

INTERNATIONAL AND COMPARATIVE LEGAL STUDIES

An examination of the way in which international law and practice affects the governance and legal system of any country is an important element in understanding the jurisprudential system of that country. The examination of the legal system of other countries, particularly those with materially different legal cultures, enhances an understanding of the operation of U.S. law by providing important baselines for comparison. These traditional reasons for including international law and practice and comparative law in the curriculum of U.S. law schools have been enlarged substantially during the second half of this century by the globalization of the economy, the increased mobility of people, instantaneous communication and the growing importance of international organizations.

Course and seminar offerings generally characterized as international and/or comparative law in fact cover a considerable spectrum. They include rights and obligations under international law and practice, the application of international law to private transactions, the operation of legal systems of other countries and the problems arising from the intersecting jurisdiction of different countries over individuals, entities and property.

The array of course and seminar offerings at the Law Center dealing with international and comparative law in its many forms is the most comprehensive in the country. The breadth of the array offers advantages and disadvantages. Opportunities for the pursuit of particular interests are almost unlimited; but the number of credit hours available for scheduling during a student's law school career is decidedly limited.

The faculty involved in international matters suggests that students who are interested in the possibility of careers that might include international work plan at the least to take *International Law I: Introduction to International Law*, *International Law II* and a course in comparative law. These courses will provide a useful introduction to the field and will provide a valuable context for more specialized courses and seminars in the J.D. or LL.M. curriculum.

International Law I: Introduction to International Law deals with the nature and sources of international law and major developments in the international legal system. It considers such topics as the law governing treaties and other international agreements; the recognition of states and governments; jurisdiction, including foreign sovereign immunity and the act of state doctrine; methods for international dispute resolution; the role of international law in the U.S. legal system and the allocation of foreign affairs powers between the President and the Congress; the United Nations and other international and regional entities; and the use of force. The course also includes—to varying degrees depending on the individual professor—an introduction to international economic law and institutions, as well as additional issues of public international law, such as human rights, the environment, and law of the sea. The four-credit version of the course in particular draws upon social science to understand the changing nature of the international legal system.

International Trade Law is focused on the application of international law to economic arrangements and transactions. The course generally includes a detailed examination of international trade arrangements and the posture of international trade law and practice within the

United States. In some sections of the course, issues of international investment, finance and dispute resolution are also explored.

The course titled *Comparative Law: Focus on EU and US* is generally based upon a comparison of common law traditions with the civil law systems that exist in some form in most of the countries of the world. However, there are many other offerings in the curriculum that provide an opportunity to use the methodology of comparative law while focusing upon the laws of a particular country or region. Such offerings include courses in Japanese law, Chinese law, Korean law, Latin American law and Middle Eastern law. Several course and seminar offerings explore the role of law and legal mechanisms in seeking to advance development objectives in less industrialized countries.

Students interested in further concentration in the area will find that the course and seminar offerings for any semester provide opportunities to work with quite different areas of international law and practice. Many offerings deal with aspects of international relations or the constitutional and administrative structure of the international relations apparatus of the United States. For example, one might examine the establishment and operation of international organizations such as the United Nations, the law of treaties, the use of military force both with and without the authorization of the United Nations Security Council, aspects of international human rights, legal aspects of the European Union, arms control mechanisms, or the details of international cooperation with respect to the sea, air, space and the environment.

Many offerings examine the application of international, U.S. and foreign law to specific issues arising from international trade, investment and population movements. For example, one might examine in more detail international trade organizations and U.S. trade dispute procedures, the structuring of international investments, international commercial law, the arbitration of international disputes, the taxation of international transactions and areas of cooperation among the judicial systems to advance the interests of civil and criminal law enforcement.

Finally, it is important to note that the value of the course and seminar offerings dealing with international and comparative law is not restricted to those contemplating careers involving international work. Students specializing in particular areas, such as taxation, finance or commercial law, will find that an examination of the international aspects of their fields of concentration will be an important enhancement of their work in courses dealing with the U.S. law in the field.

Search International and Comparative Legal Studies Courses (http://curriculum.law.georgetown.edu/course-search/?cluster=cluster_16)

LAW 2073 v00 Advanced International Commercial Arbitration (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202073%20v00>)

LL.M Course (cross-listed) | 3 credit hours

This course will provide an indepth study of specific topics in international commercial arbitration from both a theoretical and practical perspective. Topics to be considered will include:

1. the arbitration agreement - the separability doctrine, choice of law, parties to the agreement (including non-signatory issues), competence-competence, enforcement of the agreement and other types of national court intervention;
2. complex arbitrations - multiparty and multicontract issues, joinder of parties, consolidation of cases, parallel proceedings;
3. the arbitral tribunal - selection of arbitrators, duties of arbitrators, independence and impartiality issues, challenges of arbitrators;
4. the arbitral proceedings - bifurcation, interim measures, evidentiary rules, the conduct of hearings; and
5. the arbitral award - drafting of awards, enforcement and setting aside of awards, the 1958 New York Convention on the Recognition and Enforcement of Awards.

The course will refer to arbitration rules, case law, statutes and international conventions.

Prerequisite: International Commercial Arbitration, Introduction to International Commercial Arbitration, or permission of the instructor.

Mutually Excluded Courses: This course is mutually exclusive with the other spring course by this same name (LAWG/J 888).

Note: Please note, the date for the final class session will be announced at the start of the semester.

LAW 888 v00 Advanced International Commercial Arbitration: Practice Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20888%20v00>)

LL.M Seminar (cross-listed) | 3 credit hours

The seminar will be a combination of the theoretical and practical aspects of international commercial arbitration, with an emphasis on the practical. Its centerpiece will be the handling of a mock international arbitration case from the drafting of the arbitration agreement to the drafting of a final award, with units in between on the appointment and challenge of arbitrators, discovery of documents, and a live arbitration hearing. Teams of students will participate (as counsel to the parties) in the negotiation of arbitration agreements, in the drafting of motions and replies, in oral argument on such issues as the disqualification of arbitrators and the production of documents in discovery, in the hearing in a case, and in brief writing. Playing the role of arbitrators, students will also write final arbitral awards.

To the extent time permits, the course will also consider a handful of the many difficult and, to a large extent, still unanswered questions of national and international law that are emerging as the practice of international arbitration expands, including choice of law issues and, particularly in the United States, issues of the relation between federal and state laws.

The course will be limited to 12 students. It will meet once a week for two hours. There will be no final exam.

Prerequisite: A general course in international commercial arbitration. Students not having this precise prerequisite but having had a course in arbitration generally or substantial law practice experience in arbitration may apply for admission to the course by emailing Professor Joelson at joelsonmr@msn.com.

Mutually Excluded Courses: This course is mutually exclusive with the other spring course by this same name (LAWG 2073).

Note: This course does not meet the J.D. writing requirement (WR).

LAW 483 v01 Advanced Issues in International Human Rights Seminar
(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20483%20v01>)

LL.M Seminar (cross-listed) | 2 credit hours

This course will examine specific issues in international human rights law drawn from the current decisions of international human rights supervisory bodies. The course will be divided into two halves. The first half of the course will consist of lectures and discussions on seven specific issues as illustrated by cases decided by international jurisdictional bodies. For example, we will examine the decisions of the International Court of Justice (Breard, LaGrand) and the Advisory Opinion of the Inter-American Court of Human Rights (OC-16) on an alien's right to consular assistance, in the context of the creation of international human rights norms and the problems arising from a multiplicity of international jurisdictions. We will examine the two decisions (Section and Grand Chamber) of the European Court of Human Rights on the Refah Partisi case as regards the compatibility of Islam and democracy in the context of the universality of human rights debate. We will examine decisions of the European Commission and Court of Human Rights and the Inter-American Commission in an attempt to trace the changing definition of "torture" in the context of the Guantanamo detainees case. The second half of the course will be dedicated to the oral presentation of research papers and discussion of these paper topics.

Prerequisite: International Law I (or an equivalent course in Public International Law).

Recommended: A survey class in Human Rights Law.

LAW 036 v08 Advanced Legal Writing for International Business Lawyers
(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20036%20v08>)

J.D. Seminar (cross-listed) | 2 credit hours

With the increasing globalization of the practice of law, business lawyers today are frequently representing clients in transactions that span different legal systems, cultures, and languages. This course is designed to provide students with practical insight into the cross-border practice of business law and the relevant written and oral skills necessary to effectively communicate in this practice setting.

The principle objectives of the course are to teach you how to communicate clearly, concisely, and appropriately in a business-law setting, and how to apply and adapt these skills to situations involving international, cross-cultural, and even multinational business transactions. You will be able to practice these skills through a variety of written and oral communication exercises based on actual cross-border transactions similar to those you will likely encounter as a junior transactional associate at a law firm. The focus of this course will be on practical skills, rather than on theoretical analysis.

Although some of our discussions and exercises will involve reviewing contract provisions and you will become familiar with basic contract structure, this is not a course on contract drafting. Rather, the focus is on developing your practical lawyering skills such that you are able to effectively communicate with parties from all sides of a cross-border business transaction and to recognize and overcome the principle cultural, linguistic, and other barriers to cross-cultural communication.

Enrollment by both JD and LL.M. students is encouraged. Class time generally will be split between lecturing and in-class exercises and discussion. The majority of the in-class exercises will utilize fact scenarios from actual deals and will involve students working in small groups or teams.

Prerequisite: Legal Practice: Writing and Analysis.

Recommended: Prior or concurrent enrollment in Corporations is recommended but not required.

Mutually Excluded Courses: Students may not receive credit for both this seminar and the Advanced Legal Writing Seminar, Advanced Legal Writing and Practice for Judicial Clerks and Civil Litigators, Advanced Legal Writing: Legal Writing as a Discipline, Advanced Legal Writing: Practical Skills from Retail Industry Examples, or Writing for Law Practice.

Note: Students may request a withdrawal from an academic advisor through the due date of the final draft of Writing Project #2.

LL.M. STUDENTS: THIS COURSE REQUIRES DEPARTMENTAL PERMISSION TO ENROLL. LL.M. students cannot register or put themselves on the waitlist for this course through MyAccess. Students interested in taking this course should send an e-mail to llmas@georgetown.edu indicating their interest in the course and their previous exposure to U.S. legal writing.

LAW 1532 v00 Advanced Legal Writing for International Business Lawyers (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201532%20v00>)

J.D. Seminar (cross-listed) | 2 credit hours

This course is designed to provide students interested in transactional practice with hands-on insight into the cross-border practice of business law by creating a simulated law-firm environment in which students are asked to complete tasks as if they were junior associates.

The principle objectives of the course are to teach students how to communicate clearly, concisely, and appropriately in a business-law setting, and how to apply and adapt these skills to situations involving international, cross-cultural, and even multinational business transactions. Students will practice these skills through a variety of written and oral communication exercises based on actual cross-border transactions similar to those they will likely encounter as a junior transactional associate at a law firm. The focus of this course will be on practical skills, rather than on theoretical analysis.

Although some of our discussions and exercises will involve reviewing contract provisions and students will become familiar with basic contract structure, this is not a course on contract drafting. Rather, the focus is on developing the student's practical lawyering skills such that he or she is able to effectively communicate with parties from all sides of a cross-border business transaction and to recognize and overcome the principle cultural, linguistic, and other barriers to cross-cultural communication.

Enrollment by both JD and LL.M. students is encouraged. Class time generally will be split between lecturing and in-class exercises and discussion. The majority of the in-class exercises will utilize fact scenarios from actual deals and will involve students working in small groups or teams.

Prerequisite: Legal Practice: Writing and Analysis.

Recommended: Prior or concurrent enrollment in Corporations is recommended but not required.

Mutually Excluded Courses: Students may not receive credit for both this seminar and the Advanced Legal Writing Seminar, Advanced Legal Writing and Practice for Judicial Clerks and Civil Litigators, Advanced Legal Writing: Legal Writing as a Discipline, Advanced Legal Writing: Practical Skills from Retail Industry Examples, or Writing for Law Practice.

Note: Students may request a withdrawal from an academic advisor through the due date of the final draft of Writing Project #2.

LL.M. STUDENTS: THIS COURSE REQUIRES DEPARTMENTAL PERMISSION TO ENROLL. LL.M. students cannot register or put themselves on the waitlist for this course through MyAccess. Students interested in taking this course should send an e-mail to llmas@georgetown.edu indicating their interest in the course and their previous exposure to U.S. legal writing.

LAW 040 v01 Advanced Patent Law Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20040%20v01>)

J.D. Seminar | 3 credit hours

This advanced seminar presumes knowledge of patent law fundamentals and examines various specific topics, including the Hatch-Waxman Act, patent administration, claim interpretation, the doctrine of equivalents, the experimental use privilege, and comparative and international patent law. Students will write papers on some specific aspect of patent law, not limited to those topics covered in class.

Prerequisite: Patent Law or equivalent experience.

LAW 885 v00 Advocacy in International Arbitration (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20885%20v00>)

LL.M Seminar (cross-listed) | 2 credit hours

This course blends mock litigation experiences with class discussion of techniques, strategy, and ethics in international arbitration proceedings. Students directly participate in a series of practice problems based upon proceedings brought by a foreign investor against a State before the International Centre for Settlement of Investment Disputes (ICSID), including role-playing as litigators and arbitrators. This course emphasizes advocacy in connection with jurisdictional disputes, selecting and challenging arbitrators, limits on the enforceability of awards, and other litigation problems that arise in the globalized environment of international investment and arbitration. There will be a number of oral advocacy assignments throughout the semester. The course grade will be a function of those assignments and class participation.

Recommended: International Law I: Introduction to International Law

Note: Students participate in in-class exercises and are graded on those exercises and productive class participation.

LAW 1632 v00 Aggregate Litigation: A Global Perspective (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201632%20v00>)

J.D. Seminar (cross-listed) | 1 credit hour

In a world of mass production, mass harm often follows. A defective product might injure numerous consumers; a false report might mislead multiple investors; and a discriminative practice might impact a large number of employees. In such cases, litigation by each individual plaintiff might prove ineffective, and often impractical. To resolve this problem, legal systems have devised various forms of aggregate litigation and collective redress procedures. This introductory course discusses the key characteristics of these procedures, using a comparative framework. Class actions and alternative collective redress regimes in the U.S., Canada, Australia, Israel and Europe will be studied, and the potential for multi-national aggregate litigation, in a single or in multiple forums, will be explored.

Note: This course will meet on Mondays and Wednesdays, 11:10 a.m. - 1:10 p.m. on the following dates: 9/5, 9/10, 9/12, 9/17, 9/19, 9/24, and 9/26.

LAW 1628 v00 Artificial Intelligence, Robotics, and the Law: A Comparative Analysis Between the EU and the U.S. (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201628%20v00>)

J.D. Seminar (cross-listed) | 1 credit hour

The increasing role of technology in humanity raises constant major challenges to law in a variety of moral, theoretical and doctrinal dimensions. The purpose of this course is to analyze current developments in the fields of Artificial Intelligence ('AI') and robotics through the prism of legal regulation and/or vice versa (analyzing legal regulation through the prism of AI and robotics). Along with discussing the interface of law and technology through a variety of critical theoretical perspectives, the course will focus on specific topics and case studies as "laboratories" for assessing contemporary approaches to law & technology. The topics to be discussed include a new generation of AI crimes, risk regulation in the fields of autonomous vehicles and data protection, up to the current debate on the legal personhood of robots and AI systems. The main objective of this course is to make students aware of the connections between technology and the legal environment and keep them up-to-date with the current discussions worldwide. It is a unique opportunity to further develop technical knowledge on state-of-the-art topics, such as machine learning, neural networks, and 'black boxes.'

The course is worth 1 credit.

Students will write a paper of 2,500-3,000 words, excluding footnotes. This final paper will consist of a case study along the lines of the main topics discussed and analyzed during the course.

Note: WEEK ONE COURSE. This seminar will meet for one week only, on the following days: Monday, January 7, 2019, through Friday, January 11, 2019, 9:00 a.m. - 11:35 a.m. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

Attendance at all class sessions is mandatory and all enrolled students must attend the first class in order to remain enrolled. Students on the wait list must attend the first class in order to be admitted off the wait list. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar. Once the second class session begins, students may only seek a withdrawal by contacting an academic advisor in the Office of JD Academic Services. Withdrawals are permitted up until the last class for this specific course.

LAW 030 v00 Asian Law and Policy Studies Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20030%20v00>)

J.D. Seminar (cross-listed) | 3 credit hours

This is a research seminar in which students will present their current research on Asian law and policy at the end of seminar classes where we consider the various areas of law and development which have led to the economic dynamism of the Asia-Pacific region. The impact of the Asia-Pacific region on the world market and global economic activity is substantial and continues to grow. In addition, the conspicuous success and some spectacular failures of Asian nations in legal and economic development have prompted suggestions that the experience of these nations may provide models (both positive and negative) for other developing countries and regions. The seminar will explore—in connection with the role of law and legal institutions—the interaction of social change, economic growth, and legal development in East and Southeast Asia. Specific topics will depend on the research interests of the participants, but will include capital formation, financial regulation, transnational trade and investment, intellectual property, land reform, environmental protection, worker protection, human rights, and similar private and public law issues. The first few classes will introduce elements of development economics relevant to law and development.

Each student will also prepare a substantial academic work of publishable quality and present a 20-30 minute precis of it to the seminar. The student papers are expected to meet or preferably to exceed the requirements of the typical research paper in scope, depth, and quality. Guest speakers may present some classes separately or together with the instructor.

Recommended: Comparative Law (or the equivalent Comparative Law: Legal Systems in Transition) or any course in Asian law.

LAW 050 v00 Aviation Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20050%20v00>)

J.D. Course (cross-listed) | 2 credit hours

This course encompasses most aspects of air transportation, including airport and air traffic control liability, air carrier liability in the carriage of passengers and cargo domestically as well as internationally under the Montreal Convention and economic and safety regulation of domestic and international air transportation. The course also includes contributions by practitioners in the field.

LAW 050 v01 Aviation Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20050%20v01>)

J.D. Course (cross-listed) | 2 credit hours

The course, taught by practitioners in the field, covers contemporary and cutting-edge aviation topics such as international commercial aviation, aviation security, and the integration of unmanned aircraft systems (i.e., drones) into the national airspace. The course material will encompass most aspects of aviation law, including the law of international civil aviation, the economic and safety regulation of air transportation, aircraft registration and certification, aircraft accidents, airport law, government immunity from tort liability, and airline liability for the carriage of passengers and cargo domestically and internationally under the Montreal Convention. Students are exposed to a range of materials, including cases, treaties, executive agreements, and regulations, with a view towards imparting practical skills that can be applied to any field of law.

LAW 3038 v00 Biosecurity and the Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203038%20v00>)

LL.M Seminar (cross-listed) | 2 credit hours

This course is designed to provide students an understanding of current and emerging issues concerning biosecurity and relevant law. Recent global acts of terrorism coupled with sophisticated advances in biotechnology present a host of complex issues driving biosecurity analysis and discussion. We will examine both the history and current state of bioterrorism threats with an emphasis on the legal and ethical challenges as we "sort out" best methods for moving forward. Our analysis will explore the recent Zika and Ebola threats as well as the threats posed by prior H1N1, SARS, anthrax, smallpox, SARIN, Ricin, and even the possibilities stemming from genetically engineered once thought "dead" bio-threats. Our method of instruction will focus on significant legal challenges each week. We will however, use past examples of quarantine and cordon sanitaire applications to instruct as how best to legally address future possible pandemics. Within our course exercises, students will be assigned healthcare and legal roles in order to gain insight as to management of a true healthcare crisis. Guest speakers with knowledge of crisis management will be invited to share personal experiences and advice concerning future pandemics. We will also examine recent legislation, both domestic and international, with a view toward a better understanding of the complex challenges within biosecurity.

LAW 1175 v01 Borders and Banishment Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201175%20v01>)

J.D. Seminar (cross-listed) | 2-3 credit hours

This course explores practices of border fortification, incarceration, criminal law enforcement, and immigration policing. Migration and incarceration—borders and banishment—present some of the most pressing legal and moral controversies in contemporary public life. Over the past two decades, criminal-immigration matters have become the most commonly prosecuted federal crimes; populations in prison, jail and immigration detention have dramatically increased; and though major proposed immigration reforms are stymied in Congress, pressures for reform in both the immigration and criminal contexts continue to mount.

The course will begin by considering the historical, social psychological, and legal foundations of border fortification and banishment practices. Then, attention will turn to some of the crises that pervade border enforcement, policing, and incarceration settings—from the presence of millions of people in the United States without legal status, to the explosion in criminal and immigration detention, police violence, and the widespread problem of sexual assault and prison rape. Reformist alternatives to the status quo in immigration and criminal legal processes will be considered, including through examination of social movement projects, prisoner advocacy, and public interest practice settings focused on relevant reform. Course readings and discussion will center on proposed criminal and immigration law reform and more far-reaching alternatives to borders and banishment. The course will conclude by investigating various abolitionist efforts to think and work beyond borders and banishment. Students will reflect in class and in writing on the various components of the course in relation to their own interests.

There are no prerequisites. All students are welcome.

Recommended: Criminal Justice (or Democracy and Coercion), Criminal Law, Immigration Law.

Note: THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Please email Professor Allegra McLeod (mcleod@law.georgetown.edu) and Barnett Harris (bh652@law.georgetown.edu) by 3:00 pm on Monday, May 18, 2020 expressing your interest in taking the seminar. Please include whether you want to take the course for 2 or 3 credits.

FIRST AND SECOND CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.

LAW 1427 v01 Brexit and the Law Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201427%20v01>)

J.D. Seminar (cross-listed) | 2-3 credit hours

This two-credit seminar (or three credits if writing intensive) is designed to give students an opportunity to explore and research the many legal issues raised by Brexit, along with an opportunity to write a potentially publishable paper. Each student will select a Brexit-related topic on which to focus their paper and will receive assistance in the research and writing process. Seminar sessions will examine trade and investment law raised by the Brexit vote by the United Kingdom (UK) to withdraw from the European Union (EU). The course will explore the legal consequences of Brexit, including the possible future legal relationships between the UK and the European Union; between the UK and the WTO; and between the UK and third parties, including the United States. The course will also focus on the current and on-going negotiations between the EU and the UK over the impending withdrawal agreement, with a focus on the negotiating objectives and mandates for each side and the options for achieving a mutually agreed resolution. In addition, the course hopes to foster an understanding of the way in which EU law has come in to the UK and what of that EU law is likely to remain in the wake of the UK's "Great Repeal Bill."

Note: J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the J.D. Upperclass Legal Writing Requirement. The paper requirements of the two-credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.

LAW 1394 v00 Business and Human Rights (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201394%20v00>) (Fieldwork Practicum)

J.D. Practicum | 4 credit hours

In fieldwork practicum courses, students participate in weekly seminars and engage in related fieldwork at outside organizations. This fieldwork practicum course is designed to give students familiarity with the field of business and human rights through a seminar in which we will explore the evolution of the field and the major issues that arise within it, combined with a placement in an organization that is working in some way on business and human rights issues. Students will participate in a two hour/week seminar and undertake at least 10 hours/week of fieldwork with organizations in the Washington, DC area that are involved in working on business and human rights issues. Organizations will be providing remote placements for the Fall 2020 semester.

SEMINAR: The seminar will give students an understanding of the challenges in holding multinational companies accountable for the adverse impacts of their operations. We will examine how the modern global corporation is organized around extensive supply chains, the ways in which its formal legal structure can enable it to avoid responsibility for the full range of impacts that it creates, and the successes and limitations of attempts to address this problem through litigation. We will then turn to the emergence of the concept of human rights as a key conceptual tool in the effort to surmount the limits of conventional litigation and regulatory strategies. This will involve discussion of incidents that served as the impetus for this development, and the human rights instruments that provide the basis for human rights claims.

We will then examine in depth some of the types of impacts that can constitute rights violations, relating to concerns such as forced labor, human trafficking, unsafe working conditions and wage theft, physical abuse, forcible displacement, environmental degradation, child labor, sex discrimination, freedom of expression, and privacy. This will provide an opportunity as well to examine the range of responses to such abuses and their effectiveness, such as voluntary industry standards; guidelines established by international organizations such as the United Nations and the Organization for Economic Cooperation and Development, and the International Labor Organization; mandatory disclosure provisions such as the California and UK Human Trafficking statutes; voluntary disclosure programs; international finance standards; procurement regulation, and other measures. Students will also learn about issues that are distinctive to particular economic sectors, such as the extractives, apparel, financial, and information and communications technology industries. Finally, we will focus on how businesses can incorporate human rights concerns into their operations in order to comply with the duty of respect articulated by the UN Guiding Principles on Business and Human Rights.

FIELDWORK: Students will be placed with organizations in the Washington, DC area that are involved in working on business and human rights issues. These may include NGOs, corporations, bar associations, and international organizations. Students will work on a variety of types of projects that further the mission of their particular organizations. These may include legal research; advising, training, and educating community groups; gathering information on the effectiveness of voluntary standards; compiling information on adverse human impacts of different types of activities or in different sectors; helping to devise remedies for human rights violations; preparing staff for and participating in meetings with government, business, and/or non-profits organizations; helping advise on possible legislation; submitting reports to international organizations; helping with human rights due diligence efforts; and others.

Prerequisite: J.D. students must complete the required first-year program prior to enrolling in this course (part-time and interdivisional transfer students may enroll prior to completing Criminal Justice, Property, or their

LAW 370 v02 Business and Human Rights in the Global Economy

(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20370%20v02>)

J.D. Seminar (cross-listed) | 2 credit hours

Corporations today have a global scale as well as an impact that matches or sometimes exceeds that of governments. Their activities – from sourcing of raw materials, to processing and production of intermediate or finished goods, to distribution and sale – have major consequences not only for the human rights of their employees but also for the rights of the individuals and communities impacted by their operations. In many countries, government regulation and oversight are either absent or largely ineffective. Companies in turn struggle to define their responsibilities in the face of these “governance gaps” – particularly where requirements under national law fall short of international standards in areas such as hours of work and safety and healthy.

A robust and often contentious debate over these issues culminated in the development of the U.N. Guiding Principles on Business and Human Rights (the “UNGPs”) under the leadership of Special Representative John Ruggie. These Principles establish a framework for considering the respective roles of governments and corporations and outline core concepts of human rights due diligence and effective remedy. In doing so, the UNGPs also inform and to some extent refocus efforts that have emerged over the past 20 years to address these governance gaps and have brought together stakeholders from business, labor, civil society, the investment community, and academia.

At the same time, in recent years there has been an increased push from civil society groups and certain governments to go beyond these “voluntary” efforts and develop a binding business and human rights treaty mechanism; this has met with strong opposition from business and many other governments, including the United States.

Even as “non-regulatory” approaches remain the predominant means of addressing various business and human rights challenges, there also has been a growing focus in recent years on tools through which national governments and international institutions could exercise greater leverage. This includes advocacy for stronger labor and other human rights language in trade agreements, one-way trade preference programs, procurement standards, and the rules and guidelines applied by international financial institutions – coupled with more aggressive enforcement of those criteria. Expanded efforts to advance that “regulatory” approach in trade policy and elsewhere in some cases has been met with resistance from governments and business, but there also have been examples of emerging consensus among a diverse range of stakeholders.

This course introduces students to this quickly-evolving business and human rights landscape, including the diverse set of multi-stakeholder initiatives – some, but not all, of which include government participation. We will discuss the guidance provided by the UNGPs and other instruments, the range of stakeholders and how they engage with one another, tools utilized by governments and corporations to implement human rights standards, and how all of these interact in the context of both sector-specific and cross-cutting legal and policy challenges.

Among the questions the course will examine are:

- Which human rights standards are most relevant to business?
- What are the appropriate linkages between business policies and practices and the promotion of human rights?
- Which business and human rights approaches are emerging as “best practices” and perhaps even as recognized norms?
- What tools to support those are being used by governments and corporations?
- Who are the principal stakeholders and what are their roles and objectives?

LAW 3060 v00 Business, Human Rights and Sustainability (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203060%20v00>)

LL.M Course (cross-listed) | 1 credit hour

The relationship between business, human rights, and sustainability has gained momentum in recent years with the private sector, governments, civil society, and international organizations, owing largely to the passage of the United Nations Guiding Principles on Business and Human Rights (UNGP) in 2011, the 2012 UN Rio + 20 Sustainable Development Conference and the UN Sustainable Development Goals (2015). These developments were preceded and followed by a series of multi stakeholder (governments, private sector, investors, civil society networks and organizations) and specific industry driven initiatives looking at how to integrate these international standards into both self and binding regulatory processes. As a result, many of these initiatives led to an emerging international soft law system of business, human rights and sustainability that is based in the internationally acknowledged body of hard law principles.

Regardless of being industry, sector specific or multi stakeholder in nature, the regulation, de-regulation, policy, practice and ever growing global litigation in this new field of practice is multifaceted, dynamic, interactive, complex and challenges business leaders, markets and even lawyers to think outside the box in order to address a challenging relationship between business, markets and society. This is where business strategy meets risks. Or instead, this is where risks eat a business strategy. As a result, business leaders, shareholders and their advisors are now required to integrate a 3D internal and external view and assessment on how to address, prevent, mitigate and remediate the social and environmental impacts (risks) of private sector operations in complex environments and with a collaborative and systems thinking approach.

Bar Associations in America and abroad have begun issuing specific guidance on how corporate lawyers should advise their clients incorporating human rights and sustainability standards. For instance, in a Mergers and Acquisitions (M&A) transaction, corporate lawyers are most likely to encounter questions dealing with social, environmental, human rights and environmental concerns. Those advocating on behalf of environmental and human rights organizations will find their work directly intersects with company law, securities law, investment law, governance, compliance, company law and alternative dispute resolution mechanisms to name a few sub areas.

Fast-forward 2020. The global COVID-19 pandemic has suddenly entered this space. It has done so highlighting the vulnerabilities and opportunities in the relationship between business, governments and society across the globe. Furthermore, the global pandemic is challenging all stakeholders not only to become relevant but to re-think, re-imagine and re-envision new models that seek engagement, resilience, addressing grievances, investment, economic recovery and accountability frameworks.

In practice, these global and ever growing litigation trends are also challenging traditional company-led corporate social responsibility (CSR) and ethics programs that have been associated with both philanthropic, corporate citizenship and company-sponsored activities that give back to societies. While many of these programs have achieved several levels of success, for many sectors in society they remain as corporate public relations or green wash exercises and demand more transparent, accountable and remediation responses. The stakes are high.

Litigation, a growing movement towards mandatory human rights and environmental due diligence and reporting requirements and other types of social demands are challenging companies to be very purposeful and accountable on how they address the environmental, social and governance negative impacts (for some) or violations (for others) of their

LAW 500 v00 Center for Applied Legal Studies (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20500%20v00>)

J.D. Clinic | 10 credit hours

See the Center for Applied Legal Studies website (<https://www.law.georgetown.edu/experiential-learning/clinics/center-for-applied-legal-studies>) for more detailed information about the clinic.

For registration-specific supplemental materials, please see the Center for Applied Legal Studies PDF (<https://www.law.georgetown.edu/wp-content/uploads/2020/03/CALS-Info-Sheet-2020-Final-ACC.pdf>).

For information about clinic registration generally, please see the Clinic Registration Handbook (<https://www.law.georgetown.edu/wp-content/uploads/2020/03/FINAL-CLINIC-HANDBOOK-31-March-2020-combined.pdf>).

Mutually Excluded Courses: Students may not concurrently enroll in this clinic and an externship or a practicum course.

LAW 1529 v00 China and International Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201529%20v00>)

J.D. Seminar (cross-listed) | 2-3 credit hours

Over the past forty years, China has gone from one of the most isolated countries in the world to a major player in international affairs, a leading exporter, and a much more influential voice on regional security matters. Yet even with the rapid economic growth and increased influence that China has achieved over the past several decades, it maintains an ambivalent attitude towards many key aspects of international law and the architecture of global order. This class will explore China's ambivalent engagement with international law in the context of its increasing prominence as an emerging power, and will in particular look to address the question of how China might adapt to the existing world order, and the ways in which it might look to influence its evolution. The class will cover a range of issues, including China's membership in the WTO; its engagement with the international human rights regime; China's approach to international cooperation on issues like global warming and nuclear non-proliferation; and international law aspects of the dispute over the South China Sea; among others.

Learning Objectives:

This class will provide you with a solid understanding of China's approach to key international law issues, and also a sense of the Chinese government's views on international law and international legal institutions more generally. By the end of the semester, you should have a sense of how China fits into the existing global legal order, and the ways in which it is seeking to influence or even alter it. In-class discussions will also bring out the ways in which other states have sought to influence Chinese behavior, which will give you a sense of how and when relatively powerful states like China can be convinced to alter their approach to key international law issues.

For students who have not previously taken a class on public international law, this course will serve as a basic introduction to key concepts of international law (although the readings will focus very heavily on the Chinese approach, rather than the underlying law itself); for those who have taken prior international law courses, this course will serve as a useful refresher.

A core goal of the class is to understand international law from the perspective of the Chinese state. In other words, students will develop a sense of why China makes the choices it does on key international law issues, and what values and political and historical dynamics drive its decision-making. In so doing, students will gain insight into a different political-legal culture, and seek to understand how different political-legal systems – including non-democratic ones like China – come to grips with legal questions in ways that may differ markedly from the approach of the U.S. government. At the same time, having taken steps to articulate China's perspective, students may be able to see more clearly the values and political and historical factors that drive American decisions on key international law issues.

Finally, a core goal of the response papers – above and beyond demonstrating an understanding of the substance of the readings – will be to give students the chance to build their skills at analyzing legal arguments, and in building their own written arguments in response to them. As noted below, response papers will be graded both on the basis of demonstrated mastery of the material, and also on the basis of the successful construction of a persuasive and fact-based argument.

Recommended: International Law I: Introduction to International Law.

Note: This seminar requires a paper. Students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the Upperclass Legal Writing Requirement.

LAW 1546 v00 Chinese Legal System (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201546%20v00>)

J.D. Course (cross-listed) | 3 credit hours

This course aims to provide an overview of the legal system of the People's Republic of China. The focus will be more on institutions than on specific rules, because finding the rules is much simpler than understanding their institutional context. We will, however, look at specific pieces of legislation as we go along.

China's legal system exists together with its political, economic, and social structures, and cannot be understood in isolation from them. Thus, part of this course is necessarily about understanding modern China in general, not just its legal system. By the time the course is over, I hope that students will have an understanding of the environment within which Chinese law operates, and will be able to appreciate the differences between the way rules operate in the United States and the way they operate in China as well as the reasons for those differences. Although this course, as a survey course, does not specifically address issues of legal aspects of doing business in China (that is another course), it is a highly recommended preparation for such a course, and it is intended to be useful to anyone contemplating a legal career involving China.

Mutually Excluded Courses: Students may not receive credit for both this course and Chinese Law Seminar.

LAW 3078 v00 Commercial Space Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203078%20v00>)

LL.M Seminar (cross-listed) | 2 credit hours

This course will provide an overview of U.S. domestic legal regimes that govern commercial spaceflight activities, including those managed by the Federal Aviation Administration, Federal Communications Commission, Department of Commerce, U.S. Defense Department and State Department. The course will examine existing regulations and statutes as well as current discussions about changes to policy and law to address the evolving nature of the space industry and U.S. national space priorities. Examples include the proposed Space Force, space traffic management, and oversight of non-traditional commercial activities in light of international treaty obligations.

Recommended: Prior or concurrent enrollment in administrative law, regulatory law or international law.

LAW 091 v11 Comparative Constitutional Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20091%20v11>)

J.D. Course (cross-listed) | 3 credit hours

How do we lose (and save) a constitutional democracy? How are constitutions designed? Can constitutions exist without constitutionalism? What is an authoritarian constitution? What influences a constitutional transition? Is it possible to have an unconstitutional constitutional amendment? What forms of judicial review can courts employ? How do courts across the world interpret constitutions? Are courts or legislatures better protectors of constitutional rights? Can constitutions be employed abusively?

Comparative constitutional law has exploded in contemporary constitutional practice and as a field of study. Events around the world—from the Middle East and Asia to Europe and Latin America—underscore the urgency of understanding how constitutional democracies are born and how they can collapse. In this course, we will explore constitutions in global perspective, examining issues of constitutional structure and rights across comparative constitutional systems. We will cover topics like constitution-making, constitutional change, constitutional amendment, judicial review, and constitutional interpretation. Drawing on examples across the world, we will also examine the relationship between the individual and the state in relation to freedom of religious freedom, freedom of speech, and constitutionalism in times of national emergency and in fragile democracies.

Mutually Excluded Courses: Students may not receive credit for both this course and the Comparative Constitutional Law Seminar.

LAW 091 v10 Comparative Constitutional Law Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20091%20v10>)

J.D. Seminar (cross-listed) | 2-3 credit hours

How to lose and save a constitutional democracy? How to prevent democratic backsliding? How to design a constitution? Can constitutions exist without constitutionalism? What is an authoritarian constitution? How do constitutions transitions and change occur? What forms of judicial review do courts employ? Is it possible to have an unconstitutional constitutional amendment? How do courts across the world interpret constitutions? Can constitutions be employed abusively?

Comparative constitutional law has exploded in contemporary constitutional practice and as a field of study. Events around the world—from Asia and the Middle East to Europe and Latin America—underscore the importance of understanding how constitutional democracies are born and how they can collapse. In this course, we will explore constitutions in global perspective, examining issues of constitutional structure and rights across comparative constitutional systems. We will cover topics like constitution-making, constitutional change, constitutional amendment, judicial review, and constitutional interpretation. Drawing on examples across the world, we will also examine individual rights issues, such as freedom of religion, as well as constitutionalism in times of national emergency and in fragile democracies.

J.D. students who wish to write a fulfilling the Upperclass Legal Writing Requirement must register for the 3-credit section of the seminar. J.D. or LLM students taking the seminar for 2-credits will not need to write a paper. There are no prerequisites for taking the class.

Mutually Excluded Courses: Students may not receive credit for both this course and the Comparative Constitutional Law course.

Note: This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.

LAW 079 v07 Comparative Law: Focus on EU and US (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20079%20v07>)

J.D. Course (cross-listed) | 3 credit hours

This course consists of an introduction to legal comparison based on an inquiry into European private law. The course is divided into two parts. The first part presents the functions and aims as well the methods of comparative law in general. After an overview of the legal systems in the world, the course provides a comprehensive introduction to the basic features of the civil law system as contrasted with the common law tradition in Europe and in the United States. It also shows how some of the differences between the two systems are being dealt with by new instruments such as the Vienna Convention on Sales, the UNIDROIT Principles of International Commercial Contracts and the Principles of European Contract Law. While the course focuses on substantive law issues, in the fields of contract and tort, it also examines some structural issues – such as the court systems, the education of lawyers and the role of judicial review. The second part of the course aims at providing an analysis of the trends towards denationalization of private law in Europe as it results from the impact of EC legislation on national law. Special attention is devoted to the link between private law and the formation and the functioning of markets, particularly the Single Market in Europe, but also to the cultural and linguistic obstacles that come up in the process. Overall, the course aims at providing a practical introduction to issues of European law faced by American lawyers, and the use of foreign law to advocate change in U.S. law. Further it will show how legal comparison is a means for thinking about the law in broader terms.

Mutually Excluded Courses: Students may not receive credit for both this course and the upperclass course, Comparative Law.

Note:

This course is a first-year elective. First-year day students select an elective offered in the spring.

LAW 1723 v00 Comparative Law: Law and Society in the Middle East Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201723%20v00>)

J.D. Seminar (cross-listed) | 2 credit hours

The course seeks to introduce students to debates raging around questions of law, legality, and society in the Middle East. These questions have had a particularly pressing urgency with the resurgence of authoritarianism as a reaction to the large scale democracy movements that had swept the Middle East starting in 2010 (the Arab Spring), a resurgence that brought with it civil and religious conflict, the rise and fall of ISIS, and economic austerity. The Debates cover topics such as the efficacy of “human rights” activism, civil litigation as a strategy to advocate for “civil rights”, the constitutional status of religion, women’s inheritance rights, the formalization of property rights, the new nationalist laws in Israel, and the legal status of Syrian refugees.

Scholars located in the Middle East will be invited to Zoom in their participation.

LAW 757 v01 Comparative Tax Law ([http://](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20757%20v01)

curriculum.law.georgetown.edu/course-search/?keyword=LAW%20757%20v01)

LL.M Course (cross-listed) | 2 credit hours

Provides an introduction to the study of comparative tax law. The coverage is broad, touching on many countries and types of taxes, as well as the general legal framework for tax law and tax procedure. Emphasis is on the income tax and, to a lesser extent, value added tax. Focus is on underlying structural differences in legal systems, including constitutional issues, judicial interpretation of tax laws, judicial and legislative anti-avoidance doctrines, different approaches to defining income, alternative systems for taxing corporations and shareholders, and problem areas in the VAT (including international services and e-commerce). The student completing this course will have a basic understanding of how to approach foreign tax law, and tools to better understand the tax system in the student's own country.

Prerequisite: Federal Income Taxation (formerly Taxation I) and prior or concurrent enrollment in either Corporate Taxation (formerly Taxation II) or Corporate Tax Law I.

LAW 084 v04 Conflict of Laws (Private International Law) ([http://](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20084%20v04)

curriculum.law.georgetown.edu/course-search/?keyword=LAW%20084%20v04)

J.D. Course | 3 credit hours

Increasingly, lawyers find themselves planning transactions or litigating cases involving persons or events connected with more than one state or nation. This course examines the principal approaches relied on by U.S. courts to determine what law to apply when some or all of the operative facts underlying a claim or defense arise in another state or nation. The course also considers the criteria used by U.S. courts in recognizing and enforcing the judgments of the courts of other states or nations.

LAW 089 v00 Constitutional Aspects of Foreign Affairs Seminar

(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20089%20v00>)

J.D. Seminar (cross-listed) | 3 credit hours

This seminar deals with the distribution of powers between the president and Congress in the areas of war, diplomacy, international organizations, foreign assistance, commerce, money, etc. as well as the distribution of powers between the national and state governments. Such related matters as the impact on individual rights and the political question doctrine in this context are also discussed.

Prerequisite: Constitutional Law I (or Democracy and Coercion).

Mutually Excluded Courses: Students may not receive credit for both this seminar and Foreign Relations Law.

Note: FIRST CLASS ATTENDANCE IS MANDATORY. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class.

LAW 458 v00 Contract Law Seminar: Franchising ([http://](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20458%20v00)

curriculum.law.georgetown.edu/course-search/?keyword=LAW%20458%20v00)

J.D. Seminar (cross-listed) | 2 credit hours

Franchised businesses account for approximately 40 percent of retail sales in the U.S., more than a trillion dollars a year, and have about 10 million employees. Franchising is growing: a new franchise opens in the U.S. roughly every eight minutes of every working day. Although most people may associate franchising with "fast food restaurants," franchising is prevalent in many areas of the economy, including automotive, hotel, various retail establishments, and numerous business services, among others. With the explosive growth of franchising, which really began in the 1950s, has come the development of franchise law as a separate discipline during the past 60 or so years and significant growth in the number of lawyers who practice in this field. Thus, franchising and the evolving practice of franchise law have a great practical impact on the U.S. and global economy.

