



HÁSKÓLINN Í REYKJAVÍK  
REYKJAVIK UNIVERSITY

# SCHOOL OF LAW

## COURSE PROSPECTUS

### FALL 2017



# SCHOOL OF LAW

The school of Law only offers courses at Masters level for exchange students. All courses in the School of Law are taught on the 15-week semester.

## Department Contact:

Please contact the department for information regarding; courses and course selection.



**Graduate /ML**

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## COURSES OVERVIEW

COURSE CODE	LEVEL	COURSE TITLE	ECTS	PAGE
L-712-IEEL	ML	INTERNATIONAL AND EUROPEAN ENERGY LAW – ICELANDIC ENERGY LAW	7.5	2
L-714	ML	EUROPEAN CONVENTION ON HUMAN RIGHTS	7.5	3
L-752	ML	THE INTERNATIONAL LAW OF THE SEA	7.5	3
L-732	ML	WILLEM C. VIS INT. COMMERCIAL ARBITRATION MOOT I PART I	7.5	4
L-755	ML	INTERNATIONAL STANDARDS OF INVESTMENT PROTECTION	7.5	5
L-601	ML	LEGAL ENGLISH	7.5	6

## GRADUATE COURSES

### L-712-IEEL INTERNATIONAL AND EUROPEAN ENERGY LAW – ICELANDIC ENERGY LAW

LAW

LEVEL: ML

ECTS: 7,5

LECTURER: FANNEY RÓS ÞORSTEINSDÓTTIR & EDUARDO PEREIRA

**CONTENT:** The course provides an overview of the organizational and regulatory framework concerning the energy sector, acknowledging the importance of energy on a global scale. The course is divided into two parts. The first and main part (6 ECTS) covers the principal legal and policy issues relating to international and European energy affairs. The second part (1.5 ECTS) is concerned with the legal framework of the Icelandic energy market. The students can choose to complete either 6 ECTS or 7.5 ECTS. The first part of the course deals with international energy relations and discusses the global quest for energy resources and the role of the major actors on the energy market.

In this part the main policy and legal issues and principles governing the energy supply chain, i.e. generation, transmission and consumption, in the EU will be covered. A special focus will be on renewable energy matters and legal issues related to emission trading. In this part energy-specific regulation, the role of courts and international institutions in general will also be discussed. The second part of the course covers the legal framework of the Icelandic energy market. It focuses on Iceland's obligations under the EEA-agreement in the field of energy and legal issues related to implementation of the relevant EU directives into national law.

#### LEARNING OUTCOMES:

- Knowledge:** At the completion of the course the student should have: Acquired basic knowledge of the legal and institutional framework in the field of energy law in the international and European context and be able to identify and explain the main principles and legal issues related to generation, transmission and consumption of energy. Students should also have acquired basic knowledge of the legal framework governing the Icelandic energy market, its main characteristics and identify possible legal relations and problems.
- Skill:** At the completion of the course the student should be able to apply energy law to issues relevant in the energy sector. This involves among other things that the students are able to find, interpret and apply legal sources of the relevance for the energy sector and able to apply international and European laws when working on projects concerning the energy sector.
- Competence:** At the completion of the course the student should have knowledge and skills, to be put in practical use and/or for further study. This involves that students have (1) developed competence and sufficient independence for further study in energy law, (2) ability to work independently and in organised manner on topics concerning the energy sector, and (3) the ability to interpret, explain and present theoretical issues concerning energy law.

**COURSE ASSESSMENT:** First part Assignment 40%, presentations 20% & exam 40%. Second part: Assignment 70%, presentations 20% and participation in class 10%. Reading material: Selection of book chapters and articles. Teaching methods: Lectures and discussions.

## L-714 EUROPEAN CONVENTION ON HUMAN RIGHTS

LAW

LEVEL: ML

ECTS: 7,5

LECTURER: RAGNA BJARNADÓTTIR & DAVÍÐ ÞÓR BJÖRGVINSSON

**CONTENT:** The course will provide an in-depth analysis of the law of the European Convention on Human Rights. The first part of the course is dedicated to introducing the Council of Europe, The European Convention on Human Rights and its supervisory system. The European Court of Human Rights will be placed in focus with emphasis on its methods of interpretation and its procedure. Its current workload and future prospects will also be dealt with. Finally the connection between the Convention and European Law as well as the domestic law of member states will be covered.

The second part of the course is dedicated to the principal substantive rights protected by the Convention and its Protocols, such as; the right to life, the prohibition of torture, the right to a fair trial, the right to respect for private and family life, the freedom of thought, conscience and religion, the freedom of expression, the freedom of assembly and association, the prohibition of discrimination, the protection of property and the right to education.

