

INFORMATION FOR ERASMUS INCOMING STUDENTS

ANNEX: RECOMMENDED COURSES

The list of courses below includes courses that we specially recommend to ERASMUS incoming students. They are in the areas of international law, European law, comparative law, or otherwise address topics that are legally relevant beyond national borders. One course, "The Austrian Legal System", is specifically designed for ERASMUS incoming students.

The course catalogue can be accessed at the website of the University of Vienna

(<https://www.univie.ac.at/en/> Quick links -> u:find Course / Staff directory -> Browse: Course Directory -> Directorate of Studies 3 – Law -> Diploma Study of Law).

Or you can directly go to: https://ufind.univie.ac.at/en/vvz_sub.html?semester=2022W&path=277564

Furthermore, most professors are ready to supervise and grade additional research papers, which bring additional ECTS credits for ERASMUS incoming students. This may be necessary and useful for them to achieve the required number of ECTS credits per semester. ERASMUS students who are interested in this opportunity should make this known in the first unit. The additional research paper can count for up to 4 ECTS credits depending on the number of characters (including footnotes and spaces):

- 20.000 characters -> 1 ECTS
- 30.000 characters -> 2 ECTS
- 40.000 characters -> 3 ECTS
- 50.000 characters -> 4 ECTS

The additional research paper shall contain a table of contents and, if applicable, a list of abbreviations. Literature and case law shall be cited in footnotes; the cited literature shall also be listed in a bibliography.

The following courses are specifically recommended for Erasmus incoming students:

International Law

030025 VO Völkerrecht I – Grundlagen und Quellen

Univ.-Prof. Mag. Dr. Ursula Kriebaum, Univ.-Prof. Mag. Dr. August Reinisch

4 ECTS

Course Description: Vermittlung von Grundkenntnissen – vor allem der Arbeit mit den Quellen – im Bereich des Völkerrechts, dessen Beziehungen zum innerstaatlichen Recht sowie dessen Bedeutung in den internationalen Beziehungen.

(English translation: Provision of basic knowledge – especially of the working with sources – in the field of international law, its relations to domestic law and its significance in international relations.)

Assessment: Für ERASMUS-Studierende besteht die Möglichkeit, eine schriftliche Prüfung über den Stoff der Vorlesung zu absolvieren, damit die 4 ECTS auch im Zeugnis aufscheinen. Daran Interessierte sollten dies, wenn möglich, den Professor*innen bereits in den ersten Wochen der Vorlesung bekannt geben.

(English translation: ERASMUS students have the option of taking a written exam on the material covered in the lecture so that the 4 ECTS credits also appear on their transcript of records. Students interested in this should, if possible, contact the professors in the first weeks of the lecture.)

Language of instruction: German

Held in the winter semester

030757 VO Völkerrecht II – Kernbereiche des materiellen Völkerrechts
ao. Univ.-Prof. Mag. Dr. Irmgard Marboe, Univ.-Prof. Mag. Dr. Stephan Wittich

4 ECTS

Course Description: Vermittlung von Grundkenntnissen – vor allem der Arbeit mit den Quellen – in ausgewählten Bereichen des Völkerrechts, deren Beziehungen zum innerstaatlichen Recht sowie deren Bedeutung in den internationalen Beziehungen.

(English translation: Provision of basic knowledge – especially of the working with sources – in selected areas of international law, their relation to domestic law and their significance in international relations.)

Assessment: Für ERASMUS-Studierende besteht die Möglichkeit, eine schriftliche Prüfung über den Stoff der Vorlesung zu absolvieren, damit die 4 ECTS auch im Zeugnis aufscheinen. Daran Interessierte sollten dies, wenn möglich, den Professor*innen bereits in den ersten Wochen der Vorlesung bekannt geben.

(English translation: ERASMUS students have the option of taking a written exam on the material covered in the lecture so that the 4 ECTS credits also appear on their transcript of records. Students interested in this should, if possible, contact the professors in the first weeks of the lecture.)

