



JURISTISCHE FAKULTÄT
DEKANAT



**UNIVERSITÄT
HEIDELBERG**
ZUKUNFT
SEIT 1386

Module Handbook

Master of Laws in International Law (LL.M.)

Ruprecht-Karl University Heidelberg

University of Chile

Preamble: Qualification objectives at Heidelberg University

In accordance with its mission statement and constitution, Heidelberg University's degree courses have subject-related, transdisciplinary and occupational objectives. They aim to provide a comprehensive academic education equipping graduates for the world of work.

Consequently, the following competence profile shall be included in module handbooks as a profile of skills valid for all disciplines. It shall be applied to the specific objectives of the individual courses and then implemented in their curricula and modules.

The main points of the competence profile are as follows:

- a) developing subject-related skills with a pronounced research orientation
- b) developing the ability to engage in transdisciplinary dialogue
- c) developing practice-related problem-solving skills
- d) developing personal and social skills
- e) promoting the willingness to assume social responsibility based on the skills acquired

Description

This programme provides a general introduction to international law and its role in today's complex and interdependent world. Special attention will be paid to international trade, investments and

arbitration. It enables students to deepen and broaden their knowledge of international law and support their professional development by enhancing problem-solving skills in a transnational context. It is open for students which have already gathered professional experience after graduation. It is designed for putting students' practical experience and prior legal education in context to both the theoretical underpinnings and the professional application of international law. This Master programme is organized by the Faculties of Law of the Ruprecht-Karl University Heidelberg, Germany, and the University of Chile.

The programme is based on the demands of the "Study and Examination Rules and Regulations for the postgraduate degree programme Master of Laws in International Law (LL.M.)" in force at the Law Faculty of the Ruprecht-Karl University Heidelberg and the University of Chile.

The Master in International Law attracts students from countries around the world and gives them the opportunity to build a truly international network of contacts.

Employment and further study opportunities

The Master in International Law, Investment and Trade builds on prior practical experience and provides conceptual and practical tools to strengthen the professional skills of graduates in order to provide the student with abilities to work, inter alia, in international organizations and government agencies acting in the field of international business, trade and foreign investment, or giving legal advice in the negotiation and execution of international agreements or in the area of external relations.

The graduates are also qualified to hold leadership positions in renowned institutions, advisory and international litigation activities, in fields of arbitration, international investment advice, private legal studies and non-governmental organizations.

Graduates are employed, inter alia, in specialized law offices, international organizations, non-governmental organizations, dispute resolution, consultancy, legal and professional training, the diplomatic service, the academia and the public sector.

Aims of the course

The programme aims mainly at offering a comprehensive analysis and a broader theoretical and practical understanding of current and prospective trends in the field of international law in an era of globalisation.

The impact of globalisation on sources and subjects of international law will be examined. Recent developments in the fields of the international economic law, the protection of the environment and State responsibility, as well as the relevant issues confronted in the international society over the last few years shall be studied as well.

Emphasis shall be placed on subjects relating to the regulation of international trade, investment law and the settlement of international disputes. In this context, special attention shall be given to subjects such as international arbitration and procedures before the World Trade Organization and the International Center for the Settlement of Investment Disputes (ICSID).

Learning outcomes

Upon successful completion of the course, students should be able to:

- a) Demonstrate an awareness of the sources of international law and how those sources are created, understand the relationship between the various sources and how those sources are utilized by international lawyers.
- b) Demonstrate a sound understanding of the basic principles of international law.
- c) Demonstrate a basic understanding of how international legal principles are implemented into, and interact with, domestic law.
- d) Discuss the basic principles of international law with special references to questions of international commercial law, international investment law and international arbitration in theory and apply them in a case-related manner.

Teaching and learning

The LL.M. programme is conducted as small group seminar teaching. A wide diversity of teaching methods is employed by both professional and academic experts throughout the LL.M. courses in order to provide a high-quality learning experience and to achieve the theoretical as well as the professional objectives of its curriculum. To consolidate the inclusion of more professional teaching-learning methodologies and to foster the practical usability of the programme's contents, the following teaching instruments, among others, are used:

- a) Simulations
- b) Resolution of cases

- c) Drafting of legal reports
- d) Strategy design and legal argumentation
- e) Analysis of contracts and drafting of clauses
- f) Application of the case method
- g) Analysis of jurisprudence
- h) Individual presentations
- i) Seminar discussions

In addition, language courses (German as a foreign language and/or introduction to German law) are offered.

Assessment

Most of the courses are assessed by a written exam in English or Spanish. In addition, at the end of each trimester, a final exam in form of a take-home examination is held.

