

GENERAL/INTERNATIONAL LEGAL STUDIES

Our General and International Legal Studies programs are the most flexible degree programs available to foreign-educated LL.M. students only. The General LL.M. has no specific course requirements, allowing students to assemble their program of study from the entire curriculum. The International Legal Studies LL.M. is similarly flexible, providing students the ability to choose from one of the largest international law curricula of any law school in the United States—while still having room to take elective courses.

Students in the General or International Legal Studies LL.M. degree programs often choose to pursue a certificate (<http://curriculum.law.georgetown.edu/llm/llm-certificate-programs>) (in combination with their LL.M. degree) in International Human Rights Law (<http://curriculum.law.georgetown.edu/llm/llm-certificate-programs/llm-international-human-rights-certificate>), International Arbitration & Dispute Resolution (<http://curriculum.law.georgetown.edu/llm/llm-certificate-programs/llm-international-arbitration-dispute-resolution-certificate>), Refugees & Humanitarian Emergencies (<http://curriculum.law.georgetown.edu/llm/llm-certificate-programs/llm-refugees-and-humanitarian-emergencies-certificate>), or IIEL WTO Studies (<http://curriculum.law.georgetown.edu/llm/llm-certificate-programs/llm-wto-studies-certificate>). Note that the credits needed for the certificates are as part of, and not in addition to, the credits required for the LL.M. degree program. Students who wish to fulfill the course requirements for New York Bar eligibility (<https://www.law.georgetown.edu/academics/graduate-programs/student-services/student-advising/bar-exam-information>) can do so while pursuing either of these degrees. Academic advisors are available to assist students in tailoring programs to meet their professional goals and interests.

Although not specifically required for either the General or International Legal Studies degrees, students are strongly encouraged to take U.S. Legal Research, Analysis and Writing (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20844%20v06>) as well as Introduction to U.S. Legal Systems (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20978%20v00>) (or similar introductory course) to establish a solid foundation in the U.S. legal system and the research and communication methods of U.S. lawyers.

International Legal Studies

Requirement	U.S.-Trained Students	Foreign-Trained Students
Total Credits Required	NA	20
Specialization Credits Required	NA	12

General Studies

Requirement	U.S.-Trained Students	Foreign-Trained Students
Total Credits Required	NA	20
Specialization Credits Required	NA	0

Contact Information

To learn more, please contact:

Andrea Rodriguez Escobedo, Director of International Programs

Phone: (202) 662 - 9036

Email Address: **Andrea Rodriguez Escobedo**

Please address any questions about admissions the Office of Graduate Admissions (<https://www.law.georgetown.edu/admissions-aid/graduate-admissions>).

LL.M. students who are in the General Studies program have no specialization requirements; you may consult the alphabetical lists of LL.M. courses as well as the one for upper class J.D. courses. LL.M. students in the International Legal Studies program are required to take a minimum of 12 credits in courses listed under the International Legal Studies course list below.

Search LL.M International Legal Studies Courses (http://curriculum.law.georgetown.edu/course-search/?program=program_35)

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 2094 v00 Advanced Topics in International Humanitarian Law

(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202094%20v00>)

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

This seminar is intended to provide students with an interest in international humanitarian law (IHL) with an opportunity to undertake indepth research, and write a substantial paper, on key issues in IHL. Potential topics include thresholds for the application of IHL, the interface of IHL with human rights law and domestic law, the protection of civilians and non-combatants from the effects of conflict, the application of IHL protections to unprivileged belligerents, the standards for detention under IHL, including both permissible duration and treatment, emerging trends regulating the use of lethal force as a first resort under IHL, arms control and IHL (landmines, cluster munitions, autonomous weapons), the application of IHL to cyber "warfare", U.S. interpretation of customary and treaty IHL, the efficacy of IHL in current conflicts in the Middle East and Eastern Europe, and other topics. Building upon a foundation of assigned readings on core IHL topics, the professors and students will tailor classroom work to coincide with the students' research projects. Students will be expected to participate actively in class and to share their own research during the semester with other students.

Students will receive individualized feedback from the professors on outlines and drafts of their paper, as well as an opportunity to present their paper to the professors and other students in class to help identify issues and sharpen their analysis.

Learning objectives:

Through a structured process, to develop a scholarly paper on international humanitarian law, we aim to give the student, working closely with the professor, an opportunity to explore his or her topic in depth and to write a paper worthy of publication in a law journal.

Strongly Recommended: Courses in public international law, human rights law or international humanitarian law (the law of armed conflict).

LAW 3018 v00 Advocacy in International Arbitration

(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203018%20v00>)

LL.M Course | 2 credit hours

Students in this small seminar will receive individualized instruction in oral and written advocacy in advanced topics in international arbitration. The scope of instruction will include both procedural and substantive topics. The principle underlying the course is that students will learn by doing.

Enrollment will be based only on professor permission; students should not rank this course in the pre-registration process. Permission will be principally based on the results of a moot court try-out competition.

Recommended: Prior enrollment in an introductory course in international arbitration

Note: Note: This course is only open to LL.M. students. Students must seek professor permission to enroll.

LAW 885 v01 Advocacy in International Arbitration

(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20885%20v01>)

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

This course blends mock arbitration experiences with class discussion of techniques, strategy, and ethics in international arbitration proceedings. Students directly participate in a series of practical exercises based upon a series of international arbitration fact patterns, which will entail their role-playing as advocates, cross-examiners, and arbitrators. The course emphasizes advocacy in connection with jurisdictional and procedural issues, selecting and challenging arbitrators, and other scenarios that often arise in international arbitration.

Recommended: An introductory course or some experience in international arbitration; International Law I: Introduction to International Law.

Note: Note: Students participate in in-class advocacy exercises and are graded on those exercises and productive class participation. Students may not withdraw from this class after the add/drop period ends without the permission of the professor.

LAW 3051 v00 Arbitration in Latin America (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203051%20v00>)

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

Countries of the so called "Latin America" have seen a substantial increase in disputes submitted to arbitration. The last decade has seen, on the one hand, amendments in the arbitration laws of the region and, on the other, an increase in both commercial disputes and investor State claims under bilateral investment treaties and free trade agreements. But what is "Latin America"? Is there a Latin American arbitration? Is there a common approach to arbitration by the different countries in the region? Have the countries in the region simply adopted international standards and rules, or is there a Latin American contribution to the development of arbitration? Is there a Latin American way of conducting arbitration or rather an increasing adoption of practices and rules more akin to common law traditions? How can lawyers trained in the common-law tradition work in arbitrations subject to the laws of Latin American countries and located in Latin American venues? What have been the effects of the so-called "constitutionalization" of arbitration? Is there a uniform approach of Latin American countries to arbitration under investment treaties? Is there a trend to expand the relevance of local law in investment claims and to insist in the Calvo doctrine? Do human rights or rights of indigenous communities play a role in investment disputes? Where is the debate as to whether the existing investment treaties and the arbitration rules reflect the dominant interests of capital-exporting nations? What have been the defense strategies of Latin American states?

The mere definition of what is Latin America presents a challenge to both lawyers and historicists. This course will explore, with a brief introduction as to the historical differences and common grounds between the countries in the region, the responses to the different questions that arise in a region where the approach to arbitration swings from the magic solution to reduce work overload in courts to a public enemy that should be eliminated.

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

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.

LAW 1788 v00 Asian American Legal Studies Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201788%20v00>)

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

"In the popular imagination, Asian Americans inhabit a vague purgatorial status," Cathy Hong Park writes, neither "white enough nor black enough," regarded with suspicion, overlooked, or, increasingly, used by cynics to dismantle affirmative action. Asian Americans have occupied various positions along the shifting color line: the arrival of Asian immigrants occasioned the assertion of national borders; this "race so different," Justice Harlan wrote, could never be assimilated as Americans, no matter how colorblind our constitution. Since the selective reopening of borders in the 1960s, the image of Asian Americans has been repurposed to serve new and competing ends, to affirm the American dream, to disparage black and brown counterparts, or to signal to white Americans the loss of status threatened by immigration and global capitalism.

This interdisciplinary seminar will offer students an introduction to the history and experience of Asian Americans, not limited to their encounters with the law. We will cover legal histories of Chinese exclusion, Japanese incarceration, and the Muslim ban. But we will also survey instances of Asian American activism, anti-imperial radicalism, and Afro-Asian solidarity. We will also address current events that have brought Asian Americans into renewed visibility, including violence against Asian Americans and the recent affirmative action cases. There are no prerequisites for this class, but students should be prepared to engage with variety of materials, not limited to legal cases or statutes.

Students will be expected to draft short weekly reflections, to participate in leading our seminar discussion at least once during the semester, and to submit a final paper on a topic of their own choosing.

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 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.

Recommended: Administrative Law

Federal Courts

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

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://](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201175%20v01)

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 Karly Mitchell (km1602@law.georgetown.edu) by 5:00 pm on Wednesday, June 9, 2021 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 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 3060 v01 Business, Human Rights and Sustainability (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203060%20v01>)

LL.M Course | 1 credit hour

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

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 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://](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20091%20v11)

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 can democratic backsliding be prevented? What should we consider in designing 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 adjudication. Drawing on examples across the world, we will also examine individual rights issues, such as freedom of religion and freedom of expression, as well as constitutionalism in times of emergency and during the COVID-19 pandemic. We will also consider how constitutions can be abused and the question of whether and how constitutionalism might be able to endure in fragile democracies.

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

LAW 828 v01 Comparative Corporate Governance ([http://](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20828%20v01)

curriculum.law.georgetown.edu/course-search/?keyword=LAW%20828%20v01)

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

Course Objective and Rationale:

Corporate governance has received a considerable amount of attention worldwide. More than a decade ago, the global financial crisis clearly demonstrated that poor corporate governance practice could have disastrous consequences not only for the companies and shareholders but also for the capital or financial markets and the economy as a whole. The recent global health crisis has heightened an urgent need for more sustainable corporate governance rules and practices which, in turn, can help clearly distinguish the line between ownership and control in the company, balance the interests of shareholders, board members, and other stakeholders, and ensure their accountability towards the society as a whole. As such, local rules and recommendations are now supposed to improve corporate productivity at the same time as more sustainable businesses.

Several countries around the world have increasingly launched reforms with the objective to better off corporate governance and the long-term performance of their companies. Despite this strong attention for corporate governance worldwide, as well as the tremendous impact of globalization, paradoxically, more is to be done. Adopting a comparative perspective allows legal, institutional, cultural and sociological factors to be considered as relevant determinants or limits to better off managerial governance and companies' performance.

This very rich theme cannot be completely dealt with in a few hours in class. However, we may highlight some very interesting useful aspects for lawyers and practitioners. The course aims at providing more in-depth reflection to understand corporate governance law, regulation and practices in companies and seeks to encourage the need for comparative law as a means of thinking about law in a globalized economy. It is mainly focused on public-listed companies practice from such jurisdictions as US, UK and EU Member States ones.

Prerequisite: Corporations.

Note: NOTE: In the Spring 2022 semester, this course will take place online via Zoom (<https://georgetown.box.com/s/s4nyif5n3g92usmagij9guq5n2cjp7f>).

WEEK ONE COURSE. This course will meet for one week only on the following days: Monday, January 10, 2022 through Thursday, January 13, 2022, 1:30 p.m. - 4:50 p.m. The course will have a take-home exam that must be completed between January 21 and January 28, 2022. 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 079 v08 Comparative Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20079%20v08>)

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

Comparative law involves the study of several global legal systems - including common law, civil law and religious law – with a goal of preparing students who may find their future careers require knowledge of more than one legal system. It may also be of interest to students who desire to examine the theoretical underpinnings of other countries' laws and courts out of academic interest. While the goal is to explore the application of comparative methodology to national and regional legal regimes, the focus will be on both the theoretical underpinnings of the comparative legal method and the historical development of the process for comparing rules, principles, and institutions of different countries. The course also emphasizes the current use of the comparative method in both public and private law by legal actors such as lawyers, judges, and legislators. In the light of contemporary developments, the course will also provide students the international perspective to make substantive connections between the American common law and other legal traditions, and consider recent debates whether national legal systems and institutions are converging or whether differing economic, political, and social environments are leading to greater diversity and possibly even conflict.

Mutually Excluded Courses: Students may not receive credit for this course and the upperclass course, Comparative Law: Focus on EU and US or the first year elective by the same name.

LAW 1791 v00 Comparative Law: China in Context (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201791%20v00>)

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

This course surveys the legal system of the People's Republic of China, using China as a vehicle for asking broader questions about law and legal comparison. It is meant to be inviting to all students, including those with no background in China who wish to better understand the legal system of an increasingly important global power. Topics will include: China's traditional legal order and encounters with the West; the sources of law in contemporary China; courts and dispute resolution; the legal profession; the criminal justice system; selected topics in administrative law, constitutional law, economic law, environmental law, family law, international law, and labor law; China in transnational litigation; and the evolving use of digital technologies in Chinese law. As with any course in comparative law, a key aim will be to deepen understanding of our own legal system through close and careful examination of another.

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.

A 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.

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

J.D. Course | 3 credit hours

"Criminal law across borders" studies two bodies of law. One is domestic (national) criminal law applied to crimes committed outside national territory. The other is crimes under international law: war crimes, crimes against humanity, genocide, and aggression. These are the "core crimes" tried by courts like the Nuremberg Tribunal, the tribunals for Rwanda, Sierra Leone, and former Yugoslavia, and the International Criminal Court (ICC). Along with the substantive law on these issues, we examine procedural law on topics such as jurisdiction, extradition, and immunity from prosecution. The course will also examine the problems confronting international criminal justice today, including the political backlash against holding leaders accountable for core crimes. 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 | 2-3 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.

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 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 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 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” PIL questions of jurisdiction, choice of law, judicial assistance and enforcement of judgments, we will explore such topics as international family law (including international adoption, abduction and enforcement of child support and family maintenance), alternative dispute settlement mechanisms (including international mediation and commercial and investment arbitration), as well as the cross-border aspects of such topics as data protection and privacy, bankruptcy/insolvency, secured transactions, securities law, intellectual property, transport of goods by sea, letters of credit, leasing law, consumer protection, and even wills and trusts. You may write your papers in any of these areas (among others). All students will be expected to choose a topic to research, write and present 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”, where it is developed and how; understanding of the relationship between international and domestic law; ability to research effectively in the field; ability to write coherently and present conclusions orally.

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 2043 v01 Current Topics in International Investment Arbitration
(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202043%20v01>)

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

International investment arbitration is a fast moving field, with new issues rapidly becoming pivotal to legal practice. This seminar will delve into the cutting-edge topics that promise to make a mark on the field. For the 2023 edition of the course, these hot topics will include, among others, fundamental reform to the international investment dispute resolution system (ISDS), the problem of corruption allegations, the role of human rights in investment disputes, transparency in ISDS. The goal of this course is not only to inform students about these emerging issues, but also to give students the analytical tools needed to thrive in a field defined by rapid change.

The course will not rely on a casebook, but instead will use awards and articles to further its goal of exploring emerging issues. Students are expected to read all of the materials and be prepared to engage in active discussion in each class. Twenty-five percent of the grade will be based on class participation, twenty-five percent on participation in formal in-class debates during the last day of class, and fifty percent on a final paper (on an issue of the student’s choice) to be submitted at the end of November 2023. As this is a class on questions for which there are few clear answers, there will be no final exam.

Strongly Recommended: It is recommended that students have completed a course in commercial or investment arbitration prior to the seminar, or otherwise have some experience in arbitration.

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.

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: This course is part of the following graduate programs: Environmental and Energy Law LL.M.

