GENERAL/INTERNATIONAL LEGAL STUDIES

Our General and International Legal Studies programs are the most flexible degree programs available to foreign-educated LL.M. students. 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=LAWG/J 888) at the start of the semester. Please note, the date for the final class session will be announced at the start of the semester.

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.

Andrea Rodriguez Escobedo, Program Director for International LL.M. Programs (biography (http://curriculum.law.georgetown.edu/llm/llm-program/llm-general-individualized/Andrea_Rodriguez_Escobedo.pdf)) Phone: (202) 662 - 9036
Email Address: LL.M. Advising (llmadvising@georgetown.edu)

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

Contact Information
To learn more, please contact:

Andrea Rodriguez Escobedo, Program Director for International LL.M. Programs (biography (http://curriculum.law.georgetown.edu/llm/llm-program/llm-general-individualized/Andrea_Rodriguez_Escobedo.pdf)) Phone: (202) 662 - 9036
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4. the arbitral proceedings - bifurcation, interim measures, evidentiary rules, the conduct of hearings; and
5. the arbitral award - drafting of awards, enforcement and setting aside of awards, the 1958 New York Convention on the Recognition and Enforcement of Awards.

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

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

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

Note: Please note, the date for the final class session will be announced at the start of the semester.
LAW 888 v00 Advanced International Commercial Arbitration: Practice Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20888%20v00)

LL.M Seminar (cross-listed) | 3 credit hours
The seminar will be a combination of the theoretical and practical aspects of international commercial arbitration, with an emphasis on the practical. Its centerpiece will be the handling of a mock international arbitration case from the drafting of the arbitration agreement to the drafting of a final award, with units in between on the appointment and challenge of arbitrators, discovery of documents, and a live arbitration hearing. Teams of students will participate (as counsel to the parties) in the negotiation of arbitration agreements, in the drafting of motions and replies, in oral argument on such issues as the disqualification of arbitrators and the production of documents in discovery, in the hearing in a case, and in brief writing. Playing the role of arbitrators, students will also write final arbitral awards.

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

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

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

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

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

LAW 483 v01 Advanced Issues in International Human Rights Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20483%20v01)
LL.M Seminar (cross-listed) | 2 credit hours
This course will examine specific issues in international human rights law drawn from the current decisions of international human rights supervisory bodies. The course will be divided into two halves. The first half of the course will consist of lectures and discussions on seven specific issues as illustrated by cases decided by international jurisdictional bodies. For example, we will examine the decisions of the International Court of Justice (Breadt, LaGrand) and the Advisory Opinion of the Inter-American Court of Human Rights (OC-16) on an alien's right to consular assistance, in the context of the creation of international human rights norms and the problems arising from a multiplicity of international jurisdictions. We will examine the two decisions (Section and Grand Chamber) of the European Court of Human Rights on the Refah Partisi case as regards the compatibility of Islam and democracy in the context of the universality of human rights debate. We will examine decisions of the European Commission and Court of Human Rights and the Inter-American Commission in an attempt to trace the changing definition of “torture” in the context of the Guantanamo detainees case. The second half of the course will be dedicated to the oral presentation of research papers and discussion of these paper topics.

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

Recommended: A survey class in Human Rights Law.

LAW 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.

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**

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.

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**LAW 885 v00 Advocacy in International Arbitration**

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

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

**Recommended:** International Law I: Introduction to International Law

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

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**LAW 1632 v00 Aggregate Litigation: A Global Perspective**

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

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

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

Commercial and investment arbitration have gained increasing importance in Latin America. The last decade has seen, on the one hand, substantial amendments in the arbitration laws of the region and, on the other, an increase in the claims by investors under bilateral investment treaties and free trade agreements. But is there a Latin American arbitration? 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:** 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.

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

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

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

The course is worth 1 credit.

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

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

Attendance at all class sessions is mandatory and all enrolled students must attend the first class in order to remain enrolled. Students on the wait list must attend the first class in order to be admitted off the wait list. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar. Once the second class session begins, students may only seek a withdrawal by contacting an academic advisor in the Office of JD Academic Services. Withdrawals are permitted up until the last class for this specific course.
LAW 030 v00 Asian Law and Policy Studies Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20030%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
This is a research seminar in which students will present their current research on Asian law and policy at the end of seminar classes where we consider the various areas of law and development which have led to the economic dynamism of the Asia-Pacific region. The impact of the Asia-Pacific region on the world market and global economic activity is substantial and continues to grow. In addition, the conspicuous success and some spectacular failures of Asian nations in legal and economic development have prompted suggestions that the experience of these nations may provide models (both positive and negative) for other developing countries and regions. The seminar will explore—in connection with the role of law and legal institutions—the interaction of social change, economic growth, and legal development in East and Southeast Asia. Specific topics will depend on the research interests of the participants, but will include capital formation, financial regulation, transnational trade and investment, intellectual property, land reform, environmental protection, worker protection, human rights, and similar private and public law issues. The first few classes will introduce elements of development economics relevant to law and development.

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

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

LAW 050 v00 Aviation Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20050%20v00)
J.D. Course (cross-listed) | 2 credit hours
This course encompasses most aspects of air transportation, including airport and air traffic control liability, air carrier liability in the carriage of passengers and cargo domestically as well as internationally under the Montreal Convention and economic and safety regulation of domestic and international air transportation. The course also includes contributions by practitioners in the field.

LAW 050 v01 Aviation Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20050%20v01)
J.D. Course (cross-listed) | 2 credit hours
The course, taught by practitioners in the field, covers contemporary and cutting-edge aviation topics such as international commercial aviation, aviation security, and the integration of unmanned aircraft systems (i.e., drones) into the national airspace. The course material will encompass most aspects of aviation law, including the law of international civil aviation, the economic and safety regulation of air transportation, aircraft registration and certification, aircraft accidents, airport law, government immunity from tort liability, and airline liability for the carriage of passengers and cargo domestically and internationally under the Montreal Convention. Students are exposed to a range of materials, including cases, treaties, executive agreements, and regulations, with a view towards imparting practical skills that can be applied to any field of law.

LAW 3038 v00 Biosecurity and the Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203038%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
This course is designed to provide students an understanding of current and emerging issues concerning biosecurity and relevant law. Recent global acts of terrorism coupled with sophisticated advances in biotechnology present a host of complex issues driving biosecurity analysis and discussion. We will examine both the history and current state of bioterrorism threats with an emphasis on the legal and ethical challenges as we "sort out" best methods for moving forward. Our analysis will explore the recent Zika and Ebola threats as well as the threats posed by prior H1N1, SARS, anthrax, smallpox, SARIN, Ricin, and even the possibilities stemming from genetically engineered once thought "dead" bio-threats. Our method of instruction will focus on significant legal challenges each week. We will however, use past examples of quarantine and cordon sanitaire applications to instruct as how best to legally address future possible pandemics. Within our course exercises, students will be assigned healthcare and legal roles in order to gain insight as to management of a true healthcare crisis. Guest speakers with knowledge of crisis management will be invited to share personal experiences and advice concerning future pandemics. We will also examine recent legislation, both domestic and international, with a view toward a better understanding of the complex challenges within biosecurity.
LAW 1175 v01 Borders and Banishment Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201175%20v01)

J.D. Seminar (cross-listed) | 2-3 credit hours
This course explores practices of border fortification, incarceration, criminal law enforcement, and immigration policing. Migration and incarceration—borders and banishment—present some of the most pressing legal and moral controversies in contemporary public life. Over the past two decades, criminal-immigration matters have become the most commonly prosecuted federal crimes; populations in prison, jail and immigration detention have dramatically increased; and though major proposed immigration reforms are stymied in Congress, pressures for reform in both the immigration and criminal contexts continue to mount.

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

There are no prerequisites. All students are welcome.

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

Note: THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Please email Professor Allegra MacLeod (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?
- What are the principal stakeholders and what are their roles and objections?
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 (UNGPr) 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 operations. The stakes are high.

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 operations. The stakes are high.
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://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203078%20v00)
LL.M Seminar (cross-listed) | 2 credit hours

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

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

LAW 091 v11 Comparative Constitutional Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20091%20v11)
J.D. Course (cross-listed) | 3 credit hours

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

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

Mutually Excluded Courses: Students may not receive credit for both this course and the Comparative Constitutional Law Seminar.
J.D. Seminar (cross-listed) | 2-3 credit hours
How to lose and save a constitutional democracy? How to prevent democratic backsliding? How to design a constitution? Can constitutions exist without constitutionalism? What is an authoritarian constitution? How do constitutions transitions and change occur? What forms of judicial review do courts employ? Is it possible to have an unconstitutional constitutional amendment? How do courts across the world interpret constitutions? Can constitutions be employed abusively?

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

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

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

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

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: 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 v07 Comparative Law: Focus on EU and US (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20079%20v07)
J.D. Course (cross-listed) | 2 credit hours
This course consists of an introduction to legal comparison based on an inquiry into European private law. The course is divided into two parts. The first part presents the functions and aims as well as the methods of comparative law in general. After an overview of the legal systems in the world, the course provides a comprehensive introduction to the basic features of the civil law system as contrasted with the common law tradition in Europe and in the United States. It also shows how some of the differences between the two systems are being dealt with by new instruments such as the Vienna Convention on Sales, the UNIDROIT Principles of International Commercial Contracts and the Principles of European Contract Law. While the course focuses on substantive law issues, in the fields of contract and tort, it also examines some structural issues — such as the court systems, the education of lawyers and the role of judicial review. The second part of the course aims at providing an analysis of the trends towards denationalization of private law in Europe as it results from the impact of EC legislation on national law. Special attention is devoted to the link between private law and the formation and the functioning of markets, particularly the Single Market in Europe, but also to the cultural and linguistic obstacles that come up in the process. Overall, the course aims at providing a practical introduction to issues of European law faced by American lawyers, and the use of foreign law to advocate change in U.S. law. Further it will show how legal comparison is a means for thinking about the law in broader terms.

Mutually Excluded Courses: Students may not receive credit for both this course and the first year elective by the same name.

Note:
This course will meet on Mondays and Wednesdays on the following dates: 1/19, 1/24, 1/26, 1/31, 2/2, 2/7, 2/9, 2/14, 2/16, 2/24 (Monday classes meet), 2/28, 3/2 and 3/7.

LAW 1723 v00 Comparative Law: Law and Society in the Middle East Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201723%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
The course seeks to introduce students to debates raging around questions of law, legality, and society in the Middle East. These questions have had a particularly pressing urgency with the resurgence of authoritarianism as a reaction to the large scale democracy movements that had swept the Middle East starting in 2010 (the Arab Spring), a resurgence that brought with it civil and religious conflict, the rise and fall of ISIS, and economic austerity. The Debates cover topics such as the efficacy of “human rights” activism, civil litigation as a strategy to advocate for “civil rights”, the constitutional status of religion, women’s inheritance rights, the formalization of property rights, the new nationalist laws in Israel, and the legal status of Syrian refugees. Scholars located in the Middle East will be invited to Zoom in their participation.

LAW 2030 v01 Comparative Reproductive Technologies and "Reproductive Tourism" (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202030%20v01)
LL.M Seminar (cross-listed) | 2-3 credit hours
The use of reproductive technologies—and crossing national borders to obtain them—has become a burgeoning multi-billion dollar, international industry. While the desire to have children may be universal, legal protections and restrictions on access to reproductive technologies vary immensely from country to country, and often reflect conflicting cultural and religious values.

This seminar will examine the fundamental elements of ART law and practice so that students have a foundation to explore and compare a diverse number of legal systems’ approaches to selected reproductive technologies with a particular emphasis on the legal implications for “cross-border reproductive care” ("reproductive tourism"). Other topics will include: comparative access to and affordability of IVF, egg and sperm donation, and surrogacy; reprogenetics; treatment for same-sex couples; professional liability; and embryonic stem cell research (as it intersects with egg donation and the use of IVF embryos). Guest lectures will provide a medical and an ethical perspective to broaden an understanding of the legal and policy challenges in this unique field.

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

LAW 757 v01 Comparative Tax Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20757%20v01)
LL.M Course (cross-listed) | 2 credit hours
Provides an introduction to the study of comparative tax law. The coverage is broad, touching on many countries and types of taxes, as well as the general legal framework for tax law and tax procedure. Emphasis is on the income tax and, to a lesser extent, value added tax. Focus is on underlying structural differences in legal systems, including constitutional issues, judicial interpretation of tax laws, judicial and legislative anti-avoidance doctrines, different approaches to defining income, alternative systems for taxing corporations and shareholders, and problem areas in the VAT (including international services and e-commerce). The student completing this course will have a basic understanding of how to approach foreign tax law, and tools to better understand the tax system in the student’s own country.

Prerequisite: Federal Income Taxation (formerly Taxation I) and prior or concurrent enrollment in either Corporate Taxation (formerly Taxation II) or Corporate Tax Law I.
LAW 089 v00 Constitutional Aspects of Foreign Affairs Seminar
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20089%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
This seminar deals with the distribution of powers between the president and Congress in the areas of war, diplomacy, international organizations, foreign assistance, commerce, money, etc. as well as the distribution of powers between the national and state governments. Such related matters as the impact on individual rights and the political question doctrine in this context are also discussed.

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

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

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

LAW 790 v09 Criminal Law Across Borders (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20790%20v09)
J.D. Course | 3 credit hours
International criminal law studies a grim but important subject: the prosecution of war crimes, crimes against humanity, genocide, and aggression. These are “core crimes” tried by tribunals like the International Criminal Court (ICC) and the tribunals for Rwanda, Sierra Leone, former Yugoslavia, and elsewhere. In addition, we will study the extraterritorial application of domestic criminal law to address crimes of transnational character such as terrorism, torture, and international money laundering. Along with the substantive law on these issues, we examine procedural law on topics such as extradition and immunity from prosecution. The course will also examine the problems confronting international criminal justice today, including the political backlash against accountability. Finally, we will spend some time on alternatives to criminal prosecution such as truth and reconciliation commissions. The aim of the course is to introduce students to basic doctrines of international criminal law, as well as doctrines concerning the extraterritorial application of U.S. criminal law. It also provides an overview of the work of international criminal tribunals and the challenges they face. The course combines law, policy, and history.

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

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

LAW 1610 v00 Criminal Practice Seminar: White-Collar Crimes in a Transnational Context (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201610%20v00)
J.D. Seminar | 2 credit hours
This seminar explores white-collar criminal practice in the transnational context. “Transnational” cases generally involve the potential application of one or more country's laws to alleged criminal activity that crosses borders. We begin by introducing students to the general differences in the legal structures, concepts of criminal law, and varied standards for corporate and individual liability, that apply in civil and common law systems. We will study the substantive U.S. law that is implicated in many transnational prosecutions and learn when U.S. law applies extraterritorially. The substantive provisions we study may include proscriptions on corruption, fraud, money laundering, tax evasion, data breaches/hacking, or violations of economic sanctions. We will explore the tools available for obtaining evidence abroad, as well as some of the national laws and regulations that impact transnational investigations. Some of the challenges we will explore are regulations regarding data privacy, employment laws, national security/state secret laws, and blocking or economic protection statutes. At the conclusion of the class, we will consider a number of case studies that illustrate issues companies face in attempting to forge a global resolution among regulators and prosecutors from different countries. These include managing competition between sovereigns, joint and parallel national investigations, and the division of penalties.

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

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

Like all writing seminars, the class also seeks to enhance students’ ability to conduct legal research, capacity to engage in critical thinking, and prowess in communicating effectively, in writing and in class.
LAW 982 v00 Cross-Border Commercial Regulation: Aviation and Maritime Law [http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20982%20v00]

LL.M Seminar (cross-listed) | 2 credit hours
This seminar examines U.S. and international law applicable to aviation and maritime services worldwide. It includes the transportation of both passengers and cargo by air as well as sea. It reviews the evolution and progress made in international law liability conventions (Warsaw, Montreal 1999, Athens 2002) that are applicable to passengers and cargo involved in air as well as sea transport and mishaps/disasters. It examines the emerging applicability of both environmental and security laws and treaties in this area. In the context of public international law, the seminar focuses on the 1944 Chicago Convention and the evolution of restrictive bilateral air transport agreements into the current system of bilateral and multilateral open skies agreements that govern the movement of most passenger as well as cargo airlines of all nationalities throughout the world. The sometimes inconsistent application of U.S. and E.U. competition laws and policies is studied, particularly as they currently govern the developing practices of code sharing among international airlines and comparable global alliances among shipping lines. Also examined are the legal as well as economic (and practical) consequences of these alliances. Finally, the seminar examines the area of aircraft hijacking and the steps the international community has taken to meet these threats.

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

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

LL.M Seminar (cross-listed) | 1 credit hour
The course is designed to give students an overview and practical insight on the legal aspects of doing business with or investing in Latin America. The course will focus on Mexico, but will also address legal issues associated with doing business in Central and South American countries. Topics will be discussed from the perspective of U.S. investors doing business in the region, and will cover the legal implications of cross-border distribution, licensing and joint venture arrangements, acquisitions and direct investments, labor planning and creditor rights.

