

First year courses

Bachelor European Law School year 1 compulsory courses

Faculty of Law

Constitutional Law

Full course description

Constitutional Law (CL) is the first mandatory course of the European Law School bachelor programme. Together with the parallel Skills course, CL lays the foundations for the subsequent contents of the programme.

CL introduces students to core concepts of constitutional law and (multi-level) constitutionalism. These include the rule of law, democracy, and fundamental rights protection, as well as the interplay of national, European, and international norms and institutions in the legal application of these concepts.

This course introduces students to both the underlying ideas and the substantive legal form of main building blocks of Western constitutions:

- the idea of the state and statehood;
- the basic institutional setups (and differences between them) of states and the European Union
- democratic processes and representation;
- parliamentarianism;
- state forms, and systems of government;
- rules and procedures of law-making;
- judicial review of legislation and government action;
- human rights protection at national and European level.

The course follows a pattern of reasoning from concept to (different forms of) practical realisation and application, highlighting the available range of normative options. CL uses a comparative approach to explore this spectrum along a set of main legal families. However, where relevant it also makes reference a variety of other examples.

Conveying an understanding of constitutional law as a conduit between legal systems and the evolving societal and political contexts in which it operates, the course refers to ongoing large-scale societal challenges and explores their interrelation with constitutional structures.

True to the problem based learning (PBL) approach of the European Law School, students in the course Constitutional Law not only study the mentioned ideas and systems in the abstract but also train to work with concrete legal provisions from different systems to solve legal problems.

Assessment Methods

Constitutional Law uses two assessment methods at two different examination moments, namely

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a mid-term assignment consisting of a legal essay on a subject in the context of constitutional law (25% of the final grade), and

a final exam consisting in which students have to formulate legal opinions, i.e. reasoned solutions to hypothetical cases or legal questions.

Course objectives

Upon completion of this course, students will:

- understand the basic concepts of constitutional law as a discipline, as well as their social contexts;
- be able to identify the main actors relevant to constitutional law at national, European, and international level;
- understand the basic concepts associated with constitutionalism;
- be able to identify and compare the defining features of the main families of Western constitutional systems, as well as of the European and international legal systems;
- be able to analyse the constitutional properties of a given (novel, foreign, or hypothetical) legal system in comparison with these main families;
- be able to use their knowledge of the positive constitutional law of various systems and of mechanisms for the protection of fundamental rights to solve legal problems and cases;
- understand the basic structure and functioning of the multi-level constitutional systems of the European Union and its member states, including the relevant influences of international law;
- be able to explain how international and EU law produce effects in domestic legal systems.
- be able to use such knowledge to solve cases involving the effect of international and EU law on (national) constitutional settings.
- have knowledge about the concepts of constitutional law from a historical, political and cultural perspective.
- recognize the historical, political, economic and societal context in which national, international and European law have developed.

Prerequisites

None

Recommended reading

Textbook:

- A.W. Heringa, *Constitutions Compared* (6th ed.), The Hague: Eleven, 2021.

Compilation of constitutions, treaties, and legislation

- S. Hardt & N. Kornet (eds.), *The Maastricht Collection* (8th ed.), Zutphen: Europa Law Publishing, 2024 (forthcoming: August 2024), vols. I & II.

Alternatively: A.W. Heringa & S. Hardt (eds.), *Comparative Constitutional Law Documents*, The Hague: Eleven, 2023.

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NB: While it is possible to use this book in the course Constitutional Law as a full alternative to the Maastricht Collection, all volumes of the latter are required in other courses of the European Law School curriculum.

PUB1201

Period 1

2 Sep 2024

25 Oct 2024

[Print course description](#)

ECTS credits:

11.0

Instruction language:

English

Coordinator:

- [S. Hardt](#)

Teaching methods:

PBL, Lecture(s)

Assessment methods:

Written exam

Keywords:

State, statehood, state forms, constitution, constitutionalism, European Union, democracy, representation, forms of government, separation of powers, checks and balances, law-making, judicial review, Human Rights, European Convention on Human Rights (ECHR)

Faculty of Law

Introduction to Private Law

Full course description

This course offers an introduction to private law as a system focusing on the fields of family law, contract law, property law and tort law. In this introductory course, students will become aware of the core principles and fields of private law, learn how to apply legal rules from diverse sources of private law to the core legal issues in private law, and learn how to analyse the facilitative and regulatory role of private law in society. The aim of this course is to provide students with an understanding of the fundamental building blocks that constitute the underlying system of private law. The approach of this course is comparative throughout, using examples from diverse jurisdictions such as Germany, England, France and the Netherlands to illustrate the main rules and principles from family law, contract law, property law and tort law.

Assessment methods;

Mid-term assignment and end of term written exam

Course objectives

Following successful completion of this course, students will:

- Understand the foundational principles of private law and analyse how they are reflected in specific concepts and rules of private law.

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- Understand and analyse the system of private law comprised of family law, contract law, property law and tort law.
- Understand the purpose of private law in society in the context of the facilitative and regulatory role of private law in society.
- Be able to analyse and apply foundational concepts and rules of private law to a basic case to provide a critical analysis and solution to the problem(s) presented in that case.
- Be able to analyse private law as a system and apply legal rules from diverse sources of private law to the core legal issues in private law.
- Be able to compare some foundational normative choices made in relation to the two dimensions of facilitation and regulation in different legal systems.

Prerequisites

None, other than that students were admitted to the bachelor European Law School

Recommended reading

See Canvas for more information

PRI1201

Period 2

28 Oct 2024

20 Dec 2024

[Print course description](#)

ECTS credits:

11.0

Instruction language:

English

Coordinator:

- K.E. O'Reilly

Teaching methods:

PBL

Assessment methods:

Assignment, Written exam

Keywords:

Private law, family law, contract law, property law, tort law, Comparative Law

Faculty of Law

International and European Law

Full course description

The course will consist of two parts: International law and European Union law. As the course is undergoing revision based on last year's feedback and to ensure a smooth transition with the second-year EU law course, its exact contents are still to be finalised. However, in the first half of the course, we will explore the nature and foundations of international law. We will most likely study the subjects and sources of international law, jurisdiction and immunities, state responsibility, peaceful settlement of disputes and the use of force. In the second half of the course, we will

concentrate on European law, or to be more precise, on the law of the European Union / EU law. To some extent, EU law can be considered a special type of international law, although, as we will see, the EU legal order has several unique characteristics. In this part of the course, we will most likely study the history and theories of EU integration, the main institutions and basic principles of the EU, the EU system of decision-making, judicial protection, and potentially some core EU substantive policy areas.

Course objectives

The objective of this course is to acquire knowledge of international and EU law. This knowledge includes: the knowledge and insight that a law student who is not specialised in either international or EU law should have; the knowledge and insight that will enable a student who wishes to specialise in either international or EU law to commence this specialisation; the skill to work with primary sources of international and EU law. Furthermore, students will gain insights into the historical development of international law and of the EU institutional structure, and will become familiar with seminal cases of international and European law, and learn how to find, read and apply them.

Prerequisites

None

Recommended reading

- Gleider Hernández, *International Law* (2nd ed, OUP 2022)
- Elise Muir, *Introduction to EU Legal Order* (CUP 2023)

IER1201

Period 4

3 Feb 2025

4 Apr 2025

[Print course description](#)

ECTS credits:

11.0

Instruction language:

English

Coordinator:

- [L. Visser](#)

Teaching methods:

PBL, Lecture(s)

Assessment methods:

Written exam, Assignment

Keywords:

International law, European Union law

Faculty of Law

Foundations of Law

Full course description

This course will introduce students to the historical, philosophical, and economic foundations of law, a thorough understanding of which being indispensable in order to arrive at a true comprehension of the positive law. Through the lens of three meta-juridical disciplines, students will be confronted with questions regarding the nature of the law and its (ideal) role in society. First, the law will be examined from a legal-historical perspective to make students aware of the main political, social, and cultural events throughout history that shaped the (Western) European legal systems of today. The second discipline of philosophy of law will guide students through the normative foundations of law, comparing legal norms with those of a social, political, or moral nature and whilst dealing with questions concerning the justification and enforceability of state law. Third, students will be introduced to the multidisciplinary study of law and economics, to raise awareness of the economic reasoning behind - as well as the economic consequences of - legislative and contractual decisions. The course will employ a chronological approach that guides students - in the form of both lectures and tutorials - through the main events and the most influential actors which constitute the Foundations of (European) law.

Course objectives

Following successful completion of this course, students will:

- understand the main theories and developments of legal history, legal philosophy, and law & economics.
- be able to explain key concepts of legal history, legal philosophy, and law & economics.
- be able to make connections between legal and meta-legal knowledge.
- be able to describe the historical context and the developments throughout history of key legal concepts in order to interpret the changes they underwent.
- be able to analyse and critically reflect on the role of law as an instrument for both societal control and societal change, that is, the law as a tool for reproducing economic, political, racial, and gendered structures of domination, and the law as a source of social emancipation.
- be able to construct the pathways and contingencies of legal developments in Europe and beyond, based on normative, and other societal factors.
- be able to formulate explicit normative standards, based on different legal-philosophical, legal-historical, and economical approaches.
- be able to evaluate possible legal solutions for contentious issues in current political debates that require a resolution through the law as a form of practical reason and place them against explicit normative standards.

Prerequisites

None, other than that students were admitted to the bachelor European Law School.

Recommended reading

See Canvas for more information

MET1201

Bachelor European Law School

Period 5

14 Apr 2024

13 Jun 2025

[Print course description](#)

ECTS credits:

11.0

Instruction language:

English

Coordinators:

- [R.H.M. Pierik](#)
- [M. Moerman](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam, Assignment

Faculty of Law

English Language Proficiency

Full course description

Language proficiency is a core competence for any legal professional. In the bachelor European Law School, students' ability to use the English language in a legal context is assessed on an ongoing basis. Separate assessments of English language proficiency form part of various course assessment components throughout the programme.

Assessment

Continuous assessment and portfolio

LAW1201

Year

1 Sep 2024

31 Aug 2025

[Print course description](#)

ECTS credits:

0.0

Instruction language:

English

Teaching methods:

PBL

Assessment methods:

Portfolio, Assessment

Faculty of Law

Introduction to Law and Legal Reasoning

Full course description

The course Introduction to Law and Legal Reasoning is the first part of the European Law School (ELS) bachelor programme Skills Development and Legal Challenge track. The primary aim of Introduction to Law and Legal Reasoning is to teach new students the skills they need in order to study successfully in the ELS bachelor programme. This course focuses on the abilities which are expected of a first-year undergraduate law student at Maastricht University: study skills; problem-based learning (PBL); and the fundamentals of legal research and reasoning. Students will learn how to approach the writing of essays in legal studies and how to work with legal provisions and cases, analysing and applying them to practical case studies on the basis of the IRAC method. Training in case briefing as well as in the use of library resources and PBL will also be provided during the course. Finally, the course will culminate in a Legal Challenge, whereby students will work in small groups on a contract-drafting challenge or constitution-drafting challenge, depending on their preferences.

Course objectives

Following successful completion of this course, students will:

- be able to find, evaluate and use legal resources.
- be able to write and structure essays appropriately in the context of legal studies.
- understand and be able to employ the basics of legal reasoning.
- be able to understand and apply legal provisions and precedent to case studies using the IRAC method.
- be able to understand and brief legal case reports.
- be familiar with the philosophy of PBL and foundational skills to succeed in their undergraduate studies.
- gain experience in legal drafting techniques by means of teamwork.

Prerequisites

None, other than that students were admitted to the bachelor European Law School

Recommended reading

See Canvas for more information

SLC1001

Semester 1

2 Sep 2024

31 Jan 2025

[Print course description](#)

ECTS credits:

8.0

Instruction language:

English

Coordinator:

- W.A. Bull

Bachelor European Law School

Teaching methods:

PBL

Assessment methods:

Portfolio, Assignment

Keywords:

Legal research; legal sources; legal reasoning; essay writing; working with legal rules; IRAC; PBL

Faculty of Law

Thinking Like a Lawyer

Full course description

The course Thinking Like a Lawyer has two components that run parallel to each other: a legal skills training and a legal challenge. During the legal skills training, you will focus on further developing your legal analytical, reasoning and argumentation skills. During the legal challenge, you will work in a team on a challenge that explores a substantive legal topic under the guidance of your legal challenge supervisor.

The skills development session will provide you with an in-depth introduction to legal argumentation. These skills development sessions provide you with the tools to identify, structure, and evaluate legal arguments. These tools are not connected to a specific legal tradition or branch of law; they are general tools that can be used in the assessment of any legal argument presented by anyone in any jurisdiction. While you will come across other courses in your studies that are designed to develop your knowledge of statutes, case law, codes, treaties, and regulations, this is probably the only one where you will have the opportunity to study the interaction between law and argumentation in a systematic way.

The skills development begins with an introduction to basic notions of logic and critical thinking, which are necessary for making valid legal arguments, but which are not specific to the field of law. The first part of the course follows the structure of the basic unit of any form of legal reasoning: the legal syllogism. After introducing this notion, it deals with the problem of how to justify syllogisms, both internally and externally. A legal syllogism is internally justified if the conclusion follows logically from its two premises, and it is externally justified if valid arguments are provided for the truth of each of the two premises. The external justification of the first of the two premises (the major premise) is a question of law, because it consists in providing arguments for the existence of a norm. Three sessions are devoted to classifying these arguments about questions of law according to their different functions: interpreting provisions, filling legal gaps, resolving legal conflicts. The external justification of the second premise (the minor premise) is a question of fact, because it consists in giving arguments to the effect that a certain event has taken place or, in any case, that something in the world is, has been or will be in a certain way. These are evidentiary arguments, which are dealt with in a separate session. After considering the internal and external justification of the legal syllogism, the course moves on to a number of related topics: the logical relations between rights and other legal entitlements (Hohfeldian positions); fallacies; the connection between moral and legal reasoning; arguments based on justice.

In the legal challenge part of the course, which runs parallel to the skills development sessions, you will utilise your legal thinking skills by working in a team on a legal challenge project. The legal challenge projects aim to help you further develop your legal analytical, problem-solving, and critical thinking skills while engaging in an in-depth exploration of a substantive topic. Each of the legal challenge supervisors has designed a legal challenge project for you and your team to investigate,

Bachelor European Law School

research, respond to and/or solve that is closely aligned to their area of expertise. We aim to match students as much as possible with legal challenge projects that align with their interests. For this reason, you will be given the opportunity to register your preferred legal challenge project. Some potential themes of legal challenge projects include: Contract law and Inequality; Access to Justice; Shaping the Future of the EU; AI and the Law; Crime and Punishment; Tackling Plastic Pollution through International Law; The Role of NGOs in the International Protection of Human Rights.

Assessment Methods

To pass the course Thinking Like a Lawyer, you must obtain a pass for both parts of the course: Skills Development and the Legal Challenge. The assessment of your Skills Development is based on an individual portfolio and the assessment of the Legal Challenge is based on a team portfolio.

Course objectives

Upon successful completion of this course, students

- understand deductive, inductive and abductive inferences;
- are able to formulate legal syllogisms;
- are able to distinguish and justify the premises of legal syllogism;
- are able to distinguish and use different types of legal arguments according to their function;
- have gained further knowledge of and insight into a specific substantive topic of international, European or national law, from a comparative, European and/or meta-legal perspective;
- have developed core skills be able to effectively collaborate in a team to complete a joint project.

Prerequisites

N.A.

Corequisites

- [Thinking Like a Lawyer Skills Development](#)
- [Thinking Like a Lawyer Legal Challenge](#)

Recommended reading

Literature is available via Canvas

SLC1002

Semester 2

3 Feb 2025

4 Jul 2025

[Print course description](#)

ECTS credits:

8.0

Instruction language:

English

Bachelor European Law School

Coordinator:

- [M. Ubertone](#)

Teaching methods:

Research, PBL

Assessment methods:

Portfolio

Keywords:

Legal reasoning, Legal Argumentation, Critical Thinking, teamwork, project

Second year courses

The first module group below gives an overview of the second year courses of the new, revised programme Bachelor European law School which is offered as of September 2023.

The second module group below gives an overview of the second year courses of the unrevised programme Bachelor European Law School. No education will be longer offered. Students who are enrolled in the European Law School programme as of September 2022 or earlier are entitled to two additional assessment opportunities in 2024/2025 to complete the respective programme components of these year 2 components.