Students may not withdraw from this class after the add/drop period ends without the permission of the professor. **NOTE: ATTENDANCE IS MANDATORY at the Special Negotiation Workshop on Saturday, November 4, 2023 from 8:00 a.m. - 1:00 p.m. Failure to attend the Special Negotiation workshop may result in a withdrawal. The Special Negotiation Workshop will be held at Haynes Boone, 800 17th St NW. The specific room and instructions for admission will be provided by the professor.**

LAW 3082 v00 Dispute Settlement in International Trade: A Comparative Examination of WTO, Regional & Bilateral Systems (<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 different state-to-state dispute settlement systems in the international trade area. Although the principal focus will be WTO dispute settlement, the course will also examine the new or re-invigorated mechanisms in regional agreements (e.g., RCEP, CPTPP) and bilateral trade and investment agreements of the United States (USMCA, CAFTA) and the EU. In addition to examining the treaty provisions themselves, the course will involve the close reading of arbitral decisions, as a medium to examine real-world systemic issues regarding dispute settlement, such as the function of terms of reference, approaches to treaty interpretation, confidentiality, coherence between different bodies of international law, the role of precedent, standard of review, the scope of appellate review, implementation and compliance, and remedies. At the same time, students will gain familiarity with some of the leading substantive issues in international trade law.

Recommended: Background in international trade law and in public international law generally.

Strongly Recommended: A introductory course in international trade law is strongly recommended.

Note: This course will have a final exam and short paper.

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 142 v02 Energy Problems Seminar: Climate Change and Other Energy Issues (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20142%20v02>)

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

This seminar considers economic, political, and legal aspects of current problems in the petroleum, natural gas, electrical, nuclear, coal and alternative energy industries with particular focus on global warming and the impact of climate change policies on energy use in the United States and abroad. In addition to the connection between global warming and energy, the seminar will examine: (1) the nexus between U.S. energy policy and Middle East wars and diplomacy; (2) the future of energy deregulation; (3) tensions between state and federal efforts to address energy issues; and (4) the problems and prospects of introducing new fuels and fuel sources, including nuclear, hydrogen, and renewables, into the U.S. and world economies. As these subjects sweep across the entire economy, they touch upon several fields of law: administrative law, antitrust, constitutional law, environmental law, oil and gas law, public utility regulation, and international law (both public and private).

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. The 3 credit section is open to J.D. students only and non-degree students may not enroll.

LAW 3009 v00 Ethics in International Arbitration (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203009%20v00>)

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

This course will consider ethics principles governing the conduct of counsel, arbitrators and expert witnesses in international commercial and investment arbitrations. Topics will include recent developments in the IBA Guidelines on Conflicts of Interest in International Arbitration and the IBA Guidelines on Party Representation in International Arbitration, other soft law instruments such as the ABA/AAA Code of Ethics for Arbitrators in Commercial Disputes, national law regulation of the conduct of arbitrators and counsel in international arbitrations, ethics requirements included in international arbitration rules and ethics requirements for witnesses in international arbitrations, as well as recent ethics-related jurisprudence from ICSID, arbitral institutions and various national courts.

Learning objectives:

This course has the following goals:

- To enable the student to identify fundamental differences between the ethics obligations of principal participants (arbitrators, counsel and witnesses, particularly expert witnesses) in international arbitrations (involving participants from a multiplicity of States and legal systems and a forum intended to be perceived as neutral and thus largely outside the influence of the particular national legal systems of the parties) and the ethics obligations of principal participants in national judicial systems.
- To identify the complex regulatory, choice of law and legal culture problems involved in identifying the sources and content of ethics obligations of participants in international arbitrations in light of the diversity of legal and national cultures involved and to compare and contrast with the sources and content of ethics obligations of participants appearing in national courts.
- To identify possible remedies for breaches by participants in international arbitrations of their ethics obligations (if any) and to compare and contrast with remedies in national courts.

My objective will be to enable students, by the end of the sessions, to be able to:

- describe the subject areas covered (or not covered) by ethics responsibilities for principal participants (arbitrators, counsel and witnesses) in international arbitration
- describe how those areas may differ in sources and content, when compared with national court systems,
- recognize and explain reasons why the ethics responsibilities of participants in international arbitration differ from the ethics responsibilities of similar participants in national court systems
- describe important uncertainties with respect to ethics obligations of those participants, and
- apply that learning to advise clients and counterparties on complying with those responsibilities or, when the nature of those responsibilities are uncertain, how to manage the arbitral process in light of those uncertainties.

Recommended: Prior or concurrent course in international commercial or international investment arbitration.

Note: FIRST CLASS ATTENDANCE 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

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 evolution of private law in Europe. 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 ECJ 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 8, 2024, through Thursday, January 11, 2024, 9:00 a.m. - 12:20 p.m. The course will have a take-home exam dates TBA. 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 487 v02 EU Tax Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20487%20v02>)

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

Tax harmonization within the European Union is very difficult to achieve. Most legislative measures of the European Union in this area require the consensus of all 27 member states. The only real engine of harmonization seems to be the European Court of Justice (ECJ). The ECJ itself cannot harmonize the tax systems, however, the Court can force the member states to open their tax systems for tax competition within Europe. The judgments delivered by the ECJ are most of the time very surprising, even to experts.

The course focuses on very recent judgments of the Court of Justice. By analyzing some selected judgments, students should learn about the guiding principles of European tax law, as they have been developed by the ECJ on a case to case basis, and about the approach of the Court and the role the Court plays. Students should get an impression about possible future developments of European tax law.

Prerequisite: Federal Income Taxation.

Note: WEEK ONE COURSE. This course will meet for one week only on the following days: Monday, January 8, 2024 through Thursday, January 11, 2024, 9:00 a.m. - 12:20 p.m. The course will have a take-home exam that must be completed during the week of January 20 and January 27, 2024.

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 1665 v00 European Patent Law & Practice (<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, InterDigital vs. Xiaomi). 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 and of international patent law in general. This course provides an opportunity for students to understand all phases of a patent trial in Germany and before the prospective 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 both in the first instance and on appeal level will be explored. The case study will focus on the strategies of 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 Court of Justice of the European Union and as applied by the national courts will be explained. Also the hotly debated anti-suit injunctions directed against litigation in Europe will be considered.

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: NOTE: In the Spring 2022 semester, this course will take place online via Zoom (<https://georgetown.box.com/s/s4nyif5n3g92usmagij9guq5n2cjp7f>).

WEEK ONE COURSE. This seminar will meet for one week only, on the following days: Monday, January 10, 2022, through Friday, January 14, 2022, 2:55 p.m. - 5:30 p.m. The course will have a take-home exam that must be completed between January 21 and January 28, 2022. 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 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.

NOTE: For the Fall 2021 semester, mandatory first class attendance rules will not be enforced for this course. Enrolled students will not be dropped if not in attendance at the start of the first class, and waitlisted students will remain eligible to be admitted off the waitlist if not in attendance at the start of the first class.

LAW 1857 v00 From Nuremberg to Kyiv: Aggression and Accountability Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201857%20v00>)

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

The Russian Federation's 2022 invasion of Ukraine brings to the forefront the question of aggressive war. The 1946 Nuremberg Charter labeled aggression a "crime against peace," and the Nuremberg Tribunal called aggressive war the supreme international crime. The UN Charter forbids the threat or use of force against the territorial integrity or political independence of another state. In its turn, Russia has invoked its right of self-defense under the Charter.

Legal questions pale in comparison with the life-and-death issues on the ground—but the legal questions are important, and will have long-term consequences. They include questions about how to define international crimes, mechanisms of accountability (the International Criminal Court, a proposed special tribunal for aggression, domestic prosecutions), immunities, and the very nature of sovereignty.

The seminar will tackle these questions not only from a legal point of view, but also from the points of view of history, philosophy, political theory, and practical questions. We will look closely at the Nuremberg trials and the formative era of the UN. We will consider the question of whether the United States has also waged aggressive wars – in Vietnam, the Balkans, and Iraq. This will require an examination of so-called "anticipatory self-defense" (preventive war) and humanitarian military intervention as justifications for use of force.

Although the focus will be on crimes against peace, the seminar will also treat other core international crimes: genocide, war crimes, and crimes against humanity.

LAW 1075 v00 Gender 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 governmental protection for persons fleeing gender-based persecution and abuse. Students will participate in a two hour/week seminar and ten hours/week of fieldwork with law firms and nonprofit organizations in the D.C. metro area to assist lawyers representing clients fleeing their countries due to 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 and sexual minorities to leave their home countries and immigrate to the United States. In many countries, individuals face persecution and violence on account of their gender. 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. During the seminar, students will study and learn through experience about the societal forces causing the forced migration of women and sexual minorities and how U.S. laws and policies address the immigration status of these immigrants. We will focus on forms of relief that, while available to both men and women, are primarily accessed by women and members of the LGBTQ+ community to obtain legal status in the United States. Specifically, we will focus on: asylum, withholding of removal, protection under the Convention Against Torture, the Violence against Women Act, U Visas, and T Visas.

FIELDWORK: In the two-credit, mandatory pass/fail fieldwork portion of the practicum, students will work with lawyers from law firms and nonprofit agencies on real cases of immigrants 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 service agencies who are representing 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).

Recommended: Immigration law courses, administrative law, and trial advocacy courses.

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 3:30-5:30 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, students may only drop this class up until the start of the second class.

LAW 2065 v00 Gender and U.S. Foreign Policy (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202065%20v00>)

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

In recent years, the U.S. has developed a comprehensive policy framework that recognizes gender equality as a pillar of U.S. foreign policy and international law. This class will introduce and analyze these policies, including the U.S. National Security Strategy; Women, Peace and Security Act of 2017; U.S. Strategy to Prevent and Respond to Gender-Based Violence Globally; U.S. Strategy on Women's Economic Security; State Department and USAID policy guidance on gender. We will examine the legal basis for women's human rights, as well as the body of evidence linking women's advancement to development, prosperity, and stability. Issues covered will include gender and economic growth, peace and security, political participation, development, gender-based violence, and international institutions and treaties. This class will feature prominent guest speakers in the field.

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 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 around the world (in particular China), as applied to current issues such as the regulation of Big Tech and progressive challenges to the status quo in the United States. 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 course is part of the following graduate programs: International Business and Economic Law LL.M. International Business and Economic Law LL.M. - List A International Legal Studies LL.M.

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 role of historical, political, and economic forces that affect those differences; and the possible consequences of those differences. We will start with a basic understanding of competition principles common to key jurisdictions including the U.S., Canada, the EC, the UK, and Japan, and will compare and contrast these with the principles applied in developing and transition economies, such as China, Mexico, India, and South Africa. Particular emphasis will be on current issues and trends including the role of antitrust in a digital economy, 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 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.

LAW 493 v01 Global Health Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20493%20v01>)
LL.M Seminar (cross-listed) | 2 credit hours

Global Health Law is the flagship course offered by 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 compulsory for students in the National and Global Health Law LLM and the Global Health Law and Governance LLM.

The survey course explores the roles that the law, lawyers, and legal institutions play in public health across the globe. Global health law encompasses international law and policy that directly or indirectly affects health, including treaties, regulations, strategies, and expert guidelines. This course provides a strong foundation in these instruments, laws and policies, including topics such as governance of the World Health Organization, Universal Health Coverage, the International Health Regulations, the role of the UN Special Rapporteur on Health, and the proposed accord on global pandemic preparedness. The course also explores comparative national approaches to health governance, law, and policy.

The course is divided into three modules. Module 1 covers the foundations of global health law, providing overviews of public international law, international human rights law, international trade law, and the intersections between intellectual property law and health. Module 2 covers health systems and governance, including the World Health Organization, and public health ethics and principles. Module 3 addresses the human right to health and other key emerging topics in health law such as environmental law and health, the global campaign for Universal Health coverage, and the use of litigation to advance the right to health. The course culminates in students presenting proposals to reform international law to better protect and promote global and public health outcomes.

Students will hear from leading voices in global health law and benefit from the expertise of the O'Neill Institute for National and Global Health Law, as well as other resources at Georgetown University and in the broader Washington, DC community.

Course Goals/Student Learning Outcomes

1. Knowledge of the substantive foundations of global health law, including public international law; human rights law; global health governance; the interface between international trade and intellectual property law and health; and principles of public health law.
2. Knowledge of the legal issues related to a range of global health challenges, including access to health care and prevention and control of non-communicable diseases and infectious diseases.
3. Knowledge of the various roles that lawyers can play in advancing global health, including legal drafting, negotiating, litigation, and advocacy for law reform.
4. Ability to use various skills relied upon by global health lawyers, including legal research, analysis and writing, strategic thinking, and communication.

Recommended: Prior enrollment in International Law I.

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

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.

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://](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20900%20v01)

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.

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.

LAW 068 v01 Global Revolutions, Civic Activism, and Civil Society

(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20068%20v01>)

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

Around the world, people are mobilizing to defend democracy, protect human rights, and promote sustainable development. We'll study the international legal framework for civic activism, examining laws governing protests, social justice movements, and and nonprofit organizations. We'll also explore the impact of national security, authoritarianism, and digital technology on civic space.

We'll take a global tour, comparing approaches in the US, Europe, Asia, Africa, the Middle East, and Latin America. We'll discuss current events, play the role of UN Ambassadors, and help countries draft laws.

This class will provide skills and contacts to help you pursue a career in international human rights law. Past classes have spoken with UN officials, a lawyer for a group allegedly engaged in terrorism, and frontline human rights defenders.

Eligible students are eligible to apply for internships at ICNL (<https://www.icnl.org>), which works on the legal framework for civil society and democracy in 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, assembly, and expression;
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, assembly, and expression; 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, or to make suitable alternative arrangements with the professor, 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 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 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 183 v03 Health and Human Rights (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20183%20v03>) (Project-Based Practicum)

J.D. Practicum | 4 credit hours

This course explores the potential of using the law, and specifically, the human rights legal framework, to improve health. Students will be exposed to real life projects at the domestic level in a number of different jurisdictions, especially but not exclusively from Latin-America and Africa; as well as at the regional and international level, including the Inter-American Human Rights System and the United Nations Human Rights System. With this approach, students will strengthen not only their knowledge of the human rights framework within their familiar jurisdictions, but will also have the opportunity to develop comparative legal research skills.

The human rights framework that students will learn in depth in this practicum is not limited to the right to health but involves other related human rights that are also social determinants of health or that are instrumental to the effective realization of the right to health. Therefore, students will be exposed to the substantive expertise needed to successfully practice the strategic use of the integrality of the human rights framework in the specific context of health. Students will also be required to consider the use of other legal frameworks that have the potential of having a positive impact on health outcomes.

The variety of projects will take into consideration the complexity and different dimensions of the right to health as well as the nature of the legal obligations that it imposes in different contexts. We will offer projects that respond to current and pressing global challenges with respect to health, for example, projects exploring the right to health and other rights in the context of public health emergencies, the link between health and the environment, the structural disadvantage that specific groups face with respect to their health and the role of private actors, to name a few.

For the execution of their projects, students will work with external partners of the O'Neill Institute for National and Global Health Law, in particular, the Health and Human Rights Initiative. ("HHRI").

