



University of Lapland

OTK/LAW - Courses in English 2021-2022

Code	Name	Credits
OTKLAW21	OTK/LAW - Courses in English 2021-2022	266-286
Aineopinnot		75
ONEVAL0002	<i>International Sales Law</i>	5
ONEVAL0005	<i>Introduction to Russian Law</i>	5
ONEVAL0009	<i>International Criminal Law</i>	5
ONEVAL0012	<i>Introduction to Legal Informatics</i>	5
ONEVAL0013	<i>Information Law and Information Technology Law</i>	5
ONEVAL0015	<i>Privacy, Data Protection and Data Security</i>	5
ONEVAL0018	<i>Legal Culture and Legal system in Chinese Society</i>	5
ONEVAL0025	<i>European co-operation in Criminal Matters</i>	5
ONEVAL0027	<i>International Environmental Law</i>	5
ONEVAL0028	<i>International Human Rights</i>	5
ONEVAL0029	<i>Law of International Organizations</i>	5
ONEVAL0031	<i>European Constitutional Law</i>	5
ONEVAL0032	<i>Guide to IPR</i>	5
ONEVAL0033	<i>Indigenous Peoples' Rights in the Arctic With Comparative Approach</i>	5
ONEVAL0034	<i>European Union Economic Law</i>	5
Syventävät opinnot		191-211
OTMEVAL0003	<i>International Commercial Arbitration</i>	5
OTMEVAL0004	<i>Contract Drafting and Negotiations</i>	5
OTMEVAL0005	<i>Client Consultation</i>	5
OTMEVAL0007	<i>Introduction to Finnish Law</i>	1-5
OTMEVAL0009	<i>Law of the Sea</i>	5
OTMEVAL0010	<i>Space Law</i>	5
OTMEVAL0011	<i>Corporate social responsibility, local people and multilevel governance of natural resources in the Russian North</i>	5
OTMEVAL0012	<i>Willem C. Vis International Commercial Arbitration Moot</i>	5-16
OTMEVAL0014	<i>China's Political System and China as a Global Actor in Before and After Corona World</i>	5
OTMEVAL0018	<i>Advanced Course of Legal Informatics</i>	5
OTMEVAL0019	<i>Company and Contract Law in Russia</i>	5
OTMEVAL0020	<i>European Law I</i>	6
OTMEVAL0021	<i>Public International Law</i>	5
OTMEVAL0033	<i>Master Thesis</i>	26
OTMEVAL0036	<i>Proactive Law and Legal Design</i>	5



OTMEVAL0037	<i>International Trade Law</i>	5
OTMEVAL0038	<i>Nordic Intellectual Property Law (NIP) Moot Court Competition</i>	10-15
OTMEVAL0043	<i>Law, philosophy, history of the social sciences and power</i>	5
OTMEVAL0045	<i>Advanced Copyright Law</i>	5
OTMEVAL0046	<i>Advanced Patent Law</i>	5
OTMEVAL0047	<i>Advanced Trademark Law</i>	5
OTMEVAL0048	<i>Legal Challenges in International Investments, Indigenous Peoples and Environmental Protection</i>	3
OTMEVAL0049	<i>Sustainable Development and Private Law</i>	5
OTMEVAL0050	<i>Advanced Course on Privacy and Data Protection</i>	5
OTMEVAL0051	<i>European Procedural Law</i>	5
OTMEVAL0052	<i>Air Law</i>	5
OTMEVAL0053	<i>Responsible Platform Economy and Law</i>	5
OTMEVAL0054	<i>Fundamentals of Law and Technology</i>	5
OTMEVAL0055	<i>Conflict management and mediation in civil and commercial disputes</i>	5
OTMEVAL0056	<i>European cross-border insolvency law</i>	5
OTMEVAL0057	<i>European banking law</i>	5
OTMEVAL0058	<i>International Tax Law</i>	5
EU Private International Law		5
OTM0002D1	EU Private International Law, online seminar	2
OTM0002D2	EU Private International Law, written exam	3
OTM0018	<i>Theoretical and Methodological Approaches to EU and International Law</i>	5

OTKLAW21 OTK/LAW - Courses in English 2021-2022: 266 - 286 op

Aineopinnot: 75 op

ONEVAL0002 International Sales Law: 5 op

Objectives

Student understands the interplay between statutory default rules such as the CISG and contracting standards regulating international sales . Student will learn the general knowledge of international sales contract planning and drafting.

Contents

- The UN Convention on International Sales of Goods (CISG)
- Application of the CISG in international sales contracting
- Application of international contracting standards for sale of goods

Study methods

Lectures, team and seminar work (16hours) and a written home exam.

Course literature

ISBN number Literature information

9788757434255 Lookofsky, J. Understanding the CISG 2017

Prerequisites

Law of obligations or a contract law course recommended, but not necessary.

Evaluation scale

H-5

Assessment criteria

0-2

1-5

ONEVAL0005 Introduction to Russian Law: 5 op**Objectives**

The student will get an overview on basic principles of law and society in Russia.

Contents

Sources of law in the Russian legal system.

The structure of the federation, powers of political organs.

The court system and alternative dispute resolution.

Protection of human rights.

Introduction to the system of Russian civil law.

Labor law and social security law.

Legal professions in Russia.

Study methods

Lectures (16h). Written home examination based on the lectures and the literature mentioned below.

The questions of the home exam will be given after the lecturing course is over.

Home exam (essays)

Learning material

1. The constitution of the Russian Federation:: translation published on the web-site of the Constitutional Court of RF: <http://www.ksrf.ru/en/Info/LegalBases/ConstitutionRF/Pages/default.aspx>.
2. Profile of the Russian Federation on the web-site of the European Court of Human Rights https://www.echr.coe.int/Documents/CP_Russia_ENG.pdf.
3. Nysten-Haarala, Soili, Weak Property Rights and Unequal Distribution of Wealth as Institutional Obstacles for Development .An Institutional Analysis on Russia. Scandinavian Studies in Law 2015, Vol 59: Law and Development, p. 221-252.
4. Furman, Dmitri, The origins and Elements of Imitation Democracies. Political developments in the Post-Soviet Space in Osteuropa. The Europe beyond Europe. Outer borders, Inner limits. Osteuropa 2007, s.205-243
5. Maggs, Peter, Olga Schwartz and William Burnham, Law and Legal System of the Russian Federation, 6th ed. Huntington, NY: Juris Publishing, 2015.