Recommended: Contracts, Corporations, and International Business Transactions.

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

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

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

J.D. Seminar (cross-listed) | 2-3 credit hours
This seminar will examine cryptocurrencies like Bitcoin, Ether and Ripple's XRP, and their possible roles as commodities, payment instruments and investments. It will also explore "Initial Coin Offerings" ("ICOs")—fundraises by startups identifying technology-based problems and proposing the sale or financing of technology-based solutions.

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

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

Note: This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
**LAW 3074 v00 Current Challenges to Investor-State Dispute Settlement (ISDS)**

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

In light of the current debate on ISDS and the many criticisms voiced against the current system, this course will first briefly recall (i) the origins of and reasons for ISDS and (ii) its current legal framework. It will then proceed to a detailed review of (iii) criticisms expressed against the existing system, such as the lack of transparency of decisions, the lack of legitimacy and accountability of the system and of the arbitrators. It will examine (iv) whether these criticisms are justified, whether and why they matter for international trade and commerce, peaceful international relations, justice and the rule of law. On this basis, the course will then explore (v) reform options, some of which are currently envisaged by policy-makers and others which still need to be conceived. As a result of this exploration, the students will finally seek to design (vi) a roadmap for possible reform.

**Learning Objectives:**

**Competencies:** Revisiting fundamental notions of arbitration in light of current criticisms against investor-state arbitration.

**Skills:** Investigate merits of criticisms and come up with solutions discussing their pros and cons.

**Strategies:** Draw up possible reform plan.

**Strongly Recommended:** Commercial arbitration and/or investment 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.

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**LAW 014 v01 Current Issues in Transnational (Private International) Law Seminar**

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

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

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

**Learning goals for this course:**

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

**Recommended:** International Law I.

**Note:** This course requires a paper. Students must register for the 3 credit section of the course if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the Upperclass Legal Writing Requirement.
LAW 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 weekly seminar will delve into the cutting-edge topics that promise to make a mark on the field. For the 2021 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, and the role of human rights in investment disputes. 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 week of class, and fifty percent on a final paper (on an issue of the student's choice) to be submitted at the end of the seminar. 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:


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

Learning objectives:

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

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

Note: Students may not withdraw from this class after the add/drop period ends without the permission of the professor.
LAW 847 v01 Developing & Financing Infrastructure Projects (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20847%20v01)
LL.M Course (cross-listed) | 3 credit hours
This course will use innovative transactions involving domestic and international projects to illustrate the legal techniques and financial issues involved in project development and financing. The course will address case studies involving power projects, telecom, toll roads, mining, ports, airports, and other infrastructure and facilities. Class discussion will include analysis of how project risk analysis is done and review of key players and documents used to develop, construct and finance projects. Coverage will include different sources of financing, including banks, capital markets, and multilaterals, as well as recent market trends, such as social impact investing. There will be both a final examination (open-book) and a short drafting exercise that will be graded.

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

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

LAW 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 (Korea FTA, CAI with China).

It will also look at the special case of the UK/EU TCA, and at investor-state dispute settlement, which is currently subject to significant reform proposals, as a point of comparison with state-to-state mechanisms. 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.

LAW 1501 v00 Doing Business in Europe: Basics of Private International Business Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201501%20v00)
J.D. Course (cross-listed) | 1 credit hour
This course will provide an overview of the European legal landscape from the perspective of an external, i.e. non-EU – typically a US – entrepreneur. Special attention will be given to the field of private international law, comprising notably adjudicatory jurisdiction and conflict of laws. We hope to inspire class participants to develop essential skills and methods, which, if followed-up with independent further research, should eventually enable them to give legal advice on transatlantic business.

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

LAW 1102 v00 Drug Law and Policy Seminar: A Critical Perspective on the War on Drugs in the Americas (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201102%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
This seminar will explore the policy of prohibition on drug production, distribution and consumption that embodies the long-standing hemispheric “war on drugs”. It will examine the legal regime that underpins current policies on drug trafficking (international, transnational and domestic regulations) related to criminalization but also to arms’ sale and money laundering. We will reflect on the economic and social consequences that drug-trafficking prohibition has had in countries and communities situated on different sides of the global drug trade. Our focus will be primarily on the United States, Mexico and Colombia. The seminar will explore the dominant “law and order” criminalization paradigm and contrast it with other potential approaches that focus on public health and economic development. We will conclude by considering a range of potential policy alternatives to the current model.

Note: This seminar requires a paper. J.D. students must register for the 3-credit section of the seminar if they wish to write a paper fulfilling the J.D. Upperclass Legal Writing Requirement. The paper requirements of the 2-credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
LAW 1673 v00 Effective Human Rights Advocacy in Polarized Environments Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201673%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
Human rights advocacy can be an uphill battle, even in the best of times. And these are not the best of times. Progress is possible, but the problems we tackle need serious, hard-nosed strategies and activists with the skills to execute them. In this course we will explore and analyze key elements of successful human rights advocacy campaigns—goal-setting, messaging/communications, coalition-building, resource allocation—and develop the practical skills advocates need, especially in today's politically polarized environment, to win.

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

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

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

LAW 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.

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.

The required paper for the course is selected from a list prepared by the professor. The paper is too short to be used for other writing credit unless by permission of the professor. The paper is too short to be used for other writing credit unless by permission of the professor. The paper is too short to be used for other writing credit unless by permission of the professor.
LAW 462 v00 EU Law: Selected Topics in ECJ Jurisprudence (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20462%20v00)
J.D. Course (cross-listed) | 1 credit hour
The course examines the role the European Court of Justice plays in the shaping of European private law as it relates to the functioning of the EU Single Market. It focuses on the way in which the court has interpreted the EU Treaty in order to ensure effectiveness of EU law, and analyzes some of the landmark cases in that area. The course also shows how the court has dealt with the interpretation of directives, particularly in the field of consumer protection, and what impact this case law has on national law making.

Note: WEEK ONE COURSE. This seminar will meet for one week only, on the following days: Monday, January 10, 2022, through Thursday, January 13, 2022, 9:00 a.m. - 12:20 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 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: Students need to have taken a basic income tax course - either about the US tax system or about the tax system of another country.

Note: WEEK ONE COURSE. This course will meet for one week only on the following days: Monday, January 11, 2021 through Thursday, January 14, 2021, 9:00 a.m. - 12:20 p.m. The course will have a take-home exam that must be completed during the week of Friday, January 29th through Friday, February 5th, 2021.

This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.
J.D. Course (cross-listed) | 3 credit hours
This course explores the various constitutional traditions that evolved in Europe in the last two centuries, in search of the continuity (or the discontinuity) that characterises every constitutional context and the particular constitutional culture thereof.

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

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

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

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

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

J.D. Seminar (cross-listed) | 2 credit hours
What does the difficult divorce between the United Kingdom and the European Union demonstrate about the centrality of EU law to British life? Why has a new European privacy regulation become a centerpiece of U.S. technology companies' efforts to rebuild trust in their global products? What authorities, and constraints, bind EU agencies and courts when they confront U.S. multinationals or U.S. government security and surveillance programs? What legal tools can "Brussels" deploy to respond to challenges from Moscow and rein in EU member states that stray from the rule of law? How is the EU adapting to -- and precipitating -- new worldwide trade and investment trends, including the retreat from investor-state dispute settlement?

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

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

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

Learning Objectives:

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

Mutually Excluded Courses: Students may not receive credit for both this seminar and European Law and Policy in Times of Crisis.
LAW 089 v03 Foreign Relations Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20089%20v03)
LL.M Course (cross-listed) | 2 credit hours
This is an advanced course on constitutional principles bearing on U.S. foreign relations: primarily, separation of powers, federalism and judicial review of Executive acts and congressional legislation. It focuses on some of the most challenging issues that have divided the American polity from the inception of the Republic and continue to do so today, e.g., the allocation of foreign affairs power between the Executive and Congress; the scope of Presidential power to protect the nation in times of danger; and the proper role of the courts in deciding legal issues relating to national security. We will study historical materials that inform the legal arguments on both sides of current controversies over Presidential and Congressional power and discuss foreign relations issues under judicial review in 2020. We also study the power to make treaties and executive agreements, the Supremacy clause and application of customary international law by U.S. courts.

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

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

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

LAW 089 v04 Foreign Relations Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20089%20v04)
J.D. Course (cross-listed) | 2 credit hours
This course addresses the constitutional issues that arise in the conduct of U.S. foreign relations. Topics include: Congress’ power to legislate with respect to foreign relations; the respective roles of the President and Congress in initiating and conducting war and other uses of force; the President’s power to conduct diplomatic relations; the scope of the power to make and enforce treaties and other international agreements; the status of treaties and customary international law as United States law; the role of the States in foreign relations; and the role of the courts in foreign relations.

Prerequisite: Constitutional Law I: The Federal System.

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

LAW 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; the Women, Peace and Security Act of 2017; the U.S. Strategy to Prevent and Respond to Gender-Based Violence Globally; 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 Combating 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 reform. Given the growing number of high profile cases involving the abuse of public power for private gain, we expect students to have an appreciation for the political and economic circumstances that can have on society. In terms of the design and implementation of an anti-corruption strategy, students will learn about the key elements 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 enhanced by in-depth case studies of corruption reform efforts, including explicit bribery 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 enhanced by in-depth case studies of corruption reform efforts, including explicit bribery campaigns (sometimes referred to as "legalized corruption"). Finally, the course will assess the merits of proposals to establish an International Court on Corruption.
LAW 733 v00 Global Commerce and Litigation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20733%20v00)
LL.M Course (cross-listed) | 2 credit hours
This survey course covers both basic and advanced concepts in the evolving rules governing modern international sales, distribution and investment transactions. The conduct and structure of international litigation that can arise from these transactions, as well as ways to avoid such international litigation, are also examined. Emphasis is on practical problem solving. Specific areas to be covered will include INCOTERMS, the U.N. Convention on Contracts for the International Sale of Goods, payment mechanisms for international sales, international electronic commerce, the structure of international acquisitions, U.S. and European merger notification controls, foreign ownership restrictions, export controls, corruption, and cross-border litigation and arbitration. There will be an open book final exam.

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

LAW 726 v00 Global Competition Law and Policy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20726%20v00)
LL.M Seminar (cross-listed) | 2 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 U.S., Canadian, and EC competition principles, and then 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 2007 v02 Global Cybercrime Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202007%20v02)
LL.M Seminar (cross-listed) | 2 credit hours
This course will examine the key legal and policy issues associated with cybercrime – i.e., crimes in which computers and the Internet serve as targets, as storage devices, and as instrumentalities of crime – as a global phenomenon. As the Internet has become a truly global medium for commerce and communication, nations are gradually recognizing that new technology can not only expand the reach and power of traditional crimes, but foster new forms of criminal activity as well, throughout the world. The course will adopt an explicitly comparative legal approach to the problem of cybercrime, focusing principally on nations in North America, Europe, and Asia, and address pertinent international legal issues where appropriate. It will first address basic issues in comparative criminal law, as well as background information on computing and Internet technology. It will then address some of the most prominent topics in the substantive law of cybercrime (e.g., pornography and obscenity, "hate speech," cyberstalking, hacking, fraud, intellectual property offenses such as software piracy and economic espionage, and other issues associated with privacy and anonymity on the Internet). It will then turn to major issues in the procedural law of cybercrime (e.g., surveillance technologies such as Carnivore and legal standards for interception of electronic communications). Given the rapid pace of developments in computing and Internet law, the course will incorporate the most current materials available online and in hard copy. Students will be expected to use the Internet for intraclass communications and access to certain course materials, but need not have a detailed knowledge of computing or the Internet.

Prerequisite: Criminal Law.

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. seminar, Computer Crime Seminar, or the J.D. course, Computer Crime.
LL.M Seminar (cross-listed) | 2 credit hours

This course explores the global legal and regulatory framework for futures, swaps, options, and other derivatives, with a focus on the ways that technology and innovation are changing how these markets function and are regulated. High-frequency trading (HFT) firms now use algorithmic trading robots to place trades in futures contracts and other financial instruments in fractions of a second, while the markets for futures and other derivatives are witnessing the rise of digital intermediaries – computers and software programs – that perform the role of traditional intermediaries. Likewise, blockchain technology offers the prospect of settling transactions in a manner that is fundamentally different to the financial industry's current approach of using overlapping centralized ledgers. Students will analyze the unique challenges that the increasing use of these and similar technologies present for U.S. and international policymakers, regulators, and market participants. Students will learn the overall structure and key provisions of the US regulatory framework and policy perspectives, which will be compared and contrasted with those of other jurisdictions, such as the EU and its member countries, with an emphasis on how the statute, regulations, and precedent are addressing (or not addressing) issues brought about by technological advances, such as market manipulation by algorithmic robots. Class participation is expected. Students will be graded on one long paper and several smaller writing assignments.

Recommended: Securities Regulation

LAW 3028 v00 Global Drug Law and Regulation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203028%20v00)
LL.M Seminar (cross-listed) | 2 credit hours

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

Recommended: Prior Enrollment in Food and Drug Law

LAW 493 v01 Global Health Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20493%20v01)
LL.M Seminar | 3 credit hours

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

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

In examining the application and effectiveness of global health law, this course provides a normative foundation for global health issues including infectious diseases (such as COVID-19, HIV/AIDS, tuberculosis, malaria, and influenza) and noncommunicable diseases (such as diabetes, cancer and cardiovascular disease and their causes, including obesity, tobacco, and alcohol).

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

Recommended: Prior enrollment in International Law I.

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

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

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.

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

Prerequisite: Federal Income Taxation (formerly Taxation I).

Note: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waillisted 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 191 v02 Global Law of Work

J.D. Course | 3 credit hours

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

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

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

This class covers the international legal framework for civic activism. We’ll study laws governing protests, social justice movements, and nonprofit organizations. We’ll also examine how civic space is affected by national security, authoritarianism, and digital technology.

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 human rights defenders around the world.

Internships are also available for eligible students 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**

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 1666 v00 Human Rights and Its Discontents Seminar**

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**

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 procedures 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 v07 Human Rights Fact-Finding**

In a project-based practicum course, students participate in a weekly seminar and work on a project under the supervision of their professor(s). This project-based practicum course is designed to support students participating 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, and the role of human rights in the global economy. In the fall, students will participate in a weekly two hour/week seminar and carry out 5 hours/week of project work under the direction of the professor. Over Week One, students will travel to carry out a fact-finding investigation. In the spring, students will participate in a two hour/week seminar every other week and carry out 10 hours/week of project work. For this course, students will work closely with the HRI Dash/Muse Fellow and Professor Fanny Gomez-Lugo in conceptualizing and implementing each step of the Project. Professor Gomez-Lugo is currently the Senior Director for International Policy and Advocacy for the Heartland Alliance’s Global Initiatives for Human Rights. Previously, she coordinated the work of the Rapporteurship on the Rights of Lesbian, Gay, Bisexual, Trans and Intersex (LGBTI) Persons of the Inter-American Commission on Human Rights.

**SEMINAR:** In the fall, the seminar will cover the substantive law and policy relating to the fundamental rights of LGBTI individuals in the Americas, 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 and the conduct of related advocacy. Seminar sessions will be designed to guide students through each step of the human rights fact-finding process.

**PROJECT WORK:** Students will research a human rights problem in depth, conduct extensive outreach and interviews on the subject, draft a comprehensive report on their findings, and engage in related advocacy. In January 2018, during ‘Week One,’ the group will travel on-site to conduct interviews with relevant stakeholders. Georgetown Law will cover travel expenses. Students will also be expected to meet on their own throughout the academic year.

**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:** Courses such as International Law I and International Human Rights Law would be helpful to participants, but are not required.

**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 Dash/Muse Fellow Ashley Binetti (ab2242@georgetown.edu) to discuss their particular situation. THIS COURSE REQUIRES HUMAN RIGHTS INSTITUTE PERMISSION TO ENROLL. Applications (comprised of a statement of interest, a resume, and a writing sample) are due by 12:00 noon on Monday, April 10, 2017, the same day that clinic applications are due. Admitted J.D. students will be informed of HRI’s decision on their application before they are required to make a clinic decision. Selected students will be required to accept or decline an offer to join the project by COP on April 25, 2017. Students who have missed this deadline should contact Dash/Muse Fellow Ashley Binetti (ab2242@georgetown.edu) to discuss their particular situation. THIS COURSE REQUIRES HUMAN RIGHTS INSTITUTE PERMISSION TO ENROLL. Applications (comprised of a statement of interest, a resume, and a writing sample) are due by 12:00 noon on Monday, April 3, 2018, the same day that clinic applications are due.