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 to withdraw from a practicum 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 practicum would cause significant hardship for the student. A student who is granted permission to withdraw will be withdrawn from both the seminar and project components. Default attendance rule for all practicum courses (unless the professor indicates

LAW 1828 v00 Health, Law and Islam (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201828%20v00>)

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

The Muslim view is that the origins of Islamic legal code are rooted in the Muslim holy text (the Quran) and Sunna (the portion of Muslim law based on the prophet Mohammed's words or acts), and it is this jurisprudence that gives Islamic religious practice its connection and sustainability in everything including health law and policy. This seminar provides an overview of where Islam as a rule of law and global health intersect through subject specific segments. The seminar will start by exploring Islamic law and the history of healthcare under Islamic law and move into segments that discuss food hygiene jurisprudence, prophetic medicine as Sunna, bioethics and Islam, mental health and Islamic law, migrant health and Islamic law, and finally sexual, reproductive and human rights under Islamic law. It presupposes the Quran and Sunna as the legal documents and where relevant, the seminar will discuss comparative aspects to western perspectives. This seminar supports the notion that global health law is part of a growing health diplomacy where it becomes vital to understand key aspects of how culture and religion can influence health, policy and the law locally and globally.

LAW 034 v10 Human Rights Advocacy in Action Practicum (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20034%20v10>) (Project-Based Practicum)

J.D. Practicum | 7 credit hours

Course Overview

How can lawyers advocate effectively for solutions to pressing human rights challenges?

This project-based practicum enlists students in tackling real-world human rights challenges and creates a learning environment that equips students to analyze a problem, assess the legal and policy situation, and propose and execute strategies for change.

Students in this practicum receive intensive instruction from law professors and subject matter experts on both the relevant human rights law as well as effective strategies and tactics for human rights advocacy. Professor Massimino has a distinguished record of human rights advocacy and led Human Rights First, one of the nation's leading human rights advocacy organizations, as president and CEO before coming to Georgetown Law. Michelle Liu is an adjunct professor and has supported partner NGOs in several countries to promote women's and children's human rights through litigation and legislative reform. Catherine Cooper is the Dash-Muse Senior Teaching Fellow and Supervising Attorney and has supported civil society organizations in Myanmar, Iraq, and East Africa on issues including transitional justice and the rights of ethnic and religious minorities. Ashlynn Kendzior is a Supervising Attorney and Teaching Fellow and has worked on issues related to gender equity with a focus on reproductive rights. Together with their professors and fellow classmates, students collaborate on a project that supports the mission and objectives of a chosen NGO partner of the Human Rights Institute (HRI). This collaboration gives students a unique opportunity to conduct legal and factual research, craft legal solutions, and develop an advocacy campaign with real-world impact.

For the 2023-2024 academic year, the practicum will focus on justice and accountability for victims of human rights violations in Egypt. HRI's partner is a group of organizations dedicated to holding abusers to account through innovative tactics.

The practicum is a **year-long** course and comprises three **mandatory** components: a two-hour weekly seminar, project-related teamwork performed in and outside of class, and a week-long field investigation (likely involving international travel) during Week One in January 2024.

Seminar

The seminar portion of the practicum will cover the substantive law and legal framework as it pertains to a particular human rights issue. For the upcoming year, students will learn about the international human rights framework on arbitrary detention, torture, and other human rights abuses, as well as the international and domestic legal avenues for pursuing justice and accountability. Students will also use seminar time to propose and assess what legal remedies and accountability mechanisms may be appropriate and viable to address the human rights violation. Guest speakers with subject matter expertise may be invited to seminars to hold workshops and offer critique of student work. Finally, the seminar will also be the training ground for students to develop their critical thinking, public speaking, and persuasive writing skills through the formulation of a human rights advocacy campaign.

Project Work

Students will work in teams to complete a human rights project that furthers the mission of HRI's partner organization. Depending on the particulars of the project, students may engage in any or all of the following:

LAW 1777 v00 Human Rights Advocacy: Lessons from the Campaign to End the Death Penalty and other Human Rights Campaigns (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201777%20v00>)

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

While the public tends to think about capital punishment in relation to a high court's ruling to prevent or allow an execution to go forward, the broader campaign to expose the flaws in the practice of capital punishment and to end the death penalty involves a complex interplay of strategies—federal and state legislative advocacy, strategic communications, and community organizing and litigation. Indeed, nearly every human rights challenge requires a combination strategy, with many moving parts that have different targets, different tactics, and require different skills. How does an advocate know which strategies are appropriate for which challenges? How can you best prepare for some of the thorniest, most entrenched challenges to human rights? What tools are available to you? And what if the combination of strategies creates ethical or other tensions? This course will explore the various ways in which litigation and policy advocacy can work together to bring about transformative change on complex and difficult human rights concerns. The discussion will be grounded in the long-term effort to end capital punishment in the United States and it will draw on lessons learned from other human rights campaigns.

This seminar will 1) introduce students to multidisciplinary campaigns for human rights and 2) explore how litigation and policy advocacy can be combined and leveraged to create opportunities to advance human rights. Students will explore the range of strategies and tactics available and learn when and how to deploy them.

At the end of the seminar, each student or team of students will have led fellow students through a logic model exercise, prepared a high level multidisciplinary strategy memorandum and led a mock coalition meeting to achieve alignment and engagement on their plan.

There is no textbook for the seminar. Readings will include legal, academic, and general articles and materials on the subjects being covered.

Learning Objectives: The primary objective of this course is for students to understand the range of disciplines and tools available to them to implement a successful campaign and to identify synergies that can be achieved between litigation; policy advocacy, strategic communications and organizing. Students completing the course will understand which strategies to use when and how to navigate the potential conflicts between them.

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 2020 v00 Human Rights and the Inter-American System (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202020%20v00>)

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

This course will examine the Inter-American Human Rights System, its impact on the protection of the individual, the strengthening of democratic institutions and the rule of law in the Americas. The course will be divided in two parts. The first part of the course will examine the practice and procedure of the two main institutions of the Inter-American Human Rights System: The Inter-American Commission on Human Rights (IACHR) and the Inter-American Court on Human Rights (IACtHR); including a practical training that will enable students to engage in a lively interaction with the IACHR. The second part will examine the main developments of this regional system's jurisprudence. Specifically, in this part of the course there will be a discussion of the approaches of the Inter-American System with respect to impunity and transitional justice, freedom of expression, the rights of women, indigenous peoples' rights and the rights of Lesbian, Gay, Bisexual, Trans and Intersex persons. In this section of the course, we will also analyze U.S. engagement with the Inter-American System.

Learning Objectives:

Through this course, students will acquire a strong substantive and practical understanding of the functioning, challenges and opportunities of the Inter-American Human Rights System and how it can be used to protect human rights in the Americas.

Strongly Recommended: Public International Law or International Human Rights Law

LAW 034 v09 Human Rights Fact-Finding (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20034%20v09>) (Project-Based Practicum)

J.D. Practicum | 7 credit hours

This project-based practicum course will give students the unique opportunity to participate in the Human Rights Institute (HRI) Fact-Finding Project. Through this course, students will gain the substantive background and skills needed to carry out a human rights investigation from beginning to end. Each year, the HRI Fact-Finding Project has focused on a policy-relevant human rights issue, including migrants' rights, children's rights, LGBT rights, and the role of human rights in the global economy. In the fall, students will participate in a two-hour weekly seminar and carry out at least 5 hours per week of project work. Over Week One students will carry out a virtual fact-finding investigation. In the spring, students will participate in a two-hour seminar every other week and carry out an average of 10 hours of project work per week. Students work closely with the Professor and Dash-Muse Teaching Fellow in conceptualizing and implementing each step of the Project.

SEMINAR: In the fall, the seminar will cover the substantive law and policy relating to health and human rights of migrant and refugee populations, as well as human rights fact-finding skills and methodology. In the spring, seminar classes will meet every other week and focus on the production of a human rights fact-finding report. Seminar sessions will be designed to guide students through each step of the human rights fact-finding process, including project design, interviewing, and reporting writing.

PROJECT WORK: Students will research a human rights problem in depth, conduct extensive outreach and interviews on the subject, and draft a comprehensive report on their findings. In January 2021, during "Week One," the group will conduct interviews with victims or potential victims of human rights abuses and relevant stakeholders. The fact-finding investigation during the 2020-2021 academic year will be conducted virtually and take place from Monday, January 11 through Thursday, January 14, 2021 with a mandatory orientation on Friday, January 8, 2021. Students will be expected to work both independently and in teams.

Prerequisite: Prior or concurrent enrollment in International Law I: Introduction to International Law or International Human Rights Law no later than the Fall 2020 semester.

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 course is open to both J.D. and LL.M students.

This practicum course may be suitable for evening students with flexible work schedules. Interested evening students should contact current Dash-Muse Fellow Melissa Stewart (Melissa.Stewart@georgetown.edu) to discuss their particular situation. **THIS COURSE REQUIRES HUMAN RIGHTS INSTITUTE PERMISSION TO ENROLL.** J.D. student applications (comprised of a statement of interest, a resume, and a writing sample) are due by noon on Thursday, April 16, 2020. Admitted J.D. students will be informed of HRI's decision on their application before they are required to make a clinic decision on April 20, 2020. Selected students will be required to accept or decline an offer to join the project by COB on Monday, May 4, 2020. **J.D. students who have missed this deadline should contact Dash-Muse Fellow Melissa Stewart (Melissa.Stewart@georgetown.edu) to inquire whether seats are still available.** Selection criteria include but are not limited to: a demonstrated

LAW 1858 v00 Human Rights, Then and Now Seminar: Philosophy, History, Prospects (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201858%20v00>)

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

"Human rights" names both a body of law and a moral ideal. The French revolutionaries issued a "Declaration of the Rights of Man" and the U.S. Declaration of Independence proclaimed rights that are both self-evident and unalienable. The British jurist Jeremy Bentham replied that the idea of unalienable rights is nonsense – indeed, "nonsense on stilts." Today we confront similar philosophical debates. Millions believe that international human rights take priority over national politics and legislation. Is that true? Where do human rights come from? What are their limits? Most human rights treaties and declarations ground human rights in human dignity. But what is human dignity, and how does it ground rights? Which matters more, security rights or economic and cultural rights? – These are philosophical questions, and the first part of the seminar will focus on them.

Today the human rights movement faces grave political challenges. Human rights NGOs are under attack in many countries; the same with the International Criminal Court. Scholars warn of "the twilight of human rights law" and "endtimes of human rights," and some argue that human rights treaties have made little practical difference. Others respond that the human rights movement has tangibly and measurably improved human well-being. Conservative critics warn of rights inflation and threats to state sovereignty; some on the left see the human rights movement as a minimalist substitute for global justice that fits too comfortably with neoliberalism.

This seminar will sample some of this writing and explore major philosophical and political issues about human rights today.

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 (or more formally, trafficking in persons).

This course will provide students an overview of the multiple legal perspectives on combating human trafficking and modern 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 and its weaknesses. Attention will be paid to commonly recognized principles in human rights, criminal and labor law, but also in such areas as corporate responsibility and immigration law. The class will use a range of materials, including international treaties, decisions of international and foreign tribunals, and more familiar U.S. statutory materials and legislative history (such as committee reports).

Learning Objectives:

At the conclusion of the class, students should be able to

- recognize many of the forms of and pervasive nature of human trafficking and modern slavery;
- identify risks of human trafficking and modern slavery in most areas of practice they may choose in the future; and
- have familiarity with emerging issues in the area of human trafficking and modern slavery.

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 3041 v00 Human Trafficking in International and Transnational Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203041%20v00>)

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

Human Trafficking is a transnational crime and an international human rights violation. Different forms of human trafficking and the definition contained in article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons will be discussed. The course will focus on the international and transnational legal framework. It provides an analysis of Human Trafficking in International Human Rights Law (e.g. the 1949 Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others and the 1989 Convention on the Rights of the Child), Transnational Criminal Law (e.g. the Organized Crime Convention and the Trafficking Protocol) and International Criminal Law (e.g. trafficking in persons as a crime against humanity in the Rome Statute of the ICC). In particular, the course covers state responsibility for Human Trafficking and obligations to remedy.

Mutually Excluded Courses: Mutually Excluded Courses: Students may not receive credit for both this course and International Trafficking in Persons or the J.D. seminar, Human Trafficking and Modern Slavery in the 21st Century: Legal Perspectives.

LAW 3014 v00 ICSID Arbitration: Jurisdiction and Procedural Aspects (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203014%20v00>)

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

This course will provide students with a practical understanding of an International Centre for Settlement of Investment Disputes, ICSID, arbitration proceeding from the moment of the submission of a request for arbitration through the issuance of the award and post-award remedies. ICSID is one of the five organizations of the World Bank Group and the arbitral institution most commonly used for the resolution of international investment disputes. ICSID case law has played a major role in the development of modern international investment law.

After a short introduction on the creation of ICSID and its development, students will receive a basic overview of the modern investment treaty regime. The course will then focus primarily on the jurisdictional thresholds that are at the heart of an ICSID arbitration, including the existence of a dispute arising out of an "investment", nationality requirements, and consent to arbitration under the ICSID Convention. Special procedures, including summary dismissal of the claim under ICSID Arbitration Rules, provisional measures, intervention of non-disputing parties, such as NGO's or multilateral organizations in the proceedings, transparency requirements and post-award remedies will also be addressed.

The course may include guest lectures.

Prerequisite: Prior or concurrent enrollment in International Law I.

Recommended: Prior or concurrent enrollment in International Investment Law, Investor-State Dispute Resolution Seminar, Advanced Topics in International Investment Arbitration, Investment Treaty Arbitration, Public International Law and Landmark Judgments of the ICJ, Investor-State Dispute Settlement, Introduction to International Commercial Arbitration, or International Arbitration, if offered during the semester.

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 control unlawful 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 assess the various changes implemented by the Trump and Biden Administrations, particularly in connection with the treatment of asylum seekers at the U.S.-Mexico border, the resettlement of refugees from abroad, and the removal of unauthorized immigrants.

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

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

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 two-credit 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, foreign sovereign (or foreign 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 3114 v00 Industry Epidemics: NCDs, Commercial Risk Factors and the Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203114%20v00>)

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

This seminar will examine the role of law and policy in addressing modifiable risk factors that contribute to the rising prevalence of non-communicable diseases (NCDs). Risk factors to be addressed include: tobacco use, unhealthy diets, and the harmful use of alcohol. Materials and discussions will probe questions such as: What are the best regulatory practices to deal with NCDs risk factors? How do transnational corporations contribute to the spread of non-communicable diseases? How different international legal regimes come into play in addressing risk factors? What are the opportunities and challenges of using law & policy to address NCDs' commercial risk factors? Throughout this course we will have opportunities to consider how law and policy shape contemporary legal discussions related to NCDs, such as tobacco plain packaging, alcohol sponsorship, childhood obesity, commercial speech and food labelling, and targeted marketing strategies.

The course will take a global approach grounded in constitutional law and different international legal regimes (WTO, Human Rights Systems – Regional & Universal—, among others). The course will explore how the rise in NCDs prevalence in both developed and developing countries is mainly driven by transnational corporations, globalization and foreign direct investment. Additionally, case studies will explore a variety of 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 access to information to consumers.

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 course, the remainder will focus on in-depth case studies and experiences in regulating the risk factors from a comparative perspective and future challenges.

This seminar requires attendance and participation in seminar discussions, preparation for class, writing response posts, and the submission of a final paper.

Course goals:

- Understanding of the various risk factors contributing to non-communicable diseases (NCDs).
- Understanding of various models of regulation of NCDs risk factors.
- Understanding of complex risk factors regulatory issues across various constitutional systems and international legal regimes.
- Understanding the interaction between regulation of NCDs risk factors and issues like gender and freedom of speech.
- Understanding the role of transnational corporations in the increased prevalence of NCDs.