Recommended Additional Reading:

Trochev, Alexei, Judging Russia. Constitutional court in Russian politics 1940-2006. Cambridge University Press 2008.

Orlov, Vladimir, Introduction to Business Law in Russia. Routledge, 2016.

Prerequisites

Not needed.

Evaluation scale

H-5

ONEVAL0009 International Criminal Law: 5 op**Objectives**

At the end of the course a student is expected to be able to:

- tell about the development of international criminal law and evaluate the importance of international criminal law from national and international point of view
- remember and explain the main concepts and principles of international criminal law
- name the most important international and European documents adopted at the area of international criminal law and describe their main contents
- name international criminal tribunals and describe their development, statutes, jurisdiction and functions
- name principles of jurisdiction and describe their main contents

Contents

The following subjects will be covered:

- criminal jurisdiction
- international crimes
- international criminal tribunals

Accomplishment methods

Written examination or lectures/seminar/workshop.

Study methods

Written examination or instead of an examination active participation to the lectures/seminar/workshop.

Further information

Timing:

Autumn and spring. Lectures/seminar/workshop are organized only in autumn semester. Notice that lectures/seminar/workshop are not necessarily organized every year. Written examination can be taken either in autumn or in spring semester.

Exam:

Electronic Exam.

Learning material

One of the following items (A, B, C, D or E).

Course literature

ISBN number	Literature information
978-1-84946-045-3	A) Bantekas, I. International criminal law. 2010 or
0199694923	B) Cassese, A. - Gaeta, P. Cassese's international criminal law 2013 or
9780521135818	C) Cryer, R. et al. Introduction to international criminal law and procedure 2010 or
978-0-19-870360-0	D) Werle, G, Principles of international criminal law 2014 or
9789522463401	E) Kimpimäki, M. Kansainvälinen rikosoikeus 2015.

Evaluation scale

H-5

ONEVAL0012 Introduction to Legal Informatics: 5 op

Objectives

The aim of the course is to provide students with a basic knowledge of Information and Communication Technologies applied to the law and to make them aware of the legal and ethical issues of ICT. By the end of the course, students will have learned the basic concepts of computer science and how these concepts apply in the legal domain.

Contents

The course covers various topics relating to law in the information society, such as:

- introduction to legal informatics: basic concepts, evolution of the discipline, applications and perspectives,
- computer systems and information systems: the evolution and the impact of informatics, and its application to the legal information systems,
- basics of computers and elaboration of information,
- distributed knowledge society: telematics, information networks, the Internet, Web, Semantic Web, online legal documents,
- dematerialization society: legal rules and Internet rules, the governance of the Internet, domain names, and cryptography,
- basic knowledge of machine learning and artificial intelligence and law,
- basic knowledge of algorithmic decision making and algorithmic justice,
- introduction to cybercrime and electronic evidence,
- an overview concerning the methodology of research in Legal Informatics from a multidisciplinary perspective.

Accomplishment methods

Lecture course or written examination/essay.

Study methods

Alternative 1: Lecture course

In addition to attending the lectures (22 h), the student will be required to complete two tasks.

1) Task 1: Essay (4 credits): The student is required to write an essay. The topic of the essay and the appropriate literature should be discussed with the teacher during the lectures period. The essay is composed by: the title, an abstract, the table of contents and the essay. The complete list of the requirements for the essay will be delivered during the lectures.

2) Task 2: Answer to one question (1 credit): The student should answer to one open question. The questions are based on chapter 1 (Law and the Information Society), 2 (Computers) and 7 (Internet) of the book: G. Contissa, Information Technology for the Law, Giappichelli 2017). The set of questions will be delivered during the lectures, and the student is required to choose only one of them. The answer (from 1 up to 2 pages) should be handwritten in the exam sheet given by the teacher.

Alternative 2: Completing the course without attending the lectures

Alternatively, the course can be completed either by taking a written examination or by writing an essay without attending the lectures.

If a student wishes to complete the course by taking a written examination without attending the lectures, the written examination consists of set of 4 questions based on the entire book: G. Contissa, Information Technology for the Law, Giappichelli 2017.

If a student wishes to complete the course with an essay without attending the lectures, they are required to write an essay of approximately 25 pages (from 9000 up to 10.000 words). The topic of the essay and the appropriate literature should be discussed with the teacher also via email. The complete list of the requirements for the essay will be sent via email to the student.

Further information**Timing**

Lectures (22 hours) will be delivered during the Autumn and Spring semesters.

The essay can be delivered for assessment anytime during the Autumn and Spring semesters. Exams will take place on specified general examination days of the Faculty of Law.

Teachers

Dino Girardi (LL.M, Ph.D. Candidate, University of Lapland & University of Bologna, dino.girardi@ulapland.fi)

Juhana Riekkinen (LL.D. trained on the bench, University Lecturer in Legal Informatics)

Other

This course is part of the Law and Tech package.

Learning material

The required reading is comprised of chapters of books, journal articles and relevant EU and/or international legislative instruments, which will be all available online. More reading will be suggested through the lectures.

Reference literature:

1. Contissa, G.: Information Technology for the Law. Giappichelli Editore, Torino 2017. ISBN 9788892112339. (248 pages)

There are 5 copies of the book available in the University Library. The book is also available as e-book at <https://luc.finna.fi/ulapland/Record/juolukka.449321>

2. Biasotti A., Francesconi E., Palmirani M., Sartor G., Vitali F.: Legal Informatics and Management of Legislative Documents, Nazione Unite Press, Roma 2008 (Global Centre for ICT in Parliament Working Paper). (89 pages)

Course literature**ISBN number Literature information**

9788892112339 Contissa, G. Information Technology for the Law. Giappichelli Editore, Torino 2017

2. Biasotti A., Francesconi E., Palmirani M., Sartor G., Vitali F. Legal Informatics and Management of Legislative Documents, Nazione Unite Press, Roma 2008

Evaluation scale

H-5

Assessment criteria

0-2

Pass, Fail, Grades 1-5

ONEVAL0013 Information Law and Information Technology Law: 5 op

Objectives

After the course, the student has an understanding of the terms “Information Law” and “Information Technology Law”. The student has also gained knowledge concerning specific topics in these areas of law.