The Master's thesis should be completed within a period of three and a half months with a recommended volume of about 50 to 70 pages. It is intended to show the ability to deal with a question within the chosen legal subject according to scientific methods.

The final oral examination aims to proof the ability to recognize the interrelations of the chosen subject with other contexts of international law. A broad basic knowledge as well as an in-depth knowledge of the respective subject must be shown.

Availability

The programme is organized on a yearly basis. The programme starts in April each year.

- From April to December, courses are taught in Santiago de Chile.
- From December to February, students are supposed to elaborate a draft of their Masters thesis.
- In March, workshops and seminars take place in Heidelberg, Germany. There, students shall complete their Master thesis.

Standard study period

The standard study period of the programme is three trimesters within one year. This includes the time necessary to compose the Master's thesis and take the Master's examination.

Target groups of the study program

The study program is aimed at the following two target groups:

- Persons who already have gained degree-related work experience and wish to further professionalize themselves in this area;
- Persons who would like to prepare themselves for this special field of activity in the light of previous experience.

Entry requirements

Students are required to hold a degree in juridical sciences granted by a Chilean or foreign university and to have an outstanding record of achievement throughout their law studies. German students must have successfully completed the First Legal State Examination. Additionally, students must have acquired degree-related work experience of at least 12 months as a rule.

Language requirements

Students must have a good command of both English and Spanish.

If Spanish is not their first language, a proof of proficiency will be required either as proof of school education or higher education in a Spanish-speaking country or a Spanish test by the Pontificia Universidad Católica de Chile.

If English is not their first language, a proof of competence will also be required either as proof of school education or higher education in an English-speaking country or TOEFL/Test with at least 550 points (210 points in the computer test or 78/80 in the internet based test).

How to apply

The applicants to the LL. M. programme must submit the following documents:

- a) Completed application forms
- b) An official transcript of the academic record of the applicant at the Law School and a copy of the law degree.
- c) Certificate of fluency in English and Spanish (see chapter “Language Requirements”).

Applications must be sent to:

Dr. Andrea Lucas Garín, LL.M.

Heidelberg Center for Latin America

Las Hortensias 2340, Santiago de Chile, Chile

Email: info@hcla.uni-heidelberg.de

First Semester

Module Title	Title of the course, seminar ¹	Credits
<p>Module 1 International Law</p>	<p><u>Compulsory courses:</u></p> <ol style="list-style-type: none"> 1. The evolution of the international system and its impact on International law. 2. Introduction to contemporary International Law. 3. The changing role of subjects of International Law (States, individuals, international organizations). 4. The rights and obligations of the individual according to International Law. 5. The responsibility of the State in accordance with International Law. 6. Bases of jurisdiction in International law (territorial, extraterritorial and universal). 7. The settlement of disputes in contemporary International law. 8. Structure and functions of the International Court of Justice and the International Tribunal for the Law of the Sea. 9. International law and questions related to the environment and natural resources. 	7,5
<p><u>Learning outcomes</u></p> <p>After completing the module, students have extensive knowledge of Contemporary International Law, including the main developments in practical International Dispute Resolution and the basic principles regarding nature, structure and sources of International Law. Thus, they are in a position to comprehensively assess the facts concerning the problems of jurisdiction in International Law and how controversies are solved.</p> <p>Furthermore, the courses aim to provide necessary tools and knowledge to study other modules of the programme related to international regimes, globalizing tendencies in economic and social areas as well as the solution of controversies. This shall encourage students to share their professional experience in class to learn from each other.</p> <p>Additionally, students have comprehensive, fundamental knowledge of new developments and perspectives in contemporary International Law from a theoretical and practical perspective. Students should especially:</p> <ul style="list-style-type: none"> -Understand the concept of subjects developed in International Law, from the traditional perspective based on the State to the introduction of the individual under the rules of International Humanitarian Law, International Law of Human Rights and International Economic Law. -Understand the origin of International Environmental Law, its principles and the global environmental problems. 		

¹ The courses may be subject to change in order to ensure the innovative and highly topical content of the program.

-Understand the evolution of the individual in International Law from the perspective of the development in the field of Human Rights, considering the main protection systems designed by the international community.