LAW 3118 v00 Information Operations in the Cyber Age: Law and Policy (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203118%20v00>)

LL.M Seminar | 2 credit hours

Russian interference in the 2016 U.S. election, the spread of misinformation related to the COVID-19 pandemic, and the threat of deep fakes have all increased government – and public – attention on the national security threats posed by both State and non-State actors use of information and disinformation. Whether referred to as propaganda, psychological operations, influence operations, or information warfare, States have used information to further their national security interests for many years.

While these activities are not new, cyber capabilities and modern communications technologies have increased both their reach and effectiveness. The use of data to micro-target audiences via social media, leveraging hacked and leaked information, the dissemination of non and misattributed messages to a mass audience, and the potential use of deep fakes all challenge current policy approaches and existing legal norms. This class will examine the U.S. domestic legal and policy issues, as well as the International legal issues, arising from the use of information and disinformation as an instrument of national power.

Learning Objectives

The learning objectives for the course are for students to:

1. Become familiar with how States use information as an instrument of national power, to include past use of propaganda and modern use of disinformation.
2. Appreciate how cyber capabilities have transformed the use of information by States, and the increased threats to national security posed by these activities.
3. Gain an understanding of the domestic and international law governing State informational activities, including the limitations faced by the US Government imposed by the Constitution and US federal law.
4. Understand the role of, and rules applicable to, private actors in monitoring and controlling online communication.
5. Understand how to analyze the different information activities and the applicable legal regimes.

Recommended: International Law course

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

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

This course explores international finance and regulation as phenomena embedded in the concept of money. As such, it provides an overview of the theory of money, and then explores key financial and regulatory developments tied to it, including banking and banking regulation.

A significant portion of the class will be spent exploring how these phenomena apply to digital assets, including native cryptocurrencies (e.g. Bitcoin), stablecoins and central bank digital currencies. The course also addresses the intersection of financial regulation and international monetary law by surveying the 2008 financial crisis, the European debt crisis, recent attempts to internationalize the renminbi, and the future of the dollar as an international currency.

Prerequisite: Prior enrollment in Corporations. Prior or concurrent enrollment in Securities Regulation.

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.

Note for LL.M. students: The LAWG section of this course requires departmental permission. Please contact lawgradprog@georgetown.edu to request permission.

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.

Note: Enrollment in the LAWG section of the seminar is restricted to students in the Technology Law and Policy LL.M. and the Master of Law and Technology programs.

LAW 2079 v00 International and Comparative Antitrust Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202079%20v00>)

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

More than a hundred countries have enacted competition laws and modeled their laws either on the U.S. or on the EU system. This course will focus on the U.S. and the EU antitrust regimes by comparing and contrasting their principles and procedures. Some other jurisdictions at the center of the international antitrust arena, such as China and Brazil, will also be discussed. This course will start with an overview of the institutional design and of the substantive standards applied by the FTC/DOJ in the U.S. and by the European Commission in the EU, and will then delve into various areas of antitrust law, with particular emphasis on cartels, horizontal and vertical restraints, abuse of dominance, and mergers. This course will also examine process and procedures in the U.S. and the EU, and consider practices that facilitate international cooperation in antitrust investigations.

Learning objectives:

Students attending this course (i) will receive an overview of the international dimension of the various areas of antitrust law (horizontal agreements; monopolization/abuse of dominance; mergers); (ii) will learn to compare and contrast antitrust principles and procedures of the two systems (EU and U.S.) that most have influenced antitrust laws and institutions around the world; (iii) will familiarize with new actors and current challenges of the international antitrust arena. As a result, students will learn how to navigate multi-jurisdictional antitrust matters.

Prerequisite: For J.D. students: Antitrust Law or Antitrust Economics and Law. Prerequisite for LL.M students: None, although it is recommended that LL.M students have some previous coursework or work experience in competition law in the U.S. or another jurisdiction.

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 780 v01 International and U.S. Customs Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20780%20v01>)

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

Whenever merchandise crosses an international border, it is subject to customs laws and procedures. And with the growth of international trade and commerce over the years, customs laws and procedures have become increasingly more internationalized, important, and complex. Therefore, knowledge of customs laws and procedures is important to the practice of international trade law.

This course will provide a basic introduction to the rules and principles relating to both international and U.S. customs laws and procedures. This will include an examination and review 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 be examined and reviewed together with international organizations dealing with international 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 and reviewed.

There are no prerequisite courses required for this course.

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

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

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

This course aims to familiarize students with international commercial arbitration and will follow the traditional steps of international arbitration proceedings from the registration of the dispute to enforcement and challenges of an award in national courts. This course will not rely solely on US law but, instead, adopt a global approach to international arbitration.

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, Introduction to International Commercial Arbitration or the J.D. seminar, International Commercial Arbitration Seminar (CTLS course).

LAW 3021 v00 International Arbitration and the New York Convention
(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203021%20v00>)

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

The New York Convention of 1958 on the Recognition and Enforcement of Foreign Arbitral Awards is generally considered as the most important legal cornerstone for international business arbitration. It is also acclaimed to be the most successful international convention in international private law. The New York Convention provides for the international enforcement of arbitration agreements and arbitral awards. There are now 156 Contracting States and more than 1,800 court decisions interpreting and applying the Convention. The course will analyze and compare the most important ones of those decisions. It will offer a unique insight in treaty design, statutory enactments, varying court approaches, and the practice of international arbitration. The course materials will be made available at www.newyorkconvention.org.

Recommended: Any course in international arbitration.

Note: 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 3036 v00 International Arbitration Colloquium (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203036%20v00>)

LL.M Seminar | 4 credits in total credit hours

This is a year-long class restricted to students in the International Arbitration Scholars program. The course counts as one credit in the Fall, and three credits in the Spring (students will be enrolled for both semesters and will receive one grade for the class at the end of the Spring semester. Withdrawals are permitted up to the last day of class of the Fall semester, but withdrawal from the colloquium will also result in withdrawal from the Scholars program.) During the Fall semester, Scholars and faculty will meet for informal meetings to get to know each other and to be introduced to the arbitration community in Washington. Scholars will also meet individually during the Fall semester with Professor Whitesell and/or their faculty advisor to propose their research idea, present an outline and get feedback on the outline.

During the Spring semester, the Colloquium will meet on a weekly basis as a class. Spring classes will be a combination of student presentations, and specific topics presented by invited experts. Over the course of the Spring semester, class members will present their research to the group, with each class member presenting twice during the semester (once during the beginning of the semester to present their projects in the early stages, and once during the later part of the semester to present their near-final papers). The Scholars will also meet during the Spring on an individual basis with their advisors as they work to finalize their paper into publishable quality.

Note: Enrollment is limited to International Arbitration Scholars

LAW 3019 v00 International Arbitration in Asia (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203019%20v00>)

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

This course will examine how international disputes are resolved through arbitration in Asia. With the expansion of trade and investment, integration of global markets and the increasing complexity of transactions, international disputes inevitably arise. International arbitration has become the preferred means in Asia by which to resolve cross-border disputes, providing a critical pillar to the stability of international business and financial architecture. The emergence of Singapore, Hong Kong, Seoul and Beijing, among others, as hubs for arbitration offers alternatives to traditional centers such as London, Paris, Geneva or New York. With innovative arbitral institutions such as the Singapore International Arbitration Centre, Hong Kong International Arbitration Centre, China International Trade and Economic Arbitration Commission and Korean Commercial Arbitration Board, a wealth of case law and a mixture of common and civil law jurisdictions, an understanding of the commercial and investment arbitration practice in Asia should help practitioners and students interested in arbitration and Asia.

Main Textbook: *The Developing World of Arbitration: A Comparative Study of Arbitration Reform in the Asia Pacific* (Hart)

Additional Material to be provided.

Prerequisite: International Arbitration or International Commercial Arbitration or Introduction to International Commercial Arbitration

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.

LAW 955 v00 International Bankruptcy (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20955%20v00>)

LL.M Course | 2 credit hours

This course deals with the issues presented when a business with assets or debts in more than one country is seeking to restructure its financial obligations. The course will cover new Chapter 15 of the United States Bankruptcy Code and will also examine business bankruptcy developments in other countries.

Note: J.D. students may not enroll in this course.

The first class will meet Tuesday, January 18th and the last class will meet Tuesday, April 12th. Class on February 22nd (faculty retreat) requires attendance. Attendance on March 15th (spring break) is optional. Withdrawals are permitted up until the last class for this specific course. This course is co-taught by Professor Morabito from Georgetown Law and Professor Lapowsky from Penn Law. Professor Morabito will provide the Zoom link for the course. Students at Georgetown will be able to see and hear the lecturer and direct questions to him. There will be class during Georgetown spring break; however, that class session will be taped and Georgetown students will review the tape individually, or may review it together at a mutually agreed date and time. Please LL.M. Academic Services if you have any questions about the course format or content (LLMAS@georgetown.edu). Note: Students must attend all classes at Georgetown Law unless otherwise noted. This course is mandatory pass/fail.

LAW 3105 v00 International Business Compliance (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203105%20v00>)

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

This course addresses the critical role of legal compliance in conducting international business. It will explore how compliance law, based on theories and principles of corporate governance and risk management and applied in the context of substantive laws, is used to develop systems of deterrence management. Topics will include: the history and development of compliance, risk management, specific areas of compliance such as information/data security, anti-corruption law, economic sanctions, and financial sector regulations, and particular challenges related to global compliance.

At the end of the class, students should be capable of: understanding how a global company assesses and manages risk and the key elements of an effective global compliance system; the relationship between corporate culture and compliance; how compliance enforcement functions both within a company and externally; the compliance function and the roles of lawyers and compliance officers; basic concepts in several areas of compliance law such as data security, economic sanctions, financial regulation, and anti-corruption law; recognizing third party risks a company may face; and understanding particular problems that face global companies and how the law is developing to harmonize across borders.

Course requirements include class participation, a short paper along with class presentation, and a two hour open-book take-home exam.

Recommended: Previous enrollment in corporations/business organizations or other business transactions course.

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) or the graduate course International Negotiations (LAWJ/G-3029).

Note: This seminar is open to J.D. students only.

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 Zoom.

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 face-to-face 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) or the graduate course International Negotiations (LAWJ/G-3029).

Note: This course is open to J.D. students only.

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, or Corporations.

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

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 investment, and international investments including project finance.

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. course, International Business Transactions.

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 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 usually 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 8, 2024 through Thursday, January 11, 2024, 9:00 a.m. - 12:20 p.m. The course will have a take-home exam that must be completed during between January 22 and January 28, 2024.

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 2053 v00 International Commercial Arbitration in Cross-Cultural Context (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202053%20v00>)

LL.M Seminar | 1 credit hour

This class looks at international commercial arbitration in cross-cultural context and considers the various ways in which arbitral procedure borrows from the common and civil law traditions. Students will study various practices that are typical in arbitration and that can give rise to particular difficulties when the parties, counsel and/or arbitrators come from different legal traditions.

Among other things, students will engage in hands-on exercises involving interviewing, cross-examination, drafting of witness statements and the like. The goal is to provide students with a deeper understanding of how international commercial arbitration differs from other types of national and international dispute resolution and to provide students with the tools needed to excel in this growing area of law and practice.

After taking this course, students will have an increased ability to:

- appreciate the special nature of international arbitration as compared to other national and international dispute resolution processes;
- draft and revise international arbitration agreements;
- select an appropriate arbitrator in international matters;
- challenge arbitrators in international disputes;
- conduct cross-examination in international arbitral settings; and
- draft and review document requests in international arbitration.

Note: 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 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, giving rise to unique challenges, issues, and opportunities.

This class will address the relationship between international arbitration and court litigation, key fora and features that exist in this realm, proper negotiation and mediation techniques, analysis of foreign sovereign immunities, choice law issues, the importance of language and culture in these disputes, interplay with treaty arbitration, issues arising under arbitration clauses, critical trends in case law and arbitral institutions, and enforcement of arbitration awards globally. The course will feature guest speakers, hands-on exercises, use of materials from actual arbitrations, optional field trips to local courts, and a two-class practical moot—all focused on the dynamics and practicalities of dealing with the disputes of sovereigns and private parties.

Recommended: Prior enrollment in a basic course in international arbitration

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

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

The course analyzes the regulatory framework of international contracts. On the basis of court decisions and arbitral awards, 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, and INCOTERMS. 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 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, cross-border investigations, 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, cybercrime, 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; the J.D. first year elective, Criminal Law Across Borders; 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 790 v10 International Criminal Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20790%20v10>)

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

This course studies two bodies of law, both concerned with “criminal law across borders.” One is domestic (national) criminal law applied to crimes committed outside national territory. The other is crimes under international law: war crimes, crimes against humanity, genocide, and aggression. These are the “core crimes” tried by courts like the Nuremberg Tribunal, the tribunals for Rwanda, Sierra Leone, and former Yugoslavia, and the International Criminal Court (ICC). The Russian invasion of Ukraine, the ICC’s indictment of President Putin, and many states’ proposal to establish an international tribunal for aggression make international criminal law exceptionally salient today.

Along with the substantive law on these issues, we examine the foundational topics of jurisdiction, extradition, and immunity from prosecution. The course will also examine the problems confronting international criminal justice today, including the political backlash against holding leaders accountable for core crimes. 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.

The textbook for the course is *International and Transnational Criminal Law*, 4th edition, by David Luban, Julie O’Sullivan, David P. Stewart, and Neha Jain.

Mutually Excluded Courses: Students may not receive credit for both this course and the perspective elective, Criminal Law Across Borders, or the graduate course, International Criminal Law or International Criminal Law Seminar: Tribunals and Crimes or International Humanitarian Law and 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. With a higher inflation and interest rate environment globally, debt refinancing and liability management is expected to significantly increase in the short term.

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 early 2000’s, the 2008 global financial crisis, and the post COVID-19 changes to behaviors). 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, having worked in several workouts worldwide. Evaluations will be done by a final short reaction paper 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.

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 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) work within a group to prepare weekly responses to weekly presenters hailing from the academy, government and the public policy community and 2) provide a 5-10 page end of the semester 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 can include any area of international economic law, including 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 (cross-listed) | 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 central 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 backlash to globalization and efforts to “decouple” or restrict the flow of capital, goods or technology to certain markets, or to reconfigure global supply chains.
- The role of the state in the market economy, including the role of subsidies and other forms of government intervention and the debate over non-market economies in the WTO.
- 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 both economic crime on economic development and financial stability, with a review of efforts by the international community to address this problem.

Learning Outcomes

By the end of the course, students will have gained a general understanding of the range of legal frameworks that govern international cooperation in trade, monetary affairs, international capital movements (including foreign direct investment) and international development. They will also have gained insight into the relationship among these frameworks, which is critical in an environment where global economic problems require integrated solutions. Importantly, they will have gained an appreciation of the institutional dimension of economic cooperation, which is of great importance given that a critical feature of the post-war architecture has been the extent to which the international community has delegated authority to international organizations to provide the “machinery of cooperation” despite a waning faith in multilateralism. Having gained an understanding of the general principles that underpin international economic law and institutions, students will have an opportunity to apply this understanding to a number of cross-cutting

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 this project-based practicum course focused on international economic law, primarily international trade and investment law, students will participate in a seminar and will work throughout the semester 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. Students will participate in a weekly seminar with two-hour sessions (during some weeks, primarily at the start of the semester and around the middle and end of the term, the seminar meets two or three times, 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, not only through traditional in-class teaching but also through hands-on work on a specific legal project of high practical importance for their "beneficiary." Second, the practicum aims to improve students' professional skills to become successful lawyers, including 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 and to make them aware of professional opportunities in the international law field and discover new challenges. Through interactions with students from diverse background and a diversity of "beneficiaries", often from other countries and legal systems, participants will build inter-personal skills, learn about other legal, economic, and social systems, and experience the challenges and needs of a wide variety of stakeholders affected by international economic law, extending well beyond traditional issues and stakeholders.