Contents

Course covers topics such as:

- the nature of Information Law and Information Rights,
- general knowledge about Privacy and Data Protection laws
- crimes related to information, Information and Network Societies
- history of the Internet, net neutrality and censorship in the Internet
- very general information about intellectual property with the focus on copyright in Cyberspace.

Accomplishment methods

Independent study and essay (or written examination).

The length of the essay should be approximately 15 pages. The subject of the essay will be chosen by the student in accordance with the teacher, who will provide further information and instructions.

If so agreed, the essay can be replaced with a written examination (in Exam). The electronic exam can only be reserved after consulting with the teacher. The exam consists of a set of questions based on the literature specified below (unless otherwise agreed). The exam may include free-text questions of varying types, as well as multiple-choice or true/false questions.

Literature:

1. Lloyd I., Information Technology Law, 8th Edition, Oxford University Press, Oxford 2017: Chapters 1–3, 5–6 (102 pages)
2. Kelleher D., Murray K. (eds.), EU Data Protection Law, Bloomsbury Professional, London 2018: Part 1 and 2, Chapter 9 (146 pages)
3. Rowland D., Kohl U., Charlesworth A., Information Technology Law, 4th Edition, London 2012: Chapters 1, 4, 6, 9–10 (about 190 pages)
4. Saarenpää A., Sztobryn K. (eds.), Lawyers in the Media Society, University of Lapland, Rovaniemi 2016:
Korhonen R., The New Information Society Code of Finland (7 pages)
Riekkinen J., Criminal Evidence in the Network Society: New Problems, New Solutions? (14 pages)
Kowalik-Banczyk K., The Clash between Protection of Personal Data and Protection of Intellectual Property Rights in the CJEU Jurisprudence (10 pages)

Depending on the topic of the essay, the student will be expected to search for additional sources, which will also be suggested by the teacher.

Further information

Timing

The essay can be submitted for assessment at any time during the academic year.

Grading

The course will be graded (fail, 1–5) based on either the essay (or the written examination). Further information about grading criteria for the essay will be provided by the teacher.

Other

This course is part of the Law and Tech package.

Course literature**ISBN number****Literature information**

9780198787556	Lloyd I., Information Technology Law, 8th Edition, Oxford University Press, Oxford 2017
978-1784515539	Kelleher D., Murray K. (eds.), EU Data Protection Law, Bloomsbury Professional, London 2018
978-0-415-48237-0	Rowland D., Kohl U., Charlesworth A., Information Technology Law, 4th Edition, London 2012
978-952-484-908-1	Saarenpää A., Sztobryn K. (eds.), Lawyers in the Media Society, University of Lapland, Rovaniemi 2016

Evaluation scale

H-5

ONEVAL0015 Privacy, Data Protection and Data Security: 5 op**Objectives**

This foundational course on data protection law is aimed at introducing students to data protection law. After the course, students should be able to understand privacy and data protection law from a historical point of view and also recent legal issues as it pertains to digitalization. This course will include both a theoretical and practical approach to privacy and data protection law

Contents

This course covers topics such as:

- history and evolution of privacy and data protection law
- principles of data protection law
- data subject rights
- the roles and duties of the supervisory authorities and data protection officers
- data protection and technologies
- data protection and some other relevant fields of law.

Accomplishment methods

Lectures (0,5 ECTS) and essay (4,5 or 5 ECTS)

Study methods

Autumn semester: In addition to attending the lectures (12 h, 0,5 ECTS), the student is required to write an essay of approximately 15 pages (4,5 ECTS). The subject will be chosen by the student in accordance with the teacher, and instructions will be provided in connection with the lectures.

Spring semester: It is possible to complete the course by writing an essay (5 ECTS). Please contact the teacher by e-mail (emmanuel.salami@ulapland.fi) to receive instructions and to agree about the subject.

Further information

Timing

Lectures (12 hours) will be delivered during the Autumn semester.

The essay can be submitted for assessment as agreed with the teacher.

Teachers

Emmanuel Salami (LL.M, Ph.D. Candidate, University of Lapland, emmanuel.salami@ulapland.fi)

Juhana Riekkinen (LL.D. trained on the bench, University Lecturer in Legal Informatics)

Other

This course is part of the Law and Tech package.

Course literature

ISBN number	Literature information
978-0198815419	Carey, Peter (ed.), Data Protection: A practical guide to UK and EU law, 5th Edition, Oxford University Press 2018
978-0-19-928385-9	Kuner, Christopher: European Data Protection Law, 2nd Edition, Oxford University Press 2007
978-92-9491-901-4	European Union Agency for Fundamental Rights and the Council of Europe, Handbook on European Data Protection Law, Publications Office of the European Union 2018, available https://fra.europa.eu/en/publication/2018/handbook-european-data-protection-law-2018-edition
9780198826491	Kuner, Christopher; Bygrave, Lee A.; Docksey, Christopher; Drechsler, Laura (eds.): The EU General Data Protection Regulation (GDPR) : A Commentary, Oxford University Press 2020

Evaluation scale

H-5

ONEVAL0018 Legal Culture and Legal system in Chinese Society: 5 op

Objectives

After completion of the course the student is able to

- describe main ideational and institutional sources of Chinese the legal traditions and culture
- explain key concepts of traditional and contemporary Chinese legal thinking
- explicate the evolution of legal system in contemporary China
- elucidate the dual structure and practices of Chinese legal system
- clarify the role and relationship between the Constitution of China and the Constitution of the Communist Party
- explain modern Chinese legal institutions, court structure, personnel and their relationship with the Party structure
- describe how the Constitutional rights of citizens are juxtaposed to the measures of corona virus control in society and media.