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**LAW 034 v08 Human Rights Fact-Finding**

In a project-based practicum course, students participate in a weekly seminar and work on a project under the supervision of their professor(s). This project-based practicum course is designed to support students participating 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 weekly two hour/week seminar and carry out 5 hours/week of project work under the direction of the professor. Over Week One, students will travel to carry out a fact-finding investigation. In the spring, students will participate in a two hour/week seminar every other week and carry out 10 hours/week of project work. For this course, students will work closely with the HRI Dash/Muse Teaching Fellow Ashley Binetti and Professor Melysa Sperber in conceptualizing and implementing each step of the Project. Professor Sperber is currently the Director of Public Policy & Government Relations at Humanity United and Humanity United Action. She advocates before Congress and federal agencies on policies to combat human trafficking and prevent violent conflict, and she oversees the foundation’s public policy and government relations portfolio. Previously, she was Director of Human Rights at Vital Voices Global Partnership, where she implemented programs in more than 20 countries to combat violence against women, including human trafficking, domestic violence, and sexual violence.

**SEMINAR:** In the fall, the seminar will cover the substantive law and policy relating to human trafficking, 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 and the conduct of related advocacy. Seminar sessions will be designed to guide students through each step of the human rights fact-finding process, including project design, interviewing, reporting writing, and advocacy.

**PROJECT WORK:** Students will research a human rights problem in depth, conduct extensive outreach and interviews on the subject, draft a comprehensive report on their findings, and engage in related advocacy. In January 2019, during “Week One,” the group will travel on-site to conduct interviews with relevant stakeholders. Georgetown Law will cover travel expenses. Students are also expected to meet on their own as a team throughout the academic year.

**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:** Courses such as International Law I and International Human Rights Law would be helpful to participants, but are not required.

**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 Dash/Muse Fellow Ashley Binetti (ab2242@georgetown.edu) to discuss their particular situation. THIS COURSE REQUIRES HUMAN RIGHTS INSTITUTE PERMISSION TO ENROLL. Applications (comprised of a statement of interest, a resume, and a writing sample) are due by 12:00 noon on Monday, April 2, 2018.
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
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 international humanitarian 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 course and International Trafficking in Persons or the J.D. seminar, Human Trafficking and Modern Slavery in the 21st Century: Legal Perspectives.
LAW 1672 v00 Human Trafficking: A Labor Approach (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201672%20v00)

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

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

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

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

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

LAW 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 Rule 41(5), 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.

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.

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.

**NOTE FOR THE SUMMER 2021 SECTION:** This professor has committed to teaching this course from the classroom on campus. Students may participate in-person or remotely.
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 (for those taking the course for three credits) or leading a class discussion (for those taking the course for two credits).

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.
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 2079 v00 International and Comparative Antitrust Law

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 230 v00 International and Comparative Law on Women’s Human Rights

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

Students study the work of the human rights bodies that measure state compliance with these treaties, including their guidelines and case 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.

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.

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

LAW 882 v00 International Arbitration

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

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

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

Mutually Excluded Courses: Students may not receive credit for both this course and International Commercial Arbitration, Introduction to International Commercial Arbitration, International Arbitration, or the J.D. seminar, International Commercial Arbitration Seminar (CTLS course)
LAW 882 v08 International Arbitration

LL.M Course (cross-listed) | 2 credit hours
Examines United States, foreign, and international law and practice relating to international commercial arbitration, including the U.S. Federal Arbitration Act, the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards, and the arbitration rules of major arbitral institutions such as the ICC, JAMS, the ICDR, etc. The course focuses on the procedural law applicable to and the practical aspects of arbitration. It will cover such topics as enforcing arbitration clauses, conducting arbitration proceedings, judicial oversight of arbitration, choice of law, enforcing and setting aside awards as well as drafting dispute resolution clauses.

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

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

LAW 3021 v00 International Arbitration and the New York Convention

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

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 3035 v00 International Arbitration from the Arbitrator’s Point of View

LL.M Seminar (cross-listed) | 1 credit hour
The course deals with “International Arbitration from the Arbitrator’s Point of View”. It describes the arbitrator’s role at each stage of the proceeding, the various relationships that exist and the legal, procedural, practical and even psychological issues that may arise.

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

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

Recommended: Prior or concurrent enrollment in an arbitration course.

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

Note: This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students
**LAW 3019 v00 International Arbitration in Asia**

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 caselaw 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 802 v01 International Assistance for Global Health**

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

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

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

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

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

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. The take-home exam in this course may be administered mid-semester and the specific exam date will be provided by the professor after the add/drop period.
**LAW 914 v00 International Banking in the United States**

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

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

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

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

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

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

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**LAW 955 v00 International Bankruptcy**

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:**

The first day of this consortium class will be on Tuesday, January 19. Since the beginning of classes at Georgetown has moved to January 25, *Georgetown students are required either to participate live in the January 19th class or to view the recording of the class before the January 26 class session*. The second class session will meet as scheduled on Tuesday, January 26th. The last class will meet Tuesday, April 13th. **Live attendance on March 16th (during Spring Break) is optional, but students will be required to watch the class recording.**

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

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

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

Recommended: Prior or concurrent enrollment in Corporations.

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

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

Due to the coordination with the class in Dundee, Scotland, this class does not cancel even if Georgetown Law is closed. In the event of a weather closing, this class will be held via conference call dial-in.
**LAW 240 v02 International Business Negotiations** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20240%20v02)

J.D. Seminar | 3 credit hours

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

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

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

**Recommended:** Prior or concurrent enrollment in Corporations and Contracts.

**Mutually Excluded Courses:** Students may receive credit for this course and the graduate course International Negotiations Seminar (LAWJ/G-958). Students may NOT receive credit for this course and the J.D. course International Negotiations Seminar (LAWJ/G-240) or the graduate course International Negotiations (LAWJ/G-3029).

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

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

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

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

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

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

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

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

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

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

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

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

**Mutually Excluded Courses:** Students may not receive credit for both this course and International Business Transactions and Dispute Resolution or the J.D. courses, International Business Transactions or International Economic Law.
LAW 876 v10 International Business Transactions
An introductory survey course examining transactional and litigation issues faced by international businesses. The goal of this course is to familiarize students with the broad scope of issues affecting international business prior to the students choosing other courses for further specialization and to introduce students to analytical tools used by lawyers who advise on matters related to international business. Emphasis is given to the actual practice of international business law. Topics will include the international sale of goods (including letters of credit), international contract issues, cross-border financings (including letters of credit and bank financings), and international investments including project finance. Litigation topics will be related to the transactional issues covered and will include a special emphasis on contract rights and remedies, choice of law, choice of forum, and international arbitration.

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

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

LAW 882 v03 International Commercial Arbitration
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 v05 International Commercial Arbitration
International commercial arbitration is often the preferred means by which sophisticated international businesses resolve their disputes. This course offers a study of arbitration as a dispute resolution process for international trade and business disputes. Students will learn about ad hoc and institutional arbitration, the authority of arbitral panels, enforcement of agreement to arbitrate, challenging arbitrators, procedure and choice of law in arbitral proceedings, and enforcement of international arbitral awards. The course focuses on commercial arbitration as an international practice and not on arbitration under any particular national system.

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 the J.D. seminar, INTERNATIONAL COMMERCIAL ARBITRATION SEMINAR (CTLS COURSE).
LAW 882 v06 International Commercial Arbitration

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

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

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

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

LAW 2053 v00 International Commercial Arbitration in Cross-Cultural Context

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:** WEEK ONE COURSE. This course will meet for one week only on the following days: Monday, January 11, 2021 through Thursday, January 14, 2021, 1:30 p.m. - 4:50 p.m.

This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.
LAW 3033 v00 International Commercial Arbitration with a Foreign Sovereign

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 and Sales Law

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

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

Note: This course will meet on Tuesdays and Thursdays on the following dates: 1/18, 1/20, 1/25, 1/27, 2/1, 2/3, 2/8, 2/10, 2/15, 2/17, 3/1, 3/3 and 3/8.

LAW 416 v02 International Courts and Tribunals: Theory and Practice

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

Prerequisite: Prior or concurrent enrollment in International Law I.

LAW 790 v00 International Criminal Law

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

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

LAW 790 v01 International Criminal Law

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 835 v00 International Debt Workouts (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20835%20v00)
LL.M Seminar (cross-listed) | 1 credit hour
Cross-border lending has grown exponentially in recent decades, especially with the opening of new markets in emerging economies and further integration of financial markets globally. High yield, EM risky lending has also grown in a low interest rate environment in developed markets.

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

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

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

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

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

Prerequisite: Corporations.

Recommended: Bankruptcy and Insolvency.

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

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a
**LAW 1260 v00 International Economic Law Practicum** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201260%20v00) (Project-Based Practicum)

J.D. Practicum | 4 credit hours
In a project-based practicum course, students participate in a weekly seminar and work on a project done on behalf of a developing country government, an international organization, an NGO or an SME under the supervision of their professor(s) and in conjunction with expert mentors. This project-based practicum course will focus on international economic law, primarily international trade or investment law. Students will participate in a two hour/week seminar (during some weeks, the seminar meets twice, other weeks, the seminar does not meet and only team meetings take place) and carry out 10 hours/week of project work under the direction of the course professors.

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

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

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

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

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**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.
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. The subject of international oil and gas dispute resolution explains the process and procedure for resolving these disputes through international arbitration, drawing on examples from actual international energy agreements and disputes. Discussion then moves to the early international oil and gas arbitration awards, from there to several modern international oil and gas arbitration awards, and finally to contemporary energy disputes with host governments. The course then moves to commercial disputes arising out of joint operating agreements, gas contracts, and LNG sales contracts. Following a discussion of enforcement of energy awards, the final segments address advocacy in international energy arbitration and building an international energy arbitration practice. The course is designed to provide an in-depth knowledge of the main types and key drivers of international energy disputes, past and present, not only to aid in understanding the international energy industry, its business relationships and contracts, its broader legal framework, and its disputes, but to build better advocates to represent international energy companies and host governments in these contentious proceedings.

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

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

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

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

J.D. Course (cross-listed) | 3 credit hours
The course focuses on international law applicable to the leading environmental and natural resource issues. It provides a framework for identifying and addressing the legal issues, links international law with relevant national laws, and focuses on ways to strengthen compliance with international obligations. The course covers climate change, ozone depletion, transboundary pollution and hazardous waste disposal; natural resource issues of fresh water (both surface and ground water), marine resources, and biodiversity; the links between human rights and environment and between environment and trade; and the financing of sustainable development. Special attention is given to cutting edge issues, such as synthetic biology and climate intervention.

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

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

Mutually Excluded Courses: Students may not receive credit for this course and International Finance and Regulation.
LAW 197 v00 International Finance and Regulation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20197%20v00)
J.D. Course (cross-listed) | 3 credit hours
This course explores some of the key financial transactions that animate the international economy and the global regulatory architecture governing them. Substantive subjects include the global financial architecture, international banking regulation, project finance, derivative products and syndicated lending. The course also addresses the intersection between financial regulation and international monetary law by surveying the 2008 financial crisis, the European debt crisis, the future of the dollar as an international currency and the offshore renminbi market.

Recommended: Corporations.

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

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

LAW 227 v04 International Human Rights (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20227%20v04)
J.D. Course (cross-listed) | 3 credit hours
This course examines the law, institutions, and advocacy strategies designed to protect international human rights. We will analyze civil and political rights and economic and social rights, as well as international humanitarian law, and explore key enforcement mechanisms at the national, regional, and international levels. The evolving role of NGOs and civil society actors in advancing human rights, and the responsibility of corporations, will also be examined. Both progress and enduring challenges in making human rights real “on the ground” will be a focus of this course, together with the need for effective enactment of legal standards, enforcement of those standards, and empowerment of affected communities. Current legal issues and strategies concerning climate change and human rights will also be highlighted.

Recommended: International Law I: Introduction to International Law.

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

LAW 814 v00 International Human Rights Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20814%20v00)
LL.M Course (cross-listed) | 3 credit hours
This course provides an intensive survey of international human rights law and practice, with a principal focus on interpretation and implementation of human rights obligations, commitments, and norms in the practice of states. The course has three main components: in the first unit, we examine the development of the substantive law of human rights and its sources (including treaties, customary international law, and non-binding international instruments). In the second unit, we examine implementation of international human rights in the international, regional, and domestic systems, focusing on UN organs such as the Human Rights Council and treaty bodies, as well as regional mechanisms. Finally, in the third unit we look at the application of the substantive law and implementation mechanisms in the context of current issues in international human rights, including in the context of atrocities and the refugee crisis. The course highlights selected contemporary ethical problems in international human rights law such as genocide and torture, application of human rights obligations, commitments, and norms to non-state actors (including corporations), universality of human rights and cultural relativism, and the need to protect human rights while countering terrorism, including issues relevant to U.S. law and practice. Along the way we examine issues related to international immunities, impunity, human rights litigation under the U.S. Alien Tort Claims Act and Torture Victim Protection Act, and international criminal tribunals.

Recommended: International Law I: Introduction to International Law.

Mutually Excluded Courses: Students may not receive credit for both this course and International Human Rights Law, or the J.D. course, International Human Rights.
LAW 814 v02 International Human Rights Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20814%20v02)
LL.M Course (cross-listed) | 3 credit hours
How can the international legal system address some of human kind's greatest weaknesses? This course provides an intensive survey of modern international human rights law and the legal institutions and systems of oversight that support it. Through a mixture of lecture and class discussion, we will look at how and why these mechanisms developed, and critically analyze how they -- as well as States, non-State actors, and individuals -- succeed or fail in practice to promote and protect human rights at the international, regional, and domestic levels. We will cover the foundations of the modern system including the International Bill of Human Rights and the Geneva Conventions, as well as subsequent developments including treaties and declarations regulating the use of certain weapons, prohibiting torture, protecting the rights of persons with disabilities, protecting refugees, promoting the rights of indigenous peoples, eliminating racial discrimination and discrimination against women, and establishing the international criminal court. We will also look at how “soft law” has developed to address emerging human rights-related fields such as corporate social responsibility and data privacy protection. Highlighting contemporary issues in international human rights, we will ultimately ask ourselves how current international human rights mechanisms can address today’s conflicts, including refugee crises, natural resource disputes, and international campaigns against terrorism.

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

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

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

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

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

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

This seminar requires a paper. J.D. students must register for the 3-credit section of the seminar if they wish to write a paper fulfilling the J.D. Upperclass Legal Writing Requirement. The paper requirements of the 2-credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
LAW 235 v02 International Law I: Introduction to International Law
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20235%20v02)
J.D. Course (cross-listed) | 3 credit hours
This course deals with the nature and sources of international law and major developments in the international legal system. It considers such topics as treaties, executive agreements, and customary international law; the recognition of states and governments; jurisdiction over disputes with international elements; foreign sovereign immunity; various methods for international dispute resolution, especially courts and international arbitration; the role of international law in the U.S. legal system and the allocation of foreign affairs powers between the President and Congress; the roles and operations of the United Nations, the World Bank, the International Monetary Fund, and other international and regional entities, such as the European Union and the World Trade Organization; Law of the Sea; International Criminal Law; how the international system protects (or fails to protect) human rights and the environment; and the use of force against other countries, rebellions, or terrorist groups.

Learning goals for this course:

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

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

LAW 235 v16 International Law I: Introduction to International Law
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20235%20v16)
J.D. Course (cross-listed) | 3 credit hours
This course deals with the nature and sources of international law and major developments in the international legal system, including the interaction of international law and municipal (domestic) legal systems. It considers such topics as treaties, executive agreements, and customary international law; jurisdiction over disputes with international elements; foreign sovereign immunity, methods for international dispute resolution; the role of international law in the U.S. legal system; how the international system protects (or fails to protect) human rights and the environment; and the use of force against other countries, rebellions, or terrorist groups.

Learning Objectives:

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

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

LAW 235 v17 International Law I: Introduction to International Law
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20235%20v17)
LL.M Course (cross-listed) | 3 credit hours
This course is a broad introduction to public international law. Students will consider the nature of international law as law, sources of international law including customary international law, and the role of national and international tribunals in international dispute resolution. The course will also cover topics including the fundamentals of treaty law, statehood, recognition of states and governments, jurisdiction and immunity, state responsibility, international humanitarian law, international human rights law, international environmental law, the law of the sea, and international commercial disputes. The course will touch on other relevant topics as time permits.

Mutually Excluded Courses: Students may not receive credit for both this course and the first-year elective International Law I: Introduction to International Law, or the LL.M. course International Law Essentials: The U.S. Perspective.
LAW 235 v18 International Law I: Introduction to International Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20235%20v18)
J.D. Course | 3 credit hours
This course provides a broad introduction to the nature, sources and operation of international law. The aim is to provide you with a solid understanding of the basic principles, instruments and institutions of “public international law,” both as a framework for further study and for dealing with the international legal issues you are likely to encounter in practice.

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

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

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

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

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

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

LAW 1010 v00 International Law in Domestic Courts Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201010%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
How does international law apply in domestic legal systems? When are treaties and customary international law binding in national courts? What are the rules and mechanisms of “incorporation”? Do judges have a responsibility to follow generally accepted rules of international law? This seminar offers students an opportunity to research, write and make presentations about specific issues related to the status of international law in domestic legal systems. The primary focus will be on the U.S. system, but a comparative approach is included and students are encouraged to investigate the treatment of international law in foreign legal systems that directly incorporate customary international law as well as those where international legal rules always require legislative enactment.