Bachelor European Law School year 2 compulsory courses

Faculty of Law

Private Law

Full course description

Private Law (PL) is the second mandatory course in private law in the European Law School bachelor programme. It is the first course of the second year. This course continues the longitudinal learning trajectory (LLT) in Private Law and will utilize the knowledge and skills the students have gained in the first year. The course will lay further foundations for the course on Philosophy of Private law in period 4 of year 2 and for the electives in Year 3.

This mandatory course builds on the knowledge and insights of the students gained in the first year into private law as a system focusing on the fields of family law, contract law, property law, tort law and private international law. In this course the main narrative will be the role of private law in contributing towards solutions for large societal issues. Three major themes will be addressed in this course: (1) Consumer Protection, (2) Technological Developments and (3) Eco-Sustainability. In the course, students will become aware of the fundamental aspects of private law and its principles, apply legal rules from diverse sources of private law to the core legal issues in private law, and analyse the facilitative and regulatory role of private law in society; in particular in the context of the three wider themes. Issues of family law will be used to further underline the role of private law in the organization of people's lives, closely connecting to the students' own experiences.

The aim of this course is to provide students with a further understanding of the fundamental building blocks that constitute the underlying system in private law. The approach of this course is comparative, both in a traditional horizontal sense, as was carried out in the first year, but also in a multi-level (vertical) sense introducing the influence of EU law and the ECHR to private law. The

course will focus on legislation and case law from Germany, England, France and the Netherlands as well as EU law and the ECHR to illustrate the main rules and principles from family law, contract law, property law, tort law and private international law. The course therefore adopts a European perspective.

Course objectives

1. The student understands the core concepts of private law as a system that consists of several sub-fields, as well as their societal contexts;
2. The student can identify the main actors relevant to private law at a national level;
3. The student understands the foundational concepts associated with family law, contract law, property law, tort law and private international law;
4. The student can identify and compare the defining features of the main sub-fields of national private law;
5. The student can identify, compare and understand the influence of multi-level legal systems such as European Union law and the European Convention on Human Rights on national private law, for example in the field of Consumer Protection, Technology and Sustainability.

Prerequisites

Introduction to Private Law (Year 1, period 2) (PRI1201)

- [Introduction to Private Law](#)

Recommended reading

The course will provide a reader for students

PRI2201

Period 1

2 Sep 2024

25 Oct 2024

[Print course description](#)

ECTS credits:

11.0

Coordinator:

- [B. Akkermans](#)

Teaching methods:

PBL, Lecture(s)

Assessment methods:

Assignment, Written exam

Keywords:

Private Law; Family Law; Contract Law; Property Law; Tort Law; Private International Law; Multi-level Private Law; Consumer Protection; Technology; Sustainability

Law of the European Union

Full course description

The Law of the European Union is a mandatory course in the second year European Law School bachelor programme. It builds upon and complements the International and European law course of the first year. It also links back to the EU law elements discussed in the Constitutional Law course and further lays the foundation for the third-year elective courses European law of the programme.

The objective is to provide students with an in-depth understanding of the main features of the law of the European Union. The course builds on and intends to deepen and broaden the knowledge of EU institutional law that students have acquired in the course International and European Law in the first year. It furthermore introduces the students to EU policies and herewith focuses on EU substantive law. The course adopts an integrated approach to EU law by connecting institutional and substantive issues of EU law in lectures and tutorials. The course is structured around the European Union objectives laid down in Article 3 TEU and examines how the EU as a legal and regulatory entity can achieve the Union's economic objectives to create an internal market as well as its broader, more political and economic objectives of an area of freedom, security and justice and an economic and monetary union. It further will reflect on the values of the EU and EU policies towards the wider world.

Course objectives

By the end of the course students will be able to:

1. identify, analyse, and use the sources of European Union law;
2. analyse and assess the role of different actors (institutions, individuals, companies, etc) in the EU legal system;
3. critically evaluate EU law law-making rules and processes, including examining the Union's intergovernmental facets and compare them with the EU's supranational features;
4. examine and appraise how EU law operates in selected substantive areas, how law-making powers have been used in those areas, and which are the legal implications of the main EU rules and principles in those policy fields;
5. compare and connect the institutional and substantive elements of EU law and analyse how those components interact;
6. examine critically and apply the fundamental principles on the effect of EU law in domestic legal systems and evaluate the rules on judicial remedies for violations of EU law at national or EU level and whether they strike the appropriate balance between the protection of individuals and the balance of powers in the multilevel legal system;
7. analyse and assess the main objectives of the EU legal and political order in their historical and societal context, considering the evolution of the EU from a market-based construction that is developing into a political Union through the expansion of the EU's competences and of the scope of EU law.

Prerequisites

Course Introduction to International and European Law (IER1201)

- [International and European Law](#)

Recommended reading

Paul Craig and Grainne De Burca, EU law, Oxford University, 8th edition 2024.

IER2201

Period 2

28 Oct 2024

20 Dec 2024

[Print course description](#)

ECTS credits:

11.0

Coordinator:

- [R.A. Ott](#)

Teaching methods:

Assignment(s), Lecture(s), PBL

Assessment methods:

Assignment, Written exam

Faculty of Law

Legal Research

Full course description

The objective of this course is to develop the skills of academic legal research and writing, with a view to enabling students to become self-sufficient in their academic writing endeavors, including notably (but certainly not only) the Bachelor's Essay. By the second year of their studies, students have already acquired basic knowledge of the technical aspects of academic research. This course seeks to build on this knowledge by further expanding, deepening and practicing students' writing skills with a strong focus on critical reading and writing skills, as well as legal research methodologies. This requires an independent work attitude on the part of the students and the ability to gauge the quality of one's own work, and the work of others, on the basis of the guidance received during the course. For this reason, another important skill that will be developed in this course is the ability to provide critical feedback on written academic work, as well as to address comments and incorporate suggestions as and where appropriate.

Teaching methods: PBL tutorials, knowledge clips, student portfolio

Assessment methods: Research paper, class participation, final paper presentation

Course objectives

- Identify relevant (academic) sources
- Analyse written sources and critically reflect on their quality
- Formulate relevant and disciplinary sound research questions
- Identify and apply different (legal) research methodologies needed to answer legal research questions

- Reflect on the research and writing process and orally present the outcomes of your research
- Provide and receive feedback

Prerequisites

Skills Development and Legal Challenge I: Introduction to Law and Legal Reasoning (SLC1001),
Skills Development and Legal Challenge II: Thinking like a lawyer (SLC1002)

- [Introduction to Law and Legal Reasoning](#)
- [Thinking Like a Lawyer](#)

Recommended reading

- Lammasniemi L, Law Dissertations: A Step-by-Step Guide (2nd edn, Routledge 2022)
- Kestemont L, Handbook on Legal Methodology: From Objective to Method (Intersentia 2018)
- Finch E and Fafinski S, Legal Skills (8th edn, OUP 2021)
- Ingels M, Legal English Communication Skills. Introduction to Writing Skills and Vocabulary Acquisition for the Legal Profession (3rd edn, Acco 2010)
- Hutchinson TCM, Researching and Writing in Law (3rd edn, Pyrmont N.S.W: Lawbook 2010)

SLC2001

Semester 1

2 Sep 2024

31 Jan 2025

[Print course description](#)

ECTS credits:

8.0

Coordinator:

- [L. Dziedzic](#)

Teaching methods:

PBL

Assessment methods:

Participation, Presentation and paper

Keywords:

Legal research, research methodology, academic writing, Legal writing

Faculty of Law

Criminal Law

Full course description

Criminal law plays an important role in regulating human conduct and its rules work to maintain social order and to protect citizens from harm. Even though every (European) country has its legal culture, and its own criminal law, each system may be understood as a 'local' answer to some 'universal' questions that constitute the foundation of criminal law. Therefore, the objective of this course is to identify various core principles and concepts of substantive criminal law by using a comparative methodology and to reflect on the 'deep structure' behind various (European) systems of criminal law, without ignoring cultural differences and legal sensitivities.

The main aim of this course is to get acquainted with the elementary concepts of the so-called general part of substantive criminal law, as well as some selected offences from the special part and to explore the main differences and similarities between several European legal systems, like the common law system of England and Wales and the civil law system of the Netherlands and Germany. The main (general) concepts that will be studied are: theories of punishment, principles of criminalisation, the objective and subjective elements of an offence (actus reus and mens rea), justifications and excuses, inchoate offences and modes of participation. In addition, we will investigate how criminal justice systems have regulated certain specific offences such as homicide, property offences and sexual offences.

This seven week course will combine seven sessions of group tutorials and several lectures. According to the philosophy of problem-based learning, tutorial meetings shall be used to explore various concepts of substantive criminal law in different countries on the basis of some reading assignments, presentations and case studies. Using comparative literature students are asked to answer given background questions and specific questions on the case studies.

Course objectives

The object of this course is to identify various principles, rules and concepts of the so-called general part, as well as selected offences of the special part of criminal law, by using a conceptual and comparative methodology. Upon completion of this course, the student must be able to

- analyse and understand main concepts and rules of substantive criminal law;
- to understand and compare the main differences and similarities of the basic criminal liability concepts of three major European legal systems, i.e. the Netherlands, Germany, and the common law system of England and Wales;
- to understand and compare the main differences and similarities with regard to how criminal justice systems have regulated certain offences, such as homicide and femicide, as well as property and sexual offences and to critically reflect on them;
- to analyse and understand the constituent elements and core concepts of homicide, property and sexual offences;
- to critically reflect on some basic philosophical aspects and (recent) historical developments related to principles of criminalisation and rules of criminal liability;
- to recognise and debate some societal and ethically relevant aspects of developments in substantive criminal law (e.g. terrorism, homicide, property, and sexual offences)
- to distil a problem in criminal law cases and to identify and apply the relevant rules and criteria in order to solve the cases (in a comparative way);
- to communicate and debate (during the tutorials and in writing) possible solutions of a criminal law case in a well-argued and substantiated way;
- to evaluate different legal solutions to social issues.

Prerequisites

None

Recommended prior knowledge

No specific prior knowledge on criminal law is required

Recommended reading

The necessary reading material for this course consists of the following:

- A handbook: J. Keiler & D. Roef (eds.), *Comparative Concepts of Criminal Law*, Cambridge, Intersentia, 2019.
- A reading list (e-reader) with required literature.

CRI2201

Period 4

3 Feb 2025

4 Apr 2025

[Print course description](#)

ECTS credits:

6.0

Coordinator:

- [J. Keiler](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Assignment, Written exam

Keywords:

Substantive criminal law; Comparative criminal law; Criminal liability; Elements of an offence; special offences

Faculty of Law

Philosophy of Private Law

Full course description

Philosophy of Private law introduces students to the philosophical underpinnings of private law and specific private law doctrines. It aims to enable them to use philosophical (especially normative) theories to critically reflect on and evaluate private law arrangements.

In this course, students will not only recapitulate and further reflect on the knowledge of philosophical traditions already studied in Foundations of Law and the private law doctrines studied in Introduction to Private law and Private Law: in addition, they will acquire knowledge of the most dominant philosophical traditions of justice that inform private law debates and acquire knowledge of normatively salient private law doctrines and their philosophical underpinnings.

Course objectives

At the end of this course, students will be able to

- Describe and discuss various doctrines of private law;
- Describe and discuss the most dominant philosophical traditions of justice that inform private law debates;
- Discover and explain philosophical underpinnings of and in private law;
- Analyse and evaluate private law arrangements using philosophical (in particular normative)

Prerequisites

Introduction to Private Law (PRI1201)

Foundations of Law (MET1201)

Recommended prior knowledge

Basic knowledge of private law (as acquired in Introduction to Private Law and Private Law) and basic knowledge of philosophical (normative) approaches (as acquired in Foundations of Law).

- [Introduction to Private Law](#)
- [Foundations of Law](#)

Recommended reading

Reader & other materials shared on Canvas

LAW2201

Period 4

3 Feb 2025

4 Apr 2025

[Print course description](#)

ECTS credits:

6.0

Coordinators:

- [A.M. Waltermann](#)
- [A.D. On](#)

Teaching methods:

Lecture(s), PBL, Presentation(s)

Assessment methods:

Presentation, Written exam

Keywords:

Kantian ethics, utilitarianism, human flourishing, autonomy, responsibility, freedom, Justice, private law theory, civil liability, nuisance, wrongful life & wrongful birth, legal pluralism, Numerus clausus, freedom of contract

Faculty of Law

Criminal Procedure

Full course description

Criminal justice systems across the globe face similar challenges, yet their solutions to these obstacles might differ for a variety of reasons. This course introduces the students to the most salient aspects of criminal procedure from a comparative perspective: investigative measures, arrest and pre-trial detention, out of court settlements, prosecution and the criminal trial. The goal of the course is two-fold: First, it strives to present the main features of criminal procedure. The reader shall find the most topical measures, principles, rights and procedures of criminal process. Special

attention is also paid to jurisprudence from the European Court of Human Rights which will be used structurally throughout the course. Second, because describing the criminal process is not sufficient, this course further explores why criminal procedure looks the way it does, by dissecting the *raison d'être* and choices behind legislation and practice. Accordingly, the procedural phenomena present in various criminal justice systems are discussed mainly through reference to the legal systems of Germany, the Netherlands and England and Wales, although sometimes other systems will also be presented. Whereas criminal justice systems may differ greatly, many of the issues they face are the same.

Course objectives

- Recognise and understand the main concepts, stages, rules and principles/rights of criminal procedure of the legal systems presented in the course;
- Compare the main differences and similarities of how criminal justice systems organise and regulate criminal procedure;
- Distil from the presented legal systems abstract common features and generalising them into legal families or traditions, especially in relation to inquisitorial and adversarial traditions.
- Analyse and debate how competing political motivations (crime control or protection of rights), historical elements and social constructs might influence coercive measures and the organisation of trial;
- Distinguish and comprehend the conditions for applying selected coercive measures and the strategies of different systems to put in place safeguards for coercive measures;
- Diagnose with a critical mind the challenges of criminal procedure and derive the broader philosophical context within which developments in criminal procedure manifest
- Relate developments especially of coercive measures with broader social context
- Map out and assess the legal standards found in the ECHR, outline the leading jurisprudence of the ECtHR in those issues and analyse the level of legal standards provided by the ECHR.
- Comprehend at an introductory level of the existence of EU instruments influencing criminal procedure;
- Develop important skills, i.e. learn how to summarize and dissect case law, how to analyse legislation on criminal procedure and how to solve practical case studies.
- Argue a case from multiple perspectives and solve conflicts in a well argued way.

Prerequisites

-

Recommended prior knowledge

Substantive criminal law

Recommended reading

Peristeridou, C., & Klip, A. (Eds.) (2024). *Comparative Perspectives of Criminal Procedure*. Intersentia.

CRI2202

Period 5

14 Apr 2024

13 Jun 2025

[Print course description](#)

Bachelor European Law School

ECTS credits:

6.0

Coordinator:

- [C. Peristeridou](#)

Teaching methods:

Lecture(s), PBL, Work in subgroups

Assessment methods:

Assignment, Written exam

Keywords:

criminal procedure, Comparative Law, ECHR, procedural & defence rights, fair trial, coercive measures, theories of legitimacy of criminal procedure

Faculty of Law

Administrative Law

Full course description

The primary functions of administrative law are: a) power-establishing - to enable the government to put its policies into effect; b) power-checking - to keep the powers of the government within their legal boundaries, so as to protect those affected (citizens and companies) against their abuse.

The course Administrative Law provides an introduction to these functions of administrative law. It will also discuss the main characteristics and nuances that each of these functions can take in selected legal systems representing the main families of administrative law systems in Europe, namely France, Germany, the Netherlands, and the United Kingdom (mainly England and Wales). The course concentrates on the following themes: 1) the administrative decision-making process and its outcome (the forms of administrative action); 2) the general principles regulating administrative decision-making and the concept of discretion; 3) the access to administrative courts; 4) the remedies against abuses of the administration.

Course objectives

Throughout this course, students will be able to explain and discuss the main concepts/structuring themes of administrative law. They will also be able to critically examine these themes as they develop in legal systems representing the main families of administrative law systems in Europe - France, Germany, the Netherlands, and the UK. Furthermore, they will be able to compare specific differences and similarities between these four administrative law systems, as well as others. Finally, the course will instruct students to use administrative law to address legal issues in multiple legal systems.