Franchise law is a combination of contract and statutory law and is heavily influenced by trademark, antitrust and other areas of business law. Franchise agreements tend to be lengthy multi-year trademark licensing agreements. Because franchising involves distribution of goods and services, antitrust and other competition law considerations must be taken into account. Franchising is also regulated at both the federal and state level. Many franchise sales are regulated by state and federal disclosure requirements, analogous to SEC requirements. Automotive, petroleum and certain other franchise relationships are regulated by specific statutes, while various states generally regulate aspects of the franchise relationship, such as termination or renewal of the relationship. There is a substantial amount of litigation in franchising, involving not only disputes between franchisors and franchisees, but also franchise employees, consumers and others. Many common law contract concepts, such as the "implied covenant of good faith and fair dealing," have evolved and continue to evolve in the context of franchise law. Franchising is also growing rapidly outside the U.S.; accordingly, a variety of laws and regulations of other countries are relevant.

This course will cover the legal and practical business basics of franchising, including, structuring of the franchise relationship and the analysis of franchise agreements; the sales process and disclosure requirements; the relationship of franchising, employment, trademark, antitrust and other generally applicable statutes; contract and other common law concepts that affect the franchise relationship; statutes regulating the franchise relationship at the state and federal levels; automobile, petroleum and international franchising; and franchise-related dispute resolution. Students will be evaluated on the basis of a paper and class participation, including mock negotiations at the end of the semester.

Learning Objectives:

My principal goal is for you to gain a general understanding of franchise law. In addition, I want you to become comfortable reading complex contracts, specifically franchise agreements, and to be able to analyze and negotiate a franchise dispute.

Prerequisite: Contracts (or Bargain, Exchange, and Liability) or, for foreign-educated LL.M. students, Foundations of American Law, Introduction to U.S. Legal Systems or a Contracts equivalent course from the home country.

LAW 1425 v00 Corporate Criminal Law: A German Case Study (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201425%20v00>)

J.D. Seminar | 1 credit hour

Unlike the USA (and most other European states), Germany does not provide for corporate criminal law. Instead, it is at the discretion of the competent authorities whether or not to impose a regulatory fine on legal entities. These fines are limited to the amount of EUR 10MM (higher fines are only permissible with regard to antitrust law violations covered by EU law). Therefore, a significant impact on the organisation acting unlawfully is often only reached by further or alternative legal measures (i. e. skimming off excess profits and forfeiture of the gross pecuniary advantage gained).

For instance, even a German private limited company ("GmbH") that has drawn profits amounting to EUR 100MM from a punishable export transaction with North Korea can only be fined up to this amount due to the skimming off-provisions. A higher sum may only be determined as a forfeiture measure.

In any case, German administrative law does not allow for administrative sanctions that deliberately aim at fining the legal entity out of existence. Further, punitive damages are not awarded in Germany.

For these and further reasons German scholars and politicians of today lively discuss the necessity of introducing a corporate criminal law system (and, if required, which concrete design is preferable). The broad discussion concerns inter alia the following subject matters: Are legal entities or rather business enterprises (including corporate groups) the appropriate circle of perpetrators under the future criminal legislation? What are the constitutional requirements – if any – with regard to "corporate mens rea"? And does an indicted corporation enjoy all of the constitutional rights implicated in the criminal investigation or prosecution of an individual?

Note: WEEK ONE COURSE. This seminar will meet for one week only, on the following days: Monday, January 9, 2017, through Thursday, January 12, 2017, 9:00 a.m. - 12:20 p.m. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

Note: Attendance at all class sessions is mandatory and all enrolled students must attend the first class in order to remain enrolled. Students on the wait list must attend the first class in order to be admitted off the wait list. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar. Once the second class session begins, students may only seek a withdrawal by contacting an academic advisor in the Office of JD Academic Services. Withdrawals are permitted up until the last class for this specific course.

LAW 790 v09 Criminal Law Across Borders (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20790%20v09>)

J.D. Course | 3 credit hours

International criminal law studies a grim but important subject: the prosecution of war crimes, crimes against humanity, genocide, and aggression. These are "core crimes" tried by tribunals like the International Criminal Court (ICC) and the tribunals for Rwanda, Sierra Leone, former Yugoslavia, and elsewhere. In addition, we will study the extraterritorial application of domestic criminal law to address crimes of transnational character such as terrorism, torture, and international money laundering. Along with the substantive law on these issues, we examine procedural law on topics such as extradition and immunity from prosecution. The course will also examine the problems confronting international criminal justice today, including the political backlash against accountability. Finally, we will spend some time on alternatives to criminal prosecution such as truth and reconciliation commissions. The aim of the course is to introduce students to basic doctrines of international criminal law, as well as doctrines concerning the extraterritorial application of U.S. criminal law. It also provides an overview of the work of international criminal tribunals and the challenges they face. The course combines law, policy, and history.

Mutually Excluded Courses: Students may not receive credit for both this course and the graduate course, International Criminal Law or International Criminal Law Seminar: Tribunals and Crimes or International Humanitarian Law and International Criminal Courts.

Note: This course is a first-year elective. First-year day students select an elective offered in the spring.

LAW 1610 v00 Criminal Practice Seminar: White-Collar Crimes in a Transnational Context (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201610%20v00>)

J.D. Seminar | 2 credit hours

This seminar explores white-collar criminal practice in the transnational context. "Transnational" cases generally involve the potential application of one or more country's laws to alleged criminal activity that crosses borders. We begin by introducing students to the general differences in the legal structures, concepts of criminal law, and varied standards for corporate and individual liability, that apply in civil and common law systems. We will study the substantive U.S. law that is implicated in many transnational prosecutions and learn when U.S. law applies extraterritorially. The substantive provisions we study may include proscriptions on corruption, fraud, money laundering, tax evasion, data breaches/hacking, or violations of economic sanctions. We will explore the tools available for obtaining evidence abroad, as well as some of the national laws and regulations that impact transnational investigations. Some of the challenges we will explore are regulations regarding data privacy, employment laws, national security/state secret laws, and blocking or economic protection statutes. At the conclusion of the class, we will consider a number of case studies that illustrate issues companies face in attempting to forge a global resolution among regulators and prosecutors from different countries. These include managing competition between sovereigns, joint and parallel national investigations, and the division of penalties.

Learning Outcomes

This course, as its title suggests, is designed to expose students to important issues they will face in the transnational practice of law. One of our goals, then, is very practical: to give students information they will need to be successful practitioners in this area.

Another goal is to challenge students to take a step back and think about larger questions: When criminal conduct crosses borders, which sovereign should prosecute? Should U.S. criminal law extend as far as it does? Is it fair or efficient to permit multiple countries to address such conduct criminally? Should expedited evidence-gathering tools be available to both the defense and prosecution? What liability rules would best serve the purposes of punishment?

Like all writing seminars, the class also seeks to enhance students' ability to conduct legal research, capacity to engage in critical thinking, and prowess in communicating effectively, in writing and in class.

LAW 982 v00 Cross-Border Commercial Regulation: Aviation and Maritime Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20982%20v00>)

LL.M Seminar (cross-listed) | 2 credit hours

This seminar examines U.S. and international law applicable to aviation and maritime services worldwide. It includes the transportation of both passengers and cargo by air as well as sea. It reviews the evolution and progress made in international law liability conventions (Warsaw, Montreal 1999, Athens 2002) that are applicable to passengers and cargo involved in air as well as sea transport and mishaps/disasters. It examines the emerging applicability of both environmental and security laws and treaties in this area. In the context of public international law, the seminar focuses on the 1944 Chicago Convention and the evolution of restrictive bilateral air transport agreements into the current system of bilateral and multilateral open skies agreements that govern the movement of most passenger as well as cargo airlines of all nationalities throughout the world. The sometimes inconsistent application of U.S. and E.U. competition laws and policies is studied, particularly as they currently govern the developing practices of code sharing among international airlines and comparable global alliances among shipping lines. Also examined are the legal as well as economic (and practical) consequences of these alliances. Finally, the seminar examines the area of aircraft hijacking and the steps the international community has taken to meet these threats.

Recommended: Conflict of Laws: Choice of Law; International Law I: Introduction to International Law (for foreign-educated students, knowledge of these topics from home country study or practice is sufficient.)

LAW 807 v00 Cross-Border Transactions in Latin America (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20807%20v00>)

LL.M Seminar (cross-listed) | 1 credit hour

The course is designed to give students an overview and practical insight on the legal aspects of doing business with or investing in Latin America. The course will focus on Mexico, but will also address legal issues associated with doing business in Central and South American countries. Topics will be discussed from the perspective of U.S. investors doing business in the region, and will cover the legal implications of cross-border distribution, licensing and joint venture arrangements, acquisitions and direct investments, labor planning and creditor rights.

Recommended: Contracts, Corporations, and International Business Transactions.

Note: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety will result in a withdrawal.

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.

LAW 1615 v00 Cryptocurrencies, Initial Coin Offerings and the Law Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201615%20v00>)

J.D. Seminar (cross-listed) | 2-3 credit hours

This seminar will examine cryptocurrencies like Bitcoin, Ether and Ripple's XRP, and their possible roles as commodities, payment instruments and investments. It will also explore "Initial Coin Offerings" ("ICOs")—fundraises by startups identifying technology-based problems and proposing the sale or financing of technology-based solutions.

Cryptocurrencies and ICOs have recently attracted more attention—and investment dollars—than early stage venture capital. However, governmental authorities around the world worry that they are under-regulated (or unregulated), pointing to a recent spate of fraud, market volatility, and potential money laundering associated with virtual transactions. This seminar will explore the regulatory framework for digital currencies and payments, and examine the evolving reforms and regulatory efforts arising in the sector. The course will cover topics including the differences between key cryptocurrencies; the varying regulation of cryptocurrencies and ICO tokens as "commodities" vs. "securities;" the mechanics of an ICO; and money laundering and bank secrecy laws.

Prerequisite: A course in securities, banking, or derivatives, one of the following or similar courses: Advanced Studies in Federal Securities Regulation; Derivatives Regulation; Federal Banking Regulation: Modern Financial Institutions and Change; Financial Regulation and Financial Crises; Federal Regulation of Financial Institutions; Initial Public Offerings; Securities Regulation; or Securities Regulation of Financial Institutions and the Securities Markets.

Note: This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.

LAW 014 v01 Current Issues in Transnational (Private International) Law Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20014%20v01>)

J.D. Seminar (cross-listed) | 2-3 credit hours

This seminar provides an introduction to the increasingly important field of private international law as well as an opportunity to explore in depth specific issues now under active consideration in the various international and regional organizations working on the development, codification and harmonization of private international law. Beyond the "classic" questions of jurisdiction, choice of law, judicial assistance and enforcement of judgments, we will explore such substantive topics as international sale of goods, cross-border consumer protection, secured transactions, international securities law, international intellectual property, transport of goods by sea, transnational leasing law, dispute settlement mechanisms, international family law (including international adoption, abduction and enforcement of child support and family maintenance), international privacy and data protection, and even wills and trusts in their cross-border contexts. All students will be expected to choose a topic and to research and to present key findings and recommendations to the class.

This course requires a paper and an oral presentation. It is open to J.D. and LL.M. students. For J.D. students who choose the 3 credit "writing seminar" option, the objective will be to research and write analytical papers of publishable quality on discrete topics of current importance in transnational practice. Students will be required to satisfy the WR requirement including (1) selection of a paper topic approved by the professor, (2) submission of an outline, followed by feedback from the professor, (3) submission of a draft paper of at least 6,000 words exclusive of footnotes, followed by feedback from the professor, and (4) submission of a final paper of at least 6,000 words exclusive of footnotes, incorporating the professor's suggested revisions. The paper must use legal forms of citation, where appropriate.

Learning goals for this course:

Familiarity with substance of "Private International Law"; ability to research effectively in the field; to write coherently and present conclusions orally; to understand relationship between international and domestic law.

Recommended: International Law I.

Note: This course requires a paper. Students must register for the 3 credit section of the course if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the Upperclass Legal Writing Requirement.

LAW 847 v00 Developing & Financing Infrastructure Projects (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20847%20v00>)

LL.M Course (cross-listed) | 3 credit hours

This course will use recent transactions involving infrastructure projects (domestic and international) to illustrate the legal techniques and financial issues involved in project development and financing. The course will address case studies involving energy projects, telecom, toll roads, mining, ports, airports, other infrastructure and professional sports facilities. Class discussion will include analysis of how project risk analysis is done and review of key documents used to develop, construct and finance projects. Students will participate in simulated contract negotiation and drafting exercises representing designated parties to a transaction. Coverage will include different sources of financing, including banks, capital markets, ECAs and multinational entities. There will be both a final examination (open-book) and a short drafting exercise that will be graded. Classes 11/12 will be a Special Negotiation Workshop, for which the class will be divided into groups to negotiate a financing term sheet for a model transaction. Depending on pandemic conditions, this may take place during regular classes, or may be done in person on a specified Saturday from 8am-1pm.

The required course textbook is:

E.R. Yescombe, *Principles of Project Finance* (London: Academic Press, an imprint of Elsevier, 2014) (2d Edition). Please note that the second edition is materially different from the first edition, and all page number and other references in this syllabus and in the course will be to the second edition.

Additional case studies, such as Henry A. Davis, ed., *Project Finance: Practical Case Studies, Second Edition* (two volume set: Volume I – Water and Power, and Volume II – Resources and Infrastructure), and other materials not in the above publication will be provided.

Learning objectives:

The course is based on four major themes and aims to teach students to analyze issues in light of each theme: (i) allocation of risk, (ii) non-recourse or limited recourse arrangements, (iii) effective contract structures, and (iv) financeability. The class will focus on both theory (risk analysis and mitigation) and practice (critiquing and drafting agreements). Both the written assignment and the workshop will focus on practical matters relating to practice issues.

Mutually Excluded Courses: Students may not receive credit for both this course and Domestic and International Project Finance & Development: Case Studies; or the J.D. course, International Project Finance; or International Project Finance and Investment and Project Development and Finance.

Note: Students may not withdraw from this class after the add/drop period ends without the permission of the professor.

LAW 847 v01 Developing & Financing Infrastructure Projects (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20847%20v01>)

LL.M Course (cross-listed) | 3 credit hours

This course will use innovative transactions involving domestic and international projects to illustrate the legal techniques and financial issues involved in project development and financing. The course will address case studies involving power projects, telecom, toll roads, mining, ports, airports, and other infrastructure and facilities. Class discussion will include analysis of how project risk analysis is done and review of key players and documents used to develop, construct and finance projects. Coverage will include different sources of financing, including banks, capital markets, and multilaterals, as well as recent market trends, such as social impact investing. There will be both a final examination (open-book) and a short drafting exercise that will be graded.

Section 10 will have in-class negotiation exercises and drafting exercises with the assumption they represent designated parties to a transaction.

Mutually Excluded Courses: Students may not receive credit for both this course and Domestic and International Project Finance & Development: Case Studies; or the J.D. course, International Project Finance; or International Project Finance and Investment and Project Development and Finance.

LAW 1501 v00 Doing Business in Europe: Basics of Private International Business Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201501%20v00>)

J.D. Course (cross-listed) | 1 credit hour

This course will provide an overview of the European legal landscape from the perspective of an external, i.e. non-EU – typically: a US – entrepreneur. Special attention will be given to the field of private international law, comprising notably adjudicatory jurisdiction and conflict of laws. We hope to inspire class participants to develop essential skills and methods, which, if followed-up with independent further research, should eventually enable them to give legal advice on transatlantic business.

Note: Withdrawals are permitted up until the last class for this specific course.

LAW 1102 v00 Drug Law and Policy Seminar: A Critical Perspective on the War on Drugs in the Americas (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201102%20v00>)

J.D. Seminar (cross-listed) | 2-3 credit hours

This seminar will explore the policy of prohibition on drug production, distribution and consumption that embodies the long-standing hemispheric “war on drugs”. It will examine the legal regime that underpins current policies on drug trafficking (international, transnational and domestic regulations) related to criminalization but also to arms’ sale and money laundering. We will reflect on the economic and social consequences that drug-trafficking prohibition has had in countries and communities situated on different sides of the global drug trade. Our focus will be primarily on the United States, Mexico and Colombia. The seminar will explore the dominant “law and order” criminalization paradigm and contrast it with other potential approaches that focus on public health and economic development. We will conclude by considering a range of potential policy alternatives to the current model.

Note: This seminar requires a paper. J.D. students must register for the 3-credit section of the seminar if they wish to write a paper fulfilling the J.D. Upperclass Legal Writing Requirement. The paper requirements of the 2-credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.

LAW 1673 v00 Effective Human Rights Advocacy in Polarized Environments Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201673%20v00>)

J.D. Seminar (cross-listed) | 2 credit hours

Human rights advocacy can be an uphill battle, even in the best of times. And these are not the best of times. Progress is possible, but the problems we tackle need serious, hard-nosed strategies and activists with the skills to execute them. In this course we will explore and analyze key elements of successful human rights advocacy campaigns—goal-setting, messaging/communications, coalition-building, resource allocation—and develop the practical skills advocates need, especially in today’s politically polarized environment, to win.

The course will be grounded in real-world examples. We will explore and evaluate different theories of social change and study how those work (or don’t) in practice. Each week we will do a deep dive into a different element of successful campaign strategy.

Student Learning Goals: As a result of completing this course, students will be able to draft a strategic campaign plan for an issue or policy campaign. Students will learn how to evaluate advocacy strategies and how to choose which advocacy techniques are likely to succeed in which contexts. Students will be exposed to leading experts in human rights advocacy, including staff from human rights organizations, congressional offices, messaging and communications experts, litigators and veteran human rights campaigners. Students will develop the analytical and practical skills necessary to build a successful campaign strategy.

In addition, students will be alerted to opportunities for participating in human rights activities and events outside of class. Students interested in a career in human rights will gain a richer understanding of the theories of change and the portfolio of advocacy tactics used successfully by practitioners in the field.

LAW 1197 v00 Emerging Law Governing Digital Information (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201197%20v00>)

J.D. Seminar (cross-listed) | 2 credit hours

This course responds to the compelling need for lawyers to help companies navigate the rules for managing and governing digital information assets in the 21st century. Students will explore the growing portfolio of laws and regulations that control how digital information assets and systems are developed and maintained, as well as the impact of digital records on the ability of companies to operate within existing legal frameworks. Readings, discussions, and student contributions will illuminate the strategies required for navigating through legal, technology, and compliance risks. Both domestic and international legal materials will be examined, to enable the comparative challenges of global online business.

Topics include the structure and governance of information systems and markets; the corporate duties to preserve digital information; the regulation of information systems and networks; information sharing and security between the private and public sectors; and future trends in information governance.

The course is highly interactive, emphasizing in-class student analyses, rapid-fire group collaboration, and the use of innovative visual tools enabling students to navigate the complexity of legal and technology rules. In completing this course, students will have enhanced their abilities to work in diverse career tracks, including in-house compliance, risk management, and regulatory counsel roles.

The grade will be based on class preparation and participation, as well as a final take-home examination.

Prerequisite: Prerequisites: Contracts or Bargain, Exchange, and Liability (or for foreign-educated LL.M. students, Foundations of American Law, Introduction to U.S. Legal Methods or a Contracts equivalent course from the home country).

Recommended: One or more of Evidence, Commercial Law: Payment Systems, or Commercial Law: Sales Transactions.

No special technology background or experience is required; however, students will be expected to prepare and submit work electronically.

Note: Students in this course will be charged a course materials fee to cover commercial materials that the Law Center purchases at the faculty’s request on behalf of enrolled students. This additional fee will be placed directly on a student’s account on February 25, 2015. Students who drop the course will not be charged, but students who are approved to withdraw from the course after add/drop will not be refunded. Courses that start after the Spring add/drop deadline (January 20, 2015) have until the beginning of the second class session to drop the course.

LAW 156 v01 Environmental Research Workshop (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20156%20v01>)

J.D. Seminar (cross-listed) | 3 credit hours

The Environmental Research Workshop has three primary objectives: to (1) acquaint students with some of the best contemporary scholarship in environmental, natural resources, and energy law; (2) create an intellectual forum at Georgetown that brings together some of the nation's foremost academic scholars with law- and policy-makers in the fields of environmental, natural resources, and energy law for the exchange of ideas, and to allow students to participate in that forum; and (3) provide students with an opportunity to produce some substantial legal scholarship on an environmental, natural resources or energy law-related topic. The centerpiece of the course is a series of workshop meetings, during which a leading academic or practitioner will present a paper or other written material, followed by commentary. Previous workshop speakers have included nationally recognized scholars writing about market-based regulation, risk analysis, environmental justice, climate change, endangered species, statutory interpretation, and other timely topics. Commentators have included a federal appellate judge, a Deputy Solicitor General, the general counsel for the U.S. Environmental Protection Agency, and the Counsel to the Secretary of the Interior, among others. Students will have an opportunity to present drafts of their papers to the class and respond to questions about them.

Students can fulfill their Upperclass Legal Writing requirement by producing a substantial piece of scholarly writing. Any student wishing to do this must register for the three (3) credit section of the course. JD students have the option of enrolling in the course for two instead of three credits. Those who pursue the two-credit option will not be responsible for preparing a substantial scholarly paper. They will instead draft the equivalent of three 4-5 page more detailed written critiques of papers being presented by the outside speakers. These critiques will be shared with the outside speaker. The paper requirements of the 2-credit section will not fulfill the Upperclass Legal Writing Requirement.

Prerequisite: Prior or concurrent enrollment in the basic survey class in environmental law, natural resources law, or international environmental law. Exceptions may be made with the consent of the Professor.

Note: This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.

LAW 462 v00 EU Law: Selected Topics in ECJ Jurisprudence (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20462%20v00>)

J.D. Course (cross-listed) | 1 credit hour

The course examines the role the European Court of Justice plays in the shaping of European private law as it relates to the functioning of the EU Single Market. It focuses on the way in which the court has interpreted the EU Treaty in order to ensure effectiveness of EU law, and analyzes some of the landmark cases in that area. The course also shows how the court has dealt with the interpretation of directives, particularly in the field of consumer protection, and what impact this case law has on national law making.

Note: WEEK ONE COURSE. This seminar will meet for one week only, on the following days: Monday, January 11, 2021, through Thursday, January 14, 2021, 9:00 a.m. - 12:20 p.m. The course will have a take-home exam that must be completed between January 29 and February 5, 2021. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.

LAW 1662 v00 European Constitutional Traditions (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201662%20v00>)

J.D. Course (cross-listed) | 3 credit hours

This course explores the various constitutional traditions that evolved in Europe in the last two centuries, in search of the continuity (or the discontinuity) that characterises every constitutional context and the particular constitutional culture thereof.

If the British constitutionalism epitomises the continuity across the eleven centuries of its monarchy, both the devolution of powers in Scotland and Northern Ireland affirmed in the last decades and the Human Rights Act 1998 (not to mention Brexit) have challenged a perfectly seamless flow of constitutional coherence. How have these events changed British constitutionalism?

Despite the beheading of King Louis XVI in 1793, French constitutionalism has in fact been identified with a recurring monarchical feature: even the law, that became the expression of the popular will once the yoke of the *ancien régime* was thrown off, acquired the same omnipotence that used to be conferred to the crown and was subsequently removed from any constitutional adjudication for a long time. Is it possible to recognize this monarchical feature also in the 1958 Fifth Republic Constitution and, if so, where?

What about the discontinuity between the German Weimar Constitution, adopted in 1919 after the deposition of King Wilhelm II, and the 1949 Basic Law? What part did fear of the past play in the drafting of the new German constitutionalism and in setting an example of efficiency and human dignity? Are there any similarities between the German and the U.S. constitutional patriotism?

What about the move in Spain from the national unity imposed by Generalissimo Franco's long tyranny to the 1978 asymmetrical regionalism? Did Catalonia's efforts towards independence comply with the Spanish constitutional norms? And what about the transition of Eastern European countries from socialism to (illiberal) democracy?

Finally, a part of the course will be devoted to the discussion of some judgments issued either by domestic European constitutional courts or the European Court of Human Rights (ECtHR): these cases will constitute the basis for a comparison with the U.S. constitutionalism during the classes co-taught with Justice Sonia Sotomayor, with special reference to how judicial review is performed, the relationship between the judiciary and other branches, the countermajoritarian difficulty, the judicial and hermeneutical techniques adopted, the recurrence of analogous petitions before the courts, and the possible cross-fertilisation among them.

LAW 1391 v00 European Law and Policy in Times of Crisis (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201391%20v00>)

J.D. Course | 3 credit hours

The course will introduce students to basic areas of law and policy in the European Union (EU), with an emphasis on the changes that have been brought about through the management of three important crises: the euro crisis, the refugee crisis, and Brexit. During the first half of the course, we will focus on understanding the basic institutional and legal architecture of the EU, including basic substantive areas of law such as economic freedoms and fundamental rights. During the second half of the course we will study the causes and effects of this "perfect storm" of crises within the EU, and critically evaluate the EU's regulatory response. The question of the EU's future will be an organizing axis for our discussions throughout the course.

The course will allow students:

- To develop a solid understanding of the EU's basic institutions and functioning
- To develop an understanding of the basic debates surrounding the nature of the EU (Is it a state? Is it a federation? Is it something all together different and new?)
- To familiarize themselves with a selection of important EU legal texts and cases
- To compare styles and forms of legal reasoning (US/EU)
- To develop an understanding of the changes that are currently being brought about through the management of the biggest crises since the EU's inception
- To develop an understanding of the interaction between legal and political factors in the management of these crises and therefore an understanding of the "law in action" in the context of the EU

Mutually Excluded Courses: Students may not receive credit for both this course and European Union Law.

Note: This course is a first-year elective. First-year day students select an elective offered in the spring.

LAW 816 v00 European Union Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20816%20v00>)

J.D. Seminar (cross-listed) | 2 credit hours

This two-credit course aims to give students a comprehensive introduction to European Union law in the context of ongoing economic and political challenges facing the 28-country bloc – notably, the shadow of Brexit. The first half of the term covers the foundations of EU law, laying out key legal and political themes and principles associated with European integration and surveying the succession of treaties that have led to today's Union. Next the course examines key features of the EU judiciary and perspectives on the EU legal order from the Court of Justice and national constitutional courts, followed by consideration of the EU's increasingly important fundamental rights framework and a look at EU citizenship. The second half of the course covers in turn the basics of the EU's internal market arrangements, data protection and associated law enforcement and security issues, and the law governing the external relations of the Union, before concluding with a look at legal issues stemming from Brexit and the prospects for the EU's future.

Overall this survey offers a compressed look at the constitutional, administrative, human rights, economic, security and foreign relations law of the European Union, making comparisons to U.S. law as appropriate. The emphasis throughout is on institutional aspects and the relationship between different actors within the EU and between the Union and its member states. The required basic text is Robert Schütze, *An Introduction to European Law*, 2nd edition (Cambridge University Press, 2015).

Students will be assessed by a mid-term exam, a final paper of approximately 8-12 pages, and class participation.

Mutually Excluded Courses: Students may not receive credit for both this seminar and European Law and Policy in Times of Crisis.

LAW 816 v08 European Union Law: Foundations and International Reach (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20816%20v08>)

J.D. Seminar (cross-listed) | 2 credit hours

What does the difficult divorce between the United Kingdom and the European Union demonstrate about the centrality of EU law to British life? Why has a new European privacy regulation become a centerpiece of U.S. technology companies' efforts to rebuild trust in their global products? What authorities, and constraints, bind EU agencies and courts when they confront U.S. multinationals or U.S. government security and surveillance programs? What legal tools can "Brussels" deploy to respond to challenges from Moscow and rein in EU member states that stray from the rule of law? How is the EU adapting to – and precipitating – new worldwide trade and investment trends, including the retreat from investor-state dispute settlement?

This two-credit survey tackles such questions in the course of providing a comprehensive introduction to the scope and operation of the law of the European Union. The first half begins by focusing on the key legal and political dimensions of European integration and the main features of the succession of treaties that have led to today's Union. We then examine the EU judiciary and its relationship to national constitutional courts, followed by consideration of the EU's increasingly important fundamental rights and citizenship framework. In the second half, we turn to the EU's internal market arrangements, the law governing its economic and other external relations, and data privacy and associated security issues. Brexit and other political and institutional developments are addressed throughout the term.

The course is led by instructors with long experience counseling the U.S. government and private sector in Washington and in Brussels on how to engage with and understand the EU and its governing institutions. (Views expressed by the instructors are their own, not attributable to their employers.) Ranging across EU constitutional, administrative, human rights, economic, security and foreign relations law, the course includes comparisons to U.S. legal concepts and cases as appropriate. Students also will gain a political appreciation for how EU bodies interact with each other and with member states and third countries. A research memorandum on a current EU law topic of the student's choice is the principal form of assessment.

The course has no prerequisites. International Law or related courses may be useful at the margins. Students who have taken European Law and Policy in Times of Crisis are not eligible to enroll.

Learning Objectives:

- Understanding the historical and current context in which European integration has evolved, the legal fundamentals and doctrines that underpin the European Union, and the nature of the relationship between EU institutions and Member States.
- Understanding general structure and specific instruments of EU primary and secondary law, including the text of essential articles in the EU Treaties, as well as how to identify and work with a variety of EU law source materials.
- Connecting and applying legal understandings to current/ongoing political developments involving the EU, member states and third countries, including by producing a professional-caliber legal research memorandum on an EU law topic of personal interest.

Mutually Excluded Courses: Students may not receive credit for both this seminar and European Law and Policy in Times of Crisis.

LAW 611 v01 Extradition Simulation: International Law, Human Rights, and Effective Advocacy (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20611%20v01>)

J.D. Course | 1 credit hour

This course is designed to complement the rest of the 1L curriculum in several ways. First, it will expose you to selected elements of international and foreign law, beyond the usual concentration on the U.S. domestic law system. Second, our focus will be principally upon treaty texts, rather than judicial decisions, within a system that does not rely upon binding precedents in the same ways you have already encountered. Third, we hope to nurture your sensitivity to facts, as much as to law, as key elements in legal practice. Finally, through a series of collaborative simulation exercises, we intend to engage you in active, experiential learning in a direct, powerful way.

The four-day simulation is based upon a hypothetical attempt by the United States to secure the extradition of two accused terrorists, who have been indicted in federal court for participating in terrorist acts on U.S. soil, but who are currently resident in Russia and in France. The leaders in those countries appear willing to return the two suspects to the United States, but the effort may be blocked by those countries' membership in the European Convention on Human Rights, which may bar extradition in cases where the accused would face the prospect of capital punishment or indefinite detention in harsh conditions.

Students will be assigned the role of counsel for one of the defendants or one of the governments, and will work in small teams on two primary tasks. The first exercise is to prepare for and conduct a fact-gathering interview of one of the clients. The second exercise is to plan, practice, and conduct a simulated hearing before the European Court of Human Rights. Throughout, students will be guided by the instructor and by a team of teaching fellows in the development of essential lawyering skills, including fact development and analysis, problem solving, strategic planning, and effective oral advocacy.

Note: FIRST-YEAR WEEK ONE COURSE: This course will meet on the following days: Monday, January 6, 2020, through Thursday, January 9, 2020. This course is mandatory pass/fail, and does NOT count against the 7-credit pass/fail limit for J.D. students.

This optional, elective course is for first-year J.D. students only, who are enrolled through a lottery process. ATTENDANCE AT ALL CLASS SESSIONS IS MANDATORY. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety. For more information, see the Week One website (<https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations>). Due to the intensive nature of the course, the small-group, team, and individual work that is involved, and the preparation that is necessary to ensure a positive student experience, students who wish to drop the course after they have accepted a seat must drop by **Monday, December 2, at 3:00 p.m.** After that point, permission to drop from the course professor and Assistant Dean for Experiential Learning is required. Students who are enrolled but do not attend the first class session will be withdrawn from the course.

LAW 089 v03 Foreign Relations Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20089%20v03>)

LL.M Course (cross-listed) | 2 credit hours

This is an advanced course on constitutional principles bearing on U.S. foreign relations: primarily, separation of powers, federalism and judicial review of Executive acts and congressional legislation. It focuses on some of the most challenging issues that have divided the American polity from the inception of the Republic and continue to do so today, e.g., the allocation of foreign affairs power between the Executive and Congress; the scope of Presidential power to protect the nation in times of danger; and the proper role of the courts in deciding legal issues relating to national security. We will study historical materials that inform the legal arguments on both sides of current controversies over Presidential and Congressional power and discuss foreign relations issues under judicial review in 2020. We also study the power to make treaties and executive agreements, the Supremacy clause and application of customary international law by U.S. courts.

Recommended: There are no prerequisites, but familiarity with basic principles of U.S. government is important.

Mutually Excluded Courses: Students may not receive credit for this course and the J.D. courses, Constitutional Aspects of Foreign Affairs Seminar or U.S. Foreign Relations and National Security Law.

Note: FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist.

LAW 089 v04 Foreign Relations Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20089%20v04>)

J.D. Course (cross-listed) | 2 credit hours

This course addresses the constitutional issues that arise in the conduct of U.S. foreign relations. Topics include: Congress' power to legislate with respect to foreign relations; the respective roles of the President and Congress in initiating and conducting war and other uses of force; the President's power to conduct diplomatic relations; the scope of the power to make and enforce treaties and other international agreements; the status of treaties and customary international law as United States law; the role of the States in foreign relations; and the role of the courts in foreign relations.

Prerequisite: Constitutional Law I: The Federal System.

Mutually Excluded Courses: Students may not receive credit for this course and the J.D. upperclass course, Constitutional Aspects of Foreign Affairs Seminar, or the graduate course, Foreign Relations Law.

LAW 1624 v00 Gender and the Political Economy Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201624%20v00>)

J.D. Seminar | 2-3 credit hours

This seminar will examine the relationship between the regulation of gender and the political economy of liberal states. The goal of the seminar is to help students acquire tools that can illuminate the economics and distributional consequences of regulating gender, especially in a global context.

In the first part of the seminar we will study different theories of gender and gender relations, focusing especially on feminist and post-modern perspectives. We will also develop a basic understanding of economic theories and their implicit or explicit understanding of gender, especially in regards to the family and its regulation. Finally, we will look at the emergence of the basic legal split between the family, the market and the state in a historical perspective. In the second part of the seminar we will delve deeper into selected topics that will help us observe some of the theoretical ideas about gender and the political economy in action. Topics will include: the regulation of paid and unpaid care work, the family business, the organization of the welfare state, sex work and human trafficking, reproductive markets, gender in economic development.

Note: This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.

LAW 1298 v00 Global Anti-Corruption Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201298%20v00>)

J.D. Seminar (cross-listed) | 2 credit hours

In 1977, the United States adopted the Foreign Corrupt Practices Act (“FCPA”) to combat bribery of foreign public officials. As with many U.S.-led initiatives, it was seen at the time as naïve, quixotic, myopic, and doomed to failure. A little more than 20-years later, the Organisation for Economic Co-operation and Development (“OECD”) adopted its Convention on Combatting Bribery of Foreign Public Officials, and as required by the Convention, the countries of Western Europe promptly adopted organic statutes modeled, in large measure, on the FCPA.

In the ensuing decade and a half, prosecutions of corporations for foreign bribery have become perhaps the most important prosecutorial priority for the Department of Justice (“DOJ”) and Securities & Exchange Commission (“SEC”) and certainly the most financially lucrative U.S. prosecution initiative. Transnational investigations have become a staple of these prosecutions. All 10 of the largest FCPA prosecutions have occurred since 2008; of these, eight have involved foreign corporations.

This course will cover the development of U.S., international, and foreign initiatives against public-official bribery. Because (at least in the US) most of these cases have been resolved without litigation, we will focus on critical, unresolved issues, such as the FCPA’s definition of a foreign “instrumentality” and a “foreign official,” as well as the scope of U.S. extra-territorial jurisdiction. In addition to addressing the substance of foreign and international laws and conventions, we will explore the critical issues that arise from the growing trend in trans-national investigations and prosecutions, including double jeopardy, *res judicata*, and international data collection.

We will explore these issues through fact-based, real-world scenarios drawn, in large part, from the “Bonny Island” case, which involved a scheme by four international corporations to bribe three successive Nigerian presidents (as well as a constellation of lower-ranking officials) to secure multi-billion dollar contracts for the construction of an LNG facility in Nigeria. We will use this factual setting to frame class participation and in-class exercises and projects, with the goal of sharpening critical thinking, tackling complex legal questions in concrete factual settings, and honing advocacy skills.

Learning Objectives:

We have the following expectations of learning outcomes:

1. We expect each student to achieve mastery of the basic concepts underlying the US Foreign Corrupt Practices Act, including the basic statutory terms, the elements of the various offenses, and the scope of U.S. jurisdiction. In our experience, it is impossible to fully understand and discuss more challenging questions about the scope or application of the statute without mastery of the fundamentals.
2. We expect each student to gain an understanding of the roles and policies of the U.S. enforcement authorities, the Department of Justice and the Securities and Exchange Commission, and the manner in which FCPA cases are investigated, prosecuted, and defended, as well as how the U.S. enforcement agencies would approach a problem and what outcomes are likely to result.
3. We expect each student to gain an understanding of the global enforcement landscape for anti-corruption. Students are expected to achieve a basic understanding of the OECD Convention on Bribery, other international anti-bribery conventions, and the leading state laws, including the Brazil Clean Companies Act, the UK Bribery Act, and the French Sapin II. Students will also gain an understanding of the role of the World Bank and other multi-lateral development banks in the worldwide scheme.
4. We expect students to learn the basic principles of anti-corruption

LAW 1298 v01 Global Anti-Corruption Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201298%20v01>)

J.D. Seminar (cross-listed) | 2-3 credit hours

Objectives and Overview

Addressing corruption has become a global priority. The growing number of high profile cases involving the abuse of public power for private gain has generated moral outrage, particularly at a time of rising inequality.

Moreover, there is an emerging consensus that systemic corruption not only undermines a country's economic performance but can also lead to political instability and armed conflict. The Course will examine the societal impact of public sector corruption and the efficacy of the criminal, regulatory and administrative steps that are being taken to address it, both at the national level and international levels. The Course will be interdisciplinary, focusing on the legal, political, economic and institutional dimensions of this highly complex problem.

Finding a universally accepted understanding of what we mean by "corruption" can prove elusive, and the course will begin by examining how lawyers and social scientists have approached this question. The course will then identify the environments that typically enable corruption to flourish, including natural resource economies and countries that are in economic and political transition. It will also assess the debilitating impact that corruption has on overall economic performance, inequality, poverty, political stability and national security.

Taking into account the above considerations, the course will identify the key ingredients of an effective anti-corruption strategy, emphasizing the importance of a holistic approach that includes not only effective criminalization and prosecution but also comprehensive regulatory and administrative reform. While legal obligations and best practices have been established at the international level that include many of these ingredients, evidence indicates that meaningful change only takes place when domestic conditions for reform are in place, which are often precipitated by a crisis. In that context, the course will include case studies of reform based, inter alia, on the experience of the IMF, focusing on the anti-corruption program implemented by Indonesia. Importantly, the course will also assess international efforts to address both the "supply" side of corruption (the provision of bribes to public officials by large corporations) and the problem of "concealment" (when banks in major jurisdictions assist in the laundering of the proceeds of corruption of foreign officials). These issues will be addressed through a close study of the OECD's Anti-Bribery Convention and the 40 Recommendations on Anti-Money Laundering and Combatting of the Financing of the Financial Action Task Force. Corruption within the political system will also be examined, including explicit bribery of politicians, conflicts of interests, and private financing of political campaigns (sometimes referred to as "legalized corruption"). Finally, the course will assess the merits of proposals to establish an International Court on Corruption.

Learning Outcomes

By the end of the course, students will have gained an understanding of those crimes that the international community does (and does not) generally accept as constituting corruption - and why there continues to be a debate on this important definitional question. They will also gain insight into the political and economic circumstances that most typically give rise to corruption and the debilitating impact that this problem can have on society. In terms of the design and implementation of an anti-corruption strategy, students will learn about the key elements of the most relevant anti-corruption conventions and international best practices, including the UN Convention Against Corruption. They will have sufficient knowledge to discuss in depth both the efficacy and limitations of these instruments, taking into account the importance of the domestic political environment. Students' understanding of these issues will be

LAW 733 v00 Global Commerce and Litigation (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20733%20v00>)

LL.M Course (cross-listed) | 2 credit hours

This survey course covers both basic and advanced concepts in the evolving rules governing modern international sales, distribution and investment transactions. The conduct and structure of international litigation that can arise from these transactions, as well as ways to avoid such international litigation, are also examined. Emphasis is on practical problem solving. Specific areas to be covered will include INCOTERMS, the U.N. Convention on Contracts for the International Sale of Goods, payment mechanisms for international sales, international electronic commerce, the structure of international acquisitions, U.S. and European merger notification controls, foreign ownership restrictions, export controls, corruption, and cross-border litigation and arbitration. There will be an open book final exam.

Prerequisite: Contracts (or the equivalent Bargain, Exchange, and Liability) or for foreign-educated LL.M. students, Foundations of American Law, Introduction to U.S. Legal Methods or a Contracts equivalent course from the home country.

LAW 726 v00 Global Competition Law and Policy (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20726%20v00>)

LL.M Seminar (cross-listed) | 2-3 credit hours

This seminar will examine the development of antitrust law around the world, starting with a basic understanding of U.S. and EC competition principles and then reviewing the application of those principles in developing and transition economies including China, India, Africa and Latin America. Particular emphasis will be on merger control and regulation of dominant firm conduct (monopolization/abuse of dominant position). We will also consider the role of competition policy in economic and political development generally. Grading will be based on a paper and an assessment of class participation.

Prerequisite: For J.D. students: Antitrust Law or Antitrust Economics and Law. LL.M. students should have some previous work experience or coursework in U.S. antitrust law or competition regulation in other jurisdictions; otherwise professor's approval required before enrolling.

Note: This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement for JD students. The paper requirements of the 2 credit section will not fulfill the Upperclass Legal Writing Requirement for JD students.

LAW 726 v01 Global Competition Law and Policy (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20726%20v01>)

LL.M Seminar (cross-listed) | 2 credit hours

This seminar will examine the development of competition laws around the world, differences in substantive standards among the major enforcement jurisdictions, the possible consequences of those differences, and the means to address them. We will start with a basic understanding of U.S. and EC competition principles, and then compare and contrast these with the principles applied in developing and transition economies, such as China, India, and South Africa. Particular emphasis will be on current issues and trends, multi-jurisdictional merger control, and regulation of dominant firm conduct. We will also consider the role of competition policy in economic and political development generally.

Prerequisite: For J.D. students: Antitrust Law or Antitrust Economics and Law. LL.M. students should have some previous work experience or coursework U.S. antitrust law or competition regulation in other jurisdictions; otherwise professor's approval required before enrolling.

LAW 2007 v02 Global Cybercrime Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202007%20v02>)

LL.M Seminar (cross-listed) | 2 credit hours

This course will examine the key legal and policy issues associated with cybercrime – i.e., crimes in which computers and the Internet serve as targets, as storage devices, and as instrumentalities of crime – as a global phenomenon. As the Internet has become a truly global medium for commerce and communication, nations are gradually recognizing that new technology can not only expand the reach and power of traditional crimes, but foster new forms of criminal activity as well, throughout the world. The course will adopt an explicitly comparative legal approach to the problem of cybercrime, focusing principally on nations in North America, Europe, and Asia, and address pertinent international legal issues where appropriate. It will first address basic issues in comparative criminal law, as well as background information on computing and Internet technology. It will then address some of the most prominent topics in the substantive law of cybercrime (e.g., pornography and obscenity, "hate speech," cyberstalking, hacking, fraud, intellectual property offenses such as software piracy and economic espionage, and other issues associated with privacy and anonymity on the Internet). It will then turn to major issues in the procedural law of cybercrime (e.g., surveillance technologies such as Carnivore and legal standards for interception of electronic communications). Given the rapid pace of developments in computing and Internet law, the course will incorporate the most current materials available online and in hard copy. Students will be expected to use the Internet for intraclass communications and access to certain course materials, but need not have a detailed knowledge of computing or the Internet.