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:

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.

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 might be helpful but is not necessary.

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

LAW 3032 v00 International Energy Arbitration (<http://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, including its evolution during the energy transition. 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. 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 next covers commercial disputes arising out of joint operating agreements, gas contracts, and LNG sales contracts. Following a discussion of enforcement of energy awards, the final segment concerns 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 a mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

LAW 145 v00 International Environmental 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, fresh water (both surface and ground water), marine resources, 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 ecocide as an international crime.

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 problems; to understand international instruments and negotiations; and to be able to apply legal concepts developed in the course within different national settings for implementing international law.

Recommended: International Law I: Introduction to 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 Vidal. This project-based practicum course will involve work with different environmental organizations on international environmental law and policy issues, providing opportunities for students to navigate the reality of international negotiation, policymaking and international advocacy. Students will participate in a two hour/week seminar and work on 10 hours/week of project work.

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. Topics that students have worked on in previous semesters include, the enforcement of domestic legislation implementing the Montreal Protocol (with ELI); the ongoing negotiation of a new international instrument on marine biodiversity in areas beyond national jurisdiction (with IUCN); comparative analysis of national and regional frameworks addressing corruption and human rights violation in extractive industries (with ELI); and research into global best practices for mangrove conservation and sustainable use (with WWF). Students' specific activities may include preparing background documents and informational materials in support of an ongoing project; 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 and analyzing 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.

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

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.

This practicum may be suitable for evening students who can commit to attending class and participating in 10 hours/week of project work. 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

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

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 systems such as the European and Inter-American Courts of Human Rights. 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, crimes against humanity, and torture; application of human rights obligations, commitments, and norms to non-state actors (including corporations); positive duties on states to protect individuals from abuses by non-state actors; 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

This course provides an intensive survey of modern international human rights law. Tracing the historical evolution of human rights norms, we will first explore look at how and they became a dominant feature of the post-World War II, post-colonial, and post-Cold War international orders. We will cover the doctrinal and institutional mechanisms of the modern human rights system, including the core treaties and international and regional bodies, with a particular focus on how courts, both international and domestic, can give human rights the force of law—or deprive them of it. We will examine how international human rights law defines specific rights (e.g., the right to life, the prohibition of torture, freedom of expression), struggles to overcome structural and historical biases (e.g., discrimination on the basis of sex, gender, or race), and adapts to different contexts (e.g., climate change, armed conflict, social media and surveillance). Throughout the course, we will study why states and businesses respect human rights, why they don't, and how lawyers, NGOs, and other actors can work to ensure that most human rights norms are honored most of the time. Our readings will draw from case law, treaties, academic works, legal briefs, and other sources that offer a real-world sense of how 21st Century human rights law is articulated, litigated, and adjudicated.

Learning Objectives:

- Strengthen legal research, writing, and editing.
- Draft brief and bench memorandum.
- Deliver oral argument.

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

At a minimum, students who have not previously studied public international law should read at least one treatise on the subject before the first week of class, e.g., *Public International Law in a Nutshell* 6th Ed, by Thomas Buergenthal and Sean Murphy.

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 3013 v00 International Investment Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203013%20v00>)

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

International investment law consists of those international legal principles that define the obligations of states toward the investments of aliens within their territory. Like all international law, it has developed in response to the concerns of States. The goal of this seminar is to develop in the student a rather full understanding and appreciation of the important principles of international investment law that now prevail and of the issues that are currently the subjects of serious debate. The seminar aims to develop this understanding by studying the historical development of this area of the law and considering the fundamental concerns of States that have driven this development.

We will begin by considering, as a normative matter, what a state's responsibility toward private property should be and then review the legal principles espoused by the United States and other Western countries at the beginning of the last century, when there were few independent countries interested in challenging these views. We then will consider the development of dissent from this Western consensus in Latin America and in the newly independent states of Asia and Africa that emerged following the Second World War. Our consideration of this period of discord will be followed by discussion of the so-called "Washington consensus" that developed in the 80s and 90s, some parts of which are reflected in the thousands of bilateral investment treaties that have been concluded, largely in the last 30 years. We then will focus on those investment treaties, and the many arbitral awards that have interpreted them, to identify (1) key principles of investment law on which a broad consensus has emerged and (2) difficulties that arise in applying those principles to particular situations. Finally, the seminar will consider the relationship between international investment law and efforts by states – jointly or separately – to promote environmental protection, labor rights, and investments that serve the long-term interests of the population of the host state. We will discuss whether these goals can be pursued effectively under the principles on which a consensus now exists, whether these principles need to change, or whether some additional principles need to evolve. We will end by discussing some of the policy issues now being debated that relate to the desirability of investor-state dispute-settlement procedures and to the contents of international investment agreements, including two now being negotiated, the Transatlantic Trade and Investment Partnership (TTIP) and the Trans-Pacific Partnership (TPP).

Recommended: An introductory international law 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.

LAW 3046 v00 International Investment Law and Arbitration in Practice: Past, Present, and Future (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203046%20v00>)

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

Foreign investments today enjoy international legal protection through a global network of more than 3,000 investment treaties. Many of these treaties offer recourse to international arbitration to investors whose investments have been subject to interference in the state hosting the investment. Public interest in investment treaty arbitration is growing and both developed and developing countries have begun to revisit their treaties. Investment treaty arbitrations often focus on the interface between domestic and international law, and turn on how to balance the rights of private investors against the wider public interest.

Over the last two decades, international investment law has become one of the most dynamic areas of international law. Public attention has focused on the Transatlantic Trade and Investment Partnership, NAFTA, and the Trans-Pacific Partnership Agreement. In the wake of a rapid increase in the number of investment disputes, including those arising out of Argentina's 2001 financial crisis, Germany's exit from nuclear power, the expropriation of Yukos shareholders and Australia's plain tobacco packaging legislation, awareness of investment treaties and their robust investor-state dispute resolution mechanism, has grown. The legitimacy and fairness of decision-making by investment tribunals have come under scrutiny.

This seminar addresses the substantive and procedural legal issues arising in investment law and arbitration today, principally – but not exclusively – from the perspective of practice. We will consider the ambit and substance of the protections afforded to foreign investors through treaties, including investment chapters of free trade agreements, while focussing on the specific legal and practical issues that can arise for claimant investors, respondent states, arbitrators and third parties during the course of a case. We will learn about the institutions and rules that govern investor state arbitration, we will consider the theoretical and policy background that underpins the governing framework, and we will scrutinize the relationship between investment treaty law and other areas of international law, public law, and human rights law

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

LAW 1863 v00 International Justice for War Crimes and Atrocities Practicum (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201863%20v00>) (Project-Based Practicum)

J.D. Practicum | 10 credit hours

This project practicum will provide an opportunity for students to be involved in two projects designed to further accountability for war crimes and other atrocities.

Most of the work will be on the Atrocity Crimes Advisory Group (ACA), which is a project established by the United States, European Union, and United Kingdom to assist the Ukraine Office of Prosecutor General (OPG) in investigating and prosecuting war crimes and atrocities committed during the conflict that began with Russia's full-scale invasion of Ukraine in February 2022.

A second project is the Innovation Council for International Justice (ICIJ), which is an initiative that will bring together experts from a wide variety of fields to analyze efforts to achieve accountability for war crimes and atrocities in order to draw lessons for innovative future approaches to this challenge.

In the project portion of the course, students will be involved in activities with the ACA and the ICIJ that will give them a ground-level view of how institutions to provide accountability for atrocities operate in practice. These activities will enable them to acquire skills that go well beyond the typical law school experience, and may include:

- (1) coordinating, developing agendas for, attending, and summarizing meetings involving ACA subject matter experts;
- (2) helping organize visits to the US by Ukrainian prosecutors, investigators, and officials, as well as ACA events;
- (3) working on initiatives requested by the OPG such as a victim and witness support protection and support program;
- (4) supporting the collection of information on the Ukrainian population's experience of the war and their conceptions of what would constitute accountability for harm; and
- (5) conducting occasional research for the OPG.

The seminar portion of the course will:

- (1) provide students with a solid understanding of how substantive international law attempts to ensure accountability for war crimes and other atrocities;
- (2) give them an appreciation of the jurisdictional issues that arise in international criminal law and their implications for seeking justice;
- (3) illuminate political and social challenges in creating mechanisms to seek justice for war crimes and atrocities;
- (4) prompt consideration of the conceptual and jurisprudential issues involved in ascribing criminal liability to individuals who may have engaged in significantly different activities, through discussion of concepts such as command responsibility and joint criminal enterprise;
- (5) invite reflection on ethical questions that arise in seeking accountability for war crimes and atrocities, such as potential tensions between obtaining an end to conflict and securing justice; the concept of a just peace; the extent to which political considerations should inform prosecutorial decisions; the appropriate role in prosecution decisions of local communities who have been harmed by atrocities; and the relative weight in prosecution decisions of considerations such as the gravity of an offense, strength of evidence, public attention, specific deterrence of allegedly culpable individuals, and general deterrence of future perpetrators.

LAW 2014 v00 International Law and Covert Operations (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202014%20v00>)

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

With the end of World War II and the establishment of the UN, particularly Articles 2(4) and 51 of the UN Charter, the international community has endeavored with mixed success to regulate the use of force. International relations have traditionally been conducted with a Westphalian view of individual state sovereignty and territorial integrity. Respect for state sovereignty encourages stability. Today non-state actors operating across state boundaries present a new and complex set of problems. And states tend to act in what they perceive to be their own self-interest, which may or may not be in strict compliance with Art. (2)(4). In addition, technology has expanded the ways in which states can now use force to attempt to alter outcomes. Targeted killings (or non-judicial killings) using unmanned aerial vehicles (UAVs) are but a recent example of the application of limited force to obtain a desired outcome. Covert activities, while raising substantial policy issues, may avoid some of the legal and political difficulties associated with the use of overt military force and may become an increasingly attractive option in situations, including threats to human rights, where diplomatic or economic coercion are not sufficiently viable and action is deemed necessary by state decision makers. There is a tremendous amount of scholarship emerging that focuses on this and other aspects of covert activities. The United States conducts covert operations through both the CIA and Department of Defense. In this course we will first examine the U.S. law regulating such activities, including Title 10 and Title 50 and Congressional Oversight. But most of the course will be devoted to reviewing the relevant areas of international law (including the Law of Armed Conflict, International Humanitarian Law and Human Rights Law) that are most often invoked in analyzing the legality of the use of force. We will examine several types of specific operations, including renditions, reprisals and humanitarian rescue operations. The course will examine a variety of scholarly legal arguments in the context of specific covert operations that have been reasonably well documented. We will discuss the law enforcement model often proposed where targeted killing is involved and compare it with the more traditional approach found in the law of armed conflict and international humanitarian law. This course will examine how neutral legal norms are applied in specific contexts and how political reality can shape outcomes and the application of such norms.

LAW 3052 v00 International Law Essentials: The U.S. Perspective

(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203052%20v00>)

LL.M Seminar | 1 credit hour

This one-credit course is designed to provide incoming graduate program (LL.M.) students with (i) a review of the basic purposes, principles and instruments of international law and (ii) an introduction to the U.S. approach to the field. It is mainly intended for those who have previously taken a basic international law course (especially in a non-U.S. school) and who would benefit from a short "refresher" before undertaking more advanced or specialized courses at Georgetown. In addition to the essential elements of public international law, the course will touch on relevant aspects of private international law and the ways in which both public and private international law principles and obligations are given effect ("domesticated") in U.S. law. The format will be interactive discussion, permitting participants to focus on issues of greatest relevance and importance. The examination will be in a short-answer take-home format.

Prerequisite: Prior enrollment in a basic international law course.

Mutually Excluded Courses: Students may not receive credit for both this course and the course International Law I: Introduction to International Law.

Note: This course is mandatory pass/fail. J.D. students may not enroll in this course.

Please note that this course cannot be used to fulfill the LL.M. degree requirement of completing International Law I or a comparable course prior to or during the LL.M. program.

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 two 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.

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 survey course introduces students to the nature, sources and institutions of international law and major developments in the contemporary international legal system. It considers such topics as treaties, executive agreements, customary international law and *jus cogens*; recognition of states and governments; the principle of self-determination; methods of international dispute resolution, especially before international courts including the ICJ and through international arbitration; domestic jurisdiction over disputes with international elements; international immunities; the role and operation of the United Nations and other international and regional entities, such as the EU and the OAS; International Human Rights Law; Law of the Sea; Law of Outer Space; Private International Law; how the international system protects (or fails to protect) the environment; International Criminal Law; the use of force in self-defense against other countries, rebellions, or terrorist groups, humanitarian intervention, etc.

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 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.

Note: J.D. Students: Registration for this course will be open to Evening Division students only during the initial J.D. student registration windows. Full-time Day Division students will be able to add or waitlist this course beginning at 9:30 a.m. on Thursday, November 9, 2023.

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, including civil and commercial litigation against foreign parties, suits against foreign states or international organizations, human rights litigation under the Alien Tort Statute and efforts to enforce the judgments of foreign courts. We will also consider the impact of rulings by the International Court of Justice and the International Criminal Court, questions of sovereign immunity and Acts of State, when and how international law can be used to interpret domestic statutes, and how to prove 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 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 (20%) and a seminar paper (80%). 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.

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 2061 v00 International Litigation and International Arbitration: A Practitioner's Approach (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202061%20v00>)

LL.M Course | 2 credit hours

This survey course introduces students to the mechanisms used to resolve cross-border commercial disputes—international litigation and international arbitration—from the perspective of a practitioner. Among the topics examined are (1) the legal and practical advantages and disadvantages of litigation and arbitration, (2) the international legal framework for international arbitration and litigation (including key treaties), (3) key elements of international arbitration agreements (including the negotiation of those agreements), (4) key principles regarding the enforcement of international arbitral awards, (5) basic conflicts of laws principles in international arbitration and litigation, (6) principles and tactics involved in litigating and arbitrating against foreign sovereigns and their instrumentalities, (7) the jurisdiction of US courts over foreign defendants in cross-border cases, (8) the enforcement of US judgments in other national courts, (9) the practice and strategic use of parallel international litigation and arbitration proceedings, and (10) unique features of civil and common law in the resolution of international commercial disputes.

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 9, Tuesday, January 10, Thursday, January 12, and Friday, January 13, 2023, 9:00 a.m. - 12:20 p.m. The course will have a take-home exam that must be completed between January 20 and January 27, 2023. 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. **NOTE: Mandatory attendance rules will be enforced for this class for the Spring 2023 semester. Students who cannot attend class in person due to COVID-19 symptoms, quarantine, or isolation should contact the professor(s) and may be required to attend class synchronously online via Zoom.**

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.

Mutually Excluded Courses: Students may not receive credit for this course and the International Negotiations Seminar.

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 (LAWJ/G-958) or International Negotiations (LAWJ/G-3029) in the graduate program, 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 International Negotiations or 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. 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 13, 2024, 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 3006 v00 International Right to Health (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203006%20v00>)

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

The course provides an introduction to the human right to health and its implementation in a few hot topic issues. Issues covered will include criminalization of drug use and sexual and reproductive health, vulnerable groups, HIV/AIDS, the intellectual property regime and access to medicines, and a critique of the current framework and the challenges that impede the realization of the human right.

Recommended: Introductory course in public international law or human rights, introduction to public international law and/or introduction to human rights

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.