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

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

Learning goals for this course:

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

Recommended: International Law I.

Note: J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the J.D. Upperclass Legal Writing Requirement. The paper requirements of the two-credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
LAW 1231 v00 International Law Seminar: Poverty Reduction and Accountability (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201231%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This seminar examines efforts to reduce poverty in countries and the legal issues associated with bringing accountability to doing so. Students should be able to develop insights that can be applied in both the public and private sectors.

Recommended: A basic course in public international law.

LAW 1024 v00 International Law Seminar: Water Resources (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201024%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
Fresh water resources are predicted to become increasingly scarce in some regions and a source of conflict. This seminar covers a broad range of issues in international water law, including surface and ground water allocation, water quality, water agreements and river basin institutions, human right to water, water markets, demand management, and links with international economic law. Water is viewed both as a source of conflict and as an opportunity for cooperation. Includes a simulated negotiation for an international river or transboundary aquifer problem, and a simulated dispute settlement. Draws upon domestic water laws in understanding international water law.

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

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

LAW 761 v03 International Law, Human Rights & Fighting Impunity (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20761%20v03)
LL.M Seminar (cross-listed) | 1 credit hour
This course will explore the global fight against impunity – specifically, as it pertains to curbing war crimes, human rights violations, grand corruption and looted antiquities – through class discussions, lectures and guest speakers with personal experience in fighting the impunity that is so often associated with war crimes and economic crimes. It is based on the premise that those that are willing to slaughter thousands of innocents, are also willing to steal millions of dollars and loot our collective cultural heritage – and that the fight against impunity includes both war crimes and economic crimes (and often, the international trend to focus on the former, ignores the domestic interest in prosecuting the latter). Over the semester, students in a seminar-size class will be exposed to the basics of international criminal law, international human rights law and international economic crimes, as well how the fight against impunity impacts national security and foreign policy issues. The class will focus on issues related to war crimes, crimes against humanity, and genocide, as well as the recent global efforts to fight grand corruption and recover looted assets and antiquities, including UN Convention Against Corruption and the new UN-World Bank Stolen Asset Recovery (STAR) Initiative. Students will be allowed to write a paper of their choice regarding international law and the fight against impunity. Class grades will be a combination between class participation (40%) and a seminar paper (60%). Required readings (cases, statutes, articles, book excerpts, on-line treaties, etc.) will be illuminated by lecture and discussion from a professor with first-hand experience in the global fight against impunity through his personal experience with the Slobodan Milosevic, Saddam Hussein and Omar al-Bashir matters, as well his background with the UN war crimes tribunal, the White House, the Pentagon, and the World Bank's STAR Initiative, and helping recover stolen assets on behalf of various governments. In order to take advantage of Georgetown's unique position in the intersection of law, politics, and international affairs, the course will feature high-profile guest speakers who will highlight their own personal efforts to fight impunity and how such international efforts impact national security and foreign policy matters.

Prerequisite: International Law I or equivalent.

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

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)
J.L.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 10, Tuesday, January 11, Thursday, January 13, and Friday, January 14, 2022, 9:00 a.m.-12:20 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 076 v00 International Migration and Development (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20076%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
This course is for students who are interested in acquiring a broader knowledge and a better understanding of research related to international migration and development. Topics covered include: past, present and anticipated future trends in international migration, including the various factors (e.g., economic, social, political) that influence population movements; elements of the normative and legal frameworks upon which migration policies may be based; relationships between international migration and economic development, economic growth and economic competitiveness, poverty alleviation, social networks and social support systems, national and international security, transnational organized crime, and human rights, among other issues; and institutional arrangements that enhance international cooperation to promote safe and orderly migration.

Learning Objectives:

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

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

Students should also be able to:

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

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

See the schedule of courses on the Main Campus Registrar’s website (http://registrar.georgetown.edu) for room assignments. Law Center students may register only through the Law Center’s registration system. This seminar requires a paper. J.D. students must register for the 3 credit WR section of the seminar (LAWJ-076-09) if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement.
**LAW 3029 v00 International Negotiations**

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 into 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 or International Business Negotiations.

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**LAW 240 v00 International Negotiations Seminar**

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.

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**LAW 958 v00 International Negotiations Seminar**

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: NOTE FOR THE SUMMER 2021 SECTION: This professor has committed to teaching this course from the classroom on campus. Students may participate in-person or remotely.

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 09, 2022, 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 798 v00 International Telecommunications Policy and Regulation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20798%20v00)

LL.M Course | 2 credit hours
This seminar addresses global information and communications technology (ICT) regulation and policy. In particular, it offers a multi-faceted view of the legal, economic, policy and technological underpinnings of global ICT. We will examine 1) key national and regional approaches to ICT; 2) the roles of key intergovernmental institutions and regional organizations (e.g., the International Telecommunications Union, Internet Governance Forum, the World Trade Organization) in shaping and promoting regulatory policies; 3) the key issues posed by emerging technologies, such as unmanned aerial vehicles; and 4) the challenges posed by new methods of content delivery, such as video streaming and other internet-based services. This seminar will also examine key nations’ domestic law, regulations, and policies governing international telecom services, wireless and satellite services, and spectrum management, including the cross-sectoral challenges arising in access to this scarce resource. Specific focus is on the challenges that increased global access to content and new technologies present to established international regulatory approaches and the national regulators. Grading shall be based on the exam and student participation in class discussion throughout the semester; optional class presentations will also be taken into account.

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

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

LAW 244 v01 International Trade (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20244%20v01)

J.D. Course (cross-listed) | 3 credit hours
This three-credit survey course is designed to introduce students to the legal system governing international economic transactions and international economic relations, with a focus on the World Trade Organization (WTO) and its constituent treaty instruments. The primary objective of the course is to give the student an in-depth overview of the world trading system and some exposure to its particular details. The course will cover the basic principles and mechanisms of international trade law, including most-favored-nation (MFN) and national treatment, and relevant law in different substantive areas, including tariffs, quotas, services, intellectual property, trade remedies, and standards. We will also examine the issue of development in the WTO and trade treaties and whether treaty obligations constrain countries’ policy autonomy and hinder their ability to pursue successful development strategies, as well as the tensions between trade liberalization and other values, such as those concerning the environment, health and safety, workers’ welfare, and human rights.

The course will also cover current trends and issues in international trade law. The Uruguay Round established the WTO in 1994 as the premiere forum for negotiating multilateral trade agreements and adjudicating international trade disputes; however, the negotiation and adjudication functions of the WTO currently face significant challenges. Globally, more than 300 regional or bilateral trade agreements have been negotiated, including the recent United States-Mexico-Canada Agreement (USMCA) and Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), with implications for both individual countries and the global trading system overall. The course will include current developments at the WTO, bilateral and regional trade agreements (including U.S.-Europe and U.S.-Kenya negotiations and trade models in other parts of the world like China’s Belt and Road Initiative and the African Continental Free Trade Area), Brexit, and U.S. “trade wars” pursued on national security grounds.

**Mutually Excluded Courses:** Students may not receive credit for both this course and International Trade and the WTO or International Trade Law or World Trade Organization: Law, Policy and Dispute Settlement; or the graduate course, International Trade Law and Regulation.
LAW 691 v00 International Trade and Health

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

The objective of this 2 credit seminar is to introduce students to the relationship between international laws governing trade and efforts to protect and promote human health. The course will focus on the impact of the law of the World Trade Organization (WTO) on domestic health measures as well as on international efforts carried out under the auspices of the World Health Organization. Students will learn, and be asked to think critically about, how the international trade regime affects national regulation in the interests of human health.

The course will address the following subject matter:

1. Introduction to 'trade and health': issues and underlying theories.
2. The prohibitions and exceptions of the General Agreement on Tariffs and Trade in a health context.
3. Risk regulation, the precautionary principle and sanitary measures (such as import safety measures).
4. International standards and technical barriers to trade, such as labeling measures.
5. Trade in health services, health worker migration and the General Agreement on Trade in Services.
6. Access to essential medicines under the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPs) and TRIPs plus agreements.
7. The fragmentation of international law: cross-fertilization between international trade law and global health law.
8. Policy coherence, legitimacy and participatory governance at the WTO.

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

LAW 673 v01 International Trade and Investment Litigation and Strategy

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

This course will teach students the practical aspects involved in litigation of international trade and investment disputes. Its goal is to prepare students entering either private practice or government service to handle complex litigation in those fields. The course will provide a comparative analysis of the dispute settlement mechanism of the World Trade Organization (WTO) and Investor-State arbitration. While it will focus on procedural issues and case management, the first sessions will provide an overview of the legal framework of the multilateral trading system and investment treaty law. It will identify and analyze each phase of the proceedings of WTO disputes (under the Dispute Settlement Understanding) and of investor-State arbitrations (mainly under the arbitration rules of the International Centre for Settlement of Investment Disputes and Chapter Eleven of the North American Free Trade Agreement). Some of the topics that will be covered include: pre-trial preparation, formal initiation of a dispute, constitution of panels and tribunals, discretionary procedural issues, evidentiary issues, jurisdictional and other preliminary objections, written pleadings, conduct of hearings, use of witnesses and experts, awards and rulings, recourses, implementation and enforcement, and in general case management.

The analysis and discussions in class will be based on treaty text, jurisprudence and the practical, hands-on experience of the professors. Guest-speakers – including practitioners, government officials, or staff from relevant international organizations – will be invited to a few sessions. Students will be expected to participate in class discussions and in simulations.

Recommended: Basic courses in public international law and international trade.
LAW 244 v02 International Trade Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20244%20v02)
J.D. Course (cross-listed) | 3 credit hours
In 1995, the World Trade Organization (WTO) was established as a result of the Uruguay Round Trade Negotiations (1986-94). The international trade rules that came into force as a result provide the legal framework for much of international economic relations. This legal framework is analyzed in this course, focusing on the impact of trade agreements, especially the Uruguay Round Agreements, in national legal systems, particularly that of the United States. The course is focused on public international trade law, that is, the trade rules applicable between countries, rather than private international law or commercial contracts between private economic operators, and how that public international law came into being and has been interpreted and applied. The course examines the WTO as an institution and as the base system of rules governing international trade. It will examine in some detail each of the key legal principles and how they operate at both the national and international level, dealing with subjects such as tariffs and tariff negotiations, quotas, most favored nation clauses, regional trading blocs and preferential trade agreements (such as NAFTA, TPP, TTIP and others), national treatment clauses and exceptions for environmental and other policies, safeguards and adjustment assistance, dumping, anti-dumping duties, export subsidies, countervailing duties, international rules on patents and copyrights, trade in services (such as banking and tourism), technical barriers to trade, rules on plant and food safety, and other topics. The WTO, with its proven and sophisticated dispute settlement system, now has extensive jurisprudence in most of the areas of law covered by the WTO Agreements. This course will also explore this jurisprudence, the public international law behind it, and implications of it for national governments as well as private actors.

The goal of the course is to give a rounded and in depth understanding of the international trade law system and of the interplay between national and international rules as they affect government actions that influence private international transactions.

Mutually Excluded Courses: Students may not receive credit for both this course and International Economic Law or International Law II or International Trade and the WTO or International Trade Law or World Trade Organization: Law, Policy and Dispute Settlement; or the graduate course, International Trade Law and Regulation.

LAW 244 v05 International Trade Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20244%20v05)
J.D. Course (cross-listed) | 3 credit hours
Economic interdependence between countries and across production chains has grown exponentially. Yet, today, economic globalization is under attack. In this context, existing rules on international trade, and negotiating fora to potentially change those rules, are key. This course focuses on the rules and institutions established under the World Trade Organization (WTO) as well as selected regional trade agreements. What are the benefits and risks of trade liberalization from legal, economic and political perspectives? How can trade liberalization go hand in hand with pursuing public policy goals such as protecting the environment or labour standards ("non-trade concerns"), job creation or promoting the economic development of poor countries? The course will offer an in-depth, practical knowledge of substantive WTO law drawing heavily on case law from dispute settlement practice. It will address the basic principles of trade in goods and trade in services as well as more specific WTO agreements on, for example, health measures, subsidies, trade remedies and intellectual property rights. The course will also focus on the unique WTO mechanism for the settlement of trade disputes, and especially on how it balances trade liberalization with non-trade concerns as well as how it copes with increasing trade tensions between OECD countries and emerging economies like Brazil, China, India and Russia.

Mutually Excluded Courses: Students may not receive credit for both this course and International Trade and the WTO or World Trade Organization: Law, Policy and Dispute Settlement; or the graduate course, International Trade Law and Regulation.

Note: There are no prerequisites for this course.

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. Examines the role of Congress, the U.S. Trade Representative, and other U.S. agencies in setting trade policy and overseeing administration of the trade laws. Analyzes the WTO procedures for dispute resolution and key WTO panel and Appellate Body decisions. Reviews free trade agreements, including the U.S.-Mexico-Canada Agreement, as well as bilateral investment treaties. The course includes a weekly discussion of current events affecting international trade law and regulation.

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. course, International Trade or World Trade Organization: Law, Policy, and Dispute Settlement.

Note: The 3-credit section of this course meets the "Category 1" requirement for the WTO certificate program.

The two-credit class requires a final exam; the three-credit class requires a paper. J.D. students must register for the three-credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement for JD students. The paper requirements of the two-credit section will not fulfill the Upperclass Legal Writing Requirement for JD students.

LAW 898 v01 International Trade Remedies and the WTO (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20898%20v01)
LL.M Seminar (cross-listed) | 2 credit hours
This class is an intensive workshop designed to use case studies of U.S. agency decisions and related WTO jurisprudence to: 1) develop students' substantive understanding of trade remedy law; and 2) introduce students to the policy and procedural aspects of the various phases of trade remedy disputes in the U.S. and at the international level. The class will include an examination of U.S. law and WTO agreements on antidumping measures, subsidies and countervailing measures, and safeguards. Particular attention will be focused on developing strong oral and written advocacy and presentation skills through issue spotting exercises/mock agency hearings and the final writing assignment.

Prerequisite: International Trade (3 credits), OR International Trade and the WTO, OR International Law II, OR International Economic Law, OR International Trade Law & Regulation OR World Trade Organization: Law, Policy and Dispute Settlement.

Mutually Excluded Courses: Students may not receive credit for both this course and the course WTO: Dumping, Subsidies and Safeguards.

LAW 959 v00 International Trade, Development & the Common Good (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20959%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
This course will examine the connection between trade law and development (including international and regional trade agreements, comparative law, and diverse areas of market regulation at the national level). It will engage students in ways in which economic law can help encourage sustainable development and deliver impact. It will also assess challenges associated with regulatory capacity and the uneven implementation of laws in practice. Overall, the seminar will highlight the role of law and regulation as a driver for sustainable development and inclusive growth and link broader legal frameworks and policy debates with the needs of individuals and enterprises on the ground. Cross-cutting and inter-disciplinary approaches in the field, such as rule of law, poverty alleviation, human rights, food security, global value chains, social entrepreneurship, and gender and trade will also be discussed throughout the seminar.

The seminar will take place in three phases. In Phase I, the seminar will explore the historical and institutional relationship between trade and development, including international legal frameworks and rule of law. Phase II will cover a number of substantive aspects of economic law and development in depth, all of which impact stakeholders and communities in developing markets and hold greater potential to contribute to the common good. Specific areas of focus include investment and domestic market regulation, sector-specific regulation, non-tariff measures, regulation of services, trade facilitation, labor and environment, intellectual property rights, and digital trade.

Readings will be drawn from a variety of viewpoints and sources – law review articles, white papers, academic journals, newspapers and magazines, and excerpts from books – and will cut across trade and economic law, inclusive economic development, and business. In addition to the readings assigned for each session, optional background readings will be included for students wishing to explore a topic in greater depth (additional background reading is recommended for students who have not taken a trade law course). The readings will highlight different aspects of the legal and regulatory environment in the context of encouraging sustainable development globally and at the grassroots level. Discussion questions are included for each session, which can be used as the basis for class preparation.

The course will also incorporate short, practical case studies that illustrate how different issues in trade, development, and economic regulation can be applied from the perspective of an entrepreneur, country, or community. Seminar members will be asked to assume roles in discussion of these case studies, which will count towards class participation and lay the groundwork for the final paper. Questions to guide the case study analysis will also be provided.

Note:

Only the 3-CR WR section will fulfill the WTO & International Trade Certificate List C requirement.
**LAW 708 v00 International Trade, Intellectual Property Rights, & Public Health** *(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20708%20v00)*  
**LL.M Seminar (cross-listed) | 2 credit hours**  
This course will cover the interface between the intellectual property rights, international trade and public health, focusing in particular on the WTO TRIPS Agreement and subsequent decisions. It will provide an introduction to the provisions of WTO agreements relevant to public health (other than TRIPS), and to the law and economics relating to IPRs and public health; it will cover the provisions of the TRIPS Agreement relevant to public health, and discuss the relevant disputes settled in the WTO. It will examine the background, content and implications of the Doha Declaration on the TRIPS Agreement and Public Health and of the subsequent TRIPS amendment implementing compulsory licensing for exports. It will also discuss the relevance of bilateral or regional free trade area agreements to the subject.