Recommended reading

- A reader
- Casebook Judicial Review of Administrative Action - the Maastricht Edition (Hart, 2020).

PUB2201

Period 5

14 Apr 2024

Bachelor European Law School

13 Jun 2025

[Print course description](#)

ECTS credits:

6.0

Coordinator:

- [C.M. Colombo](#)

Teaching methods:

PBL, Lecture(s)

Assessment methods:

Written exam, Assignment

Keywords:

Administrative law; principles; administrative action; access to court; remedies against the administration; comparative law.

Faculty of Law

Conflict Prevention and Resolution

Full course description

This is a 14-week course divided into three sections all revolving around the topic of conflict prevention & resolution:

- Weeks 1-5: Theories behind conflict prevention & resolution;
- Weeks 6-9: Mechanisms for conflict resolution; and
- Weeks 10-14: Legal challenge (aka “the moot court”).

We hope to present you with ideas and theories about how conflicts form and how we can make (practical) changes to mitigate their negative impacts. In doing so, we want to encourage our students to reframe conflicts as potential opportunities for learning and growth. We will take a very holistic approach to achieve this goal by collecting insights from fields diverse as psychology, neuroscience, behavioral economics, anthropology, sociology and more.

The course will not only help you build a foundational understanding of conflict prevention and resolution but will provide ample opportunities for you to practice (or wrestle with) the theories during our tutorials.

Teaching methods

- For better or worse, we are **NOT permitted to have lectures** for this course; however, if there is enough demand from the students, we will create videos and offer office hours in lieu of lectures.
- We are scheduled for **3-hour tutorials** each week for 14 weeks, which sound a bit brutal, but each tutorial will consist of active challenges/tasks (in the hopes of not boring you half to death).
- Your homework each week will be to:
 - prepare for these tasks before the tutorials; and
 - conduct a bit of post-mortem/reflection about the exercise for your PebblePad Portfolio after the tutorial.

- The aim of our course is NOT to cram as much knowledge as possible in the limited amount of time that we have. We want you to - if at all possible - have fun while learning and feel inspired to learn something new. In other words, we want you to be intrinsically motivated. How we can best do that is something we will figure out together in this course.

Assessment methods

For better or for worse, this course is graded on a pass/fail scale. The three “graded” assignments are in Weeks 5, 9 and 14 (at the end of each section).

- Week 5: Creating Your Conflict Prevention & Resolution Tool Kit;
- Week 9: Analyzing Your Preferred Method of Conflict Resolution; and
- Week 14: Moot Court Memorandum & Oral Pleading.

Specific instructions about the moot court and the memorandum & oral pleading assignment will follow in Week 10. As for the other two assignments, think of it as a paper/essay (in the range of 1,500-2,000 words), where you will have to think about what you’ve learned in the previous weeks and assess how that content will (or will not) help you as you progress in your career.

Attendance is strongly encouraged (as there will be a series of group exercises during the tutorials that you will have to reflect upon for the weekly homework). In exchange for your commitment to attend the tutorials, we will do our utmost to make it worth your while. To facilitate this goal, we will set up an “online suggestion and feedback box” that will be running before and during the course so that we can incorporate your inputs on a rolling basis.

For those of you that managed to read all of the above, we leave you with an easter egg: A clearly upset daughter says to her dad, “Dad! Are you even listening to me?!” to which the dad responds, “Well, that’s an interesting way to start a conversation.” It’s a dad joke about (not) listening. You’re welcome.

Course objectives

At its core, this course aims to help students become better problem-solvers. During the first part of the course, we will attempt to (re)discover: 1) what it is that we want for ourselves, 2) how we can resolve our differences with others, and 3) how we can engage or galvanize the community around us in furtherance of our shared goals. We attempt to do so by developing a growth mindset, learning how to tell our unique stories (while taking perspective of others), and much more.

To validate this approach, I borrow the hallowed words of Bill Ury, the co-founder of the Harvard Program on Negotiation: “If we can figure out how to unlock all three kinds of potential together - the potential that lies within the parties, the potential that lies between the parties, and the potential that lies around them - I believe that will give us our best chance for dealing with the intractable conflicts that we face.”

In the second part of the course, we will cover the basics of negotiation, mediation, and arbitration and discuss how the selection of the conflict resolution mechanism and various procedural considerations can impact the substantive outcome of the conflict. The third and final part of the course will be the moot court, where students get to try their hands in litigating a conflict. While the course will generally encourage students to avoid litigation to the extent possible, we will nevertheless cover the basics of drafting an effective legal memorandum and pleading in a convincing manner relying on knowledge we acquired in the first two sections of the course.

Prerequisites

No prerequisites, but given that this is a compulsory 2nd Year Course for our European Law School, the assumption is that you've passed the necessary courses leading up to this course.

Recommended prior knowledge

No prior knowledge required. Just come in with an open mind and be prepared to get comfortable with discomfort (whatever that means).

- [Introduction to Law and Legal Reasoning](#)
- [Thinking Like a Lawyer](#)

Recommended reading

William Ury, *Getting to Yes*

SLC2004

Semester 2

3 Feb 2025

4 Jul 2025

[Print course description](#)

ECTS credits:

6.0

Coordinator:

- [M.T. Kawakami](#)

Teaching methods:

PBL

Assessment methods:

Assignment

Keywords:

Growth Mindset, Biases & Heuristics, Role of Emotions in Conflicts, Storytelling & Perspective Taking, Inter- & Cross-Cultural Sensitivity, Critical, Creative & Strategic Thinking, Positionality & Reflexivity, Cultural Allegiance & Empathy Circle, Emotional & Conversational Intelligence, Non-Legal Solutions & Outside the Box Thinking, Trust & Community Building, Apology & Forgiveness, Short Term v. Long Term Strategies, Claiming Value v. Creating Value, Alternative Dispute Resolution (Negotiation, mediation, Arbitration), Moot Court

Bachelor European Law School year 2 compulsory courses

Faculty of Law

Skills: Academic Writing

Full course description

No education will be offered. Students who are enrolled in the European Law School programme as of September 2022 or earlier are entitled to two additional assessment opportunities in 2024/2025 to complete the respective programme components of year 2.

The course Academic Writing has been structured around the principal elements and criteria for writing the Bachelor's Essay as well as academic research papers in more general. In the conception and production of an academic paper of around 4.000 words (i.e. roughly half the length of the Bachelor's Essay), students will be guided step-by-step through the advanced academic writing process, working in turn on such aspects as the research question, research methodology, research proposal, structural outline, main body of text, bibliography etc. This is designed to ensure that students master each of these individual steps (while at the same time recognising that ultimately they are inextricably intertwined), and that they reserve sufficient time for each stage in the process. Students will be free to decide on the topic of their papers falling within the general theme of the group for which they registered. (e.g. criminal law, private law, EU law, International law, legal philosophy, public law).

Teaching methods

- PBL
- Knowledge Clips
- Learning by doing
- Peer-to-peer learning

Course objectives

The objective of this course is to develop the skills of academic legal research and writing, with a view to enabling students to become self-sufficient in their academic writing endeavours, including notably (but certainly not only) the Bachelor's Essay. By the second year of their studies, students have already acquired basic knowledge of the technical aspects of academic research through the course "Skills: Legal Research and Reasoning". This course seeks to build on this knowledge by further expanding, deepening and practicing students' writing skills with the introduction of new concepts and insights. This requires an independent work attitude on the part of the students and the ability to gauge the quality of one's own work, and the work of others, on the basis of the guidance received during the course. For this reason, another important skill that will be developed in this course is the ability to provide critical feedback on written academic work, as well as to address comments and incorporate suggestions as and where appropriate.

In summary, after completing this course, students will be able to:

- Identify relevant (academic) sources
- Analyse written sources and critically reflect on their quality
- Formulate relevant and disciplinary sound research questions
- Compare concepts and doctrines between different legal systems (legal comparison)
- Identify and apply different (legal) research methodologies needed to answer legal research questions
- Understand the importance of integrity and cooperation for academic citizenship
- Apply proper citation practices
- Understand the differences between different text types and audience expectations
- Identify and complete the stages of the writing process
- Construct and support written arguments in accordance with disciplinary expectations
- Reflect on the research and writing process and orally present the outcomes of your research
- Provide and receive feedback

Prerequisites

None

Recommended prior knowledge

The course builds on knowledge obtained in course LAW1003 Skills: Legal Research and Reasoning.

LAW2001

Period 1

2 Sep 2024

25 Oct 2024

[Print course description](#)

ECTS credits:

4.0

Instruction language:

English

Coordinator:

- [L. Dziedzic](#)

Teaching methods:

PBL, Lecture(s)

Assessment methods:

Final paper

Keywords:

Academic writing Legal writing Legal research methodology Writing skills Bachelor's essay Peer-review

Faculty of Law

European Union Law: Foundations

Full course description

No education will be offered. Students who are enrolled in the European Law School programme as of September 2022 or earlier are entitled to two additional assessment opportunities in 2024/2025 to complete the respective programme components of year 2.

This course is devoted to an in-depth study of EU institutional law, within the broader perspective of EU law. Building on basic concepts of EU law, it seeks to advance the knowledge of the students to the level where they could handle EU institutional law matters in a professional or academic context. The four main topics of the course are: the 'horizontal' division of competences between the EU institutions (including legislative and administrative decision-making), the 'vertical' division of competences between the EU and the Member States (e.g. principles of conferral and subsidiarity), the judicial enforcement of EU law (infringement proceedings and preliminary reference procedure) as well as the position of the citizen in the European legal order (review of EU legal acts).

Course objectives

The main objectives of this course are that the student:

Bachelor European Law School

- acquires knowledge of the main characteristics of and developments in the field of EU institutional law;
- has in depth knowledge and understanding of the powers and functioning of the EU institutions and bodies
- understands the relationship between European law and national law as regards the divisions of competences, conflicts between the two and how these conflicts should be resolved;
- can apply theoretical concepts of EU institutional law to concrete cases and identify potential problems in this regard
- can develop a critical analysis (both orally and on paper) of concrete cases and developments in the relevant fields

Prerequisites

None

Recommended reading

- Textbook tbd
- Nigel Foster, Blackstone's EU Treaties & Legislation (*latest edition*)

IER3006

Period 2

28 Oct 2024

20 Dec 2024

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [R.A. Ott](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam, Final paper

Keywords:

EU institutions, Division of Competences, judicial review, Direct effect and supremacy, Fundamental Rights

Faculty of Law

European Union Law: Substantive Law

Full course description

No education will be offered. Students who are enrolled in the European Law School

programme as of September 2022 or earlier are entitled to two additional assessment opportunities in 2024/2025 to complete the respective programme components of year 2.

The purpose of this course is to introduce students to the core of what is known as the "substantive law" of the European Union. The course is based on two main pillars, on the one hand the four freedoms and on the other hand the rules of competition law. These constitute the foundation of the economic and social order of the European Union. The course deals in detail with the free movement of goods (financial and quantitative restrictions), the free movement of persons, the freedom of establishment, the free movement of services. It specifically addresses the position of family members and the recognition of qualifications. Some attention is paid to third country nationals. Furthermore, the outlines of the free movement of capital are addressed. In the last part, the course gives an introduction to the area of competition law. Cartel agreements and concerted practices, the abuse of a dominant position, mergers, state monopolies, state aid and the enforcement of competition law shall be addressed.

Key words

1. History of the Internal Market. – legal developments and CJEU case law, on financial restrictions on the free movement of goods. Common External, Tariff; Import duties; Charges having equivalent effect; Internal, taxation.,
2. Legal developments and case law on quantitative restrictions; quotas;, measures having equivalent effect; certain selling arrangements;, justifications (including proportionality),
3. Development of EU citizenship; the notions of worker; self-employed, persons; rights of family members; prohibition on discrimination on, nationality; restrictions in the free movement and limitations of the, free movement based on Treaty, secondary legislation and case-law.,
4. Free Movement of Establishment and Services; diploma recognition of, professionals.,
5. Position of Third Country Nationals; residence and equal treatment., Long Term Residence; Family Reunification; Association Agreements., Free Movement of Capital.,
6. Prohibition of agreements, concerted practices and decisions of, associations of undertakings; prohibition on abuse of a dominant, position.,
7. State aid and enforcement of competition law.,

Course objectives

Has knowledge and insight in the most important fields of substantive EU Law (free movement/competition). Has the ability to identify and solve legal problems in the areas of law described above. Develops a critical attitude towards the areas of law described above.

To this end the following learning outcomes are defined (and assessed):

- Knowledge and insight:
 - EU free movement and competition law as described above.
- Applying knowledge and insight, judgement and communication
 - Find, analyse and critically assess sources.
 - Case solving: being able to distill a legal problem from a set of fact, select the corresponding rules, analyse and apply these rules and draw a logical conclusion solving the problem.
 - Analysis; being able to analyse and critically reflect upon the legal systems and subjects addressed in the course.
 - Being able to communicate in both written and oral form the analyses and necessary steps for case solving mentioned above.

Bachelor European Law School

- Being able to do the above in functional English.

In addition the following outcomes will be addressed in the case:

- Applying knowledge and insight, judgement and communication:
 - Approach problems from different angles.
 - Take into account societal and/or ethical aspects in a case.
 - Awareness of historical and/or societal context.
- Learning skills:
 - Planning, executing and evaluation own learning strategy
 - Team work.

Prerequisites

None

Recommended prior knowledge

The course builds on the knowledge acquired in Introduction to International and European Law and EU Law: Foundations.

Recommended reading

To be announced.

IER3003

Period 4

3 Feb 2025

4 Apr 2025

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [S.J.F.J. Claessens](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Assignment

Faculty of Law

Moot Court Training

Full course description

A moot court is a simulated court session, for which teams of students, first, prepare written pleadings with respect to a legal problem and, second, present their arguments in oral proceedings before a mock court. The course is based on fictitious cases involving issues of international law,

Bachelor European Law School
ECHR, and European Union law.

Course objectives

The course is intended to train students' written and oral communication skills in the form of written and oral pleadings. Students will be required to apply the law to the facts of a particular case and to argue in favour of their client. This course is also designed to develop students' ability to work as part of a team.

Prerequisites

This course is part of the programme of the second year of European Law School. It is not available for students not registered in the European Law School programme.

Recommended reading

- Christopher Kee, *The Art of Argument, A Guide to Mooting*, CUP, 2007.

IER2003

Period 4Period 5

3 Feb 2025

13 Jun 2025

[Print course description](#)

ECTS credits:

4.0

Instruction language:

English

Coordinators:

- [L. Visser](#)
- [C.M. Eggett](#)

Teaching methods:

PBL, Lecture(s)

Assessment methods:

Written exam, Assignment, Oral exam

Keywords:

Moot court - Pleadings - Written and oral skills - European Union Law - International Law - ECHR

Faculty of Law

European Tort Law

Full course description

No education will be offered. Students who are enrolled in the European Law School programme as of September 2022 or earlier are entitled to two additional assessment opportunities in 2024/2025 to complete the respective programme components of year 2.

The course discusses the central subjects of tort law from a comparative perspective and in the light of developments in supranational law (European Union and European Convention on Human Rights).

Course objectives

The main objective of the course is to provide students with cases, materials and comparative literature, allowing them to learn and discuss the main differences and similarities between English, German, and French tort law. Specific attention is paid to the increasing intertwinement between national tort laws on one hand and European Union law and the European Convention on Human Rights on the other.

Successful completion of the course will allow students to describe the main elements of fault and strict liability, identify the relevant facts of a tort law case and apply tort law rules and standards, discuss current issues of European Tort Law orally and in writing, and apply appropriate methodologies for the purpose of comparing the tort laws of England, Germany and France. Students also acquire practical problem solving skills, by applying tort law norms from the above-mentioned jurisdictions to hypothetical cases during the tutorials.

Prerequisites

None

Recommended prior knowledge

Basic knowledge of English, German and French legal systems

Recommended reading

Basic literature for this course:

- Cees van Dam, *European Tort Law*, Oxford (Oxford University Press) 2013 (approx. € 45), ISBN 0-19-929071-7.
- Case law and other additional materials on Eleum/Blackboard or the course book.

PRI3015

Period 2

28 Oct 2024

20 Dec 2024

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- C.C. van Dam

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam, Take home exam

Keywords:

Comparative Property Law

Full course description

No education will be offered. Students who are enrolled in the European Law School programme as of September 2022 or earlier are entitled to two additional assessment opportunities in 2024/2025 to complete the respective programme components of year 2.