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 1799 v00 International Trade and Investment Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201799%20v00>)

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

This three-credit course introduces students to the legal and policy aspects of international trade and investment law, two pillars of international economic law that have developed dispute settlement systems. These two areas of law affect a broad array of national legislation, regulation, and administrative practice, as well as other areas of international law and policy, such as development, human rights, climate change, and other environmental issues. Both trade law and investment law have raised anxieties regarding their linkages, effects, and overlaps with non-economic issues. The United States, European Union, China, and many other countries have actively engaged in litigation and new negotiations in both fields of law. In international trade law, governments bring legal claims against each other for breaches of obligations, while private lawyers work with private commercial interests behind the scenes and often directly on behalf of governments. International investment law, in contrast, provides direct rights to private foreign investors to bring claims against governments. These disputes are proliferating and sometimes overlap with international trade law claims. In the past, the U.S. always sought protection for its investors in developing countries, but with shifts in the global economy, the U.S. increasingly became subject to such suits by foreign investors. This course will introduce students to both of these areas of international law practice.

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 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.

This course will meet 2 times per week in the weeks of August 30 - September 17 and October 11- October 29. In addition, there will be three classes taught remotely on October 7, November 11 and November 16.

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 "List A" 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 959 v00 International Trade, Development & the Common Good

(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20959%20v00>)

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

This course will examine the connection between trade law and development, including aspects of international and regional trade agreements, comparative law, and diverse areas of market regulation at the national level. 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. It will engage students in ways in which economic law can help encourage sustainable and inclusive development and will assess challenges associated with legal and regulatory capacity and the uneven implementation of laws in practice. Cross-cutting and inter-disciplinary approaches in the field, such as socio-legal approaches, human rights, food security, the UN Sustainable Development Goals (SDGs), 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 World Trade Organization (WTO) disciplines, regional trade agreements (RTAs), and other relevant international legal frameworks. Phase II will focus on different issues and will cover a number of substantive aspects of trade and development in depth, all of which impact stakeholders and communities and hold greater potential to contribute to the common good. Specific areas of focus will include domestic market regulation and investment, non-tariff measures, regulation of services, trade facilitation, agriculture, labor and environment, intellectual property rights, gender, and digital trade.

Phase III of the course will consist of an in-class exercise to apply the theory and substantive legal approaches discussed in Parts I and II in the context to practical trade and development challenges.

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. The readings will highlight different aspects of the legal and regulatory environment in the context of encouraging sustainable and inclusive development globally and at the grassroots level. Discussion questions will be provided 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 different stakeholders (entrepreneurs, countries, and communities). 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.

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, but the course does not have any prerequisites).

Note: Only the 3-CR section will fulfill the WTO & International Trade Certificate List C requirement.

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 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, including on the Covid-19 vaccines waiver. 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 devote a session to Covid-19 and infectious disease pandemics. 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. In addition to the final paper, students will be graded on class participation, individual presentations and group exercises.

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, including on-going negotiations of the pandemic treaty.

Recommended: Coursework in International Trade, Intellectual Property Rights, or Public Health.

LAW 880 v00 International White Collar Crime (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20880%20v00>)

LL.M Course | 2 credit hours

This course examines key issues arising from the criminalization of transnational business conduct and attempts to enforce national laws extraterritorially, as well as how to counsel clients to comply with inconsistent or conflicting legal regimes. Topics covered will include: bribery of foreign officials, crime on the internet, economic embargoes and export and reexport controls, securities fraud, money laundering, and price-fixing. Attention will be paid to foreign governmental opposition to U.S. assertions of jurisdiction via "blocking" statutes, secrecy laws, and use of local court injunctions, as well as to mechanisms for resolving jurisdictional conflicts, including international agreements for notification, consultation, mutual legal assistance, "positive comity," and exchanges of confidential information among enforcement authorities. The course will also focus extensively on compliance and ethics issues and on techniques for dealing with government law enforcement agencies.

Recommended: International Law I: Introduction to International Law (or the equivalent of International Law I, which is a 3 credit course in public international law).

Mutually Excluded Courses: Students may not receive credit for both this course and International Economic Crime and Corruption.

Note: Please note, the two sections of this course have different requirements. Please be sure to register for CRN 13649 if you wish to elect the section with a final exam and CRN 24229 if you wish to elect the section requiring a paper.

LAW 1767 v00 Intro to Humanitarian Crises (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201767%20v00>)

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

This course provides an overview of major principles, theories, operational concerns, and public policy issues related to complex humanitarian emergencies. The course highlights selected contemporary crises, examining causes and consequences of these emergencies. Examples include Ukraine, Sudan, Democratic Republic of Congo, Syria, Venezuela, Yemen, Myanmar and others. A particular focus is the role of humanitarian issues in foreign policy and international relations.

Note: This course is cross-listed with the School of Foreign Service and meets on the main campus. Main campus classes run Wednesday, August 23 through Tuesday, December 5 in the Fall 2023 semester. Be aware this course may run on a different calendar than the Law Center during weeks where there is a holiday. Please take this into consideration when creating your schedule so that you have flexibility to attend the class on a different day, but at the same time.

See the schedule of courses on the Main Campus Registrar's website (<https://registrar.georgetown.edu/scheduling>) 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-1767-09) if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The WR section is open to J.D. students only and non-degree students may not enroll.

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 or International 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 2055 v00 Investment Treaty Arbitration, Public International Law, and Landmark Judgments of the ICJ (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202055%20v00>)

LL.M Course | 2 credit hours

This seminar will lay out the basic principles of international investment treaty arbitration by analyzing and studying the underlying principles of public international law as well as landmark decisions of the Permanent Court of International Justice and the International Court of Justice (ICJ) that influence Investor-State arbitration. The curriculum and calendar of the seminar will follow the procedural structure of a proceeding at the International Centre for Settlement of Investment Disputes (ICSID) — i.e., first covering registration of a request for arbitration under articles 25 and 36 of the ICSID Convention, then discussing preliminary objections under Rule 41(5) of the ICSID Rules of Arbitration, provisional measures, objections to jurisdiction, merits, and ending with quantum.

The objective of the seminar is to provide students interested in investment treaty arbitration and/or public international law with a solid understanding of the principles and judgments of the ICJ and other relevant public international law instruments, including the International Law Commission's 2001 Articles on State Responsibility, which together form the basis for the rules and principles that guide investment treaty arbitration.

Recommended: International Law I: Introduction to International Law (or the equivalent International Law I); Litigation Practice in International Arbitration; or Investor-State Dispute Settlement.

LAW 676 v02 Investor-State Dispute Resolution (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20676%20v02>)

LL.M Course | 2 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.

Prerequisite: International Law I.

Recommended: International Commercial Arbitration

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

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.

Prerequisite: International Law I

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 949 v00 Islamic Finance Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20949%20v00>)

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

This course will explore contemporary Islamic finance from a transactional vantage and with particular emphasis on structuring financial transactions and products. Islamic finance will be examined both as an application of Islamic religious law and ethics (shari'ah) and as an effort to create and operate a shari'ah-compliant economic system without interest payments and receipts and based upon a compliant risk-reward paradigm that maintains expected returns for the transactional parties. We will examine some of the core principles of the shari'ah and the methodology by which shari'ah compliance is determined (Shari'ah Supervisory Boards and the issuance of rulings (fatawa)). As a base, we will examine certain principles and precepts of shari'ah and the classical contractual and legal forms that have been approved as being shari'ah-compliant. Our paradigm will be the study of recent Islamic finance transactions in different financial categories and markets. As examples, we will consider, among other structures:

- (a) lease (ijara) structures in real estate acquisition financings, construction and development financings and private equity transactions;
- (b) commissioned construction and manufacture concepts (istisna'a) in real estate construction and development transactions and project financings;
- (c) murabaha (sale at markup) arrangements pertaining to trade finance and working capital facilities;
- (d) partnership (musharqaqah) arrangements in acquisition financings, construction and development financings and project financing as well as more conventional joint venture arrangements;
- (e) arboon (sale with downpayment) structures as they pertain to hedge fund activities, particularly short sales and options trading;
- (f) rahn (pledge and mortgage) and adl (trusted person) concepts as they apply to project financings and collateral security structures;
- (g) Islamic bond and securitization (sukuk) structures used in project finance, municipal finance, corporate finance and the capital markets; and
- (h) international investment fund structures used for Islamic finance, including associated tax considerations.

In light of market realities, we will also consider conventional Western equivalents to certain shari'ah-compliant financial structures.

LAW 063 v00 Issues in Disarmament: Proliferation, Terrorism, and Great Power Rivalry Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20063%20v00>)

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

This seminar addresses modern military weapons – their development, acquisition, proliferation, use, control, and elimination – 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.

Mutually Excluded Courses: Students may not receive credit for this course and Proseminar in National Security Law.

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 1792 v00 Law and Authoritarianism (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201792%20v00>)

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

Three decades after the end of the Cold War, authoritarianism remains a major political force across the world. This seminar considers the relationship between authoritarianism and law. It mixes theoretical works with historical and contemporary case studies, drawing on insights from social science, political philosophy, and law. The course will address: the roles of constitutions, courts, lawyers, and legal activists in authoritarian societies; the growing use of digital technologies by autocratic governments; authoritarianism's challenges to American and international law; and the relationship between law and democratic erosion. This course is intended to be inviting to all students, and does not assume any specific knowledge of foreign legal systems.

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 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. The course will cover a range of issues and substantive areas of law, including economic and social development and rule of law approaches; human rights law; comparative law; peace and security; international economic law (including trade, finance, aid, and investment); labor, environmental, and health law; market regulation; institutional models for advancing law and development; gender; and sustainable development. It will also examine the increasing role of technology and data in law and development and the connection between law and the United Nations Sustainable Development Goals (SDGs). Throughout the semester, the course will explore how different areas of law address questions of equity, inclusiveness, vulnerability, and environmental sustainability. There are no prerequisites for this course, and it is intended to be both an introduction to law and development and a complement to other course offerings at Georgetown Law.

The course is divided into three parts. The first part begins with an exploration of the foundations of law and development, including an examination of the issues, debates, and academic literature. This portion of the course will examine the role of governments and institutions in law and development (including the World Bank, WTO, IMF, UN system, donor organizations, regional organizations, and others), as well as how rules are designed and implemented from the perspective of individual and community stakeholders. Part I of the course will also highlight the evolution of different approaches, theories, and models within law and development, including economic approaches (structural change approaches, dependency theory, neoclassical/neoliberal approaches, endogenous growth theory, post-Washington consensus models, and others), promotion and criticism of rule of law approaches (legal pluralism, institutionalism and new institutional economics, constitutionalism, international vs. national law approaches, legal empowerment, informality, and others), and current movements such as law and political economy and TWAIL (Third World Approaches to International Law).

The second part of the course will introduce students to the different substantive dimensions of law and development. This segment will allow students to both understand the legal foundations of different aspects of law and development and explore intersections between different areas of law as they relate to development, highlighting the cross-cutting nature of law and development. Topics will include human rights law, international economic law (finance, investment, and trade), conflict and resource control, gender and development, corruption and development, development assistance, and law and development aspects of health, environment, and climate change.

The third part of the course will focus on issue-based and regional case studies, allowing students to apply what was covered in the first two parts of the course in different contexts and explore ways in which law has been – or could be – a driver for development. Issue-focused case studies will include land tenure and contracts, labor, agriculture and food security, intellectual property rights, and data and development. Regional case studies will include Africa, Asia (with some focus on China and India, among other countries), and Latin America. In this part of the course, students will also assess which law and development approaches have been best suited to different circumstances, economies, cultures, and communities.

Learning Objectives

The course has several interconnected learning objectives:

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 987 v00 LAW Graduate Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20987%20v00>)

LL.M Seminar | 2 credit hours

This seminar, for graduate fellows in the Leadership and Advocacy for Women in Africa (LAWA) Program, provides students with the opportunity to enhance their legal research and writing skills in connection with a major research paper to be finalized in the spring semester. Each student focuses on a specific women’s human rights issue within that student’s country of origin, analyzes the domestic legal framework in light of international human rights standards, and proposes recommendations for both legal and other types of remedies using international and regional human rights mechanisms. The students begin with a topic, and from there develop a topic statement, a thesis, a thesis statement, a skeletal and detailed outline and an introduction to their paper. Students undertake intensive research into their theses, and also develop a bibliography. This class lays the groundwork for students to write a major legal research paper during the spring semester.

Note: Enrollment in this course is limited to LAWA Fellows.

LAW 2060 v00 LAWA Graduate Seminar II (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202060%20v00>)

LL.M Seminar | 3 credit hours

Students will produce a substantive paper comprising not less than 40 pages, addressing a current violation of African women’s human rights, and including innovative and practical solutions targeted to the various branches of government, civil society, and individual women. Students will develop their theses in consideration of the social, religious, cultural and economic conditions of the country or countries addressed. The first half of the course will examine comparative women’s human rights on the specific topics selected by the students during LAWA Seminar I. The second half of the course will be dedicated to the oral presentation of research papers and discussion of these paper topics, including preparation for presentations before both USAID and Congressional staff. This course is open only to Fellows in the Leadership and Advocacy for Women in Africa Program.

Note: This course is part of the following graduate programs: International Legal Studies LL.M.

Enrollment in this course is limited to LAWA Fellows.

LAW 3047 v00 LGBTQ Health Law and Policy (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203047%20v00>)

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

Course Description

Despite progress in legal protections for LGBTQ+ and non-binary people, and in the face of recent setbacks, LGBTQ+ communities continue to face systemic obstacles to quality health care such as coverage, refusals of care, substandard care, lack of access to culturally competent care, discrimination, and inequitable policies and practices in health care settings. These experiences correlate with significant health disparities, including greater exposure to sexual, institutional, and state violence, higher rates of tobacco and other substance use, mental health concerns, HIV and other infectious diseases, and cancer. These disparities are even more pronounced for LGBTQ+ people who are also members of other groups that face discrimination because of race, ethnicity, or other aspects of identity—such as Black, Indigenous, and other People of Color, young and older people, people with disabilities, people with low incomes, and immigrants, among others.

In this seminar, students will learn about LGBTQ+ health law and policy issues from a variety of perspectives—including medicine, public health, public benefits, health insurance, social determinants of health, and U.S. foreign policy—and gain a better understanding of the legal and social mistreatment of LGBTQ people at both the individual and community level and its impact on health. Topics covered will include health care access, LGBTQ-inclusive data collection, clinical and cultural competency, disability rights, reproductive justice, and health issues facing LGBTQ + youth and older adults. This course will also examine how LGBTQ+ individuals and families are treated under federal, state, and international law, and how these policies impact access to health care and contribute to health disparities.

Course Goals & Student Learning Outcomes

The primary objective of the course is to teach students about health disparities faced by LGBTQ+ communities, to identify the laws and policies that contribute to these health disparities, identify legal and policy measures to reduce those disparities, and to discuss emerging issues and topics that affect LGBTQ+ peoples' health. Through this course, students will learn about the impact that federal, state, and international laws and policies have on LGBTQ+ health, including speakers who are actively working in the LGBTQ+ community at nonprofits, Capitol Hill, and government agencies. Past speakers include attorneys from the NAACP Legal Defense and Education Fund, Lambda Legal, National Center for Transgender Equality, the National Immigration Law Center, and the Presidential Advisory Council on HIV/AIDS.

This seminar will help students develop critical thinking skills and will provide a clearer understanding of how federal, state, and international laws and policies impact LGBTQ+ health. The course will also highlight how lawyers can use the tools of law (e.g., litigation, legislation, regulatory action) to advance health justice and equity amid a rapidly changing legal and political environment.

LAW 3092 v00 Modern Ethics and Compliance Concepts in Business (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203092%20v00>)

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

This course will cover the concepts and components that form the basis for an organization to implement a modern ethics and compliance program. This will use current examples on failures in organizations and discuss how an ethics and compliance program could have prevented or minimized the conduct.