The course would study relevant national/regional implementing legislation, for example on compulsory licenses, and discuss use of the WTO export compulsory license provisions, namely the Rwanda-Canada case. In addition to the final paper, students will be graded on class participation, individual presentations and group exercises, an example of the last being a hypothetical case study of exports, with students taking up the role of legal advisors based in either the importing country or the exporting country.

Finally, the course will also cover recent work on trade, intellectual property and public health in other intergovernmental organizations, in particular in the World Health Organization.

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

**LAW 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. The cutoff date to select either an exam or paper requirement is Tuesday, September 7, 2021.

**LAW 456 v01 International Women's Human Rights Seminar** *(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20456%20v01)*  
**LL.M Seminar (cross-listed) | 3 credit hours**  
This seminar will explore select international women's human rights issues and the applicable international legal framework, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW.) Guest lecturers with practical expertise in advancing women's human rights may be invited to join us throughout the semester. Each student will write a paper addressing a significant international women's human rights issue from a legal perspective, exploring state responsibility under the government's international human rights obligations, as well as domestic and international responses to the problem.
GENERAL/INTERNATIONAL LEGAL STUDIES

LAW 2047 v00 Introduction to International Commercial Arbitration (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202047%20v00)
LL.M Course (cross-listed) | 3 credit hours
This course will introduce the basic concepts of international commercial arbitration from both a theoretical and practical perspective. It will provide a general overview of the subject, and subsequently focus on issues including the agreement to arbitrate, the constitution and duties of the arbitral tribunal, the conduct of the proceedings and the arbitral award. The course will refer to the ICC Rules of Arbitration in discussing many of the practical aspects of these issues.

Mutually Excluded Courses: Students may not receive credit for both this course and International Commercial Arbitration (LAWG-882 or LAWJ-882) or the J.D. seminar, International Commercial Arbitration Seminar (CTLS course).

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

LAW 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.

Recommended: International Commercial Arbitration

Note: For the Spring section: 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 transnational 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) commissioneed 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 (musharaqah) 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 414 v01 Israel/Palestine Conflict: Legal Issues Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20414%20v01)

J.D. Seminar (cross-listed) | 3 credit hours
In this class we will examine a wide variety of legal issues raised in the various stages of conflict in Israel/Palestine. These will be evenly divided between issues arising inside Israel proper and issues arising with respect to the Occupied Territories. For each issue, there will be some background readings and then presentation of opposing legal positions, often with a U.S. case to give a comparative perspective. Issues covered will involve Israeli civil and constitutional law and international law; areas will include local government, land, water, education, and taxation, as well as more familiar issues around the legality of the occupation and its military framework. Two classes will be devoted to the legal analysis of violent resistance and terrorism.
LAW 414 v02 Israel/Palestine Conflict: Legal Issues Seminar
LL.M Seminar (cross-listed) | 3 credit hours
In this class we will examine a wide variety of legal issues raised in the various stages of conflict in Israel/Palestine. These will be evenly divided between issues arising inside Israel proper and issues arising with respect to the Occupied Territories. For each issue, there will be some background readings and then presentation of opposing legal positions, often with a U.S. case to give a comparative perspective. Issues covered will involve Israeli civil and constitutional law and international law; areas will include local government, land, water, education, and taxation, as well as more familiar issues around the legality of the occupation and its military framework. Two classes will be devoted to the legal analysis of violent resistance and terrorism.

LAW 063 v00 Issues in Disarmament: Proliferation and Terrorism Seminar
J.D. Seminar (cross-listed) | 3 credit hours
This seminar addresses various issues related to the spread of advanced weapons to diverse countries and non-state actors, considering a set of problems that will raise the most difficult security concerns for the United States and the rest of the world in the post-cold-war era. In the seminar, we will explore a wide range of weapons technologies—including nuclear, chemical, biological, and conventional armaments—and the political and legal mechanisms that constrain them. The seminar will address historical allegations concerning the dissemination and use of these weapons; the rise and fall of various strategic doctrines; the bureaucratic processes of government decision making; and the evaluation of relevant ethical considerations surrounding possession and use. The bulk of the seminar will focus on contemporary legal and political issues such as ongoing treaty negotiations, export controls, verification of compliance, enforcement of treaty commitments, and the dismantling of redundant weaponry. The seminar is particularly recommended for those interested in exploring careers in public international law, but will also be relevant to others interested in the role of the lawyer in influencing United States public policy more generally. Each student will prepare a substantial original research paper and participate in small exercises designed to provide some simulated experience in characteristic legal tasks, such as drafting, analyzing, briefing, etc.

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

LAW 254 v02 Japan/US Comparative Legal Study
LL.M Seminar (cross-listed) | 1 credit hour
This course provides a comparison of aspects of the Japanese and US legal systems with the objectives of (a) providing some insight into the Japanese system, (b) demonstrating how legal concepts taken from an established legal system are "reinterpreted" when imported into a different legal system based on a different culture and history and (c) providing a basic understanding of selected Japanese legal topics. Among the substantive law areas which will be compared (after a survey of historical and societial foundations which affect the Japanese and US legal systems) are various aspects of Constitutional Law including Separation of Powers, the Legal System and the Japanese Constitutional provision Renouncing War; the differing views of dispute resolution including Litigation, mediation and other Alternative Dispute Resolution devises and their role in the legal systems of Japan and the US; discussion of the New (1998) Code of Civil Procedure and its potential effects on the future of litigation in Japan; the changing environment of the study and practice of law in Japan, including the 2001 recommendations of the Council on Judicial Reform; Equality and concepts of equal treatment opportunity; Criminal Law and Administrative Law.

Note: WEEK ONE COURSE. This seminar will meet for one week only on the following days: Monday, January 8, 2018 through Friday, January 12, 2018, 6:00 p.m. - 8:35 p.m.

This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. Attendance at all class sessions is mandatory and all enrolled students must attend the first class in order to remain enrolled. Students on the wait list must attend the first class in order to be admitted off the wait list. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar. Once the second class session begins, students may only seek a withdrawal by contacting their academic advisor in the Office of Graduate Programs. Withdrawals are permitted up until the last class for this specific course.
LAW 1334 v00 Justice and Accountability for International Atrocity Crimes: Bridging Theory and Practice Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201334%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
This seminar examines both progress and ongoing challenges in seeking meaningful justice and accountability for serious international crimes, including crimes against humanity, genocide, and war crimes. We'll begin with an overview of the challenges of effective atrocity prevention and an examination of fundamental developments over the last few decades establishing international and hybrid criminal tribunals and other mechanisms of transitional justice, including truth and reconciliation commissions. Building on this foundation, and drawing upon legal scholarship, social science research, and country case studies, we will then explore a range of responses to key justice challenges recurring in a number of countries emerging from conflict. These challenges include: (1) the often complicated relationship between peace processes and justice initiatives; (2) the question of whose justice goals are being pursued and how national, regional, and international stakeholders interact in such efforts; and (3) the complexities of building enduring justice on the ground through meaningful domestic rule of law reform, outreach, cultural engagement, and other means. Students will write a substantial seminar paper within the subject matter scope of the seminar.

LAW 292 v07 Law and Development (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20292%20v07)
J.D. Course (cross-listed) | 3 credit hours
This three-credit survey course is designed to introduce students to the different dimensions of law and development, integrating legal, historical, academic, and practical models and approaches. 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:
• Equip students with the knowledge and tools to approach law as a tool for promoting social, economic, and sustainable development.
• Introduce students to different roles for lawyers in the field of law and development.
• Understand how economic, social, and sustainable development can be drivers for development.
• Understand the nature of law and development, integrating legal, historical, academic, and practical models and approaches.
• Examine different normative approaches to law and development, including economic, social, and sustainable development 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.
LAW 852 v00 Law and Foreign Investment in China (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20852%20v00)
LL.M Course (cross-listed) | 2 credit hours
The course will examine the major Chinese laws that apply to foreign invested projects in China and related cross-border transactions. We will begin with an overview of China's policy priorities for foreign investment and the foreign investment approval process, focusing on the sources of law and regulation relevant when planning entry into the China Market. We will then consider the options for structuring a foreign investment under the Company Law and the Foreign Investment Law with its impact on the Sino-foreign Equity Joint Venture Law, the Cooperative Joint Venture Law, and the Law of Wholly Foreign-owned Enterprises. We will also study the requirements for foreign acquisitions of existing Chinese enterprises under China's M & A rules. The preparation of the project application report or feasibility study is also a key part of the foreign investment approval process, involving a number of important laws and regulations. We will study how China's environmental laws, rules and regulations on foreign exchange, financing and security, land use laws and labor laws must also be considered when forming a venture in China. Foreign investment projects in China typically involve cross-border arrangements that are crucial to the foreign investor's goals, especially technology licensing and trademark licensing. In this context, we will study the PRC contract law, and the challenges encountered in the protection of intellectual property. Finally, we will look at the issues involved in exiting in China, whether by disposal or termination, and dispute resolution. We will work primarily with English translations of PRC law, with some secondary sources. No knowledge of Chinese language is required.

Recommended: Students should have prior or concurrent coursework in International Business Law. Examples of such courses would include: International Economic Law, International Law II, International Business Transactions, Global Commerce and Litigation, etc.

LAW 2071 v00 Law and Functioning of International Organizations (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202071%20v00)
LL.M Course (cross-listed) | 2 credit hours
Multilateral diplomacy and the international organizations that support much of it have come to play a pervasive role in international relations particularly since the end of World War II. These international organizations serve as instruments of consultation, co-operation and standard setting in almost every sphere of public policy and governmental activity. This may involve broad concerns such the maintenance or restoration of international peace and security, promotion of economic development and stability, advancement of human rights, protection of health, protection of the environment, and the facilitation of trade and investment. Or they may address more specific tasks such as settlement of disputes, codification and progressive development of international law, civil aviation and maritime safety and security, protection of intellectual property, understanding world weather, internet governance, management of the geo-stationary orbit, police cooperation, education and biotechnology. They vary greatly in nature, mission, powers, structure and size. There are inevitable conflicts and frictions in their functioning.

It will examine a number of aspects common to the universe of public, i.e., intergovernmental, international organizations: their legal nature; their need, as the collective instruments of their member states, to remain independent of the individual control of these states, including control through the exercise of some normal state jurisdiction; their immunities and counter-balancing obligations to co-operate; their special body of labor law, including the duties and ethics of the international civil service and the use of international administrative tribunals to adjudicate their employment disputes. The course will examine a sampling of international organizations: how they are governed and financed, how they go about fulfilling their functions, the powers and instruments they use to advance agreed policies, some examples of their output including the development of soft law and hard law instruments and the increasing involvement of civil society in monitoring and influencing their actions. It will also consider the crucial advisory and operational roles lawyers play in a typical international organization, whether as members of the secretariat or of member state delegations.

Students will have the option of preparing a paper that they may elect, after grading, to include in the calculation of their final course grade.

Recommended: Prior enrollment in Public International Law or International Law I.
LAW 977 v00 Law and Measures Against International Terrorism
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20977%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
In the decade since the 9/11 attacks, the United States and most other countries have significantly altered ways in which they respond to international terrorism. Many government measures against terrorism have stretched domestic and international law to their limits. Controversial changes to laws have altered the balance between governments’ interest in ensuring public safety and individuals’ fundamental rights. The class will discuss current events from around the world to explore domestic and international legal bases for counter-terrorism measures such as intelligence gathering, criminal law enforcement, efforts to prevent terrorism financing, and use of military force. Students completing the course will have an overview of laws that apply to governments’ responses to terrorism. The course will be graded by exam.

Recommended: Prior enrollment in International Law and/or International Humanitarian Law

LAW 1658 v00 Law and Philosophy: Hannah Arendt: Evil, Human Rights, and Law
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201658%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
This seminar will focus on Hannah Arendt, one of the 20th century’s great political philosophers. Arendt is best known for the phrase “banality of evil,” which she coined to describe ordinary people who participate in extraordinary evils. Her questions about how the law should respond to radical evil are central to modern international criminal law. Arendt’s writings also include penetrating discussions of nationalism, human rights, personal responsibility under dictatorship, moral judgment, and the nature of political action. A stateless person herself for almost 20 years after she fled Hitler’s Germany, Arendt was one of the first philosophers to analyze the plight refugees. Above all, Arendt was interested in how freedom and pluralism can be preserved in “dark times,” her name for periods of crisis when politics and morality both seem in danger of collapse.

The seminar will focus on Arendt’s writings, but students will be encouraged to link them to current issues, both in class and in their seminar papers. We will explore both the strengths and weaknesses of Arendt’s ideas. Readings will include The Origins of Totalitarianism, Eichmann in Jerusalem, Responsibility and Judgment, selections from Arendt’s other books and correspondence, and writing by other relevant philosophers.

A background in philosophy or political theory is not a prerequisite for this seminar; a willingness to engage with philosophical ideas is essential.

LAW 3031 v00 Law in the Gray Zone: The Legal Challenges of Hybrid Conflict
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203031%20v00)
LL.M Seminar (cross-listed) | 1 credit hour
State and non-State actors are increasingly pursuing political and economic objectives through the use of aggressive, ambiguous, and integrated multiple elements of power. This strategy, which exceeds the threshold of normal national competition but falls below the level of armed conflict, has been referred to as hybrid, unconventional, asymmetric, and ambiguous warfare. This competition in the gray zone between peace and armed conflict presents significant legal challenges to States responding to these threats.

This course will examine the legal challenges presented by this conflict in the gray zone. We will examine issues in legal classification of threats and how State and non-State actors employ these strategies to exploit perceived gaps in international and domestic law. Additionally, we will discuss how these actors may also use the law when pursuing their objectives in the gray zone.

Some of the specific topics to be discussed include:
- What is hybrid warfare? Case study, actors, definitions.
- Issues in legal classification of threats, including use of force and armed attack (the Article 2(4)- Article 51 "gap"), determining whether an armed conflict exists and, if so whether it is an international or non-international armed conflict.
- State responses to activities in the gray zone.
- State responsibility for surrogates/proxies.
- Information warfare, psychological operations, and the role of cyber.
- Sovereignty and intervention.
- Economic measures.
- Support to domestic organizations such as civil society and political groups.

Recommended: Prior or concurrent enrollment in International Law, Law of War, Foreign Relations Law

Note: A student will be permitted to drop a course that meets for the first time after the add/drop period, without a transcript notation, if a student submits a written request to the Office of the Registrar prior to the start of the second class meeting. Withdrawals are permitted up until the last class for this specific course.
LAW 936 v02 Law of War (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20936%20v02)
LL.M Course (cross-listed) | 2 credit hours
Surveys the law of armed conflict (LOAC) and customary international law as applied by the United States in warfare. From where does LOAC arise? What is a war crime — and who decides? What is “unnecessary suffering,” and what drives that legal determination? When does LOAC apply and what role do other rules of law, such as domestic U.S. law and Human Rights Law play in regulating the conduct of armed conflict? Does it cover non-state actors? What are U.S. LOAC obligations, and how are they enforced? How does one distinguish illegal combatants from prisoners of war? Where do military commissions come from, and who may be tried by them? Could the atomic bombing of Nagasaki have been a war crime? Can a superior’s order constitute a defense to war crime charges? What is the U.S. position in regard to laser weapons? Land mines? Non-lethal weapons? Torture? Rendition? Reprisals? The assassination of enemy commanders? What is an illegal order, and what should a soldier do if she receives one? How may battlefield war crimes be prosecuted? Our inquiry will focus on the law applicable to the conduct of U.S. military operations in past and current conflicts, whether or not they be declared, whether they be internal or international. Although primarily focused on the law of land warfare, the law of air and naval warfare, as well as space and information warfare, will be considered.

Learning objectives:

To gain a firm understanding of the law of armed conflict and to consider, through discussion of practical exercise from the textbook, how the law is applied in an operational context.

Mutually Excluded Courses: Students may not receive credit for both this seminar and Law of War, the International Law of Armed Conflict Seminar or War Crimes and Prosecutions.

LAW 936 v03 Law of War (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20936%20v03)
J.D. Course (cross-listed) | 2 credit hours
This survey course covers the law of armed conflict and customary international law as applied on today’s battlefields. Is there really law in combat? When does the law of war apply? Does it apply to non-State actors? What is a war crime, and who decides? How is proportionality determined? What is the difference between a combatant, a terrorist, and a criminal? Is torture ever lawful? Is targeted killing lawful? What constitutes a cyber attack? What is the jurisdiction of military commissions and why is that a difficult question for Guantánamo? Can a superior’s order constitute a defense to war crime charges? Is indefinite detention lawful? Can the U.S. ever lawfully kill a U.S. citizen in a foreign state with which we are not at war? Such questions are the subject of the course. It is not a philosophy course, nor is it national security law, nor human rights law, although those topics are inextricably related. Our focus is on the law applicable in today’s non-international armed conflict battlefields. Military experience is not required to do well in this course.