Introduction into Comparative Property Law: Underlying values and principles, policy choices and ground rules.

Course objectives

In this course we will not only focus on the black-letter law, but especially also on the underlying values and principles, policy choices and ground rules that make up systems of property law.

Even though property law systems may look very different from country to country, each system of property law adheres to a similar thought-pattern. This course will allow you to learn about the differences, but also about these underlying thought patterns.

In this course you will:

- Acquire basic knowledge and insight into the historical development of property law in Europe.
- Acquire comparative knowledge and insight of leading property law values and principles, policy choices, ground rules and technical rules in civil law systems (particularly: French, German and Dutch law) and common law systems (English and Irish law). You will also acquire basic comparative knowledge from mixed legal systems (amongst others: Scotland)
- Acquire basic knowledge and insight in current developments in comparative and European property law.

Apart from learning new knowledge you will also:

- Apply your knowledge and insight to legal cases and be able to provide a critical analysis and solution to the problem(s) presented in that case.
- Be able to identify and collect relevant materials, and form an reasoned opinion on issues of property law that is partly based on relevant social, scientific or ethic aspects.

Prerequisites

None

Recommended prior knowledge

Basic knowledge of private law is required

Recommended reading

See Canvas for more information.

PRI3009

Period 1

2 Sep 2024

25 Oct 2024

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [B. Akkermans](#)

Teaching methods:

PBL, Work in subgroups

Assessment methods:

Written exam

Keywords:

Comparative property law, Numerus clausus, Transparency, Hierarchy of rights, Nemo dat, Potior iure, Primary rights (ownership, freehold, title), Secondary rights (use rights, Security rights, management rights), Reification of contractual rights, European Union property law.

Faculty of Law

Private International Law

Full course description

No education will be offered. Students who are enrolled in the European Law School programme as of September 2022 or earlier are entitled to two additional assessment opportunities in 2024/2025 to complete the respective programme components of year 2.

Private International Law (PIL) provides a set of legal rules for situations where one or more of the parties, facts or circumstances related to a legal dispute are connected with more than one legal system. Private International Law in particular provides: 1. legal rules which establish when a national court has international jurisdiction in any case involving an international element; 2. legal rules which determine the applicable law in cases involving international elements heard before a national court; and 3. legal rules on recognition and enforcement of foreign court judgments.

Each country has its own PIL rules, but a significant portion of sources of PIL are international treaties and, in this region, EU regulations. PIL has become even more significant as a result of increasing integration within the European Union and because of globalization and increased mobility of people across borders.

This course in particular focuses on the European perspective of PIL. Hence it includes: 1. an examination of the general structure, main doctrines, principles and topics (family law, goods, contractual/non-contractual obligations) of PIL from the EU perspective; 2. an introduction to the most important EU Regulations, such as the Regulation 593/2008 on the law applicable to

contractual obligations, Regulation 864/2007 on the law applicable to non-contractual obligations, as well as some key international treaties on PIL; 3. an overview of the impact of EU primary law in the development of PIL.

For the purposes of this course, PIL is understood in a broad sense, thus including the conflict of laws and the law of international civil procedure.

Teaching method:

PBL/PGO and lectures.

The participants of this course come together for tutorials twice a week during a period of three weeks. In addition, six lectures are provided.

Course objectives

The general aim of the course is to provide students with an understanding of the problems inherent in legal situations involving (a) cross-border element(s) pertaining to private law (b) mainly from a European perspective.

- **Gaining knowledge**

The students will gain knowledge of the basic principles and legal rules of PIL from a European perspective.

- **Applying knowledge and understanding**

The students will learn to apply the knowledge they acquire to identify and solve concrete problems that arise in international family disputes or civil and commercial transactions.

- **Making legal assessments**

The students will develop their ability to translate knowledge (from textbooks, primary legal sources) into sound legal arguments or own legal points of view.

They will learn how to identify the pertinent questions in international civil and commercial transactions (type of dispute, relevant PIL question(s), etc.).

- **Communicating**

The students will train their abilities to express legal arguments clearly, both orally and on paper.

- **Learning Skills**

The students will develop the techniques legal experts need as regards the gathering, selecting, analyzing, interpreting and synthesizing information from primary sources of EU, international and national law (treaties, legislation, case law) as well as second sources (textbooks, law journals, etc.)

They will develop their ability to approach the law with a holistic perspective and grasp the consequences of increasingly interconnected civil and commercial transactions.

Prerequisites

None

Recommended prior knowledge

Bachelor European Law School
Basic knowledge of law in general.

Recommended reading

- The mandatory textbook for this course is the 2019 edition of M. Bogdan & M. Pertegás Sender, Concise introduction to EU Private International Law, Groningen: Europa Law Publishing.
- The use of the latest edition of 'Selected National, European and International Provisions from Public and Private Law, the Maastricht Collection' by Nicole Kornet & S. Hardt (eds.), Groningen: Europa Law Publishing, is recommended for those students who are already in possession of the book and/or participate in other ELS courses.

(See also announcement on Student Portal before the start of the course, all books can be ordered e.g. via Studystore or the publisher).

PRI3018

Period 3

6 Jan 2025

31 Jan 2025

[Print course description](#)

ECTS credits:

4.0

Instruction language:

English

Coordinator:

- [M. Pertegás Sender](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Keywords:

Private International Law (of the European Union), Conflict of laws, International civil procedure.

Faculty of Law

Comparative Administrative Law

Full course description

No education will be offered. Students who are enrolled in the European Law School programme as of September 2022 or earlier are entitled to two additional assessment opportunities in 2024/2025 to complete the respective programme components of year 2.

The primary functions of administrative law are: a) power-establishing - to enable the government to put its policies into effect; b) power-checking - to keep the powers of the government within their legal boundaries, so as to protect those affected (citizens and companies) against their abuse.

The course Comparative Administrative Law provides an introduction into these functions of administrative law as applied in the legal systems of France, Germany, the Netherlands, and the United Kingdom (mainly England & Wales). The course concentrates on the following themes: 1) the

administrative decision-making process and its outcome (the forms of administrative action); 2) the general principles regulating administrative decision-making and the concept of discretion; 3) the access to administrative courts; 4) the remedies against abuses of the administration.

Course objectives

Through this course, students will be able to explain and discuss the main concepts/structuring themes of administrative law as emerging from the legal systems of France, Germany, the Netherlands, and the UK. Furthermore, they will be able to compare specific differences and similarities between these four systems of administrative law. Finally, the course will instruct students to use administrative law to address legal issues in multiple legal systems.

Recommended reading

- A reader
- Casebook Judicial Review of Administrative Action – the Maastricht Edition (Hart, 2020).

PUB2014

Period 4

3 Feb 2025

4 Apr 2025

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinators:

- [M. Eliantonio](#)
- [C.M. Colombo](#)

Teaching methods:

PBL, Lecture(s)

Assessment methods:

Written exam, Assignment

Keywords:

Administrative law; principles; administrative action; access to court; remedies against the administration; comparative law

Faculty of Law

Concepts of Criminal Procedure

Full course description

No education will be offered. Students who are enrolled in the European Law School programme as of September 2022 or earlier are entitled to two additional assessment opportunities in 2024/2025 to complete the respective programme components of year 2.

Criminal law systems within the EU differ, although they are all governed by the fundamental rights enshrined in the European Convention on Human Rights (ECHR). In this course the principles and

standards of criminal procedure shall be examined through the comparative study of three national systems: the Dutch, English and German. These systems mirror different legal families and approaches to criminal procedure. The ECHR standards shall be used as a common basis. Pre-trial and trial phase of criminal proceedings shall be both addressed. The topics examined include investigations, arrest and pre-trial detention, suspect interrogation, prosecution, defence rights during trial and the use of illegally obtained evidences.

Teaching methods:

- Students are expected to prepare thoroughly, participate during tutorials, solve case studies, and prepare group presentations.

Course objectives

The aim of this course is to get acquainted with the main features of the Dutch, English and German criminal procedure and the ECHR standards. At the end of the course students will be able to:

- Identify the characteristics of inquisitorial and adversarial traditions.
- Assess their differences and similarities.
- Illustrate the main features of German, English and Dutch criminal procedure.
- Understand how crime control and due process influence coercive measures.
- Comprehend the conditions for applying the major investigative measures, for conducting lawful interrogations, and arrest and detain suspects in the three jurisdictions.
- Comprehend the increasing importance of procedural rights at the pre-trial stage.
- Identify the conditions under which prosecution takes place and the challenges with plea bargain.
- Gain insight into the conditions and exceptions of the right to confrontation.
- Understand the conditions for the use of illegally obtained evidence in trial.
- Assess the legal standards found in the ECHR for all the above topics and become acquainted with the leading jurisprudence of the ECtHR in those issues.
- Develop important skills, i.e. learn how to read case law and solve practical case studies.

Prerequisites

None

Recommended prior knowledge

Good knowledge and understanding of concepts of substantive criminal law.

Recommended reading

Collection of literature in the course's reader and case law found via online sources.

CRI3005

Period 1

2 Sep 2024

25 Oct 2024

[Print course description](#)

ECTS credits:

6.0

Bachelor European Law School

Instruction language:

English

Coordinator:

- [C. Peristeridou](#)

Teaching methods:

PBL, Lecture(s)

Assessment methods:

Written exam

Keywords:

criminal procedure; fair trial; defence rights; ECHR; comparative law; fundamental rights

Compulsory courses

Bachelor's Essay European Law School

Faculty of Law

Bachelor's Essay ELS (12)

Full course description

The Bachelor is concluded with an essay in which the student reports on a legal research that is executed independently and individually.

Registration for the bachelor's essay is possible once per academic year. The program starts in course period 2.6 and ends at the latest on 1 June of the following academic year.

Course objectives

The student is able, within a theme chosen by the student himself/herself or from a list provided by the staff, to formulate a research question at Bachelor's level and to provide an answer to this question in a legally and linguistically correct and structured manner and with adequate references.

The student is able to collect and interpret relevant legal sources, and where necessary also social and scientific data, with the aim of formulating an opinion on a legal question. This opinion is based on the weighing of relevant legal and possibly societal or ethical aspects.

In answering the research question, the student is able to apply his/her knowledge and insight in such a way that this shows a professional approach to his/her field of study. In this context, the student demonstrates in particular that (s)he has the required competences for substantiating and solving problems in the field.

The student demonstrates that (s)he is capable of effectively communicating information, ideas and solutions to a scientific audience that consists primarily of lawyers.

The student demonstrates that (s)he possesses the research and writing skills necessary to successfully complete a follow-up study that presupposes a high level of autonomy.

Prerequisites

In order to register for the bachelor essay a minimum of 60 credits must be obtained in the Bachelor's degree.

LAW2653

Year

1 Sep 2024

31 Aug 2025

Period 6

16 Jun 2025

11 Jul 2025

[Print course description](#)

ECTS credits:

12.0

Instruction language:

English

Coordinator:

- [S.N. Tas](#)

Teaching methods:

Paper(s)

Assessment methods:

Final paper

Keywords:

research skills, Writing skills, communication skills, legal analysis

Elective courses

The elective courses below give an overview of the elective courses of the unrevised programme Bachelor European Law School.

Students who are enrolled in the European Law School revised programme as of September 2023 or later start with elective courses as of academic year 2025-2026. The Elective Education Regulations for the European Law School revised programme will be published no later than by the end of the 2024-2025 academic year.

Bachelor European Law School electives

Faculty of Law

Bedrijfseconomie

Full course description

This study programme is taught in Dutch. Hence, the programme information is only available in Dutch. If you would like to read the Dutch programme information, please choose 'NL' at the top of the website.

TAX3001

Bachelor European Law School

Period 4Period 5

3 Feb 2025

13 Jun 2025

[Print course description](#)

ECTS credits:

9.0

Instruction language:

Dutch

Coordinators:

- [J.B.P.E.C. Janssen](#)
- [M. Zahri](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Faculty of Law

European Human Rights

Full course description

The aim of this course is to study the protection of human rights in Europe under the Council of Europe system, in particular the European Convention on Human Rights (ECHR), as well as its relationship with the European Union. In this context, special attention is paid to the jurisprudence of the European Court of Human Rights (ECtHR). The content of various rights is studied such as the right to life, the prohibition of torture, freedom of religion, freedom of expression, the right to private life, the right to marry etc., as well as some general concepts such as the concept of positive obligations and the margin of appreciation doctrine.

Assessment methods

Final exam with essay questions and a case study

Course objectives

At the end of the course students are able to:

- Understand the main aspects of the ECHR legal system
- Analyse the case law of the European Court of Human Rights
- Apply ECHR law to hypothetical cases

Prerequisites

Basic knowledge of international law and constitutional law

Recommended reading

- Jacobs, White & Ovey, The European Convention on Human Rights, latest edition

Bachelor European Law School

LAW2006

Period 2

28 Oct 2024

20 Dec 2024

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- S. Imamovic

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam, Assignment

Keywords:

Human Rights, European Convention on Human Rights, European Court of Human Rights.

Faculty of Law

European Criminal Justice Area

Full course description

This course focuses on cooperation between the Member States of the European Union in criminal matters. Students will explore the effects of the Area of Freedom, Security and Justice on the different forms of co-operation in criminal matters at the various stages of a criminal trial. A variety of European legal instruments, such as the European Arrest Warrant, as well as pertinent case law of the European Court of Justice, will be examined. Furthermore, the course will deal with cornerstone principles of cooperation in criminal matters, such as mutual recognition and *ne bis in idem*. In addition to the European Arrest Warrant, other forms of mutual recognition in criminal matters, e.g. the execution of judgments, the European Protection Order and the European Supervision Order will be analyzed. Finally, the repercussions of these new forms of co-operation on European citizens will be discussed and strengths and weaknesses of the new emerging European Criminal Justice System will be highlighted.

The course has a focus limited to cooperation and will therefore not deal with the influence of Union law on national substantive criminal law (the latter is the topic of the master course European Criminal Law (CRI4007)).

The aim of the European Criminal Justice Area course is identify the most salient instruments of cooperation in criminal matters, how they are applied, their problems and challenges. This seven-week course will combine seven sessions of group tutorials and lectures. According to the philosophy of problem-based learning, students shall study and debate the application of the instruments to case studies. Materials include a variety of literature and CJEU case law and EU legislation.

Course objectives

The main objective of this course is to get acquainted with mutual recognition as the basis for all modalities of cooperation in criminal matters within the European Union. During the course students will solve several case studies regarding the use of mutual recognition instruments, identify which instrument is used when, compare instruments, critically assess their rationales and compatibility of human rights, determine the conditions for each instrument with the help of case law and examine their application in different scenarios.

Students will understand the changes and developments brought about by the introduction of the European Area of Freedom, Security and Justice. They will be enabled to apply as well as critically assess legal instruments and developments in the Area of Freedom Security and Justice. They should be able to find their way in European legislation implemented in a national penal system, evaluate their functioning and form a balanced opinion about the effects of European cooperation in criminal matters.

At the end of the course, students will have understood how cooperation in criminal matters takes place in EU law, be able to apply in practice the main instruments, choose which one is relevant and how it works, and assess problems that might occur. The written assignment gives students the opportunity to conduct research into national law and explore how EU instruments function within national legal orders.

Prerequisites

- A solid basis on criminal law and procedure, and EU law.
- Interest in cooperation in criminal matters
- Readiness to participate in group sessions based on PBL

Recommended reading

- André Klip, European Criminal Law, Intersentia Antwerpen, 2021 4th edition
- Materials on European Criminal Law, Intersentia Antwerpen, 2022, 4th edition
- Reader

LAW3012

Period 5

14 Apr 2024

13 Jun 2025

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinators:

- [C. Peristeridou](#)
- [E.C. Loibl](#)

Teaching methods:

PBL

Law and Art: The Free Movement of Cultural Property

Full course description

In Law and Art - The Free Movement of Cultural Property we take a closer look at the legal dimension of the art trade, the protection of cultural heritage from various threats, and the different points at which law and cultural heritage intersect. Artworks speak to our imagination and either fascinate or irritate (or bore) us. In the public discourse works of art are described and valued for different reasons: their uniqueness, their representation of the artistic genius, expressions of the human condition... These values we ascribe to art can also lead to it being endangered during conflicts, stolen, looted, forged, or even purposefully destroyed.