Language of instruction: German

Held in the summer semester

030518 KU General Legal Framework of the Use of Outer Space Technologies
ao. Univ.-Prof. Mag. Dr. Irmgard Marboe

3 ECTS

Course Description: This elective course provides an overview of the legal framework for activities in outer space and for the use of outer space technology. At the outset, general principles of space law as a branch of international law will be discussed. Furthermore, other obligations of states and private actors will be addressed. The course will deal with legal questions connected to different kinds of space activities, be it for commercial, scientific, security, or other purposes. The interaction of the different actors in the use of outer space technology will also be analysed, particularly in view of increased privatisation.

Assessment: Active participation in class, e-learning tests (via Moodle), and written exam

Language of instruction: English

Held in the winter semester

030666 KU International Courts and Tribunals
ao. Univ.-Prof. Mag. Dr. Irmgard Marboe, Univ.-Prof. Mag. Dr. Ursula Kriebaum

3 ECTS

Course Description: This course offers an overview of International Courts and Tribunals such as the International Courts of Justice, the International Criminal Court, International Criminal Tribunals, Arbitral Tribunals, the International Centre for Settlement of Investment Disputes, the European Court of Justice, the European Court of Human Rights, the Inter-American Court of Human Rights and GATT / WTO.

Assessment: Active participation in discussion, e-learning and written exam

Language of instruction: English

Held in the winter semester

030836 KU International Investment Law
Univ.-Prof. Mag. Dr. Ursula Kriebaum

3 ECTS

Course Description: This course offers an introduction to international investment law. It provides an overview of protection standards and dispute settlement in international investment law. The fundamental rules concerning admission and treatment of foreign investment will be discussed. Special attention will be given to dispute settlement, i.e. ICSID and UNCITRAL arbitration

Assessment: Active participation in class (15%), written case study (oral presentation optional) (25%) and final written exam (65%)

Language of instruction: English

Held each semester

030229 KU International Human Rights Law
Univ.-Prof. Mag. Dr. Ursula Kriebaum, Assoz. Prof. Mag. Mag. Dr. Christina Binder

3 ECTS

Course Description: The course is open to students from all faculties. Since the course will be taught in English, and active course participation is expected, good knowledge of English is required.

This class introduces the students to the origin, development and current relevance of the international human rights regime. Its major focus is on the Council of Europe and the system of the United Nations. Using case studies and practical examples, it deals with the normative content of selected human rights provisions and treaties as well as with the (quasi-) judicial and political-diplomatic mechanisms for the monitoring and enforcement of human rights.

Assessment: A short paper as well as participation in the written exam are mandatory to pass the course. The exam will account for 50%, the paper for 30% of the grade. Oral participation will count for the last 20%, especially helping students who have almost reached a better grade to improve their score.

Language of instruction: English

Held each semester

030323 KU International Law in Domestic Courts
Univ.-Prof. Mag. Mag. Dr. August Reinisch

3 ECTS

Course Description: This course is aimed at deepening students' understanding of public international law. Throughout the semester, this course will discuss the most important issues of public international law on the basis of pertinent domestic court decisions. The topics covered will include: sources of international law; the relationship between international and domestic law; statehood; jurisdiction; privileges and immunities; international criminal law; state responsibility.

Assessment: Class participation will be worth 20% of the final grade. Written submissions will make up 80% of the final grade.

Language of instruction: English

Held each semester

030516 KU International Organisations

Univ.-Prof. Mag. Mag. Dr. August Reinisch

3 ECTS

Course Description: The proliferation of international (or intergovernmental) organizations is an indicator of the internationalization of social life and the interdependence of states in the early 21st century. This course will examine the principal legal issues concerning international organizations. These include the legal status and powers of organizations, issues of membership and participation, norm-creation, dispute settlement, the enforcement of decisions, peace and security activities, and finally the organizations' privileges and immunities as well as their legal status and powers under domestic law.

At the same time, the course will also address such real world issues as the creation of international criminal courts, the "succession" of Russia to the USSR's seat on the UN Security Council, the response to the break-up of Yugoslavia, the jurisdictional issues in the Lockerbie-case, the possibility of judicial review of acts of the UN Security Council, targeted sanctions, the success of and current threat to WTO dispute settlement, NATO action against Serbia in 1999 and against Libya in 2011, the military intervention in Afghanistan and Iraq in the aftermath of 9/11, UN administration of Kosovo and East Timor, successes and failures of peacekeeping efforts, etc.