Prerequisite: Criminal Law.

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. seminar, Computer Crime Seminar, or the J.D. course, Computer Crime.

LAW 3028 v00 Global Drug Law and Regulation (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203028%20v00>)

LL.M Seminar (cross-listed) | 2 credit hours

Globalization and the international trade of drugs and medical products have progressed beyond any single regulatory authority's ability to effectively ensure the quality, safety, and effectiveness of these products. In the U.S., the importation of foreign sourced products has increased tremendously, accounting for over 80% of the active pharmaceutical ingredients. However, varying drug regulations have resulted in gaps in oversight causing differing views on the acceptable level of risk in public health leading to drug quality related deaths and other serious harms. One clear reason for this compromised system is the differences in how these products are regulated from country to country. Nevertheless, the pharmaceutical and related industries are thriving in the global marketplace. This course is intended to be the first comparative survey into the regulatory frameworks of certain key countries, both developed and developing markets, along with international institutions, such as the World Health Organization, involved in promoting the access and development of safe, effective and quality medical products. This course will also identify the major international non-governmental stakeholders, and the multi-lateral schemes and treaties in which they operate that are intended to assist in the convergence of pharmaceutical laws and regulations.

Recommended: Prior Enrollment in Food and Drug Law

LAW 1475 v00 Global Governance and Transnational Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201475%20v00>)

J.D. Course (cross-listed) | 3 credit hours

This course will explore the role of law in global governance and the global political economy from a transnational perspective. Based on problems and case studies, the course will examine the transnational perspective at play in areas such as investment, trade, development, business transactions, the family, the environment, human rights, labor, and drug trafficking. The course will show how effective lawyers, be they transactional lawyers, activists or regulators understand the mosaic of relevant legal materials and the levers they can use to structure a deal, promote a cause, or influence behavior of relevant actors.

Methodologically, we will explore how the transnational perspective helps us understand and address issues that involve multiple actors (states, corporations, NGOs, indigenous groups), multiple laws (national laws, international agreements, contracts) and multiple jurisdictions (national courts, international tribunals, supra national arbitration panels). We will also explore the limitations of the nation state as the primary source of law, looking at alternative and competing sources of norms such as private self-regulation, global indicators, or community customary laws.

Throughout the course we will reflect on what this perspective contributes to our understanding of global governance, including how new forms of regulation transform the relationship between public interest and private power, and challenge values such as national sovereignty, individual autonomy, traditional practices, distributive justice, and cultural diversity. We will discuss how this transnational perspective may help us see the role of law in structuring power relations and policy choices, pressing us to address important ethical and political questions.

LAW 493 v01 Global Health Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20493%20v01>)

LL.M Seminar | 3 credit hours

Global Health Law is the flagship course for Georgetown University Law Center's O'Neill Institute for National and Global Health Law. This course is open to both Georgetown JD and LLM students and is a compulsory unit in the Global Health LLM.

No longer an emerging field, global health law encompasses international law and policy that directly or indirectly affects global health, including treaties, regulations, global strategies and other non-binding standards, national and international jurisprudence etc. The field of study includes both legal instruments designed to protect public health as well as the interaction between legal instruments from other international legal regimes and public health considerations and concerns. This course provides a strong foundation in these laws and policies, including governance of the World Health Organization, the International Health Regulations, and the WHO Framework Convention on Tobacco Control.

In examining the application and effectiveness of global health law, this course provides a normative foundation for global health issues including infectious diseases (such as Ebola, HIV/AIDS, tuberculosis, malaria, and influenza) and noncommunicable diseases (such as diabetes, cancer and cardiovascular disease and their causes, including obesity, tobacco, and alcohol).

In this course, students will hear from leading voices in global health and the law and benefit from the expertise of Georgetown Law's O'Neill Institute

Recommended: Prior enrollment in International Law I.

Note: Required for the Global Health Law LL.M.

Class will meet for two hours each week, with third hour of weekly course content delivered asynchronously.

LAW 594 v00 Global Health Law: An Intensive, Problem-Based Exploration (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20594%20v00>)

J.D. Seminar (cross-listed) | 2 credit hours

In this intensive course, students will work with faculty and fellows at the O'Neill Institute for National and Global Health Law to gain an in-depth understanding of global health law through intensive examination and role play of one or more major problems in global health. Potential problems could include a naturally occurring infectious disease epidemic such as extensively drug resistant tuberculosis; a future epidemic such as pandemic Influenza (A) H5N1; an intentional introduction of a lethal pathogen such as anthrax; and/or major chronic diseases caused by obesity or tobacco use. Students should come to this course with a basic level of understanding of global health law, including the major international health treaties and governing structures. When studying and role playing these kinds of problems, students will be asked to construct innovative methods of global health governance, drawing upon existing international health law and institutions, along with a vision for more ideal models. The course will also capitalize on materials developed in collaboration with faculty from the School of Nursing and Health Studies for use in the "health care situation room".

Full attendance and participation is required at all sessions. Class sessions will consist of a combination of lecture, case simulations, and discussion. Grades are based on student participation, a daily journal to be kept by students, and a final paper.

Note: A student will be permitted to drop a course that meets for the first time after the add/drop period, without a transcript notation, if a student submits a written request to the Office of the Registrar prior to the start of the second class meeting. Withdrawals are permitted up until the last class for this specific course.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety will result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.

LAW 900 v01 Global Indirect Tax: The VAT (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20900%20v01>)

LL.M Course (cross-listed) | 2 credit hours

During this century, the United States has raised revenue chiefly through the income tax, which is a per capita or direct tax. In many other countries, fiscal authorities rely far more heavily on indirect taxes. With the pace of globalization accelerating, U.S. tax professionals increasingly advise foreign clients, for whom indirect taxes may constitute a large percentage of aggregate tax liability. A basic knowledge of how these taxes work is thus a valuable asset for any lawyer doing corporate or international tax work.

This course will introduce students to indirect taxation, exemplified by the European Union's Value Added Tax ("VAT") and Canada's Goods and Services Tax ("GST"), two of the fastest-growing indirect taxes globally. The course will examine the economic and policy rationales for such taxes and study in detail how different types of value added taxes work, including tax calculations and cross-border aspects. Finally, the course will compare the VAT with the retail sales taxes imposed by many U.S. state and local governments and will consider the feasibility of adopting some version of a VAT in the United States. At the end of the course, students will have a broad technical understanding of indirect taxes and an appreciation of the policy concerns that animate legislative and academic discussion of this important subject.

This two-credit course will be divided into nine 3-hour class sessions. All sessions will be taught by global indirect tax professionals from KPMG's Washington D.C. office.

Prerequisite: Federal Income Taxation (formerly Taxation I).

Note: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal.

LAW 191 v02 Global Law of Work (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20191%20v02>)

J.D. Course | 3 credit hours

The law of work is an increasingly important aspect of the global economy. Knowledge of this subject is useful in representing companies, unions, employees, governments and non-governmental organizations. Themes developed in the course also are central to understanding the relationship between law and globalization more broadly. We will study hard and soft law in the various forms in which it operates trans-nationally, including domestic law with foreign effects; public and private international law, such as human rights and trade law; and private codes of corporate social responsibility. The International Labor Organization (ILO), which is a touchstone in the course, is an especially interesting institutional case study: It is the world's oldest international organization, with 180 member countries giving it near-universal representativeness, and its inclusion of governing roles for civil society groups – unions and employer associations – makes it unique among international institutions. Attention will be given to subordination of documented and undocumented migrants, women, and child laborers.

LAW 661 v00 Global Law Scholars Seminar I: Building an International Skill Set (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20661%20v00>)

J.D. Seminar | 1 credit hour

This one-credit (7 session) seminar is designed to provide participants in the 2L year of the Global Law Scholars program with a concrete introduction to some of the specific skills used by practitioners in the fields of international and transnational law. Sessions are presented by a mixture of Georgetown Law faculty and outside practitioners. In addition to an overview of the basic features of international negotiation, arbitration and litigation, and an introduction to comparative law, emphasis is given to research, technical writing, fact-finding and advocacy skills. Skill development is taught through a variety of mechanisms (i.e., case studies, workshop style methods, role-playing, etc.). Student preparation for the various sessions includes readings on both skills and theoretical background. Student evaluation at the end of the course is based on class participation and completion of a short piece of technical writing (i.e. white paper).

Learning goals for this course: Ability to research and write/present a substantive legal topic. Ability to work together as a group on an advanced level topic. Awareness of relationship between international and domestic law.

Prerequisite: This course is open only to second and third year Global Law Scholars.

Note: This course is offered on a mandatory pass/fail basis. This course does not count toward the seven credit pass/fail limit. This class meets for seven sessions in the fall semester. Dates to be announced.

Note: Withdrawals are permitted up until the last class for this specific course.

LAW 662 v00 Global Law Scholars Seminar II: Applying an International Skill Set (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20662%20v00>)

J.D. Seminar | 1 credit hour

This one-credit (7 session) seminar is designed to build on the experiences of the fall 2L GLS seminar ("Building an International Skill Set") by affording participants an opportunity to apply the specific skills used by international and transnational lawyers in the context of a specific substantive area chosen by them. For 2013/14, the 2L GLS focused on constructing an international trade mechanism to promote corporate accountability in developing countries, specifically addressing environmental and human rights concerns. For 2014/15 the 2L group wrote an assessment of corporate compliance W.R. of 1502 of Dodd Frank in the area of conflict minerals. For 2015/16, the group conducted an in-depth analysis of implementation review mechanisms (CIRMs) in multilateral agreements. In 2016/17 the chosen topic was on use of armed force in outer space. Preparation for the group sessions includes background readings on the theoretical, practical and legal aspects of the relevant issues. Under the guidance of Georgetown faculty, participants determine in advance the goal of their work (for example, an analytical "white paper" on a particular substantive issue, a conference involving noted academics and experts, an advocacy effort, etc.). Student evaluation at the end of the course is based on class participation, contribution to the chosen goal, and completion of a short piece of technical writing.

Prerequisite: This course is open only to second and third year Global Law Scholars.

Note: This course is offered on a mandatory pass/fail basis. This course does not count toward your seven credit pass/fail limit. This class will meet for seven sessions in spring semester. Dates to be announced.

Note: Withdrawals are permitted up until the last class for this specific course.

LAW 068 v01 Global Revolutions and Civil Society (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20068%20v01>)

J.D. Course (cross-listed) | 1 credit hour

This class covers the international legal framework for activism. We'll study laws governing social movements, nonprofit organizations, and dissent. We'll examine how national security, resurgent authoritarianism, and emerging technology are affecting activism.

This class will provide skills and contacts to help you pursue a career in international human rights law. We will speak with people on the frontlines: past classes have spoken with UN officials, a lawyer for a group allegedly engaged in terrorism, and human rights defenders around the world. We'll explore international law and national legislation in the US, Asia, Africa, Europe, the Middle East, and Latin America.

Limited reading is expected, and we'll learn through interactive exercises, reflection papers, and class discussions. Internships are also available for eligible students at the International Center for Not-for-Profit Law (<http://www.icnl.org>), which works on the freedoms of association, assembly, and expression in over 100 countries.

Learning Objectives:

By the end of the semester, you should have the ability to:

1. Analyze international law governing the freedoms of association and assembly;
2. Evaluate the extent to which national legislation complies with international law;
3. Craft arguments to bring national legislation closer to international law and good practice;
4. Communicate effectively with diplomats, government officials, and civic activists;
5. Analyze ethical aspects that arise in crafting laws that affect the freedoms of association and assembly; and
6. Assess the impact of law on nonprofit organizations, social movements, and protests.

Note: Space is limited.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal.

LAW 750 v01 Global Securities Offerings (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20750%20v01>)

LL.M Course (cross-listed) | 2 credit hours

In this course, students will learn how to structure and execute global securities offerings. The course begins with a brief examination of the process of an SEC-registered offering in the U.S., and the ongoing requirements of SEC reporting companies, and then continues by examining how to conduct offerings, both domestically and internationally, outside of SEC registration. Topics include the registration requirements of 5 of the Securities Act, the various exceptions from registration, including Sections 4(a)(1), 4(a)(2) and 4(a)(7) of the Securities Act, the safe harbors pursuant to those exemptions, including Regulation S, Regulation D, Rule 144, Rule 144A, and the changes to certain of those rules and regulations by recent legislation, including the JOBS Act and the FAST Act. In addition to a thorough review of the rules and regulations in the course materials, this course seeks to give students insight into how those rules and regulations are used in practice, and into the mechanics of conducting various types of securities offerings, so that upon completing the course students are better prepared to address these topics in practice. The course was jointly developed by a senior SEC staffer and a private practitioner. Note that there is no pre-requisite for this course.

LAW 1646 v00 Global Tech Law: Comparative Perspectives on Regulating New Technologies (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201646%20v00>)

J.D. Seminar (cross-listed) | 3 credit hours

From AI to robots to social media, countries around the world are racing to regulate new technologies. Regulation is the principal mechanism to bring technology within an enforceable ethics framework. Will international competition create a race to the bottom to promote innovation at the expense of consumer protection? How can nations nurture their own Silicon Valleys consistent with their ethical values? We will examine how the same technology—from internet platforms, to algorithms, to drones, to self-driving cars, to smart cities, to sharing platforms—is regulated in various jurisdictions across the world. As countries across the world race to become the world's leader in artificial intelligence, how are they modifying their laws for a world of automated decision-making? What can countries or states or cities learn from each other? Just as there are technological network layers, there are regulatory layers: What is the proper regulatory layer for any particular technology or activity—the nation, the region, or the globe, or even city or state? In an era of unprecedented technological change, how we choose to regulate technology is more important than ever.

Note: Note for LL.M. section: Two LL.M. seats are made available by instructor permission. If interested, please email Professor Chander (ac1931@georgetown.edu) with your c.v. and a single sentence explaining your interest by November 15, 2019.

LAW 565 v00 Globalization, Work, and Inequality Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20565%20v00>)

J.D. Seminar (cross-listed) | 2-3 credit hours

A backlash against globalization has emerged in advanced economies as a result of job loss, wage stagnation, precarious work and economic insecurity for the middle class. The liberal globalization of the last three decades is under attack for the unequal distribution of its gains and its failure to provide better opportunities for ordinary working people. Reimagining the global economy will require placing work front and center. This seminar will explore the changing nature of the workplace due to global competition and technological change. It will examine important policy debates about how best to create jobs, improve working conditions, and promote economic growth and well-being. We will analyze how a variety of factors, such as new modes of production and technologies, increasing participation of women in the economy, widespread migration flows, increasing global trade and capital mobility, and the rise of informal economies challenge the assumptions underlying traditional labor and employment regulation in both developed and developing countries. We will consider an array of innovative attempts – national, international, transnational, public, private and mixed – to improve workplace conditions and assure employment opportunity consistent with economic growth and stability. We will also inquire about the moral and political commitments associated with various approaches.

There are no prerequisites. All students are welcome.

Note: This seminar requires a paper. J.D. students must register for the 3-credit section of the seminar if they wish to write a paper fulfilling the J.D. Upperclass Legal Writing Requirement. The paper requirements of the 2-credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.

LAW 1700 v00 Healthy Living, Aging, and Dying Seminar: The Legal Determinants of Wellbeing (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201700%20v00>)

J.D. Seminar (cross-listed) | 2-3 credit hours

This course examines law as a determinant of health throughout the lifecycle, including direct regulation, indirect regulation through the courts, deregulation of legal barriers to health, the authority to tax and spend to influence behaviors, and powers to alter socio-economic, informational, and physical environments. It covers both domestic and international legal and policy strategies.

Health outcomes and life expectancy increasingly are socially determined. In the United States, for example, life expectancy has dropped three years running, mostly due to diseases of despair (e.g., illicit drug and opioid overdoses, suicides, and depression) among low and middle-income Americans. It will explore how law and regulatory reform can improve health and longevity among all socioeconomic groups.

Part I analyzes the role of law and policy in preventing chronic non-communicable diseases (NCDs) such as cardiovascular disease, cancer, diabetes, and respiratory disease. It explores international instruments, such as the Framework Convention on Tobacco Control, and domestic interventions to reduce use of tobacco, alcohol, and vaping products. Importantly, law and regulatory reform can effectively promote healthy diets and physical activity across the life-course.

Part II examines the social and economic impacts of aging populations, with a focus on legal and policy interventions for healthy aging. It explores social isolation and the importance of recreational spaces, social connectedness, mental health, and prevention of injuries among the elderly (both unintentional and elder abuse). It will also examine “macro” policies such as the social and economic impacts of aging populations, and what governments and societies can do to encourage productivity and manage costs.

Part III covers legal and ethical issues around the concept of a “good death,” including palliative care, end of life decision-making, and voluntary assisted death. Everyone wants to live a healthy life, without major disability. But they also want to die with dignity. How can society be structured to empower people to have a “good death?”

In addition to analyzing population level interventions to promote health and wellness, the course integrates personal, family, and societal health and wellbeing. Students will have the opportunity to reflect on how to keep themselves and their loved ones healthy and balanced, including lifestyles conducive to health, peacefulness, wellbeing, social engagement, and productivity.

NCDs are a global pandemic, representing 70% of all global mortality. Well-structured laws and policies have the power to prevent premature disease, disability, and premature death, and promote health and wellbeing in ageing societies. This course will educate and actively engage students on the legal issues surrounding disease prevention and health promotion across the life-course and offer analysis of innovative policy opportunities to structure health systems, food systems, and communities that promote individual and public health.

Description of student learning goals:

1. Understand the social and economic impacts of population aging and the global non-communicable disease pandemic.
2. Analyze law and policy as a determinant of health and well-being, with a focus on legal interventions to reduce NCD risk factors (e.g. tobacco use) and promote healthy aging and dying.
3. Compare regulatory approaches to health promotion, including direct regulation, the authority to tax and spend to influence behaviors, and powers to alter socio-economic, informational, and physical

LAW 1666 v00 Human Rights and Its Discontents Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201666%20v00>)

J.D. Seminar (cross-listed) | 3 credit hours

We live in an age of Human Rights. Human Rights, as law, discourse, institutional structure, activist organizations, subject activists and local constitutional expressions, can be considered *the* crowning achievement of Western humanist secular liberalism that has been able to universalize its dictates. And yet, especially since the 90s, critiques of human rights have compounded from those identified with the left of liberalism. Those critiques include: the socialist, the anti-imperialist, the democratic, the multiculturalist, the feminist, the libertarian and the anarchist. The critiques have been so powerful as to create a generalized sense of skepticism in the discourse of human rights within these quarters especially among an emergent generation of activists, scholars, and public intellectuals. Those critiques have been met by a counter critique by a new generation of human rights believers/activists. The bulk of the critique of the critique points to either an empirical evidence of the effectiveness of human rights discourse or to the internal incoherence of the critical claims.

LAW 1621 v00 Human Rights Seminar: The Role of Human Rights Defenders (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201621%20v00>)

J.D. Seminar (cross-listed) | 2-3 credit hours

Human rights defenders play a critical role in the protection and promotion of internationally recognized human rights and fundamental freedoms. Their work is essential to achieve the core objectives of the United Nations and its Member States at national, regional, and international levels. This seminar will explore the evolving international legal framework for the protection of human rights defenders. We will consider the realities that prompted the international community to establish norms, create mechanisms and processes, and formulate policies to ensure that human rights defenders can safely engage in their vital work under different political, economic, and social conditions. The seminar will also examine how the norms governing human rights defenders enrich the human rights protection framework as a whole—improving the chances of its implementation at the national level. This seminar will also consider the role and responsibility of key human rights agencies within the international system, such as the United Nations High Commissioner for Human Rights, and how the scope of their mandates accommodates development of the human rights defenders framework.

Note: This course requires a paper. J.D. students must register for the 3-credit section of the course if they wish to write a paper fulfilling the J.D. Upperclass Legal Writing Requirement. The paper requirements of the 2-credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.

LAW 1286 v00 Human Trafficking and Modern Slavery in the 21st Century: Legal Perspectives (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201286%20v00>)

J.D. Seminar (cross-listed) | 2 credit hours

Slavery has been a phenomenon that has existed since before written history, yet it is only in the last 200 years that efforts to abolish it have gained traction. Today, increasing mobility, global supply chains, and continued social discrimination have created the environment for ongoing human exploitation, even though the formal practice of chattel slavery, or the legal ownership of one human being by another, is illegal virtually everywhere. Indeed, some estimate that there are more slaves today than at any other time in human history. Most recently, efforts to eliminate severe forms of human exploitation are being made under the banner of ending human trafficking (formally trafficking in persons).

This course will provide students an overview of the multiple legal perspectives on combatting human trafficking and modern day slavery. This will include the definitional tensions between different perspectives, alternative approaches to addressing severe human exploitation, and an overview of the current U.S. legal framework for eradicating human trafficking and modern slavery. Attention will be paid to commonly recognized principles in human rights, criminal and labor law, but also in such areas as international business, international adoption and international humanitarian law. The class will use a range of materials, including international treaties, decisions of international tribunals, congressional testimony, and legislative history (including floor statements, committee reports, and multiple versions of legislation, among others). At the conclusion of the class, students should be able to recognize the pervasive nature of modern day human exploitation and be able to identify risks of human trafficking in most areas of practice they may choose in the future.

Recommended: A prior course in public international law or international human rights.

Mutually Excluded Courses: Students may not receive credit for both this seminar and Human Trafficking in International and Transnational Law.

LAW 1672 v00 Human Trafficking: A Labor Approach (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201672%20v00>)

J.D. Seminar (cross-listed) | 1 credit hour

Human trafficking has attracted unprecedented attention in the past decade and has been subject to extensive academic inquiry. Despite this, the diverse legal instruments developed to combat human trafficking, as well as the large body of scholarship dedicated to its research, have generally come short in identifying, elucidating, and targeting the profound institutional structures that enable trafficking and that turn this phenomenon into one of the pressing moral and political challenges of today's global economy. Common anti-trafficking approaches focus on criminalization of trafficking, border controls, and ex-post measures to assist and protect the human rights of victims of trafficking. The assistance provided through these tools reaches an alarmingly small number of individuals, leaving the rest of the traffickers and trafficked population largely unaffected. In this seminar we will study, explore and develop a complementary anti-trafficking approach: a labor approach to human trafficking. The labor approach focuses on market inequalities between employers and employees, and seeks to devise ways to transform the bargaining playing field. Such transformations can occur through traditional unionization of workers or through other means that address structural causes of inequality and worker vulnerability such as regulation of recruiters, developing corporate responsibility to severe forms of exploitation, and guaranteeing rights of workers in labor sectors vulnerable to trafficking through protective legislation.

In this seminar students will be introduced to the legal concept of human trafficking in international law and the history that led to its current legal formulation, study the most common anti-trafficking approaches and best practices around the world, and focus on a labor responses to human trafficking. **It is important to note that the course will not focus solely on trafficking into the sex industry but rather will look at labor trafficking to various sectors.**

Students will be required to submit a research proposal in advance, actively participate in class, develop a research project and write a final seminar paper that builds on the theoretical tools and concepts acquired in the class.

Note: This course will meet on the following Tuesdays and Thursdays, 9:00-11:00 am: 9/24, 9/26, 10/1, 10/3, 10/8, 10/10, and 10/17.

LAW 037 v00 Immigration Law and Policy (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20037%20v00>)

curriculum.law.georgetown.edu/course-search/?keyword=LAW%20037%20v00)

J.D. Course (cross-listed) | 3 credit hours

This course will examine the U.S. immigration system through legal and policy perspectives. We will explore the source, scope and constitutional limits of congressional power to regulate immigration; the executive branch implementation of immigration legislation, particularly procedures for entry and removal, and the extent of, as well as constitutional constraints on, Presidential power; and the administrative and judicial review of executive branch action. Close attention will be paid to how membership laws and policies are established and implemented: What laws and policies govern U.S. citizenship? Who is eligible to become a legal immigrant? How are annual admissions numbers set? How and why are family and employment priorities created? How does the U.S. protect refugees? With respect to the arrival of unaccompanied children from abroad, we will consider the laws and policies that govern how the U.S. government treats them. Unauthorized migration will also be examined to understand why some migrants do not use the legal route into the U.S. and what laws and policies the U.S. has in place to deter such unlawful movements at the border and presence in the interior. We will analyze the impact of the major 1996 immigration control legislation and its implementation, with particular attention to detention and removal. We will closely examine the role of the Justice Department's Immigration Courts, with special attention to access to justice issues. We will explore the extraordinary need for, and challenges of, immigration law reform, as well as the particular situation of the Dreamers, children without lawful immigration status brought to and raised in the United States by their parents. Finally, we will examine issues of federalism with respect to states' attempts to address unauthorized immigration and consider immigration law in the national security context. This is an exam course.

LAW 037 v02 Immigration Law and Policy (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20037%20v02>)

curriculum.law.georgetown.edu/course-search/?keyword=LAW%20037%20v02)

LL.M Course (cross-listed) | 2 credit hours

This class will cover the constitutional and political framework for the U.S. Immigration System, enforcement and adjudication agencies, immigrants, nonimmigrants, removals and deportations, detention and bond, immigration hearings, judicial review, grounds for removal and inadmissibility, "crimmigration," immigration reform, "Chevron" deference, refugee and asylum status and other international protections. It will also include reading and analyzing major immigration cases like *INS v. Cardoza-Fonseca*, 480 U.S. 421 (1987) (well-founded fear) and *Matter of Kasinga*, 21 I&N Dec. 357 (BIA 1996) (female genital mutilation).

Mutually Excluded Courses: Students may not receive credit for both this course and National Security Law Through an Immigration Framework.

Note: This class will meet on the following Summer 2020 Dates: 5/26, 5/28, 6/2, 6/4, 6/9, 6/11, 6/16, 6/23, and 6/25. Withdrawals are permitted up until the last class for this specific course.

LAW 1519 v00 Immigration Policy across the Branches (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201519%20v00>)

curriculum.law.georgetown.edu/course-search/?keyword=LAW%201519%20v00)

J.D. Seminar | 2-3 credit hours

Who can enter the United States as a visitor or an immigrant? Who will get asylum? Who will wait in a detention center? And when, according to immigration laws passed by Congress, over ten million migrants in the United States are unauthorized, who will actually be deported? American immigration law is the product of Presidential policy, Congressional command, and various discretionary decisions made by executive officials including immigration judges and Border Patrol officers. This course will examine the relationships between these various decision-makers. We draw on examples from immigration policy throughout the years—from the Chinese Exclusion Act to President Trump's travel ban—to illustrate these issues. We also use case law from the Supreme Court, the Board of Immigration Appeals, and various federal circuits to understand how courts have evaluated these issues. Finally, secondary sources from historians and legal scholars help illustrate how various players the immigration system interact in practice. We will use this information to assess critiques of the immigration system and proposals for reform. These readings also introduce students to immigration related legal concepts including asylum, mandatory detention, and the use of the categorical approach to determining the significance of a migrant's criminal history. Students will develop a familiarity with immigration practice as well as a more nuanced understanding of the legal and political issues that vex immigration law scholars.

Learning Objectives:

- Develop a better understanding of the historic development of immigration law and policy.
- Become familiar with legal concepts concerning asylum, immigration detention, and executive power over admissions and removal.
- Understand different policy-making options and the tension between discretionary decision-making and compulsory enforcement.
- Appreciate the choices and limitations facing various decision-makers in the immigration context, as well as the experience of migrants and asylum seekers in the immigration system.
- Assess separation of powers concerns using examples from the immigration field.
- Make a nuanced assessment of popular news stories and debates about immigration law, paying special attention to the role of various decision-makers at play.
- Summarize and critically analyze various proposals for reform of the immigration adjudications, deportation proceedings, and the asylum process.
- Master a substantive legal issue related immigration by producing a paper and/or presentation on a legal debate in the area. Develop writing and presentation skills by participating in this exercise.
- Practice critical reading of law review articles and cases.

Note: This course requires a paper. Students must register for the 3 credit section of this course if they wish to write a paper fulfilling the J.D. Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.

LAW 939 v00 Immunity Under International Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20939%20v00>)

LL.M Course (cross-listed) | 2 credit hours

The attempted extradition of Gen. Pinochet from the U.K. to Spain to account for torture and disappearances in Chile, a tragic car accident in Washington, D.C. in which a sixteen year old is killed by a Georgian diplomat, the alleged expropriation of your corporate client's investment interests by a foreign government, a civil lawsuit against President Mugabe of Zimbabwe during a visit to the U.S., a criminal case in Chicago against a foreign consular officer for aiding and abetting a fugitive – such cases bring into sharp relief the operation of international immunities. This mini-course aims to introduce students to the range of jurisdictional immunities recognized by international law and how they are implemented in domestic law. We will cover diplomatic and consular immunity, sovereign (or state) immunity, the immunities accorded to heads of state and government, and the special status of international organizations and their staff and member representatives, including the United Nations, its specialized agencies and individuals on special missions. Increasingly, practicing lawyers (especially those who represent governments and international organizations or who practice in places where embassies, consulates, missions and international institutions are located) need to be familiar with the reach of these rules and doctrines, and the exceptions thereto. Our focus will be on the practical application of the various international conventions, domestic statutes, and judicially crafted rules which define the law of international immunities.

Prerequisite: No prerequisites, but some familiarity with basic international law and the process of civil litigation is strongly recommended.

Strongly Recommended: Introduction to International Law

Note: Withdrawals are permitted up until the last class for this specific course.

LAW 1729 v00 Initiating Cross-Border Litigation Simulation (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201729%20v00>)

J.D. Seminar | 2 credit hours

Your phone rings. It is your Colombian client, and he has just been wronged! He needs your help to bring this bad-actor to justice. But not all of the relevant conduct took place in the United States, and you are not a Colombian lawyer. Where do you begin? Do you bring a claim in a Colombian court? Do you file suit in the United States? Does it make a difference? What causes of action can you bring? What law governs? If you do bring suit abroad, can you get information from the United States? As globalization in business increases, the need for cross-border litigators equally increases.

This simulation course, taught around a hypothetical fact pattern, is designed to be a hands-on introduction to initiating and defending against a cross-border litigation. Students will become familiar with topics unique to cross-border litigation, such as what law applies to your client's claim, where can you bring this claim, and how to obtain discovery in the United States for a legal proceeding abroad. Students will learn practical skills such as factual investigation, legal drafting and reasoning, and oral advocacy.

The course is divided into three parts: **Part I** will focus on initiating a cross-border litigation, including the strategy motivating where to file and what to allege. The course will begin by giving students an opportunity to interview their "client" and gather factual information to support their client's potential claims. At which point, the class will be divided into two groups. Group 1 will decide to file their claims in the United States and prepare a Complaint seeking a preliminary injunction while Group 2 will decide to file their claims elsewhere, but still use the U.S. Courts to help with discovery, and prepare a 1782 Application.

Part II of this class will focus on defending against the initiation of a cross-border litigation. Group 2 will prepare a Motion to Dismiss Group 1's Complaint, and an opposition to the preliminary injunction, while Group 1 will prepare an opposition to Group 1's 1782 Application.

Part III of this course will focus on oral advocacy. Each student will be required to give an oral argument related to either the Motion to Dismiss the Complaint or the 1782 Application.

Prerequisite: Civil Procedure (or Legal Process and Society).

Note: Attendance Is Mandatory At All Class Sessions. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety will result in a withdrawal.

Due to the nature of this course, it is essential to finalize enrollment after the first class session. As such, students have until 9:00 a.m. on Wednesday, January 27, 2021 to drop the class without penalty. After January 27 at 9:00 a.m., a student who wishes to withdraw from this course must obtain permission from the faculty member and the Assistant Dean for Experiential Education. The Assistant Dean will grant such withdrawal requests only when remaining enrolled in the course would cause significant hardship for the student.

LAW 226 v00 Intellectual Property in World Trade (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20226%20v00>)

J.D. Course (cross-listed) | 3 credit hours

The knowledge, technological inventions, creative works and accumulated experience and expertise of the professional workforce increasingly drives the global economy. Unlike physical capital, this intellectual capital cannot readily be confined to the territorial setting of its origin. The development of cohesive norms to protect intellectual properties on a global basis has thus proven to be an enormous challenge. This course considers this effort by addressing the core international agreements governing intellectual property; norms and norm-making in the international intellectual property rights system; dispute settlement and the enforcement of rights; and tensions arising between intellectual property rights and distinct legal and cultural values.

Mutually Excluded Courses: Students may not receive credit for this course and International Intellectual Property and Development and the graduate course, International Protection of Intellectual Property Through the WTO.

LAW 905 v00 Intelligence Reform and the Modern Intelligence Community (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20905%20v00>)

LL.M Seminar (cross-listed) | 2 credit hours

This course is an introduction to intelligence law as discussed in the context of changes to the Intelligence Community. The course focuses on changes to the law made in response to reviews and reports conducted following the attacks of September 11, 2001, and how those changes have been implemented in policy and practice. Students will examine legislative efforts to enhance information sharing and intelligence collection, such as the creation of the Director of National Intelligence, the modernization of the Foreign Intelligence Surveillance Act, and more recent proposals to reform surveillance laws and policies in the context of global discussions of privacy and civil liberties. In addition, the course will address complexities faced by national security lawyers in protecting classified information, and providing legal advice on intelligence operations, including domestic intelligence activities.

Recommended: Prior or concurrent enrollment in International Law I.

LAW 611 v02 Internal Investigation Simulation: Evaluating Corporate Corruption (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20611%20v02>)

J.D. Course | 1 credit hour

In this Week One simulation, you will act as outside counsel conducting an internal investigation into Santé, an issuer on a U.S. exchange. Santé has uncovered evidence of bribe-like payments made as part of its operations in Africa. It is concerned that these payments may trigger liability under the Foreign Corrupt Practices Act (FCPA), a U.S. statute with a wide extraterritorial reach. Fearing criminal penalties and negative press, the French company has engaged outside counsel—you—to evaluate the potential risks associated with these payments and to consider ways to mitigate those risks. In your role as outside counsel, you will interview key witnesses to gather facts, then assess the risks to your corporate client under the FCPA. You will present your findings and recommendations to Santé's general counsel, played by Georgetown Law alumni.

The focus of this course is skills exposure and acquisition in a challenging and complex international context. You should expect intensive group work and a highly-participatory environment. You will not only learn about statutory interpretation and the role of the FCPA in corporate transactions, but you will have the opportunity to engage in essential lawyering skills, including fact development, legal analysis, witness interviewing, client counseling, team-building, project management, and problem-solving.

Note: FIRST-YEAR WEEK ONE COURSE: This course will meet on the following days: Monday, January 11, 2021, through Thursday, January 14, 2021. This course is mandatory pass/fail, and does NOT count against the 7-credit pass/fail limit for J.D. students.

This optional, elective course is for first-year J.D. students only, who will enroll via the Live Registration process. ATTENDANCE AT ALL CLASS SESSIONS IS MANDATORY. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety. For more information see the Week One website (<https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations>). Due to the intensive nature of the course, the small-group, team, and individual work that is involved, and the preparation that is necessary to ensure a positive student experience, students who wish to drop the course after they have accepted a seat must drop by **Monday, November 30, 2020 at 3:00 p.m.** After that point, students must receive permission from both the course professor and Assistant Dean for Experiential Education to drop the course. Permission will only be granted when remaining enrolled in the course would cause significant hardship for the student. Students who are enrolled but do not attend the first class session will be withdrawn from the course.

LAW 2085 v00 International Agreements (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202085%20v00>)

LL.M Course (cross-listed) | 2 credit hours

The course begins by examining what is an international agreement under international law and distinguishes such agreements from other arrangements between States or international organizations that constitute political rather than legal commitments. Since there is interplay between domestic and international law in the operation of international agreements, it is important to understand how both systems of law work. To provide a domestic law framework, the first half of the course focuses on the treaty law of the United States. It addresses such matters as applicable Constitutional provisions, factors bearing on the decision as to the form in which a particular international agreement will be concluded and the respective roles of the Executive, the Senate, the Congress, and the courts concerning the conclusion, termination, and interpretation of international agreements. Students from other countries are encouraged to explain how their domestic systems handle similar issues, thus permitting the addition of a comparative element to the domestic law discussion. The second half of the course is devoted primarily to the international law rules reflected in the 1969 Vienna Convention on the Law of Treaties to which more than one hundred countries are parties and which is in most respects regarded as representing customary international law. In addition to the Convention, the course materials for the second half include recent cases decided by the International Court of Justice or by treaty-based arbitral tribunals and examples of important developments concerning the law of international agreements that have taken place since the entry into force of the Vienna Convention in 1980.

LAW 230 v00 International and Comparative Law on Women's Human Rights (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20230%20v00>)

J.D. Course (cross-listed) | 2 credit hours

In many parts of the world, women are discriminated against, abused, treated as property, and even murdered because they are women. But today, there is a substantial body of international and regional human rights law that can be used to change the national laws that permit these practices or fail to protect women against them. In addition, many countries have begun to give women equal rights in many fields. Thus, there is now a body of human rights and comparative law that advocates can use to advance equal human rights for women.

This course provides students with an overview of that law. It introduces them to the many forms of discrimination and violence women still face and teaches them about the major human rights treaties that can help women achieve equality with men. These include the Convention on the Elimination of All Forms of Discrimination against Women; the International Covenant on Civil and Political Rights; and the regional human rights treaties from Africa, the Americas, and Europe. Students study the work of the human rights bodies that measure state compliance with these treaties, including their guidelines and case law on issues affecting women. The course also examines comparative law on human rights issues such as sex-based discrimination in employment, inheritance, and family law rights, domestic violence and female genital mutilation, polygamy and its impact on women and children, and women's lack of reproductive rights.

National court decisions from countries in both common law and civil law jurisdictions show how courts are using international and regional human rights law to help resolve domestic law issues. As some issues pose difficult conflicts between women's right to equality with opposing assertions of religious and cultural rights to discriminate, the course also examines how human rights bodies resolve those conflicts and asks how they should be resolved.

Note: For J.D. Students: Students Enrolled in the International Women's Human Rights Clinic must take this course as a pre- or co-requisite, but it is also open to other J.D. students and to LL.M. students.

LAW 882 v00 International Arbitration (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20882%20v00>)

LL.M Course (cross-listed) | 2 credit hours

Examines United States, foreign, and international law and practice relating to international commercial and investment arbitration, including the U.S. Federal Arbitration Act, the New York Convention on the Recognition and Enforcement of Arbitral Awards, the ICSID Convention, the UNCITRAL Arbitration Rules, and the arbitration rules of major arbitral institutions such as the ICC, the AAA and the LCIA. The course focuses on the procedural law applicable to and the practical aspects of arbitration. It will cover such topics as enforcing arbitration clauses, conducting arbitration proceedings, judicial oversight of arbitration, choice of law, enforcing and setting aside awards, and particular issues arising in arbitrations against sovereigns.

Recommended: International Law I: Introduction to International Law (or the equivalent International Law I); International Business Transactions.

Mutually Excluded Courses: Students may not receive credit for both this course and International Commercial Arbitration, Introduction to International Commercial Arbitration, International Arbitration, or the J.D. seminar, International Commercial Arbitration Seminar (CTLS course)

LAW 882 v08 International Arbitration (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20882%20v08>)

LL.M Course (cross-listed) | 2 credit hours

Examines United States, foreign, and international law and practice relating to international commercial arbitration, including the U.S. Federal Arbitration Act, the New York Convention on the Recognition and Enforcement of Arbitral Awards, the UNCITRAL Arbitration Rules, and the arbitration rules of major arbitral institutions such as the ICC, JAMS, the ICDR, CIETAC, LCIA, HKIAC, and SIAC. The course focuses on the procedural law applicable to and the practical aspects of arbitration. It will cover such topics as enforcing arbitration clauses, conducting arbitration proceedings, judicial oversight of arbitration, choice of law, enforcing and setting aside awards as well as drafting dispute resolution clauses.

Recommended: International Law I: Introduction to International Law (or the equivalent International Law I); International Business Transactions.

Mutually Excluded Courses: Students may not receive credit for both this course and International Commercial Arbitration, Introduction to Commercial Arbitration or the J.D. seminar, International Commercial Arbitration Seminar (CTLS course).

LAW 3035 v00 International Arbitration from the Arbitrator's Point of View (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203035%20v00>)

LL.M Seminar (cross-listed) | 1 credit hour

The course deals with "International Arbitration from the Arbitrator's Point of View". It describes the arbitrator's role at each stage of the proceeding, the various relationships that exist and the legal, procedural, practical and even psychological issues that may arise.

The course starts from the proposal and selection of the arbitrator and ends with the notification of the award. Topic covered include: who may be an arbitrator; the first contact and the conflict check; the launching of the proceedings; relations with counsel and the parties' representatives; the relationship among arbitrators; relations with experts; the conduct of the proceedings and, in particular, the hearings; deliberations and the decision; drafting of the award; the relationship with the institution; and the relation with the media.

The course will include both interactive lectures and some practical exercises.

Recommended: Prior or concurrent enrollment in an arbitration course.

Note: A student will be permitted to drop a course that meets for the first time after the add/drop period, without a transcript notation, if a student submits a written request to the Office of the Registrar prior to the start of the second class meeting. Withdrawals are permitted up until the last class for this specific course.

Note: This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students

LAW 802 v01 International Assistance for Global Health (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20802%20v01>)

LL.M Course (cross-listed) | 1 credit hour

The overall objective of this course is to explore the present and potential role of international human rights law – and the right to health in particular – in international assistance for global health.

During the first class, we will discuss the recent history and present practice of international assistance for global health. We will discuss tensions between the objectives of development and relief, and between the objectives of promoting 'health security' and equity in global health. During the second class, we will explore the concept of equity in global health: how it is central to several definitions of global health, what the practice of international assistance for global health should look like, if the predominant objective of that assistance were equity. During the third class, we will examine the meaning of the right to health, the freedoms and entitlements it generates and the corresponding national and international responsibilities. During the fourth class, we will discuss if and how the right to health can be used to modify/improve the practice of international assistance for global health, taking into account that such assistance serves other objectives as well.

Strongly Recommended: Completion of coursework in the area of international human rights law.

Note: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal.

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. The take-home exam in this course may be administered mid-semester and the specific exam date will be provided by the professor after the add/drop period.

LAW 914 v00 International Banking in the United States (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20914%20v00>)

LL.M Seminar (cross-listed) | 1 credit hour

Foreign banks have established a major presence in the United States during the last four decades and have acquired substantial market share during that period. In response, the regulation of foreign banks has likewise experienced significant change and growth. This is reflected in law firm practice as advising foreign banks is now a significant component of the financial institutions practice of major U.S. law firms.

This course will analyze the conceptual framework and the laws and regulations governing the U.S. operations of foreign banks, including how foreign banks may enter, operate and expand in the United States. This will include an analysis of the Dodd-Frank Act's prudential standards for systemic foreign banks in the United States as well as of the International Banking Act and the Bank Holding Company Act. In addition, the course will examine the supervision and enforcement scheme that the U.S. government applies to foreign banks and assess the evolving standards that apply to them, including capital standards under the Basel Capital Accord. Finally, this course will review emerging conflict of law issues that arise in the international banking context and the increasing extraterritorial reach of U.S. laws.

For students to understand the basic conceptual and legal framework that applies to foreign banks in the United States. This understanding allows a student to then select and analyze a topic of interest for purposes of the class paper.

Recommended: J.D. students may take this course after they have completed their first year.

Note: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal.