Beside their artistic and historic value, art works are also goods: material objects that can be valued in money and are traded across the globe. This international element of the trade renders regulation and enforcement across legal borders difficult, and actors in the illicit trade of cultural objects take full advantage of this. Since artworks are relatively easy to take across borders, stolen or looted art objects can show up all over the globe. To add to the difficulties, laws affecting the art trade differ from country to country. This is especially true for export regulations, the rules on the bona fide purchase and limitation periods. For example, the position of the bona fide purchaser is a delicate issue. Who should be protected and for how long? Must a bona fide purchaser return a stolen or looted painting to the original owner? Which law applies if more than one jurisdiction is involved? Which international obligations exist? Are there just and fair solutions for these types of disputes?

These examples show that this course deals with many different areas of law: International and European law, Private and Public International Law, Public as well as Criminal Law and criminology. However, you can easily widen the legal fields having a relation to the art market, such as for example Intellectual Property Law or Tax Law, which will not be addressed directly during the course.

Assessment:

Participants will be assessed on the basis of an exam at the end of the course.

Course objectives

After completing this course, students can:

- identify the special role and treatment of works of art in a variety of related legal issues.
- outline the evolution of international cultural heritage law and summarize its main instruments.
- discuss the legal difficulties of regulating the (i)licit trade in art and the protection of art and cultural heritage from forgeries and destruction.
- analyse the private (international) law issues relevant to artworks.
- rate the compatibility of laws on cultural heritage with European and international standards.

Prerequisites

Basic knowledge of law is important even if this course is open for students of the faculties of LAW, Arts and Culture and UCM and Erasmus students. Students who have no background in law should in any case read the recommended literature before the course starts.

Recommended reading

The course uses a mix of literature which is available through the library and reference list. No additional literature needs to be purchased.

Non-law students are advised to consult the following book: Hage, Jaap, Waltermann, Antonia M., Akkermans, Bram (Eds.), Introduction to Law, Springer 2017, available as ebook in the UM Library.

IER3004

Period 2

28 Oct 2024

20 Dec 2024

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [L.P.W. van Vliet](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Keywords:

Art law, cultural heritage protection, looted art, restitution and return, fakes, misrepresentation, Colonialism, warranty of title, provenance

Faculty of Law

Law and Neurosciences

Full course description

This course introduces students to the relatively new interdisciplinary field of law, neuroscience and philosophy (in short: neurolaw). By using an integrative approach students are invited to study some potential applications, but also limitations of neuroscience in the field of law, more in particular criminal law. On a more philosophical level the course also explores how neuroscientific research may challenge the foundations and conditions of criminal liability. The main themes of the course include the following: the neuroscientific challenge to free will and

responsibility; the scientific and legal view on human agency and personhood; the problem of neuroreductionism (reducing mental states and behaviour to brain states); diagnosing and assessing mental capacities (in light of the insanity defence); addiction; neuroscience and violence, coercive brain-reading and human rights, and finally, we will also focus on some criminological aspects and the rehabilitative use of neuroscientific techniques

Course objectives

Upon completion of this course, the student must be able to:

- understand the basic conditions of criminal liability and how neuroscientific research may challenge these conditions;
- understand the different philosophical positions on the free will and determinism debate;
- reflect on the neuroscientific challenges to free will, human agency and legal responsibility;
- understand the relevance of neuroscientific techniques as a diagnostic tool in order to determine mental capacities and disabilities, with a particular focus on the insanity defence;
- critically reflect on the use of science and the legal image of man;
- assess the value and limitations of neuroscientific evidence in court cases, especially regarding lie-detection;
- explore how coercive neuro-technologies (brain-reading) raise fundamental questions for human rights (right to respect for private life and the privilege against self-incrimination);
- reflect on the value of neuroscientific techniques as a predictive tool for risk assessment;
- reflect on the use of neuroscientific techniques (brain interventions) to modify the brain in order to enhance people's responsibility

Prerequisites

None

Recommended prior knowledge

Although there are no prerequisites for this course, we expect good English language and writing skills. Also, some basic legal knowledge is necessary to understand the main topics of this course. Therefore, in the first two weeks some introductory lectures will be given on the basic concepts of criminal and private law, especially for students without any knowledge of law.

One is also required to study additionally

- chapters 2,4, and 6 from J. Hage & B. Akkermans (eds), *Introduction to law*, Springer, 2014 and
- chapters 1, 3 and 6 from J. Keiler & D. Roef (eds.), *Comparative Concepts of Criminal Law*, Cambridge, Intersentia, 2016.

This additional literature will be made available in a reader.

Students report spending an average of 12-15 hours for each session.

Recommended reading

The literature for this course consists of state-of-the-art articles on neurolaw. It is indicated for each session which reading materials should be studied beforehand.

Bachelor European Law School

Examples of relevant literature:

- U. Maoz & G. Yaffe, 'What does recent neuroscience tell us about criminal responsibility?' *Journal of Law and the Biosciences*, 2015, 120-139;
- M.S. Pardo & D. Patterson, *Minds, Brains , and Law. The Conceptual Foundations of Law and Neuroscience*, Oxford University Press, 2015, p.1-42; 79-140.
- S. Morse, 'Determinism and the Death of Folk Psychology: Two Challenges to Responsibility From Neuroscience', *J.L.Sci & Techn.*, 2008, 1-20;
- C. Korponay & M. Koenigs, 'The neurobiology of antisocial and amoral behaviour: insights from brain science and implications for law' in A. Moratti & D.M. Patterson, *Legal insanity and the brain: science, law and European courts*, Oregon, Oxford and Portland, 2016, 9-37;
- A. Poldrack, J. Monahan, P.B. Imrey, V. Reyna, M.E. Raichle, D. Faigman and J. W. Buckholtz, 'Predicting Violent Behavior: What Can Neuroscience Add?', *Trends in Cognitive Science*, 2018, Vol. 22, No. 2, p. 111-123;
- F.X. Shen & O.D. Jones, 'Brain Scans as Evidence: Truths, Proofs, Lies and Lessons', *Mercer Law Review* ,2011, 861-883;
- S. Ligthart, Th. Douglas, C. Bublitz, T. Kooijmans and G. Meynen, 'Forensic Brain-Reading and Mental Privacy in European Human Rights Law: Foundations and Challenges', *Neuroethics*, 2020.

LAW3021

Period 2

28 Oct 2024

20 Dec 2024

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [D. Roef](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Faculty of Law

Concepts of Income and Business Taxation

Full course description

This course provides a basic introduction to income taxation.

In the first part of the course, we focus on foundational issues related to the legal nature and design of personal income tax systems. Through a comparative methodology, we reflect on different

Bachelor European Law School

approaches to the taxation of personal income (from employment, entrepreneurship and investment) and other key elements in the architecture of personal income tax systems (e.g., tax rates, tax credits, and the determination of the taxpaying unit).

In the second half of the course, we address fundamental issues related to the taxation of legal entities. In particular, we focus on the rationale for corporate income taxation, company financing and issues related to the determination of the corporate income tax base.

This course will not focus on the tax system of any state(s) in particular, instead taking principle-based comparative law approach.

The course dedicates special focus to terminological aspects. We establish foundational knowledge of tax-specific lexicon (e.g., tax base, tax rates, tax credits, etc.) and other key terms in the area of taxation (employment, business, dividends, interest, capital gains, etc.).

Course objectives

Students should be able to understand and explain basic principles of personal and corporate income taxation from a government and taxpayer perspective.

Prerequisites

None

Recommended reading

Provided via Canvas and the UM e-library

TAX3009

Period 4

3 Feb 2025

4 Apr 2025

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [A. Draghici](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam, Oral exam

Keywords:

tax, personal income tax, corporate income taxation, tax base, income, tax accounting

Faculty of Law

European Company Law

Full course description

The European Company Law course aims to introduce students to the discipline of company law in the European Union, including the efforts to harmonize the company laws of the Member States since the 1970s. European Company Law is a fascinating field of law, albeit complicated against the background of the harmonization efforts. To comprehend the theory of this legal discipline and the practical operation of companies, knowledge of both EU company law and national company laws is required. This course provides a solid foundation to this end.

Course objectives

- Students are able to define and understand the principles and fundamental features of company law (including the board of directors, shareholders, capital, mergers, ...). They should understand the characteristics of business organizations in general, with a focus on private and public companies.
- Students are able to identify, understand and analyse the relevant sources of national and European company law, including how they apply to the cross-border aspects of doing business.
- Students understand the close relationship between national company law and EU company law and can analyse the extent to which national company law is influenced by the harmonization efforts of the EU.
- Students are able to apply their understanding of national and EU company law to solve legal cases, develop a legal line of argumentation, and draft clauses for the articles of association.
- Students are able to evaluate the advantages and disadvantages of choosing for different types of companies and governance arrangements.

Prerequisites

None

Recommended prior knowledge

EU institutional law, private law

Recommended reading

See Canvas for more information

PRI3007

Period 5

14 Apr 2024

13 Jun 2025

[Print course description](#)

ECTS credits:

6.0

Instruction language:

- R. Hollemans

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Keywords:

Company, Partnership, Business, Directors, Shareholders, Capital, Merger, Division, Freedom of establishment

Faculty of Law

European Administrative Law

Full course description

Most of what the EU actually does can be qualified as administrative law. A EU measure setting standards for air quality, a fine imposed by the European Commission to a company found guilty of a cartel, a guidance on safety standards issued by the European Aviation Safety Agency, or Frontex's operations at the external borders of the EU are all measures which fall within the scope of administrative law.

While at national level there is a rather clear-cut division between legislative and administrative bodies, and it is not hard to identify what constitutes 'the administration', when the EU is involved matters become more complicated. Some of EU law is adopted and executed at EU level. If the Commission investigates the behaviour of a company which it suspects abusing its dominant position, it acts as an administrative authority. At the end of this process, the Commission may then issue an administrative measure, e.g. a fine, against which judicial review will be open before the European Courts. This is a typical case of direct administration.

Most of EU law, however, is not executed by the European institutions themselves. Because of the complexity and the sheer amount of work involved, the EU has, from the outset, needed national administrations to put European policies into effect. First of all, national parliaments need to transpose Directives and operationalise Regulations. If the EU passes a Directive on waste treatment, the national parliaments must create national law e.g. setting percentages of minimum waste recycling, designating the competent authorities in charge of monitoring whether companies comply with the requirements, setting fines for non-compliance etc. The designated national authorities will then have to inspect premises, draw up reports, impose fines etc. In such cases, one talks about indirect administration, because EU law is executed through the national administrations.

In cases of indirect administration, it is generally national rules of administrative law that govern the actions of national authorities. These national rules govern the procedural requirements that have to be fulfilled if one asks for a permit, if and at which court one can file an action if the permit is refused and with which means the government can ensure that the requirements for obtaining the permit are enforced. Because national administrations are, in such cases, executing European law, and national courts are adjudicating on European law, national procedural rules have to respect some minimum requirements imposed by the EU legislator and the CJEU. In this way, the EU has been increasingly influencing national administrative law.

The course European Administrative Law covers all these themes: starting from the cases of direct administration (i.e. what is sometimes referred to as ‘the administrative law of the European Union’), where the EU institutions adopt measures of individual and general application, the course then moves to discuss situations in which the EU and the national administrations have to cooperate in the execution of European law, and will subsequently discuss the way in which European law influences national administrative law in cases of indirect administration. All of the themes will be illustrated through concrete examples from various EU policies, such as competition, agriculture or environmental policy.

Course objectives

Students will be able to discuss the key concepts of administrative law. At the end of the course, they will gain a deep understanding of administrative law of the European Union, as well as the Europeanisation of national administrative law. Students will also be able to appraise and critique different administrative law arrangements and their implications. Finally, students will learn to independently conduct research and draft a research paper.

Prerequisites

None

Recommended prior knowledge

This course builds upon the knowledge acquired in the courses Comparative Administrative Law, European Union Law: Foundations and, to a certain extent, European Union Law: Substantive Law.

PUB3003

Period 1

2 Sep 2024

25 Oct 2024

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinators:

- [M. Eliantonio](#)
- [S.N. Tas](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Final paper, Written exam

Keywords:

European administrative law, comparative law, Europeanisation of public law, procedural law, agencies, comitology, principles, shared administrative, administrative decision-making, remedies

Faculty of Law

Rechtspsychologie

Full course description

Naast vier algemene bijeenkomsten over de rechtspsychologie, wordt een thema centraal gesteld in de navolgende bijeenkomsten. Voor het collegejaar 2021-2022 is dit het thema "De minderjarige in het strafrecht". Dit onderwerp zal tijdens het blok door een rechtspsychologische bril bestudeerd worden aan de hand van wekelijkse thema's. Het blok moet in het bijzonder inzicht verschaffen in de wijze waarop de minderjarige bejegend wordt in het strafrecht en welke de rechtspsychologische aandachtspunten zijn voor minderjarige slachtoffers, getuigen en verdachten afgezet tegen de algemene inzichten bij volwassenen.

Course objectives

1. de rechtspsychologische concepten en inzichten te begrijpen en in eigen woorden toe te lichten;
2. de rechtspsychologische concepten en inzichten te bespreken en illustreren;
3. de belangrijkste risico's te identificeren in concrete casus;
4. concrete casus kunnen analyseren vanuit rechtspsychologische inzichten met het oog op het ontwikkelen van een eigen oordeel en het formuleren van aanbevelingen.

Recommended reading

- M. Vanderhallen, van Oosterhout, M., Panzavolta, M. & de Vocht, D. (2016). Interrogating young suspects: procedural suspects from an empirical perspective. Antwerpen: Intersentia.
- P.J. van Koppen (2022). De som van alle bewijs: Scenario's in strafzaken. Amsterdam: De Kring.
- P.J. van Koppen, M. Jelicic, J.W. de Keijser & R. Horselenberg (Eds.) (2017). Routes van het recht: Over de rechtspsychologie. Den Haag: Boom Juridisch.

MET3004

Period 4

3 Feb 2025

4 Apr 2025

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinator:

- [R. Horselenberg](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Keywords:

Opsporingsonderzoek, verhoor, bewijs, jeugdstrafrecht, minderjarigen, kwetsbaar

Faculty of Law

Materieel Strafrecht en Criminele Politiek

Full course description

De titel Materieel strafrecht en Criminele Politiek refereert aan de tweevoudige opzet van het blok. Het onderdeel Materieel strafrecht gaat over de vraag welk gedrag strafbaar is gesteld. In het blok wordt allereerst aandacht besteed aan verscheidene algemene kernleerstukken, zoals bijvoorbeeld daderschap (van de rechtspersoon), opzet en schuld, en toerekenbaarheid. Daarnaast komen enkele bijzondere delictsvormen aan bod, zoals bijvoorbeeld uitingsdelicten (aanzetten tot haat), terrorismemisdrijven, prostitutie en verkeersdelicten. Deze opsomming is voornamelijk illustratief, want het is de bedoeling dat regelmatig andere delictsvormen aan bod komen, in het licht van actuele legislatieve of jurisprudentiële ontwikkelingen.

Het onderdeel Criminele Politiek heeft tot doel inzicht te verkrijgen in het hoe en waarom van het door de overheid gevoerde strafbaarstellingsbeleid. Het materiële strafrecht ontstaat immers niet in een vacuüm. Strafbaarstellingen zijn steeds het uitvloeisel van maatschappelijke opvattingen en politieke ontwikkelingen en derhalve voortdurend aan verandering onderhevig. Zo zien we bijvoorbeeld dat de criminele politiek steeds meer wordt beheerst door veiligheidsdenken en risicomangement. Of het nu gaat om terrorisme, zinloos geweld of milieuvervuiling, van de overheid worden meer maatregelen verlangd teneinde een veiligere samenleving te garanderen. Deze focus op veiligheid is niet alleen zichtbaar binnen het strafbaarstellingsbeleid maar ook binnen de sanctionering. Hierbij kan onder meer worden gedacht aan meer levenslang gestraften, pleidooien voor een 'soepelere' TBS-oplegging en de toepassing van 'levenslang toezicht' op ex-zeden- en geweldsdelinquenten. Deze ontwikkeling doet niet alleen talrijke vragen rijzen over de grondslagen, maar ook over de mogelijke beperkingen van het moderne strafrecht. Daarom wordt in het blok ook aandacht besteed aan meer strafrechtstheoretische beschouwingen, zoals beginselen en criteria van strafbaarstelling. Het blok heeft daardoor naast een sterke positiefrechtelijke, ook een metajuridische dimensie. En om onze blik te verruimen zal ook af en toe naar andere rechtsstelsels worden gekeken. Een centrale doelstelling van het blok is op een kritische wijze te onderzoeken hoe strafrechtstheorie, criminele politiek en materieel strafrecht zich tot elkaar verhouden.