### LEARNING OUTCOMES:

**-Knowledge:** The objective of the course is for students to obtain knowledge of the principal substantive rights protected by the Convention, the Convention system, the working methods of the Court in interpreting and applying the Convention and the connection between the Convention and European Law as well as the domestic law of member states.

**-Skill:** By the end of the course the students will have developed analytical skills and training in the application of Convention rights to practical problems. They will also be well equipped to use the search engine of the European Court of Human Rights, HUDOC.

**-Competence:** By the end of the course the knowledge and skills described above will be of practical use to the students in their further studies and/or research in the field of human rights. It will also be of practical use in professions such as legal counselling, prosecution, judicial work as well as several areas within the administrative branch.

**COURSE ASSESSMENT:** Project 50%, Final Exam 50%. Reading material: Jacobs, White and Ovey: The European Convention on Human Rights. 6. Edition. Oxford University Press 2014.

## L-752 THE INTERNATIONAL LAW OF THE SEA

LAW

LEVEL: ML

ECTS: 7,5

LECTURER: BJARNI MÁR MAGNÚSSON

**CONTENT:** This course introduces the major themes and issues of the modern international law of the sea. The aim of the course is to familiarise students with the contemporary challenges in the regulation of the oceans. The course is taught in English. The focus of the course is on the legal framework contained in the 1982 United Nations Convention on the Law of the Sea and associated instruments. Students will consider the fundamental principles of the law of the sea set out in the Convention. In particular, they will analyse the maritime zones created under the Convention which include the territorial sea, the exclusive economic zone, the continental shelf, the high seas and the International Seabed Area. They will also study the way in which the law of the sea is developed by a variety of international institutions and how states have tackled new issues that have arisen since the conclusion of the 1982 Convention, e.g. increment of piracy and the increased attention towards the Polar Regions. Finally, they will consider the role that judicial dispute settlement plays in the law of the sea regime. A special focus will be on issues relevant for Iceland. Students will work directly with primary materials, including the relevant international treaties and decisions of international courts and tribunals. By the end of this course, students should be equipped with the ability to analyse and present coherent and persuasive arguments in relation to the areas studied.

### LEARNING OUTCOMES:

**-Knowledge:** General knowledge and insight of the main theories and concepts covered in this course. Knowledge refers to the student being able to describe intuitively the course content and linkages. At the end of the course students should be able to explain how different ocean areas are defined and delimited and describe and explain the rights and obligations of coastal states and other states in various maritime zones.

**-Skill:** Apply the international law of the sea to issues of relevance for the oceans and use international law on legal questions concerning the oceans. This involves among other things that students are able to find, interpret and apply the primary legal sources of relevance for the international law of the sea. In addition, they should be able to apply the international law of the sea when working on projects concerning the ocean.

**-Competence:** This involves that student has (1) developed competence and sufficient independence for further study in international law; (2) ability to work independently and in an organised manner on topics concerning the international law of the sea; and (3) the ability to interpret, explain and present theoretical issues concerning the international law of the sea.

**COURSE ASSESSMENT:** 30% paper. 30% group assignment. 40% final exam. Reading material: Yoshifumi Tanaka, The International Law of the Sea (2nd edition, Cambridge University Press, 2015) and additional material announced later. Teaching methods: Lectures, seminars, assignments and visits.

LEVEL: ML

ECTS: 7,5

LECTURER: GARDAR VÍDIR GUNNARSSON

**CONTENT:** The course is divided into two parts, I and II. Work on the course begins in early September and concludes with participation in a moot court competition held in Vienna, Austria, in the week before Easter. In the first part of the course (I) students will be required to prepare a Memorandum for Claimant based on a description of particulars which is normally published in the first week of October. All documents to be prepared in the course are in English. The matter at issue will concern a dispute on an international sale of goods based on the UN Convention on Contracts for the International Sale of Goods (CISG). Account also has to be taken of the rules of law that apply to procedure before an international court of arbitration based on the UNCITRAL Model Law on International Commercial Arbitration and the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards. The claimant's memorandum must be submitted in early December. Before work begins on the preparation of documentation lectures will be held covering the principal rules of procedure that apply in the above fields and also some of the principal matters that need to be borne in mind in the preparation of the documents that need to be submitted. From the outset of the course students will need to acquaint themselves thoroughly with the CISG convention by reading scholarly articles and judgments. Also, students will need to acquaint themselves in detail with the rules of civil procedure that apply in each case, which vary from one year to the next, as the cases are based on the procedural rules of different arbitration institutions each year, and they will need to be familiar with the fundamental principles of international arbitration law.