LAW 863 v00 International Business Litigation and Federal Practice (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20863%20v00>)

LL.M Course (cross-listed) | 2 credit hours

The course explores issues common to litigation in U.S. courts arising from cross-border business transactions, including venue, jurisdiction, service of process, choice of law questions, discovery, evidence from abroad, privilege and ethical considerations, and the recognition and enforcement of foreign judgments in U.S. courts. The course covers the resolution of disputes in litigation, as well as in arbitral proceedings, and through regulatory and other internal investigations, and explores issues such as the Foreign Corrupt Practices Act.

Mutually Excluded Courses: Students may not receive credit for both this course and International Civil Litigation (LAWG/J 734); the J.D. course, International Civil Litigation (LAWG/J 013); and Cross Border International Litigation and Conflicts of Law (formerly International Conflict of Laws) (LAWG/J 735).

LAW 240 v01 International Business Negotiations (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20240%20v01>)

J.D. Seminar | 3 credit hours

This course is structured around a semester-long, simulated negotiation exercise in which the students in this class will represent a US pharmaceutical company (KJH Pharmaceutical Corporation) and the students in a similar class, at the University of Dundee in Scotland, will represent an African agricultural production company (Malundian Cassava Corporation). The two companies are interested in working together to exploit a new technology developed by KJH Pharmaceutical that uses the cassava produced by Malundian Cassava Corporation. The form of their collaboration could be a joint venture, a licensing agreement or a long term supply contract. The negotiations will take place through written exchanges and through live negotiation via videoconference. Substantive law issues related to the transaction, as well as negotiations strategy and related issues, will be addressed in this class.

The purpose of the course is to provide students with an opportunity (i) to gain an introduction to transactional law and experience the sequential development of a business transaction over an extended negotiation, (ii) to study the business and legal issues and strategies that impact the negotiation, (iii) to gain insight into the dynamics of negotiating and structuring international business transactions, (iv) to learn about the role that lawyers and law play in these negotiations, (v) to give students experience in drafting communications, and (vi) to provide negotiating experience in a context that replicates actual legal practice with an unfamiliar opposing party (here, the students at Dundee).

The thrust of this course is class participation and active involvement in the negotiations process. Students are expected to spend time outside of class, working in teams, to prepare for class discussions involving the written exchanges as well as preparing for the live negotiations. Class discussions will focus on the strategy for, and progress of, the negotiations, as well as the substantive legal, business and policy matters that impact on the negotiations. Grades will be based on participation in the exercises, students' diaries, and a final paper.

Recommended: Prior or concurrent enrollment in Corporations.

Mutually Excluded Courses: Students may receive credit for this course and the graduate course International Negotiations Seminar (LAWJ/G-958). Students may NOT receive credit for this course and the J.D. course International Negotiations Seminar (LAWJ/G-240).

Note: Students may not withdraw from this class after the add/drop period ends without the permission of the professor.

Due to the coordination with the class in Dundee, Scotland, this class does not cancel even if Georgetown Law is closed. In the event of a weather closing, this class will be held via conference call dial-in.

LAW 240 v02 International Business Negotiations (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20240%20v02>)

J.D. Seminar | 3 credit hours

This simulation course is structured around a semester-long negotiation exercise in which the students on one team of lawyers will be negotiating with students on another team of lawyers. One team will represent an African agricultural production company (Malundian Cassava Corporation) and the other team will represent a multi-national pharmaceutical company (KJH Pharmaceutical Corporation). In the simulation, the two companies are interested in working together to exploit a new technology developed by KJH Pharmaceutical that requires use of a plant crop (cassava) produced in Malundi and sold by Malundian Cassava Corporation. The form of their business collaboration could be a joint venture, a licensing agreement, or a long-term supply agreement. The negotiations will take place through written exchanges and through online negotiation sessions. Substantive legal topics related to the transactions, as well as to the process of international negotiation and related issues, will be covered in this course.

The goals of this course are (i) to introduce students to transactional law and practice, (ii) to provide negotiations training and experience in the context of international transactional practice, and (iii) to develop legal-practice skills. Students will apply their legal and non-legal knowledge in the role of lawyers negotiating an international business transaction, within the controlled environment of the classroom.

This experiential course is built around active involvement in the transactional negotiations process. Students may expect to spend some time outside of the class meetings working in teams to prepare the written exchanges and prepare for the negotiations. Class meetings will focus on the strategy for and the process of the negotiations as well as on many of the substantive legal, business and policy issues that arise in the course of business negotiations. Grades will be based on 1) written self-evaluation "journal" entries and 2) a final paper (see "Course Requirements" below).

Recommended: Prior or concurrent enrollment in Corporations and Contracts.

Mutually Excluded Courses: Students may receive credit for this course and the graduate course International Negotiations Seminar (LAWJ/G-958). Students may NOT receive credit for this course and the J.D. course International Negotiations Seminar (LAWJ/G-240).

Note: In addition to the 2-hour Monday classes, this class has five Saturday sessions (see times below). These sessions are devoted to the live negotiations. Due to the Saturday sessions, the Monday sessions will end earlier in the semester.

NOTE: In the event of a weather closing, this class may be held via conference call dial-in.

LAW 876 v04 International Business Transactions (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20876%20v04>)

LL.M Course (cross-listed) | 3 credit hours

This three credit course is an introductory survey of legal issues that arise in connection with international business transactions. Subjects covered include: (1) laws and treaties involved in cross-border business transactions; (2) core international business transactions, including international sales and letters of credit, non-establishment (agency, distribution, contract manufacturing, franchising, licensing) and establishment (branch, subsidiary, joint venture) forms of doing business, equity and debt/project finance transactions, and mergers and acquisitions; (3) fundamental legal concepts such as choice of law, choice of forum, jurisdiction, investment protection (expropriation), anti-corruption and competition regulation, and dispute resolution, focusing on litigation and arbitration, (4) the transfer and protection of intellectual property, and (5) corporate social responsibility.

The learning outcomes for this International Business Transactions course include: (1) basic knowledge and understanding of (a) substantive and procedural laws concerning international business transactions, and (b) the role of private and public international law in the conduct of international business; and (2) international legal analysis and reasoning, problem solving, professional skills, and written and oral communication in the context of international business transactions.

Recommended: International Law I: Introduction to International Law; a course in Finance or Securities Regulation.

Mutually Excluded Courses: Students may not receive credit for both this course and International Business Transactions and International Dispute Resolution or the J.D. courses, International Business Transactions or International Economic Law.

LAW 876 v07 International Business Transactions (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20876%20v07>)

LL.M Seminar (cross-listed) | 2 credit hours

An introductory survey course examining transactional and litigation issues faced by international businesses. The goal of this course is to familiarize students with the broad scope of issues affecting international business prior to the students choosing other courses for further specialization and to introduce students to analytical tools used by lawyers who advise on matters related to international business. Topics will include the international sale of goods (including letters of credit), international contract issues, cross-border financings (including letters of credit and bank financings), and international investments. Litigation topics will be related to the transactional issues covered and will include a special emphasis on contract rights and remedies, choice of law, choice of forum, and international arbitration.

Recommended: International Law I: Introduction to International Law (or the equivalent International Law I).

Mutually Excluded Courses: Students may not receive credit for both this course and International Business Transactions and Dispute Resolution or the J.D. courses, International Business Transactions or International Economic Law..

LAW 876 v10 International Business Transactions (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20876%20v10>)

LL.M Course | 3 credit hours

An introductory survey course examining transactional and litigation issues faced by international businesses. The goal of this course is to familiarize students with the broad scope of issues affecting international business prior to the students choosing other courses for further specialization and to introduce students to analytical tools used by lawyers who advise on matters related to international business. Emphasis is given to the actual practice of international business law. Topics will include the international sale of goods (including letters of credit), international contract issues, cross-border financings (including letters of credit and bank financings), and international investments including project finance. Litigation topics will be related to the transactional issues covered and will include a special emphasis on contract rights and remedies, choice of law, choice of forum, and international arbitration.

Recommended: International Law I: Introduction to International Law (or the equivalent International Law I).

Mutually Excluded Courses: Students may not receive credit for both this course and International Business Transactions and Dispute Resolution or the J.D. courses, International Business Transactions or International Economic Law.

LAW 876 v11 International Business Transactions (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20876%20v11>)

J.D. Course (cross-listed) | 4 credit hours

This four-credit survey course studies the major legal issues arising in international business, trade and investment activity, taught from a practical, problem-oriented approach. The focus of the course is on the law and practice that is different when business, trade or investment takes place across an international boundary. The principle areas of coverage are: 1) the movement of goods, including the Convention on Contracts for the International Sale of Goods (CISG), contracts for transportation, and financing, including the law of letters of credit, 2) problems of international investment and the transfer of intellectual property, including the international law governing patents, trademarks, copyrights and trade secrets, 3) national and international rules for dealing with imports and exports, including export controls and sanctions and trade remedies (antidumping, countervailing duty and safeguards), 4) public international law disciplines that arise in connection with anti-corruption efforts and norms of corporate social responsibility, and 5) international dispute resolution, including investment arbitration, trade disputes at the WTO, and private international commercial litigation issues, including choice of law and forum issues.

Mutually Excluded Courses: Students may not receive credit for this course and International Business Transactions and Trade Law or International Economic Law or the LL.M. course, International Business Transactions.

LAW 882 v03 International Commercial Arbitration (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20882%20v03>)

J.D. Seminar (cross-listed) | 2 credit hours

This course presents an introduction to international commercial arbitration. It examines the nature of arbitration, the procedures used in international arbitration (both institutional and ad hoc) and the enforcement and setting aside of arbitral awards. The course will also cover drafting arbitration agreements, the law applicable to arbitrations (including the New York Convention, the ICSID Convention and various institutional rules), challenges to arbitration, multi-party arbitrations, jurisdiction, preliminary or interim measures and selection of the arbitral tribunal. The course also provides an introduction to arbitration between investors and states. Grades will be based primarily upon short papers addressing current issues in international arbitration.

Mutually Excluded Courses: Students may not receive credit for both this course and the LL.M. seminars International Commercial Arbitration, Introduction to International Commercial Arbitration, or International Arbitration; or the CTLS seminar, International Commercial Arbitration Seminar.

LAW 882 v06 International Commercial Arbitration (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20882%20v06>)

LL.M Course | 1 credit hour

In today's global economy, parties to cross-border commercial transactions increasingly choose to resolve their disputes through international arbitration. This course provides students with an understanding of the law and practice of international arbitration from the perspective of United States law. Among other things, the course will consider the alternatives to international arbitration; the international conventions and U.S. arbitration statute; the arbitration agreement; the role of courts and tribunals in determining issues of arbitrability; international arbitration rules; provisional measures; judicial enforcement of arbitration agreements and arbitration awards; and judicial setting aside of arbitration awards.

Mutually Excluded Courses: Students may not receive credit for both this course and International Arbitration, Introduction to Commercial Arbitration or the J.D. seminar, International Commercial Arbitration Seminar (CTLS course).

Note: WEEK ONE COURSE. This course will meet for one week only on the following days: Monday, January 11, 2021 through Thursday, January 14, 2021, 9:00 a.m. - 12:20 p.m. The course will have a take-home exam that must be completed during the week of Friday, January 15th through Friday, January 22nd, 2021.

This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.

LAW 3033 v00 International Commercial Arbitration with a Foreign Sovereign (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203033%20v00>)

LL.M Course (cross-listed) | 2 credit hours

Resolution of disputes between private sector companies and sovereigns arising under international contracts and projects typically are resolved by international commercial arbitration. This presents unique challenges involving sovereign immunity, respect for differing legal systems, cultural issues, political considerations and the like.

This class will explore the interplay of international arbitration and court litigation; crafting proper arbitration clauses and agreements; the negotiation, mediation, and ultimately final and binding arbitration of performance issues; the implications of multi-jurisdictional and parallel matters; distinctions between civil and common law approaches; how to conduct an arbitration; enforcement of the Award under treaty (show me the money); and a two-class practical moot, with all of the above focused on the real world dynamics of dealing with sovereign governments.

Recommended: Prior enrollment in a basic course in international arbitration

LAW 1036 v00 International Contracts and Sales Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201036%20v00>)

J.D. Course (cross-listed) | 2 credit hours

The course analyzes private law norms regulating international contracts. It focuses on international conventions and uniform rules of law, such as the United Nations Convention on Contracts for the International Sales of Goods (CISG), the UNIDROIT Principles of International Commercial Contracts, the Principles of European Contract Law, INCOTERMS, and others. The course includes some aspects of conflicts of law rules, as well as an analysis of the main international instruments governing international commercial arbitration.

Prerequisite: Contracts (or the equivalent Bargain, Exchange, and Liability).

LAW 416 v02 International Courts and Tribunals: Theory and Practice (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20416%20v02>)

LL.M Seminar (cross-listed) | 2 credit hours

This course surveys existing international courts and tribunals. Over the semester, we will examine courts and tribunals with general jurisdiction (e.g., the International Court of Justice); courts and tribunals with specialized jurisdiction (e.g., the International Criminal Court, WTO, human rights tribunals, and investor-State tribunals); and claims tribunals and commissions (e.g., the Iran-United States Claims Tribunal and the United Nations Compensation Commission). The course seeks to provide a comparative understanding of the international adjudication system through readings and in-class exercises. General knowledge of public international law is required.

Prerequisite: Prior or concurrent enrollment in International Law I.

LAW 790 v00 International Criminal Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20790%20v00>)

J.D. Course (cross-listed) | 3 credit hours

In international criminal law, we begin by examining the basics: what criminal law is supposed to do and the fundamentals of international law and jurisdiction. We then study issues relating to transnational application of domestic penal codes, such as extradition and the extraterritorial application of U.S. criminal law and the U.S. Constitution. We may choose a transnational crime—such as money laundering or corruption—as a vehicle for examining the efficacy of transnational application of domestic standards. The focus of the course then shifts to truly international, rather than transnational, law. We examine the history of international tribunals intended to enforce international crimes (Nuremberg, the ICTY, and the ICTR), and delve into the structure and operation of the International Criminal Court. We focus on substantive international crimes such as genocide and crimes against humanity, and may also cover war crimes, crimes of sexual violence, and/or torture. The course closes with a consideration of alternatives to criminal prosecution, such as truth and reconciliation commissions.

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. first-year elective or the graduate course with the same title.

LAW 790 v01 International Criminal Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20790%20v01>)

LL.M Course (cross-listed) | 2 credit hours

Examines selected issues involving the application of criminal law to international activities and across national boundaries. The course covers both the procedural aspects of international cooperation in criminal matters (including extradition, mutual legal assistance, and recognition of foreign penal judgments) as well as the developing substantive international law (e.g., war crimes, crimes against humanity, genocide, and trafficking in drugs, people and firearms). Particular attention is paid to the question of jurisdiction over criminal activities at the international level, in the context of activities such as money laundering, organized crime, and computer crime, including the reach of Constitutional protections to investigations and law enforcement activities overseas. Addresses the structure, jurisdiction, and jurisprudence of the ad hoc criminal tribunals for the former Yugoslavia and Rwanda and the statute and rules of evidence and procedure of the International Criminal Court.

Recommended: Criminal Law, Conflict of Laws: Choice of Law (or the equivalent Conflict of Laws: Choice of Law (International Focus)); International Law I: Introduction to International Law.

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. course with the same title; or the J.D. seminar International Criminal Law Seminar: Tribunals and Crimes; or the J.D. course International Humanitarian Law; or the J.D. course International Criminal Courts.

LAW 835 v00 International Debt Workouts (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20835%20v00>)

LL.M Seminar (cross-listed) | 1 credit hour

Cross-border lending has grown exponentially in recent decades, especially with the opening of new markets in emerging economies and further integration of financial markets globally. High yield, EM risky lending has also grown in a low interest rate environment in developed markets.

A natural consequence is the invariable need to restructure cross-border debt. Such financial restructurings or "workouts" can occur individually with a troubled debtor or on a broader level in systemic crises (e.g., the debt crises involving Asia, Russia, and Mexico in the late nineties, Argentina in the last decade, and the 2008 global financial crisis). In this course we will simulate, from an international lender's perspective, the out-of-court debt restructuring or "workout" of a corporation in distress. The simulation of this hypothetical workout will have role-play and extensive class interaction: we will be members of the restructuring and insolvency practice of an international law firm.

Our client will be an international commercial bank with a troubled loan to a company in a developing country. Our job will be to provide legal advice and services to our client throughout the loan workout process. During the semester we will also have insolvency practitioners as guest speakers. Our work will include conducting due diligence, recommending a legal strategy, coordinating the creditor group, establishing negotiation strategies (and leverage) for our client, structuring the transaction documents, and closing the deal.

The objectives of this simulation are to help students (1) understand the legal framework governing cross-border insolvency and restructuring, (2) debate legal issues affecting cross-border debt restructurings, (3) grasp the principles and best practices of international debt restructurings and insolvency from a practical perspective, (4) develop legal risk analysis and problem solving skills in the context of a troubled international financial transaction, and (5) gain experience with relevant document structuring and cross-border negotiation strategies.

Issues that will be addressed in the course include choice of law and jurisdiction, enforcement of creditors' rights in foreign courts, corporate governance, holdout creditors, moral hazard, distress signs in a company, cultural sensitivities, and cross-border negotiation techniques.

The course will be taught by Claudio N. Rechden, General Counsel at Deva Capital Advisory and former Lead Counsel for Special Operations in Asia and Latin America for the International Finance Corporation (the private sector arm of the World Bank). Claudio has extensive international finance, cross-border restructuring and litigation experience, and currently is the IFC counsel for several projects worldwide. Evaluations will be done by short reaction papers in groups and by class participation. There will be no exams.

Prerequisite: Corporations.

Recommended: Bankruptcy and Insolvency.

Note: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal.

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a

LAW 1412 v00 International Economic Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201412%20v00>)

J.D. Course (cross-listed) | 4 credit hours

This four-credit survey course analyzes the major legal issues in international business, trade, and investment activity in both the private and public sectors. It provides the basic coverage of the wide variety of issues that relate to international trade, investment, and commercial intercourse with which every competent lawyer should be familiar. (In depth coverage of any of these areas should be explored in subsequent specialized courses depending on the students' particular interests.) The principal areas of coverage are: (1) the movement of goods, including private techniques of contract and financing; (2) import tariffs and customs; (3) international and regional trade and financial institutions, including the World Trade Organization, IMF, World Bank, the North American Free Trade Agreement and the Trans-Pacific Partnership; (4) problems of international investment; (5) the protection of intellectual property; (6) emergency powers, economic sanctions and export controls; (7) formal dispute resolution in trade and investment, including international arbitration and litigation; and (8) the challenges of foreign corruption.

The books for LAWJ 1412-08 and LAWG 1412-08 (International Economic Law) are:

1. Daniel C.K. Chow and Thomas J. Schoenbaum, *International Business Transactions* (3rd. ed., Aspen, 2015) ISBN: 978-1-4548-4941-4
2. Daniel C.K. Chow and Thomas J. Schoenbaum, *International Business Transactions: Documents Supplement* (Wolters, Kluwer, 2015) ISBN 978-1-4538-5998-7)
- 2A. 1 & 2 bundled save about \$30; use ISBN 9781454870371.
3. Michael J. Trebilcock, *Advanced Introduction to International Trade Law* (Edward Elgar, 2015) ISBN 978-1-78347-1602

Prerequisite: Note: There are no pre-requisites, but a course in public international law (at Georgetown or elsewhere) would be helpful.

Mutually Excluded Courses: Students may not receive credit for this course and *International Business Transactions* or *International Business Transactions and Trade Law* (formerly *International Law II*).

LAW 1380 v00 International Economic Law & Policy Colloquium (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201380%20v00>)

J.D. Seminar (cross-listed) | 2 credit hours

The International Economic Law & Policy Colloquium offers students a new and rigorous research platform for understanding the theory of international economic law and participating in policy analysis. Students will participate alongside graduate students, fellows and visiting scholars at the Institute of International Economic Law at weekly luncheons with outside speakers and help create, and potentially author, research and policy-oriented products for the Institute of International Economic Law.

Students will be expected to 1) write brief response papers for occasional presenters hailing from the academy, government and the public policy community 2) help curate and prepare a monthly "IIEL In the Know" Newsletter for lawyers, regulators and financial authorities and 3) provide one 2-5 page brief on a specific policy issue concerning a relevant matter of international economic law. The best issue briefs will be included for publication by IIEL and distributed to policymakers in Washington D.C. and abroad. Topics covered include international trade, financial regulation and enforcement, monetary affairs and tax.

Recommended: Ideally students will have taken an advanced course in either a) *International Trade and Arbitration* b) *business law* (e.g., *Securities Regulation, Bankruptcy, International Business Transactions, or International Finance*) or c) *International Tax*.

LAW 1701 v00 International Economic Law and Institutions (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201701%20v00>)

J.D. Course | 3 credit hours

This course will provide an introduction to the international legal and institutional frameworks that govern economic cooperation among nation states in the key areas: (a) international monetary law, (b) international trade, (c) international capital movements (including foreign direct investment), and (d) international development. A key area of focus will be how these different frameworks interact – and, in some cases, conflict – with each other, as policy makers struggle to both maximize the benefits of globalization and minimize its costs. Considerable emphasis will be placed on the institutional dimension of cooperation, with a comparative review of the relevant international organizations (including the WTO, IMF and the World Bank). The Course will identify the current challenges faced by each of these institutions in an environment where multilateral co-operation, although increasingly urgent, is also increasingly unpopular. The Course will be interdisciplinary, focusing on the legal, political and economic dimensions of these complex problems. Senior officials of a number of the major international organizations will participate as guest lecturers, giving their own perspectives regarding the key challenges facing their institutions.

The Course will be divided into two parts:

The first part will include an overview of the relevant legal and institutional frameworks, their relationship with each other and some of the key challenges they currently face.

The second part will cover a number of cross-cutting issues that often require effective coordination among these different institutions, including the following:

- The problem of sovereign debt, and its impact on both economic development and financial stability.
- The efficacy of “soft law” and “soft institutions”, which are increasingly relied upon in an environment where countries are less inclined to surrender legal sovereignty through the creation of treaty obligations or the establishment of independent international organizations.
- The impact of economic crime on economic development and financial stability, with a review of efforts by the international community to address this problem.
- The effectiveness of existing mechanisms to ensure the accountability of international organizations.

Note: This course is a first-year elective. First-year day students select an elective offered in the spring.

LAW 1260 v00 International Economic Law Practicum (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201260%20v00>) (Project-Based Practicum)

J.D. Practicum | 4 credit hours

In a project-based practicum course, students participate in a weekly seminar and work on a project done on behalf of a developing country government, an international organization, an NGO or an SME under the supervision of their professor(s) and in conjunction with expert mentors. This project-based practicum course will focus on international economic law, primarily international trade or investment law. Students will participate in a two hour/week seminar (during some weeks, the seminar meets twice, other weeks, the seminar does not meet and only team meetings take place) and carry out 10 hours/week of project work under the direction of the course professors.

SEMINAR: This practicum offers a unique opportunity to thoroughly analyze international trade and investment law, as well as broader issues of international economic law, and jurisprudence through a combination of practice and theory. The practicum has three goals. First, to enhance students’ substantive legal knowledge of international economic law. They will do so not through traditional in-class teaching but hands-on, by working on a specific legal project, of high practical importance for their “beneficiary.” Second, the practicum aims at improving students’ professional skills to become successful lawyers: the ability to analyze complex legal problems, to apply the law to a set of facts, to interact with beneficiaries, to work in groups with other lawyers across cultures and language barriers, to convincingly make oral presentations, to write legal memos or submissions, and to adapt the explanation of legal expertise to a diverse audience. Third, the practicum aims to stimulate personal skills and aspirations of students: to make them aware of professional opportunities in the international law field; to discover new challenges. Through interactions with other (often foreign) students and a diversity of (often foreign) “beneficiaries”, participants will build inter-personal skills, learn about other cultures, and experience the challenges and needs of a wide variety of stakeholders affected by international economic law, beyond large multinationals.

PROJECT WORK: Students will work in small groups (“project teams”) and under the close supervision of one or more Professors (“Supervising Professors”), invited experts (“Mentors”) and the Teaching Assistant (TA) on specific legal questions related to international economic law (IEL) coming from “real clients” (“beneficiaries”) such as international organizations, governments, SMEs or NGOs. In addition, introductory sessions by Mentors will be held to provide substantive background to the respective topics, as well as sessions to improve research and legal writing skills. At the end of the semester, the groups will submit written legal memos or other work products and orally present their projects in class in the presence of the beneficiary and other invited guests. To get an idea of the types of projects done in previous years, see www.tradelab.org (<https://www.tradelab.org>).

The practicum is part of the broader TradeLab network and operates in collaboration with TradeLab (www.tradelab.org) to enable beneficiaries to submit projects, to facilitate the operation of the teams and to promote the completed work to the public. TradeLab is an online platform that allows countries, NGOs and other smaller stakeholders easy and smart access to legal talents in the field of trade and investment law, allowing these actors to reap the full development benefits of global trade and investment rules by making WTO, preferential trade and bilateral investment treaties work for everyone.

Prerequisite: Students must complete a basic trade/WTO or investment law course before applying. J.D. students must complete the required first-year program prior to enrolling (part-time and interdivisional transfer students may enroll prior to completing Criminal Justice, Property, or their first-year elective).

LAW 166 v00 International Efforts to Combat Corruption Seminar

(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20166%20v00>)

J.D. Seminar (cross-listed) | 2 credit hours

International anti-corruption has become an increasingly “hot topic” among lawyers and policymakers: governments, international organizations, and technical experts all identify corruption as a serious impediment to comprehensive economic development. If left unchecked, corruption threatens to undermine the effectiveness of development initiatives in both the public and private sectors. Growing enforcement of legal instruments such as the Foreign Corrupt Practices Act and the UK Bribery Act have placed anti-corruption squarely on the agenda of a wide variety of transnational organizations. With so many variant actors invoking the importance of anti-corruption, lawyers must not only have a working knowledge of what corruption entails, but also understand how the development of an international anti-corruption legal framework is changing the way business is conducted in a global economy.

This course explores the international legal framework of anti-corruption, the scope of anti-corruption instruments, the methodologies employed by international actors enforcing these instruments, and the policy dilemmas implicated by these endeavors.

Given the dynamic nature of anti-corruption initiatives, the course presents an interdisciplinary, interactive approach to the subject matter. The class will introduce and discuss perspectives from academic texts, policy papers and media. It is hoped that this broad-based approach will provide students with a strong theoretical foundation in anti-corruption law, foster a practical understanding of international anti-corruption work, and inspire students to integrate this avenue of study into their future professional endeavors.

Students will complete a research paper 20-25 pages in length, and will also be asked to present their topic to the class during the last two course sessions.

Learning Objectives:

By the end of this course, students will have a working knowledge of the role anti-corruption policy and political institutions (i.e., FCPA, OECD, and UNCAC) play in the field of anti-corruption. Students will be able to engage in professional discussions on the historical context of international anti-corruption efforts, the state of the current political and international climate, and the future of anti-corruption by making connections between past policy and current events. Students will be able to articulate original views, back them up with research and defend them through strategic thinking by engaging with guest-lecturing practitioners and the final oral presentation. Students will further deepen their knowledge on a particular topic within the field by conducting a research paper in which they will need to provide insightful analysis making connections among historical and current policies, institutions, and governments.

Recommended: Prior or concurrent enrollment in at least one course in private or public international law.

Mutually Excluded Courses: Students may not receive credit for this seminar and Global Anti-Corruption Seminar.

LAW 3032 v00 International Energy Arbitration ([http://](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203032%20v00)

curriculum.law.georgetown.edu/course-search/?keyword=LAW%203032%20v00)

LL.M Course | 2 credit hours

The course begins with an introduction to International Energy Arbitration, followed by discussion of the International Energy Industry, its sources, segments, and players. An extensive presentation on the Legal Framework for International Energy Arbitration covers international laws and norms, national constitutions, national petroleum laws and regulations, and, in particular detail, the historical evolution of upstream host government petroleum contracts, including petroleum fiscal systems. To place the subject of host government contracts in its proper setting, the next section describes resource cycles and resource nationalism, as well as the legal status of host government contracts. Segments on contract stabilization and choice of law come next. The subject of international oil and gas dispute resolution explains the process and procedure for resolving these disputes through international arbitration, drawing on examples from actual international energy agreements and disputes. Discussion then moves to the early international oil and gas arbitration awards, from there to several modern international oil and gas arbitration awards, and finally to contemporary energy disputes with host governments. The course then moves to commercial disputes arising out of joint operating agreements, gas contracts, and LNG sales contracts. Following a discussion of enforcement of energy awards, the final segments address advocacy in international energy arbitration and building an international energy arbitration practice. The course is designed to provide an in-depth knowledge of the main types and key drivers of international energy disputes, past and present, not only to aid in understanding the international energy industry, its business relationships and contracts, its broader legal framework, and its disputes, but to build better advocates to represent international energy companies and host governments in these contentious proceedings.

Recommended: Prior or concurrent enrollment in an introductory international arbitration course.

Note: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal.

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. While the first three days of this course meet during the Fall add/drop period, a student may only drop this course without a transcript notation prior to the start of the second class session by submitting a written request to the Office of the Registrar. After the start of the second class session, a student must seek permission from an advisor to withdraw.

Note: This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students

LAW 145 v00 International Environmental and Natural Resources Law
(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20145%20v00>)

J.D. Course (cross-listed) | 3 credit hours

The course focuses on international law applicable to the leading environmental and natural resource issues. It provides a framework for identifying and addressing the legal issues, links international law with relevant national laws, and focuses on ways to strengthen compliance with international obligations. The course covers climate change, ozone depletion, transboundary pollution and hazardous waste disposal; natural resource issues of fresh water (both surface and ground water), marine resources, and biodiversity; the links between human rights and environment and between environment and trade; and the financing of sustainable development. Special attention is given to cutting edge issues, such as synthetic biology and climate intervention.

Learning goals for this course: To enable students to become effective counsel, litigators, negotiators, arbitrators, judges, or legal advisors on a broad range of international environmental and natural resource problems; to understand international negotiations; and to be able to apply legal concepts developed in the course within different national settings for implementing international law.

LAW 1544 v00 International Environmental Law in Practice (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201544%20v00>) (Project-Based Practicum)

J.D. Practicum (cross-listed) | 4 credit hours

In a project-based practicum course, students participate in a weekly seminar and work on a project under the supervision of Professor Slobodian. This project-based practicum course will involve work with the Environmental Law Institute on international environmental law issues, providing opportunities for students to navigate the reality of international negotiation, dispute resolution, and policymaking. Students will participate in a two hour/week seminar and carry out 10 hours/week of project work under the direction of Professor Slobodian.

SEMINAR: This practicum offers a unique opportunity to influence global environmental policy. Through this course, students will learn to do the following: (i) understand and formulate positions on specific issues in international environmental law through application of general knowledge and targeted research; (ii) develop and implement influencing strategies for advancement of international environmental law through ongoing global policy processes; (iii) communicate effectively and engage appropriately with an international community encompassing different cultures, approaches, and perspectives; and (iv) consolidate lessons learned to support improvement and inform further work in international environmental law. To help achieve these goals, the seminar will feature visiting experts from the international environmental legal community and discussions on practical approaches to influencing global environmental policy.

PROJECT WORK: Students will work on a specific international environmental process over the course of the semester, providing direct support to a specific international organization, party or observer. Processes might include, *inter alia*, the regulation of domestic wildlife markets under the Convention on International Trade in Endangered Species; the enforcement of domestic legislation implementing the Montreal Protocol; the development of a concept of water tenure under the auspices of the Food and Agriculture Organization; building a global framework for migration with dignity in the context of the UN Environment Programme; the ongoing negotiation of a new international instrument on marine biodiversity in areas beyond national jurisdiction; development and adoption of resolutions of the IUCN World Conservation Congress; comparative analysis of country-level frameworks to inform decisions at international processes; or consideration of cases before the International Tribunal on the Law of the Sea, the International Court of Justice or other international tribunals.

Students' specific activities may include preparing background documents and informational materials; following international discussions and participating as appropriate (e.g., in online discussion fora); drafting policy statements, interventions and motions; organizing intersessional meetings or side events; compiling information on commitments (Nationally Determined Commitments, National Biodiversity Strategies and Action Plans, Sustainable Development Goals Voluntary Commitments, etc.); joining (virtually or in person) meetings with members of delegations; and/or developing analyses that result in policy-influencing pieces at the regional and international levels. Under Professor Slobodian's supervision, students will work with lawyers from the Environmental Law Institute and the World Commission on Environmental Law.

Prerequisite: Prior or concurrent enrollment in International Law I: Introduction to International Law, or prior enrollment in Criminal Law Across Borders or International Criminal Law. J.D. students must complete the required first-year program prior to enrolling (part-time and interdivisional transfer students may enroll prior to completing Criminal Justice, Property, or their first-year elective).

Recommended: International Environmental and Natural Resources Law.

LAW 197 v01 International Finance (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20197%20v01>)

J.D. Course (cross-listed) | 3 credit hours

In 1970, about 90% of international transactions represented trade in goods and services. On the eve of the last financial crisis, about 90% of international transactions reflected movement of capital unrelated to trade. This course examines aspects of national and international law that govern cross-border capital movements. The goal is to discern elements of an evolving legal regime for international finance.

We will consider current issues in international finance from the transactional, regulatory, and policy perspectives – reflecting the different functions of the law in this area. Beyond basic legal concepts relevant to international banking, securities and currency markets, we will address topics including crisis response, international institutions, government debt, foreign assistance and microfinance. The syllabus assumes no background in finance, economics, banking or securities law. In addition to classroom engagement and a take-home exam, course components include policy and negotiating simulations, and a news blog.

Recommended: Federal Banking Regulation, Securities Regulation and International Law I: Introduction to International Law.

Mutually Excluded Courses: Students may not receive credit for this course and International Finance and Regulation.

LAW 197 v00 International Finance and Regulation (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20197%20v00>)

J.D. Course (cross-listed) | 3 credit hours

This course explores some of the key financial transactions that animate the international economy and the global regulatory architecture governing them. Substantive subjects include the global financial architecture, international banking regulation, project finance, derivative products and syndicated lending. The course also addresses the intersection between financial regulation and international monetary law by surveying the 2008 financial crisis, the European debt crisis, the future of the dollar as an international currency and the offshore renminbi market.

Recommended: Corporations.

Mutually Excluded Courses: Students may not receive credit for this course and International Finance.

Note: The first class is not mandatory, though it is highly advised.

LAW 227 v04 International Human Rights (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20227%20v04>)

J.D. Course (cross-listed) | 3 credit hours

J.D. Course (cross-listed) | 3 credit hours

This course examines the law, institutions, and advocacy strategies designed to protect international human rights. We will analyze civil and political rights and economic and social rights, as well as international humanitarian law, and explore key enforcement mechanisms at the national, regional, and international levels. The evolving role of NGOs and civil society actors in advancing human rights, and the responsibility of corporations, will also be examined. Both progress and enduring challenges in making human rights real “on the ground” will be a focus of this course, together with the need for effective enactment of legal standards, enforcement of those standards, and empowerment of affected communities. Current legal issues and strategies concerning climate change and human rights will also be highlighted.

Recommended: International Law I: Introduction to International Law.

Mutually Excluded Courses: Students may not receive credit for both this course and the graduate course, International Human Rights Law.

LAW 814 v00 International Human Rights Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20814%20v00>)

LL.M Course (cross-listed) | 3 credit hours

This course provides an intensive survey of international human rights law and practice, with a principal focus on interpretation and implementation of human rights obligations, commitments, and norms in the practice of states. The course has three main components: in the first unit, we examine the development of the substantive law of human rights and its sources (including treaties, customary international law, and non-binding international instruments). In the second unit, we examine implementation of international human rights in the international, regional, and domestic systems, focusing on UN organs such as the Human Rights Council and treaty bodies, as well as regional mechanisms. Finally, in the third unit we look at the application of the substantive law and implementation mechanisms in the context of current issues in international human rights, including in the context of atrocities and the refugee crisis. The course highlights selected contemporary ethical problems in international human rights law such as genocide and torture, application of human rights obligations, commitments, and norms to non-state actors (including corporations), universality of human rights and cultural relativism, and the need to protect human rights while countering terrorism, including issues relevant to U.S. law and practice. Along the way we examine issues related to international immunities, impunity, human rights litigation under the U.S. Alien Tort Claims Act and Torture Victim Protection Act, and international criminal tribunals.

Recommended: International Law I: Introduction to International Law.

Mutually Excluded Courses: Students may not receive credit for both this course and International Human Rights Law, or the J.D. course, International Human Rights.

LAW 814 v02 International Human Rights Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20814%20v02>)

LL.M Course (cross-listed) | 3 credit hours

How can the international legal system address some of human kind's greatest weaknesses? This course provides an intensive survey of modern international human rights law and the legal institutions and systems of oversight that support it. Through a mixture of lecture and class discussion, we will look at how and why these mechanisms developed, and critically analyze how they – as well as States, non-State actors, and individuals – succeed or fail in practice to promote and protect human rights at the international, regional, and domestic levels. We will cover the foundations of the modern system including the International Bill of Human Rights and the Geneva Conventions, as well as subsequent developments including treaties and declarations regulating the use of certain weapons, prohibiting torture, protecting the rights of persons with disabilities, protecting refugees, promoting the rights of indigenous peoples, eliminating racial discrimination and discrimination against women, and establishing the international criminal court. We will also look at how “soft law” has developed to address emerging human rights-related fields such as corporate social responsibility and data privacy protection. Highlighting contemporary issues in international human rights, we will ultimately ask ourselves how current international human rights mechanisms can address today's conflicts, including refugee crises, natural resource disputes, and international campaigns against terrorism.

Recommended: Prior enrollment in International Law I: Introduction to International Law (or equivalent).

Mutually Excluded Courses: Students may not receive credit for both this course and International Human Rights Law and Practice.

Note: Students may not withdraw from this class after the add/drop period ends without the permission of the professor.

LAW 1451 v00 International Intellectual Property and Development (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201451%20v00>)

J.D. Course (cross-listed) | 3 credit hours

Intellectual property is increasingly a global phenomenon, as creators seek to distribute their work and inventions across borders, while consumers seek access to creative products and innovations, from books to life-saving medicines. The scope of intellectual property rights set out in international treaties and national laws affect innovation and creativity worldwide. Exceptions to intellectual property rights determine rights to critique and learn. At stake in the balance between rights and exceptions are access to medicines and to knowledge. In an age driven by both technology and fashion, intellectual property is central to the global economy. This course will examine international trade law, national customs law, intermediary liability rules, claims for rights in traditional knowledge and genetic resources, protections for geographical indications, technology transfer, and intellectual property piracy. The central question will be: how can international intellectual property law be designed to help the world's poor?

Mutually Excluded Courses: Students may not receive credit for this course and Intellectual Property in World Trade.

LAW 1476 v00 International Law and the New Global Political Economy Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201476%20v00>)

J.D. Seminar (cross-listed) | 2-3 credit hours

Recent electoral results in the United Kingdom and the United States have challenged the liberal globalization agenda of the last three decades. The UK is leaving the European Union and the Trump administration has withdrawn from the Trans-Pacific Partnership (TPP), called for a renegotiation of the North American Free Trade Agreement (NAFTA) and advanced an America First foreign policy. Discontent with the effects of global markets includes job losses, wage stagnation, growing income inequality, and downward mobility of the middle class. How are these effects related to the international legal architecture states have set up, including international trade and investment agreements, international tax regimes, financial regulation and labor norms? Can't these negative results be addressed primarily and more effectively at the national level?

This moment offers a key opportunity to think of an alternative globalization. So far, there are two strong, emerging positions in the global economic debate. On the one hand opposition to globalization, often accompanied by xenophobic and discriminatory rhetoric, blames foreign trade, immigration and racial minorities for the economic foibles of society. On the other hand, there is a defense of existing liberal globalization as the enlightened economic path that needs to be better explained and at the most softened. Can we imagine a different type of globalization? One that recognizes the gains that societies may accrue from integration while addressing seriously the dislocation and negative distributional consequences? Does this require that we re-imagine a different role for the State in the market? Does it entail a reform of our existing global institutional arrangements? What role may international law play in responding to these challenges?

A leading scholar in the field of international law will present a paper each week. The papers represent a wide range of topics and methodological approaches connected to the colloquium questions. Students will be expected to read the papers and write a short critique of five of the papers. You will also have an opportunity to engage in discussion with the paper's author. In addition to the students enrolled in the colloquium, Georgetown Law faculty and other DC area scholars and practitioners will be invited to participate in the weekly paper presentations. Lunch will be provided.

Note: The first class will meet on Friday, January 24, 2020 in Hotung 5020.

This seminar requires a paper. J.D. students must register for the 3-credit section of the seminar if they wish to write a paper fulfilling the J.D. Upperclass Legal Writing Requirement. The paper requirements of the 2-credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.

LAW 1362 v00 International Law Colloquium (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201362%20v00>)

J.D. Seminar (cross-listed) | 2-3 credit hours

In this colloquium, a paper will be presented each week by a leading national or foreign scholar in the field of international law. The papers will relate to fundamental theoretical questions or cutting edge issues concerning the international legal system. Students will be expected to read the papers and prepare a short written critique of five of the papers. They will also have an opportunity to present oral comments to the paper's author. In addition to the students enrolled in the colloquium, faculty members from the Law Center and other area law schools will attend the weekly paper presentations. Lunch will be provided.

Prerequisite: Prior or concurrent enrollment in International Law I: Introduction to International Law.

Note: This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.

LAW 235 v02 International Law I: Introduction to International Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20235%20v02>)

J.D. Course (cross-listed) | 3 credit hours

This course deals with the nature and sources of international law and major developments in the international legal system. It considers such topics as treaties, executive agreements, and customary international law; the recognition of states and governments; jurisdiction over disputes with international elements; foreign sovereign immunity; various methods for international dispute resolution, especially courts and international arbitration; the role of international law in the U.S. legal system and the allocation of foreign affairs powers between the President and Congress; the roles and operations of the United Nations, the World Bank, the International Monetary Fund, and other international and regional entities, such as the European Union and the World Trade Organization; Law of the Sea; International Criminal Law; how the international system protects (or fails to protect) human rights and the environment; and the use of force against other countries, rebellions, or terrorist groups.

Learning goals for this course:

Ability to analyze and interpret treaties, judgments and other international law instruments. Awareness of relationship between international and domestic law, how international law is made and applied, how domestic legal systems differ in their approach to international law.

Mutually Excluded Courses: Students may not receive credit for both this course and the first-year elective International Law I: Introduction to International Law, or the LL.M. course International Law Essentials: The U.S. Perspective.

LAW 235 v08 International Law I: Introduction to International Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20235%20v08>)

J.D. Course | 3 credit hours

This introductory course deals with the nature, sources and operation of "public international law," with some of the most important contemporary challenges to the international legal system, and with the international community's evolving responses to those challenges. It includes such topics as the law governing treaties and other international agreements; the recognition of states and governments; methods for international dispute resolution including litigation in the International Court of Justice; the United Nations and other international and regional entities; international human rights and international criminal law; law of the sea and international environmental law; and the rules governing the use of force. Some attention is also given to the role of international law in the U.S. legal system; questions of jurisdiction, foreign sovereign immunity and the act of state doctrine; and the allocation of foreign affairs powers between the President, the Congress, and the Judiciary. We will discuss a few of the most pressing illustrations of the operation – or shortcomings – of the international legal system in the context of current problems or crises. As a first-year elective, this course is intended to offer a contrast or a complement to the bulk of the first year curriculum, by exposing students to the substance and style of foreign and international law materials, institutions, and dispute-resolution mechanisms, and to provide a gateway to Georgetown's rich international law upper class course offerings.