Instructietaal

Nederlands (hoewel een beperkt deel van de literatuur in het Engels zal zijn)

Course objectives

- Het verbreden en verdiepen van de kennis van verscheidene algemene kernleerstukken van materieel strafrecht.
- Inzicht verkrijgen in het hoe en waarom van het door de overheid gevoerde strafbaarstellingsbeleid en de sanctionering.
- De ontwikkelingen in het materiële strafrecht, het strafbaarstellingsbeleid en de sanctionering in de crimineel-politieke context kunnen plaatsen.
- Aan de hand van strafrechtstheoretische en rechtsvergelijkende inzichten beargumenteerd een eigen standpunt kunnen innemen over de crimineel-politieke ontwikkelingen in het materiële strafrecht, het strafbaarstellingsbeleid en de sanctionering.

Prerequisites

Geen

Recommended prior knowledge

Elementaire basiskennis van het materiële strafrecht is vereist.

Recommended reading

Er wordt gebruik gemaakt van een zorgvuldig samengestelde reader. De volgende teksten zijn illustratief:

- J. Keiler and D. Roef, 'Principles of Criminalisation and the Limits of Criminal Law', in J. Keiler and D. Roef (eds.), *Comparative Concepts of Criminal Law*, Cambridge-Antwerp-Chicago, Intersentia, 2019, p. 35-83;
- A.E. Hartevelt & R. Robroek, *Hoofdwegen door het verkeersrecht*, Deventer: Kluwer 2021, hoofdstukken 4, 5 en 6
- J. Bijlsma, *Stoornis en Strafuitsluiting. Op zoek naar een toetsingskader van ontoerekenbaarheid*, Wolf Legal Publishers, 2016 (hoofdstuk 3 & 5);
- K. Rozemond, 'Waarom werd Wilders veroordeeld?', *Nederlands Juristenblad*, 2022, p. 246-252.
- D. Roef, 'De strafrechtelijke positie van overheden anno 2018: een stand van de rechtsontwikkeling', *O&A* 2018, p. 113-123;
- M. Lintz, 'Recente ontwikkelingen in de toepassing van de Wet terroristische misdrijven: naar een meer ideologische toepassing van strafrechtelijke antiterrorwetgeving?', *Delikt en Delinkwent*, 2022, p. 260-270

CRI3004

Period 5

14 Apr 2024

13 Jun 2025

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinator:

- [D. Roef](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Keywords:

Strafrechtelijke aansprakelijkheid - strafbaarstellingsbeleid - veiligheid - risicomaatschappij

Faculty of Law

International Business Law

Full course description

This course will cover some of the very general principles of international business law that govern various commercial transactions at the international level. The objective of this course is to enable students to answer some crucial questions regarding international business and commerce, which includes, but are not limited to the following: What is the applicable law for the transaction? What are the responsibilities and liabilities of the parties involved? Who arranges the carriage contract and who is in charge of transporting the goods from one point to another? How does the buyer pay the seller? What happens in the event that something goes wrong?

To help the students answer these questions, this course will focus on the following subject matters: 1) international sale of goods and general contract terms; 2) carriage of goods by land and sea; 3) letter of credit as a payment mechanism; and 4) international commercial arbitration as one possible way for parties to resolve their disputes. In addition to these core issues, this course will also attempt to shed light on various business concerns (e.g. business ethics) and current events that is of relevance to this course.

Given that there is a limit to our meetings and teaching times, we acknowledge that there will be a limit to what we will be able to teach the students (without force-feeding the information to students, which we do not intend to). With this in mind, this course will NOT cover various subjects including but not limited to: 1) extensive history of business/commercial law; 2) carriage of goods by air or rail; 3) leasing and financing contracts; or 4) insolvency and insurance claims just to provide a handful of examples. Our aim will NOT be to simply cram as much information as possible, but to select the essential concepts, to go over them in some depth, and to instill sufficient knowledge for the students to be able to apply these concepts in a practical manner. While the students may not become absolute experts of IBL at the end of this course, the students will possess enough foundational understanding of the subject matter, which will equip them with the ability to build further atop this foundation on their own.

Teaching methods

The bulk of the information that the students need to succeed in this course will be presented at the lectures every week. The knowledge that the students accumulate from the lecturers (plus the information covered in the weekly handouts and various other materials) will be applied in the tutorials each week by students solving a number of practical cases. Moreover, the tutorials will be student-centered and Socratic, which is to suggest that if the tutors notice students being silent for a prolonged period of time during the tutorials, the tutors reserve the right to invite those students to participate more actively.

Assessment methods

Legal Memorandum (60%), Settlement Negotiation (30%), and Negotiation Strategy (10%). The Negotiation and the Negotiation Strategy will be a group assessment that the students will NOT be able to resit. The weight of the assignments is subject to change depending on the preference of/voting of the students in the pre-course survey.

Course objectives

One of the overarching issues that this course will keep coming back to is the question of what impact these “international” laws (i.e. UN Convention on Contracts for the International Sale of Goods) are having on the harmonization of the law at the international/European level. Each week,

the students will see evidence to suggest that there is no such thing as the "uniform law of contract" that governs an entire commercial contract from start to finish. Therefore, the students will consider "International Business Law" as a fragmented network of laws, with different laws governing each part of the transaction. Having this fundamental understanding will allow students to start grasping this complex subject matter with a bit more ease. At the of the course end, the goal is for the students to be able to demonstrate a basic level of competence and knowledge for matters related to international business law.

Recommended reading

The students will be given a choice in terms of what type of learning materials (i.e. reader, handouts, executive summaries, podcasts, vlogs etc.) they prefer to use before the course starts. Therefore, the course materials will consist of different formats and compositions depending on what the students wish for. Substantively speaking, the materials for each week (whatever type of format and composition the students vote for) will be designed to prepare them for the lectures, the tutorials, and the assignments. In addition, the course manual will provide a weekly list of recommended readings above and beyond the mandatory materials that the students will be strongly encouraged to follow.

PRI3008

Period 4

3 Feb 2025

4 Apr 2025

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [M.T. Kawakami](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Assignment, Written exam

Keywords:

International business law, International sale of goods, Incoterms 2020, International carriage of goods, documentary credit, international commercial arbitration, alternative dispute resolution, and private international law.

Faculty of Law

European Private Law

Full course description

This course aims to make its participants familiar with the area of European Private Law. At one time, this aim would have been perceived as far too difficult to attain: until 1990 or so, there was no such thing as 'the European Law of Contract'. In more recent times, however, scholarly efforts to build such a uniform contract law on the basis of comparative legal research have coincided inter

alia with the issuing of important European Directives in this field and the drafting of principles of contract law based on comparative research. These principles include the Principles of European Contract Law (PECL) and the Principles of European Law (PEL), dealing with topics such as sales and services contracts. These initiatives have not in and of themselves led to a great deal of uniform contract law for the European Union, but what has emerged is the idea (shared by many scholars and practitioners) that it is possible to come up with such a uniform law in the future. In any event, this has given rise to the view that European Contract Law can be taught at universities by uncovering the similarities and differences between the various European legal systems and by pointing at the unifying instruments that already exist. In January 2008, a huge effort of scholarly work led to the publication of a Draft Common Frame of Reference of European Private Law (DCFR), based on the PECL and further comparative research. In 2009 a renewed and updated version of the DCFR was released and presented to the European Commission in the form of 6 volumes of over 6000 pages. An expert group then endeavoured to turn the (academic) DCFR into a (political) CFR, which could serve as a so-called optional instrument in the field of contract law. The result of this endeavour was a feasibility study that formed the basis for the European Commission's proposal on a Common European Sales Law (CESL), which was put forward in October 2011.

The CESL has been the subject of heavy debate not only among academics but also among politicians and Member States. The European Parliament was relatively happy with the Commission's proposal, but it soon became clear that the proposal would not be adopted by the Council. Hence, when the Juncker Commission took office in late 2014 it revoked the CESL proposal. Instead, using a new thematic approach, the European Commission launched proposals for further directives relating to contracts for the sale of goods as well as the supply of digital content and digital services, which have since been adopted.

By far the largest body of European Contract Law deals with consumers. This is mostly due to the nature of European legislation. After all, the European legislature must show aim and reason before it can issue harmonising measures. It is sometimes held that because of this there is legislation at different levels, dealing differently with similar subject matter. The European Commission is organised in several Directorates-General (DGs) (perhaps best compared to the ministries of the Member States) that operate on a semi-autonomous basis. Of course there is coordination between the DGs, and there is some steering from the College of Commissioners (the full meeting of all Members of the European Commission), but - and this has been a major criticism in the past - this coordination has not always been successful. At least, part of the fragmentary character of European Contract Law at present can be attributed to poor coordination.

Because of this competence-oriented approach, consumer law takes a central place in the field of European contract law. In European Union speak, this part of the law deals with contracts between businesses and consumers, so-called 'B2C' transactions. In addition to this, there are also European initiatives taken that deal more with commercial relationships, so-called 'B2B' (business to business) transactions, and talk of a European Business Code has also surfaced.

In short, the European Union has not been sitting still in the past years in the field of private law. The CESL provided us a glance at what the European Private Law of the future can look like, certainly combined with other legislative initiatives taken by the Commission, such as the Consumer Rights Directive of 2011, which replaced some of the contract law directives existing at the time, seeking more coherence, as well as a change in approach from minimum harmonisation to full (or maximum) harmonisation. At the same time, however, these proposals also show the limit of what the EU is politically able to achieve in this area. It is that future that is the central focus point of this course.

In this course you will, after two weeks of introduction, be part of an expert group working on a fictive proposal on a European Private law for the European Commission. You can have particular influence on the sub-topic you are working on for this course, both in drafting legislative provisions, as well as discussing and coordinating provisions drafted by others. The course is finalised in the form of a joint group research paper (including the draft legislative proposal itself) on the sub-topic in question, along with participation throughout the course.

Teaching methods

- Tutorials/Working Group Sessions
- Video lectures/Information Sessions
- PBL/peer-to-peer learning

Assessment methods

- JOINT RESEARCH PAPER (70%) AND PARTICIPATION (30%)

Course objectives

At the end of this course you will have:

- Knowledge of existing EU private law as well as knowledge about past and future initiatives
- Knowledge and understanding of the European private law debate
- Shown your ability to apply your knowledge of EU private law to a concrete subject area dealing with contract, tort or property
- Understanding of the relationship between EU law and national law in the area of private law
- Shown your ability to work with the vertical dimensions between the EU-level and the Member States.
- Acquired and demonstrated legal drafting skills and the ability to apply these in an EU private law setting.

Prerequisites

Given that this course relies heavily on active student involvement throughout – bearing in mind not only the participation component of the course assessment but also the need to contribute to the development of the research paper of your sub-group – physical attendance to all tutorials (as far as reasonably possible) is necessary. For this reason, any prospective students who will not be in a position to regularly attend the tutorials in the course in person (e.g. due to a planned/potential internship or period of exchange in another country for the bulk of the course period) should not register for the course, as it will not be feasible to successfully complete the course in such circumstances, and non-attendance is also likely to adversely affect the other members of the given sub-group, not to mention the working group as a whole. Similarly, and for the same reason, exam-only registration is not possible for this course.

Should you have any doubts or queries in this respect, you are strongly advised to contact the course coordinator prior to registering for the course, in order to avoid any subsequent (and unnecessary) difficulties/complications for all concerned.

Preknowledge

Prior knowledge of private law (and particularly a course/courses in national and/or comparative

Bachelor European Law School

contract law, property law and/or tort law) is preferred, but not required. Also a basic course in EU law, both institutional and substantive, is helpful but not essential.

Recommended reading

None

PRI3012

Period 5

14 Apr 2024

13 Jun 2025

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- W.A. Bull

Teaching methods:

Lecture(s), PBL, Work in subgroups

Assessment methods:

Final paper, Participation

Keywords:

European Private Law; European Contract Law; European Property Law; European Tort Law; Europeanisation

Faculty of Law

Legal Philosophy

Full course description

This course introduces students to major theories in the field of legal theory and philosophy of law. These theories are discussed in relation to one another, and on the basis of a number of themes, including the nature of law, the relationship between law and justice, legal positivism and natural law theories, the normative foundations of the liberal legal order and fundamental rights. In addition, students learn to apply these theories to concrete cases from legal practice and case law. In doing so, the premise is that positive law as a concrete social practice is analyzed and critically evaluated from various legal philosophical and legal-theoretical perspectives. The ultimate goal is that students are challenged to develop their own critical view of applicable law, which is informed by ideas, concepts and arguments derived from the legal philosophical literature.

Questions addressed include: How does law relate to morality and justice? Are laws that are unjust nonetheless binding? Can such unjust laws be considered law at all? And to what extent should conceptions of justice play a role in the interpretation of law? What are the normative foundations of the liberal legal order? On what fundamental rights and "principles of justice" is this liberal legal order based? And how can fundamental rights such as freedom of speech or the right to privacy be philosophically justified? Are there philosophical arguments for placing certain limits on the exercise of these rights?

This course focuses on skills characteristic of normative inquiry and, more specifically, the ability to analyze legal cases using multiple legal philosophical theories. This includes the skill of applying relevant legal philosophical arguments to the case, defending a particular interpretation of the case using legal philosophical arguments, and comparing and contrasting different legal philosophical theories and arguments when evaluating the case.

Course objectives

Upon completion of this course, students will be familiar with major theories in the field of philosophy of law and legal theory; familiar with philosophical discussions of law regarding the nature of law, the relationship between law and justice, legal positivism and natural law, and the normative foundations of the liberal legal order and fundamental rights; able to describe, present in context, and critically evaluate various philosophical theories of law.

Upon completion of this course, students will have the ability to:

- recognize, distinguish between, outline, and apply dominant philosophies of law and legal theories;
- analyze a legal case from different legal-philosophical perspectives;
- apply relevant legal-philosophical arguments to this case;
- defend a particular interpretation of the case based on legal-philosophical arguments;
- compare and contrast different legal philosophical theories and arguments when evaluating the case.

Recommended reading

- Reader

MET3003

Period 5

14 Apr 2024

13 Jun 2025

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [R.H.M. Pierik](#)

Teaching methods:

PBL, Lecture(s)

Assessment methods:

Written exam

Keywords:

Legal Philosophy, Political Philosophy, Law, Justice, Fundamental Rights

Faculty of Law

Law in Europe: from Gaius until the EU

Full course description

In this course the history of, primarily, Private law in Europe will be dealt with, from Gaius until the EU. Common roots, such as Roman law, Canon law, Legal Humanism and Natural law will be discussed; the codification process in the 19th century will be investigated; and the consequences of the creation of the EU for Private law will be studied.

Course objectives

The student is able to discuss the common legal past of the various European states; he/she is aware of the dependency of law on time and place; The student has knowledge of the differences between Justinianic law and Classical Roman law, and has an understanding of the reception of Roman law in medieval Europe; The student has insight in the influence of Roman, Canon and Feudal law, Legal Humanism and Natural law on the civil and common law systems; The student comprehends the 19th century codification process and is able to form a reasoned point of view about the harmonisation of (Private) law in Europe; The student is able to communicate in writing about the history of Private law in Europe.

Recommended reading

See reference list and coursebook

MET3005

Period 2

28 Oct 2024

20 Dec 2024

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [C.H. van Rhee](#)

Teaching methods:

PBL

Assessment methods:

Presentation, Assignment

Keywords:

European Legal History, History of Private law

Faculty of Law

Introduction to International Human Rights

Full course description

Human rights are a universal language intended to end discrimination and violence, reduce human suffering and promote human development. In this course, we analyse human rights from the perspective of international law, specifically examining the following issues: the obligations of states to uphold universal standards and the mechanisms in place to transform national injustices into international concerns, giving rise to recommendations to governments (but not necessarily imposing sanctions per se). These obligations and mechanisms were created after 1948, when the Universal Declaration of Human Rights was adopted by the General Assembly of the United Nations (UN).