In the second part of the course (II), which takes place in the spring, participating students need to prepare and submit a respondent's memorandum as a response to the claimant's memorandum. The organisers of the competition will send to each participating university a claimant's submission which has been prepared by another university. The respondent's memorandum must be submitted in mid-January. When the respondent's memorandum has been submitted this is followed by preparations for oral argument before an arbitration tribunal and finally participation in the competition itself in Vienna. According to the rules of the competition participants in the course/competition must work by themselves without significant assistance from anyone other than their fellow students on the preparation of the applicant's and respondent's memoranda. The School of Law will provide students with working facilities for all preparations. The School will also, to the extent that the rules of the competition permit, provide participants with instruction, e.g. for the oral arguments. A special application must be made for admission to the course, as further detailed in the course website. A significant emphasis is placed on participants' sound knowledge of spoken and written English, as all writing of documents and all oral arguments take place in English. Further information on the competition is available on the following website: <http://www.cisg.law.pace.edu.vis>; interested students are encouraged to familiarise themselves thoroughly with this information, including the rules of the competition and the general information included below on the objectives and structure of the competition.

#### LEARNING OUTCOMES:

–**Knowledge:** knowledge of the UN Convention on Contracts for the International Sale of Goods (CISG) and other procedural rules and legal viewpoints that apply to international sales of goods, in addition to the principal fundamental rules of international arbitration law. In the course students will also gain increased knowledge of these fields through research of the legal matters that are at issue at any time, which they are expected to use both in the preparation of their documents and in the course of hearings.

–**Skills:** Students should have acquired significant experience and training in the preparation of submissions for both claimants and respondents in proceedings before courts of arbitration and they should have learned independent professional work methods in preparing such documents. This experience will not be limited to the conduct of proceedings before an arbitration tribunal, but work methods that can be used in the preparation of legal documents in litigation in general. It is also expected that the training provided by the course will encourage students to apply original thinking when it comes to analysing and resolving legal issues.

–**Competence:** The work that students will be required to do in the course, together with the work of producing documents and participating in oral argument, will have the effect of significantly improving students' competence in expressing themselves in spoken and written English. Also, there will be a significant emphasis on independent work methods and original thinking. Furthermore, the course is designed to improve students' competence in analysing legal issues and the means available for their resolution and how to present legal reasoning in an organised and efficient manner.

#### COURSE ASSESSMENT:

Course assessment will be based on performance in writing documents and oral argument. This is a pass/fail course.

**Reading material:** Rules of law: The United Nations Convention on Contracts for the International Sale of Goods (CISG), The Convention on Recognition and Enforcement of Foreign Arbitral Awards, The UNCITRAL Model Law on International Commercial Arbitration, The Rules of the Willem C. Vis International Commercial Arbitration Moot

**Books:** Peter Huber & Alastair Mullis, *The CISG, A new textbook for students and practitioners*, 2007. Joseph Lookofsky, *Understanding the CISG, a compact guide to the 1980 United Nations Convention on Contracts for the International Sale of Goods (Third Worldwide Edition)*, 2008. Nigel Blackaby, Constantine Partasides, Alan Redfern & Martin Hunter, *Redfern & Hunter on International Arbitration*, 2009. Margaret L. Moses, *The Principles and Practice of International Arbitration*, 2008. Julian Lew, Loukas Mistelis & Stefan Kröll, *Comparative International Commercial Arbitration*, 2003.

Bryan A. Garner, *The Winning Brief – 100 Tips for Persuasive Briefing in Trial and Appellate Courts*, 2004. Christopher Kee, *The Art of Argument – A Guide to Mooting*, 2006.

**LEVEL: ML****ECTS: 7,5****LECTURER: FINNUR MAGNÚSSON****CONTENT:**

The course will focus on international investment law which is currently the fastest growing field of public international law. It will address how foreign direct investment is regulated under customary international law and subjected to various investment standards as prescribed in approximately 3,000 bilateral investment treaties (BITs) currently in force.