Recommended: Completion of International Law I prior to enrollment in this course.

Mutually Excluded Courses: Students may not receive credit for both this course and the War of Seminar or War Crimes and Prosecutions.

LAW 701 v00 Law, Politics, and Policy in WTO & US Trade Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20701%20v00)
LL.M Course (cross-listed) | 2 credit hours
International trade rules and practice reflect a complex mix of law, politics and policies. This course will examine the major topics covered by World Trade Organization rules (and some looming future issues) from all three perspectives. This is a fast-changing field. Approximately 25-30 pages are assigned per week from international trade agreements; scholarly journals; government records; newspaper articles; websites and blogs. Interactive exercises draw from international trade agreements; national legislation; and national and international tribunals. Among the invited guest speakers may be U.S. and other government trade officials, business people, and scholars.

Recommended: International Trade; International Trade Law and Regulation; International Trade and the WTO; or World Trade Organization: Law, Policy and Dispute Settlement.

LAW 987 v00 LAWA Graduate Seminar I (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: Enrollment in this course is limited to LAWA Fellows.
LAW 1616 v00 Legal and Policy Aspects of Countering Terrorist Recruiting and Online Propaganda in the Digital Age Seminar

Rapidly evolving technological advances over the past decade have created powerful mechanisms to instantly and directly reach billions of information consumers around the world. Although the latest information revolution has fostered tremendous progress by connecting people in every corner of the planet, it has also been accompanied by governmental and non-governmental efforts to spread propaganda, particularly through social media platforms. This course will review the legal and policy aspects of addressing these challenges, focusing on the rise of terrorist recruiting and other organized online propaganda efforts.

As governments intensify their extensive counterterrorism initiatives, terrorist recruiting continues to evolve and poses a more complex threat than perhaps at any time in history. Terrorists no longer require in-person recruiting to spread their ideology and to inspire attacks in other countries. Domestic and international extremist groups have become more adept at using online platforms and other tools to “crowd source” their recruiting in a decentralized attempt to attract and inspire disaffected individuals by exploiting grievances and offering a sense of purpose, belonging, adventure, and obligation. At the same time, governments and other organizations are themselves using social media platforms to reach audiences in their countries and around the world. They have done so not only to increase public support for their political leaders, but also to attempt to impact public debates on major issues, influence policy formulation, and even to sow discord between groups domestically and abroad. These propaganda efforts have raised questions about whether social media companies, governments, and international organizations should play a larger role in determining how such information is disseminated, and how they can implement solutions without undermining freedom of expression and other legal protections.

In addressing online propaganda, this course will focus on legal and policy challenges and strategies in three main areas: (1) assessing andcountering methods to spread propaganda online, including terrorists’ efforts to recruit followers and to inspire attacks; (2) examining innovative NGO and private sector cooperation in developing counter-propaganda initiatives; and (3) utilizing existing law enforcement tools and crafting new governmental and non-governmental prevention and intervention programs to disengage, redirect, and rehabilitate those who are radicalized online.

LAW 3002 v00 Legal and Regulatory Issues in International Energy and Extractives Industries

This course will survey the numerous legal and regulatory issues faced by oil and gas and other energy and extractives corporations, investors and government regulators considering several dominant trends – a) volatile adherence to rule of law around the world, b) increasing environmental and social challenges for the industry and c) geopolitical challenges that have become more relevant. Energy players face long term capital investment decisions in ever more rapidly changing environments. Legal counsel for all parties involves a substantial role in evaluation and mitigation of risk and in resolution of disputes related to both existing and emerging risks.

Participants in the course will gain an understanding of oil and gas, energy and extractives transaction models around the world, and of emerging challenges related to international political risk, disregard of rule of law, environmental concerns and the legal strategies used to mitigate such risks in areas such as contract drafting, investments strategies and regulatory compliance procedures. Topics will include a general explanation of the risk or opportunity in each situation discussed, using study cases of specific transactions whenever possible.

This is not a project finance or a specialized finance course, even though there will be some analysis of financing structures. Due to the course structure, that Georgetown gently accommodated due to my current professional obligations, this will be an introductory view of the most pressing issues that are being discussed in energy law (an inherently transnational area of law), and how players are facing such challenges.

Even though I will try to make the course as structured as possible (as shown below), several topics are strongly interconnected. Therefore, the conversation/discussion might flow in unexpected ways, which I fully welcome, since that is exactly how the practice of law works in this field.

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

1. The world has a carbon emissions problem. Most of us agree that actions need to be taken to reduce the amount of greenhouse gases (GHG) placed in the atmosphere by human activities.
2. The planet works on fossil fuels today. Therefore, an abrupt reduction of fossil fuel consumption will severely disrupt current lifestyle.
3. A sharp increase of renewable energy participation will require much more mineral extraction than today, activity which itself brings new challenges.
4. Even with the current fossil fuel consumption, there is a very important share of world population that has unreliable, insufficient or inexistent access to energy (approx. 1 billion people). This is an intolerable situation that needs to be solved.
5. The energy matrix change towards renewable energy sources will disrupt both producing and exporting countries, and corporations across the globe. The consequences of such change have to be foreseen and prevented.

Finally, I need to clarify that all my expressions, written or verbal, are made in a personal capacity and do not reflect necessarily the opinions of my employer.

Note: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waithlisted 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. Failure to attend any subsequent class session in its entirety will result in a withdrawal.
LAW 2050 v00 Managing Political Risk in Emerging Market Project Financings

LL.M Seminar | 2 credit hours
The course examines concepts of political risk and the means by which certain political risks can be managed in planning and structuring foreign investments, particularly in international project financings. Classes will be a combination of lecture and guided discussion based on assigned readings. The readings include articles about the issues and related subjects, examples of political risk insurance contracts used by a national government agency, a multinational institution and private insurers, as well as decisions on claims made under political risk insurance contracts. The opportunity to analyze and revise original contract documents will be an additional and more general benefit of the course. The variety of source material will expose students to the public policy issues that underlie the decision to issue such insurance and the consequences of doing so. Some incidental coverage of insurance law, international law, and dispute resolution will also be required.

In addition to an in-class final exam, students, as counsel to an insurer, will draft a memo advising how one of the insurer’s standard contracts would have to be revised to cover a non-standard situation or provide a non-standard coverage and attempt the revision. The insurer will provide a detailed written description of the situation or coverage. Students may work as individuals or form a team (and all receive the team product’s grade).

The course will be taught jointly by Robert C. O’Sullivan, formerly Associate General Counsel for Insurance and Claims at the Overseas Private Investment Corporation (OPIC), and Kenneth W. Hansen, a partner at the law firm of Norton Rose Fullbright and formerly General Counsel of the Export-Import Bank of the United States and Associate General Counsel at OPIC.

LAW 3092 v00 Modern Ethics and Compliance Concepts in Business

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.

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

LAW 922 v01 National Security & the Law of the Sea
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20922%20v01)
LL.M Course (cross-listed) | 2 credit hours
This course reviews the basic principles of international law related to the many exclusive and inclusive uses of ocean space, especially on those critical issues affecting U.S. national security. Students will develop a comprehensive understanding of the legal regimes governing the ocean, from internal waters and other coastal zones through the regimes of the high seas, and an overall appreciation for U.S. ocean law and policy, based on relevant principles of international and national law. Topics include navigation and overflight rights, living and non-living ocean resources, military and law-enforcement activities, protecting the marine environment, marine scientific research, the law of naval warfare, and the formal and informal processes for developing ocean policy and for resolving international disputes. Students will research and engage in class discussions on a number of problems involving national security issues and the use of ocean space, including resources on the continental shelf, maritime terrorism, military exercises, maritime transportation systems, at-sea trafficking in illicit drugs, piracy, weapons of mass destruction, collection of intelligence, and naval rules of engagement.

Final exam only.

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

Mutually Excluded Courses: Students may not receive credit for both this course and Oceans Law and Policy.
LAW 972 v03 National Security Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20972%20v03)
J.D. Course (cross-listed) | 2 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 Wednesday, June 9, 2021. After the June 9 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: FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist.

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

LAW 755 v00 Nuclear Non-Proliferation Law & Policy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20755%20v00)
LL.M Course (cross-listed) | 2 credit hours
This course will provide students with an understanding of the current matrix of nuclear non-proliferation treaties, multilateral arrangements, laws, regulations, initiatives, proposals, and organizations that aim to halt the spread of nuclear weapons and prevent nuclear terrorism. The goal is to examine the full array of tools employed by the United States to address nuclear proliferation, as well as how the Executive Branch brings these tools to bear through the inter-agency process and its joint efforts with Congress and international partners. Virtually every element of the nonproliferation toolbox was deployed to address the nuclear programs of Iran and North Korea, so considerable time will be spent examining these critical cases. We will also examine how the nuclear programs of India and Iraq shook and ultimately altered the nonproliferation regime. Throughout the course, we will consider nonproliferation efforts in the context of great power strategies, alliance obligations, and regional rivalries, on how these factors influence the decision-making of proliferating countries and countries seeking to prevent proliferation. A continuing theme in the course will be the evolution of nonproliferation tools over time and the role of and lawyers in that evolution.
LAW 1209 v01 O'Neill Institute Practicum: Health and Human Rights
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201209%20v01) (Project-Based Practicum)
J.D. Practicum | 4 credit hours

In a project-based practicum course, students participate in a weekly seminar and work on a project under the supervision of their professors. This project-based practicum course will give students the opportunity to work with Georgetown Law's O'Neill Institute (http://www.law.georgetown.edu/oneillinstitute/index.cfm) and its civil society partners to use international human rights law to advocate for positive health outcomes. Students will participate in a two-hour/week seminar and carry out 10 hours/week of project work under the direction of the course professors.

SEMINAR: In the seminar, students will explore the connections between global health and human rights. We begin by examining the emergence of health and human rights as a distinct field. Following this, we will carefully consider the meaning of the international right to health, stressing the material differences between civil and political rights, on the one hand, and economic, social, and cultural rights on the other. After exploring a series of foundational themes and issues through the first half of the semester, the remainder of the class will focus on in-depth case studies (e.g., HIV/AIDS, mental health, access to essential medicines, reproductive rights). While we will use the International Covenant on Economic, Social and Cultural Rights, and on Civil and Political Rights as the dominant legal instruments in our analyses, our discussions will also reference other international instruments, as well as a variety of national cases, constitutions and legislation. Class time will be devoted to developing practical advocacy and drafting skills to support students in their project work. Students will also learn how to use epidemiological data to support and craft compelling arguments for advancing the right to health.

PROJECT WORK: Students will work with external partners of Georgetown Law's O'Neill Institute on legal and policy projects related to health and human rights. For example, students may draft alternative reports to UN bodies analyzing compliance with human rights obligations related to tobacco control (e.g., “shadow reports”). A report such as this could analyze the prevailing legal frameworks for ensuring universal access to maternal health services in a particular country and highlight any weaknesses in the statutory and regulatory language. A report such as this would also suggest recommendations for the UN body to consider. By working with the O'Neill Institute, Inter-Governmental Organizations (e.g., PAHO), and civil society organizations, the course will give students the opportunity to use international human rights law to advocate for legal mechanisms to address critical health challenges.

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

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

Note: This practicum course is open to LL.M. students, space permitting. Interested LL.M. students should email Louis Fine (fine@law.georgetown.edu) to request admission.

Evening students who work during the day are encouraged to reach out to the professor to discuss whether this practicum course would be compatible with their schedules.

This is a four-credit course. Two credits will be awarded for the two-hour weekly seminar and two credits will be awarded for approximately 10 hours of supervised project work per week, for a minimum of 11 weeks. Both the seminars and the project work will be graded.

LAW 1209 v02 O'Neill Institute Practicum: Regulating Alcohol, Tobacco & Food in International and Comparative Law
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201209%20v02) (Project-Based Practicum)
J.D. Practicum | 4 credit hours

In a project-based practicum course, students participate in a weekly seminar and work on a project under the supervision of their professors. This course 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 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 professor.
LAW 1665 v00 Patent Enforcement in Europe: Practice and Strategy
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201665%20v00)
J.D. Course (cross-listed) | 1 credit hour
Many of the high profile patent cases conducted in Germany concerned European Patents held by US companies (e.g. Qualcomm vs. Apple, Microsoft vs. Google/Motorola, Eli Lilly vs. Ratiopharm, Stada et al.). It is standard procedure for US companies to litigate their European Patents in Germany as the most important venue for patent infringement lawsuits in Europe.

This course is designed to help students advise US clients when they consider filing patent infringement lawsuits in Europe or when they have to defend against allegations of patent infringement on German territory. At the end of the course, students will have acquired a basic understanding of patent litigation in Europe. This course provides an opportunity for students to understand all phases of a patent trial in Germany and before the Unified Patent Court (UPC). It combines elements of lecture and case studies, whereby the focus is laid on case studies.

Initially the course will provide an introduction to the principles of European patent law. A focus will be placed on patent infringement and nullity proceedings regarding European Patents in Germany. Especially the implications of the German bifurcation principle will be explored.

In the second part, the course will conduct an in-depth case study of a recent patent infringement case which has been tried in Germany. The strategies of German attorneys both in the first instance and on appeal level will be explored. The case study will focus on the strategies of German attorneys acting on behalf of patent holders and/or patent infringers. Issues of material law (literal patent infringement, infringement under the doctrine of equivalence) as well as procedural law (venue, enforcement) will be covered.

In the following, the law relating to the enforcement of standard-essential patents (SEP) in Europe as established by the European Court of Justice and as applied by the national courts will be explained.

The second case study will explore the enforcement of standard-essential patents. Depending on whether the Unified Patent Court Agreement will enter into force (a decision can be expected in the course of the year 2019), a lawsuit will be considered either before the UPC or a German court. The differences between litigation in Germany and before the UPC will be analyzed and the strategic consequences will be discussed.

Given the range of competencies covered and type of work assigned, this course is recommended for students who intend to practice patent law.

Prerequisite: Patent Law.

Note: WEEK ONE COURSE. This course will meet for one week only, on the following days: Monday, January 6, 2020, through Friday, January 10, 2020, 9:00 a.m. - 11:35 a.m. The course will have a take-home exam that must be completed during the week of January 17th through January 24th, 2020. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety will result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain 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 day of the 24th, 2020. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

LAW 741 v00 Pre-Negotiation Strategies for Cross-Border Transactions
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20741%20v00)
LL.M Course (cross-listed) | 2 credit hours
As economies globalize and organizations increasingly form cross-border relationships, there should be more focus on problems facing legal practitioners caused by cross-cultural differences. While international transactions comprise of distinct phases, the aim of this course is to explore the importance of pre-negotiation phase of international transactions. The legal training in the United States tend to devote far too little time and attention to the pre-negotiation phase than most of our counterparts from other countries. American lawyers generally want to “dispense with the preliminaries” and “to get down to cases” at the negotiation table. For seasoned lawyers and executives, however, this phase of Pre-negotiation is the most important stage to determine whether they want to negotiate at all and, if so, what they will talk about, and how, when, and where they will do it. Without a proper pre-negotiation phase, one may not get to that negotiation table, let alone explore any dispute resolution mechanisms.

Pre-negotiation phase can be characterized by information-gathering efforts to evaluate the parties’ interests and comprises of a process entailing rational choice to pursue negotiation or not. This course, “Pre-negotiation Strategies,” will attempt to introduce an analytical framework for understanding and formulating culturally responsive legal strategies for international lawyers. This highly interactive class will utilize case studies as well as various international agreements to highlight the importance of evaluating and analyzing the negotiating environment before it actually takes place. The course will address the need for practitioners to research and identify certain cultural mores and behavioral patterns in dealing with an unfamiliar culture as well as examine foreign bureaucracies, foreign laws, and multiple currencies in order to develop cross-culturally sensitive strategies in international transactions.

Active in-class participation and simulations will be required.

Note: First class attendance is strongly encouraged.
LAW 2082 v00 Project Development and Finance (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202082%20v00)
LL.M Course (cross-listed) | 2 credit hours
This course will provide students with a fundamental understanding of the legal and practical issues involved in the development and financing of domestic and international infrastructure projects – with an emphasis on major energy infrastructure projects.

We will analyze in depth: (i) the structure of a project finance transaction – including the contractual relationships and risk allocation among parties; (ii) the substantive components of the primary project development agreements; (iii) key project financing concepts and documentation; and (iv) implications of environmental, regulatory and compliance regimes.

Classes will involve lectures and interactive discussion based on selected case studies and articles/publications reflecting projects currently in development and recent project financings. In addition, students will have the opportunity to review and discuss issues and negotiated points in actual project development agreements and financing documentation.