Contents

The course consists of three overlapping sections:

1. A short introduction to the political system of China. The most crucial aspect of successful dealing with China or Chinese actors is to understand the role of the Communist Party and its developmental policies (both legal and economic).
2. Exploration on the Constitution, constitutional discussion and role of Constitution in China's legal system, society and politics. We will explore both the official Party line narrative of the Constitution, the recent Constitutional amendment in analyzing the underlying political and cultural argumentations for the amendments. In addition, we will explore the domestic Chinese critique of the Constitutional amendments and explore the reasoning of the critique. In addition, students need to read and analyze the Constitution of the Communist Party and to understand the role of the Party Constitution within Chinese judicial system and legal practices.

Hence, we analyze law and legal practices in China from a dualistic perspective. On the one hand, we analyze the Constitution as a normative structure that dictates the state structure, roles, responsibilities and function of key political institutions of China (including individual rights and responsibilities). On the other hand, we study how the Party utilizes its actual power in shaping and determining the practices of the key institutions and individual people in China – in particular to the world shaking case of Corona virus.

3. We also study how the actual holistic systemic imperatives are reflected in actual daily judicial work at the regional level. In this section we will on the hand, explore how the court system function both as a bureaucratic and legal organization, how it is closely entangled with local level development policies and political system. On the other hand, we will gain an insight how the regional level judicial and regulative environment condition differently foreign actors within China and what role the personal networks (guanxi) have in this process. Hence, this section will shed some light on contracting and negotiation cultures of China providing some hands-in clues on how to make sense of the central and local level regulative concepts and how to tackle the Chinese negotiation practices.

Accomplishment methods

Course evaluation is based on online exercises. It is required to attend and pass all parts of the course to receive a final course grade.

Study methods

In this course we will adopt a teaching method of “flipped classroom”. Our studies include active outside class learning, online lectures and on regular basis gathering together in classrooms. The flipped classroom refers to a process where students can decide themselves the time when they engage in outside classroom studies (within a given timeframe of the course). Classroom time is utilized for discussing and engaging in various forms of group learning processes. The method and evaluation will be explained in detail during the first lecture.

Self-learning (including exercises) time is about 130 hours, classroom teaching and teacher tutoring groups or individual students varies between 10 to 15 hours. Teacher tutoring process provides continuous support for independent self-learning and will be booked and arranged during contact teaching time slots for individuals and groups.

Further information

Grades 1-5/fail

The lecturer(s) will inform the evaluation method of the course.

Learning material

The study material of the course consists of online videos, journal articles, book chapters and documentaries that will be delivered to students during the course.

Evaluation scale

H-5

Assessment criteria

0-2

Fail: Performance is highly deficient or erroneous. The work may be based on serious misunderstandings.

Sufficient and satisfactory (1-2): Performance is lacking in scope, superficial, or corresponds poorly to the assignment. The student is unable to illustrate that he/she has studied the material or/and merely lists things out of context or addresses them one-sidedly. The work contain errors or

obscurities.

3-4

Good and very good (3-4): Performance corresponds to the assignment, manifesting comprehension and a skill to analyse and justify. The author has addressed the issue comprehensively. The work may contain some deficiencies.

5

Excellent (5): Performance delineates an extensive whole and the author can apply knowledge in a multifaceted way or place it in various contexts. The work manifests independency and insight, and it is a flawless entity that involves justified thinking or critical contemplation. The work is well written and implemented.

ONEVAL0025 European co-operation in Criminal Matters: 5 op

Objectives

At the end of the course a student is expected to be able to:

- tell about the development of the European co-operation in criminal matters
- remember and explain the main concepts and principles belonging to the range of the course (including the principle of mutual recognition)
- name the most important European documents adopted at the area of European co-operation in criminal matters and describe their main contents
- describe different mechanisms of international judicial assistance and extradition/surrender of fugitives

Contents

The following subjects will be covered:

- extradition and European Arrest Warrant
- forms of cooperation in criminal matters in Europe
- the principle of mutual recognition

Study methods

Course consists of lectures, learning diary and essay.

Course is available in the Moodle. Ask for registration key and instructions from the course director.

Further information

Recommended reading:

- European Convention on Extradition (1957) and its additional protocols (Council of Europe),
- Council Framework decision 2002/584/JHA of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States (European Union),
- European Convention on Mutual Assistance in Criminal Matters (1959) and its additional protocols (Council of Europe),
- Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters (European Union).

Timing:

Autumn and spring.

Course director:

Minna Kimpimäki, Professor of Criminal Law

Language:

English/Finnish (lectures are given in English, the essay can be written in Finnish.).

Evaluation scale

H-5

ONEVAL0027 International Environmental Law: 5 op

Objectives

Learning objectives

Upon completing this module, the student should be able to discuss in depth various questions related to international environmental law.

Contents

Fundamentals of international environmental law as well as more specific regulation in the area.

Accomplishment methods

The module consists of 2 parts of which students can choose those they wish to do.

A) 2 ECTS: lectures + lecture test

B) 3 ECTS: (electronic) literature exam

Study methods

A) Lectures + lecture test. More information in Moodle workspace "Public International Law Courses in English".

B) Written examination on Koivurova Timo, Introduction to International Environmental Law (Routledge 2014; available also as an EBook) AND Hey Ellen, Advanced Introduction to International Environmental Law (Edward Elgar 2016).

The written examination is available as an e-exam in the electrical exam service (called EXAM).

Further information

It is possible to gain more ECTS for the module by a written assignment.

Course literature

ISBN number

9781315851594

978 1 78195 457

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Literature information

Koivurova, Timo. Introduction to international environmental law 2014

Hey Ellen, Advanced Introduction to International Environmental Law (Edward Elgar 2016)

Evaluation scale

H-5

ONEVAL0028 International Human Rights: 5 op

Objectives

Learning objectives

Upon completing this module, the student should be able to discuss in depth various questions related to international human rights law.