Primary consideration will be given to the development of the United Nations. Other universal organizations such as the ILO, the Bretton Woods institutions, the WTO or the ICAO, as well as regional ones such as the Council of Europe, the EU, and others will also be dealt with. This course does not try to provide a comprehensive picture of all of these organizations. Rather, it aims at helping students understand the common legal problems raised by international organizations.

Assessment: Class participation will be worth 20% of the final grade. The final exam will make up 80% of the final grade.

Language of instruction: English

Held in the winter semester

030028 KU International Trade Law

Univ.-Prof. Mag. Mag. Dr. August Reinisch

3 ECTS

Course Description: The purpose of this course is to focus on the legal order that governs the international trade in goods. This course shall explore both the policy and legal regimes that affect and govern international trade. Accordingly, it will explore the legal principles of the international trade regime and the underlying and countervailing policy rationales that affect the application of such principles. It shall therefore start with an overview and contextualization of the international trading system and the place of the WTO/GATT within that system. It shall proceed to analyze the determining institutional structures and foundational principles of the WTO/GATT regimes. In doing so it will look at: the institutional framework of the WTO/GATT, its dispute settlement mechanisms, general principles such as National Treatment, Most-Favoured-Nation Treatment, Trade Barriers, Provisions governing Quantitative Restrictions, the GATS and TRIPS, unilateral trade remedies (anti-dumping measures and countervailing duties) before finally addressing the place this system and its principles find in general international law.

Assessment: There will be a 30-minutes sample test (Single-Choice Questions and Essay Question) and a 2-hour written final examination (open book exam, short essay, multiple-choice-questions).

Language of instruction: English

Held in the summer semester

030539 KU Principles of International Law

Univ.-Prof. Mag. Dr. Stephan Wittich

3 ECTS

Course Description: The class covers the basic concepts and some of the most important aspects of international law. It deals with the formation of international law (its sources), the role of states; international organisations and individuals in international law; dispute settlement and the international use of force.

Assessment: Participation in discussions in class (30%) and final written test taken online at the e-learning platform Moodle (70%)

Language of instruction: English

Held each semester

030585 KU International Law in Asia

Univ.-Prof. Mag. Dr. Michael Waibel, LL.M. MSc.

3 ECTS

Course Description: This course will cover international law in an Asian context.

Assessment:

- Class Participation: 40%.

Seminars will be interactive. Participants are expected to discuss assigned readings during class. Class participation counts for 40 percent of the final grade.

- 2 Reflection Papers: 60%

To stimulate discussion, participants will write two response papers related to two seminars of their choice over the course of the semester. A response paper can consist of any or all of critique, summary, elaboration, expressions of disagreement or puzzlement, suggestions for further inquiry, and so on – as long as it is directed to the readings for the seminar concerned.

Response papers should be 1000-1200 words long and need to be uploaded via Moodle 48 hours prior to the relevant seminar. They need to include the participant's name, email address and word count.

Language of instruction: English

030581 KU International Economic Law

Univ.-Prof. Mag. Dr. Michael Waibel, LL.M. MSc.

3 ECTS

Course Description: This course offers an integrated treatment of international economic law (trade, investment and finance) and the governance of the global economy.

After a historical introduction to global economic integration and its challenges, we cover the making of international economic law; market access; non-discrimination; leveling the playing field; risk and uncertainty; dispute settlement and enforcement.

Assessment:

- Class Participation: 40%.

Seminars will be interactive. Participants are expected to discuss assigned readings during class. Class participation counts for 40 percent of the final grade.

•2 Reflection Papers: 60%

To stimulate discussion, participants will write two response papers related to two seminars of their choice over the course of the semester. A response paper can consist of any or all of critique, summary, elaboration, expressions of disagreement or puzzlement, suggestions for further inquiry, and so on – as long as it is directed to the readings for the seminar concerned.

