



Lectures conducted in English – Fall Semester 2022

Title of Lecture /Module	ECTS	Lecturer(s)	Content
Children's Right Link	6	Alexandra Dufresne	<p>This class explores the most pressing legal and policy dilemmas in the field of children's rights. We will take an international human rights and comparative law approach to major topics, including: protection from child abuse and neglect, child labor, the right to education, juvenile justice, the rights of refugee and immigrant children, the right to a sustainable environment, and issues of "child voice," including children's rights to participate in the political process. The class will combine theory with practice and teach students the real world skills they need to be effective lawyers and advocates for children.</p> <p>Although we will explore children's rights in an international human rights and comparative law context, a significant number of the cases we study will come from the U.S. and other English-speaking jurisdictions.</p>
Contract Design I Link	6	Alexander Stremitzer	<p>Contract Design I is taught by Professor Alexander Stremitzer (https://laweconbusiness.ethz.ch/group/professor/stremitzer.html) and aims to bridge the gap between economic contract theory, contract law, and the writing of real-world contracts. In this course, we take a systematic approach to contract design. This means we first analyze the economic environment in which a transaction takes place, and then engineer contracts that achieve the desired outcome. Note that this is NOT a legal drafting class that focuses on contractual language.</p> <p>Instead, in Contract Design I, you will learn what the content of a contract should be so that parties can reach their goals.</p> <p>Contracts are agreements between parties to engage in transactions. A good contract creates value by giving parties the right incentives to meet their objectives. A good contract designer scrutinizes the economic situation in which parties find themselves and tailors the contract to the challenges at hand. To</p>



help you become sophisticated contract designers, we draw from insights, for which more than half a dozen Nobel Prizes were awarded in the past two decades, and transfer them to the art of writing real-world contracts. In other words, Contract Design I will provide you with analytical tools related to contracting that are invaluable to successful lawyers, business leaders, and startup founders.

In Contract Design I, you will be asked to watch a series of videos (10-

15 minutes each) that we produced for this course. These video episodes introduce you to key concepts of economic, behavioral, and experimental contract theory. We will cover topics such as moral hazard, adverse selection, elicitation mechanisms, relationship-specific investments, and relational contracting. You can find the welcome video at this link (<https://www.youtube.com/watch?v=CvldfG70zq0>). However, this course prioritizes applications of contract design. Therefore, we will use class time to discuss a selection of exciting real-world case studies, ranging from purchases& sales of assets, oil & gas exploration, movie production & distribution, construction & development, M&A deals, to executive compensation and many other types of transactions.

UZH students: Your final grade will consist of three components: 1) You are required to take weekly computer-based quizzes during class time.

Thus, it is imperative that you attend the lectures to be able to finish the quizzes and pass this course. Moreover, we regularly post questions regarding the case studies that we examine in class. 2) You have to compose short responses to these questions and upload them. 3) Lastly, you participate in a group project where your team prepares and records a powerpoint presentation on a particular case study. You will take the role of consultants advising a company board regarding the contract design in an upcoming major transaction.

Comparative Constitutional Law
[Link](#)

6

Tilman Martin
Altwicker

What is a constitution? How are constitutions made? What is constitutional review? How are fundamental rights protected in the constitution? How is power distributed among different branches of government? This lecture presents the principles and structures of constitutional review, fundamental rights and government of selected constitutional states (including Germany, South Africa, India, the United Kingdom and the United States) in a comparative perspective.

In addition, selected topical issues will be explored (the role of international law in constitutional law, constitutional transplants, decline of liberal constitutionalism). Participants are expected to read and



			discuss case law from the selected jurisdictions as well as research literature provided in the lecture materials. Language of materials, lectures and examination will be English.
Comparative Private Law Link	6	José Luis Alonso Ulrike Babusiaux Helmut Heiss Natasa Hadzimanovi	The course will introduce students to contemporary concepts and methods of comparative law. It will illustrate the functions of comparative law by examples taken from various systems of law as well as sources of uniform law
Criminology Link	6	Nora Markwalder	<p>The course aims to introduce students to the basic concepts of criminology and a selection of specific research areas. The following topics will be covered:</p> <ul style="list-style-type: none">- theory and methodology (criminological theories, data collection, evaluations and experiments, national and international databases)- crime prevention (crime mapping, hotspot-analysis and problem-oriented policing)- white-collar crime and organized crime - violent offenses and homicides- victimology- juvenile delinquency- comparative criminological research- effects of sanctioning