Mutually Excluded Courses: Students may not receive credit for this course and the upperclass course by the same title, or the LL.M. course International Law Essentials: The U.S. Perspective.

Note: This course is a first-year elective. First-year day students select an elective offered in the spring.

LAW 235 v16 International Law I: Introduction to International Law

(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20235%20v16>)

J.D. Course (cross-listed) | 3 credit hours

This course deals with the nature and sources of international law and major developments in the international legal system, including the interaction of international law and municipal (domestic) legal systems. It considers such topics as treaties, executive agreements, and customary international law; the recognition of states and governments; jurisdiction over disputes with international elements; foreign sovereign immunity; various methods for international dispute resolution, including courts and international arbitration; the role of international law in the U.S. legal system and the allocation of foreign affairs powers between the President and Congress; the roles and operations of the United Nations and other international entities; how the international system protects (or fails to protect) human rights and the environment; and the use of force against other countries, rebellions, or terrorist groups.

Learning Objectives:

This course will expose you to a different legal system – the regime of contemporary public international law governing the conduct of states and international organizations – as well as the way that legal regime is incorporated in the law of the United States. It also serves as a general precursor to other international law courses in the Georgetown Law curriculum.

Mutually Excluded Courses: Students may not receive credit for both this course and the first-year elective International Law I: Introduction to International Law, or the LL.M. course International Law Essentials: The U.S. Perspective.

LAW 235 v17 International Law I: Introduction to International Law

(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20235%20v17>)

LL.M Course (cross-listed) | 3 credit hours

This course is a broad introduction to public international law. Students will consider the nature of international law as law, sources of international law including customary international law, and the role of national and international tribunals in international dispute resolution. The course will also cover topics including the fundamentals of treaty law, statehood, recognition of states and governments, jurisdiction and immunity, state responsibility, international humanitarian law, international human rights law, international environmental law, the law of the sea, and international commercial disputes. The course will touch on other relevant topics as time permits.

Mutually Excluded Courses: Students may not receive credit for both this course and the first-year elective International Law I: Introduction to International Law, or the LL.M. course International Law Essentials: The U.S. Perspective.

LAW 235 v18 International Law I: Introduction to International Law

(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20235%20v18>)

J.D. Course | 3 credit hours

This course provides a broad introduction to the nature, sources and operation of international law. The aim is to provide you with a solid understanding of the basic principles, instruments and institutions of “public international law,” both as a framework for further study and for dealing with the international legal issues you are likely to encounter in practice.

Accordingly, we will survey the law governing treaties and other international agreements, the nature and content of customary international law, the recognition of states and governments, the role and operation of international and regional organizations such as the United Nations and the OAS, issues of state responsibility, international human rights, the law of the sea and outer space, international dispute resolution mechanisms (including the role of the International Court of Justice and other courts and tribunals), and international peacekeeping and principles governing the use of force (including counter-terrorism efforts).

We will also spend some time on the role international law plays in the U.S. legal system as reflected, for example, in concepts of (and restrictions on) civil and criminal jurisdiction, diplomatic and foreign sovereign immunity, and enforcement of foreign judgments.

Without any question, developments during the summer will give us ample opportunity to discuss a number of “hot topics” as they arise (in such areas as international refugee law, rules on the use of force, responding to acts of terrorism, trade relations, cyber warfare, environmental law, cyber-crime, trafficking in drugs and persons, trans-border corruption, UN actions and sanctions, Brexit, etc.).

The course is appropriate for both J.D. and graduate students, both beginners who have never studied international law as well as those who have some prior exposure or experience. We welcome students who received their initial legal training in other countries.

It is important to attend all class sessions, especially the first class session where we will give an overview of the course and explain our expectations for attendance and performance.

Mutually Excluded Courses: Students may not receive credit for both this course and the LL.M. course International Law Essentials: The U.S. Perspective.

LAW 1010 v00 International Law in Domestic Courts Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201010%20v00>)

J.D. Seminar (cross-listed) | 2-3 credit hours

How does international law apply in domestic legal systems? When are treaties and customary international law binding in national courts? What are the rules and mechanisms of “incorporation”? Do judges have a responsibility to follow generally accepted rules of international law? This seminar offers students an opportunity to research, write and make presentations about specific issues related to the status of international law in domestic legal systems. The primary focus will be on the U.S. system, but a comparative approach is included and students are encouraged to investigate the treatment of international law in foreign legal systems that directly incorporate customary international law as well as those where international legal rules always require legislative enactment.

These issues arise in varying contexts, from human rights litigation under the Alien Tort Statute to habeas proceedings concerning GTMO detainees, from compliance with ICJ decisions to displacement of state law under ratified treaties and executive agreements, from the impact of rulings by the International Criminal Court to questions of sovereign immunity and Acts of State, from using international law to interpret domestic statutes to the proof of foreign law in civil and commercial cases. More broadly, we will be exploring whether domestic courts can or should act as enforcers of international law, whether domestic courts should be considered part of an emergent “global judiciary,” the importance of transnational cooperation between courts, etc.

This course is open to J.D. and LL.M. students and requires a paper and an oral presentation.

Learning goals for this course:

Ability to research, use, and write about topics at the intersections of international and domestic law; awareness of how different legal systems deal with relevant topics; ability to present orally and in writing.

Recommended: International Law I.

Note: J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the J.D. Upperclass Legal Writing Requirement. The paper requirements of the two-credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.

LAW 1231 v00 International Law Seminar: Poverty Reduction and Accountability (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201231%20v00>)

J.D. Seminar (cross-listed) | 2 credit hours

This seminar examines efforts to reduce poverty in countries and problems of accountability in doing so, whether in international institutions, national institutions, or the private sector. Considers various approaches to accountability. Covers issues of compliance, good governance, human rights, corruption, environmental sustainability, and experience with various accountability mechanisms in international institutions. Includes two simulations in which students must address accountability issues.

Learning goals for this course: To understand the difficulties of reducing poverty within countries and the legal issues associated with bringing accountability to doing so. Students should be able to develop insights that can be applied in both the public and private sectors.

Recommended: A basic course in public international law.

LAW 1024 v00 International Law Seminar: Water Resources (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201024%20v00>)

J.D. Seminar (cross-listed) | 2 credit hours

Fresh water resources are predicted to become increasingly scarce in some regions and a source of conflict. This seminar covers a broad range of issues in international water law, including surface and ground water allocation, water quality, water agreements and river basin institutions, human right to water, water markets, demand management, and links with international economic law. Water is viewed both as a source of conflict and as an opportunity for cooperation. Includes a simulated negotiation for an international river or transboundary aquifer problem, and a simulated dispute settlement. Draws upon domestic water laws in understanding international water law.

Learning goals for this course: To understand legal aspects of water resource issues and the basic hydrology underlying the issues; to be able to identify the interests of different countries and other actors in an international negotiation over a water issue and to fashion solutions by thinking out of the box; to understand water litigation and the needs of judges/arbitrators in dealing with water resource issues.

Recommended: A basic course in public international law is helpful.

LAW 761 v03 International Law, Human Rights & Fighting Impunity

(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20761%20v03>)

LL.M Seminar (cross-listed) | 1 credit hour

This course will explore the global fight against impunity – specifically, as it pertains to curbing war crimes, human rights violations, grand corruption and looted antiquities – through class discussions, lectures and guest speakers with personal experience in fighting the impunity that is so often associated with war crimes and economic crimes. It is based on the premise that those that are willing to slaughter thousands of innocents, are also willing to steal millions of dollars and loot our collective cultural heritage – and that the fight against impunity includes both war crimes and economic crimes (and often, the international trend to focus on the former, ignores the domestic interest in prosecuting the latter). Over the semester, students in a seminar-size class will be exposed to the basics of international criminal law, international human rights law and international economic crimes, as well how the fight against impunity impacts national security and foreign policy issues. The class will focus on issues related to war crimes, crimes against humanity, and genocide, as well as the recent global efforts to fight grand corruption and recover looted assets and antiquities, including UN Convention Against Corruption and the new UN-World Bank Stolen Asset Recovery (StAR) Initiative. Students will be allowed to write a paper of their choice regarding international law and the fight against impunity. Class grades will be a combination between class participation (40%) and a seminar paper (60%). Required readings (cases, statutes, articles, book excerpts, on-line treaties, etc.) will be illuminated by lecture and discussion from a professor with first-hand experience in the global fight against impunity through his personal experience with the Slobodan Milosevic, Saddam Hussein and Omar al-Bashir matters, as well his background with the UN war crimes tribunal, the White House, the Pentagon, and the World Bank's StAR Initiative, and helping recover stolen assets on behalf of various governments. In order to take advantage of Georgetown's unique position in the intersection of law, politics, and international affairs, the course will feature high-profile guest speakers who will highlight their own personal efforts to fight impunity and how such international efforts impact national security and foreign policy matters.

Prerequisite: International Law I or equivalent.

Note: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal.

LAW 1639 v00 International Litigation in Europe: Key EU Regulations

(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201639%20v00>)

J.D. Course (cross-listed) | 1 credit hour

The course will survey key aspects of European Union Law relating to transnational litigation in Europe such as jurisdiction, the coordination of parallel proceedings, and the recognition and enforcement of foreign judgments in international cases in Europe. It will mainly focus on the EU-Brussels I-bis Regulation, which provides for harmonized rules on these issues. The course will provide students with the necessary skills to develop a procedural strategy as claimant or defendant in a cross-border dispute involving European parties.

Special emphasis will be placed on the relevance of these issues from the perspective of non-EU (e.g., U.S.) parties. A comparative approach involving U.S. law will be taken when useful to promote a better understanding of the relevant EU regulatory provisions.

Note: WEEK ONE COURSE. This seminar will meet for one week only, on the following days: Monday, January 11, 2021, through Thursday, January 14, 2021, 9:00 a.m. - 12:20 p.m. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

LAW 076 v00 International Migration and Development (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20076%20v00>)

J.D. Seminar (cross-listed) | 3 credit hours

This course is for students who are interested in acquiring a broader knowledge and a better understanding of research related to international migration and development. Topics covered include: past, present and anticipated future trends in international migration, including the various factors (e.g., economic, social, political) that influence population movements; elements of the normative and legal frameworks upon which migration policies may be based; relationships between international migration and economic development, economic growth and economic competitiveness, poverty alleviation, social networks and social support systems, national and international security, transnational organized crime, and human rights, among other issues; and institutional arrangements that enhance international cooperation to promote safe and orderly migration.

Learning Objectives:

This course offers an overview of the theoretical debates in the field of international migration and the empirical data upon which these debates hinge. Upon completion of this course, students should be able to:

1. Describe recent trends in migration at national, regional and global levels;
2. Compare theories of international migration from different disciplinary perspectives and different units of analysis (e.g., individual, household, national, global), identifying the advantages and disadvantages of each;
3. Analyze the usefulness of current international legal frameworks in defining the rights of migrants and states' responsibilities to protect those rights;
4. Assess the economic and social impacts of migration on both origin and host societies;
5. Understand and analyze the concept of "brain drain" in describing high-skilled migration;
6. Understand and analyze the concept of "social remittances";
7. Compare processes of immigrant integration;
8. Understand the ways in which smuggling and trafficking undermine international migration;
9. Understand the ways in which climate change and development projects contribute to migration; and
10. Understand the various mechanisms for managing international migration.

Students should also be able to:

1. Demonstrate critical thinking, research and writing skills;
2. Evaluate empirical evidence; and
3. Articulate and defend findings (real or proposed) from their research papers

Note: Priority is given to students fulfilling the requirements of the Certificate in Refugees and Humanitarian Emergencies and to students enrolled in the Certificate Program in International Human Rights Law.

See the schedule of courses on the Main Campus Registrar's website (<http://registrar.georgetown.edu>) for room assignments. Law Center students may register only through the Law Center's registration system. This seminar requires a paper. J.D. students must register for the 3 credit WR section of the seminar (LAWJ-076-09) if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement.

LAW 1415 v00 International Migration, Mobility and Human Rights Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201415%20v00>)

J.D. Seminar (cross-listed) | 2 credit hours

Since time immemorial, migrations have shaped human communities. Migration is in the DNA of Humankind and our history as an animal species is that of a continuous migration towards resources. Migration is a constant of civilisation, and borders, as a very recent concept, are over the long run an ineffective barrier to migration.

During the last centuries, migrations increased considerably, in both distance and numbers. Continents have been populated by external migration, to the detriment of indigenous peoples who had themselves earlier come from somewhere else.

In the past fifty years, this movement has accelerated, due to the democratisation of means of communication and mass transport. States nowadays wish for an immigration that can contribute to economic growth, but fear that migration might increase the poorer part of their population, destabilize ecosystems and multiply political conflicts.

States in the "New World" have adopted broad immigration policies, selecting "the best and the brightest". Source countries are thus losing a good portion of their human capital, a loss which is only partly compensated by the remittances that many migrants send back home.

The European Union has adopted a policy of free movement of capital, goods, services and persons within its common territory, therefore completing an integrated common market. This principle is not applicable to non-European citizens and "Fortress Europe" certainly seems well established, as exemplified by the present "migrant crisis" in Europe.

The 20th century has been that of the refugees. Communism, totalitarianism, decolonisation, cold-war-based conflicts, post-Cold-War ethnic conflicts have all taken their toll on human populations, forcing millions to flee. The legal concept of "refugee" has emerged and a status defined, now monitored by the United Nations High Commissioner for Refugees. A common doctrine of universal human rights has also been developed, applying equally to migrants, despite rampant discrimination against them.

The 21st century will be that of human mobility. Migration happens, whether we want it or not. Push factors (violence and poverty) and pull factors (stability, prosperity, as well as official or unacknowledged labour markets) are at work and borders remain porous, especially democratic ones.

Through permanent or temporary labour migration programmes, highly-qualified migration mechanisms, regional agreements establishing an area of free movement of persons, mobility provisions in free-trade agreements, the inception of a global migration governance regime can be delineated.

Unfortunately, the human rights of migrants are not often a priority, as vulnerable migrants cannot vote, rarely protest and mobilise little, for fear of detection, detention and deportation.

This seminar will examine many aspects of migration and mobility policies as they relate to international human rights law.

Note: This course will meet on the following Mondays and Wednesdays, 9:00 am - 11:00 am: 8/29, 8/31, 9/12, 9/14, 9/26, 9/28, 10/11 (Monday classes meet), 10/12, 10/17, 10/19, 11/28 and 11/30.

LAW 3029 v00 International Negotiations (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203029%20v00>)

LL.M Seminar (cross-listed) | 2 credit hours

The International Negotiation course will focus on the methods and objectives for successfully engaging in international negotiations. This course will include in-depth reviews and class discussions of negotiations conducted by governments, the private sector, non-governmental organizations, as well as international institutions. The course will provide important insight into the necessary preparations and research necessary to conduct international negotiations as well as a better understanding of the complexities and nuance of actual negotiations. The course will provide students an opportunity to review and dissect previous negotiations and prepare and conduct negotiations based on their understanding of what works and what does not. Discussions will focus on the most important aspects of negotiations – mutual understanding of the expected outcome, in-depth review of the expected positions of the parties, how to accurately understand the extent of any leverage and how to assess a successful outcome. Cultural, linguistic and other possible impediments to a successful negotiation will also be explored to provide students a full understanding of all that goes in to a successful negotiation.

Recommended: Prior enrollment in International Law, Conflicts

Strongly Recommended: Legal writing

LAW 3106 v00 International Negotiations II (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203106%20v00>)

LL.M Seminar (cross-listed) | 2 credit hours

This simulation course is designed for students who have taken an International Negotiations course and want to further develop the skills introduced in that course. Specifically, in this smaller class environment, students will obtain real world, international negotiating experience based on actual negotiations and international issues. Students will face the same situations experienced negotiators face in the international context and the course will provide students with opportunities for one-on-one interaction with international negotiators during their negotiation simulations.

Through this course, students will:

- Develop and sharpen legal and negotiating skills in the international context by simulating real world negotiations in a real-world setting.
- Gain knowledge in how to prepare, strategize, and conduct a negotiation in the international context. This includes legal, historical, political, diplomatic, and other research necessary to prepare for an international negotiation.
- Come to understand and be able to use an organized theoretical framework in which to analyze the problems of international negotiations.
- Engage in effective problem-solving with respect to the simulated exercises, whether alone or in teams.
- Identify and appreciate ethical considerations related to international negotiations and the importance of credibility, authenticity, and honesty.
- Demonstrate professionalism in interactions with classmates and professors.
- Engage in self-reflection and peer critique, including applying lessons learned in exercises to future performances, and providing constructive criticism to classmates.

Prerequisite: International Negotiations, International Negotiations Seminar

Note: For students who have completed International Negotiations Seminar with Timothy Harr (LAWJ-240-05), please contact LLMAS@georgetown.edu to have a prerequisite waiver posted on your account.

Recommended: International Business Negotiations and International Law

Note: MANDATORY FIRST CLASS ATTENDANCE. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class.

LAW 240 v00 International Negotiations Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20240%20v00>)

J.D. Seminar (cross-listed) | 2 credit hours

This seminar seeks to develop skills and knowledge to participate in negotiations and in particular international business negotiations. Approximately a third of course time is devoted to the negotiating process and analysis of negotiation principles and dynamics. Another third is spent on the cultural, practical, legal and strategic elements of international business transactions. The balance is spent on a series of "mock" negotiations. Students, individually and in groups, experiment with different negotiating techniques and fact situations of increasing complexity. The course requirement is principally satisfied through preparation of a comprehensive negotiated agreement and follow-up memorandum. Heavy emphasis is placed on class participation, including the negotiations. The final negotiating problem requires substantial team work with others, including strategy, analysis, and preparation. Negotiations are carried on both inside and outside normal class time.

Recommended: Contracts.

Mutually Excluded Courses: Students may not receive credit for this course and the International Negotiations Seminar in the graduate program (LAWJ/G-958) or International Business Negotiations.

Note: FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist.

Students may not withdraw from this class after the add/drop period ends without the permission of the professor.

LAW 958 v00 International Negotiations Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20958%20v00>)

LL.M Seminar (cross-listed) | 2 credit hours

After introductory lectures on negotiation theory and practice, the seminar students will be divided into teams for a series of simulated negotiations covering government-to-government, government-private and transnational private negotiations. Student performance in these negotiations and class discussions will comprise most of the course grade; no research paper or examination is required.

Mutually Excluded Courses: Students may receive credit for this course and International Business Negotiations. Students may NOT receive credit for both this course and the J.D. course, International Negotiations Seminar.

Note: FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist.

LAW 2021 v00 International Oil & Gas Industry: Legal and Policy Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202021%20v00>)

LL.M Seminar (cross-listed) | 1 credit hour

The scramble to secure steady supplies of inexpensive energy to generate electricity and to power industry and transport has defined much of the twentieth and, thus far, twenty-first centuries. Climate change and renewable energy (appropriately) dominate the discussion today, particularly in the developed world, but, absent a major unforeseen technological breakthrough, non-renewable sources such as oil and natural gas are still expected to meet the majority of the world's energy needs for decades to come (according to the US Energy Information Administration, 82% of energy consumed worldwide will still come from non-renewable sources in 2050).

The oil and gas industry lies at the intersection of global business, international law, geopolitics, the environment and particularly in the developing world, economic development. This seminar will address the international legal norms and public policy principles that have shaped, and continue to guide, this industry. It is designed for students interested in careers in energy, energy policy, project finance, international arbitration, environmental regulation or development – whether for a law firm, energy company, NGO, international organization or government – as well as students simply interested to learn more about an industry that impacts our daily lives in countless ways.

Note: FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist.

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. Note: This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

LAW 928 v01 International Project Finance (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20928%20v01>)

LL.M Course (cross-listed) | 2 credit hours

This course provides a detailed overview and analysis of the technique of project financing in an international environment (particularly in emerging markets). The focus is on the perspectives of the various parties to the project, including output purchasers, providers of goods and services, equity holders, and especially commercial banks, international financial institutions and other lenders. The aspects peculiar to infrastructure projects in specific industries (such as power generation, ports, toll roads, etc.) are also considered.

Learning objectives:

Achieve competency in understanding and analyzing international project finance transactions, from the perspective of the various parties to the project, including:

- Identify, understand and analyze project risks during development, construction and operational phases;
- Analyze transaction structuring and identify contractual and non-contractual risk mitigation and shifting methods for project parties;
- Apply basic finance and legal principles with respect to practical and contractual remedies, as well as dispute resolution mechanisms; and
- Consider specific case studies, as well as sample transaction documents, to better understand the issues that arise in a typical international project financing.

Recommended: Contracts; Accounting Concepts for Lawyers; Conflict of Laws: Choice of Law (or the equivalent Conflict of Laws: Choice of Law (International Focus)); Corporate Finance; Corporations.

Mutually Excluded Courses: Students may receive credit for only one of the following courses: Developing and Financing Infrastructure Projects; International Project Finance and Investment; International Project Finance & Development: Case Studies; Project Development and Finance or Transacting International Finance.

LAW 928 v03 International Project Finance (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20928%20v03>)

LL.M Course | 3 credit hours

This course examines legal, business and policy issues that arise in international project financings, particularly in emerging markets, and analyzes how such transactions are structured and negotiated and related risks are allocated. We consider the typical roles played by parties to such transactions (equity sponsors, lenders, customers, suppliers and host governments), interests associated with such roles, and how competing interests tend to be reconciled. We will focus on how negotiated arrangements are embodied in and supported by typical transaction documentation such as project documents, financing documents and legal opinions. Coverage will include illustrative local law and political risk issues. Selected international investment transactions, both actual and hypothetical, will be used to illustrate recurring themes.

Course requirements include participation in a simulated international project loan negotiation with outside experts serving as clients.

Recommended: International Business Transactions; Conflict of Laws: Choice of Law; Secured Transactions; Corporate Finance.

Mutually Excluded Courses: Students may receive credit for only one of the following courses: Developing & Financing Infrastructure Projects; Infrastructure Projects in Developing and Transition Countries; International Project Finance; International Project Finance and Investment; International Project Finance & Development: Case Studies; Project Development and Finance or Transacting International Finance.

Note: This course has an additional MANDATORY session on Saturday, April 10, 2021, 8:30 a.m. to 12:45 p.m. Location to be announced at the start of the semester.

LAW 928 v02 International Project Finance and Investment (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20928%20v02>)

LL.M Seminar (cross-listed) | 2 credit hours

Examines legal and financial aspects of foreign investment projects, especially in developing countries, from the perspective of the investor, lender and the host country. Legal issues related to the structuring of the foreign investment, the arrangement of the private and public financing, and the construction of a project are considered. A significant amount of time will be devoted to analysis of typical international project finance documentation, but the international and host country legal issues applicable to foreign investment, support from national and multinational agencies, noncommercial risk analysis and dispute resolution will also be considered and discussed.

Prerequisite: A course in International Business Transactions, or background in international business or financial transactions.

Mutually Excluded Courses: Students may receive credit for only one of the following courses: Developing Infrastructure Projects, Infrastructure Projects in Developing and Transition Countries; International Project Finance; International Project Finance & Development: Case Studies; Project Development and Finance or Transacting International Finance.

LAW 820 v01 International Protection of Intellectual Property Through the WTO (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20820%20v01>)

LL.M Course | 2 credit hours

This course deals with international protection of intellectual property through the World Trade Organization (WTO) and the WTO agreements which cover intellectual property: the TRIPS Agreement, The Paris Convention and the Berne Convention. The course will also cover the General Agreement on Tariffs and Trade (GATT) and the Dispute Settlement Understanding, which are essential in enforcing these agreements.

The course examines in detail the relevant U.S. law and how the extraterritorial application of these laws effects international enforcement of intellectual property. These laws are Section 337 of the Tariff Act of 1930 which prohibits the importation of articles into the United States which infringe U.S. patents, trademarks, or copyrights, and Section 301 of the Trade Act of 1974 which allows retaliation against foreign countries which impose unjustifiable or unreasonable restrictions against U.S. commerce.

The main WTO cases in intellectual property will be read and analyzed. These will include the cases on Sections 337 and 301, which have limited the United States' ability to unilaterally affect intellectual property law. Other cases will include the U.S. – Cuba Havana Club case, the Indian Pharmaceutical case, the Internet Gaming case, the U.S. Musical Copyright case, the European Geographical Indication (GI) case, the Canada Pharmaceutical patent case, and the China Intellectual Property Violation case. The course will study the Doha Agreement, which allows the compulsory licensing of pharmaceutical patents to fight pandemic diseases particularly HIV/AIDS. Finally, the course will review any significant changes in trade law or existing trade agreements, particularly as relates to intellectual property, that may occur under the Trump administration

Mutually Excluded Courses: Students may not receive credit for both this course and Intellectual Property in World Trade (LAWG/J-226).

LAW 509 v01 International Tax (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20509%20v01>)

J.D. Course (cross-listed) | 3 credit hours

This course is an introduction to the law and policy of U.S. taxation of U.S. and foreign persons engaged in cross-border activities. The course will address both how individual and corporate foreign taxpayers are taxed by the United States, and how U.S. individual and corporate taxpayers are taxed by the United States on income earned in or from other countries. Topics will include U.S. jurisdiction to tax, allocation of income, withholding taxes, the foreign tax credit, deferral, transfer pricing, and tax treaties. The course will also consider how the U.S. rules in these areas are influenced by developments in other countries. The goal of the course is to provide an overview of the relevant law and policy considerations, with a focus on specific issues that are presently contested as a policy matter. Students should leave the course with an understanding of the basic framework for U.S. international tax law and a sense of some of the policy debates surrounding the current rules.

Prerequisite: Federal Income Taxation (formerly Taxation I).

Mutually Excluded Courses: Students may not receive credit both for this course and for U.S. International Inbound Tax (formerly: U.S. Taxation of Foreign Persons in the United States); or U.S. International Outbound Tax (formerly: U.S. Taxation of Domestic Persons with Activities Outside of the U.S.); or U.S. Taxation of International Transactions.

Note: Required for foreign-trained Tax LL.M. students pursuing the Certificate in International Taxation.

To make up for the cancelled classes, this course will meet some weeks for 2 hours.

LAW 509 v02 International Tax (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20509%20v02>)

LL.M Course (cross-listed) | 3 credit hours

This course is an introduction to the law and policy of U.S. taxation of U.S. and foreign persons engaged in cross-border activities. The course will address both how individual and corporate foreign taxpayers are taxed by the United States, and how U.S. individual and corporate taxpayers are taxed by the United States on income earned in or from other countries. Topics will include U.S. jurisdiction to tax, allocation of income, withholding taxes, the foreign tax credit, deferral, transfer pricing, and tax treaties. The course will also consider how the U.S. rules in these areas are influenced by developments in other countries. The goal of the course is to provide an overview of the relevant law and policy considerations, with a focus on specific issues that are presently contested as a policy matter. Students should leave the course with an understanding of the basic framework for U.S. international tax law and a sense of some of the policy debates surrounding the current rules.

Prerequisite: Federal Income Taxation (formerly Taxation I).

Mutually Excluded Courses: Students may not receive credit both for this course and for U.S. International Inbound Tax (formerly: U.S. Taxation of Foreign Persons in the United States); or U.S. International Outbound Tax (formerly: U.S. Taxation of Domestic Persons with Activities Outside of the U.S.); or U.S. Taxation of International Transactions.

Note: Required for foreign-trained Tax LL.M. students pursuing the Certificate in International Taxation.

LAW 798 v00 International Telecommunications Policy and Regulation
(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20798%20v00>)

LL.M Course | 2 credit hours

This seminar addresses global information and communications technology (ICT) regulation and policy. In particular, it offers a multi-faceted view of the legal, economic, policy and technological underpinnings of global ICT. We will examine 1) key national and regional approaches to ICT; 2) the roles of key intergovernmental institutions and regional organizations (e.g., the International Telecommunications Union, Internet Governance Forum, the World Trade Organization) in shaping and promoting regulatory policies; 3) the key issues posed by emerging technologies, such as unmanned aerial vehicles; and 4) the challenges posed by new methods of content delivery, such as video streaming and other internet-based services. This seminar will also examine key nations' domestic law, regulations, and policies governing international telecom services, wireless and satellite services, and spectrum management, including the cross-sectoral challenges arising in access to this scarce resource. Specific focus is on the challenges that increased global access to content and new technologies present to established international regulatory approaches and the national regulators. Grading shall be based on the exam and student participation in class discussion throughout the semester; optional class presentations will also be taken into account.

Recommended: International Law I: Introduction to International Law (or the equivalent, International Law I).

Note: Students may not withdraw from this class after the add/drop period ends without the permission of the professor.

LAW 244 v01 International Trade (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20244%20v01>)

J.D. Course (cross-listed) | 3 credit hours

This three-credit survey course is designed to introduce students to the legal system governing international economic transactions and international economic relations, with a focus on the World Trade Organization (WTO) and its constituent treaty instruments. The primary objective of the course is to give the student an in-depth overview of the world trading system and some exposure to its particular details. The course will cover the basic principles and mechanisms of international trade law, including most-favored-nation (MFN) and national treatment, and relevant law in different substantive areas, including tariffs, quotas, services, intellectual property, trade remedies, and standards. We will also examine the issue of development in the WTO and trade treaties and whether treaty obligations constrain countries' policy autonomy and hinder their ability to pursue successful development strategies, as well as the tensions between trade liberalization and other values, such as those concerning the environment, health and safety, workers' welfare, and human rights.

The course will also cover current trends and issues in international trade law. The Uruguay Round established the WTO in 1994 as the premiere forum for negotiating multilateral trade agreements and adjudicating international trade disputes; however, the negotiation and adjudication functions of the WTO currently face significant challenges.

Globally, more than 300 regional or bilateral trade agreements have been negotiated, including the recent United States-Mexico-Canada Agreement (USMCA) and Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), with implications for both individual countries and the global trading system overall. The course will include current developments at the WTO, bilateral and regional trade agreements (including U.S.-Europe and U.S.-Kenya negotiations and trade models in other parts of the world like China's Belt and Road Initiative and the African Continental Free Trade Area), Brexit, and U.S. "trade wars" pursued on national security grounds.

Mutually Excluded Courses: Students may not receive credit for both this course and International Trade and the WTO or International Trade Law or World Trade Organization: Law, Policy and Dispute Settlement; or the graduate course, International Trade Law and Regulation.

LAW 691 v00 International Trade and Health (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20691%20v00>)

LL.M Seminar (cross-listed) | 2 credit hours

The objective of this 2 credit seminar is to introduce students to the relationship between international laws governing trade and efforts to protect and promote human health. The course will focus on the impact of the law of the World Trade Organization (WTO) on domestic health measures as well as on international efforts carried out under the auspices of the World Health Organization. Students will learn, and be asked to think critically about, how the international trade regime affects national regulation in the interests of human health.

The course will address the following subject matter:

1. Introduction to 'trade and health': issues and underlying theories.
2. The prohibitions and exceptions of the General Agreement on Tariffs and Trade in a health context.
3. Risk regulation, the precautionary principle and sanitary measures (such as import safety measures).
4. International standards and technical barriers to trade, such as labeling measures.
5. Trade in health services, health worker migration and the General Agreement on Trade in Services.
6. Access to essential medicines under the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPs) and TRIPs plus agreements.
7. The fragmentation of international law: cross-fertilization between international trade law and global health law.
8. Policy coherence, legitimacy and participatory governance at the WTO.

Note: A student will be permitted to drop a course that meets for the first time after the add/drop period, without a transcript notation, if a student submits a written request to the Office of the Registrar prior to the start of the second class meeting. Withdrawals are permitted up until the last class for this specific course.

LAW 673 v01 International Trade and Investment Litigation and Strategy (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20673%20v01>)

LL.M Seminar (cross-listed) | 2 credit hours

This course will teach students the practical aspects involved in litigation of international trade and investment disputes. Its goal is to prepare students entering either private practice or government service to handle complex litigation in those fields. The course will provide a comparative analysis of the dispute settlement mechanism of the World Trade Organization (WTO) and Investor-State arbitration. While it will focus on procedural issues and case management, the first sessions will provide an overview of the legal framework of the multilateral trading system and investment treaty law. It will identify and analyze each phase of the proceedings of WTO disputes (under the Dispute Settlement Understanding) and of investor-State arbitrations (mainly under the arbitration rules of the International Centre for Settlement of Investment Disputes and Chapter Eleven of the North American Free Trade Agreement). Some of the topics that will be covered include: pre-trial preparation, formal initiation of a dispute, constitution of panels and tribunals, discretionary procedural issues, evidentiary issues, jurisdictional and other preliminary objections, written pleadings, conduct of hearings, use of witnesses and experts, awards and rulings, recourses, implementation and enforcement, and in general case management. The analysis and discussions in class will be based on treaty text, jurisprudence and the practical, hands-on experience of the professors. Guest-speakers – including practitioners, government officials, or staff from relevant international organizations – will be invited to a few sessions. Students will be expected to participate in class discussions and in simulations.

Recommended: Basic courses in public international law and international trade.

LAW 244 v02 International Trade Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20244%20v02>)

J.D. Course (cross-listed) | 3 credit hours

In 1995, the World Trade Organization (WTO) was established as a result of the Uruguay Round Trade Negotiations (1986-94). The international trade rules that came into force as a result provide the legal framework for much of international economic relations. This legal framework is analyzed in this course, focusing on the impact of trade agreements, especially the Uruguay Round Agreements, in national legal systems, particularly that of the United States. The course is focused on public international trade law, that is, the trade rules applicable between countries, rather than private international law or commercial contracts between private economic operators, and how that public international law came into being and has been interpreted and applied. The course examines the WTO as an institution and as the base system of rules governing international trade. It will examine in some detail each of the key legal principles and how they operate at both the national and international level, dealing with subjects such as tariffs and tariff negotiations, quotas, most favored nation clauses, regional trading blocs and preferential trade agreements (such as NAFTA, TPP, TTIP, and others), national treatment clauses and exceptions for environmental and other policies, safeguards and adjustment assistance, dumping, anti-dumping duties, export subsidies, countervailing duties, international rules on patents and copyrights, trade in services (such as banking and tourism), technical barriers to trade, rules on plant and food safety, and other topics. The WTO, with its proven and sophisticated dispute settlement system, now has extensive jurisprudence in most of the areas of law covered by the WTO Agreements. This course will also explore this jurisprudence, the public international law behind it, and implications of it for national governments as well as private actors.

The goal of the course is to give a rounded and in depth understanding of the international trade law system and of the interplay between national and international rules as they affect government actions that influence private international transactions.

Mutually Excluded Courses: Students may not receive credit for both this course and International Economic Law or International Law II or International Trade and the WTO or International Trade Law or World Trade Organization: Law, Policy and Dispute Settlement; or the graduate course, International Trade Law and Regulation.

LAW 244 v05 International Trade Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20244%20v05>)

J.D. Course (cross-listed) | 3 credit hours

Economic interdependence between countries and across production chains has grown exponentially. Yet, today, economic globalization is under attack. In this context, existing rules on international trade, and negotiating fora to potentially change those rules, are key. This course focuses on the rules and institutions established under the World Trade Organization (WTO) as well as selected regional trade agreements. What are the benefits and risks of trade liberalization from legal, economic and political perspectives? How can trade liberalization go hand in hand with pursuing public policy goals such as protecting the environment or labour standards ("non-trade concerns"), job creation or promoting the economic development of poor countries? The course will offer an in-depth, practical knowledge of substantive WTO law drawing heavily on case law from dispute settlement practice. It will address the basic principles of trade in goods and trade in services as well as more specific WTO agreements on, for example, health measures, subsidies, trade remedies and intellectual property rights. The course will also focus on the unique WTO mechanism for the settlement of trade disputes, and especially on how it balances trade liberalization with non-trade concerns as well as how it copes with increasing trade tensions between OECD countries and emerging economies like Brazil, China, India and Russia.

Mutually Excluded Courses: Students may not receive credit for both this course and International Trade and the WTO or World Trade Organization: Law, Policy and Dispute Settlement; or the graduate course, International Trade Law and Regulation.

Note: There are no prerequisites for this course.

LAW 966 v01 International Trade Law & Regulation (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20966%20v01>)

LL.M Course (cross-listed) | 2-3 credit hours

Examines international trade laws and regulations and World Trade Organization agreements affecting international trade, and the relationship of the General Agreement on Tariffs and Trade 1994 and other international agreements to U.S. law and practice. Considers, in detail, the U.S. antidumping, countervailing duty, safeguards (Section 201) laws and regulations and the WTO agreements that establish multinational standards applicable to the use of those remedies. Examines the WTO agreements on services, intellectual property, and technical barriers to trade. Examines the statutory remedies, particularly Section 301, that are available to address foreign restrictions on U.S. exports of goods, capital, services, and intellectual property. Analyzes the U.S.-China "trade war" and resulting tariffs and agreements. Evaluates the role of Congress, the U.S. Trade Representative, and other U.S. agencies in setting trade policy and overseeing administration of the trade laws. Analyzes the WTO procedures for dispute resolution and key WTO panel and Appellate Body decisions. Reviews free trade agreements, including the U.S.-Mexico-Canada Agreement, as well as bilateral investment treaties. The course includes a weekly discussion of current events affecting international trade law and regulation.

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. course, International Trade or World Trade Organization: Law, Policy and Dispute Settlement.

Note: The 3-credit section of this course meets the "Category 1" requirement for the WTO certificate program.

The two-credit class requires a final exam; the three-credit class requires a paper. J.D. students must register for the three-credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement for JD students. The paper requirements of the two-credit section will not fulfill the Upperclass Legal Writing Requirement for JD students.

LAW 1413 v00 International Trade Liberalization: NAFTA, TPP and Other Regional Trade Agreements (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201413%20v00>)

J.D. Seminar (cross-listed) | 2 credit hours

This two unit seminar will address a broad range of legal and policy issues relating to regional trade agreements (customs unions and free trade areas), particularly the NAFTA and Trans-Pacific Partnership (TPP), but also others such as MERCOSUR and the ASEAN FTA. With the Doha Round of multilateral trade negotiations now defunct, the most important trade liberalization today is taking place through RTAs (sometimes called "preferential trade agreements"), which now number about 600 with dozens more under negotiation. Increasingly, international lawyers, economists and government officials must be familiar with regional trade agreement rules, such as those in NAFTA, as well as those emanating from the WTO in Geneva.

Course requirements include a term paper and participation in a mock investment arbitration.

The book for LAWJ 1413-08 and LAWG 1413-08 (International Trade Liberalization) is:

David A. Gantz, *Regional Trade Agreements: Law, Policy and Practice* (Carolina Academic Press, 2009), ISBN 978-0-521-53274-7

Prerequisite: Note: There are no prerequisites but a prior course in public international law, international trade law or international business transactions will be helpful.

LAW 898 v01 International Trade Remedies and the WTO (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20898%20v01>)

LL.M Seminar (cross-listed) | 2 credit hours

This class is an intensive workshop designed to use case studies of U.S. agency decisions and related WTO jurisprudence to: 1) develop students' substantive understanding of trade remedy law; and 2) introduce students to the policy and procedural aspects of the various phases of trade remedy disputes in the U.S. and at the international level. The class will include an examination of U.S. law and WTO agreements on antidumping measures, subsidies and countervailing measures, and safeguards. Particular attention will be focused on developing strong oral and written advocacy and presentation skills through issue spotting exercises/mock agency hearings and the final writing assignment.

Prerequisite: International Trade (3 credits), OR International Trade and the WTO, OR International Law II, OR International Economic Law, OR International Trade Law & Regulation OR World Trade Organization: Law, Policy and Dispute Settlement.

Mutually Excluded Courses: Students may not receive credit for both this course and the course WTO: Dumping, Subsidies and Safeguards.

LAW 959 v00 International Trade, Development & the Common Good
(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20959%20v00>)

LL.M Seminar (cross-listed) | 2 credit hours

This course will examine the connection between trade law and development (including international and regional trade agreements, comparative law, and diverse areas of market regulation at the national level). It will engage students in ways in which economic law can help encourage sustainable development and deliver impact. It will also assess challenges associated with regulatory capacity and the uneven implementation of laws in practice. Overall, the seminar will highlight the role of law and regulation as a driver for sustainable development and inclusive growth and link broader legal frameworks and policy debates with the needs of individuals and enterprises on the ground. Cross-cutting and inter-disciplinary approaches in the field, such as rule of law, poverty alleviation, human rights, food security, global value chains, social entrepreneurship, and gender and trade will also be discussed throughout the seminar.

The seminar will take place in three phases. In Phase I, the seminar will explore the historical and institutional relationship between trade and development, including international legal frameworks and rule of law. Phase II will cover a number of substantive aspects of economic law and development in depth, all of which impact stakeholders and communities in developing markets and hold greater potential to contribute to the common good. Specific areas of focus include investment and domestic market regulation, sector-specific regulation, non-tariff measures, regulation of services, trade facilitation, labor and environment, intellectual property rights, and digital trade.

Readings will be drawn from a variety of viewpoints and sources – law review articles, white papers, academic journals, newspapers and magazines, and excerpts from books – and will cut across trade and economic law, inclusive economic development, and business. In addition to the readings assigned for each session, optional background readings will be included for students wishing to explore a topic in greater depth (additional background reading is recommended for students who have not taken a trade law course). The readings will highlight different aspects of the legal and regulatory environment in the context of encouraging sustainable development globally and at the grassroots level. Discussion questions are included for each session, which can be used as the basis for class preparation

The course will also incorporate short, practical case studies that illustrate how different issues in trade, development, and economic regulation can be applied from the perspective of an entrepreneur, country, or community. Seminar members will be asked to assume roles in discussion of these case studies, which will count towards class participation and lay the groundwork for the final paper. Questions to guide the case study analysis will also be provided.

Note:

Only the 3-CR WR section will fulfill the WTO & International Trade Certificate List C requirement.

LAW 708 v00 International Trade, Intellectual Property Rights, & Public Health
(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20708%20v00>)

LL.M Seminar (cross-listed) | 2 credit hours

This course will cover the interface between the intellectual property rights, international trade and public health, focusing in particular on the WTO TRIPS Agreement and subsequent decisions. It will provide an introduction to the provisions of WTO agreements relevant to public health (other than TRIPS), and to the law and economics relating to IPRs and public health; it will cover the provisions of the TRIPS Agreement relevant to public health, and discuss the relevant disputes settled in the WTO. It will examine the background, content and implications of the Doha Declaration on the TRIPS Agreement and Public Health and of the subsequent TRIPS amendment implementing compulsory licensing for exports. It will also discuss the relevance of bilateral or regional free trade area agreements to the subject.

The course would study relevant national/regional implementing legislation, for example on compulsory licenses, and discuss use of the WTO export compulsory license provisions, namely the Rwanda-Canada case. In addition to the final paper, students will be graded on class participation, individual presentations and group exercises, an example of the last being a hypothetical case study of exports, with students taking up the role of legal advisors based in either the importing country or the exporting country.

Finally, the course will also cover recent work on trade, intellectual property and public health in other intergovernmental organizations, in particular in the World Health Organization.

Recommended: Coursework in International Trade, Intellectual Property Rights, or Public Health.

LAW 520 v00 International Women's Human Rights Clinic
(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20520%20v00>)

J.D. Clinic | 10 credit hours

Please see the International Women's Human Rights Clinic website (<https://www.law.georgetown.edu/experiential-learning/clinics/international-womens-human-rights-clinic>) for more detailed information about the program.