Contents

Fundamentals of international human rights law as well as more specific regulation in the area.

Accomplishment methods

The module consists of 2 parts of which students can choose those they wish to do.

- A) 2 ECTS: lectures + lecture test
- B) 3 ECTS: (electronic) literature exam

Study methods

A) Lectures + lecture test. More information in Moodle workspace "Public International Law Courses in English".

B) Written examination on Shelton Dinah L., International Human Rights Law (2nd ed., Edward Elgar 2020). The written examination is available as an e-exam in the electrical exam service (called EXAM).

Further information

It is possible to gain more ECTS for the module by an additional literature exam or a written assignment.

Course literature

ISBN number	Literature information
987-1-83910-320-9	Shelton Dinah L., International Human Rights Law (2nd ed., Edward Elgar 2020).

Evaluation scale

H-5

ONEVAL0029 Law of International Organizations: 5 op

Objectives

Upon completing this module, the student should be able to discuss in depth various questions related to the law of international organizations

Contents

The course will focus on the development and operation of the United Nations and/or other international organizations.

Accomplishment methods

The module consists of 3 parts of which students can choose those they wish to do. Part B (seminar) is organized in fall term.

- A) 2 ECTS: lectures + lecture test
- B) 2 ECTS: seminar (group work treaty drafting exercise)
- C) 1 ECTS: (electronic) literature exam

Study methods

A) Lectures + lecture test. More information in Moodle workspace "Public International Law Courses in English".

B) Seminar including a written assignment and its presentation.
Minimum group size: 8 students, registration in WebOodi.

C) Written examination on Klabbers Jan, Advanced Introduction to the Law of International Organizations (Edward Elgar 2015).
The written examination is available as an e-exam in the electrical exam service (called EXAM).

Further information

Part B is organized in fall term. If no seminar is available in spring term, you can gain ECTS by a literature exam instead. Details are to be confirmed later.

Learning material

Klabbers, J. Advanced Introduction to the Law of International Organizations (Edward Elgar, 2015)

Course literature

ISBN number Literature information

978 1 78254 Klabbers, J. Advanced Introduction to the Law of International Organizations
427 2 (Edward Elgar, 2015)

Evaluation scale

H-5

ONEVAL0031 European Constitutional Law: 5 op

Objectives

After completing this course, the student

- Understands the basic concepts of constitutional law from the perspective of European Union law and comparative constitutional law
- Comprehends the basis and nature of the constitutional relation between the European Union and the Member States
- Is knowledgeable on current discussions in European constitutional law
- Is able to analyse the meaning of national and European court judgments on the topic
- Is able to analyse the democratic credentials of the European Union

Contents

This course adopts a composite understanding on European constitutional law: the constitutional norms of the European Union need to be studied together with the constitutions of the Member States. This is because the EU's constitutional norms and the national constitutions interact in several ways. Some of these are explicit (like the preliminary reference procedure or the national ratification of EU Treaty amendments) while others are more implicit (how national constitutions and constitutional courts set limits to the development of the EU). Such a composite understanding builds on both an EU law approach as well as a comparative constitutional law approach. This course aims to provide the student with a basic understanding on the how these two constitutional sites interact.

Participation to the course requires that the student has taken a course in both EU law and constitutional law. The course does not provide the student with basic knowledge on these areas of law. Rather, the course explores some topical discussions within European constitutional law.

Accomplishment methods

Participation to the seminars and a written essay of approximately 3.000 words.

Study methods

The course is delivered in the form of weekly seminars. The first seminar is a lecture by the teacher that introduces the students to the topic of the course. In the following seminars the students will give short presentations in groups on the topic of each seminar.

The specific content of the course will be decided in the first seminar based on what is current that year and from which countries the participating students come from. The course will utilise a comparative approach by building on the participation of students from different countries.

Each of the weekly seminars will focus on an individual topic. Tentative topics include: the primacy of EU law, national judicial review of EU law, judicial dialogues in Europe, fundamental rights pluralism

in Europe, accession and withdrawal from the European Union, and the democratic credentials of the European Union. These issues will be explored through classic and contemporary cases from both the European Court of Justice and national courts.

After the seminars, the students will be assigned a topic on which to write an essay.

Further information

Period:

The course is usually organized during the fall semester.

Target audience:

Students interested in European Union law and constitutional law, both local and exchange students.

Responsible teacher:

Tomi Tuominen

Language:

English

This course is part of the EU law program:

- ONEVAL0031 European Constitutional Law
- ONEVAL0034 European Union Economic Law
- ONVAL0067 EU:n sisämarkkinaoikeus ja kilpailuoikeus
- OTM0002 EU Private International Law
- OTM0018 Theoretical and Methodological Approaches to EU and International Law

Learning material

The course material will be provided during the course.

Prerequisites

For the students of the University of Lapland ONPOOL3 Valta, valtio ja Eurooppa.

For exchange students a basic level course in European Union law and national constitutional law.

If you need to refresh your memory on EU law before the course, please read Allan Rosas & Lorna Armati: EU Constitutional Law. An Introduction (2010, 2012 or 2018).

Evaluation scale

H-5

Assessment criteria

0-2

Grading will be done on a scale of 0 to 5. The essay forms the basis of the grading, but active participation to the discussions within the seminars are also taken into consideration.

ONEVAL0032 Guide to IPR: 5 op

Objectives

I am a student/researcher – why would I need to think about IPR? Intellectual Property is quickly becoming the most valuable property of the world. Besides physical assets, business rely on intangible assets for their success. This online course will provide participants with an introduction to the increasingly important area of intellectual property law.

Contents

The course composes of five mandatory Modules and one option Module as following:

Module 1: Theoretical foundations and historical developments of IP rights in Europe

Module 2: The very basics of copyrights

Module 3: The very basics of patents

Module 4: The very basics of trademarks

Module 5: The very basics of design rights

Module 6: IPR Game

Study methods

This course is structured to be completed fully in the digital environment. The course is web-based and it will be delivered through e-learning. Self-assessment tools are placed throughout the course to assist students in gaining the required knowledge of the theoretical concepts, as well as to be able to apply them to practical settings.