Current Issues in International Law Link	6	Christine Kaufmann	<p>The completion of the bachelor course in criminology is not required for this course.</p> <p>This course examines current, generally important issues of international law. Topics will therefore vary from year to year.</p>
European Criminal Law Link	6	Lukas Staffler	<p>The topic in fall semester 2022 is Digitalization and International Law.</p> <p>The course offers a systematic introduction to the field of European Criminal Law combining European Union Law and Council of Europe Law. The course will cover substantive criminal law (e.g. money laundering, terrorism) as well as criminal procedure (most importantly mutual legal assistance and law enforcement institutions). In the first part, particular attention will be paid to the structures and constitutional foundations of European Criminal Law and its fundamental rights framework. The powers and limits of law- and policy-makers in the European realm will be subjected to critical analysis. The second part of this course continues with an overview of the main substantial and procedural issues in the field of European criminal law before turning to more in-depth explorations of selected up-to-date topics. Among others, innovations in the EU will be studied (EPPO, mutual recognition, e-evidence) and discussed in terms of their compatibility with human rights, traditional tenets of criminal procedure and basic concepts of justice. Finally, the delicate position and options of Non-EU-countries will be addressed.</p>
European Tax Law Link	6	Madeleine Simonek	<p>The course European Tax Law is divided into three parts and begins with an introduction into the general principles of EU law looked at from a tax perspective and an overview of the tax relevant aspects of the relationship between Switzerland and the EU. In Part two, the ECJ jurisdiction on the fundamental freedoms in tax matters and its impact on the domestic tax laws of the EU member states will be discussed. Part III deals with the tax directives and the EU state aid rules with a focus on direct taxes. Part II and Part III will consist of presentations of the students.</p>
Global Legal History Link	6	Elisabetta Fiocchi Malaspina	tba
History of Business Law Link	6	Andreas Thier	<p>The course examines the foundations of the normative framework of the economy, market order and the organizational structures of market participants from the perspective of legal history. It focuses on the connections between legal structures, developments in economic history and cultural change.</p>
International Organisations Link	6	Urs Saxer	<p>The course is on the law of international organisations as a special branch of public international law. We will start with a general part addressing the basics of the law and the theory of international organisations. We will then discuss the UN, the EU as example of a supranational organisation, regional organisations such as the OSCE and the Council of Europe, the WTO, the Bretton Woods Institutions, humanitarian organisations such as the ICRC, and the role of NGOs.</p>



International Sales Law (CISG) Link	6	Benjamin Gottlieb	This course is designed to introduce students to the theoretical and practical problems of international sales law and the legal solutions served by the United Nations Convention on Contracts for the International Sale of Goods (CISG), which entered into force in 1988 and counts today more than ninety contracting states. The course focuses mainly on the scope of application of the CISG, the hierarchy between the CISG and national sales law provisions, formation of the contract under the CISG, obligations of the parties and remedies in case of non- performance, and the liability regime of the CISG. The course aims also to use the CISG as a base to discuss differing approaches in Civil Law and Common Law jurisdictions, thereby facilitating students with international background to scrutinize their own national sales law system.
International Trade Regulation Link	6	Charlotte Sieber-Gasser	This course deals with the two central developments in the field of international trade regulation since the end of the Second World War, namely multilateralism and regionalism. With respect to the former, the focus lies primarily on the law and policy of the World Trade Organisation (WTO). Topics include the principles of non-discrimination and transparency, the pursuance of legitimate policy objectives other than trade liberalisation (such as the protection of the environment and human and animal life and health), non-tariff measures (such as rules on technical regulations and subsidies), and current developments (such as the so-called «trade war» between the US and China and the dissolution of the WTO Appellate Body). Special attention is given to the case law of WTO panels and Appellate Body. With respect to regionalism, the focus lies on the law and policy of free trade agreements. Of particular interest are examples of regulatory innovation in selected free agreements which the US, the EU and Switzerland have concluded with partners all over the globe. Moreover, the relevance of "mega regionals", such as the (perhaps re-emerging) TTIP, the CPTPP, RCEP or TiSA is discussed. Finally, the course also addresses the relationship between international trade regulation and domestic law and policy, in particular with a view to EU and Swiss law.
Law and Economics Link	6	Adrian Künzler Mark Steiner	Introduction to the foundations of the economic analysis of criminal law, property, tort, contract, corporate, competition and intellectual property law.
Legal Theory Link	6	Matthias Mahlmann	The module offers an outline of key issues of a theoretical reflection of law and justice. It will discuss some historical examples of the evolving theoretical reflection of law and its ethical foundations. In addition, central analytical and normative problems will be considered concerning the structure and content of law and its relation to ethical thought. A special focus of attention will be contemporary cognitive science and its impact on the understanding and conceptualisation of law, including the structure and origin of moral cognition and the problem of free will. The course will offer a critical assessment of these approaches that form one of the most important issues in the contemporary reflection about law. Serious thought on these matters, it will be argued, leads to central problems of our human self- understanding that are of foundational importance for our concept of law. The theoretical reflection and its results will be exemplified by concrete cases including target killings, torture and other issues of civil, criminal, public law and the adjudication of human rights.