Response papers should be 1000-1200 words long and need to be uploaded via Moodle 48 hours prior to the relevant seminar. They need to include the participant's name, email address and word count.

Language of instruction: English

European Law

030652 KU EU Constitutional Law: The Evolving Constitution of the European Union - Structures, Principles and Recent Developments ao. Univ.-Prof. Mag. Dr. Alina-Maria Lengauer, LL M

4 ECTS

Course Description: The course deals with structural features and principles of EU constitutional law. The methodological approach will be a comparative analysis of principles of constitutional law and their influence on EU constitutional law.

The first part of the course is thus devoted to the principle of democracy and the development of the European Union and its defining features, then centering on the principle of primacy and the preliminary rulings procedure. The second part focusses on the actors of European integration and their interplay. The third part is devoted to the principles of direct effect and state liability. The fourth part is scheduled to deal with fundamental rights. Finally, in the fifth and last part of this course, questions of union citizenship and human rights' protection shall be discussed, followed by a general wrap-up discussion.

Assessment: Essay (homework) 70% and participation in class 30%

Additional paper for ERASMUS students: In this course, ERASMUS students may write an additional paper, which will be accounted for 4 ECTS (in contrast to the 3 ECTS in the other courses). The paper should be (about) 35 pages long, font size 12 pt., line spacing 1,5. Please, add footnotes or endnotes and an overview of works consulted. Topics should be chosen from a dedicated list provided by the professor. Other topics are also possible, but need to be agreed with the professor.

Language of instruction: English

Held each semester

030438 KU Introduction into European IT-Law Univ.-Prof. Mag. Dr. Nikolaus Forgó

3 ECTS

Course Description: This course, will provide an overview on recent issues of IT-law, in particular from a European law perspective.

Assessment: Active participation, two open-book exams

Language of instruction: English; Held in the winter semester

Comparative Law

030174 KU Comparative Private International Law Univ.-Prof. Dr. Matthias Lehmann, LL.M.

3 ECTS

Course Description: The goal of this class is to familiarise students with the different approaches that exist around the world regarding conflict of laws issues. This should enable them to predict a potential forum and the legal rules applying to cross-border dispute resolution. From a practical viewpoint, such knowledge is vital for a professional career in contract negotiation and drafting as well as in international litigation or arbitration. It may also provide opportunities in an international organisation. The lecture will focus on the conflict-of-laws rules of the EU and the US and compare them to those of other major legal systems (UK, Switzerland, Russia, China, Japan, Latin America).

Assessment: Students will be assessed on the basis of a written exam and on the basis of their participation during the class, weighted 70% for the written exam and 30% for oral participation

Language of instruction: English

Held in the winter semester

030530 KU Comparative Law Univ.-Prof. Dr. Matthias Lehmann, LL.M.

3 ECTS

Course Description: The course is designed to give students an insight into foreign legal systems and legal ways of thinking and to familiarise them with the methods of comparative law. This is particularly useful as preparation for a later professional activity in an international environment as well as a basis for independent legal research. At the same time, dealing with foreign legal systems sharpens the understanding of one's own law.

In the first part of the course, an overview is given of important legal systems, some of which are formative for the legal systems of other countries (USA, UK, France, Spain, Germany, Switzerland, China and Japan). Historical and cultural backgrounds will also be examined in more detail. In the second part, individual legal problems mainly from the field of private law, but also from criminal law and public law, are discussed and their respective solutions in the different legal systems are contrasted and compared.

Assessment: The grade is composed of 70% written examination and 30% participation during the course

Language of instruction: English

Held in the winter semester

030361 KU Comparative Contract Law (2022W)

Dr.Andrijana Misovic, LL.B, LL.M., LL.M.