Further information

Evaluation:

The course is evaluated on a 1-5 grade scale. To pass the course students will have to:

- 1) Do the required readings
- 2) Watch the videos
- 3) Pass the questionnaires (Pass/Fail)
- 4) Successfully complete the group or individual assignment.

More detailed information on the grading system will be available on the course platform.

Registration:

The course is fully offered online from 6.9.2021 to 10.12.2021 through an online platform run by the IPR University Center. The registration period for the course is from 17.8.2021 to 31.8.2021 and shall we done via this link: <https://link.webpolsurveys.com/S/57EE99C22040E50E>. Enrolled students will be contacted soon after the time for registration closes and will be granted access to the study portal, where further information on the course is available.

Other:

This course is part of the Law and Technology package.

Learning material

Legislations, case law, articles, videos, video clips, slides (all available under the study portal)

Prerequisites

This course is open to all students and researchers (faculty of law, faculty of art and design, as well as faculty of education) seeking to obtain a general overview of the fundamentals concepts of intellectual property. No pre-requisites required for this course.

Evaluation scale

H-5

ONEVAL0033 Indigenous Peoples' Rights in the Arctic With Comparative Approach: 5 op

Objectives

COURSE DESCRIPTION:

Indigenous peoples have inhabited the Arctic for thousands of years. The proportion indigenous people is estimated to be about 10 percent of total population living in arctic areas. There are over 40 different ethnic groups living in the Arctic.

Arctic indigenous peoples include for example Sámi in circumpolar areas of Finland, Sweden, Norway and Northwest Russia, Nenets, Khanty, Evenk and Chukchi in Russia, Aleut, Yupik and Inuit (Iñupiat) in Alaska, Inuit (Inuvialuit) in Canada and Inuit (Kalaallit) in Greenland. All of the above-mentioned countries except Iceland have indigenous peoples living within their Arctic territory. Official statistics do not necessarily recognize indigenous populations separately, although differences occur. The number of indigenous people is not accurate because of the definition of indigeness.

The course introduces the content of the international instrument of ILO Convention No. 169 concerning the rights of indigenous peoples. Finland has not ratified the Convention, but is considering it. The most central concepts of the Convention are introduced in the Sámi context with comparative approach. The lectures provide knowledge on challenges related to the ratification and implementation of this Convention: political and legislative from their nature. Comparison is made to those countries which have already ratified the Convention, mostly in Latin America. Generally, challenges relate to the status of indigenous peoples in international law and politics agenda, the rights to land and water of these peoples and the identity of indigenous persons. The course will also focus on the Draft Nordic Saami Convention, a proposed international agreement between Norway, Sweden, and Finland. Presented in 2005, the Convention would recognize Saami rights to self-determination as a distinct people as well as the authority of the Saami Parliaments. A short notion is also made to the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) within this context.

The Sámi people are recognized as the indigenous people of four different countries: Finland, Sweden, Norway and Russia. This course will provide general introduction to the rights concerning the Sámi people, particularly in Finland. The course has an interdisciplinary approach combining the methods of international relations and international law therefore it is suitable for students coming from different disciplines. Although the main focus is in the instruments of international law, concerning the rights of minorities and indigenous peoples, an evaluation of the most important national standards are made as well. A short introduction is made to linguistic and cultural rights of the Sámi, while mostly emphasizing the land right situation of the people with recent developments in this field. Comparison is made to the other Nordic countries, especially to Sweden and Norway.

The third part of this course emphasizes the strong relationship of indigenous peoples to their lands and waters and how this relationship has changed during the years. Within the Sámi people it is the minority who still practises these livelihoods, reindeer herding, fishing and hunting. The course focuses on the current challenges faced by the traditional livelihoods of the Saami. When speaking about reindeer herding, the loss of pastures and encroachment, competing other land use means, predators and climate change are causing severe problems in the continuation of the livelihood. During the lectures it is pondered what kind of political and legislative changes these challenges would require and what could be the useful instruments, perhaps already used. The discussion of traditional livelihoods relates to the concept of knowledge and how this knowledge is provided for example to decision-makers. The idea is to develop new ways of gathering and sharing the knowledge.

SUMMARY OF COURSE OUTCOMES:

Upon completion of this module the students will be able to:

1. Understand the basic conditions of the Saami people in the Finnish legislation, with short evaluation of the two other Nordic countries, Norway and Sweden.
2. Determine what are the most central international instruments concerning the rights of indigenous peoples and also the new developments within this field.
3. Apply the specific international instruments to the situation of the Saami and analyze their effectiveness as a source of protection.
4. Grasp the challenges related to different national situations especially in the context of land rights and the identity of indigenous peoples.
5. Explain the current challenges faced by the traditional livelihoods practiced by the Saami
6. Produce academic papers about the rights of indigenous peoples.
7. Offer oral presentation with Power Point support together with the group.
8. Work with people coming from different disciplinary backgrounds and different cultures.

Contents

The underlying pedagogical idea of the course is a combination of lectures and active participation of the students as individuals and as groups. Course is divided into four modules:

Module 1 – Saami Rights in Finnish legislation with Comparative Approach

Student will learn the basic elements of Saami rights in the Finnish legislation, with comparison to other

Nordic countries. The focus is on land rights while cultural and linguistic rights are introduced as well.

Module 2 – International Instruments protecting the Rights of the Saami

Student learns the basic international instruments protecting the rights of indigenous peoples in the Saami context. Tools are provided to understand the main challenges related to these instruments and what their implementation could mean in the Finnish context.

Module 3 – Current challenges for the Traditional Livelihoods

Student learns to understand the current challenges faced by the traditional livelihoods in the Finnish Lapland. The aim is to find tools to handle these challenges from legal and political protection.

Module 4 – Comparative aspects of ILO Convention No. 169 and indigenous peoples rights

Student acquires skills in applying and analyzing the ILO Convention No. 169 into particular national cases with challenges in implementing the Convention into political and legal practices.