Principles of Corporate Law Link	6	Samuel Kern Alexander David Bertrand Roth	In the course Principles of Corporate Law we will discuss and analyse the fundamental theories of the company, the role of the board of directors, the role of shareholders, the minority shareholder rights, investor protection, the EU Company Law, Corporate Governance, insider dealing and market abuse, etc. All the issues are dealt with using an international and comparative perspective. Please consult the website of the chair of Prof. Alexander to get a comprehensive overview.
Recent Case Law of International Courts Link	6	Helen Keller Elena Brodeala	<p>Cases before international courts and tribunals raise fascinating, often highly political issues and shape the future development of international law. In this course we will critically analyse some of the most important judgments issued in recent years by the International Court of Justice as well as other international and regional courts and tribunals, such as the European Court of Human Rights. The course will be based on a reader of recent international case law. Each lesson will be devoted to the thorough analysis of one or two cases decided by an international court or tribunal.</p> <p>The number of participants is limited to 24. The first 24 students to book the module and, in addition, to send an email to the Chair (to confirm their interest and secure a presentation slot) will be able to participate. Mobility students who cannot access the module booking tool will have to contact the Mobility Office for booking modules. If you would like to participate in the course but the module is fully booked, please still state your interest, since it is possible that some spots become available again in the first weeks of the semester.</p>
Responsible Business Conduct Link	6	Christine Kaufmann Ron Popper	The course will focus on the existing and emerging rules on corporate responsibility. After an introduction covering the basic instruments in the field of responsible business conduct, including the OECD Guidelines on MNEs, we will discuss the intersection of business with all aspects of society, with a more detailed look on corruption and climate.
Regulation Without Law? Law and Technologies of the Twenty-First Century Link	6	Christoph Beat Graber	<p>The rapid evolution of technology in the twenty-first century has changed our everyday experience. Every time we connect to the online world, we are faced with filtering technologies that determine what we can or cannot view. More and more we are tied into technology-driven regimes that tether us to manufacturers able to control our experience through locked-in systems and "updates", such as with the iPhone.</p> <p>Dependency-creating technologies are being developed, such as "terminator seeds" that self-destruct after one use, forcing farmers to buy seeds anew every season. These technologies exclude people in a manner analogous to state-enacted property regimes, or make them dependent on their manufacturers, raising issues of power balance. But, how is it that we should understand these technologies and the fact that they have law-like effects? Should we understand them as law or as part of the legal system? At the same time, how do these new technologies affect the way we conceive law? During the course we are</p>



			going to take a primarily theoretical approach to reflect on the relationship between law and new technologies of the twenty-first century and how the concepts of "law" and "regulation" evolve under these new technological conditions.
The Art and Science of Negotiations Link	6	Felix Addor	<p>To be effective in negotiations is of crucial importance in every profession. The negotiation process is an extensive strategy, based on abilities that can be acquired, experienced and applied to solve conflicts of interest in a sustainable way.</p> <p>This is a practice-oriented, interactive, 'out-of-the-box' course focusing on the basic skills of negotiation. It might change participants' view on how negotiations should be planned, structured and conducted. The course involves negotiation theory and concepts as well as preparation readings, combined with role-play exercises, moot negotiations, case analyses, in-class discussions, and self-assessment instruments.</p> <p>The course is for those, who are eager to learn and reflect on how to solve conflicts of interest in a sustainable way, who are interested to apply newly learnt knowledge in various exercises and, in consequence, who are willing to actively participate in all modules of the course.</p> <p>It is the second time that this course will be offered at the University of Zurich, after a first successful start in 2021. The lecturer has taught similar courses successfully at the University of Bern since 2000 and at the Global Health Centre of the Graduate Institute Geneva.</p>
Workshop and Lecture Series on the Law and Economics of Innovation Link	6	Andreas Heinemann Peter Georg Picht Stefan Bechtold	<p>The Workshop & Lecture Series is a joint project of ETH Zurich and the Universities of St. Gallen and Zurich. The series provides an overview of current interdisciplinary research on innovation, intellectual property, antitrust, privacy and technology policy. Scholars from law, economics, management, computer science, psychology and related fields give a lecture and/or present their current research. All speakers are internationally well-known experts from Europe, the U.S., and beyond.</p>