By the end of the course, students should:

1) have a mastery of the basic elements of an effective compliance program (see U.S.S.G and OIG 7 elements) along with a basic understanding of how a risk-based assessment guides practitioners in building modern compliance programs; 2) have a basic knowledge of the relevant laws, regulations and guidances (including FCPA, UK Bribery Act, OECD Anti-bribery convention) that enforcement organizations, agencies and/or courts would apply to hold organizations/individuals accountable for ethics/compliance failings; 3) have a basic understanding of the tools used to help organizations implement an effective ethics and compliance program (from assessment frameworks, code of conduct, policies and procedures, to internal investigations, training approaches and hotlines, due diligence and screening tools); and 4) using real-world scenarios and case studies, gain a deeper understanding of the issues faced by modern organizations and how compliance programs are tailored to address current and emerging risks (such as data privacy concerns) and exhibit an ability to combine law, theory and tools to analyze how to mitigate ethical or compliance risk facing an organization.

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.

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.

Mutually Excluded Courses: Students may not receive credit for this course and Pandemics, Global Health, and the Law Seminar.

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.

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 the course formerly known as Oceans Law and Policy.

LAW 1458 v01 National Security and Human Rights Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201458%20v01>)

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

The struggle to respect and ensure human rights while also protecting national security raises important and complex legal and policy challenges. This course will examine current issues at the intersection of human rights and national security, with a focus on the use of force.

The first half of the course will cover the legal frameworks governing the use of force, including the UN Charter and *jus ad bellum*, the law of armed conflict (also known as the law of war or international humanitarian law), human rights law, and the U.S. Constitution. Students will examine how the rise of transnational terrorist organizations and advancements in armed drone technology have blurred the line between wartime and peacetime legal rules and placed tremendous pressure on these legal frameworks in the decades following the 9/11 attacks. By the end of this portion of the course, students will be able to analyze uses of military force in the daily news to determine whether the use of force is lawful under domestic and international law.

The second half of the course will cover key issues at the intersection of national security and human rights including: U.S. drone strikes, indefinite detention and the use of military commissions at Guantanamo, the CIA's torture program after 9/11, the climate crisis, and more. Where feasible, we will cover current events and have practitioners from the field join us for a discussion of the topic. In past years, we have had speakers from the State Department, Defense Department, Congress, and human rights organizations such as Human Rights Watch and Human Rights First.

Student learning objectives for the course are to use class sessions and the preparation of a paper:

- To become familiar with basic human rights standards that govern the use of force in law enforcement settings, with particular emphasis on the International Covenant on Civil and Political Rights and the European Convention on Human Rights;
- To become familiar with basic international law standards that govern the grounds for resort to force (*jus ad bellum*) and regulate the way force may be used in armed conflicts (*jus in bello* or law of armed conflict/international humanitarian law);
- To gain an appreciation of the complex ways in which many current security threats and responses to them have features that do not fall squarely into the categories of either crime subject to law enforcement operations or armed conflict subject to conventional military operations; and
- To become familiar with a range of complex issues at the intersection of national security and human rights and the diversity of professional opportunities in these areas.

Strongly Recommended: International Law; National Security Law; Law of War; Foreign Relations Law; Constitutional Aspects of Foreign Affairs; International Human Rights Law; or the first-year elective International Law, National Security, and Human Rights.

LAW 972 v03 National Security Law ([http://](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20972%20v03)

curriculum.law.georgetown.edu/course-search/?keyword=LAW%20972%20v03)

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

This introductory, survey course will explore national security law as developed from the U.S. Constitution, relevant federal statutes, case law, and historical experience, as well as from principles and influences of international law and foreign relations. It will cover key components of, and debates over, the Federal Government's exercise of national security authorities, including: decisions to use force and how to employ it; detention and interrogation of combatants; collection, protection, and sharing of intelligence; military and civilian prosecutions for national security-related criminal charges, including terrorism, espionage, export control, and state-sponsored cybercrimes; civil litigation involving national security interests and concerns; protection of homeland security; and economic aspects of national security policy. Themes of the course will include: (1) the separation of powers among the three branches of the Federal Government, and appropriate roles for these branches in the conduct of national security activities; (2) the interplay between international law and domestic law; (3) textual, historical, and functional modes of legal argument as applied to national security issues; and (4) the evolution of modern warfare and its implications for relevant legal regimes.

Course Goals/Student Learning Outcomes:

This course will provide students with exposure to the broad reach of modern national security law in the United States, and the many as-yet unresolved and knotty legal, policy, practical, and moral issues that arise as the Government strives to protect national security, while preserving the generally free and open society that most U.S. persons expect. Students will examine with a critical eye the justifications offered for, and scope of, security-based governmental actions, while considering practical alternatives and results.

The student learning outcomes will be the following:

1. Analyze current and emerging issues in national security law, and understand the policy arguments underlying the balance of ensuring security and protecting individual rights
2. Assess the justifications offered for, and scope of, security-based governmental actions
3. Examine the effects that national security measures have on individual rights of U.S. citizens and non-citizens, and on U.S. institutions, norms, and governance.

Mutually Excluded Courses: Students may not receive credit for this course and the graduate course by the same name.

Note: LL.M. STUDENTS: THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Priority will be given to LL.M. students in the National Security program. Students must submit a resume/CV and a statement of interest in the course to Professor Huntley (Todd.Huntley@law.georgetown.edu) by 5:00 p.m. on Tuesday, June 13, 2023. After the June 13 application deadline, students will be admitted into open seats on a rolling basis.

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 collective or "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 and predominantly white nationalism (since the 2016 election) and a non-US example of a sovereignty or self-determination movement (such as the Catalan independence movement in Spain). Along the way we will discuss additional and alternative forms of belonging and exclusion, such as monuments and memory, statelessness and diaspora, and postcolonial 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, and exploring how democratic, heterogeneous states and communities might find common purpose.

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 755 v00 Nuclear Non-Proliferation Law & Policy ([http://](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20755%20v00)

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 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 (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 their professors. This course explores the challenges and opportunities of using law to address risk factors that contribute to the rising prevalence of NCDs, such as unhealthy diets, tobacco use, and alcohol consumption. By taking an international and comparative approach, it navigates the theory behind the regulation of risk factors to NCDs in relation to concrete examples from around the world, with a particular emphasis on Latin America, where considerable progress has happened in recent years. 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 every class, students will learn substantive content and develop lawyering skills, leading to a comprehensive understanding of the role of law in relation to risk factors to NCDs, including in policy, advocacy, and litigation. Specifically, students will be introduced to NCDs (definition, risk factors, and global burden); understand the role of corporations as drivers of NCDs; learn about regulations to address NCDs, such as pricing and taxation, labelling and packaging, and restrictions to marketing and advertising; and explore the strengths and weaknesses of regulatory, advocacy, and litigation approaches to NCDs. In navigating these topics, students will develop a set of lawyering skills, including generating and using evidence, monitoring policy, building coalitions, conducting scenario-planning, engaging decision-makers, segmenting audiences, and framing arguments.

PROJECT WORK: On the experiential/field-work side, students will work with external partners of the O'Neill Institute for National and Global Health Law (and the newly created Global Center for Legal Innovation Food Environments) on legal and policy projects related to NCDs and the law. For example, students may draft alternative reports to UN bodies analyzing compliance with human rights obligations related to unhealthy diets, tobacco use, or alcohol consumption (e.g., "shadow reports"). Such a report could analyze the prevailing legal frameworks in a particular country and highlight strengths and weaknesses in the statutory and regulatory language. By working with the O'Neill Institute and civil society organizations, the course gives students the opportunity to use law 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 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 to withdraw from a practicum course must obtain permission from

LAW 3016 v00 Project Finance in the Public Sector: Theory and Practice of Public-Private Partnerships (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203016%20v00>)

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

Governments throughout the United States and globally are faced with acute demands for new or renewed infrastructure (e.g., highways, railways, courthouses, ports, bridges), but frequently the means and specialized expertise necessary to undertake and operate these critical facilities are deficient. Through public-private partnerships (PPPs), private actors can provide the capital necessary for public infrastructure, as well the expertise to construct and operate it. Properly structured, such transactions can offer significant cost savings of the life of the assets as well as significantly shorter development and construction periods ("speed to market"). Drawing on the lessons and techniques developed for project finance, PPPs represent innovative cooperative arrangements between governments and private entities to provide such infrastructure. Through readings, class discussions and case studies, the course will equip students with the fundamentals needed to evaluate, structure and negotiate the legal aspects of PPP formation, implementation and management.

Recommended: A basic understanding of corporations and business law from professional or past academic experience.

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, particularly in the field of public health.

International investment law is comprised of over 3000 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-favored-nation treatment (principles of non-discrimination), fair and equitable treatment, and expropriation. Foreign investors, including trans-national corporations, are increasingly using these rules to challenge domestic regulations such as public health measures.

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.

There are no prerequisites for the course, although familiarity with international law or global health law is desirable. The course is ideal for students in the Global Health Law LLM program or for other students wanting a course on international investment law.

Prerequisite: Familiarity with international law or global health law is helpful, 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.

LAW 1071 v00 Reproductive Health and International Human Rights Law
(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201071%20v00>) (Fieldwork Practicum)

J.D. Practicum | 4 credit hours

This fieldwork practicum course, focusing on the interaction between international human rights law and reproductive health and rights. The course will provide an overview of international reproductive health and rights, while affording students an opportunity to work in organizations that are addressing issues in the field in various ways.

As such, students participate in a two-hour weekly seminar and work for 10 hours/week for at least 11 weeks during the semester at an outside organization.

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 and sexual 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 necessary foundation for the students to conduct their fieldwork.

Fieldwork: Students will be placed with organizations working in the area of reproductive rights. Most likely, the work will be conducted remotely, as several of these organizations are not based in the Washington D.C. area. The work conducted for this portion of the course will be supervised by the external organization

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. 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 O'Neill Institute for National and Global Health Law, the Center for Reproductive Rights, Women's Link Worldwide, Human Rights Watch (Women's Rights Division), IPAS, the Women's Equality Center, and the 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 course and an externship or a clinic or another practicum course.

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 for approximately 10 hours of fieldwork per week, for a minimum of 11 weeks, to be scheduled with the faculty. The two-credit seminar portion of this practicum will be graded. The two credits of fieldwork are mandatory

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 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 the definitions of “rule of law” and how to reform legal and judicial systems, including measuring the impact of those reforms. The field of rule of law reform is an expanding area of practice, be it focused on strengthening the concept of ‘Rule of Law’ and its indicators or to achieve certain economic, social and/or political goals.

The course begins by reviewing various definitions of what is meant by “rule of law”, recognizing that different institutions, governments, public and private sectors want to promote reforms to legal/judicial systems perhaps seeking the same end, but through different ways. The course uses a case study methodology, including specific sessions with U.S. and foreign judges and other rule of law practitioners active in reform efforts. Topics include: Democracy and the rule of law; Access to justice; Criminal justice and Criminal procedural reform; Court administration and Case management; Commercial court reform; Alternative dispute resolution (ADR); Judicial independence and Accountability; National security and Transitional justice; Indicators to measure the rule of law; and a discussion of the role played by legal actors in addressing corruption, both within and outside the legal system.

We will consider the rationale behind rule of law reforms by examining experiences around the world, including in the United States. We will see how reforms may target more competitive market economies, stronger law enforcement, gender equality or social justice. We will learn the impact of an increase in demand from users of justice systems who want improved services, not only “formal” justice users in courts, but informal justice services like paralegals and chieftaincy also. The course will also address the often overlapping or inconsistent agendas of donors, international organizations (e.g., United Nations, World Bank, Inter-American Development Bank, IMF, USAID, U.S. Military, among others) in the discussion and analysis.

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 organizations 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. Familiarity with international organizations would be useful but not required.

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

LAW 1353 v00 Sexual Orientation, Gender Identity, Sex Characteristics and International Human Rights Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201353%20v00>) (Fieldwork Practicum)

J.D. Practicum | 4 credit hours

This fieldwork practicum course focuses on issues of sexual orientation, gender identity, gender expression and sex characteristics from an international and national human rights law perspective. The course will provide an overview of the main human rights issues in these fields, while affording students an opportunity to work with organizations that are addressing human rights violations of people based on sexuality, gender and sex characteristics, in various ways.

As such, students participate in a two-hour weekly seminar and work for 10 hours/week for at least 11 weeks during the semester at an outside organization.

Background: Every day, lesbian, gay, bisexual, transgender and queer (LGBTQI) people are victims of multiple human rights violations, which are directly linked to the lack of acceptance (by society and the State) of their non-normative sexualities, gender identities or gender expressions. Some of the most common human rights violations of LGBTQI people include killings, torture, ill-treatment, "corrective" or punishing rape, "conversion therapy," discrimination in schools, in the workplace and in accessing health services, among many others. Intersex persons face human rights violations because of the general lack of acceptance of their bodies that differ from the socially accepted standards of "female" and "male" bodies. Because of their sex characteristics, intersex people often face human rights violations including irreversible non-consented and non-medically necessary genital surgery at the early stages of infancy and throughout childhood, as well as forced sterilization, among others.

SEMINAR: The course will take a close look at some of the human rights violations faced by lesbian, gay, bisexual, trans, queer and intersex (LGBTQI) people, or other people perceived as such, as well as the corresponding States' obligations under international human rights law. The students will analyze landmark and recent decisions emerging from regional and international human rights monitoring bodies, which have developed standards around these categories. This analysis will provide a solid legal foundation for students to develop their projects for external partners.

FIELDWORK: Students will be placed with organizations working in the area of sexual and reproductive rights. Most likely, the work will be conducted remotely, as several of these organizations are not based in the Washington D.C. area. The work conducted for this portion of the course will be supervised by the external organization.

In the past, the work with external partners specific human rights issues faced by LGBTQI people, included collaborating on several policy and legal projects, including preparing shadow reports to present before international human rights bodies, conducting analysis of legislation or a related case, among others. External partners vary every year, and include international and domestic leading human rights organizations working on the promotion and protection of the rights of LGBTQI people at the international and domestic level.

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).

Recommended: International Human Rights Law. Women's Rights. Gender and Sexuality and the Law.

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

LAW 3049 v00 Sovereign States and the Permanent Court of Arbitration (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203049%20v00>)

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

While arbitration is most often thought of as an alternative to litigation in national courts, arbitration between sovereign states developed as an alternative to war. This course examines the use of arbitration to resolve the most complex and politically sensitive disputes between governments.

Drawing heavily on the experience of the Permanent Court of Arbitration, students will learn the reasons for the renaissance of this form of dispute settlement and how it differs from more conventional forms of arbitration and from international courts with pre-appointed judges. Students will evaluate arbitration's effectiveness in a series of recent high-profile cases. The course will include video clips of hearings and interactive exercises.

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.

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 laws 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 Nations in outer space.

Strongly Recommended: International Law I.

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

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 and prior or concurrent enrollment in one course in international taxation.

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 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 1847 v00 The International Court of Justice: Its Role, Jurisprudence and Future (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201847%20v00>)

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

As the principal judicial organ of the United Nations, the International Court of Justice (ICJ) plays a central role in the development of international law and the peaceful settlement of international disputes.

When it was established, it was the only international judicial tribunal in the UN system and (for most purposes) the only international court for the settlement of inter-state disputes. Over time, its authoritative decisions (judgments, advisory opinions, provisional measures orders) have addressed (and established the rules in) many fundamental areas of public international law. The substantive content of the ICJ's jurisprudence is now extensive. Collectively, its decisions form an essential part of the still-evolving structure of international law.