3 ECTS

Course Description: This course offers a brief analysis of crucial institutions of contract law from a comparative perspective – common law v. civil law systems. After introducing the main principles of contract law (freedom of contract, binding force, informality and fairness), the course will turn to a comparative analysis of the civil and common law systems in context of contract law. It will then proceed to the basic requirements for contract formation: (1) offer and acceptance, (2) intention to create legal relations, (3) legal capacity of the parties and (4) contract formalities. We will spend some time analysing real and hypothetical cases focusing on crucial characteristics of offer and acceptance. Special attention will be dedicated to the French notion of causa,

which will be compared with the common law concept of consideration. We will then turn our attention to contract interpretation and gap filling. This topic will be analysed together with the principle of good faith – a concept perceived differently in civil and common law jurisdictions. The course will then move to the defects of consent (mistake, fraud, threat or undue influence) and misrepresentation. Along the way, the course will analyse the concept of prohibited contracts, focusing on certain timely issues discussed in recent cases (such as for example, cases on surrogate motherhood). We will then examine the remedies available to one party when the other fails to comply with its contractual obligation. The class will focus on specific performance and damages. Finally, we will examine supervening events occurring without the fault of the debtor. The focus will be on force majeure in French law, impossibility in German law and the doctrine of frustration under the English law.

Assessment: The final grade for the course will be made up of the following two components: 1. Class Participation: 40%. Participants are expected to discuss assigned readings during class. 2. Reflection Papers: 60%. Two reflection papers (1,000 – 1,200 words per paper).

Language of instruction: English

Held in the winter semester 2022

Philosophy of Law

030502 KU Law and Liberalism I: From Hobbes to Mill Univ.-Prof. Dr. Alexander Somek

6 ECTS

Course Description: Our modern legal system has been shaped by the ideas of liberal political theory. Historically, this influence is manifest in the writings of authors such as John Locke, Montesquieu or James Madison. The course would like to explore the internal link between liberal political theory and the law based on readings taken from classical texts. It begins, however, by taking some contemporary challenges to liberal democracy into account.

Assessment: Classroom participation, written final exam (1.5 hours)

Language of instruction: English

Held in the winter semester

030502 KU Law and Liberalism II: Liberal Neutrality, Neo-Liberalism, Anti-Liberalism Univ.-Prof. Dr. Alexander Somek

6 ECTS

Course Description: This course continues the course from the winter term, but it can be attended by anyone interested in the topic. The successful completion of the first course is not a prerequisite for admission. The themes to be discussed include, the neutral attitude of a liberal state vis-à-vis various forms of life, the rise of neoliberalism and its manifestation in Law and Economics and Public Choice Theory, and, finally, left-wing and right-wing critiques of liberalism.

Assessment: Classroom participation, written final exam (1.5 hours)

Language of instruction: English

Held in the summer semester

030823 KU Language Beyond Law
ao. Univ.-Prof. Mag. Dr. Wolfgang Wieshaider

3 ECTS

Course Description: The relation of language and law is obvious. This course will cover the aspects of how to lay down law (to legislate), how to understand law (to interpret), how to convey law (to talk and write).

Assessment: attendance, participation, test, homework

Language of instruction: English

Held in the summer semester

030628 KU Les rapports entre l'Etat et les religions : Comparaison des modèles coopératifs et laïques
ao. Univ.-Prof. Mag. Dr. Wolfgang Wieshaider

2 ECTS

Course Description: La laïcité et un terme chatoyant. La France, étant une république laïque, et l'Autriche, qui est religieusement neutre et accorde une personnalité du droit public à des communautés religieuses, semblent représenter des conceptions contraires. A l'aide des questions du mariage, du statut des communautés religieuses, de la religion dans l'espace public et des signes religieux, on va mettre en cause cette supposition.

Assessment: attendance, participation, test

Language of instruction: French

Held in the summer semester

030388 KU Comparative Law of Religion
ao. Univ.-Prof. Mag. Dr. Wolfgang Wieshaider

3 ECTS

Course Description: Analysis of case law of the European Court of Human Rights with regard to the individual and collective exercise of religion.

Assessment: attendance, participation, test

Language of instruction: English

Held each semester

Introduction to Austrian Law

030132 KU The Austrian Legal System – An Overview – for ERASMUS Incomings
Mag. Verena Haas, BA LL.M.

3 ECTS

Course Description: Overview of the Austrian Legal System, especially for ERASMUS Incomings.

Assessment: active student participation, 2 written tests

Language of instruction: Englishm; Held each semester