Assessment methods

The course utilises two assessment components:

- Final exam with open questions, accounting for 85% of the grade of the course.
- A mid-term assignment, in the form of an oral contribution, such as (but not necessarily) a presentation or participation in a debate. This assignment will not be graded, but will be assessed on a pass/fail basis. The assignment will count for 15% of the final grade for the course. Therefore, a pass means that the student receives one and a half points; a fail means that the student receives no points.

The final grade is calculated as follows: [Exam grade x 0.85] + [Assignment grade: pass (1.5) or fail (0)]. In the event that a student has to take a re-sit exam, the assessment for the assignment remains valid.

Course objectives

Generally

- To provide an introduction to international human rights law and the institutional framework of the UN.

Specifically

- The student analyses the legal status and nature of international (UN) human rights norms and state obligations.
- The student examines the position and role of non-state actors in relation to international human rights.
- The student finds their way through the major international (UN) human rights treaties (ICERD 1965, ICCPR and ICESCR 1966, CEDAW 1979, CAT 1984, CRC 1989, CRPD 2006) and relevant documents related to the institutional framework of the UN.
- The student applies international (UN) human rights norms with critical reasoning and legal argumentation to concrete problems and cases.

Prerequisites

Students must have followed one or more law courses at bachelor level.

Recommended reading

The main focus of the course is on the legal content (both substantive and procedural) of the UN human rights treaties (the BISSET compilation), for which the MOECKLI textbook presents general information and background reading.

- BISSET, Alison (ed.), Blackstone's International Human Rights Documents, Oxford: OUP (latest Edition)
- MOECKLI, Daniel, et al. (eds.), International Human Rights Law, Oxford: OUP 2022 (Fourth Edition).

IER3009

Period 1

2 Sep 2024

25 Oct 2024

[Print course description](#)

ECTS credits:

6.0

Coordinator:

- [J.A. Sellin](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam, Assignment

Keywords:

Human rights (law); the UN human rights system; universality; civil and political rights; economic, social and cultural rights; equality and non-discrimination; state obligations; limitations and derogations; non-state actors; women's rights; children's rights; rights of persons with disabilities.

Faculty of Law

Forensische Geneeskunde

Full course description

This study programme is taught in Dutch. Hence, the programme information is only available in Dutch. If you would like to read the Dutch programme information, please choose 'NL' at the top of the website.

LAW3016

Period 4

3 Feb 2025

4 Apr 2025

[Print course description](#)

ECTS credits:

6.0

- [W.L.J.M. Duijst](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Faculty of Law

Intellectual Property in the Digital Single Market

Full course description

This course frames the understanding of intellectual property in the context of the Digital Single Market as a central EU policy. It follows closely the EU's policy on intellectual property in the Digital Single Market, and gives students tools to understand and work with that policy in their future professional lives.

The course will familiarize students with intellectual property areas and principles, through knowledge clips, interactive lectures and tutorials. The aim is two-fold: first, students are provided with an understanding of the EU's legal regime concerning the intellectual property rights (patents, trademarks and copyright), which will encompass an overview of the legislation, case law, and legislative background of these IP rights.

Second, through specialised lectures, among others by guest lecturers, students deal with specific intellectual property issues in the Digital Single Market, such as the online enforcement of IP rights, IP protection for video games, etc..

Another part of this course is that students deepen and specialize their knowledge and understanding of intellectual property in the context of the Digital Single Market through a mock trial in week 5, in which students apply their knowledge and understanding and practice their oral presentation and writing skills.

Assessment methods

Written Exam; Mock Trial (presentation and paper)

Course objectives

- Understand and critically reflect upon EU intellectual property as a central element of the Digital Single Market;
- Explain the different rationales of intellectual property rights;
- Have knowledge and insight of the EU regimes for trademarks, patents and copyright, in particular of the aspects of acquisition of rights, scope of protection and infringement;
- Solve cases regarding the intellectual property rights listed above;

- Orally argue a case concerning any of the intellectual property rights listed above;

LAW3018

Period 1

2 Sep 2024

25 Oct 2024

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- A. Moerland

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam, Presentation and paper

Faculty of Law

Personen- en Familierecht

Full course description

Het doel van dit blok is studenten kennis en inzicht te verschaffen in het Nederlandse personen- en familierecht. Binnen het blok wordt gewerkt met innovatieve onderwijsmethoden en een grote betrokkenheid vanuit het werkveld. Studenten passen hun kennis toe op interactieve casussen ontwikkeld in nauwe samenwerking met de beroepspraktijk. Naast de theorie komt dus ook nadrukkelijk de praktische toepassing aan bod.

Meer specifiek zullen de volgende onderwerpen aan de orde komen: Relatievormen (huwelijk, samenwonen, geregistreerd partnerschap), de totstandkoming, inhoud alsmede de gevolgen ervan, het huwelijksvermogensrecht, echtscheiding en ouderschapsplan, recht op levensonderhoud (partneralimentatie en kinderalimentatie), ouderlijk gezag, omgangsrecht, en afstamming. Het blok bestaat uit acht onderwijsbijeenkomsten, en een wekelijks gastcollege verzorgd door de beroepspraktijk (notarissen, rechters, advocaten) welke hun visie geven op de leerstukken vanuit hun praktijk ervaring. Studenten hebben ook, uitgebreid de mogelijkheid om contact te leggen met deze professionals. **Simultaan werken studenten aan een real-life casus, waarmee zij zeer praktisch aan de slag gaan. Binnen deze casus staan zij een fictief echtpaar bij in hun familie rechtelijke problemen.** We sluiten het blok af met een finale zitting. In het flankerend onderwijs worden interactieve colleges en kennisclips aangeboden waarvan een groot deel ook verzorgd wordt door experts uit de beroepspraktijk. Basiskennis van het personen- en familierecht is voor de meeste rechtsgebieden van onontbeerlijk belang; niet alleen voor het privaatrecht, maar zeker ook voor bijv. het strafrecht, fiscaal recht, notarieel recht en arbeidsrecht.

Course objectives

Het blok beoogt u

- Kennis te laten maken met de bronnen en de inhoud van het personen- en familierecht (PFR);
- In staat te stellen verworven kennis en inzicht te reproduceren alsmede toe te passen op nieuwe casuïstiek;
- Inzicht te bieden in de toepassing van het PFR in de beroepspraktijk;
- Een kritische houding te ontwikkelen ten aanzien van de grondslagen van het PFR, mede in het licht van de maatschappelijke ontwikkelingen;
- In staat te stellen ingewikkelde PFR-casuïstiek te analyseren en hierin onderbouwde standpunten in te nemen en deze te kunnen communiceren;
- In staat te stellen om te adviseren in basis PFR-casus die in de beroepspraktijk spelen.

Recommended reading

- Nuytinck, Personen- en familierecht, relatievermogensrecht en erfrecht, Wolters Kluwer, 2021, meest recente druk.

PRI3005

Period 5

14 Apr 2024

13 Jun 2025

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinators:

- [G.C.M. Noteborn](#)
- C.H.C. Hocks

Teaching methods:

PBL

Assessment methods:

Written exam, Assignment

Faculty of Law

Comparative legal history of the Limbourgish Territories

Full course description

In the Early Modern Period (16th-18th centuries) the Meuse-Rhine region was divided in many autonomous territories like the duchies of Gueldres, the prince-bishopric of Liege, the city of Maastricht etc. Most of these territories underwent a process of legal modernization in this period. One of the most important features of this process was the recording of customary law, as ordered by the sovereigns of these territories. Although the compilers in those territories made use of the Corpus Iuris Civilis as a subsidiary law source, they found different solutions for comparable legal problems, resulting in different mixtures of customary, legislation and Roman law, which were studied in regional legal treatises and jurisprudence in the following period. Such contemporary treatises enable us to study similarities and differences in the legal systems of the Meuse-Rhine territories.

Assessment methods

Course objectives

1. Acquisition of necessary skills in the field of comparative legal history research (application):

- problem definition and research design: how to choose a topic which is relevant for comparison
- read, translate and interpret primary legal sources of the early modern period (written in Middle Dutch and Middle French)
- compare and describe two or three legal systems of the Meuse-Rhine Euregion
- frame one's observations in a broader theoretical framework in order to review and evaluate (by means of comparative research) generally accepted or disputed theses and views in the field of European legal history

2. Acquisition of insight in the legal history of the Meuse-Rhine Euregion (understanding)

- outline general legal history of the Meuse-Rhine Euregion
- identify, describe and explain specificities of legal history of the Meuse-Rhine Euregion within a wider European context

Prerequisites

Elementary legal history; advanced (passive) knowledge of French and/or Dutch is an indispensable (!) prerequisite.

Recommended reading

Recommended literature is referred to in the course book.

MET3006

Period 1

2 Sep 2024

25 Oct 2024

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [B. van Hofstraeten](#)

Teaching methods:

PBL

Assessment methods:

Final paper, Presentation

Keywords:

Comparative Civil Procedure

Full course description

Harmonization of civil procedural law in the European Union is a matter of debate. A discussion is not possible without a thorough knowledge of (1) the existing procedures in the Member States of the Union, (2) the origins of these procedures and (3) the differences between these procedures and their similarities. Within the European Union at least three procedural traditions may be distinguished: those which have developed around the French Code de procédure civile, the ones of the German-speaking countries and finally the systems which belong to the Common Law tradition. The characteristics of each procedural tradition will be discussed. In discussing these characteristics, the civil procedure of France, Germany and England will be studied in some detail. Special attention is given to the question how these systems deal with the requirements of Article 6 (and 13) of the European Convention of Human Rights and with fundamental principles of procedure in general. Subsequently the differences between the three procedural families and their similarities will be evaluated. It will appear that most similarities can be explained on the basis of the origin of particular procedural rules. The course also addresses the question whether or not approximation of procedural law is desirable and, if it is desirable, in what particular manner approximation can be achieved. In this context, the Principles of Transnational Civil Procedure of ALI/UNIDROIT and the Model European Rules of Civil Procedure of the European Law Institute will be discussed.

Course objectives

To provide students with an insight in the character and goals of civil procedure; To provide students with knowledge of the basic principles of civil procedure in Europe; To provide students with knowledge of Articles 6 and 13 ECHR and the case law of the ECtHR; To provide students knowledge of Article 47 of the Charter of the European Union; To provide students with knowledge of harmonised European rules on civil procedure; To provide students with knowledge of the ALI/UNIDROIT Transnational Principles of Civil Procedure and the ELI/UNIDROIT Model European Rules; To provide students with knowledge of civil procedure in England & Wales, Germany and France from a comparative perspective; To make students aware of the fundamental similarities and differences in civil procedure in Europe; To provide students with an insight into the historical development of civil procedure in Europe; To provide students with an insight into the current debate on harmonisation of civil procedure; To provide students with knowledge of the advantages and disadvantages of the tools available for harmonising the law of procedure; To enable students to formulate well-founded opinions on civil procedural issues in a comparative perspective.

Prerequisites

None

Recommended reading

Reference List

Bachelor European Law School

LAW2005

Period 5

14 Apr 2024

13 Jun 2025

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- F.J. Fernhout

Teaching methods:

Lecture(s), PBL

Assessment methods:

Presentation, Written exam

Keywords:

Civil Procedure, Civil Litigation, Comparative Law

Faculty of Law

Crime and Criminal Policy

Full course description

Crime and Criminal Policy provides a comprehensive exploration of the fundamental concepts, theories, and contemporary issues surrounding crime and criminal justice policy. It focuses on the interaction between criminal law, society, and governance and considers how laws and policies are created, implemented, and adapted in response to crime. Students will analyze the social, political, and legal dimensions of crime control and prevention and examine the effectiveness, fairness, and consequences of criminal justice policies.

The challenging course requires students to think outside the box and, in addition to the application of legal methods, the course will explore criminological, social-scientific, and empirical methods. Behavioral theories, crime statistics, and various disciplines such as victimology and penology form an integral part of the endeavor to achieve a deeper understanding of crime and criminal policy. The focus, however, of the course is legal, and each session is complemented by a case study to stimulate discussion and give students the opportunity to train their argumentation skills and demonstrate their intellectual abilities. The course is designed around a series of lectures on a wide range of criminal law topics, given by various members of the Department of Criminal Law at Maastricht University. Students will gain an insight into the research activities of the department, meet some of the department's finest scholars, and be brought up to date on current debates in crime policy, criminal justice, and criminological research in the Netherlands, Europe, and the world.

Course objectives

The course Crime and Criminal Policy invites students to reflect on various aspects with regard to the definition of crime and the development of criminal policy and criminal law. The students are challenged to scrutinize the basic elements of the concept of crime, the origins of crime policy, the rationale behind the contemporary response to crime and its implications on the development of

criminal law.

Course objectives are:

- **Understanding the Legal Framework:** Introduce students to the legal foundations of criminal law, including its role in shaping criminal policy and how laws are formulated and interpreted to address crime.
- **Explore Theories of Crime:** Provide a grounding in criminological theories, helping students understand various explanations of why crime occurs and how these theories influence criminal policy.
- **Critical Analysis of Criminal Policy:** Develop students' ability to critically analyze and evaluate the effectiveness of different criminal policies, considering their impact on society and the rule of law.
- **Assessing Reform and Innovation:** Investigate contemporary debates and reforms in criminal policy, such as decriminalization, crime prevention and the culture of control.
- **International Perspectives:** Compare and contrast crime control strategies and criminal policies across different legal jurisdictions and their relation to transnational crime and global governance.

Prerequisites

Basic knowledge of the concepts and principles of substantive criminal law is required.

Recommended reading

Reader

CRI3006

Period 2

28 Oct 2024

20 Dec 2024

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [R. Hofmann](#)

Teaching methods:

Lecture(s), PBL, Presentation(s)

Assessment methods:

Written exam

Keywords:

Crime - Criminalization - Crime control - Criminal Law

Faculty of Law

Privacy

Full course description

This elective course addresses the increasingly topical issues of privacy and data protection, their scope, limitations, and protection. Issues surrounding privacy and data protection are manifold. The advancement of technology leads to the collection, storage, and analysis of an abundance of (private) data: ranging from the applications we use, the calls we make, our search behaviour on the Internet and covert surveillance, to name but a few examples.

Content and meta-data are retained for surveillance purposes or analysed and sold for commercial purposes. For example, public authorities may take fingerprints or store DNA samples; intelligence services can store data obtained through CCTV surveillance in public areas; cameras for monitoring traffic might be used for traffic purposes and for criminal investigations. Another pressing issue is the balancing of privacy and data protection with other fundamental rights and interests, such as free speech, the right to property and transparency. What limitations does the law impose on data collection and, even more importantly, who supervises compliance with the privacy and data protection rules?

This course covers a panoply of issues. First, it aims to identify what is meant by notions of privacy and data protection and to explain how these concepts should be understood. Moreover, the course sheds light on the pertinent EU rules on privacy and data protection and identifies the relevant case law of the CJEU. As the notion of privacy is rapidly gaining importance in EU law, a large proportion of time will be devoted to the analysis of various EU legal sources and case law. Finally, although privacy and data protection are regulated by EU law, the compliance therewith is to be ensured at the national level through supervisory authorities. Consequently, the course will also cover this aspect of legal regulation of privacy and data protection.

Assessment methods

Closed book in person exam

Course objectives

As the result of this course students will obtain the essential understanding of privacy and data protection in the European legal space. They will gain awareness of the range of issues protected under relevant provisions of the EU law. Students will develop the basic understanding of the regulatory framework for personal data protection and its practical implications.

Recommended reading

Mandatory and recommended literature is provided for enrolled students in Canvas

LAW3067

Period 5

14 Apr 2024

13 Jun 2025

Bachelor European Law School

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [V. Abazi](#)

Teaching methods:

Lecture(s), PBL

Keywords:

privacy, data protection, EU law, GDPR, Fundamental Rights

Faculty of Law

Legal Analytics

Full course description

The world is increasingly dominated by information technology and data. Economic and social relations are digitized. Technological innovation is already disrupting the practice of law and the legal professions. In Legal Analytics, you will learn how to use legal information as data and apply quantitative methods to law. The computational approach to law of this course provides an understanding about how data science techniques can help improve our understanding of the law and may help design innovative legal services and legal solutions.

In this course, you will learn about the following major topics:

- Introduction to Legal Analytics
- Quantitative Research Design
- Data and the Data Science Pipeline
- Exploratory Data Analysis
- Visualization
- Statistical Inference

Teaching methods

Lectures and tutorials. Online courses in DataCamp Academic will be used for learning Python.