For registration-specific supplemental materials, please see the International Women's Human Rights Clinic PDF (<https://www.law.georgetown.edu/wp-content/uploads/2020/03/IWHRC-Info-Sheet-2020-Final-ACC.pdf>).

For information about clinic registration generally, please see the Clinic Registration Handbook (<https://www.law.georgetown.edu/wp-content/uploads/2020/03/FINAL-CLINIC-HANDBOOK-31-March-2020-combined.pdf>).

Mutually Excluded Courses: Students may not concurrently enroll in this clinic and an externship or a practicum course.

LAW 456 v01 International Women's Human Rights Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20456%20v01>)

LL.M Seminar (cross-listed) | 3 credit hours

This seminar will explore select international women's human rights issues and the applicable international legal framework, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW.) Guest lecturers with practical expertise in advancing women's human rights may be invited to join us throughout the semester. Each student will write a paper addressing a significant international women's human rights issue from a legal perspective, exploring state responsibility under the government's international human rights obligations, as well as domestic and international responses to the problem.

LAW 611 v11 Internet Defamation Simulation: Alternative Dispute Resolution in a Transnational Dispute (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20611%20v11>)

J.D. Seminar | 1 credit hour

This Week One simulation course is designed to introduce you to some of the issues that arise in transnational disputes and the skills employed by lawyers in representing clients in the context of an international dispute resolution proceeding. The course uses a single problem involving an article on a California news website alleging that a French plaintiff used his wine export business to launder money for organized crime figures in Russia and Italy. The French plaintiff has alleged that he was defamed by the article, and the parties, which also include a U.S.-based web hosting service, have agreed to resolve the dispute through an international arbitration proceeding.

Students will be assigned roles and will work in teams, representing one of the three parties to the dispute. They will begin the week by conducting client interviews to ascertain the facts from their client's perspective. After debriefing on the client interview process, students will prepare for a simulated international arbitration hearing in which each student will argue whether French or United States (or some other) law should govern the dispute. Upperclass teaching fellows, in the role of arbitrators for the dispute, will render a decision on the choice of law issue, and students will then prepare for and represent their clients in a mediation session to try to settle the case on the merits.

The assigned readings and classroom sessions during the week are designed to prepare students to engage in the simulated client interview, arbitration hearing, and mediation session. The materials and classes will introduce the theory and doctrine governing components of defamation law in several jurisdictions, limitations on liability for Internet Service Providers under U.S. and French law, choice of law theory and methodology, and techniques for preparing for arguments, interviewing clients, and conducting mediation sessions.

Note: FIRST-YEAR WEEK ONE COURSE: This course will meet on the following days: Monday, January 6, 2020, through Thursday, January 9, 2020. This course is mandatory pass/fail, and does NOT count against the 7-credit pass/fail limit for J.D. students.

This optional, elective course is for first-year J.D. students only, who are enrolled through a lottery process. ATTENDANCE AT ALL CLASS SESSIONS IS MANDATORY. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety. For more information, see the Week One website (<https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations>). Due to the intensive nature of the course, the small-group, team, and individual work that is involved, and the preparation that is necessary to ensure a positive student experience, students who wish to drop the course after they have accepted a seat must drop by **Monday, December 2, at 3:00 p.m.** After that point, permission to drop from the course professor and Assistant Dean for Experiential Learning is required. Students who are enrolled but do not attend the first class session will be withdrawn from the course.

LAW 2047 v00 Introduction to International Commercial Arbitration

(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202047%20v00>)

LL.M Course (cross-listed) | 3 credit hours

This course will introduce the basic concepts of international commercial arbitration from both a theoretical and practical perspective. It will provide a general overview of the subject, and subsequently focus on issues including the agreement to arbitrate, the constitution and duties of the arbitral tribunal, the conduct of the proceedings and the arbitral award. The course will refer to the ICC Rules of Arbitration in discussing many of the practical aspects of these issues.

Mutually Excluded Courses: Students may not receive credit for both this course and International Commercial Arbitration (LAWG-882 or LAWJ-882) or the J.D. seminar, International Commercial Arbitration Seminar (CTLS course).

Note: Please note, the date for the final class session will be announced at the start of the semester.

LAW 676 v00 Investor-State Dispute Resolution Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20676%20v00>)

LL.M Seminar | 3 credit hours

The subject of investor-state disputes and their resolution lies at the cutting edge of international law, and is a major factor in the development of the global economic system in years to come. Study of this form of arbitration provides insight into the evolving shape of customary international law, the conflict between capital-importing and capital-exporting states, and the status of individuals in the international legal order. This seminar will provide students with a firm grounding in the history, present practice, and future implications of arbitration between foreign investors and host states, sanctioned by multilateral and bilateral investment treaties. Topics that will be covered in this course are the history of the treatment of aliens and investments under international law; an overview of the most important international treaties that give investors a right to arbitration of claims; the most important elements of procedure that characterize investor-state arbitration, including tribunal composition, jurisdiction, evidence, award and challenge or annulment; substantive law of investment arbitration, the standards that apply when a tribunal determines whether a breach of the treaty has occurred; and the future development of investor-state arbitration including the challenges of globalization and other stresses, the clash of capital-importing and capital-exporting countries, environmental protection and free trade, restrictions on state sovereignty, the construction of an international investment jurisprudence, the limits on arbitrability, and the expansion of multilateral investment protections worldwide. Active participation in discussion of the course materials is required.

Recommended: International Commercial Arbitration

Note: For the Spring section: FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist.

Student who no longer wishes to remain enrolled will not be permitted to drop the class but may request a withdrawal BY PROFESSOR PERMISSION ONLY. This course requires a paper. J.D. Students: this will fulfill the J.D. Upperclass Legal Writing Requirement.

LAW 414 v01 Israel/Palestine Conflict: Legal Issues Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20414%20v01>)

J.D. Seminar (cross-listed) | 3 credit hours

In this class we will examine a wide variety of legal issues raised in the various stages of conflict in Israel/Palestine. These will be evenly divided between issues arising inside Israel proper and issues arising with respect to the Occupied Territories. For each issue, there will be some background readings and then presentation of opposing legal positions, often with a U.S. case to give a comparative perspective. Issues covered will involve Israeli civil and constitutional law and international law; areas will include local government, land, water, education, and taxation, as well as more familiar issues around the legality of the occupation and its military framework. Two classes will be devoted to the legal analysis of violent resistance and terrorism.

LAW 414 v02 Israel/Palestine Conflict: Legal Issues Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20414%20v02>)

LL.M Seminar (cross-listed) | 3 credit hours

In this class we will examine a wide variety of legal issues raised in the various stages of conflict in Israel/Palestine. These will be evenly divided between issues arising inside Israel proper and issues arising with respect to the Occupied Territories. For each issue, there will be some background readings and then presentation of opposing legal positions, often with a U.S. case to give a comparative perspective. Issues covered will involve Israeli civil and constitutional law and international law; areas will include local government, land, water, education, and taxation, as well as more familiar issues around the legality of the occupation and its military framework. Two classes will be devoted to the legal analysis of violent resistance and terrorism.

LAW 063 v00 Issues in Disarmament: Proliferation and Terrorism Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20063%20v00>)

J.D. Seminar (cross-listed) | 3 credit hours

This seminar addresses various issues related to the spread of advanced weapons to diverse countries and non-state actors, considering a set of problems that will raise the most difficult security concerns for the United States and the rest of the world in the post-cold-war era. In the seminar, we will explore a wide range of weapons technologies—including nuclear, chemical, biological, and conventional armaments—and the political and legal mechanisms that constrain them. The seminar will address historical allegations concerning the dissemination and use of these weapons; the rise and fall of various strategic doctrines; the bureaucratic processes of government decision making; and the evaluation of relevant ethical considerations surrounding possession and use. The bulk of the seminar will focus on contemporary legal and political issues such as ongoing treaty negotiations, export controls, verification of compliance, enforcement of treaty commitments, and the dismantling of redundant weaponry. The seminar is particularly recommended for those interested in exploring careers in public international law, but will also be relevant to others interested in the role of the lawyer in influencing United States public policy more generally. Each student will prepare a substantial original research paper and participate in small exercises designed to provide some simulated experience in characteristic legal tasks, such as drafting, analyzing, briefing, etc.

LAW 254 v02 Japan/US Comparative Legal Study (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20254%20v02>)

LL.M Seminar (cross-listed) | 1 credit hour

This course provides a comparison of aspects of the Japanese and US legal systems with the objectives of (a) providing some insight into the Japanese system, (b) demonstrating how legal concepts taken from an established legal system are "reinterpreted" when imported into a different legal system based on a different culture and history and (c) providing a basic understanding of selected Japanese legal topics. Among the substantive law areas which will be compared (after a survey of historical and societal foundations which affect the Japanese and US legal systems) are various aspects of Constitutional Law including Separation of Powers, the Legal System and the Japanese Constitutional provision Renouncing War; the differing views of dispute resolution including Litigation, mediation and other Alternative Dispute Resolution devices and their role in the legal systems of Japan and the US; discussion of the New (1998) Code of Civil Procedure and its potential effects on the future of litigation in Japan; the changing environment of the study and practice of law in Japan, including the 2001 recommendations of the Council on Judicial Reform; Equality and concepts of equal treatment opportunity; Criminal Law and Administrative Law.

Note: WEEK ONE COURSE. This seminar will meet for one week only on the following days: Monday, January 8, 2018 through Friday, January 12, 2018, 6:00 p.m. - 8:35 p.m.

This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. Attendance at all class sessions is mandatory and all enrolled students must attend the first class in order to remain enrolled. Students on the wait list must attend the first class in order to be admitted off the wait list. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar. Once the second class session begins, students may only seek a withdrawal by contacting their academic advisor in the Office of Graduate Programs. Withdrawals are permitted up until the last class for this specific course.

LAW 1334 v00 Justice and Accountability for International Atrocity Crimes: Bridging Theory and Practice Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201334%20v00>)

J.D. Seminar (cross-listed) | 3 credit hours

This seminar examines both progress and ongoing challenges in seeking meaningful justice and accountability for serious international crimes, including crimes against humanity, genocide, and war crimes. We'll begin with an overview of the challenges of effective atrocity prevention and an examination of fundamental developments over the last few decades establishing international and hybrid criminal tribunals and other mechanisms of transitional justice, including truth and reconciliation commissions. Building on this foundation, and drawing upon legal scholarship, social science research, and country case studies, we will then explore a range of responses to key justice challenges recurring in a number of countries emerging from conflict. These challenges include: (1) the often complicated relationship between peace processes and justice initiatives; (2) the question of whose justice goals are being pursued and how national, regional, and international stakeholders interact in such efforts; and (3) the complexities of building enduring justice on the ground through meaningful domestic rule of law reform, outreach, cultural engagement, and other means. Students will write a substantial seminar paper within the subject matter scope of the seminar.

LAW 292 v07 Law and Development (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20292%20v07>)

J.D. Course (cross-listed) | 3 credit hours

This three-credit survey course is designed to introduce students to the different dimensions of law and development, integrating legal, historical, academic, and practical models and approaches. It will deepen the offerings on law and development in the current curriculum and complement existing courses, including those in comparative law, human rights, gender, international economic law, humanitarian law and development, and other dimensions of private and public international law. The course will be designed to provide students with an opportunity to explore connections between areas of law as they relate to development. For example, the course will give student of international economic law the chance to gain understanding of development and human rights law, which could generate broader interest in related courses, such as the International Economic Law Practicum.

The course will cover a range of topics, including economic development, rule of law approaches, human rights, peace and security, economic law (including trade, finance, aid, and investment), development assistance, market regulation, institutional models for advancing law and development, gender, and sustainable development. It will also examine emerging issues in law and development, such as the increasing role of technology and data and the connection between law and the Sustainable Development Goals (SDGs), combining approaches in economic law, culture, and protection of the environment in an increasingly globalized world. Over the course of the semester, students will examine the relationship between development and law, including the roles of government, international institutions, other stakeholders who are impacted by the design and implementation of law across many aspects of development. There are no prerequisites for this course, and it is intended to be an introduction for students to other course offerings at Georgetown Law.

The course will be divided into three parts. The first part will begin with an exploration of the foundations of law and development, including definitions of development (and law) and an examination of the issues, debates, and academic literature within law and development. This portion of the course will examine the role of governments and institutions (including the World Bank, WTO, IMF, UN system, donor organizations, regional organizations, and others) in law and development, different approaches to rule of law, comparative law, legal reform initiatives, and the role of law in the Sustainable Development Goals (SDGs). Part one of the course will also highlight different approaches, theories, and models within law and development that have evolved over time. These will include economic approaches (import substitution, export-led growth, neoliberalism, post-Washington consensus models, and others) and rule of law approaches (legal pluralism, institutionalism and new institutional economics, constitutionalism, international vs. national law, legal empowerment, informality, and others, including challenges with implementation of law in the context of development).

The second part of the course will introduce students to the different dimensions of law and development in detail. This segment will highlight the intersections between different areas of law and development, allowing students to both see where development fits within broader areas of law and explore the cross-cutting nature of law and development. Topics will include peace and security, human rights and development, the intersection between international economic law (finance, investment, and trade) and development, gender and development, corruption and development, foreign aid and humanitarian assistance, and data and development.

The third part of the course will include issue-based and regional case

LAW 852 v00 Law and Foreign Investment in China (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20852%20v00>)

LL.M Course (cross-listed) | 2 credit hours

The course will examine the major Chinese laws that apply to foreign invested projects in China and related cross-border transactions. We will begin with an overview of China's policy priorities for foreign investment and the foreign investment approval process, focusing on the sources of law and regulation relevant when planning entry into the China Market. We will then consider the options for structuring a foreign investment under the Company Law and the Foreign Investment Law with its impact on the Sino-foreign Equity Joint Venture Law, the Cooperative Joint Venture Law, and the Law of Wholly Foreign-owned Enterprises. We will also study the requirements for foreign acquisitions of existing Chinese enterprises under China's M & A rules. The preparation of the project application report or feasibility study is also a key part of the foreign investment approval process, involving a number of important laws and regulations. We will study how China's environmental laws, rules and regulations on foreign exchange, financing and security, land use laws and labor laws must also be considered when forming a venture in China. Foreign investment projects in China typically involve cross-border arrangements that are crucial to the foreign investor's goals, especially technology licensing and trademark licensing. In this context, we will study the PRC contract law, and the challenges encountered in the protection of intellectual property. Finally, we will look at the issues involved in exiting an investment in China, whether by disposal or termination, and dispute resolution. We will work primarily with English translations of PRC law, with some secondary sources. No knowledge of Chinese language is required.

Recommended: Students should have prior or concurrent coursework in International Business Law. Examples of such courses would include: International Economic Law, International Law II, International Business Transactions, Global Commerce and Litigation, etc.

LAW 2071 v00 Law and Functioning of International Organizations

(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202071%20v00>)

LL.M Course (cross-listed) | 2 credit hours

Multilateral diplomacy and the international organizations that support much of it have come to play a pervasive role in international relations particularly since the end of World War II. These international organizations serve as instruments of consultation, co-operation and standard setting in almost every sphere of public policy and governmental activity. This may involve broad concerns such the maintenance or restoration of international peace and security, promotion of economic development and stability, advancement of human rights, protection of health, protection of the environment, and the facilitation of trade and investment. Or they may address more specific tasks such as settlement of disputes, codification and progressive development of international law, civil aviation and maritime safety and security, protection of intellectual property, understanding world weather, internet governance, management of the geo-stationary orbit, police cooperation, education and biotechnology. They vary greatly in nature, mission, powers, structure and size. There are inevitable conflicts and frictions in their functioning.

It will examine a number of aspects common to the universe of public, i.e., intergovernmental, international organizations: their legal nature; their need, as the collective instruments of their member states, to remain independent of the individual control of these states, including control through the exercise of some normal state jurisdiction; their immunities and counter-balancing obligations to co-operate; their special body of labor law, including the duties and ethics of the international civil service and the use of international administrative tribunals to adjudicate their employment disputes. The course will examine a sampling of international organizations: how they are governed and financed, how they go about fulfilling their functions, the powers and instruments they use to advance agreed policies, some examples of their output including the development of soft law and hard law instruments and the increasing involvement of civil society in monitoring and influencing their actions. It will also consider the crucial advisory and operational roles lawyers play in a typical international organization, whether as members of the secretariat or of member state delegations.

Students will have the option of preparing a paper that they may elect, after grading, to include in the calculation of their final course grade.

Recommended: Prior enrollment in Public International Law or International Law I.

LAW 977 v00 Law and Measures Against International Terrorism

(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20977%20v00>)

LL.M Seminar (cross-listed) | 2 credit hours

In the decade since the 9/11 attacks, the United States and most other countries have significantly altered ways in which they respond to international terrorism. Many government measures against terrorism have stretched domestic and international law to their limits. Controversial changes to laws have altered the balance between governments' interest in ensuring public safety and individuals' fundamental rights. The class will discuss current events from around the world to explore domestic and international legal bases for counter-terrorism measures such as intelligence gathering, criminal law enforcement, efforts to prevent terrorism financing, and use of military force. Students completing the course will have an overview of laws that apply to governments' responses to terrorism. The course will be graded by exam.

Recommended: Prior enrollment in International Law and/or International Humanitarian Law

LAW 045 v03 Law and Multiculturalism Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20045%20v03>)

J.D. Seminar (cross-listed) | 3 credit hours

The aim of this course is to introduce the students to the ways in which liberal constitutionalism deals with the fact of difference (religious, ethnic, or national). After general theoretical introduction to various issues (such as law, culture and difference, politics of recognition and politics of redistribution, the risks of politics of identity, the liberal and feminist critiques of multicultural politics, the analytical problem of group rights), the course will survey the ways that liberal democracies deal with the claims of several groups within society to be different. We will read cases and materials from the United States, Canada, France, Israel, India, and Germany.

LAW 2010 v01 Law and Regulation of Global Health Technologies

(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202010%20v01>)

LL.M Seminar (cross-listed) | 2 credit hours

Technological advances in diagnostics and therapeutics have the potential to revolutionize health care and improve the lives of millions of people. However, many of these technologies remain out of reach to those who need them, particularly the poor in low- and middle-income countries.

With increased investment and global attention over the last decade, there has been tremendous progress in building a pipeline of candidate medical technologies to meet the health needs of the world's poorest people. This course will explore the legal, regulatory and policy issues that are shaping the research, development, and delivery of those drugs, vaccines, and diagnostics. Part I of the course will provide an overview of the burden of neglected diseases in low- and middle-income countries and the new institutions and initiatives that have arisen to address that burden. Part II will examine the incentives for global health innovation, including intellectual property management, regulatory and tax incentives, and prizes and advance market commitments. Part III will consider the role of national and international regulation, international clinical trials and the globalization of research, and World Health Organization's policy processes for ensuring drug and vaccine safety and recommending their use. Part IV of the course will explore the legal, regulatory and policy issues that arise in the delivery and use of global health technologies, particularly supply chain contracting, drug resistance, and post-market surveillance in low- and middle-income countries.

LAW 045 v02 Law in Multicultural Societies

(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20045%20v02>)

LL.M Seminar | 2 credit hours

The aim of this course is to introduce the students to the ways in which liberal constitutionalism deals with the fact of difference (religious, ethnic, or national). After general theoretical introduction to various issues (such as law, culture and difference, politics of recognition and politics of redistribution, the risks of politics of identity, the liberal and feminist critiques of multicultural politics, the analytical problem of group rights), the course will survey the ways that liberal democracies deal with the claims of several groups within society to be different. We will read cases and materials from the United States, Canada, France, Israel, India, and Germany.

LAW 3031 v00 Law in the Gray Zone: The Legal Challenges of Hybrid Conflict

(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203031%20v00>)

LL.M Seminar (cross-listed) | 1 credit hour

State and non-State actors are increasingly pursuing political and economic objectives through the use of aggressive, ambiguous, and integrated multiple elements of power. This strategy, which exceeds the threshold of normal national competition but falls below the level of armed conflict, has been referred to as hybrid, unconventional, asymmetric, and ambiguous warfare. This competition in the gray zone between peace and armed conflict presents significant legal challenges to States responding to these threats.

This course will examine the legal challenges presented by this conflict in the gray zone. We will examine issues in legal classification of threats and how State and non-State actors employ these strategies to exploit perceived gaps in international and domestic law. Additionally, we will discuss how these actors may also use the law when pursuing their objectives in the gray zone.

Some of the specific topics to be discussed include:

- What is hybrid warfare? Case study, actors, definitions.
- Issues in legal classification of threats, including use of force and armed attack (the Article 2(4)- Article 51 "gap"), determining whether an armed conflict exists and, if so whether it is an international or non-international armed conflict.
- State responses to activities in the gray zone.
- State responsibility for surrogates/proxies.
- Information warfare, psychological operations, and the role of cyber.
- Sovereignty and intervention.
- Economic measures.
- Support to domestic organizations such as civil society and political groups.

Recommended: Prior or concurrent enrollment in International Law, Law of War, Foreign Relations Law

Note: A student will be permitted to drop a course that meets for the first time after the add/drop period, without a transcript notation, if a student submits a written request to the Office of the Registrar prior to the start of the second class meeting. Withdrawals are permitted up until the last class for this specific course.

LAW 936 v02 Law of War (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20936%20v02>)

LL.M Course (cross-listed) | 2 credit hours

Surveys the law of armed conflict (LOAC) and customary international law as applied by the United States in warfare. From where does LOAC arise? What is a war crime – and who decides? What is “unnecessary suffering,” and what drives that legal determination? When does LOAC apply and what role do other rules of law, such as domestic U.S. law and International Human Rights Law play in regulating the conduct of armed conflict? Does it cover non-state actors? What are U.S. LOAC obligations, and how are they enforced? How does one distinguish illegal combatants from prisoners of war? Where do military commissions come from, and who may be tried by them? Could the atomic bombing of Nagasaki have been a war crime? Can a superior’s order constitute a defense to war crime charges? What is the U.S. position in regard to laser weapons? Land mines? Non-lethal weapons? Torture? Rendition? Reprisals? The assassination of enemy commanders? What is an illegal order, and what should a soldier do if she receives one? How may battlefield war crimes be prosecuted? Our inquiry will focus on the law applicable to the conduct of U.S. military operations in past and current conflicts, whether or not they be declared, whether they be internal or international. Although primarily focused on the law of land warfare, the law of air and naval warfare, as well as space and information warfare, will be considered.

Learning objectives:

To gain a firm understanding of the law of armed conflict and to consider, through discussion of practical exercise from the textbook, how the law is applied in an operational context.

Mutually Excluded Courses: Students may not receive credit for both this seminar and Law of War, the International Law of Armed Conflict Seminar or War Crimes and Prosecutions.

LAW 936 v03 Law of War (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20936%20v03>)

J.D. Course (cross-listed) | 2 credit hours

This survey course covers the law of armed conflict and customary international law as applied on today’s battlefields. Is there really law in combat? When does the law of war apply? Does it apply to non-State actors? What is a war crime, and who decides? How is proportionality determined? What is the difference between a combatant, a terrorist, and a criminal? Is torture ever lawful? Is targeted killing lawful? What constitutes a cyber attack? What is the jurisdiction of military commissions and why is that a difficult question for Guantánamo? Can a superior’s order constitute a defense to war crime charges? Is indefinite detention lawful? Can the U.S. ever lawfully kill a U.S. citizen in a foreign state with which we are not at war? Such questions are the subject of the course. It is not a philosophy course, nor is it national security law, nor human rights law, although those topics are inextricably related. Our focus is on the law applicable in today’s non-international armed conflict battlefields. Military experience is *not* required to do well in this course.

Recommended: Completion of International Law I prior to enrollment in this course.

Mutually Excluded Courses: Students may not receive credit for both this course and the Law of War Seminar or War Crimes and Prosecutions.

LAW 701 v00 Law, Politics, and Policy in WTO & US Trade Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20701%20v00>)

LL.M Course (cross-listed) | 2 credit hours

International trade rules and practice reflect a complex mix of law, politics and policies. This course will examine the major topics covered by World Trade Organization rules (and some looming future issues) from all three perspectives. This is a fast-changing field. Approximately 25-30 pages are assigned per week from international trade agreements; scholarly journals; government records; newspaper articles; websites and blogs. Interactive exercises draw from international trade agreements; national legislation; and national and international tribunals. Among the invited guest speakers may be U.S. and other government trade officials, business people, and scholars.

Recommended: International Trade; International Trade Law and Regulation; International Trade and the WTO; or World Trade Organization: Law, Policy and Dispute Settlement.

LAW 3002 v00 Legal and Regulatory Issues in International Energy and Extractive Industries (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203002%20v00>)

LL.M Seminar (cross-listed) | 1 credit hour

This course will survey the numerous legal and regulatory issues faced by oil and gas and other energy and extractives corporations, investors and government regulators considering several dominant trends – a) - volatile adherence to rule of law around the world, b) increasing environmental and social challenges for the industry and c) geopolitical challenges that have become more relevant. Energy players face long term capital investment decisions in ever more rapidly changing environments. Legal counsel for all parties involves a substantial role in evaluation and mitigation of risk and in resolution of disputes related to both existing and emerging risks.

Participants in the course will gain an understanding of oil and gas, energy and extractives transaction models around the world, and of emerging challenges related to international political risk, disregard of rule of law, environmental concerns and the legal strategies used to mitigate such risks in areas such as contract drafting, investments strategies and regulatory compliance procedures. Topics will include a general explanation of the risk or opportunity in each situation discussed, using study cases of specific transactions whenever possible.

This is not a project finance or a specialized finance course, even though there will be some analysis of financing structures. Due to the course structure, that Georgetown gently accommodated due to my current professional obligations, this will be an introductory view of the most pressing issues that are being discussed in energy law (an inherently transnational area of law), and how players are facing such challenges.

Even though I will try to make the course as structured as possible (as shown below), several topics are strongly interconnected. Therefore, the conversation/discussion might flow in unexpected ways, which I fully welcome, since that is exactly how the practice of law works in this field.

The discussion will start based on the following premises/problems (evidently the premises can be also discussed as well):

1. The world has a carbon emissions problem. Most of us agree that actions need to be taken to reduce the amount of greenhouse gases (GHG) placed in the atmosphere by human activities.
2. The planet works on fossil fuels today. Therefore, an abrupt reduction of fossil fuel consumption will severely disrupt current lifestyle.
3. A sharp increase of renewable energy participation will require much more mineral extraction than today, activity which itself brings new challenges.
4. Even with the current fossil fuel consumption, there is a very important share of world population that has unreliable, insufficient or inexistent access to energy (approx. 1 billion people). This is an intolerable situation that needs to be solved.
5. The energy matrix change towards renewable energy sources will disrupt both producing and exporting countries, and corporations across the globe. The consequences of such change have to be foreseen and prevented.

Finally, I need to clarify that all my expressions, written or verbal, are made in a personal capacity and do not reflect necessarily the opinions of my employer.

Note: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop: failure to attend any subsequent class session in its

LAW 1215 v00 Legal Delivery System in Transition: Changes, Challenges, New Models and Opportunities (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201215%20v00>)

J.D. Seminar | 1 credit hour

The legal market is undergoing a radical transformation. Several key factors driving change are: (1) financial convulsions following the 2008 economic crisis; (2) global change in legal regulation; (3) information technology; and (4) “unbundling” of legal services. New legal service delivery models are emerging in response.

This course will examine the reasons for and responses to change in the legal vertical market. Professor Mark Cohen, CEO of Legal Mosaic, a Legal Business Consulting Firm, and a Co-Founder and former Managing Director of Clearspire, acknowledged widely as a highly innovative and disruptive law firm and legal service provider, is in the vanguard of that change. He also has a weekly column in Bloomberg Big Law Business. His first-hand knowledge of the marketplace, coupled with readings, class discussion, and individual reflection of students, is intended to identify opportunities open to those who understand the new landscape and who can reposition themselves to navigate its topography by drawing upon their skills and passions.

Note: This class will meet for two days of intensive sessions on the following dates in the Fall 2016 semester: 10/1 and 10/2 from 9:00 a.m. - 4:30 p.m.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety.

A student will be permitted to drop a course that meets for the first time after the add/drop period, without a transcript notation, if a student submits a written request to the Office of the Registrar prior to the start of the second class meeting. Withdrawals are permitted up until the last class for this specific course.

LAW 1547 v00 Legal Spanish: The Traditions, The Culture and Lawyering Tools (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201547%20v00>)

J.D. Seminar | 2-3 credit hours

This seminar will examine the characteristics that define the Civil Law and the Common Law traditions. Students will learn the roles of different relevant actors of the legal community, establishing contrasts, differences and similarities between legal traditions. The course will expose students to the Civil Law tradition, as well as cultural, linguistic, historical and political traits, that influences the ways in which clients, partners and communities from Spanish-speaking regions understand the law.

The objective of this course is to introduce students not only to the main contemporary legal traditions, but also to encourage them to think about the theory and practice of each tradition, in order to make useful and critical comparisons of the different legal systems. Throughout the class, students will understand the influence that different political events had in shaping the current legal systems of Spanish-speaking countries and will have the opportunity to discover the relations and interactions between domestic legal systems and international legal systems. The comparative law perspective of this course will allow students to explore, for instance, the distinctions between the United States judicial review model with constitutionality control systems in civil law countries.

The seminar will build students' practical legal concepts and terminology, and written and oral communication skills by introducing them to and reinforcing technical language and concepts in Spanish, in areas such as immigration, criminal law, commercial and civil law (including statutory interpretation and status), labor law, and family law. In-class presentations, written assignments, and readings will give students the opportunity to strengthen speaking, listening comprehension and written communication in legal Spanish.

By the end of the seminar, students will be equipped with an understanding of the different legal traditions, the strengths and weaknesses of current legal frameworks, the role of international human rights law in domestic legal systems, as well as Spanish communication skills in the context of legal practice.

This seminar requires attendance and participation in seminar discussions, preparation for class, and writing response posts. For the 2-credit section, students will be required to write three reaction papers throughout the semester. For the 3-credit section, students will be required to submit a final paper.

Learning Objectives:

- Understanding of contrasts, differences and similarities between the Civil Law and the Common Law systems.
- Understanding of the impact of cultural, historical, and political events in shaping legal systems in Civil Law countries.
- Understanding of practical legal concepts and terminology in different areas of law of Civil Law systems.
- Exposing students to the Civil Law tradition to ensure their successful lawyering with Spanish-dominant clients, partners and communities.

Prerequisite: Basic Spanish proficiency.

Note: THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Please submit the following to all three Professors Cabrera, Reingold, and Serrano Guzman (cabrera@law.georgetown.edu; rr951@georgetown.edu; sjs357@georgetown.edu) no later than 5:00 p.m. on Monday, September 21, 2020: (1) resume and (2) short explanation of interest in the seminar. The professors may conduct brief interviews by phone prior to September 30, 2020. After the September 21 application deadline, students who

LAW 697 v00 Managing National Security (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20697%20v00>)

J.D. Course (cross-listed) | 3 credit hours

This course introduces students to the substance, process, and practice of national security law. The first third of the term is devoted to the structure and process of national security decision-making. The second third of the term introduces students to the instruments of national security policy, e.g., intelligence, the use of force, and homeland defense. The final third of the course is devoted to functional exercises in national security policy with the students playing the roles of national security principals (a.k.a., national security moot court). Each exercise is designed to give students experience in spotting issues and applying law in national security context. The exercises are also intended to give students a feel for the texture and pressure of national security decision-making.

LAW 697 v50 Managing National Security (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20697%20v50>)

J.D. Seminar (cross-listed) | 3 credit hours

This course is about the substance, process, and practice of national security law. The course has two segments. The first segment addresses the substance and process of national security decision-making. The second segment covers the tools of national security: intelligence, military, law enforcement, diplomacy, and homeland security. Special attention is paid to the relationship between law and policy and the role of the lawyer in effecting both. Up to 8 J.D. students may enroll in the course for three credits, and prepare a research paper that satisfies the Law Center's upper-class Writing Requirement (WR). In addition to the final paper, students who select this option must submit an outline and a draft for comment. Both the draft and final papers must be a minimum of 6,000 words (25 pages) and must be supported by substantial independent research. Students may also enroll in the course for two credits. Students electing this option are required to prepare a term-paper approximately 4,800 words (20 pages) on an approved topic.

Recommended: Other national security law courses offered at the Law Center; courses in Constitutional Law; International Law I.

Mutually Excluded Courses: Students may not receive credit for both this course and Challenges in National Security Law: A Seminar for Mid-Career LL.Ms.

Note: This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.

Note: This course will be enrolled via waitlist.

LAW 2050 v00 Managing Political Risk in Emerging Market Project Financings (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202050%20v00>)

LL.M Seminar | 2 credit hours

The course examines concepts of political risk and the means by which certain political risks can be managed in planning and structuring foreign investments, particularly in international project financings. Classes will be a combination of lecture and guided discussion based on assigned readings. The readings include articles about the issues and related subjects, examples of political risk insurance contracts used by a national government agency, a multinational institution and private insurers, as well as decisions on claims made under political risk insurance contracts. The opportunity to analyze and revise original contract documents will be an additional and more general benefit of the course. The variety of source material will expose students to the public policy issues that underlie the decision to issue such insurance and the consequences of doing so. Some incidental coverage of insurance law, international law, and dispute resolution will also be required.

In addition to an in-class final exam, students, as counsel to an insurer, will draft a memo advising how one of the insurer's standard contracts would have to be revised to cover a non-standard situation or provide a non-standard coverage and attempt the revision. The insurer will provide a detailed written description of the situation or coverage. Students may work as individuals or form a team (and all receive the team product's grade).

The course will be taught jointly by Robert C. O'Sullivan, formerly Associate General Counsel for Insurance and Claims at the Overseas Private Investment Corporation (OPIC), and Kenneth W. Hansen, a partner at the law firm of Norton Rose Fulbright and formerly General Counsel of the Export-Import Bank of the United States and Associate General Counsel at OPIC.

LAW 324 v00 Maritime Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20324%20v00>)

J.D. Course (cross-listed) | 2 credit hours

This course surveys various principles and aspects of admiralty and maritime law of the United States, including: the historical and constitutional bases for its existence; the admiralty and maritime jurisdiction of the courts; the substantive law of maritime contracts and maritime torts; the application of criminal law at sea; the laws governing carriage of goods and passengers by sea; the public order of the oceans at the national and international levels; protection of the marine environment; and federal-state maritime issues. Consideration is given not only to the current state of the law in these areas, but also to related U.S. government policies and international and comparative law issues.

LAW 327 v01 Multi-Party Dispute Resolution Seminar:**Consensus Building and Other Negotiation Processes** (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20327%20v01>)

J.D. Seminar (cross-listed) | 3 credit hours

This seminar will focus on complex, multi-party disputes and the combinations of traditional processes (negotiation) and newer ones (consensus building, reg-neg) that are being used to facilitate settlements. The course will open with review of democratic and process theory from law, political science and philosophy and then turn to some basic skills training in behavioral approaches to negotiation, mediation, facilitation and other dispute resolution processes when there are multiple parties and multiple issues at stake. We will then explore several case studies taken from environmental conflicts, local governance issues, racial and ethnic conflicts, community disputes and international conflicts. We will study group and organizational behavior, coalitions, argumentation and principled bargaining, the role of law in negotiations and mediations, tensions between competition and cooperation as modes of conflict resolution, the differences between secret and public settings for negotiation, the role of power in multi-party cases and the role of different kinds and styles of conflict management and facilitation. We will discuss issues of legality, ethics and legitimacy in the use of these different approaches to conflict resolution. The course will combine reading, lectures, discussions and some role-playing and simulations. Students will write several short papers and one 15 page paper or case study analysis.

Learning goals for this course:

1. skill development in negotiation, facilitation and mediation
2. skill development in group organization, as leaders and as members
3. Analysis and writing in complex multi-party legal problem solving.

Recommended: A prior course in mediation, negotiation or ADR is desirable, but not required.

Note: The course will meet for six days of intensive sessions in Fall 2016 as follows: September 16, 17, and 18, 9:00 a.m.- 5:00 p.m., and October 28, 29, and 30, 9:00 a.m.-5:00 p.m.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety.

A student will be permitted to drop a course that meets for the first time after the add/drop period, without a transcript notation, if a student submits a written request to the Office of the Registrar prior to the start of the second class meeting. Withdrawals are permitted up until the last class for this specific course.

LAW 593 v00 National and Global Health Law: O'Neill Colloquium

(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20593%20v00>)

J.D. Seminar (cross-listed) | 2-3 credit hours

In this interdisciplinary colloquium, leading national and international scholars in a range of domains will explore fundamental normative and policy problems of contemporary concern in health law. Topics will include health care, public health, global health, science, regulation, politics, ethics, and policy. The colloquium will have participants from across the Georgetown University campus among faculty, senior administration, and students, as well as participants in the Washington health policy and legislative community.

Each seminar session will focus on a presentation by, or structured dialogue with, distinguished guest speakers. Students from the Law Center and other schools within Georgetown University (including Nursing and Health Studies, Medicine, Arts and Sciences, Foreign Service, Business, and other graduate programs) will be expected to prepare for intensive discussions in which experts, faculty and students explore, analyze and deepen their understanding of issues selected for consideration each month. The colloquia will be open to other students and faculty members across Georgetown University as well as interested members of the public, particularly professionals working in health law and policy in Washington.

Note: This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.

LAW 922 v01 National Security & the Law of the Sea (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20922%20v01>)

LL.M Course (cross-listed) | 2 credit hours

This course reviews the basic principles of international law related to the many exclusive and inclusive uses of ocean space, especially on those critical issues affecting U.S. national security. Students will develop a comprehensive understanding of the legal regimes governing the ocean, from internal waters and other coastal zones through the regimes of the high seas, and an overall appreciation for U.S. ocean law and policy, based on relevant principles of international and national law. Topics include navigation and overflight rights, living and non-living ocean resources, military and law-enforcement activities, protecting the marine environment, marine scientific research, the law of naval warfare, and the formal and informal processes for developing ocean policy and for resolving international disputes. Students will research and engage in class discussions on a number of problems involving national security issues and the use of ocean space, including resources on the continental shelf, maritime terrorism, military exercises, maritime transportation systems, at-sea trafficking in illicit drugs, piracy, weapons of mass destruction, collection of intelligence, and naval rules of engagement

Final exam only.

Recommended: International Law I: Introduction to International Law (or the equivalent International Law I).

Mutually Excluded Courses: Students may not receive credit for both this course and Oceans Law and Policy.

LAW 331 v01 Nationalisms, States, & Cultural Identities Seminar

(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20331%20v01>)

J.D. Seminar (cross-listed) | 2-3 credit hours

This seminar is about the phenomena of national and cultural identity formation within states and non-state groups (ethnic, racial, regional, religious, cultural, tribal) and the roles played by law and culture in defining and distributing membership in a "national" community. The course material will provide a foundation in political theories of nationalism and will focus on two different forms of contemporary nationalism: the rise of a new American nationalism (since the 2016 election) and the Catalan independence movement in Spain. Along the way we will discuss additional and alternative forms of belonging and exclusion, such as statelessness, diaspora, postcolonialism, and cosmopolitan forms of citizenship. This interdisciplinary and comparative seminar is geared toward better understanding how law and culture are used to divide and unify diverse populations so that we know how to use them to help heterogeneous states and communities find common purpose.

Note: FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist.

This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.

LAW 755 v00 Nuclear Non-Proliferation Law & Policy (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20755%20v00>)

LL.M Course (cross-listed) | 2 credit hours

This course will provide students with an understanding of the current matrix of nuclear non-proliferation treaties, multilateral arrangements, laws, regulations, initiatives, proposals, and organizations that aim to halt the spread of nuclear weapons and prevent nuclear terrorism. The goal is to examine the full array of tools employed by the United States to address nuclear proliferation, as well as how the Executive Branch brings these tools to bear through the inter-agency process and its joint efforts with Congress and international partners. Virtually every element of the nonproliferation toolbox was deployed to address the nuclear programs of Iran and North Korea, so considerable time will be spent examining these critical cases. We will also examine how the nuclear programs of India and Iraq shook and ultimately altered the nonproliferation regime.

Throughout the course, we will consider nonproliferation efforts in the context of great power strategies, alliance obligations, and regional rivalries, on how these factors influence the decision-making of proliferating countries and countries seeking to prevent proliferation. A continuing theme in the course will be the evolution of nonproliferation tools over time and the role of and lawyers in that evolution.

LAW 1209 v01 O'Neill Institute Practicum: Health and Human Rights
(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201209%20v01>) (Project-Based Practicum)

J.D. Practicum | 4 credit hours

In a project-based practicum course, students participate in a weekly seminar and work on a project under the supervision of their professors. This project-based practicum course will give students the opportunity to work with Georgetown Law's O'Neill Institute (<http://www.law.georgetown.edu/oneillinstitute/index.cfm>) and its civil society partners to use international human rights law to advocate for positive health outcomes. Students will participate in a two hour/week seminar and carry out 10 hours/week of project work under the direction of the course professors.

SEMINAR: In the seminar, students will explore the connections between global health and human rights. We begin by examining the emergence of health and human rights as a distinct field. Following this, we will carefully consider the meaning of the international right to health, stressing the material differences between civil and political rights, on the one hand, and economic, social, and cultural rights on the other. After exploring a series of foundational themes and issues through the first half of the semester, the remainder of the class will focus on in-depth case studies (e.g., HIV/AIDS, mental health, access to essential medicines, reproductive rights). While we will use the International Covenants on Economic, Social and Cultural Rights, and on Civil and Political Rights as the dominant legal instruments in our analyses, our discussions will also reference other international instruments, as well as a variety of national cases, constitutions and legislation. Class time will be devoted to developing practical advocacy and drafting skills to support students in their project work. Students will also learn how to use epidemiological data to support and craft compelling arguments for advancing the right to health.

PROJECT WORK: Students will work with external partners of Georgetown Law's O'Neill Institute on legal and policy projects related to health and human rights. For example, students may draft alternative reports to UN bodies analyzing compliance with human rights obligations related to tobacco control (e.g., "shadow reports"). A report such as this could analyze the prevailing legal frameworks for ensuring universal access to maternal health services in a particular country and highlight any weaknesses in the statutory and regulatory language. A report such as this would also suggest recommendations for the UN body to consider. By working with the O'Neill Institute, Inter-Governmental Organizations (e.g., PAHO), and civil society organizations, the course will give students the opportunity to use international human rights law to advocate for legal mechanisms to address critical health challenges.

Prerequisite: J.D. students must complete the required first-year program prior to enrolling in this course (part-time and interdivisional transfer students may enroll prior to completing Criminal Justice, Property, or their first-year elective).

Mutually Excluded Courses: Students may not concurrently enroll in this practicum course and a clinic or another practicum course. Students may concurrently enroll in this practicum course and an externship.

Note: This practicum course is open to LL.M. students, space permitting. Interested LL.M. students should email Louis Fine (fine@law.georgetown.edu) to request admission.

Evening students who work during the day are encouraged to reach out to the professor to discuss whether this practicum course would be compatible with their schedules.

This is a four-credit course. Two credits will be awarded for the two-hour weekly seminar and two credits will be awarded for approximately 10 hours of supervised project work per week, for a minimum of 11 weeks. Both the seminar and the project work will be graded.