In introductory international law courses, however, most students gain (at best) only a superficial understanding of the Court and its organization, procedures and substantive jurisprudence. Few textbooks or treatises offer more than excerpts or summaries of what their authors consider the ICJ's most important decisions. Moreover, the emergence of other international tribunals (for instance those associated with regional organizations or with specific areas such as human rights or international criminal law, as well as other specialized bodies) has expanded the corpus of authoritative decisional law in the international law field.

Nonetheless, the ICJ remains the pre-eminent judicial actor in the development of key areas of public international law. The Court's decisions (and the principles on which they are based) are frequently invoked in other disputes, in international negotiations, and in academic writing. They continue to play a critical role in helping the international community settle its disputes on the basis of law. States continue to look to the Court to maintain the rule of law in the most critical circumstances. In February 2022, for instance, Ukraine initiated proceedings against the Russian Federation challenging the latter's claims that genocide had occurred in the Luhansk and Donetsk oblasts of Ukraine, seeking to establish that Russia had no lawful basis to take military action against it on the basis of those false claims, and asking the Court to issue “provisional measures” to preserve Ukraine's rights and to compel Russia to halt all military actions in Ukraine.

Learning Outcomes:

1. The goals of the seminar are both substantive and experiential: (i) to acquaint you with the structure, jurisdiction, procedure, and jurisprudence of the International Court of Justice, including its evolving role in the international legal community, (ii) to provide you the opportunity to research and master a specific legal issue of your choosing, and (iii) to give you experience in writing about (and presenting) your chosen topic and conclusions at an advanced level.
2. To provide helpful background and tools to use in dealing with questions of international law as they arise in whatever area you eventually practice in, as well as an appreciation of how to deal with decisions, judgments and conclusions of international judicial tribunals in general, in order to provide you a better understanding of the evolving nature and function of law in the global society.
3. To develop your ability to think critically about a particular problem, to engage in focused, sustained, in-depth research involving a range of domestic, foreign and international legal materials, to engage in complex legal analysis, to advance your knowledge relevant to the paper topic including possible problem-solving alternatives, and to advocate effectively for a particular thesis or solution.
4. To help you sharpen your ability to write clearly, concisely and thoughtfully about complex issues *and* to practice and refine oral advocacy and public speaking skills through in-class presentations on your research topics make an effective oral presentation about the

LAW 3002 v00 The Law and Policy of the Energy Transition (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203002%20v00>)

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

This course will review the most critical policy, legal and regulatory issues faced by the energy sector (coal, oil, gas, renewable energy sources, and minerals) actors, such as governments, investors, corporations, insurers, and citizens, when facing the challenges of the current energy transition, including net-zero pledges at political level and their impact in legislation.

The discussion will be based on the following premises/problems (evidently, the premises could also be discussed as well):

- The world has a carbon emissions problem. Science confirms that action is needed to reduce greenhouse gas (GHG) emissions in the atmosphere generated by human activities.
- The planet works on fossil fuels today, and it seems it will do so for the foreseeable future. Therefore, an abrupt reduction of fossil fuel consumption will severely disrupt current lifestyles, especially in developed countries.
- A sharp increase in renewable energy generation will require much more mineral extraction than today, an activity that itself brings new social and environmental challenges.
- Even with the current fossil fuel consumption, a significant share of the world population has unreliable, insufficient, or inexistent access to energy (approx. 800 million people). This situation is unacceptable and needs to be solved.
- 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, if negative.

Development is a pending task for most of the planet, and it needs a priority place in the environmental discussions. Through the different topics addressed in the course, we will analyze how weak rule of law, increasing environmental and social challenges, corruption, and geopolitical challenges affect policymakers, legislators, regulators, and the private sector decision-making processes related to the energy transition, environment and development. Energy actors and the finance sector are confronted with long-term capital investment decisions in a volatile policy and regulatory environment. Legal counsel in these cases involves a substantial role in evaluating and mitigating risk and in the prevention and resolution of disputes. The course will analyze the extra-legal factors that lawyers need to understand to provide advice more comprehensively.

Participants in the course will better understand the energy sector transaction models in the context of the current energy transition, the emerging challenges, and the legal strategies used to mitigate such risks using regulatory frameworks, contract drafting, and compliance procedures (ESG). Topics will include a general explanation of the risk or opportunity in each situation discussed, using study cases of specific transactions whenever possible.

This course is not a project finance or a specialized finance course, even though we will review some financing structures. Due to its structure, this course could be considered an overview of the most pressing issues discussed in international energy law (an area of law that knows no borders), education to be continued in other courses.

Even though I will try to make the course as structured as possible, several topics are strongly interconnected. Therefore, the conversation/discussion might flow in unexpected ways, which I fully welcome and encourage.

Finally, I need to explicitly state that all my expressions, written or verbal, are made in a personal capacity and do not necessarily reflect my

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 869 v00 The Role of WHO in Global Health Law and Governance

(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20869%20v00>)

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

WHO is the sole global health organization and, as such, has been traditionally considered the lead actor in this domain at the center and the forefront of technical, policy and normative developments in global health governance. Its Constitution and institutional structure represent both the embodiment of a new way of thinking about global health and its governance at the time of creation of the UN system as well as the outcome of political compromises that have affected the life of the organization and its positioning in the global health landscape.

The historical development of WHO's functions and activities are also an emblematic reflection of the changing role of health in the global economic, political and development agendas and, as such, can shed light on broader issue of international law and relations. WHO's role and significance as the central actor in global health governance has been the object of contestation and much critical reflection starting in the 1990s and culminating with the organization's role in responding to recent health emergencies such as the 2014-2015 Ebola outbreak in West Africa and most importantly the COVID-19 pandemic. At the same time, global health governance has become more complex, fragmented and politicized and the future role of WHO has to be seen in the context of those developments and the search for a coherent global health architecture.

The course will focus on four broad areas covering the most important aspects of WHO as an international organization, an actor in global health governance, and a forum for policy and legal developments: 1) Historical, constitutional and institutional aspects; 2) normative functions, with particular focus on the International Health Regulations, and the role of WHO in the development of international law; 3) directing and coordinating functions, both in terms of how to address the most important health challenges as well as with regard to WHO's interaction with a number of political and economic regimes; 4) the position of WHO in the current global health landscape, both with regard to the role of other actors as well as to how the organization should look to its own future.

The course will allow students to gain not only an in-depth knowledge and appreciation of WHO from an institutional and structural perspective, but also most importantly to appreciate the main contemporary challenges in global health as well as the role of health in a number of critical policy and normative regimes. The approach of the course will be based on lecturing, class discussions and at least one class exercise.

Prof. Burci's former tenure as the Legal Counsel of WHO and a long-term senior lawyer in the organization will allow him to contribute real-life examples and experiences that will better root the course in the realities of the life of an international organization

Recommended: International law, International organizations, Global Health Law

Note: This course is part of the following graduate programs: International Legal Studies LL.M.

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

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 law and institutions help to build trust?

LAW 1833 v00 Transitional Justice in the 21st Century (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201833%20v00>)

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

This course examines how societies address widespread atrocities and serious crimes, e.g., crimes against humanity, genocide, human rights violations, and other abuses, through transitional justice mechanisms.

These violations often occur in conflict situations, but also can arise through repression, particularly of marginalized groups. Broadly defined, transitional justice mechanisms are processes that provide acknowledgment, recompense and solace to victims through various accountability measures, with a long-term goal of reconciliation and/or an acknowledgement of the abuses and the adoption of measures to address the victims and steps to prevent the recurrence of the abuses/violations. The mechanisms are labeled “transitional” because they are typically implemented during or following atrocities and widespread abuses. In this regard, the crimes committed are of a scale that the judicial system, by itself, is unable to address. The abuses require a broader and different approach. The focus in transitional justice processes is both on victims and on accountability measures that address the society as a whole. Transitional justice mechanisms can include the criminal justice system (e.g., international, national, local), as well as other non-legal approaches to justice and accountability, including truth-telling processes, reparations, reforms, memorialization. In particular, we will examine approaches to abuses and atrocities through a gender lens as well as a specific consideration of children and marginalized groups (e.g., racial, indigenous groups). In some cases, amnesties have been utilized (controversially in, e.g., South Africa). We will critically examine the underlying issues of how peace processes and transitional justice interact and support each other – and in some cases are not productive or fail.

Learning Objectives: The course has multiple objectives; these include:

- Understanding how transitional justice mechanisms work in practice and how they may support victims and also lead to reforms that target human rights abuses on a societal scale. Examining some of the 40+ transitional justice processes that have occurred and the methods that have been employed. We will evaluate the efficacy of these processes. Ultimately, do these processes move the society to adopt and ensure human rights standards are protected/enforced?
- Understanding consultation processes that are engaged for societal input, particularly among marginalized groups, as a means of determining what process and/or mechanisms, e.g., truth commissions, prosecutions, reparations, reforms, memorialization, will be adopted and adapted to the country. There will be, in some cases, proposals of the use of amnesties (e.g., South Africa) or innovative approaches, e.g., the Colombian Special Jurisdiction for Peace.
- Examining implementation problems and roadblocks/difficulties/challenges regarding the role of truth commissions or truth-seeking processes, the adoption of reparations, reforms and various criminal justice approaches (see below).
- Assessing strategies for working with victims and affected communities to address the violations that they have suffered. In this regard, memorials that recognize abuses, discrimination or the struggle for justice for victims and recall the violations, which may support memory and stand as markers to prior violations – how important are these efforts?
- Finally, assessing the role of transitional justice in the United States, given the deep fissures in American society, what relevance do these experiences, both in a range of countries, but also in the United States, e.g., the Truth Commission in Greensboro, North Carolina.

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

LAW 1801 v00 Understanding and Combatting Corruption Seminar

(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201801%20v00>)

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 3157 v00 US Health Law and Diplomacy in a Global Context

(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203157%20v00>)

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

US Health Law and Diplomacy in a Global Context aims to introduce US health law and policy

through comparative and international lenses. The course will provide interested students with a

broad introduction to key areas of domestic health law (health coverage, public health, product

regulation, social determinants outside the health sector), including divisions of responsibility at the federal, state, and local levels in the unique health policy environment of the US. The course will also provide a basic comparative framework for understanding the US health law and policy systems within the broader experience of high-income countries and other health systems. Moreover, this course will explore the role that the US plays in shaping and engaging in global health law through international law, federal assistance programs, and participation in international organizations. This element of the course will focus on the Constitutional and legal context for US foreign policy relating to health, including critical issues relating to the US role in the World Health Organization. Throughout the course, special attention will be paid to way in which law impacts health, more broadly the notion of "legal determinants of health" as articulated in the final report Lancet-Georgetown Commission on Global Health and Law.

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) | 2 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 1900 v00 Victim-Centered Justice and Security Practicum

(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201900%20v00>) (Project-Based Practicum)

J.D. Practicum | 4 credit hours

Mass atrocities and conflicts have an enormous impact on victims and civilians. The voices and concerns of such people, however, tend not to be solicited or given sufficient weight and attention in fashioning responses to atrocities, and in the law of war (or international humanitarian law (IHL)). Responses to atrocities often prioritize criminal prosecution, which is not always informed by victims' perspectives and priorities for meaningful justice and accountability. The disproportionate focus on criminal prosecution omits other measures—like reparations, truth-telling, memorialization, and searching for missing persons—that may also accord with victims' views of justice and help them and the larger society come to terms with horrific events. Furthermore, IHL balances the principles of military necessity and humanity in ways that systematically give greater weight to military necessity, which results in lawful uses of force that cause a large number of civilian casualties. Decisions about responding to atrocities therefore can fail to provide meaningful justice for victims, while decisions during wartime based on national security concerns can leave the civilian population at serious risk of ongoing substantial harm.

This course will provide students the opportunity to participate in two projects conducted by Georgetown's Center on National Security (CNS) whose common goal is to help redress these imbalances. Our fundamental aim is to recalibrate how decision-makers set justice and security priorities so that innocent people caught amidst conflict and mass atrocities are not an afterthought, but are placed at the center. The projects share a common focus on: (1) mitigating, preventing, and redressing the impact of armed conflict and atrocities on civilians and victims; and (2) enhancing the likelihood that decision-makers will hear victim's voices as they make decisions about justice and security.

The Innovation Council for International Justice (ICIJ) is an initiative that brings together experts from multiple disciplines and experiences across the world to analyze and strategize efforts to redress and respond to war crimes and other atrocities for victims and civilians in order to draw lessons for innovative future approaches to this challenge. The project will survey the rich empirical literature on the achievements, limitations, and potential counterproductive effects of different types of approaches to this issue, and will engage with many of the scholars who have conducted these studies. It will complement this by consulting leaders and organizations in areas that have suffered atrocities and violent conflict to draw lessons based on their practical experiences. The goals will be to: (1) formulate best practices that are rooted in these experiences but informed by insights that permit some generalization and (2) develop a protocol that provides a blueprint for how to engage in consultation with victims and civilians to understand their perspectives so that they are taken into account in decisions regarding justice and security.

The Cumulative Civilian Harm (CCH) project aims to illuminate and rectify a critical blindspot in international law: the law of war focuses on whether civilian harms are excessive in each individual attack, but fails to adequately account for cumulative civilian harm over the course of a conflict. This project involves: (1) research on the law of war; states' policies and procedures regarding the use of force; state armed forces manuals on the use of force and formulation of rules of engagement; and international best practices on civilian protection; (2) interviews with high-level civilian and military officials involved in the decision-making process regarding the use of force in the United States, the United Kingdom, and Israel; and (3) interviews with populations in Gaza, Israel, and Iraq to understand their experience of harm during conflicts and their perceptions of what constitutes a just decision-making process regarding civilian harm. The project will culminate in recommendations

LAW 672 v01 War Crimes Terrorism & International Criminal Law

(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20672%20v01>)

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

Throughout the twentieth century and into the present, international humanitarian law developed not only to regulate the conduct of war, but to punish those who would violate it; be it national prosecutions for war crimes or international criminal courts. In recognition of that fact, international humanitarian law seeks to divide the politics of war from the law of war by requiring minimal standards of due process, even for the most heinous offenders. Common Article 3 of the Geneva Conventions, for example, famously provides that in armed conflict, all criminal punishment must be "pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples."

But what is a "regularly constituted court" and what are indispensable "judicial guarantees"? When war often means a threat to and even a breakdown of civilized society, how is the balance struck between due process, public safety and vindicating the victims of war crimes?

This class will guide students through the salient areas of international criminal law by reading, analyzing and discussing the statutes and precedents from WWII, modern IHL tribunals, and the Military Commissions convened at Guantánamo Bay. The issues covered will range from how crimes are defined, to who is subject to law of war jurisdiction, to theories of liability, to the rules of evidence, including the use of national security information and evidence derived from torture, to the problems associated with distinguishing lawful acts of guerrilla warfare from terrorism.

Over and above this treatment of the substantive aspects of the law, the course will encourage students to consider such problems as fact-finding through adversarial litigation, the reliance on common law crimes, the use of such tribunals in place of domestic courts and truth and reconciliation commissions, and what due process is possible before law of war tribunals.

Students will be evaluated on the basis of class participation and a research paper on one aspect of international criminal law. Course administration will be conducted through TWEN, where students can download the readings for class and pose questions for class discussion.

Mutually Excluded Courses: Students may not receive credit for both this course and for Terrorism as a War Crime: Military Commissions and Alternative Approaches or War Crimes and Prosecutions.

LAW 191 v02 Workers Rights & Globalization Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20191%20v02>)

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

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 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.