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

LAW 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 as 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 in the field of public health. International investment law is comprised of over 2500 BITs, which govern the acceptance and treatment of foreign investment. BITs impose various rules limiting the freedom of domestic policy-makers, including rules governing national treatment, most-favoured-nation treatment (principles of non-discrimination), so-called fair and equitable treatment and expropriation of property rights. These rules are increasingly being used by foreign investors, including transnational corporations, to challenge domestic regulations such as public health measures. For example, a major tobacco company recently filed arbitration claims challenging tobacco packaging regulations introduced by health authorities in Australia and Uruguay.

The course will address:
1. the theoretical perspectives underlying the international law of investment and the concept of police powers (particularly the power to protect health);
2. the different types of legal tests used to determine the regulatory legitimacy of a measure as well as the impact of varying standards of proof on analysis of this type;
3. rules governing expropriation of property rights and the circumstances in which health and environmental health measures might be considered equivalent to expropriation;
4. rules governing fair and equitable treatment as used in determining the legitimacy of domestic regulatory measures;
5. rules governing non-discrimination and their potential impact on domestic health measures that are non-discriminatory in form;
6. rules governing arbitrary or discriminatory measures; and
7. procedural issues relating to the participation of civil society in the negotiation of investment treaties and the settlement of investment disputes.

Prerequisite: Familiarity with international law or global health law is desirable, but not required.

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

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. The take-home exam in this course may be administered mid-semester and the specific exam date will be provided by the professor after the add/drop period.
LAW 440 v04 Refugee Law and Policy
J.D. Course (cross-listed) | 2 credit hours
This course examines domestic refugee law and policy, with particular focus on asylum and other refugee-related claims for protection that arise in the U.S. legal system. Students will become familiar with the key actors in the asylum and refugee law arena, including the U.S. Congress, the Department of Justice, the Department of Homeland Security, the federal courts, and international entities.

The course objectives are: (1) to equip students with an understanding of the principles of refugee policy, asylum law, and the United States' procedures for refugee protection, and (2) to provide students with a practical appreciation for how refugee policy is formed and a working knowledge of asylum law, which will serve as a foundation for academic research, clinical study, employment, pro bono work, and/or internship opportunities within the U.S. government and the NGO community.

In addition to focusing on the refugee definition as interpreted by U.S. courts, we will examine the processes for adjudicating asylum claims – where the system works and where it fails. We will also seek to understand the limits of asylum law and explore the toughest issues facing asylum adjudicators and policy makers today.

Note: Priority is given to students fulfilling the requirements of the Certificate in Refugees and Humanitarian Emergencies.

LAW 785 v00 Regional Trade Agreements: The Changing Landscape of International Rules and Policies in the Americas and Beyond
LL.M Seminar (cross-listed) | 2 credit hours
The goal of the course is to provide an in-depth understanding of the most recent regional and bilateral trade agreements in the context of the international trade law system and the interplay of regional arrangements with multilateral rules. Students will acquire knowledge and insights on policies and rules to undertake specialized private practice or government service to handle complex and develop critical thinking regarding the most current trade issues. The course encourages students to develop skills to engage in the preparation and presentation of trade briefings and policy notes dealing with ongoing cases and trade negotiations and disputes.

The course offers students the opportunity to engage in open guided analytical discussions on the major legal and economic issues of regional trade arrangements (RTAs) and trade negotiations with a special focus on the Americas and their links within the Western hemisphere and with other regions around the world.

Special attention is devoted to the most relevant negotiations and other global impactful events on the trade fields such as the NAFTA negotiations. The seminar will also discuss the linkages between RTAs and the current trade policy developments (e.g. Asia Pacific, Transatlantic) at the multilateral, regional and national level and how they are affecting trade integration in the Americas and beyond.

Topics that will be covered in this course are trade in agriculture, industrial products, services and investment, market access, trade remedies, intellectual property, competition and dispute settlement and other topics such as environment, labor and digital trade.

The analysis and discussions in class will be based on treaty text, jurisprudence and the practical, hands-on experience of the professors. Guest-speakers – including practitioners, government officials, or staff from relevant international organizations – will be invited to a few sessions.

Students will be asked to participate in class presentations and/or group exercises on the topics covered, for example on a hypothetical case study of exports/imports, taking up the role of advisors based in either the importing country or the exporting country. They are also encouraged to bring to the discussion resources and points of view beyond those recommended.

Students will be required to write a take-home exam of maximum 10 pages long (double space). Class attendance, oral presentation, and class participation will be part of the overall evaluation.

Prerequisite: for J.D. students only: International Law I: Introduction to International Law (or the equivalent of International Law I, which is a 3 credit course in public international law).

Note: This course is limited to LL.M. students and students in the final year of their JD program.
LAW 1071 v00 Reproductive Health and International Human Rights Law
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201071%20v00) (Project-Based Practicum)
J.D. Practicum | 4 credit hours
In a project-based practicum course, students participate in a weekly seminar and work on a project under the supervision of their professor. This project-based practicum course will focus on the interaction between international human rights law and reproductive health and rights. Students will participate in a two-hour/week seminar and carry out 10 hours/week of project work under the direction of the course professor.

SEMINAR: The seminar will begin by providing an overview of international human rights law as it pertains to reproductive rights. The course will then focus on access to reproductive health from an international perspective, examining States’ obligations on a variety of issues, such as maternal mortality and coerced sterilization. Analyzing recent decisions emerging from regional and international human rights bodies, such as the European Court of Human Rights, the Inter-American Commission and Court on Human Rights and the CEDAW Committee (UN Committee on the Convention on the Elimination of All Forms of Discrimination against Women), the seminar component will provide a solid legal foundation for students to develop their experiential/field placement projects.

PROJECT WORK: Students will work with external partners on legal and policy projects related to reproductive health. Some of the projects may include drafting amicus briefs for cases currently pending before international bodies, and drafting briefs assessing a particular State’s compliance with human rights law regarding sexual and reproductive rights to be filed in front of UN bodies (shadow reports). Through these projects, students will learn how to conduct an analysis of existing legal and regulatory frameworks for sexual and reproductive health from a human rights perspective. Students will also learn how to use epidemiological data to support and craft compelling human rights law arguments for advancing public policy on, for example, maternal mortality and sexual violence prevention and eradication. By working with external civil society organizations, the course will give students the opportunity to develop practical projects using international human rights law to advocate for the advancement of reproductive health rights. In the past, external partners have included organizations working on women’s rights issues, such as: the Center for Reproductive Rights, Women’s Link Worldwide, Human Rights Watch (Women’s Rights Division), IPAS, and Southern Africa Litigation Centre, among others.

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

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

Note: This practicum course is open to LL.M. students, space permitting. Interested LL.M. students should email the Office of the Registrar (lawreg@georgetown.edu) to request admission.

Evening students who work during the day are encouraged to reach out to the professor to discuss whether this practicum course would be compatible with their schedules. This is a four credit course. Two credits will be awarded for the two-hour weekly seminar and two credits will be awarded for approximately 10 hours of supervised project work per week, for a minimum of 11 weeks. Both the seminar and the project work will be graded. Students who enroll in this course will be automatically enrolled in both the seminar and project components and may not take either component separately. After Add/Drop, a student who wishes to withdraw from a practicum course must obtain permission from the faculty member and the Assistant Dean for Experiential Education.

LAW 260 v02 Research Skills in International and Comparative Law
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20260%20v02)
J.D. Seminar (cross-listed) | 2 credit hours
This two-credit course will instruct students in understanding the relationship between the sources of public and private international law in a theoretical sense with their actual embodiment in tangible and electronic media. Comparative law bibliography and sources will be covered, as will selected jurisdictions in the civil law tradition. With regard to locating legislation and jurisprudence, students will learn which topics are usually covered in a civil code, and how to deal with problems of language and translation. Separate, in-depth sources will be explored for one or more of the following: international criminal law, international environmental law, international human rights, international trade law and arbitration, commercial law and intellectual property, family law as an international and comparative law topic, and documentation for intergovernmental organizations, chiefly the United Nations bodies, regional organizations, and the European Union. Grading will be based on weekly in-class or homework assignments that allow the student to use and evaluate the various sources; a brief oral presentation on a foreign legal system; and a final research guide on an international law topic or an international organization.

Recommended: International Law I: Introduction to International Law.

Mutually Excluded Courses: Students may not receive credit for both this course and the International and Foreign Legal Research Seminar or Legal Research and Communication Theory in International and Foreign Law.

LAW 260 v03 Research Skills in International and Comparative Law
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20260%20v03)
J.D. Seminar (cross-listed) | 1 credit hour
This short course will familiarize students with the sources of public and private international law and their embodiment in tangible and electronic media. Comparative law bibliography and sources will be covered, as will selected jurisdictions in the civil law tradition. Students will learn which topics are usually covered in a civil code, and how to deal with problems of language and translation when researching foreign legislation and jurisprudence. In addition, in-depth sources will be explored for a variety of specialized topics, such as international criminal law, international environmental law, international human rights law, international trade law and arbitration, transnational commercial law and intellectual property disputes, and comparative family law. Documentation for intergovernmental organizations, chiefly the United Nations bodies, regional organizations, and the European Union, will be covered as well. Grading will be based on weekly homework assignments that allow the student to use and evaluate the sources discussed in class and on a final project consisting of a research guide on an international law topic, an international organization or the law of a foreign jurisdiction.

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

Note: In Spring 2017, this class will meet on the following Thursdays: 1/19, 1/26, 2/2, 2/9, 2/16, 3/2, and 3/9.

Students may not withdraw from this class after the add/drop period ends without the permission of the professor.
LAW 260 v04 Research Skills in International and Comparative Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20260%20v04)  
J.D. Seminar (cross-listed) | 2 credit hours  
Whether they are representing couples in transnational adoptions or multinational enterprises in cross-border mergers, legal practitioners increasingly are expected to consult international and foreign legal materials. This course will familiarize students with the best tools for researching international law and the domestic law of jurisdictions outside the U.S., enabling them to approach these tasks with confidence, rather than trepidation. Students will learn how to efficiently locate multilateral and bilateral treaties, decisions issued by international tribunals, documentation produced by the United Nations and other international organizations, as well as legislation and case law from selected foreign jurisdictions, including the European Union. Tools for topical research in specialized fields, such as human rights, international trade, and investor-state arbitration, also will be covered. Students will refine their information-gathering skills through a series of in-class research exercises and take-home quizzes based on real world, practice-oriented scenarios. This course will be especially beneficial for journal editors, students participating in the Jessup International Moot Court competition and other international competitions, and for students interested in pursuing careers in international law or in practicing law outside their home jurisdiction.  
Recommended: Prior or concurrent enrollment in International Law I: Introduction to International Law.

LAW 1653 v00 Resolution of International Financial Crises Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201653%20v00)  
J.D. Seminar (cross-listed) | 2 credit hours  
Overview  
While the globalization of private capital markets has generated important welfare gains, it has also been responsible for episodes of financial instability, often with devastating consequences. The Course will analyze the underlying causes of international financial crises and assess the efforts of policy makers to mitigate their impact. The Course will be interdisciplinary in nature, focusing on the legal, financial and economic dimensions of these crises and the relevant policy responses. Key lessons will be distilled from an in-depth analysis of the most important episodes, including the Latin American Debt Crisis, the Asian Financial Crisis, Argentina's default in 2001 and the crises precipitated by the Great Recession of 2008, including the Eurozone Crisis. We will also conduct a simulation, with students playing the roles of the various policy makers seeking to contain and ultimately resolve the crisis.  
The Course will analyze both the common patterns of the previous international financial crises and the extent to which they have differed. In that context, the Course will investigate how the dynamics of these crises have been driven both by the evolution of credit markets (including the transition from bank lending to bond issuance) and changes in the underlying legal framework that supports these markets. The Course will analyze the competing considerations faced by policy makers as they seek to mitigate the impact of a crisis – often with large scale financial assistance – without increasing the risk of future crises through the creation of excessive moral hazard. In that context, the Course will review in some detail the role played by the International Monetary Fund in managing these crises.  
Learning Objectives  
By the end of the course, students will have gained an understanding of how global financial markets have evolved over the past 40 years and how this evolution has both promoted welfare and created significant financial instability. They will learn how the relevant legal frameworks have interacted with this evolution to shape creditor incentives, with a focus on regulatory design, contractual provisions and litigation strategies. Through in-depth case studies, they will gain insight into how public policy makers have struggled to both contain the impact of these crises while, at the same time, introducing reforms to prevent them from recurring. In particular, they will gain an understanding of the legal, policy and governance framework of the IMF, and the role it plays as a financial fire fighter. More generally, they will gain an understanding of the challenges faced by policy makers when addressing a systemic crisis, with a focus on the key actors, namely (a) the governments of the countries experiencing the crisis, (b) private creditors and (c) the IMF. Existing and former officials will participate in a number of classes to share their own perspectives regarding the key lessons to be distilled from previous episodes.
LAW 1293 v00 Rights of Indigenous Peoples in Comparative and International Law

J.D. Seminar (cross-listed) | 2 credit hours
This seminar focuses on the rights of indigenous peoples from the viewpoint of comparative and international law. We will look into the origins of the laws affecting native peoples, how they have changed over the years, and how differently these issues have been handled in various parts of the world. We will also look into the efforts to create an international law on the rights of indigenous peoples.

In this seminar, students can choose their paper topics from a list provided by the professor or can choose their own with the professor's approval. Some of the class sessions will be based on the topics students choose for their papers. Each student will do a one-hour presentation of his or her paper and lead the discussion on it.

The professor will also supply a list of books and a few films designed to give students further insight into the issues covered in the seminar. Each student will select one book (or a film and a book) and will lead discussion in class when we are dealing with a related subject.

There will be no written examination. Grade will be based 80% on the paper and 20% on class participation.

LAW 382 v00 Roman Law

J.D. Course (cross-listed) | 2 credit hours
The subject matter is classical Roman law as it was born, developed, and reached maturity by about 160 CE. The first half of the semester focuses mainly on constitutional structures; the second part on contracts and tort, including practical exercises on reported ancient cases. Whenever is possible and useful, the expositions and explanations are given in a comparative manner vis-à-vis the common law of English origin. A student who completed this course should have enough knowledge and skill to begin a career of iurisprudent (wise person of the law); that is, they should be considered qualified to assist the Magistrate in his daily work at the Roman Forum; a position similar to that of clerking for an American judge.

LAW 403 v04 Rule of Law and the Administration of Justice

J.D. Seminar (cross-listed) | 2 credit hours
This course offers students an opportunity to learn about the expanding field of practice focused on strengthening the Rule of Law. It begins with a review of various definitions of the term, recognizing that many approach the same end through various means. It employs a case study methodology, including specific sessions with U.S. and foreign judges and other legal practitioners active in reform efforts. Topics include: Democracy and the rule of law; access to justice; 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 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, including in the U.S., which seek more competitive market economies, stronger law enforcement, gender equality, or social justice in response to an increase in demand populations, not only formal "users" of justice services. The course will also address the often overlapping or inconsistent agendas of bilateral donors, international organizations (e.g., U.N., World 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 financial institutions (IFIs) and their approaches to Rule of Law to be able distinguish varying objectives (e.g. democracy promotion, economic development, human rights and social justice, anti-corruption and law enforcement).
- At the end of the course, students will have acquired a vocabulary and understanding of overlapping (and even inconsistent agendas) to be able to identify the "drivers" of reform and provide inputs for the design or evaluation of Rule of Law reform efforts.

Recommended: International Law I: Introduction to International Law is suggested but not required. 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**

In a project-based practicum course, students participate in a weekly seminar and work on a project under the supervision of the professor. This project-based practicum course will focus on issues of sexual orientation, gender identity, gender expression and sex characteristics from an international human rights law perspective. Students will participate in a two hour/week seminar and carry out 10 hours/week of project work under the direction of the course professor.

**Background:** Every day, lesbian, gay, bisexual, transgender and queer (LGBTQ) 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 LGBTQ 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.

**PROJECT WORK:** Students will work, under the direction of the professor, with external partners on legal and policy projects, including conducting legal research and drafting memoranda on specific human rights issues faced by LGBTQI people, 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 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).

**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 are an integral part of the course and no student will receive credit without completing both the seminar and the project work.
LAW 415 v00 Strategic Intelligence and Public Policy Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20415%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
This seminar explores several significant legal and policy concerns raised by the conduct of foreign intelligence activities. We will consider the disclosures of Edward Snowden and their impact on the balancing of national security and privacy, the congressional authorization for foreign intelligence surveillance and the operation of the Foreign Intelligence Surveillance Court. We will review the role of Congress and the executive branch in intelligence oversight. We will consider the investigation and prosecution of espionage, using the Aldrich Ames and other recent cases as examples, including the Classified Information Procedures Act and the state secrets privilege. We will examine the authority for, and controls on, covert action and its role in the conduct of foreign policy, and compare the role of military special operations. We will use one class to examine the Law of Armed Conflict and International Humanitarian Law. And we will discuss the problems of cyber-security with a senior corporate officer from a major military industrial company. The class will be structured as an ongoing conversation on these and related topics.

