

Self-assessment exercises

1. What are the differences between a natural person and a legal person?
2. What is a corporation and in what terms is it different from a limited liability company?
3. How can personal rights be acquired?
4. Which are the types of capacities that legal subjects can have?

9th Week

«Sovereignty and jurisdiction»

Purpose and objectives

- To explain to the students the concept of sovereignty and its functions.

Expected learning outcomes

After the completion of the study of the 9th week, students will be able:

[Type here]

- To elaborate on the division of powers of a state.
- To analyze the extent of a state's authority over territory and persons

Key concepts

- sovereignty
- independence
- legitimacy
- autonomy

Study

J. Crawford and M. Koskenniemi (eds), "The Cambridge Companion to International Law", (2012, Cambridge University Press), pp. 117-157

M. Shaw, International law, 8th ed. Cambridge University Press, 2017, pp. 483-522

Robert Schutze, An Introduction to European Law, Cambridge University Press, 2015, pp.65-88

Case-law, critical analysis and discussion:

Joined Cases C-402/05 P and C-415/05 P Kadi and Al Barakaat International Foundation v Council of the European Union and Commission of the European Communities [2008] ECR I-6351.

Activities

1. Study the relationship between international sovereignty and domestic democracy.
2. Study the concept of sovereignty in the context of constitutional law and in relation to state sovereignty.

Self-assessment exercises

1. What is political sovereignty and popular sovereignty?
2. What is the difference between sovereignty and jurisdiction?
3. What are the types of jurisdiction?

10th Week

«Dispute resolution»

[Type here]

Purpose and objectives

- To teach students the means available to a settlement of a legal dispute

Expected learning outcomes

After the completion of the study of the 10th week, students will be able:

- To understand the institutions available to make, interpret, or enforce the relevant law.
- To evaluate who or what institution has jurisdiction or power over the parties or the activities in question

Key concepts

- negotiation
- mediation
- conciliation
- arbitration
- judicial dispute settlement

Study

Phil Harris, *An Introduction to Law*, 8th ed., Cambridge University Press, 2018

J. G. Merills, *International Dispute Settlement*, 5th ed, Cambridge University Press, 2011, ch. 2,3,4

A. Mills, Antinomies of the Public and Private at the Foundations of International Investment Law and Arbitration, 14 *Journal of International Economic law* (2011) 469.

Activities

1. Study the following questions: What are the purposes of “dispute settlement”? How do “transnational” or “international” dispute processes differ from domestic or “local” state based or informal processes? Have the parties agreed in advance how they will deal with disputes or conflicts or has the dispute settlement mechanism been developed after the legal dispute has ripened?

Self-assessment exercises

1. How can law be enforced?
2. What is the difference between mediation, conciliation and arbitration?

[Type here]

3. Is the disputed matter one of private law (e.g. commercial relations across borders), public law (state or diplomatic relations) or mixed law (private investor-state)?

11th Week

«Business and human rights»

Purpose and objectives

- To present the evolving legal framework for holding businesses to account for activities that negatively impact human rights
- To teach students the legal, practical and political challenges that all stakeholders face in this new area of law.

Expected learning outcomes

After the completion of the study of the 11th week, students will be able:

- To understand the efforts in making human rights an important normative framework for the conduct of business in different societal and political contexts
- To analyse and identify relevant human rights issues in the CSR debate and understand how these are of practical importance to transnational and small-scale businesses
- Address issues of consumer rights and behaviour from the position of human rights ethics

Key concepts

- Corporate social responsibility
- Corporate behaviour
- UN Guiding Principles on Business and Human Rights
- Core Labour Standards

Study

Markos Karavias, *Corporate obligations under international law*, Oxford 2013

Celia Wells, *Corporations and criminal responsibility*, Oxford 2001

Maria Gavouneli, *The international system of corruption control*, in Ilias Bantekas and Giannis Keramidis (eds.), *International & European Financial Criminal Law*, Butterworths 2006, pp. 180-200

[Type here]

Tonia Novitz, *The European Union and International Labour Standards: The dynamics of dialogue between the EU and the ILO*, in Philip Alston (ed.), *Labour rights as human rights*, Oxford 2005, pp. 214-241

Activities

1. Study the changes in the global regulatory environment for companies in the age of globalization.
2. Study the role of companies in addressing political, social and economic issues.