The course's objectives are to present an overview of the current rules dealing with investment and engage students in a discussion about their nature and foundation. Major themes of international investment law will be analyzed and discussed, such as:

- the concept of "investor" and "investment"
- expropriation
- fair and equitable treatment
- full protection and security
- national treatment and MFN treatment

Furthermore, the course will deal with investment disputes between investors and host states and investment arbitration that addresses disputes stemming from various agreements made between investors and states receiving foreign direct investment (such as concession agreements involving hotel projects, electoral voting systems, mobile network development, aluminum smelter projects, etc.). Various arbitral awards will be discussed, such as CME (Netherlands) v Czech Republic (2001) where the respondent state was ordered to pay a Dutch investor 269 Million US Dollars in compensation for violating various principles of international investment law. Active student participation will be expected. The students will be required to discuss various investment cases dealing with investment disputes and in doing so read, analyse and present arbitral awards of various arbitral tribunals currently topical within the field of international investment law, such as Philip Morris Asia Ltd. (Hong Kong) v Australia (2015) where the investor failed to get compensation following the introduction of anti-tobacco legislation in Australia. Finally, the students will read relevant reading material to be used when discussing topical issues in international investment law.

**LEARNING OUTCOMES:**

The course will seek to achieve three academic goals: (i) to increase knowledge of students; (ii) to provide students with a set of skills enabling them to utilize knowledge acquired and (iii) to provide students with competence to use their knowledge and skills pertaining to international investment law.

- **Knowledge:** Following their participation in the course students should have acquired knowledge of the fundamental standards of international investment law. Students will be able to apply their knowledge, including their understanding of the sources of international investment law, such as BITs, customary international law, general principles of international law and various arbitral cases when addressing topical issues of this field of law.

- **Skill:** Finally, students will have acquired skills to analyze various issues currently being dealt with by all major international law firms.

- **Competence:** One of the competences acquired by students participating in the course will be the ability to analyze and discuss issues that are currently topical within the field of international investment law and present their views and conclusions in a clear manner to the general public and specialists working within this field of law.

**COURSE ASSESSMENT:**

Attendance and participation (case presentations and discussions) 20%, written exam/paper 40%, oral (final exam) 40%.

Reading material: C. Schreuer and R. Dolzer, Principles of international investment law, OUP 2012. Writings of academics and practitioners. Various judgments and arbitral awards. Other material introduced by the lecturer. Teaching methods: Lectures and discussions.

LEVEL: ML

ECTS: 7,5

LECTURER: ERLENDÍNA KRISTJÁNSSON

**CONTENT:**

Legal English is a practical course aimed at developing students' skills in using English as a professional language. Students mainly build on their speaking and writing skills in a legal context and work towards increasing their legal vocabulary substantively. Students improve their pronunciation and learn how to apply effective communication strategies for purposes of public speaking activities, such as, professional speeches, presentations, and court cases. The course also provides students with clear guidelines on how to write basic legal texts, such as, professional e-mails, bad-news communication, legal briefs, legal memos, and international sales contracts. The course covers the main writing conventions for purposes of legal drafting and communication with clients as set out by the European Commission and other anti-legalise associations. Students work on texts and complete practical exercises relating to the following themes: court case formats, legal drafting, systems of government – constitutional law, human rights, contracts, company law, and company finance. The course prepares students for the International Legal English by Cambridge University (ILEC exam) and participation in international moots, such as the annual Willem C. Vis International Commercial Arbitration Moot. The course also provides students with the foundations needed to work in international organisations or law firms. The level of the course is equivalent to C1 of the Common Framework of Reference for Language Learning.

**LEARNING OUTCOMES:**

Learning outcomes:

**-Knowledge:** In terms of knowledge, students will be able to:

- define the main words and phrases of international contracts
- define at least 150 new legal terms and phrases
- describe the main characteristics of legalese
- explain the main writing formats and structures of legal correspondence.
- understand the mechanics of legal writing (capital letters, numbers, punctuation)
- list the main theories relating to legal argumentation and logic
- explain the characteristics of professional speeches and presentations

**-Skill:** In terms of skills, students will be able to:

- write well-structured legal messages
  - devise a bad-news letter
  - learn vocabulary more effectively
  - give a professional speech and presentation
  - present legal arguments in a court setting
- Competence:** In terms of competences, students will be able to:
- write with grammatical correctness
  - write with effective punctuation marks, correct use of capital letters and numbers
  - express themselves in a well-organised manner
  - communicate with use of the appropriate legal vocabulary

**Course Assessment:**

Continuous evaluation with emphasis on small, practical speaking tasks for skills development purposes. No final exam. Speaking (35%): Informative Speech – 5% / Persuasive Speech – 5% / Class Presentation – 10% / Moot – 15%, Writing (30%): Bad-news letter - 5% / Legal Brief – 10% / Test on Legal Writing – 15%, Vocabulary Tests (35%): Test 1 – 15% / Test 2 - 20%  
Reading material: TBA: Teaching methods: Short lectures, practical language assignments and discussions.