Language: Spanish and English

Prerequisites: None

Module offered: Annually

Assessment method

Students' achievement of the learning outcomes of the modules will be assessed through a combination of:

Extended essays, case analysis, drafting of reports and practical activities

Module Title	Title of the course, seminar	Credits
<p><i>Module 2</i></p> <p><i>International Trade: WTO and Intellectual Property</i></p>	<p><u>Compulsory courses:</u></p> <ol style="list-style-type: none"> 1. Evolution of the Law that governs international trade according to the fundamental rules of the GATT / WTO. 2. Increased competition in international trade: anti-dumping, subsidies and other issues raised by the WTO. 3. Trade in services: WTO, FTA, etc. 4. The experience of economic integration in Latin America: a critical assessment (MERCOSUR, Andean Community, Central American Community, Caribbean Community). 5. Regional economic integration: The EU / EC as an advanced model. 6. The Chile-European Union Association Agreement: free trade and broad cooperation. Negotiation and implementation of the US FTA with Chile, CAFTA DR, Peru and Colombia. 7. Trade and Economy in the Pacific Basin. 8. New issues related to trade and the environment. 	<p>5</p>
<p><u>Learning outcomes</u></p> <p>This Module is designed to give students an understanding of International Trade and its new regulations.</p> <p>At the same time, they can understand the economic principles behind multilateral systems and the structure of the WTO and thus, resolve conflicts on a practice-oriented and academic level.</p>		

They are aware of the scope of anti-dumping prevention regulations, subsidies etc. and can critically evaluate the economic integration in Latin America. In addition, they are able to follow the professional and socio-political discourse regarding International Trade and its new regulations. They also have the ability to work out more complex issues and legally assess them.

Students will be able to deal with unknown case designs and can solve issues in the consulting practice efficiently and safely after having understood each stage of the process that takes place within the framework of the Dispute Settlement System of the World Trade Organization; generate a reflection on the experience of developing countries as well as a general evaluation of the system. Additionally, students will

- understand the fundamentals and the main characteristics of technical barriers to trade, health and sanitary measures and intellectual property rights contained in the different bodies of the WTO agreement.
- understand the specific case of the dispute settlement system in the Chile-European Union Agreement.

Language: Spanish and English

Prerequisites: None

Module offered: Annually

Assessment method

Students' achievement of the learning outcomes of the modules will be assessed through a combination of:
Extended essays, case analysis, drafting of reports and practical activities

Second Semester

Module Title	Title of the course, seminar	Credits
<i>Module 3</i> <i>International Trade: Regional Economic Integration</i>	<u>Compulsory courses:</u> 1. Regional economic integration in the European Union (advances and setbacks). 2. The experience of economic integration in Latin America: critical evaluation (Mercosur, Andean Community, Central American Common Market, Caribbean Community). 3. Rules and principles related to free trade and the settlement of disputes in free trade agreements, with special reference to those signed by the countries of Latin America and the Chile-European Union Association Agreement. 4. Inter-continental free trade negotiations: negotiations of the Transpacific Free Trade	13,5

	<p>Agreement; Canada-European Union Free Trade Agreement; Regional Integral Economic Association Agreement (RCEP).</p> <p>5. Dispute resolution in highly integrated systems.</p> <p>6. New questions related to trade and the environment: evolution of dispute resolution.</p> <p>7. Intellectual property and dispute resolution: issues related to international regulation.</p> <p>8. The ICAN dispute resolution system.</p> <p>9. Methodology of legal research.</p>	
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Learning outcomes

This course examines questions of regional economic integration from both a theoretical and a practical view. It covers the core trade theories under perfect and imperfect competition and applies them to understanding the pattern of trade. This module aims to provide an in-depth understanding of international economics and the economics of regional integration and to outline and assess the extent to which international trade theory and recent developments in trade policy analysis shed light on current national and international policy issues. The module also covers the formation of regional trade agreements. The topics covered in this module are relevant to gain an appreciation for how the world economy works. Students acquire an in-depth understanding of international economics and the economics of regional integration, and learn to outline and assess how disputes in free trade agreements are settled.

As a result of analysing and understanding the forces shaping the global economic analysed in this course, students are equipped with strong analytical skills which will help the pursue a career as an international economist either in academia, in a multilateral organisation, in the public or private sector.

Additionally, students will

- Be able to demonstrate a solid understanding of international trade theory
- Be able to show an awareness of both traditional trade theory and the most important recent developments in both theory and empirical research on international trade
- Be able to demonstrate an appreciation of how these issues relate to current policy issues in international economics
- Be able to demonstrate a broadened theoretical understanding of economic theory and how it can be applied to analyse policy issue
- Be able to apply the analytical skills to issues associated with international trade and regional integration

Language: Spanish and English

Prerequisites: None

Module offered: Annually

Assessment method

Students' achievement of the learning outcomes of the modules will be assessed through a combination of:

Extended essays, case analysis, drafting of reports and practical activities

Module Title	Title of the course, seminar	Credits
<p>Module 4</p> <p>International Investments</p>	<ol style="list-style-type: none"> 1. Introduction to international investment treaties and international arbitration treaties. 2. Direct and indirect expropriation, fair and equitable treatment and other protection regulations in accordance with investment treaties and free trade agreements. 3. Investments, trade and new policies of the European Union. 4. Rules and principles applicable to ICSID arbitrations. 6. Investments and Commerce. 7. Double International Taxation. 8. Intellectual property. 	5
<p><u>Learning outcomes</u></p> <p>The purpose of the module is to introduce the regime of foreign investment in Chile, the role played by the Investment Protection Treaties (API-BIT) and the foreign investment chapters included in the Free Trade Agreements which Chile has subscribed. Through case studies, students should be able to examine and understand in depth the substantive aspects of investment protection, in light of the findings and reasoning of ICSID judgements and NAFTA rules.</p> <p>Students will be able to deal with unknown case designs and can solve issues in the consulting practice efficiently and safely.</p> <p>After completion of this module, students can recognize possible double taxations and thus classify them according to national law as well as double taxation treaties and resolve conflicts in a practice-oriented and at the same time scientific level. In addition, they are able to follow the professional and socio-political discourse on and against strategies for international tax avoidance. They also have the ability to work out more complex issues and legally assess them.</p> <p><u>Language:</u> Spanish and English</p> <p>Prerequisites: None</p> <p>Module offered: Annually</p> <p><u>Assessment method</u></p> <p>Students´ achievement of the learning outcomes of the modules will be assessed through a combination of:</p> <p>Extended essays, case analysis, drafting of reports and practical activities</p>		

Module Title	Title of the course, seminar	Credits
<i>Module 5</i> <i>International Commercial Arbitration</i>	<u>Compulsory courses:</u> 1. The solution of international financial conflicts and the insolvency of States. 2. New issues related to international commercial arbitration. 3. The operation and practical problems of the New York Convention. 4. Arbitration rules of the International Chamber of Commerce and related practice. 5. Arbitration in accordance with UNCITRAL rules. Dispute boards. 6. International Sports Arbitration. The German Arbitration Law. 7. International commercial arbitration in Chile.	7,5

Learning outcomes

The students acquire knowledge in the field of divergent courses with a focus on international commercial arbitration and can independently solve basic legal problems and cases in the mentioned areas. The purpose of the course is for students to know, understand and learn to use the conceptual, behavioural, strategic and practical aspects that surround and are present in any international commercial arbitration process from its preparation to its closure, in accordance with the rules of the Chamber of International Trade. At the same time, students learn to understand the evolution of Contract Law, in order to distinguish its principles and analyse the current situation of the homogenization of Contract Law, highlighting the work of institutions such as UNCITRAL and UNIDROIT.

After completion of this module, students can understand the central fundamentals of the most important concepts in the scheme of German Public Law. Furthermore, students can understand the basic structure of the German Federal System and the basic rules regulating the protection of Fundamental Rights in the Fundamental Law of the Federal Republic of Germany. This module is designed to ensure students are prepared for institutional visits that include a talk about the cases or topics discussed at the time of the visit in Heidelberg. The purpose of the module is to introduce the regime of foreign investment in Chile, the role played by the Investment Protection Treaties (API-BIT) and the foreign investment chapters included in the Free Trade Agreements which Chile has subscribed. Through case studies, students should be able to examine and understand in depth the substantive aspects of investment protection, in light of the findings and reasoning of ICSID judgements and NAFTA rules.

Students will be able to deal with unknown case designs and can solve issues in the consulting practice efficiently and safely.

Language: Spanish and English

Prerequisites: None

Module offered: Annually

Assessment method

Students' achievement of the learning outcomes of the modules will be assessed through a combination of:

Extended essays, case analysis, drafting of reports and practical activities

Module Title	Title of the course, seminar	Credits
<i>Module 6</i> <i>Master Thesis</i>	<u>Learning outcomes</u> Students are able to choose topics, research effectively and cite sources correctly. They continue to be able to structure the course of the presentation and conclude their own evaluation as a scientific contribution. <u>Language:</u> English Prerequisites: For admission to the Master's thesis, the above-mentioned modules must have been successfully passed. Module offered: Annually	16,5

Module Title	Title of the course, seminar	Credits
<i>Module 7</i> <i>Oral Exam</i>	<u>Learning outcomes</u> The oral final exam should show that the candidate has a broad basic knowledge as well as in-depth knowledge in limited topics of the examination area. <u>Language:</u> English Prerequisites: The oral exam can only be taken after the master thesis has been submitted Module offered: Annually	5