Self-assessment exercises

1. How does the increase in the global power of corporations change their role in addressing political, social and economic issues?
2. How do companies protect their interests in countries that have weak rule of law (e.g. intellectual property, data security, integrity of contracts, human rights)?
3. What is the business case for promoting and protecting human rights?

12th Week

« Law and development »

Purpose and objectives

- To help students familiarize themselves with the concept of sustainable development and its impact on law
- To help students understand the economic dimensions and opportunities of sustainability.

Expected learning outcomes

After the completion of the study of the 12th week, students will be able:

- To understand how issues of sustainability are dealt with in the legal order at the international, national and at the European Union level.
- To discuss legal issues related to the sustainable use of natural resources, such as freshwater, the oceans, the atmosphere.

Key concepts

- Sustainable development goals
- Resources

[Type here]

- Environmental law
- energy

Study

Sarah Fick Vendzules, The struggle for legitimacy in environmental standards systems: The OECD Guidelines for Multinational Enterprises, 21 *Colorado JIELP* 2010, pp. 451-489

J. Crawford and M. Koskenniemi (eds), “The Cambridge Companion to International Law”, (2012, Cambridge University Press), pp. 398-420

J. Klabbers, International Law (2013, Oxford University Press), pp.304-314

The *Trafigura* litigation, 2006-2014

Activities

1. Compare and contrast the Sustainable Development Goals to the Millenium Development Goals.

Self-assessment exercises

1. Are Millenium Development Goals achieved?
2. What is the Agenda 2030?

Discussion forum: Do SDGs matter to businesses?

13th Week

«Wrap-up»

Purpose and objectives

Students are expected to recap the basic notions that were analyzes during the semester.

Expected learning outcomes

After the completion of the study of the 13th week, students will be able to:

- Be adequately prepared in order to sit in the Course’s final exams.

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16. ASSESSMENT

The overall academic performance of students is based on the assessment of a written assignment, on a formative assessment and their performance in the final exams. The physical presence of students in the final exams is mandatory. A passing mark in the mid-term assignment is not a prerequisite for his/her participation in the final exams. The final grade awarded to each student is the sum of the grades awarded for the assignment and the final exams. Both the assignments and the final exams are marked in the scale 0 (complete failure) to 100 (absolute success). In order to get a passing mark in the Course, a student must receive a passing mark in the final exams. In a nutshell:

- The grade awarded for the assignment represents the 20% of the Course's final grade
- The grade awarded for the formative assessment activities represents the 10% of the Course's final grade
- The grade awarded for the final exams represents the 70% of the Course's final grade
- In order to get an overall passing mark, a student must be graded with at least 50/100 in the final exams

Assessment Methods	Percentage	CLO 1	CLO 2	CLO 3	CLO 4	CLO 5
Formative Assessment Activities	10%	√		√	√	
Midterm Exam/Midterm Written Assignment	20%		√	√		√
Final Exam	70%	√	√			√

Assignments Details

Written Exercise	Quiz	Oral Presentation	Problem Solving	Online Exam	Case Study
√	√				√
10%	5%				5%

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Formative Assessment (non-graded):

Peer Assessment	Discussion boards/forums	Video activity	Online Activities	Oral presentation
	√			

Grading and the formative assessment of the course and its criteria are explained in the Programme's Handbook as well as in the Evaluation Policy of the learning process implemented by the Law School. It is expected that students will participate to on-line classes well-prepared in order to engage in discussion and clarify any questions they may have.

17. TUTOR'S COMMENTS

Tutors give students feedback comments for their assignments. These comments give students two kinds of information:

- How your performance was.
- What the tutors expect from you.

One of the most common comments made by tutors is that the answers given by students are too vague. Make sure that you fully understand the real meaning of questions posed to you by your tutor before trying to answer them. Also, make sure that you always take good notice of your tutor's comments. Take as much time needed in order to reflect on these comments. This will help you during your study. Try not to move forward unless you:

- Have addressed all questions.
- Have taken into considerations all the comments made by your tutor.
- Have thought of ways to improve your answer(s).