LAW 1209 v02 O'Neill Institute Practicum: Regulating Alcohol, Tobacco & Food in International and Comparative Law
(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201209%20v02>) (Project-Based Practicum)

J.D. Practicum | 4 credit hours

In a project-based practicum course, students participate in a weekly seminar and work on a project under the supervision of their professors. This course will give students the opportunity to work with Georgetown Law's O'Neill Institute (<https://oneill.law.georgetown.edu/>) and its external partners in government and civil society to gain experience in using law to prevent non-communicable diseases (NCDs), including cancer, cardiovascular diseases, chronic respiratory diseases and diabetes. Law is a key tool to reduce the prevalence of key NCD risk factors: tobacco and alcohol use, physical inactivity, and unhealthy diets. Students will participate in a two-hour/week seminar and carry out 10 hours/week of project work under the direction of the course professors.

SEMINAR: In the seminar, students will explore the challenges and opportunities of using law to address risk factors that contribute to the rising prevalence of NCDs. The course will take a global approach grounded in international law, including international human rights law - the right to health, and World Health Organization (WHO) law and policy instruments, such as the Framework Convention on Tobacco Control and the Global Action Plan for the Prevention and Control of NCDs 2013-2020. Further, case studies will explore a variety of best practice examples from jurisdictions spanning the United Kingdom, South Africa, and Latin American countries, including taxes to discourage consumption of unhealthy products, laws restricting advertising and promotion, and laws and policies to promote physically active lifestyles.

Students will be equipped with an understanding of specific issues, such as the role of law compared with policy, the strengths and weaknesses of different regulatory strategies and the role and responsibilities of the relevant industries in promoting the right to health. After exploring a series of foundational themes and issues through the first half of the semester, the remainder of the class will focus on in-depth case studies and experiences in regulating the risk factors (e.g., industry litigation challenging NCD-related laws, challenges in monitoring and evaluating the health impacts of NCD-related laws, and civil society's role in NCD law-making). Students will also learn how to use epidemiological data to craft compelling arguments in support of adoption of NCD-related laws and policies and to defend these laws when challenged by industry. Class time will be devoted to developing practical advocacy and drafting skills to support students in their project work.

PROJECT WORK: Students will work with external partners of the O'Neill Institute for National and Global Health on legal and policy projects related to NCDs, law and human rights. For example, students may draft alternative reports to UN bodies analyzing compliance with human rights obligations related to tobacco control and unhealthy diets (e.g., "shadow reports"). A report such as this could analyze the prevailing legal frameworks in a particular country and highlight any weaknesses in the statutory and regulatory language. By working with the O'Neill Institute, Inter-Governmental Organizations (e.g., the Pan American Health Organization, World Health Organization), and civil society organizations (e.g., Campaign for Tobacco Free Kids, Inter-American Heart Foundation), the course will give students the opportunity to use law to advocate for legal mechanisms to address critical health challenges.

Prerequisite: J.D. students must complete the required first-year program prior to enrolling in this course (part-time and interdivisional transfer students may enroll prior to completing Criminal Justice, Property, or their first-year elective).

Mutually Excluded Courses: Students may not concurrently enroll in this practicum course and a clinic or another practicum course. Students may concurrently enroll in this practicum course and an externship.

LAW 1665 v00 Patent Enforcement in Europe: Practice and Strategy

(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201665%20v00>)

J.D. Course (cross-listed) | 1 credit hour

Many of the high profile patent cases conducted in Germany concerned European Patents held by US companies (e.g. Qualcomm vs. Apple, Microsoft vs. Google/Motorola, Eli Lilly vs. Ratiopharm, Stada et al.). It is standard procedure for US companies to litigate their European Patents in Germany as the most important venue for patent infringement lawsuits in Europe.

This course is designed to help students advise US clients when they consider filing patent infringement lawsuits in Europe or when they have to defend against allegations of patent infringement on German territory. At the end of the course, students will have acquired a basic understanding of patent litigation in Europe. This course provides an opportunity for students to understand all phases of a patent trial in Germany and before the Unified Patent Court (UPC). It combines elements of lecture and case studies, whereby the focus is laid on case studies.

Initially the course will provide an introduction to the principles of European patent law. A focus will be placed on patent infringement and nullity proceedings regarding European Patents in Germany. Especially the implications of the German bifurcation principle will be explored.

In the second part, the course will conduct an in-depth case study of a recent patent infringement case which has been tried in Germany. The strategies of German attorneys both in the first instance and on appeal level will be explored. The case study will focus on the strategies of German attorneys acting on behalf of patent holders and/or patent infringers. Issues of material law (literal patent infringement, infringement under the doctrine of equivalence) as well as procedural law (venue, enforcement) will be covered.

In the following, the law relating to the enforcement of standard-essential patents (SEP) in Europe as established by the European Court of Justice and as applied by the national courts will be explained.

The second case study will explore the enforcement of standard-essential patents. Depending on whether the Unified Patent Court Agreement will enter into force (a decision can be expected in the course of the year 2019), a law suit will be considered either before the UPC or a German court. The differences between litigation in Germany and before the UPC will be analyzed and the strategic consequences will be discussed.

Given the range of competencies covered and type of work assigned, this course is recommended for students who intend to practice patent law.

Prerequisite: Patent Law.

Note: WEEK ONE COURSE. This course will meet for one week only, on the following days: Monday, January 6, 2020, through Friday, January 10, 2020, 9:00 a.m. - 11:35 a.m. The course will have a take-home exam that must be completed during the week of January 17th through January 24th, 2020. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety will result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain

LAW 508 v02 Policy Clinic (Harrison Institute for Public Law) (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20508%20v02>)

J.D. Clinic | 8 or 14 credit hours

Please see the Policy Clinic website (<https://www.law.georgetown.edu/experiential-learning/clinics/the-policy-clinic-climate-health-food-human-rights-and-trade-harrison-institute>) for more detailed information about the program.

For registration-specific supplemental materials, please see the Policy Clinic PDF (<https://www.law.georgetown.edu/wp-content/uploads/2020/03/Policy-Clinic-Info-Sheet-2020-Final.pdf>).

For information about clinic registration generally, please see the Clinic Registration Handbook (<https://www.law.georgetown.edu/wp-content/uploads/2020/03/FINAL-CLINIC-HANDBOOK-31-March-2020-combined.pdf>).

Learning outcomes for this clinic: Students are supervised, evaluated and graded on three skill sets, each of which has explicit evaluation criteria in the clinical program design (<https://www.law.georgetown.edu/experiential-learning/clinics/the-policy-clinic-climate-health-food-human-rights-and-trade-harrison-institute>).

1. *Management and professionalism* – includes “managing up” with supervision meetings, initiating self-evaluation, managing effort and deadlines, collaborating, and expectations in a professional culture.
2. *Research and analysis* – covers legal, policy and strategic analysis. It includes identifying issues that require analysis, learning the context efficiently, using diverse sources to learn efficiently and avoid bias, explaining analytic methods, using a logical framework, and drawing conclusions or options that meet client needs.
3. *Communication, writing and speaking* – includes organizing documents and presentations logically, meeting audience needs for context in the introduction and for decision-making in the conclusion, relating analysis through stories and examples, presenting visual information, and using appropriate language in terms of editing conventions, clarity, tone, and jargon.

Recommended: Legislation and Administrative Law. Also, for climate projects: Local Government Law; and for trade or human rights projects: International Law I, International Trade (various titles), World Trade Organization: Law, Policy and Dispute Settlement, and International Human Rights.

Mutually Excluded Courses: Students may not concurrently enroll in this clinic and an externship or a practicum course.

LAW 1250 v01 Practicing Law in Another Country Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201250%20v01>)

J.D. Seminar | 1 credit hour

This seminar examines the cultural and interpersonal challenges of practicing law in a foreign country. The seminar is open to students who, at the time of the seminar, are working as law clerks, legal interns or summer associates in a country other than their home country. Students will be required to complete reading assignments, participate in class discussions, and complete a 10-12 page reflection paper at the conclusion of their employment term. Students who are working outside of the US in the summer session may only participate in this seminar if they are able to attend all of the class sessions remotely. The seminar is offered on a pass/fail credit basis and will not count against the maximum number of such classes.

Prerequisite: J.D. students must complete a minimum of 28 credit hours before enrolling in this distance learning course.

Note: This course is enrolled only via professor permission. Interested students should email Professor Jose Antonio Rivas and Professor Mary Helen Mourra at jarivascampo@gmail.com and mourra.law@gmail.com with the following information: 1) a brief statement of interest in the seminar; 2) a current resume or C.V.; 3) documentation of a written job offer confirming the start and end dates of employment in the summer session, the number of hours to be worked per week, the job title, and description, and supervisor; and 4) confirmation that the position is in a country that is different from the student's permanent domicile or home country. Applications will be reviewed and approved on a rolling basis.

This seminar will meet in Hotung 6005. Students who are outside of the D.C. area may participate online using Zoom. Additional instructions will be provided to enrolled students. The seminar is offered only on a pass/fail credit basis and will not count against the 7 credit pass/fail limit. A student will be permitted to drop a course that meets for the first time after the add/drop period, without a transcript notation, if a student submits a written request to the Office of the Registrar prior to the start of the second class meeting. Withdrawals are permitted up until the last class for this specific course. Note: Once enrolled, students who are on an F-1 visa must contact International Student Advisor Tina Zimmerman at lawcentervisa@georgetown.edu before they drop or seek permission to withdraw from this seminar to discuss their work authorization. Please note: Students pursuing opportunities outside of the United States are required to register their travel and to obtain specific Education Abroad Health Insurance. Please see the Law Center's policy regarding student travel abroad (<http://www.law.georgetown.edu/academics/academic-programs/transnational-programs/international-travel>) for additional details. Students wishing to travel to countries under a U.S. State Department Travel Warning must first go through an approval process; see the Law Center's policy governing student travel to countries under U.S. State Department Travel Warning. These policies are administered by the Office of Transnational Programs. Students should contact Cara Morris, Director, Transnational Programs at cara.morris@georgetown.edu or 202-662-9860 with questions.

LAW 1250 v02 Practicing Law in Another Country Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201250%20v02>)

J.D. Seminar | 1 credit hour

Globalization of legal services has given rise to the movement of attorneys between multiple jurisdictions within the practice of law. This course will survey the complexities of the international legal industry, from the licensing requirements for lawyers or foreign legal consultants under various national legal systems, to the practice of law in the globalized arena and the growing dilemma of conflicting ethics laws for practitioner. Students will discuss the challenges faced by attorneys practicing law in another country, and will explore the differences and similarities among some of the world's legal systems, particularly common law and civil law. The course will examine how, in the course of that process, cultures and political systems collide and conflict. Students will also examine the underpinning structures for all of this global movement; the indispensable process of international arbitration, as well as international litigation.

The seminar is open to students who, at the time of the seminar, are working as law clerks, legal interns or summer associates in a country other than their home country. Students who are working outside of the US in the summer session may only participate in this seminar if they are able to attend all of the class sessions remotely.

Students will be asked complete reading assignments, participate in class discussions, and submit a short final paper relating subjects covered in the course to their practical experience.

This course is appropriate for first-year JD students who have not had prior coursework in International Law.

Note: This course is enrolled via professor permission. Interested students should provide the following information by completing the form available at https://georgetownuniversity-kmzbf.formstack.com/forms/practicing_law_in_another_country_2019: 1) a brief statement of interest in the seminar; 2) a current resume or C.V.; 3) documentation of a written job offer confirming the start and end dates of employment in the summer session, the number of hours to be worked per week, the job title, and description, and supervisor; and 4) confirmation that the position is in a country that is different from the student's permanent domicile or home country. Applications will be reviewed and approved on a rolling basis.

This seminar will meet in Hotung 6005. Students who are outside of the D.C. area may participate online using Zoom. Additional instructions will be provided to enrolled students. The seminar is offered only on a pass/fail credit basis and will not count against the 7 credit pass/fail limit. A student will be permitted to drop a course that meets for the first time after the add/drop period, without a transcript notation, if a student submits a written request to the Office of the Registrar prior to the start of the second class meeting. Withdrawals are permitted up until the last class for this specific course. Note: Once enrolled, students who are on an F-1 visa must contact an International Student Advisor (lawcentervisa@georgetown.edu) before they drop or seek permission to withdraw from this seminar to discuss their work authorization. Please note: Students pursuing opportunities outside of the United States are required to register their travel and to obtain specific Education Abroad Health Insurance. Please see the Law Center's policy regarding student travel abroad (<https://www.law.georgetown.edu/academics/transnational-programs/international-travel-policy>) for additional details. Students wishing to travel to countries under a U.S. State Department Travel Warning must first go through an approval process. These policies are administered by the Office of Transnational Programs. Students should contact Cara Morris, Director, Transnational Programs at cara.morris@georgetown.edu or 202-662-9860 with questions.

LAW 741 v00 Pre-Negotiation Strategies for Cross-Border Transactions
(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20741%20v00>)

LL.M Course (cross-listed) | 2 credit hours

As economies globalize and organizations increasingly form cross-border relationships, there should be more focus on problems facing legal practitioners caused by cross-cultural differences. While international transactions comprise of distinct phases, the aim of this course is to explore the importance of pre-negotiation phase of international transactions. The legal training in the United States tend to devote far too little time and attention to the pre-negotiation phase than most of our counterparts from other countries. American lawyers generally want to “dispense with the preliminaries” and “to get down to cases” at the negotiation table. For seasoned lawyers and executives, however, this phase of Pre-negotiation is the most important stage to determine whether they want to negotiate at all and, if so, what they will talk about, and how, when, and where they will do it. Without a proper pre-negotiation phase, one may not get to that negotiation table, let alone explore any dispute resolution mechanisms.

Pre-negotiation phase can be characterized by information-gathering efforts to evaluate the parties' interests and comprises of a process entailing rational choice to pursue negotiation or not. This course, “Pre-negotiation Strategies,” will attempt to introduce an analytical framework for understanding and formulating culturally responsive legal strategies for international lawyers. This highly interactive class will utilize case studies as well as various international agreements to highlight the importance of evaluating and analyzing the negotiating environment before it actually takes place. The course will address the need for practitioners to research and identify certain cultural mores and behavioral patterns in dealing with an unfamiliar culture as well as examine foreign bureaucracies, foreign laws, and multiple currencies in order to develop cross-culturally sensitive strategies in international transactions.

Active in-class participation and simulations will be required.

Note: First class attendance is strongly encouraged.

LAW 2082 v00 Project Development and Finance (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202082%20v00>)

LL.M Course (cross-listed) | 2 credit hours

This course will provide students with a fundamental understanding of the legal and practical issues involved in the development and financing of domestic and international infrastructure projects – with an emphasis on major energy infrastructure projects.

We will analyze in depth: (i) the structure of a project finance transaction – including the contractual relationships and risk allocation among parties; (ii) the substantive components of the primary project development agreements; (iii) key project financing concepts and documentation; and (iv) implications of environmental, regulatory and compliance regimes.

Classes will involve lectures and interactive discussion based on selected case studies and articles/publications reflecting projects currently in development and recent project financings. In addition, students will have the opportunity to review and discuss issues and negotiated points in actual project development agreements and financing documentation.

Mutually Excluded Courses: Students may not receive credit for both this course and Domestic and International Project Finance & Development: Case Studies; or the J.D. course, International Project Finance; or International Project Finance and Investment and Developing & Financing Infrastructure Projects.

LAW 995 v00 Public Health and International Investment Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20995%20v00>)

LL.M Course (cross-listed) | 1 credit hour

The objective of this 1 credit course is to introduce students to the relationship between international laws governing foreign investment and efforts to protect and promote human health. The course will examine the extent to which bilateral investment treaties (BITs) and investment chapters in trade agreements limit domestic regulatory autonomy in the field of public health. International investment law is comprised of over 2500 BITs, which govern the acceptance and treatment of foreign investment. BITs impose various rules limiting the freedom of domestic policy-makers, including rules governing national treatment, most-favoured-nation treatment (principles of non-discrimination), so-called fair and equitable treatment and expropriation of property rights. These rules are increasingly being used by foreign investors, including trans-national corporations, to challenge domestic regulations such as public health measures. For example, a major tobacco company recently filed arbitration claims challenging tobacco packaging regulations introduced by health authorities in Australia and Uruguay.

The course will address:

1. the theoretical perspectives underlying the international law of investment and the concept of police powers (particularly the power to protect health);
2. the different types of legal tests used to determine the regulatory legitimacy of a measure as well as the impact of varying standards of proof on analysis of this type;
3. rules governing expropriation of property rights and the circumstances in which health and environmental health measures might be considered equivalent to expropriation;
4. rules governing fair and equitable treatment as used in determining the legitimacy of domestic regulatory measures;
5. rules governing non-discrimination and their potential impact on domestic health measures that are non-discriminatory in form;
6. rules governing arbitrary or discriminatory measures; and
7. procedural issues relating to the participation of civil society in the negotiation of investment treaties and the settlement of investment disputes.

Prerequisite: Familiarity with international law or global health law is desirable, but not required.

Note: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal.

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. The take-home exam in this course may be administered mid-semester and the specific exam date will be provided by the professor after the add/drop period.

LAW 440 v04 Refugee Law and Policy (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20440%20v04>)

J.D. Course (cross-listed) | 2 credit hours

This course examines domestic refugee law and policy, with particular focus on asylum and other refugee-related claims for protection that arise in the U.S. legal system. Students will become familiar with the key actors in the asylum and refugee law arena, including the U.S. Congress, the Department of Justice, the Department of Homeland Security, the federal courts, and international entities.

The course objectives are: (1) to equip students with an understanding of the principles of refugee policy, asylum law, and the United States' procedures for refugee protection, and (2) to provide students with a practical appreciation for how refugee policy is formed and a working knowledge of asylum law, which will serve as a foundation for academic research, clinical study, employment, pro bono work, and/or internship opportunities within the U.S. government and the NGO community.

In addition to focusing on the refugee definition as interpreted by U.S. courts, we will examine the processes for adjudicating asylum claims – where the system works and where it fails. We will also seek to understand the limits of asylum law and explore the toughest issues facing asylum adjudicators and policy makers today.

Note: Priority is given to students fulfilling the requirements of the Certificate in Refugees and Humanitarian Emergencies.

LAW 785 v00 Regional Trade Agreements: The Changing Landscape of International Rules and Policies in the Americas and Beyond
(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20785%20v00>)

LL.M Seminar (cross-listed) | 2 credit hours

The goal of the course is to provide with an in-depth understanding of the most recent regional and bilateral trade agreements in the context of the international trade law system and the interplay of regional arrangements with multilateral rules. Students will acquire knowledge and insights on policies and rules to undertake specialized private practice or government service to handle complex and develop critical thinking regarding the most current trade issues. The course encourages students to develop skills to engage in the preparation and presentation of trade briefings and policy notes dealing with ongoing cases and trade negotiations and disputes.

The course offers students the opportunity to engage in open guided analytical discussions on the major legal and economic issues of regional trade arrangements (RTAs) and trade negotiations with a special focus on the Americas and their links within the Western hemisphere and with other regions around the world.

Special attention is devoted the most relevant negotiations and other global impactful events on the trade fields such as the NAFTA negotiations. The seminar will also discuss the linkages between RTAs and the current trade policy developments (e.g. Asia Pacific, Transatlantic) at the multilateral, regional and national level and how they are affecting trade integration in the Americas and beyond.

Topics that will be covered in this course are trade in agriculture, industrial products, services and investment, market access, trade remedies, intellectual property, competition and dispute settlement and other topics such as environment, labor and digital trade.

The analysis and discussions in class will be based on treaty text, jurisprudence and the practical, hands-on experience of the professors. Guest-speakers – including practitioners, government officials, or staff from relevant international organizations – will be invited to a few sessions.

Students will be asked to participate in class presentations and/or group exercises on the topics covered, for example on a hypothetical case study of exports/imports, taking up the role of advisors based in either the importing country or the exporting country. They are also encouraged to bring to the discussion resources and points of view beyond those recommended.

Students will be required to write a take-home exam of maximum 10 pages long (double space). Class attendance, oral presentation, and class participation will be part of the overall evaluation.

Prerequisite: for J.D. students only: International Law I: Introduction to International Law (or the equivalent of International Law I, which is a 3 credit course in public international law).

Note: This course is limited to LL.M. students and students in the final year of their JD program.

LAW 1390 v00 Religion and Constitutions in Global Perspective Seminar
(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201390%20v00>)

J.D. Seminar (cross-listed) | 2-3 credit hours

All constitutions around the world deal with religion. Some constitutional systems are theocratic, some accommodate religion, while yet others advocate neutrality toward religious institutions or call for a strict separation between religion and the state. This course examines core questions regarding how religion and law interact in constitutional systems globally. We will explore the role of religion and the state drawn from comparative contexts including Asia, the Middle East, and Europe. We will evaluate the challenges faced by the different models of the relationship between the state and the church (or mosque) in our modern world. To what extent is liberal constitutionalism consistent with constitutional designs that privilege a particular religion? Should religion or secularism ever be placed beyond constitutional change, like through constitutional eternity clauses?

We will also consider the individual right of religious freedom and the scope of its protection globally. What counts as “religion” and religious freedom? Who is better placed to make these determinations—the courts, legislature, executive, or the people? We will discuss controversies relating to these questions, such as apostasy, religious conversion, religious symbols, and bans on religious dress like headscarves and burkinis. This course will also explore contemporary issues relating to religion and gender, multiculturalism, religious arbitration, and conscience claims.

Note: This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.

LAW 1709 v00 Religion, State and Multiculturalism Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201709%20v00>)

J.D. Seminar (cross-listed) | 2-3 credit hours

Religious minorities are seeking accommodations in a variety of forms: exemptions (kosher and halal regulations); recognition (representation quotas); assistance (subsidies, museums); self-government (schools, religious courts, territorial sovereignty) and more. Drawing on the rich experience of countries where such accommodations were granted, the course will inquire into the legitimacy and problems associated with such accommodations. In doing so, the course will draw on modern theories of multiculturalism and religion and state designs. Principal topics will include: Liberal multiculturalism, theory and practice; Group accommodations in a democracy; A survey of religious groups and illiberal practices; Traditional schemes of religious accommodations, with special reference to the Ottoman millet system; The reality of religious accommodations in Western democracies (United States, Canada, France, United Kingdom, Germany); The reality of religious accommodations in the Middle East, with special reference to Israel; the problem of minorities within minorities; essentialism, secularism in divided communities and reform movements.

A student who has successfully completed this course should:

- Understand the justifications for accommodating groups in general, and religious groups in particular
- Understand the problems associated with accommodating religious groups, especially when the particular group endorses illiberal practices
- Have the capacity to identify the legal instruments meant to mitigate the effects of illiberal practices of religious groups
- Be aware of the relevance of the constitutional culture for both the legitimacy of accommodating religious groups and the problems associated with such accommodations.

Note: This course will meet on Tuesdays and Thursdays, 12:30 - 2:30 pm in Spring 2021 on the following dates: 1/26, 1/28, 2/2, 2/4, 2/9, 2/11, 2/16, 2/18, 2/23, 2/25, 3/2, 3/4 and 3/9.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. Students may take this seminar for either 2 or 3 credits. All members of the seminar are required to write a number of short reaction papers. Students taking the seminar for 3 credits are also required to write a research paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement.

LAW 1071 v00 Reproductive Health and International Human Rights Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201071%20v00>) (Project-Based Practicum)

J.D. Practicum | 4 credit hours

In a project-based practicum course, students participate in a weekly seminar and work on a project under the supervision of their professor. This project-based practicum course will focus on the interaction between international human rights law and reproductive health and rights. Students will participate in a two hour/week seminar and carry out 10 hours/week of project work under the direction of the course professor.

SEMINAR: The seminar will begin by providing an overview of international human rights law as it pertains to reproductive rights. The course will then focus on access to reproductive health from an international perspective, examining States' obligations on a variety of issues, such as maternal mortality and coerced sterilization. Analyzing recent decisions emerging from regional and international human rights bodies, such as the European Court of Human Rights, the Inter-American Commission and Court on Human Rights and the CEDAW Committee (UN Committee on the Convention on the Elimination of All Forms of Discrimination against Women), the seminar component will provide a solid legal foundation for students to develop their experiential/field placement projects.

PROJECT WORK: Students will work with external partners on legal and policy projects related to reproductive health. Some of the projects may include drafting amicus briefs for cases currently pending before international bodies, and drafting briefs assessing a particular State's compliance with human rights law regarding sexual and reproductive rights to be filed in front of UN bodies (shadow reports). Through these projects, students will learn how to conduct an analysis of existing legal and regulatory frameworks for sexual and reproductive health from a human rights perspective. Students will also learn how to use epidemiological data to support and craft compelling human rights law arguments for advancing public policy on, for example, maternal mortality and sexual violence prevention and eradication. By working with external civil society organizations, the course will give students the opportunity to develop practical projects using international human rights law to advocate for the advancement of reproductive health rights. In the past, external partners have included organizations working on women's rights issues, such as: the Center for Reproductive Rights, Women's Link Worldwide, Human Rights Watch (Women's Rights Division), IPAS, and Southern Africa Litigation Centre, among others.

Prerequisite: J.D. students must complete the required first-year program prior to enrolling in this course (part-time and interdivisional transfer students may enroll prior to completing Criminal Justice, Property, or their first-year elective).

Mutually Excluded Courses: Students may not concurrently enroll in this practicum course and a clinic or another practicum course. Students may concurrently enroll in this practicum course and an externship.

Note: This practicum course is open to LL.M. students, space permitting. Interested LL.M. students should email the Office of the Registrar (lawreg@georgetown.edu) to request admission.

Evening students who work during the day are encouraged to reach out to the professor to discuss whether this practicum course would be compatible with their schedules. This is a four credit course. Two credits will be awarded for the two-hour weekly seminar and two credits will be awarded for approximately 10 hours of supervised project work per week, for a minimum of 11 weeks. Both the seminar and the project work will be graded. Students who enroll in this course will be automatically enrolled in both the seminar and project components and may not take either component separately. After Add/Drop, a student who wishes

LAW 260 v02 Research Skills in International and Comparative Law

(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20260%20v02>)

J.D. Seminar (cross-listed) | 2 credit hours

This two-credit course will instruct students in understanding the relationship between the sources of public and private international law in a theoretical sense with their actual embodiment in tangible and electronic media. Comparative law bibliography and sources will be covered, as will selected jurisdictions in the civil law tradition. With regard to locating legislation and jurisprudence, students will learn which topics are usually covered in a civil code, and how to deal with problems of language and translation. Separate, in-depth sources will be explored for one or more of the following: international criminal law, international environmental law, international human rights, international trade law and arbitration, commercial law and intellectual property, family law as an international and comparative law topic, and documentation for intergovernmental organizations, chiefly the United Nations bodies, regional organizations, and the European Union. Grading will be based on weekly in-class or homework assignments that allow the student to use and evaluate the various sources; a brief oral presentation on a foreign legal system; and a final research guide on an international law topic or an international organization.

Recommended: International Law I: Introduction to International Law.

Mutually Excluded Courses: Students may not receive credit for both this course and the International and Foreign Legal Research Seminar or Legal Research and Communication Theory in International and Foreign Law.

LAW 260 v03 Research Skills in International and Comparative Law

(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20260%20v03>)

J.D. Seminar (cross-listed) | 1 credit hour

This short course will familiarize students with the sources of public and private international law and their embodiment in tangible and electronic media. Comparative law bibliography and sources will be covered, as will selected jurisdictions in the civil law tradition. Students will learn which topics are usually covered in a civil code, and how to deal with problems of language and translation when researching foreign legislation and jurisprudence. In addition, in-depth sources will be explored for a variety of specialized topics, such as international criminal law, international environmental law, international human rights law, international trade law and arbitration, transnational commercial law and intellectual property disputes, and comparative family law. Documentation for intergovernmental organizations, chiefly the United Nations bodies, regional organizations, and the European Union, will be covered as well. Grading will be based on weekly homework assignments that allow the student to use and evaluate the sources discussed in class and on a final project consisting of a research guide on an international law topic, an international organization or the law of a foreign jurisdiction.

Recommended: Prior or concurrent enrollment in International Law I: Introduction to International Law.

Note: In Spring 2017, this class will meet on the following Thursdays: 1/19, 1/26, 2/2, 2/9, 2/16, 3/2, and 3/9.

Students may not withdraw from this class after the add/drop period ends without the permission of the professor.

LAW 260 v04 Research Skills in International and Comparative Law

(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20260%20v04>)

J.D. Seminar (cross-listed) | 2 credit hours

Whether they are representing couples in transnational adoptions or multinational enterprises in cross-border mergers, legal practitioners increasingly are expected to consult international and foreign legal materials. This course will familiarize students with the best tools for researching international law and the domestic law of jurisdictions outside the U.S., enabling them to approach these tasks with confidence, rather than trepidation. Students will learn how to efficiently locate multilateral and bilateral treaties, decisions issued by international tribunals, documentation produced by the United Nations and other international organizations, as well as legislation and case law from selected foreign jurisdictions, including the European Union. Tools for topical research in specialized fields, such as human rights, international trade, and investor-state arbitration, also will be covered. Students will refine their information-gathering skills through a series of in-class research exercises and take-home quizzes based on real world, practice-oriented scenarios. This course will be especially beneficial for journal editors, students participating in the Jessup International Moot Court competition and other international competitions, and for students interested in pursuing careers in international law or in practicing law outside their home jurisdiction.

Recommended: Prior or concurrent enrollment in International Law I: Introduction to International Law.

LAW 1653 v00 Resolution of International Financial Crises Seminar
(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201653%20v00>)

J.D. Seminar (cross-listed) | 2 credit hours

Overview

While the globalization of private capital markets has generated important welfare gains, it has also been responsible for episodes of financial instability, often with devastating consequences. The Course will analyze the underlying causes of international financial crises and assess the efforts of policy makers to mitigate their impact. The Course will be interdisciplinary in nature, focusing on the legal, financial and economic dimensions of these crises and the relevant policy responses. Key lessons will be distilled from an in-depth analysis of the most important episodes, including the Latin American Debt Crisis, the Asian Financial Crisis, Argentina's default in 2001 and the crises precipitated by the Great Recession of 2008, including the Eurozone Crisis. We will also conduct a simulation, with students playing the roles of the various policy makers seeking to contain and ultimately resolve the crisis.

The Course will analyze both the common patterns of the previous international financial crises and the extent to which they have differed. In that context, the Course will investigate how the dynamics of these crises have been driven both by the evolution of credit markets (including the transition from bank lending to bond issuance) and changes in the underlying legal framework that supports these markets. The Course will analyze the competing considerations faced by policy makers as they seek to mitigate the impact of a crisis – often with large scale financial assistance – without increasing the risk of future crises through the creation of excessive moral hazard. In that context, the Course will review in some detail the role played by the International Monetary Fund in managing these crises.

Learning Objectives

By the end of the course, students will have gained an understanding of how global financial markets have evolved over the past 40 years and how this evolution has both promoted welfare and created significant financial instability. They will learn how the relevant legal frameworks have interacted with this evolution to shape creditor incentives, with a focus on regulatory design, contractual provisions and litigation strategies. Through in-depth case studies, they will gain insight into how public policy makers have struggled to both contain the impact of these crises while, at the same time, introducing reforms to prevent them from recurring. In particular, they will gain an understanding of the legal, policy and governance framework of the IMF and the role it plays as a financial fire fighter. More generally, they will gain an understanding of the challenges faced by policy makers when addressing a systemic crisis, with a focus on the key actors, namely: (a) the governments of the countries experiencing the crisis, (b) private creditors and (c) the IMF. Existing and former officials will participate in a number of classes to share their own perspectives regarding the key lessons to be distilled from previous episodes.

LAW 382 v00 Roman Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20382%20v00>)

J.D. Course (cross-listed) | 2 credit hours

The subject matter is classical Roman law as it was born, developed, and reached maturity by about 160 CE. The first half of the semester focuses mainly on constitutional structures; the second part on contracts and tort, including practical exercises on reported ancient cases. Whenever is possible and useful, the expositions and explanations are given in a comparative manner vis-à-vis the common law of English origin. A student who completed this course should have enough knowledge and skill to begin a career of *jurisprudens* (wise person of the law); that is, they should be considered qualified to assist the Magistrate in his daily work at the Roman Forum; a position similar to that of clerking for an American judge.

LAW 403 v04 Rule of Law and the Administration of Justice (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20403%20v04>)

J.D. Seminar (cross-listed) | 2 credit hours

This course offers students an opportunity to learn about the increasingly popular field of practice to strengthen the Rule of Law. It employs a case study methodology, including specific sessions for dialogue and interaction with judges and other legal practitioners from the U.S. and foreign judiciaries who have been directly engaged in reform programs. Topics include: definitions of the “rule of law”, national security reforms, access to justice, criminal procedural reform, court administration and case management, commercial courts and alternative dispute resolution (ADR), challenges to judicial independence, post conflict/transitional justice, and indicators of corruption in the legal system itself. We will consider the rationale behind rule of law reforms by examining experiences in countries, including the U.S., seeking more competitive market economies, stronger law enforcement (domestically and internationally), greater social justice and/or responses to an increase in demand from users (individuals/businesses). The course will also address the often overlapping or inconsistent agendas of bilateral donors, regional and international organizations (e.g. OECD, U.N., World Bank, International Monetary Fund, USAID, Inter-American Development Bank, among others) in our analysis and discussion.

Learning Objectives:

- At the end of the course. Students will have acquired an understanding of the various definitions of ‘rule of law’ and the factors leading to and preventing successful reform efforts.
- At the end of the course, students will have acquired some understanding of the differences and similarities among international financial institutions (IFIs) and their approaches to Rule of Law to be able distinguish varying objectives (e.g. democracy promotion, economic development, human rights and social justice, anti-corruption and law enforcement).
- At the end of the course, students will have acquired a vocabulary and understanding of overlapping (and even inconsistent agendas) to be able to identify the “drivers” of reform and provide inputs for the design or evaluation of Rule of Law reform efforts.

Recommended: International Law I: Introduction to International Law is suggested but not required.

Note: Students may not withdraw from this class after the add/drop period ends without the permission of the professor.

LAW 373 v00 Seminar on Humanitarian Crises (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20373%20v00>)

J.D. Seminar (cross-listed) | 3 credit hours

This research seminar will provide an opportunity to critically examine a number of humanitarian crises, including Afghanistan, Bosnia, Colombia, Haiti (earthquake -2010), Iraq, Myanmar, Somalia, South Sudan, Syria, Ukraine, West Africa (Ebola-2014), and Yemen. Each of these crises will be analyzed in terms of: their causes; efforts to prevent, respond to and recover from the crisis; the extent to which international legal frameworks were applied and the impact of the crisis on legal principles; the engagement of different actors (from military forces to local faith-based communities); the extent to which humanitarian principles of neutrality, independence, and impartiality were compromised in humanitarian response; the relationship between refugees, internally displaced persons and 'trapped populations' as determinants of international attention; and difficult operational issues around access, negotiations with non-state actors, and the relationship between security concerns and humanitarian response.

Prior to the first class, law students must read the 1951 Refugee Convention and a very short excerpt, pp. 30-39, from a chapter by Andrew Schoenholtz on "Improving Legal Frameworks" in *The Uprooted: Improving Humanitarian Responses to Forced Migration* (2005).

Recommended: At least one course in Refugee Law, International Human Rights Law, or International Humanitarian Law.

Note: See the schedule of courses on the Main Campus Registrar's website (<http://registrar.georgetown.edu>) for room assignments. Law Center students may register only through the Law Center's registration system.

This seminar requires a paper. J.D. students must register for the 3 credit WR section of the seminar (LAWJ-373-09) if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement.

LAW 1191 v00 Sovereign Debt and Financial Stability Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201191%20v00>)

J.D. Seminar (cross-listed) | 2 credit hours

This seminar will examine sovereign debt and its role in national and global financial systems. By the end of 2012, national governments had borrowed over \$40 trillion from private creditors at home and abroad, and hundreds of billions of dollars more from one another and from international organizations. Government debt is a popular savings vehicle, a benchmark for pricing the risk of corporate debt, and the core asset in national and global financial systems. Sovereign governments may also guarantee borrowing by other important economic actors, from cities and provinces to banks and housing lenders. In many ways, sovereign debt functions like money. Yet it is also effectively unenforceable, since most of the debtors' property is either immune or inaccessible to creditors. In addition to the basic policy, doctrinal and theoretical concepts in sovereign borrowing and restructurings, we will study recent crises in Europe and Latin America, reform proposals, and implications for the financial system.

Each student will be expected to submit a one-page analysis of each week's reading, and two five-page papers (one each on the third and fourth parts of the syllabus). Students may choose to submit a single ten-page paper for either the third or fourth part of the syllabus in lieu of the two five-page papers. Each student will also direct class discussion of one assigned reading at least once during the term.

Recommended: Background in financial regulation and/or public international law would be helpful, but not essential.

LAW 406 v00 Space Law Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20406%20v00>)

J.D. Seminar (cross-listed) | 3 credit hours

This seminar addresses the international and domestic law governing outer space. Class discussion will include issues such as: liability for damage caused by space objects, use of outer space resources, rescue of astronauts and return of objects launched into outer space, environmental issues in outer space, and other more specific topics such as NASA and the International Space Station, commercial space operations, U.S. Government agencies involved in outer space, and the role of the United Nation in outer space.

Recommended: Prior or concurrent enrollment in International Law I.

LAW 406 v01 Space Law Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20406%20v01>)

LL.M Seminar (cross-listed) | 2 credit hours

This course will provide an overview of U.S. domestic and international law applicable to spaceflight activities. The focus will be on domestic licensing procedures and international treaty interpretation for launches, reentries, and other spaceflight activities.

Recommended: Prior or concurrent enrollment in International Law I.

LAW 1525 v00 Special Topics in Immigration (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201525%20v00>)

J.D. Seminar (cross-listed) | 2 credit hours

This course will give students an in-depth look at rapidly developing areas in immigration law. Students will become familiar with the variety of adjudicators in the immigration system, navigating the relationship between Asylum Officers, Immigration Judges, the Board of Immigration Appeals, and the federal courts. We explore legal topics that often arise before these adjudicatory bodies, focusing on those that generate the most frequent—and complex—litigation. Specifically, we focus on detention and bond, corroboration requirements for asylum seekers, and “categorical approach,” under which adjudicators determine whether a criminal conviction renders a respondent removable and ineligible for relief. Students will also become familiar with constitutional challenges to immigration statutes or procedures as they appear in immigration courts and the extent of executive authority under the immigration laws. Finally, we introduce students to judicial review under the Immigration & Nationality Act, the immigration rule of lenity, and the role of deference doctrines in immigration cases.

This course also provides experiential training in the field of appellate immigration practice. Instead of writing a final paper or exam, students will participate in a moot court exercise. Each student will draft the pleadings and prepare arguments for an immigration-related case currently pending in a court of appeals. During this process, the professors provide each student with individualized feedback on her brief-writing and oral advocacy.

Learning Objectives:

Through this course, students will:

- Better understand judicial review under the immigration laws and the immigration adjudication procedures.
- Develop familiarity with asylum law, exclusion and removal grounds, and detention under the immigration laws.
- Gain knowledge of administrative legal practice, including concepts like administrative exhaustion requirements, administrative appeals procedures, and judicial review.
- Become familiar with appellate practice, including concepts like standard of review and findings of fact.
- Develop oral advocacy skills, including the ability to respond to present a legal argument and respond to questions from appeals judges.
- Prepare pleadings in an immigration case at the appellate level, including researching relevant caselaw and succinctly stating the facts of the case.

Recommended: Immigration Law and Policy.

LAW 1634 v00 Sports, Media and Intellectual Property Law Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201634%20v00>)

J.D. Seminar | 1 credit hour

This class will explore the interface of sports, media, and intellectual property (IP) from a comparative perspective. Sporting events attract significant public attention, broadcasting rights for the major leagues and tournaments are purchased for vast amounts, and famous athletes frequently commercialize their names and likenesses. The course will examine the central legal aspects of this interface between sports, media and intellectual property law. It will highlight the social attributes of sports and will critically explore their implications for various legal questions. The analysis will concentrate on the legal regime in the United States, with occasional comparisons to equivalent arrangements in Europe, Canada, and Israel.

Discussion will cover a range of cutting-edge topics, such as the nature of broadcasting rights to sporting events and the protection afforded to such rights under various intellectual property laws; media regulation of broadcasting exclusivity and access to sports broadcasts; access to sports highlights; athletes' "right of publicity" in the age of new media; the use of symbols of teams and tournaments; “big data” and sports data analytics, as well as additional technological developments and their implications for this field.

Note: This course will meet on Tuesdays and Thursdays, 10:00 a.m. - 12:00 p.m. in Spring 2019 on the following dates: 4/2, 4/4, 4/9, 4/11, 4/16, 4/18, and 4/23.

LAW 846 v00 Tax Treaties (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20846%20v00>)

LL.M Course (cross-listed) | 2 credit hours

International tax treaties determine why hedge funds are located where they are, how motion pictures are financed, whether the dispatch of employees abroad is economical, and why financial assets follow prescribed international paths. They determine why Netherlands and Luxembourg have a large positive balance of trade with the United States, and why recording studios are established in the Caribbean. They determine whether bank accounts in Switzerland and Liechtenstein are really secret. While tax treaties ostensibly are only about dividing up tax bases between countries and exchanging information between sovereigns, in reality they channel the flow of investment and development in the global economy.

This course assumes that students have some familiarity with basic tax treaty concepts and examines how provisions of the OECD Model Treaty and the United States Model Treaty are used by tax practitioners to achieve specific business objectives. Students will acquire an understanding of how treaty provisions help shape economic and financial decisions in different industries and economic sectors. The course uses examples drawn from actual practice to illustrate the creative use of tax treaty provisions. It is designed to be an interactive experience, with students working on case studies, discussing alternative approaches, and using different jurisdictions and changes in the form of the underlying transaction to achieve desirable tax results.

Learning objectives:

This course is intended to teach the concepts underlying the United States Model Tax Treaty and the OECD Model Tax Treaty. By the end of the course, students are expected to understand how tax treaties are organized and be able to apply the model tax treaties to factual situations in which the tax treaties are applicable.

At the same time, the course is intended to challenge the student to be aware of the ethical challenges and risks of practice in the area of international taxation. More and more, tax authorities are not only looking to penalize a taxpayer for improper tax planning, but also the tax advisor who recommended the course of action followed by the taxpayer. By the end of the course, students are expected to be able to understand where the borders of ethical behavior are when developing international tax structures and to be able to analyze risks to the clients and themselves when working in this area.

Finally, the course is intended to reinforce principles of close reading and attention to the specific wording used in the tax treaties and cases interpreting the tax treaties. By the end of the course, students are expected to be able to read and understand why specific words are used in tax treaties and the significance of these words.

Prerequisite: One course in international taxation.

Note: Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.

This course is open to J.D. students by professor permission. Interested students should contact Professor De Vos via email at ld57@law.georgetown.edu no later than December 1, 2020 for permission to take this class.

LAW 897 v00 Tax Treaties (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20897%20v00>)

LL.M Course (cross-listed) | 2 credit hours

This is a basic tax treaty course. It will cover fundamental tax treaty concepts such as residency, permanent establishment, business profits, limitation on benefits, and relief from double taxation (including operation of the U.S. foreign tax credit rules). There will be an overview of treaty provisions that apply to investment income and income from the performance of services. In addition, students will learn about the interaction of tax treaties with U.S. domestic tax law, the role of international organizations in interpreting tax treaties, procedures for resolving tax treaty disputes through the competent authority process, and strategies for researching tax treaties. This course is designed for students with little or no background in tax treaties. However, students will be expected to have a basic understanding of the U.S. tax rules that apply to foreign persons who receive income from the United States and U.S. persons who receive income from abroad. The course will be based primarily on the United States Model Income Tax Convention, together with selected case law and administrative authority. We will also look at selected provisions of the OECD Model Tax Convention.