Accomplishment methods

Toteutus ja työmuodot

- Lectures
- Group Work (presentation on specific topics to broaden the understanding)
- Report or academic paper (Learning Report Collecting the Main Findings and Ideas)

Vaadittavat suoritukset

Regular attendance is expected. Active participation is 10 %, group work presentation 30 %, and final report is 50 % of the course. Active participation during the seminar-sessions is required in order to pass this course.

Further information

BASIC LEARNING MATERIALS FOR THE MODULES

- Learning materials/guides (provided by teacher)
- Group work material (provided by the teacher)
- * Literature: Tanja Joona, The ILO Convention No. 169 in Nordic Context with Comparative Analysis: An Interdisciplinary Approach, Juridica Lapponica, 37, Lapland University Press, 2012.

Tanja Joonas, Safeguarding Cultural Rights of Sámi Children and Youth in Finland, with Special Emphasis on the Linguistic Part of Cultural Identity – Current Challenges. The Yearbook of Polar Law IX (2017) 109-129, Brill, 2018.

Possible other literature, articles etc. are provided by the teacher during the lectures.

Evaluation

Course performance will be graded 0-5.

Timing

To be announced in due course.

Tutor

Associate Professor Tanja Joonas, Faculty of Law, University of Lapland.

Evaluation scale

H-5

ONEVAL0034 European Union Economic Law: 5 op

Objectives

After completing this course, the student:

- Understands the basic concepts of economic governance, especially with regards to the Economic and Monetary Union, the Banking Union and the Capital Markets Union
- Comprehends the basic legal, political and economic issues related to the European Union's economic governance regime
- Knows and is able to interpret and apply the basic primary and secondary law norms concerning the European Union's economic governance regime
- Is knowledgeable on current discussions concerning the European Union's economic governance regime
- Is able to analyse the meaning of European Court of Justice judgments on this topic

Contents

The Economic and Monetary Union (EMU) constitutes a central element of European integration and the functioning of the European Union. Established originally with the Treaty of Maastricht (1993), the EMU has evolved considerably as a result of the financial and debt crisis that erupted in 2008. Now, alongside the EMU there is also the Banking Union and the Capital Markets Union. Together these form the infrastructure of the European Union's system of economic governance.

This course explores the historical origins, current form, and future prospects of the European Union's economic governance regime. Special attention is paid to current developments in economic governance, both when it comes to new secondary law and judgments by the Court of Justice.

Accomplishment methods

Participation to the seminars and a written essay of approximately 3.000 words.

Study methods

The course is delivered in the form of weekly seminars. After this the students will write an essay on a given topic.

Further information

Period:

The course is usually organized during the spring semester.

Target audience:

Students interested in European Union law and the economy, both local and exchange students.

Responsible teacher:

Tomi Tuominen

Language:

English

This course is part of the EU law program:

- ONEVAL0031 European Constitutional Law
- ONEVAL0034 European Union Economic Law
- ONVAL0067 EU:n sisämarkkinaoikeus ja kilpailuoikeus
- OTM0002 EU Private International Law
- OTM0018 Theoretical and Methodological Approaches to EU and International Law

Learning material

Federico Fabbrini & Marco Ventoruzzo (eds.): Research Handbook on EU Economic Law. Edward Elgar Publishing, 2019.

Course literature

ISBN number Literature information

1-78897-234-1 Federico Fabbrini & Marco Ventoruzzo (eds.): Research Handbook on EU Economic Law. Edward Elgar Publishing, 2019.

Prerequisites

For the students of the University of Lapland ONPOOL3 Valta, valtio ja Eurooppa.

For exchange students a basic level course in European Union law.

Evaluation scale

H-5

Assessment criteria

0-2

Grading will be done on a scale of 0 to 5. The essay forms the basis of the grading, but active participation to the discussions within the seminars are also taken into consideration.

Syventävät opinnot: 191 - 211 op

OTMEVAL0003 International Commercial Arbitration: 5 op

Objectives

At the end of the course a student is expected to be able to:- evaluate the role and the importance of international commercial arbitration as an alternative to the courts of law- remember and explain the main rules, concepts and principles concerning international commercial arbitration- describe the establishment, organisation and powers of arbitral tribunals and the conduct of the proceedings- evaluate factors that have impact on the contents, validity, recognition and enforcement of arbitral awards

Contents

The following subjects will be covered:

- arbitration as an alternative to the courts of law
- the scope and limits of party autonomy in arbitration
- the conduct of the proceedings in an arbitrationtribunal
- challenging the arbitration award

Study methods

Written examination.

There can be guest lecturers giving lectures and seminars

Literature

Nigel Blackaby, Constantine Partasides QC, Alan Redfern, and Martin Hunter (2015) Redfern and Hunter on International Arbitration

Course literature

ISBN number Literature information

9780198714248 Nigel Blackaby, Constantine Partasides QC, Alan Redfern, and Martin Hunter
Redfern and Hunter on International Arbitration 2015

Prerequisites

No previous studies necessary

Evaluation scale

H-5

OTMEVAL0004 Contract Drafting and Negotiations: 5 op

Objectives

Student learns main principles of negotiation skills and drafting contracts with the help of available standard contracts.

Contents

Negotiation styles, negotiation lifecycle, drafting sales, agency, licensing and/ or supply contracts as a team work. Simulation of real negotiations and contracting with a special attention paid to preventing and settling disputes in connection with changing circumstance.

Project contracting, project and alliance contracts, contracts in industrial context.

Study methods

Team work, home work and a learning diary.

Further information

80% attendance required. Registration beforehand.

max 20 students.