Course objectives

Upon completion of the course, a student is able to:

- Explain and apply fundamental concepts and principles of data-driven research;
- Explain and apply fundamental concepts of statistics and data science;
- Clean and manipulate a dataset in Python;
- Perform quantitative and visual exploratory (legal) data analysis in Python
- Communicate (written and oral) and visualize (legal) data and results.

Prerequisites

None. This course is intended for students without any statistics or computer programming experience.

Recommended reading

- Epstein L & Martin AD (2014). An Introduction to Empirical Legal Research. Oxford: OUP. <http://empiricallegalresearch.org>
- Kelleher, J. D., & Tierney, B. (2018). Data Science. Cambridge, MA: The MIT Press. Available at UM e-library.

LAW3025

Period 4

3 Feb 2025

4 Apr 2025

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [K.A.S. Kollnig](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Assignment

Keywords:

legal analytics, research design, data science, data analysis, data visualization, Python programming, statistical inference

Faculty of Law

Internet Law & Governance

Full course description

Over the past forty years, the Internet has developed at an incredible pace. While the Internet in the 1980s consisted of a handful of computers, nowadays, the Internet connects us to billions of people around the globe. This rapid growth brought a need for a system of governance. In the first years of the Internet, its users consisted of a relatively homogenous group, mainly academics, experimenting with new possible features. When the number of users started to grow, and the personal computer became accessible to the general public, a new group of users emerged that saw the potential of the Internet for illegal activities. Governments responded to these kinds of activities by regulating and monitoring Internet activity. Besides unlawful activity, legal conduct can also be problematic. The Internet brought a number of companies that obtained very powerful positions in our society. They can control what kind of content we watch or the results we get in our searches. Moreover, they can gather vast data and profile us with increasing accuracy.

The course follows three Internet eras and addresses some of the most important economic and

Bachelor European Law School

societal disruptions arising during these periods and compares regulatory approaches (statutory laws and self-regulation) taken by the European Union and the United States. It addresses opinions and theories primarily arising out of law and computer science, but also includes references to sociology, communication and media studies.

Topics each week:

- The Foundations of the World Wide Web
- Platform Regulation
- Data Protection & Privacy
- Apps & IoT
- AI & Machine Learning
- Intellectual Property in the age of AI
- Cybercrime & Cyberwar

Course objectives

- Understand the underpinning technologies of the Internet and the developments towards the World Wide Web as well as the societal drivers behind current regulatory developments.
- Understand the global regulatory challenges that are posed by the Internet and World Wide Web in particular and the patchwork of regulations within the EU that aim to provide a strong backbone for data governance.
- Understand how regulation of digital services has worked in practice and how service providers have responded to such regulation.
- Understand the core concepts of informational privacy and data protection regulation as well as current cybercrime and cybersecurity frameworks and debate the role of harmonized regulation, industry regulation, technology, and society in creating secure, privacy-friendly, and trustworthy infrastructure.
- Understand the actors involved in “Internet Governance” and evaluate European regulatory approaches.

Prerequisites

None

Recommended reading

Interdisciplinary readings of scientific articles from law and computer science will be provided.

LAW3026
Period 4
3 Feb 2025

- [K.A.S. Kollnig](#)

Advanced Legal Analytics

Full course description

Artificial intelligence (AI) has experienced an enormous development boost in recent years. Novel methods such as generative AI have led to a rapid acceleration in the capabilities of AI systems, particularly in the analysis of unstructured data such as text.

These advances make the application of AI highly relevant in the legal field, which is highly focused on textual documents such as laws, administrative decrees, court decisions, contracts and other legal texts. Actors in the legal field (e.g., lawyers, judges, litigators) analyze and use this information to perform legal tasks, such as providing legal advice, drafting legal arguments, or deciding cases.

The advanced legal analytics course offers students an interactive exploration of how AI can be used to analyze legal texts and perform tasks in the legal domain. Through hands-on Python programming tasks, students will gain experience in methods such as machine learning, large language models, data science, and Python programming. Not only will students gain an intuitive, hands-on understanding of the capabilities and shortcomings of such systems. They will also be equipped to use these technologies in their own work and legal practice.

Teaching methods:

- Lectures to introduce important topics relating to the course material.
- Weekly hands-on programming tutorials, where students use jupyter notebook to explore the concepts in a hands-on manner.
- Students will work on a legal analytics group project throughout the course.

Assessment methods:

Attendance and Student Participation during tutorials, Project Presentation and Project Report (including Code and Datasets).

Course objectives

Intended Learning Outcomes:

Upon completion of the course, a student is able to:

- Plan and conceptualize the use of AI methods to perform tasks in the legal domain, taking into account the current capabilities and shortcomings of such methods;
- Apply data science methods to ingest, visualize and clean real-world legal datasets to allow for effective machine learning;
- Leverage effective and advanced prompting strategies to effectively harness large language models (such as ChatGPT) for performing tasks in the legal domain, including drafting, question answering and summarization;
- Utilize traditional machine learning models to perform tasks in the legal domain;
- Evaluate (quantitatively and qualitatively) the results of an AI system to understand its real-world performance and risks;
- Interpret and communicate the findings, implications and limitations of the AI system when applied to legal datasets/tasks
- collaborate effectively in groups for a legal analytics research project while designing, implementing and evaluating the methodology of the AI system;
- defend the methodology and the results of the legal analytics project in a presentation, addressing potential critiques constructively.

Prerequisites

None

Recommended prior knowledge

Basic knowledge of Python programming is a strong requirement. It is highly recommended that you have completed the Legal Analytics course.

Recommended reading

Readings and programming resources will be provided on a weekly basis.

LAW3027

Period 5

14 Apr 2024

13 Jun 2025

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [H.A.M. Westermann](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

International and European Tax and Customs Law

Full course description

This course addresses the key areas, topics and sources of law relevant to international taxation.

In the first half of the course, we focus on the taxation of cross-border income-generating activities under double tax treaties and EU law. We will address the treatment of international business, investment and employment income, including the incidence of double taxation and the application of mechanisms for its relief. Anti-tax avoidance legislation will also be discussed at a basic level.

In the second half of the course, we cover issues of indirect taxation, with a focus on EU value added tax ('VAT') and customs law. We address the legal nature, architecture and functioning of the EU VAT and customs law frameworks, with an emphasis on application to real-life scenarios.

The course combines the discussion of legal instruments and legislation with topical policy discussions (e.g., the impact of the digitalization of the economy on tax matters and the role of taxation in regulating environmental protection).

Course objectives

Students should gain a basic understanding of principles of international tax law and EU law in connection with aspects of direct and indirect taxation.

Prerequisites

This course builds on knowledge established in the course Concepts of Income and Business Taxation (TAX3009) and it is therefore not intended to provide a pure introduction to tax law. For this reason, we firmly recommend that students only register for this course after having completed the Concepts of Income and Business Taxation (TAX3009) or an equivalent introductory course to tax law.

Recommended reading

Provided via Canvas and the UM e-library

Course reader with legislation

TAX3013

Period 5

14 Apr 2024

13 Jun 2025

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Bachelor European Law School

English

Coordinator:

- [A. Draghici](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Keywords:

International tax, double tax treaties, EU fundamental freedoms, VAT, customs law

Faculty of Law

EU Citizens Rights and Remedies in EU Law

Full course description

EU citizenship is the “cherished child” of EU integration, but what are its implications in the European legal and political order?

The EU Treaties bestow citizens the right to move and reside freely across the Member States and to be treated equally with nationals of the host State, including to some extent in access to welfare. Mobility rights have also fundamental rights connotations, among which the right to family life, independently of the status as non-EU citizens of family members. However, Union citizenship rights come with inherent tensions. This is because control over national borders has historically been central to State sovereignty, the boundaries of social solidarity are a crucial yet open question in our societies, and individuals' fundamental rights may clash with Member States' interests.

What is more, citizenship is closely associated to political and democratic rights and to participation in key constitutional and political decisions. The same goes for Union citizenship in the EU system. And yet, the supranational nature of EU citizenship entails specific tensions and inevitable changes. The democratic participation of individuals to such a complex polity requires specific instruments to ensure that European integration does not alienate citizens, thus becoming an undemocratic endeavour.

Finally, rights are of little use without appropriate remedies. In the EU, the de-centralised enforcement of EU rights plays a key role. Nevertheless, remedying violations and correcting distorted applications of EU rights is not straightforward when the legal order is multi-layered and access to centralised European courts is limited. Here too, specific remedies, including extra-judicial ones, need to be analysed to make sure that rights in the books correspond to rights in practice.

The course “EU citizenship: rights and remedies in EU law” intends to discuss all those questions and to provide a deep understanding of the role and rights of EU citizenship in the EU legal order, fostering a critical reflection on conflicts, trade-offs but also opportunities of ensuring rights in multi-level polity.

To achieve those objectives, the course proposes to complement the study of the substantive rights of EU citizens with the institutional and procedural tools to enforce those rights. Such a perspective appeals both to those who envisage a career as practitioners and to those interested in continuing their academic path.

This seven-weeks course requires students to think creatively and critically about the law, in order

to learn how rights work in practice, what is their impact on the European legal system(s) and - ultimately - on society. To do so, we will consider legal issues within their social, historical, geographical, and political context, discussing case studies on topical issues, such as the rights of LGBTQAI+ families under free movement law, the controversial Golden Passport citizenship schemes, strategic litigation, or the emerging concept of digital citizenship.

Finally, there is no better place than Maastricht to study this crucial field of EU law: the symbolic connection to the Maastricht Treaty, which established EU citizenship, and the international classroom foster the synergies between legal inquiry and our own background experiences, allowing for a better grasp of the development of forms of citizenship and rights beyond national borders.

Teaching methods:

Lecture(s), Tutorials, Work in groups.

Assessment methods:

Participants will be assessed on the basis of a mid-term assessment and an exam at the end of the course. More details in the syllabus on Canvas.

Course objectives

By the end of this course, you will:

- gain a deep understanding of the free movement, political, democratic and fundamental rights of EU citizens;
- learn to apply and appraise the procedural remedies at national and EU level, judging whether they adequately protect individuals, and how EU citizenship law changes domestic legal systems;
- learn to discern and critically reflect on the evolution of EU citizenship law and its drivers in their societal and historical context, examining conflicts, tensions, and gaps specific to EU citizenship and its constitutional implications in the multi-level EU polity;
- learn how to skilfully read the case law and academic papers and independently conduct research.

More details on the intended learning outcomes (ILOs) in the syllabus on Canvas.

Prerequisites

- Interest in EU integration and law, in constitutional matters and dynamics between legal orders;
- Openness to informed discussion and readiness to participate in group sessions based on PBL principles.

Recommended prior knowledge

Prior knowledge of EU law both in its institutional dimension (i.e. competences and decision-making in the EU; institutions of the EU; judicial review) and substantive elements (i.e. law of the internal market and free movement); basic knowledge of constitutional law.

Recommended reading

The reading materials will consist of primary sources (legislation, case law, institutional documents) and secondary sources (excerpts of textbooks, selected scholarship in academic journals or books).

The readings will be specified in the syllabus on Canvas.

IER3201

Period 1

2 Sep 2024

25 Oct 2024

[Print course description](#)

ECTS credits:

6.0

Coordinator:

- [F. Ristuccia](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam, Assessment

Keywords:

EU Citizenship - Free movement of persons - Equal Treatment - Political Rights- Judicial Remedies - Non-Judicial Remedies

Faculty of Law

EU Law and Inequality

Full course description

Inequality within and between countries has become a prominent concern in the aftermath of European integration. This course explores how the EU legal system deals with inequality, and how this has evolved over time. To this end, and after a methodological introduction, the course delves into specific areas of activity of the EU (non-discrimination, state aid, cohesion policy, common agricultural policy, and COVID-19 recovery instruments) to explain the EU legal instruments that affect the distribution of benefits and burdens between individuals and between countries.

Through this learning journey, you will learn how the EU is more than simply an internal market in which people, goods and capital move around: it is also a system that shapes peoples' opportunities to live a good life through policies and legislation that redistribute money between territories, and that set rules on how individuals should be treated in such a system.

Course objectives

By the end of this course, you will:

- Gain a deep understanding of EU policies that affect the distribution of wealth and opportunities between different collectives;
- Learn how to solve legal challenges that emerge in the development and implementation of such policies;

Bachelor European Law School

- Learn how to read relevant legal and academic materials and conduct independent research in relation to EU law and one or several dimensions of inequality.

Prerequisites

None

Recommended prior knowledge

- EU Institutional Law
- EU Substantive Law

Recommended reading

- The reading materials will consist of primary sources (legislation, case law, institutional documents) and secondary sources (excerpts of textbooks, selected scholarship in academic journals or books).
- The readings will be specified in the syllabus.

IER3202

Period 4

3 Feb 2025

4 Apr 2025

[Print course description](#)

ECTS credits:

6.0

Coordinator:

- [L. Díez Sánchez](#)

Teaching methods:

Lecture(s), PBL, Presentation(s)

Assessment methods:

Presentation, Written exam

Keywords:

EU law, inequality, Distribution, Social, cohesion, funds

Faculty of Law

Law of the United Nations

Full course description

This central aim of this course is to explore the practice of international law within the framework of the United Nations (UN). In the first weeks, students will study the history of the UN, its structure, and some foundational questions about the UN as an organisation and its constituent instrument, the UN Charter. In the rest of the course, students explore the law and practice of three of the UN's principal organs: the General Assembly (UNGA), the Security Council (UNSC), and the International Court of Justice (ICJ). With respect to each of these organs, this course examines the basic rules and procedures that govern their function, considers the practice of these organs, and seeks to encourage students to reflect on their role in contemporary international law.

Course objectives

By the end of this course, students should be able to:

- Understand the history, nature, and structure of the UN.
- Explain the different kinds of entities that make up the UN and understand the relationships between them.
- Work with the core legal texts of the UN, including the UN Charter and the ICJ Statute. Students should also be able to solve case studies on the basis of such texts.
- Analyse the practice of the UNGA, UNSC, and ICJ.
- Critically reflect on the strengths and weakness of the UN and its constituent organs, and their place in the international legal system.

Prerequisites

None

Recommended prior knowledge

Basic knowledge of Public International Law.

Recommended reading

There is no core textbook for this course. Reading will be provided on Canvas at the start of the course.

The following statute book is recommended: M Evans, *International Law Documents*, (OUP). The latest edition is the 16th edition.

IER3203

Period 4

3 Feb 2025

4 Apr 2025

[Print course description](#)

ECTS credits:

6.0

Coordinator:

- [C.M. Eggett](#)

Teaching methods:

PBL, Lecture(s)

Keywords:

United Nations, International law, Security Council, General Assembly, International Court of Justice

Bachelor internship European Law School

Faculty of Law

Bachelor's internship ELS (12)

Full course description

The Maastricht Faculty of Law considers the internship to be a fully-fledged programme component of law school. A practical internship provides students with work experience that is tightly connected to their studies. It supports students in developing the necessary legal and social skills. The internship is not compulsory but many students use the opportunity of an internship to gain practical experience.

LAW3312

Year

1 Sep 2024

31 Aug 2025

[Print course description](#)

ECTS credits:

12.0

Instruction language:

Dutch

Coordinators:

- [K.G.M. Mertens](#)
- C.A.E. Franssen

Assessment methods:

Final paper

Faculty of Law

Bachelor's internship ELS (6)

Full course description

The Maastricht Faculty of Law considers the internship to be a fully-fledged programme component of law school. A practical internship provides students with work experience that is tightly connected to their studies. It supports students in developing the necessary legal and social skills. The internship is not compulsory but many students use the opportunity of an internship to gain practical experience.

LAW3306

Year

1 Sep 2024

31 Aug 2025

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinators:

- [K.G.M. Mertens](#)

Bachelor European Law School

- C.A.E. Franssen

Assessment methods:

Final paper

Minor

See this link for all UM minors: <https://maastrichtuniversity.nl/education/bachelors/minors>

The information on this page for the programme Bachelor European Law School gives an overview of the minors that are available for the unrevised programme Bachelor European Law School.

Students who are enrolled in the European Law School revised programme as of September 2023 or later start with elective courses as of academic year 2025-2026. The Elective Education Regulations for the European Law School revised programme will contain more information on UM minors and will be published no later than by the end of the 2024-2025 academic year.