Prerequisite: Federal Income Taxation (formerly Taxation I) and prior or concurrent enrollment in one course in international taxation.

LAW 1328 v00 Taxation in the European Union Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201328%20v00>)

J.D. Seminar (cross-listed) | 3 credit hours

For the past several decades, the European Union has been at a crossroads. Member States no longer have complete sovereignty over their tax systems, but the European Union as a whole has only limited control over taxation. This seminar will introduce students to the particular challenges raised by taxation in the European Union. This seminar will provide a general background to European Union law and will then introduce students to the treatment of indirect taxation, direct taxation, and state aid. The seminar will conclude with several sessions on possible solutions to the tax challenges currently facing the European Union.

Prerequisite: Students must have taken Federal Income Taxation (formerly Taxation I).

Recommended: International Tax is encouraged but not required.

Note: This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.

LAW 3083 v00 The First 1000 Days: Global Health Law & Policy from Gestation to Age Two (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203083%20v00>)

LL.M Seminar (cross-listed) | 2-3 credit hours

The first 1,000 days between a woman's pregnancy and her child's second birthday significantly impacts a child's ability to grow, learn, and thrive and affects a country's health and prosperity. This course approaches this period with a Reproductive Justice (RJ) lens, emphasizing social supports, financial assistance and other tools that advance the right to have and raise children. Both in the US and throughout the world, factors such as race, language, income, education, ability, gender identity and sexual orientation all impact one's ability to carry a healthy pregnancy to term, and the opportunities babies have to grow and thrive.

Increasingly, law and policy has been recognized as a high-impact and robust approach for accelerating progress in supporting women who are pregnant and lactating, along with infants through their first 24 months. In various jurisdictions, policymakers enact courses of action, regulatory measures, laws and policies, and set funding priorities with direct or indirect effects on providing the essential building blocks for families during the 1,000-day window of opportunity. This course focuses on policies, programs and practices across the globe—at the national, tribal, state and local levels—that improve or hinder a mother and child's health and well-being. Students will examine the evidence informing these courses of action, along with the historical and contemporary legislative, regulatory and judicial aspects. This course applies the RJ framework to an area that has primarily been viewed as one of public health. In doing so, students will build a deeper understanding of the social factors and inequities that impede public health initiatives and widen health disparities. Topics and themes include preconception care, infertility, assisted reproductive technology, maternal and infant mortality disparities, newborn screening, immunizations, maternity and paternity leave policies, breastfeeding relevant policies and practices, dietary and physical activity guidance, social assistance programs, food and nutrition labeling, childcare supports, and other environmental and policy strategies to support maternal and child health.

Note: J.D. students must register for the three-credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement for JD students. The special requirements of the two-credit section will not fulfill the Upperclass Legal Writing Requirement for JD students.

LAW 975 v00 The Foreign Tax Credit (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20975%20v00>)

LL.M Course (cross-listed) | 2 credit hours

This course will cover the basics and the finer points of the foreign tax credit, an important issue for virtually all multinational taxpayers. In the current global economy, knowledge about the foreign tax credit is essential for any tax lawyer and particularly helpful for those who represent large corporations or whose practice involves cross-border transactions of any kind. The course will address the mechanics of the Code and Regulations, as well as bigger-picture concepts arising in case law and elsewhere. Students will learn the rules that govern who is entitled to a credit; for what taxes a credit may be claimed; and how large a credit may be taken; and in what year the credit properly accrues. We will also discuss current tax planning issues regarding foreign tax credits.

Students will gain an understanding of the basic foreign tax credit principles of section 901 of the Code, including the criteria used to determine the creditability of foreign taxes, as well as the principles governing "in lieu of" taxes creditable under section 903. The course will address the limitations on the foreign tax credit under section 904; the rules governing the sourcing and "baskets" of income; base and timing differences; and required adjustments to the amount of foreign taxes paid. Students will also learn the fundamentals of the section 861 rules whereby taxpayers' deductions are allocated and apportioned to their foreign-source income for purposes of credit computation. The course will cover the deemed paid credit under section 902 for taxes paid by foreign subsidiaries of U.S. taxpayers; the rules for maintaining pools and layers of earnings and profits and related foreign taxes; the impact of corporate transactions on E&P and the amount of the credit; and the interaction with the subpart F regime. Reading materials will focus on the relevant Code provisions and Regulations and on the evolution of the foreign tax credit through case law.

Prerequisite: Federal Income Taxation (formerly Taxation I), Corporate Income Tax Law I or Corporate Taxation (formerly Taxation II), and a course in International Tax.

LAW 1467 v00 The Future of International Criminal Justice Seminar
(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201467%20v00>)

J.D. Seminar (cross-listed) | 2-3 credit hours

This seminar will explore the question of whether the actions of victims, civil society, and nongovernmental organizations (NGOs), with key support from some national authorities and international bodies, can create a third wave of international criminal justice. We will begin with a brief exploration of the impact of the first wave—the post-World War II tribunals, and the second wave—the international, hybrid and mixed courts created since the 1990s, and continue with a survey of the obstacles to the enforcement of international criminal law in many of the conflict zones of the 21st century. We will study the procedures available in various national justice for victims or independent prosecutors/magistrates to commence criminal cases or civil actions against those allegedly responsible for atrocity crimes, including in non-territorial states based upon passive personality or universal jurisdiction. We will look at the expanding role of civil society and other nongovernmental organizations to advocate effectively for justice remedies and to build the documentation of individual criminal responsibility that will attract national authorities to take up cases and increase the availability of probative evidence for trial. Finally, we will identify the available sources of support for these cases, including through litigation in national, regional, or international courts; investigative assistance from multinational police and justice organizations; and fact-finding, human rights reporting, and investigative coordination through actions taken by multilateral bodies other than the veto-bound UN Security Council.

Note: This course requires a paper. J.D. students must register for the 3 credit section of the course if they wish to write a paper fulfilling the J.D. Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.

LAW 1654 v00 The IMF and the Evolution of International Financial and Monetary Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201654%20v00>)

J.D. Course (cross-listed) | 3 credit hours

The IMF is an institution that is well known, but perhaps less well understood. The course will analyze the IMF's legal and institutional framework and assess the role that it has played in shaping the evolution of international financial and monetary law since its establishment over 70 years ago. The course will be interdisciplinary in nature, focusing on the legal, financial, economic, and governance aspects of this influential – and often controversial – institution.

The IMF is unique among international organizations in terms of the breadth of its powers: regulatory, financial and advisory. With respect to its regulatory authority, the course will analyze the IMF's role in overseeing the fixed exchange rate system that was established in 1945 and assess how the IMF's jurisdiction in this area has evolved since the collapse of that system in 1971. Regarding its financial powers, the Course will review the legal and policy dimensions of IMF conditionality and assess the IMF's often controversial role as a “financial fire fighter”, drawing lessons from the role it played in a number of financial crises, including the Latin American Debt Crisis, the Asian Financial Crisis and the Great Financial Crisis of 2008. With respect to its advisory powers, the course will analyze how the IMF has developed “soft law” in its assessment of the adequacy of policies in a broad range of areas, including bank regulation, fiscal transparency and corporate insolvency. Finally, the Course will review the IMF's governance structure and, in that context, analyze the challenges it faces to its own legitimacy as it seeks to adjust its voting system to take into account important shifts in relative economic power among its member countries. The release of internal staff papers and Executive Board minutes under the IMF's transparency policy will enable students to gain a unique understanding of the complexity of the decision-making process within this institution.

Learning Outcomes

By the end of the course, students will have gained an in-depth understanding of the IMF's regulatory and financial powers, as well as its governance structure. They will also have gained insight into the role the IMF has played in shaping international monetary and financial law in an environment where there has been an increasing unwillingness of countries to surrender sovereignty in this area through substantive treaty obligations. In this context, they will learn about the role that alternative legal frameworks have been played in this area, including procedural law, soft law and private law. A key objective will be for the students to gain an understanding of how the views regarding the nature of the IMF's legal authority can be seen as a microcosm of evolving attitudes towards the pooling of national sovereignty. The students' knowledge of these issues will be enhanced by a close study of internal IMF staff papers, which will enable them to obtain a unique understanding of how legal, financial and economic issues are integrated during the IMF-decision making process. Moreover, through an in-depth analysis of a number of systemic financial crisis, students will gain an appreciation of the competing considerations - and constraints - faced by policy makers in a crisis context. This appreciation will be enhanced by occasional presentations provided by present and former IMF officials who played a lead role during the crises that will be studied.

LAW 1330 v00 The Law of Money Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201330%20v00>)

J.D. Seminar (cross-listed) | 2-3 credit hours

This seminar examines how the law creates and regulates money. Money is at the very core of economic exchange, and serves both as a tool and as a subject of economic policy and regulation. This seminar will emphasize historical and international comparisons to examine what is money, how it is used by economic and political actors, and how it is regulated. Topics to be covered include monetary policy and central banks, legal tender, the gold standard and currency indexation, bank money, shadow banking and near-money, alternative currencies, payment systems, money and nation-building, currency regimes, monetary unions, financial crises and money laundering.

Note: This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.

LAW 3085 v00 The Nuremberg Trials, the Doctors Trials (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203085%20v00>)

LL.M Seminar (cross-listed) | 2 credit hours

The Doctors Trial considered the fate of twenty-three German physicians who either participated in the Nazi program to euthanize persons deemed "unworthy of life" (the mentally ill, mentally retarded, or physically disabled) or who conducted experiments on concentration camp prisoners without consent. The Doctors Trial lasted 140 days. Eighty-five witnesses testified and almost 1,500 documents were introduced. Sixteen of the doctors charged were found guilty. Seven were executed.

The Doctors Trial provides a significant and important example of human rights violations and serves as a lesson in law and bioethics vital to understanding how law evolved from an initial eugenics policy to and including the horrible examples that framed human atrocities during WW II.

This course will highlight examples from Jeanne Guillemin's "Hidden Atrocities, Japanese Germ Warfare and American Obstruction of Justice at the Tokyo Trial", Joel Dimsdale's "Anatomy of Malice" examining the psychological assessments necessary for the trials, and Vivien Spitz's "Doctors from Hell", delving deep into the actual court transcripts from the proceedings. Ben Ferenz's work, one of the actual prosecutors at the trials, will also be included as insight into this tragic period.

LAW 3075 v00 Trade Remedies: WTO Framework, National Law and Practice (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203075%20v00>)

LL.M Seminar (cross-listed) | 2 credit hours

Trade remedies are the bread of butter of international trade law, and hence a critical area of study for any aspiring trade lawyer. This course will introduce participants to the three principal types of trade remedies, anti-dumping, countervailing measures and safeguards. The class will explore the role of, and justifications for, trade remedies in the international trading system, the framework set out in the WTO Agreement for their use, and the dispute settlement jurisprudence regarding them. Because trade remedies are a global phenomenon, it will then examine and compare the trade remedy regimes of major users around the world, before zooming in on the specifics of US practice.

The first objective of this course will be to familiarize students with trade remedies, both in term of the WTO framework and in terms of the practice of both the United States and other major user countries. At the same time, the course should help students to gain a better understanding of the WTO Agreement, how that Agreement interacts with the national law and policy of the United States and other WTO Members, and the role that WTO dispute settlement can play in that interaction.

Prerequisite: An introductory course in International Trade Law and/or WTO Law is highly recommended.

LAW 1218 v00 Trade, Money, and Trust: The Law and Policy of Globalization Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201218%20v00>)

J.D. Seminar (cross-listed) | 3 credit hours

Successful management of globalization has emerged as the central challenge of our time. Globalization has been blamed for many of our social and economic problems from inequality to stagnant growth. The international regulatory failures exposed by the financial crisis of 2008-2009 have called into question not only the regulatory framework for financial stability, but also the entire framework of international norms and institutions known as Bretton Woods that have been the pillars of global economic regulation. The accompanying collapse in public trust in government experts and private elites has complicated efforts to address these challenges. Populist candidates have swept elections, particularly in the US and UK, based on platforms to reverse the course of international integration. Meanwhile, China and Russia have doubled down on leaders that embrace a return to state controlled economies and traditional notions of regional hegemony. Are we at an historical turning point characterized by GLEXIT – the abandonment of globalization – or will these challenges lead to a Globalization 2.0?

The purpose of this seminar is to look at the role of international economic law in managing globalization, both in terms of extracting the benefits and in addressing the consequences, particularly those negative effects that have fed the backlash. The focus of the seminar will be on the central regulatory regimes governing international economic activity: trade, monetary, investment, finance, competition, tax, sovereign debt and corruption. We will examine the fundamental character and role of legal norms, regulatory systems and international institutions in a world characterized by interdependence and conflict.

This is a research seminar in which the initial eight weekly classes will present a survey of regulatory regimes designed to give students a framework for what have historically been somewhat distinct “silos” but which each illustrate the recurring tensions between fragmentation and coherence. We invite student involvement in the specific topics in the field on which we focus. Each student will be asked to provide short papers responding to the readings for each of the initial sessions. Students will be expected to write a research paper on a relevant topic under the guidance of one of the professors and to make a short presentation to the class during the last third of the course. In their research paper, students will be expected to identify a contemporary, global economic regulatory issue and propose solutions drawing on insights from the seminar (and their broader studies) to analyze the problem, propose and defend possible solutions.

The seminar will be taught by professors with a wide range of experience in academia, private practice and government service. Distinguished outside experts will also be called upon to address particular topics within this framework.

A number of broad themes will be developed to help unravel the complexity of global regulation:

- What is the role of legal norms in creating efficient and sustainable global markets? Do some problems lend themselves to different types of norms (e.g. soft versus hard law)? What about governance, the formality of legal norms (and institutions) and the role of national sovereignty and subsidiarity?
- Why do the different global economic regulatory regimes look so different? Why has trade evolved with an advanced set of norms, dispute settlement and enforcement?
- How have crises and systemic failures contributed to the development of legal regimes? Do crises lead to sustainable and effective regulatory regimes?
- What role does trust play in the character of legal regimes? Can international institutions help in the identification of a

LAW 766 v01 Transitional Justice: Theory and Practice (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20766%20v01>)

LL.M Seminar (cross-listed) | 2 credit hours

In the wake of historical trauma – dictatorship, revolution, civil war, mass atrocity, genocide, and other crisis moments in the life of a nation – law and society begin the process of grappling with the past and laying a foundation for the future. From the Nuremberg Trials to Rwanda’s gacaca courts, and from Argentina’s amnesty laws to the International Criminal Court, this course uses historical and contemporary case studies to gain a better understanding of whether and how various mechanisms of transitional justice have contributed to such goals as peace, justice, and reconciliation.

Prerequisite: International Law or equivalent. Please note that exceptions may be granted, especially if students have prior professional experience in the field of international human rights or international law.

LAW 1498 v00 Transnational Contract and Unified Sales Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201498%20v00>)

J.D. Course (cross-listed) | 2 credit hours

This course is divided into two parts. The first part compares different approaches and strategies for analyzing contract law in a transnational context. It offers an overview of comparative contract law, a comprehensive assessment of ways to achieve more harmonization in contract law, and an examination of some of the challenges that arise from differences between common law and civil law systems, with special consideration of the European Union experience. The course will explore the challenges of transnational contract law by looking at four topical issues: the conclusion of contracts; misrepresentation compared to mistake and error; punitive damages compared to penalty clauses; and limits on damages. The second part of the course will focus specifically on international instruments such as the Vienna Convention on Contracts for the International Sale of Goods (CISG). The course will aim at a comprehensive analysis of substantive issues dealt with by CISG by considering various cases. The course will confront the challenges of a uniform Convention that is regulated neither by a common supreme court nor by a single language regime, and will conclude with a discussion of the possibility of unification of law and culture through such transnational instruments.

Overall, the course aims at providing a practical perspective on comparative contract law issues faced by American lawyers working in a transnational practice. It will also show how legal comparison is a means for thinking about strategies in advocating changes in the law as well as solving concrete problems in an international commercial setting.

LAW 1721 v00 Transnational Law Colloquium (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201721%20v00>)

J.D. Seminar (cross-listed) | 1 credit hour

The Transnational Law Colloquium, normally held as part of the Center for Transnational Legal Studies (CTLIS) in London, UK, will be offered this fall and spring online to any Georgetown Law upperclass JD or LLM student. It also will be offered synchronously to law students at several universities in Europe. CTLIS faculty and other legal scholars will present their own work for discussion by students and faculty from partner schools. The Colloquium will meet every other week for two hours. Over the course of the semester, we will discuss six papers in a broad range of topics relating to transnational law, including public and private international law and comparative law. The papers presented will most often be works in progress although some will be recently published work. They will ordinarily be available on Canvas two weeks in advance of the Colloquium. Students are expected to read works before sessions, write two reaction papers, and participate in class discussion.

Note: This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

LAW 1539 v00 Transnational Law Practice Field Study (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201539%20v00>)

J.D. Seminar | 1 credit hour

Attorneys practicing law in another country face a variety of unique challenges. There are obstacles in local laws, admission requirements and immigration regimes. Attorneys must navigate developing client relationships in different cultural settings and tackle cultural and/or language barriers to serve those clients. Attorneys and law firms face international and foreign legal issues in representation of their domestic clients. Law firms increasingly have offices staffed around the globe, and are innovating and experimenting with client delivery service models. Rules and norms of professional conduct can vary based on country and practice setting.

This field study is open only to students taking part in summer legal work in a country other than their home country. It is designed to foster deeper engagement and exploration of an aspect of their transnational legal practice through development of a scholarly paper and substantive presentation.

Students must submit a proposed paper topic on an issue of international law or international legal practice related to their summer employment/ internship in order to be enrolled in this course. The topic and final paper may be related to but must not directly overlap with legal issues explored and worked on during the summer as part of the student's employment or internship. Students are encouraged to include a comparative element and/or to explore diverse aspects of the transnational legal professional experience. Students will be required to submit an outline, conduct an interview, create an audio or visual presentation of their topic, and provide feedback to others, in addition to writing their research paper. The final paper must be a minimum of 3,000 words, excluding footnotes.

Note: This study is enrolled via professor permission. Students will indicate their interest via an online form, which will become available at a later date. This form should be completed as soon as possible, but no later than **May 21, 2021**, to propose a paper topic and confirm qualifying summer employment. Students may be asked to revise their proposal and/or meet with the professor(s) prior to being enrolled.

This course is mandatory pass/fail, and does NOT count against the 7-credit pass/fail limit for J.D. students. This course does not satisfy the upperclass writing requirement or count toward the 6 credits of experiential coursework required of students matriculating as first-year students in Fall 2016 or later. This is a distance-learning seminar with no regularly scheduled meeting times. Students will participate and submit coursework via Canvas. Additional instructions will be provided to enrolled students. Any student who will not have completed 28 credits or more by the beginning of the summer session is strongly advised to review the rules related to distance education courses for the jurisdiction in which they intend to sit for the bar examination. Once enrolled, students who are on an F-1 visa must contact an International Student Advisor (lawcentervisa@georgetown.edu) before they drop or seek permission to withdraw from this seminar to discuss their work authorization. Students pursuing opportunities outside of the United States are required to register their travel and to obtain specific Education Abroad Health Insurance. Please see the Law Center's policy regarding student travel abroad (<https://www.law.georgetown.edu/academics/transnational-programs/international-travel-policy>) for additional details. Students wishing to travel to countries under a U.S. State Department Travel Warning must first go through an approval process. These policies are administered by the Office of Transnational Programs (<https://www.law.georgetown.edu/academics/transnational-programs>).

LAW 780 v01 U.S. and International Customs Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20780%20v01>)

LL.M Course (cross-listed) | 2 credit hours

As international trade and commerce have increased over the years, customs law has become increasingly more internationalized, important and complex. This course will examine and provide a basic introduction to the rules and principles relating to both U.S. and international customs law. This will include an examination of those rules and principles relating to tariff classification, customs valuation, rules of origin, border enforcement of intellectual property rights and regional trading arrangements. International efforts to facilitate trade and to harmonize and simplify customs laws and procedures will also be examined together with international organizations dealing with customs laws and procedures (such as the World Trade Organization and the World Customs Organization).

Customs authorities are the guardians of national borders. The role of customs authorities in combating terrorism and criminal activity and in securing and safeguarding national borders will also be examined.

No prerequisites.

Mutually Excluded Courses: Students may not receive credit for both this course and Customs Law.

LAW 962 v03 U.S. Export Controls and Economic Sanctions (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20962%20v03>)

LL.M Course (cross-listed) | 2 credit hours

Understanding and dealing with U.S. export control and sanction laws have become increasingly important skills for lawyers advising clients who compete in the global economy, including manufacturers, service enterprises, financial institutions, and companies licensing their technology abroad. This course surveys the federal laws and implementing regulations governing the export and re-export of goods, services, technology and software from the United States or by persons subject to U.S. jurisdiction, the extraterritorial reach of re-export controls, prosecution strategies, restrictions on dealings with or in sanctioned countries, prohibitions against dealing with blacklisted parties, and other sanctions that apply to non-U.S. companies and individuals. We also will examine the policies underlying these rules, which are designed to address ever-changing and developing threats to the United States, including Russian aggression in the Ukraine, the nuclear threat posed by Iran, civil war in Syria, missile development in North Korea, and conventional military tensions between the United States and China.

The course is designed to impart the practical skill sets you will need to use and understand the various complex regulatory systems that implement national security rules related to technology and high-tech transfers, including restrictions on release of technology to non-U.S. persons, foreign policy restrictions and licensing requirements. The regulations are implemented under various statutes, such as the International Emergency Economic Powers Act, Trading with the Enemy Act, Arms Export Control Act, and Atomic Energy Act, and regulations issued by various federal agencies, including the U.S. Departments of Commerce, Treasury, State, and Energy and the Nuclear Regulatory Commission. We will address each regulatory regime as well as the limited body of relevant case law.

In addition, the course will address multilateral export control regimes, the role they play in shaping U.S. trade laws, the impact of new regimes (such as those under the Chemical Weapons Convention) and the direction of U.S. export controls and sanctions policy in response to the changing threats. We will focus on the U.S. Government's use of embargoes and other economic sanctions to achieve national security and foreign policy goals of target countries. This course also will provide the skill sets necessary to communicate effectively with licensing agencies and the Defense Department regarding key issues of agency jurisdiction and classification and how these issues affect direct investment in the United States as regulated by the Committee on Foreign Investment in the United States.

The course also will focus on the enforcement environment, including the trend of ever-increasing fines, the use of extradition, and imprisonment. We will discuss defense strategies and the potential for global settlements with the Departments of Justice, State, Treasury, and Commerce.

Finally, the course will emphasize developing the working knowledge necessary for hands-on practice and problem-solving in this field. In addition, the course will provide skills sets to assess proposed legislation and regulations in depth, as well as advocacy skills related to legislation and rulemaking.

Recommended: Administrative Law; International Law I.

LAW 986 v01 U.S. International Inbound Tax (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20986%20v01>)

LL.M Course (cross-listed) | 2 credit hours

Concentrates on the U.S. taxation of foreign persons and foreign investments in the United States. The course covers the U.S. taxation of passive and business income of nonresident aliens and foreign corporations, the source rules, the principles and application of U.S. tax treaties, special rules governing foreign investment in U.S. real estate and other business, cross border financing transactions, the base erosion and anti-abuse tax, and tax planning possibilities involved in the foregoing.

Prerequisite: Federal Income Taxation (formerly Taxation I) and either prior or concurrent enrollment in Corporate Taxation (formerly Taxation II) or Corporate Income Tax I.

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. course International Tax Law or U.S. Taxation of International Transactions.

Note: Required for U.S. trained students pursuing the Certificate in International Taxation.

LAW 756 v01 U.S. International Outbound Tax (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20756%20v01>)

LL.M Course (cross-listed) | 2 credit hours

Concentrates on the U.S. taxation of U.S. persons and businesses earning income outside of the United States. The course examines, in depth, U.S. taxation of the international operations of U.S. multinational corporations. It covers the recently enacted GILTI rules, the Foreign Tax Credit provisions, Subpart F, repatriation, section 367, foreign currency considerations, Passive Foreign Investment Companies, and overall strategic tax planning, including the significant new U.S. international tax rules and other changes introduced by the 2017 Tax Cuts and Jobs Act.

Prerequisite: Prerequisite: Federal Income Taxation (formerly Taxation I) and either prior or concurrent enrollment in Corporate Taxation (formerly Taxation II) or Corporate Income Tax I.

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. seminar, Congress and the Department of Justice Seminar: Conflict and Cooperation; or the J.D. seminar, International Tax Planning Seminar; or U.S. Taxation of International Transactions.

Note: Required for U.S. trained students pursuing the Certificate in International Taxation.

LAW 881 v00 U.S. Taxation of International Transactions (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20881%20v00>)

LL.M Course (cross-listed) | 3 credit hours

The course will address the principal elements of the U.S. taxation of international transactions, including trade, investment and labor. The initial portion of the course will address the way in which individual and corporate foreign taxpayers are taxed in the United States. The second portion of the course will deal with the way in which U.S. individual and corporate taxpayers are taxed on income earned in other countries. The impact of tax treaties will be addressed in both portions of the course.

Prerequisite: Federal Income Taxation (formerly Taxation I) or equivalent from home country. Strongly recommended for U.S.-trained students: A prior or concurrent course in the taxation of corporations and shareholders.

Mutually Excluded Courses: Students who take this course may not enroll in U.S. International Inbound Tax (formerly U.S. Taxation of Foreign Persons in the United States) or U.S. International Outbound Tax (formerly: U.S. Taxation of Domestic Persons outside the United States), or International Tax Law. Students who have taken any of these or are currently enrolled in these three courses may not enroll in this course.

Note: Required for foreign-trained Tax LL.M. students pursuing the Certificate in International Taxation.

LAW 881 v01 U.S. Taxation of International Transactions (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20881%20v01>)

LL.M Course | 3 credit hours

The course will address the principal elements of the U.S. taxation of international transactions, including both the way in which individual and corporate foreign taxpayers are taxed in the United States (Inbound Taxation) and the way in which U.S. individual and corporate taxpayers are taxed on income earned in other countries (Outbound Taxation). The impact of transfer pricing rules and tax treaties will be addressed in both portions of the course.

Prerequisite: Federal Income Taxation (formerly Taxation I) and prior or concurrent enrollment in Corporate Taxation (formerly Taxation II) or Corporate Income Tax Law I.

Mutually Excluded Courses: Students who take this course may not enroll in U.S. International Inbound Tax (formerly: U.S. Taxation of Foreign Persons in the United States) or U.S. International Outbound Tax (formerly: U.S. Taxation of Domestic Persons outside the United States), or International Tax Law. Students who have taken any of these or are currently enrolled in these three courses may not enroll in this course.

Note: Required for foreign-trained Tax LL.M. students pursuing the Certificate in International Transactions.

Withdrawals are permitted up until the last class for this specific course.

LAW 1458 v00 Use of Force, National Security, and Human Rights Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201458%20v00>)

J.D. Seminar (cross-listed) | 3 credit hours

The struggle to respect and ensure universally recognized and protected human rights while also protecting national security raises important and complex legal and policy challenges across a range of issues from the "war on terror" to climate change. This course will address current issues at the intersection of national security and human rights, with an emphasis on the novel and complex questions about the nature of conflict, national security threats, and the place of human rights in the context of the struggle against transnational terrorism after 9/11. These questions are especially salient with regard to state use of force, which involves the deployment of violence against individuals, as well as their seizure, detention, and trial.

In general terms, the current legal approach to dealing with these issues tends to present decision makers with a binary framework that was created with the assumption that conflict between states is the primary threat to international peace and stability. The absence of armed conflict is presumed to constitute peacetime, when human rights law requires that states deal with threats to the peace through law enforcement operations in which lethal force may be used only as a last resort, and exercising physical control over individuals is strictly constrained. Movement from peacetime to war occurs when states use armed force against one another, or when the use of force between non-state organized armed groups (against one another or against a state) reaches sufficient intensity and duration. During this period, the traditional paradigm assumes that international humanitarian law (IHL) largely governs state conduct, and that the demands of human rights law must be adapted to the IHL regime.

International terrorism by non-state actors presents challenges to reliance on this binary peacetime-wartime framework. One possible response is to regard terrorist violence as presumptively occurring during peacetime, which means that terrorism must be addressed under a law enforcement paradigm, which is governed by human rights law. Some critics, however, argue that the scale of destruction inflicted by international terrorist attacks is more akin to wartime damage than domestic criminal activity, and that law enforcement is insufficiently flexible to permit preventive operations. They argue that that international terrorists therefore should be treated as engaged in armed conflict that triggers the application of IHL.

Rules governing the use of force under IHL, however, run the risk of being excessively permissive when applied in settings that do not involve segregated battlefields but terrorists embedded in large civilian populations whose behavior is not unambiguously hostile. Service members are also being increasingly required to carry out activities more akin to law enforcement when undertaking operations amidst these local populations. One response to this is a call for greater incorporation of human rights principles into armed conflict operations in some settings.

There is a pressing need to develop legal concepts to guide operations that blend human rights and national security concerns in a way that does justice to the distinctive nature of many conflicts in the contemporary world. Some commentators and scholars argue that we should eschew the legal categories of human rights law and IHL and focus on forms of regulation that involve highly contextual assessment of the complex competing considerations at stake in particular situations. Others argue that traditional legal categories establish important presumptions, and that human rights law in particular is more flexible about the use of force than many observers realize. Still others suggest that we should consider a new third category to guide the use of force that draws on elements of both law enforcement and armed conflict. This course will assess these and other positions in the debate, with the aim of exploring how best to respond to the challenges that international

LAW 1453 v00 Vatican City State, Holy See, and United Nations Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201453%20v00>)

J.D. Seminar (cross-listed) | 1 credit hour

The purpose of the Seminar is to lead the participants to the understanding of the position and operations in international law of Vatican City, a small but sovereign state, of the Holy See, the representative of an international religious corporation – in particular in their relationships to the United Nations. The sessions will focus (1) on the historical background of the emergence of the modern Vatican; (2) the consolidation of its position among the nations through the Treaty of Lateran in 1927; (3) its developing relationship with the United Nations; (4) its specific contribution as advocate of peace and justice. Each student will be asked to study either a relevant historical event or a major document related to the main topic, and to report on it in a paper of about 12 pages.

Note: This class will meet on the following seven dates in Spring 2018: 1/18, 2/1, 2/15, 3/1, 3/22, 4/5 and 4/19.

LAW 937 v01 War Crimes & Prosecutions (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20937%20v01>)

LL.M Seminar (cross-listed) | 1 credit hour

This course focuses on international war crimes and legal actions taken against war crimes violators. Using such topics as the abuse allegations as irregular rendition, the trial of Saddam Hussein, the arrest warrant for Omar Al-Bashir, the Armenian Genocide, and other events, the course will explore in depth topics such as the principal international war crimes, universal jurisdiction and issues surrounding jurisdiction to conduct war crimes trials, civil remedies for war crimes under the Alien Tort Statute, who should conduct war crimes trials, and other matters. Students will be expected to write a paper, approximately 12-15 pages, on a topic of their choosing pertaining to war crimes, and to participate in class discussions.

Mutually Excluded Courses: Students may not receive credit for both this seminar and Law of War, Law of War Seminar, or War Crimes, Terrorism and International Criminal Procedure.

Note: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety will result in a withdrawal.

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.

LAW 1686 v00 White Collar Criminal Practice: International Scandal Investigations (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201686%20v00>)

J.D. Seminar | 1 credit hour

This intensive, Week One simulation course is designed to provide students with a basic understanding of how to defend clients in the early stages of an international criminal scandal investigation. The course requires students to work in teams to defend a fictitious foreign celebrity client in an investigation conducted by the U.S. Attorney's Office for the Southern District of New York. Through role-plays and practice-based exercises, students will handle assignments of the exact type associates at leading white collar practices might be called upon to complete.

Among other things, students will learn to:

- Work collaboratively as a member of a defense team
- Analyze a criminal case against a high-profile international client, isolate points of weakness in the prosecution's case, develop important interview questions for the client, and create a strategic research and defense plan
- Explore typical issues arising in high-profile international criminal investigations, including press, jurisdiction, and statute of limitations
- Gain basic understanding of substantive U.S. crimes arising in the context of international criminal investigations, such as mail and wire fraud, bribery, money laundering, and conspiracy
- Conduct fast-paced legal research, and draft high-quality written work product
- Present and defend findings orally, and prepare a witness for interview by the U.S. Attorney's Office

Assignments students will complete during the course of the week will include drafting an initial press release, conducting "flash" research, delivering an oral presentation and responding to real-time questions, preparing a PowerPoint presentation, drafting persuasive talking points for use in a meeting with a federal prosecutor, and preparing a client for interview by that prosecutor.

Note: UPPERCLASS WEEK ONE COURSE: This will meet on the following days: Monday, January 11, 2021 through Thursday, January 14, 2021. This course is offered on a mandatory pass/fail basis and will not count toward the 7 credit pass/fail limit for J.D. students.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety. **Note:** Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar at lawreg@georgetown.edu. A student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. **Note:** Students should be prepared to dedicate a significant amount of time to this class over the course of the week outside of the scheduled class hours.

LAW 1687 v00 White Collar Criminal Practice: International Scandal Investigations (Week One Teaching Fellows) (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201687%20v00>)

J.D. Seminar | 1 credit hour

The Teaching Fellows for the White Collar Criminal Practice: International Scandal Investigations Week One simulation course will work with Professors DeLaurentis and Coleman to facilitate this course. The description of the course is available on the Curriculum Guide here (<https://curriculum.law.georgetown.edu/course-search>). Teaching Fellows receive 1 pass/fail credit toward their Spring course load.

Teaching Fellows will meet at least twice with Professors DeLaurentis and Coleman in advance of Week One to review course topics, goals, simulation structure, and to receive training on their role throughout the course. Readings will be assigned.

Fellows then attend all of the class sessions during Week One and assist in facilitating discussion and small-group work amongst the students enrolled in the course. For example, fellows may moot students as they prepare for a mock oral argument or client presentation, or play the witness in a key witness interview. Fellows also meet and consult regularly with faculty during the course to discuss student progress and course logistics.

At the conclusion of Week One, fellows must complete a 6-8 page reaction paper assessing how the course worked, overall student experience, and how the course could be improved (e.g., legal issues, factual issues, structure of exercise).

Mutually Excluded Courses: Students who are enrolled in a Spring semester clinic should determine when any clinical meetings will take place during Week One to ensure there will be no conflict with their responsibilities as a fellow.

Note: THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. The Application Form will be made available to students in the latter half of August 2020. If you have any difficulty accessing the application or have questions about the application process, email lawexp@georgetown.edu.

This course is open to upperclass J.D., LL.M., and S.J.D. students. WEEK ONE COURSE. This course will meet on the following days: Monday, January 11, 2021 through Thursday, January 14, 2021 during the class meeting times for the course. Additionally, teaching fellows will meet with their professors on Sunday, December 6, 2020 and Sunday, January 10, 2021 (times TBD). Professors may schedule alternative and/or additional trainings as needed. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. This course does not count toward the Experiential course requirement. ATTENDANCE AT ALL CLASS SESSIONS AND FELLOW TRAININGS IS MANDATORY. After accepting an offer, the student may drop the course ONLY with the permission of the professor. Permission is granted only where remaining enrolled in the course would cause significant hardship to the student.

LAW 1075 v00 Women and Immigration (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201075%20v00>) (Fieldwork Practicum)

J.D. Practicum | 4 credit hours

In fieldwork practicum courses, students participate in weekly seminars and conduct related fieldwork at outside organizations. This fieldwork practicum course will focus on government protection for women fleeing gender-based persecution and abuse. Students will participate in a two hour/week seminar and carry out 10 hours/week of fieldwork for private law firms and nonprofit agencies located in the D.C. metro area that are representing women fleeing their countries because of gender-related violence.

SEMINAR: In the two-credit, graded, seminar portion of the practicum, students will discuss how shifting migration patterns and societal forces have caused more women to leave their home countries and attempt to enter the United States. While a woman may flee her home country for the same reasons as a man, research shows that refugee women also flee their countries for gender-related reasons. In many countries, women face persecution and violence just for being women. This includes the use of rape as a weapon of war, domestic violence, so-called honor crimes, forced marriage, widow rituals, one child policies, forced sterilization policies, and female genital mutilation. In seminar, students will study and learn through experience about the societal forces causing the forced migration of women and how U.S. laws and policies address the immigration status of these female immigrants. We will focus on forms of relief that, while available to both men and women, are almost exclusively accessed by women to obtain legal status in the United States. Specifically, we will focus on: Asylum (specifically the gender-based prong of "membership in a particular social group"), the Violence against Women Act (for abused women who are or were married to U.S. citizens), U Visas (for victims of crime), and T Visas (for victims of trafficking).

FIELDWORK: In the two-credit, mandatory pass/fail, fieldwork portion of the practicum, students will work with lawyers from private law firms and nonprofit agencies on actual cases of women fleeing their countries because of gender-based violence. Students will be assigned in teams to interview clients, prepare research and briefs, and assist the principal lawyer conducting the case. Students will also work directly with attorneys at local legal services agencies who are representing female survivors of gender-based harm seeking legal status in the United States.

Prerequisite: J.D. students must complete the required first-year program prior to enrolling in this course (part-time and interdivisional transfer students may enroll prior to completing Criminal Justice, Property, or their first-year elective).

Mutually Excluded Courses: Students may not concurrently enroll in this practicum and an externship or a clinic or another practicum course.

Note: LL.M students may enroll in this course, space permitting, provided they have excellent U.S.-based legal research skills, English language, and writing ability. Interested LL.M. students should email the Office of the Registrar (lawreg@georgetown.edu) to request admission.

This course is suitable for evening students who can commit to working 10 hours/week (during business hours) for private law firms and nonprofit agencies. Students are responsible for organizing their own transportation to meet clients in the D.C. metro area, which includes clients in Virginia. PLEASE NOTE: There will be two class sessions in the first week – one at the regularly scheduled Tuesday meeting time and the second on Wednesday from 3:00-5:00 p.m. FIRST AND SECOND CLASS ATTENDANCE IS MANDATORY. All enrolled and waitlisted students must be in attendance at the first and second class sessions in order to be eligible for a seat in the class, and must attend both class sessions in their entirety. Due to the case and team structure of this practicum,

LAW 611 v04 World Health Assembly Simulation: Negotiation Regarding Climate Change Impacts on Health (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20611%20v04>)

J.D. Course | 1 credit hour

This Week One simulation will introduce students to the science and impacts of climate change, including effects on health such as heat stress, vector-borne disease, and food security. It will provide students an opportunity to develop positions, advocate, conduct a simulated negotiation, and receive feedback to improve skills. The negotiations will take place as part of the World Health Organization's World Health Assembly. Students will represent countries and important civil society institutions in negotiating and crafting an international agreement pertaining to climate change and global health. They will have the opportunity to conduct research for their assigned country or organization, interview experts, develop strategy, negotiate, receive and incorporate feedback, and draft resolutions, treaties, or other legislative language. Our approach will allow students to go through not merely an academic negotiation exercise but to develop language that might be useful in the real-world context of the World Health Assembly.

Note: FIRST-YEAR WEEK ONE COURSE: This course will meet on the following days: Monday, January 11, 2021, through Thursday, January 14, 2021. This course is mandatory pass/fail, and does NOT count against the 7-credit pass/fail limit for J.D. students.

This optional, elective course is for first-year J.D. students only, who will enroll via the Live Registration process. ATTENDANCE AT ALL CLASS SESSIONS IS MANDATORY. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety. For more information see the Week One website (<https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations>). Due to the intensive nature of the course, the small-group, team, and individual work that is involved, and the preparation that is necessary to ensure a positive student experience, students who wish to drop the course after they have accepted a seat must drop by **Monday, November 30, 2020 at 3:00 p.m.** After that point, students must receive permission from both the course professor and Assistant Dean for Experiential Education to drop the course. Permission will only be granted when remaining enrolled in the course would cause significant hardship for the student. Students who are enrolled but do not attend the first class session will be withdrawn from the course.

LAW 872 v00 World Trade Organization: Agreements, Negotiations & Disputes (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20872%20v00>)

LL.M Course (cross-listed) | 2 credit hours

The course analyzes the World Trade Organization (WTO) and its agreements, including the General Agreement on Tariffs and Trade (GATT), and the substance and status of negotiations to amend the agreements. It concentrates on the coverage of the agreements, based on their text and interpretive guidance from key dispute settlement decisions. The course also reviews the relevant economic, policy and legal aspects of the international trading system.

LAW 703 v00 WTO & Public International Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20703%20v00>)

LL.M Course (cross-listed) | 2 credit hours

Since the institution of the WTO's Dispute Settlement Understanding in 1994, WTO

jurisprudence has increasingly addressed disputes involving the interaction between trade related values and other domestic or international policy values. The various WTO instruments that are subject to the discipline of the Dispute Settlement Understanding address the relationships between international trade and other fields such as public health, the environment, intellectual property, and even public morality. The treatment of these issues in the WTO Agreements simultaneously demonstrates the linkages among these fields, and the separation of each from the others. Moreover, many of these "trade-related but not trade" policy areas are covered by other international agreements and understandings, as well as by domestic laws, and are in some cases subject to different judicial or quasi-judicial dispute resolution mechanisms, each applying its own rules of decision. Finally, even within the international trade arena, the proliferation of regional trade arrangements with their own dispute settlement mechanisms presents another

potential source of conflict with the jurisprudence of the WTO.

This state of affairs has, since about 1995, given rise to serious concerns over what has been termed the "fragmentation" of international law. Although abstract, the question of whether international law should be viewed as a "system" of law, or merely as an aggregation of rules formed principally by agreements between sovereign states, has become one of more than theoretical interest. The resolution of actual or potential conflicts between various specialized international regimes, as well as between such regimes and domestic legal regimes, has become of increasing practical importance. In many respects, WTO jurisprudence stands at the heart of these developing concerns.

This course will examine the jurisprudence of the WTO through the lens of the issue of

fragmentation. Through a close study of relevant decisions and hypothetical disputes, the course will address actual and potential regime conflict issues between the international trade regime and competing norms in the environmental, public health, and intellectual property spheres. It will also address the challenges to the integrity of general international law, and of the WTO regime itself, that are posed by the proliferation of regional trade regimes with their own dispute settlement mechanisms, and by emerging questions about the effect of WTO norms within domestic legal regimes. The course will seek to balance a case-driven approach to these issues with a consideration of the underlying theoretical questions, and will regularly return to the question of the future role of the WTO in the new world order of international law.

Recommended: Prior exposure to WTO law, or concurrent enrollment in a basic course in WTO law.

LAW 3082 v00 WTO Dispute Settlement in Action: Selected Rules Jurisprudence (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203082%20v00>)

LL.M Course (cross-listed) | 2 credit hours

This course involves an in-depth look, in a seminar-type setting, at selected WTO dispute settlement decisions, principally in the Rules area (trade remedies, subsidies, TRIMs). At each weekly session, the course will focus on a specific WTO dispute settlement decision, or portion thereof. The course will use these decisions as a medium to examine systemic issues regarding the WTO dispute settlement system, such as the function of terms of reference, confidentiality of DS proceedings, the role of non-WTO law in WTO disputes, the legal relationship between WTO agreements, the role of precedent in WTO disputes, standard of review of Member determinations, Appellate review of issues of fact, implementation and compliance, and Article 22.6 arbitrations, and issues relating to reform of the system. At the same time, students will gain familiarity with some of the leading substantive issues in WTO law, principally in the Rules area.

Recommended: Background in international trade law, and ideally in WTO law and/or trade remedies.

Full-time and Visiting Faculty

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