LAW 897 v00 Tax Treaties (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20897%20v00)
LL.M Course (cross-listed) | 2 credit hours
This is a basic tax treaty course. It will cover fundamental tax treaty concepts such as residency, permanent establishment, business profits, limitation on benefits, and relief from double taxation (including operation of the U.S. foreign tax credit rules). There will be an overview of treaty provisions that apply to investment income and income from the performance of services. In addition, students will learn about the interaction of tax treaties with U.S. domestic tax law, the role of international organizations in interpreting tax treaties, procedures for resolving tax treaty disputes through the competent authority process, and strategies for researching tax treaties. This course is designed for students with little or no background in tax treaties. However, students will be expected to have a basic understanding of the U.S. tax rules that apply to foreign persons who receive income from the United States and U.S. persons who receive income from abroad. The course will be based primarily on the United States Model Income Tax Convention, together with selected case law and administrative authority. We will also look at selected provisions of the OECD Model Tax Convention.

Prerequisite: Federal Income Taxation (formerly Taxation I) and prior or concurrent enrollment in one course in international taxation.

LAW 3083 v00 The First 1000 Days: Global Health Law & Policy from Gestation to Age Two (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203083%20v00)
LL.M Seminar (cross-listed) | 2-3 credit hours
The first 1,000 days between a woman’s pregnancy and her child’s second birthday significantly impacts a child’s ability to grow, learn, and thrive and affects a country’s health and prosperity. This course approaches this period with a Reproductive Justice (RJ) lens, emphasizing social supports, financial assistance and other tools that advance the right to have and raise children. Both in the US and throughout the world, factors such as race, language, income, education, ability, gender identity and sexual orientation all impact one’s ability to carry a healthy pregnancy to term, and the opportunities babies have to grow and thrive.

Increasingly, law and policy has been recognized as a high-impact and robust approach for accelerating progress in supporting women who are pregnant and lactating, along with infants through their first 24 months. In various jurisdictions, policymakers enact courses of action, regulatory measures, laws and policies, and set funding priorities with direct or indirect effects on providing the essential building blocks for families during the 1,000-day window of opportunity. This course focuses on policies, programs and practices across the globe—at the national, tribal, state and local levels—that improve or hinder a mother and child’s health and well-being. Students will examine the evidence informing these courses of action, along with the historical and contemporary legislative, regulatory and judicial aspects. This course applies the RJ framework to an area that has primarily been viewed as one of public health. In doing so, students will build a deeper understanding of the social factors and inequities that impede public health initiatives and widen health disparities. Topics and themes include preconception care, infertility, assisted reproductive technology, maternal and infant mortality disparities, newborn screening, immunizations, maternity and paternity leave policies, breastfeeding relevant policies and practices, dietary and physical activity guidance, social assistance programs, food and nutrition labeling, childcare supports, and other environmental and policy strategies to support maternal and child health.

Note: J.D. students must register for the three-credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement for JD students. The special requirements of the two-credit section will not fulfill the Upperclass Legal Writing Requirement for JD students.
LAW 975 v00 The Foreign Tax Credit

This course will cover the basics and the finer points of the foreign tax credit, an important issue for virtually all multinational taxpayers. In the current global economy, knowledge about the foreign tax credit is essential for any tax lawyer and particularly helpful for those who represent large corporations or whose practice involves cross-border transactions of any kind. The course will address the mechanics of the Code and Regulations, as well as bigger-picture concepts arising in case law and elsewhere. Students will learn the rules that govern who is entitled to a credit; for what taxes a credit may be claimed; and how large a credit may be taken; and in what year the credit properly accrues. We will also discuss current tax planning issues regarding foreign tax credits.

Students will gain an understanding of the basic foreign tax credit principles of section 901 of the Code, including the criteria used to determine the creditability of foreign taxes, as well as the principles governing “in lieu of” taxes creditable under section 903. The course will address the limitations on the foreign tax credit under section 904; the rules governing the sourcing and “bASKETING” of income; base and timing differences; and required adjustments to the amount of foreign taxes paid. Students will also learn the fundamentals of the section 861 rules whereby taxpayers’ deductions are allocated and apportioned to their foreign-source income for purposes of credit computation. The course will cover the deemed paid credit under section 902 for taxes paid by foreign subsidiaries of U.S. taxpayers; the rules for maintaining pools and layers of earnings and profits and related foreign taxes; the impact of corporate transactions on E&P and the amount of the credit; and the interaction with the subpart F regime. Reading materials will focus on the relevant Code provisions and Regulations and on the evolution of the foreign tax credit through case law.

Prerequisite: Federal Income Taxation (formerly Taxation I), Corporate Income Tax Law I or Corporate Taxation (formerly Taxation II), and a course in International Tax.

LAW 1654 v00 The IMF and the Evolution of International Financial and Monetary Law

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.
In 1995, the World Trade Organization was created to “to develop an integrated, more viable and durable multilateral trading system.” It was a major step forward in formalizing the rules and procedures around the global trading system of the late 20th Century and globalization, which at the time was dominated by large multinational corporations moving large shipments of products across international borders. The policies in the General Agreement on Trade and Tariffs (GATT), the General Agreement on Trade in Services (GATS), and regional trade agreements that have followed were largely designed to further this traditional model of trade.

In 1995, the National Science Foundation divested its final piece of its computer science network (NSFNET) marking the official commercialization of the Internet, at the time the Internet had a user base of less than 20 million. The Internet was designed to facilitate communication between individual desktop users sitting on independent networks, and was largely used by academics at the time. The policies that shaped the modern Internet were the creation of national governments and a multi-stakeholder process involving engineers, businesses, non-profits, and government.

In 1995, there was not much thought given to the world of trade intersecting with the burgeoning Internet.

It is more than 20 years later, and the worlds of global trade and the Internet are rapidly overlapping. In 2011-2012, the US census bureau reported that 49.3% of manufacturing trade was conducted through electronic means; McKinsey found that the Internet accounted for 21% of GDP growth in mature economies; and, the Organization for Economic Cooperation and Development (OECD) reported that the only 5.7% of small firms in the EU25 were not accessing the Internet. There is a divergence of opinion, though on whether the Internet is revolutionizing the players, method, and function of international trade. Moreover, despite the increased importance of the Internet to doing business in the modern world, trade policymakers struggle to understand the individual policy issues of the Internet and Internet-enabled commerce.

This class will bring together the divergent worlds of Internet and trade policy. Students will analyze the macro questions around trade through the lens of the Internet revolution. Moreover, students will delve into a number of unique trade issues that are being created as a result of the global Internet. Students will also analyze national laws on the Internet and why they are difficult to globalize. The class will challenge students to understand the unique issues of the Internet, to think about classical trade and development issues in new ways, and to challenge the efficacy of global policy solutions to global Internet problems.

The class will be divided into three parts: Part 1 will provide background on the Internet and trade and will lay out the foundational questions that underlie the rest of the class; Part 2 will delve into a number of specific Internet policy issues through the lens of trade; and Part 3 will be forward looking and will ask students for solutions to difficult policy questions.

**Recommended:** Prior or concurrent enrollment in an international trade law course.
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 the Ebola crisis. 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 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.

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 3075 v00 Trade Remedies: WTO Framework, National Law and Practice
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203075%20v00)

LL.M Seminar (cross-listed) | 2 credit hours
Trade remedies are the bread of butter of international trade law, and hence a critical area of study for any aspiring trade lawyer. This course will introduce participants to the three principal types of trade remedies, anti-dumping, countervailing measures and safeguards. The class will explore the role of, and justifications for, trade remedies in the international trading system, the framework set out in the WTO Agreement for their use, and the dispute settlement jurisprudence regarding them. Because trade remedies are a global phenomenon, it will then examine and compare the trade remedy regimes of major users around the world, before zooming in on the specifics of US practice.

The first objective of this course will be to familiarize students with trade remedies, both in term of the WTO framework and in terms of the practice of both the United States and other major user countries. At the same time, the course should help students to gain a better understanding of the WTO Agreement, how that Agreement interacts with the national law and policy of the United States and other WTO Members, and the role that WTO dispute settlement can play in that interaction.

Prerequisite: An introductory course in International Trade Law and/or WTO Law is highly recommended.
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 addressing the consequences, particularly those negative effects that have led to 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 distinguish between different types of trust?
- How are local norms and legal institutions transformed in the context of globalization? Do local legal norms and institutions continue to matter?
- How are economic and social problems treated in the international regulatory framework? Do they lend themselves to different regulatory regimes?
- 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 distinguish between different types of trust?
- How are local norms and legal institutions transformed in the context of globalization? Do local legal norms and institutions continue to matter?
- How are economic and social problems treated in the international regulatory framework? Do they lend themselves to different regulatory regimes?
LAW 780 v01 U.S. and International Customs Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20780v01)

LL.M Course (cross-listed) | 2 credit hours
As international trade and commerce have increased over the years, customs law has become increasingly more internationalized, important and complex. This course will examine and provide a basic introduction to the rules and principles relating to both U.S. and international customs law. This will include an examination of those rules and principles relating to tariff classification, customs valuation, rules of origin, border enforcement of intellectual property rights and regional trading arrangements. International efforts to facilitate trade and to harmonize and simplify customs laws and procedures will also be examined together with international organizations dealing with customs laws and procedures (such as the World Trade Organization and the World Customs Organization).

Customs authorities are the guardians of national borders. The role of customs authorities in combating terrorism and criminal activity and in securing and safeguarding national borders will also be examined.

No prerequisites.

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

LAW 881 v00 U.S. Taxation of International Transactions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20881v00)

LL.M Course (cross-listed) | 3 credit hours
The course will address the principal elements of the U.S. taxation of international transactions, including trade, investment and labor. The initial portion of the course will address the way in which individual and corporate foreign taxpayers are taxed in the United States. The second portion of the course will deal with the way in which U.S. individual and corporate taxpayers are taxed on income earned in other countries. The impact of tax treaties will be addressed in both portions of the course.

Prerequisite: Federal Income Taxation (formerly Taxation I) or equivalent from home country. Strongly recommended for U.S.-trained students: A prior or concurrent course in the taxation of corporations and shareholders.

Mutually Excluded Courses: Students who take this course may not enroll in U.S. International Inbound Tax (formerly U.S. Taxation of Foreign Persons in the United States) or U.S. International Outbound Tax (formerly: U.S. Taxation of Domestic Persons outside the United States), or International Tax Law. Students who have taken any of these or are currently enrolled in these three courses may not enroll in this course.

Note: Required for foreign-trained Tax LL.M. students pursuing the Certificate in International Taxation.

LAW 1458 v00 Use of Force, National Security, and Human Rights Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201458v00)

J.D. Seminar (cross-listed) | 3 credit hours
The struggle to respect and ensure universally recognized and protected human rights while also protecting national security raises important and complex legal and policy challenges across a range of issues from the "war on terror" to climate change. This course will address current issues at the intersection of national security and human rights, with an emphasis on the novel and complex questions about the nature of conflict, national security threats, and the place of human rights in the context of the struggle against transnational terrorism after 9/11. These questions are especially salient with regard to state use of force, which involves the deployment of violence against individuals, as well as their seizure, detention, and trial.

In general terms, the current legal approach to dealing with these issues tends to present decision makers with a binary framework that was created with the assumption that conflict between states is the primary threat to international peace and stability. The absence of armed conflict is presumed to constitute peacetime, when human rights law requires that states deal with threats to the peace through law enforcement operations in which lethal force may be used only as a last resort, and exercising physical control over individuals is strictly constrained. Movement from peacetime to war occurs when states use armed force against one another, or when the use of force between non-state organized armed groups (against one another or against a state) reaches sufficient intensity and duration. During this period, the traditional paradigm assumes that international humanitarian law (IHL) largely governs state conduct, and that the demands of human rights law must be adapted to the IHL regime.

International terrorism by non-state actors presents challenges to reliance on this binary peacetime-warfare 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 terrorism presents.
LAW 937 v01 War Crimes & Prosecutions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20937%20v01)  
LL.M Seminar (cross-listed) | 1 credit hour  
This course focuses on international war crimes and legal actions taken against war crimes violators. Using such topics as the abuse allegations as irregular rendition, the trial of Saddam Hussein, the arrest warrant for Omar Al-Bashir, the Armenian Genocide, and other events, the course will explore in depth topics such as the principal international war crimes, universal jurisdiction and issues surrounding jurisdiction to conduct war crimes trials, civil remedies for war crimes under the Alien Tort Statute, who should conduct war crimes trials, and other matters. Students will be expected to write a paper, approximately 12-15 pages, on a topic of their choosing pertaining to war crimes, and to participate in class discussions.

Mutually Excluded Courses: Students may not receive credit for both this seminar and Law of War, Law of War Seminar, or War Crimes, Terrorism and International Criminal Procedure.

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

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

LAW 672 v01 War Crimes Terrorism & International Criminal Procedure (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, the liability of lawyers for war crimes 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.
SEMINAR: In the two-credit, graded, seminar portion of the practicum, students will discuss how shifting migration patterns and societal forces have caused more women to leave their home countries and attempt to enter the United States. While a woman may flee her home country for the same reasons as a man, research shows that refugee women also flee their countries for gender-related reasons. In many countries, women face persecution and violence just for being women. This includes the use of rape as a weapon of war, domestic violence, so-called honor crimes, forced marriage, widow rituals, one child policies, forced sterilization policies, and female genital mutilation. In seminar, students will study and learn through experience about the societal forces causing the forced migration of women and how U.S. laws and policies address the immigration status of these female immigrants. We will focus on forms of relief that, while available to both men and women, are almost exclusively accessed by women to obtain legal status in the United States. Specifically, we will focus on: Asylum (specifically the gender-based prong of “membership in a particular social group”), the Violence against Women Act (for abused women who are or were married to U.S. citizens), U Visas (for victims of crime), and T Visas (for victims of trafficking).

FIELDWORK: In the two-credit, mandatory pass/fail, fieldwork portion of the practicum, students will work with lawyers from private law firms and nonprofit agencies on actual cases of women fleeing their countries because of gender-based violence. Students will be assigned in teams to interview clients, prepare research and briefs, and assist the principal lawyer conducting the case. Students will also work directly with attorneys at local legal services agencies who are representing female survivors of gender-based harm seeking legal status in the United States.

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

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

Note: LL.M students may enroll in this course, space permitting, provided they have excellent U.S.-based legal research skills, English language, and writing ability. Interested LL.M. students should email the Office of the Registrar (lawreg@georgetown.edu) to request admission.

This course is suitable for evening students who can commit to working 10 hours/week (during business hours) for private law firms and nonprofit agencies. Students are responsible for organizing their own transportation to meet clients in the D.C. metro area, which includes clients in Virginia. PLEASE NOTE: There will be two class sessions in the first week – one at the regularly scheduled Tuesday meeting time and the second on Wednesday from 3:00-5:00 p.m. FIRST AND SECOND CLASS ATTENDANCE IS MANDATORY. All enrolled and waitlisted students must be in attendance at the first and second class sessions in order to be eligible for a seat in the class, and must attend both class sessions in their entirety. Due to the case and team structure of this practicum,
LAW 703 v00 WTO & Public International Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20703%20v00)

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

Since the institution of the WTO’s Dispute Settlement Understanding in 1994, WTO jurisprudence has increasingly addressed disputes involving the interaction between trade related values and other domestic or international policy values. The various WTO instruments that are subject to the discipline of the Dispute Settlement Understanding address the relationships between international trade and other fields such as public health, the environment, intellectual property, and even public morality. The treatment of these issues in the WTO Agreements simultaneously demonstrates the linkages among these fields, and the separation of each from the others. Moreover, many of these “trade-related but not trade” policy areas are covered by other international agreements and understandings, as well as by domestic laws, and are in some cases subject to different judicial or quasi-judicial dispute resolution mechanisms, each applying its own rules of decision. Finally, even within the international trade arena, the proliferation of regional trade arrangements with their own dispute settlement mechanisms presents another potential source of conflict with the jurisprudence of the WTO.

This state of affairs has, since about 1995, given rise to serious concerns over what has been termed the “fragmentation” of international law. Although abstract, the question of whether international law should be viewed as a “system” of law, or merely as an aggregation of rules formed principally by agreements between sovereign states, has become one of more than theoretical interest. The resolution of actual or potential conflicts between various specialized international regimes, as well as between such regimes and domestic legal regimes, has become of increasing practical importance. In many respects, WTO jurisprudence stands at the heart of these developing concerns.

This course will examine the jurisprudence of the WTO through the lens of the issue of fragmentation. Through a close study of relevant decisions and hypothetical disputes, the course will address actual and potential regime conflict issues between the international trade regime and competing norms in the environmental, public health, and intellectual property spheres. It will also address the challenges to the integrity of general international law, and of the WTO regime itself, that are posed by the proliferation of regional trade regimes with their own dispute settlement mechanisms, and by emerging questions about the effect of WTO norms within domestic legal regimes. The course will seek to balance a case-driven approach to these issues with a consideration of the underlying theoretical questions, and will regularly return to the question of the future role of the WTO in the new world order of international law.

Recommended: Prior exposure to WTO law, or concurrent enrollment in a basic course in WTO law.