Learning material

Fisher, Roger and Ury, William, edited with Bruce Patton, Getting to Yes. Negotiating Agreement without Giving In. Random House Business Books

Jan Ramberg, International Commercial Transactions (4 th ed) 2011 ICC Publ Nr 711E (Norstedts juridik),

Nysten-Haarala, Soili, Barton, Thomas and Kujala, Jaakko (eds.) Flexibility in Contracting. Lapland Law Review No 2, 2015. ISSN – L2242-3206, ISBN 978-952-484-799-5 (pdf), p. 110-142. and additional material delivered during the course <https://www.ulapland.fi/InEnglish/Units/Faculty-of-Law/Research/Lapland-Law-Review/Issues/Issue-2,-2015>

Prerequisites

International Sales Law in Bachelor studies recommended

Evaluation scale

H-5

Assessment criteria

0-2

pass/fail

OTMEVAL0005 Client Consultation: 5 op**Objectives**

Student will learn to interview and counsel clients in English. They also learn the importance of interaction, cooperation and ethical behavior.

Contents

Students practice client consulting in simulated situations with clients.

Study methods

A seminar with lectures, teamwork and a learning diary written according to the instructions given at the beginning of the course (40 hours) Each student should be able to practice once in the role of a client and twice as a lawyer.

Further information

Additional information

Registration in Weboodi, maximum 20 students, 80% attendance required. Students who are interested in gaining further insights into client counseling and participating in the International Louis M. Brown and Forest S. Mosten Client Consultation Competition have the opportunity to continue with studies on client consulting during spring term.

Learning material

Shaffer, Thomas L. and Elkins, James R., Legal Interviewing and Counseling. Thomson West 2005

Haigh, Rupert. 2004. Legal English. Cavendish Publishing. For the relevant parts, such as Chapters on Interviewing and Advising, Spoken English, Negotiation, Formal Meetings

Jones, Ronald L., How to Counsel Corporate Clients. Ten Reasons Business People Don't Take Legal Advice (and what can you do about it) American Law Institute and American Bar Association 1999

Binder - Bergman - Price - Trombley; Lawyers as Counselors. A Client-Centered Approach. Thomas West 2004.

articles will be delivered during the course

Evaluation scale

H-5

Assessment criteria

0-2

fail/pass

OTMEVAL0007 Introduction to Finnish Law: 1 - 5 op

Objectives

1. To place the Finnish legal system within the Nordic and Continental families of law.
2. To give an overview of the Finnish legal system.

Contents

1. The Nordic legal systems (Denmark, Finland, Iceland, Norway and Sweden): historical background, foreign influences, similarities and differences, Nordic legal cooperation
2. Systematics, history, and basic concepts of the Finnish legal system.

Accomplishment methods

Lectures and lecture exam/learning diary, essay, required reading (see above).

Study methods

- 1 ECTS cr.: Lectures (10 h), lecture exam/learning diary.
2 ECTS cr.: Lectures (10 h), lecture exam/learning diary, essay.
4 ECTS cr.: Lectures (10 h), lecture exam/learning diary, required reading.
5 ECTS cr.: Lectures (10 h), lecture exam/learning diary, essay, required reading.

You can write essays with following framework: 1 ECTS = 1500 words, 2 ECTS = 3000 words, 3 ECTS = 4500 words. You can choose your topic from the topics below. You can choose more than topic. The number of words is counted together so there is no need for equal distribution of words between the themes if you choose more than one them. DEAD LINE FOR ALL ESSAYS IS TOLD DURING THE LECTURES. NO ESSAYS CAN BE RETURNED AFTER THAT DATE.

You are expected to find material for your own topic / topics by searching in the Internet. The study literature contains only a general framework. The topics are:

1. Scandinavian legal realism
2. Legal position of the Saami people as Indigenous People under Finnish Law
3. Unfairness of contracts according to Section 36 in Finnish Contracts Act
4. Main policies and principles of Nordic criminal law
5. CISG and the Nordic countries
6. Environmental protection in Finland
7. Nordic Legal Family and its main characteristics

Course literature

ISBN number	Literature information
978-90-5095-706-9	Husa, J. & Nuotio K. & Pihlajamäki H. (ed.) Nordic law : between tradition and dynamism / editors: Jaakko Husa, Kimmo Nuotio, Heikki Pihlajamäki. 2007
978-952-10-7817-0	/ Kimmo Nuotio, Sakari Melander, Merita Huomo-Kettunen (eds.). Introduction to Finnish law and legal culture 2012

Evaluation scale

H-5

OTMEVAL0009 Law of the Sea: 5 op**Objectives**

Upon completing this module, the student should be able to discuss in depth various questions related to law of the sea.

Contents

International law of the sea: jurisdictional zones, environmental protection, marine living resources, dispute resolution etc.

Accomplishment methods

The module consists of 2 parts of which students can choose those they wish to do. Part B (literature exam or seminar) is available only for students who have completed part A. Part B literature exam is available throughout the year while the seminar is organized in fall term.

A) 2 ECTS: 1+1 ECTS lectures + lecture tests

B) 3 ECTS: (electronic) literature exam AND/OR seminar (group work or individual assignment)

Study methods

A) Lectures + lecture tests. More information in Moodle workspace "Public International Law Courses in English".

B) Written examination on Tanaka Yoshifumi, *The International Law of the Sea* (3rd ed. 2019), Part II: Our Common Ocean (Chapters 7-14, pp. 279-543).

The written examination is available as an e-exam in the electrical exam service (called EXAM). The literature exam can be taken after passing the lecture test (part A).

In fall term, also a seminar including, e.g., a written assignment and its presentation is to be arranged. More information in Moodle workspace "Public International Law Courses in English". NB. Attending the seminar requires that part A is completed. Minimum group size: 8 students, registration in WebOodi.

Further information

It is possible to gain more ECTS for the module by taking both the literature exam and the seminar or a separate written assignment.

Course literature

ISBN number **Literature information**

978-1-108-44010-3 Yoshifumi Tanaka, *The International Law of the Sea* (Cambridge, 3rd ed., 2019)

Evaluation scale

H-5

OTMEVAL0010 Space Law: 5 op**Objectives**

Upon completing this module, the student should be able to discuss in depth various questions related to space law.

Contents

The core of international space law; launch services and space transportation; satellite communications; satellite navigation; remote sensing; manned spaceflight; environmental aspects.

Accomplishment methods

The module consists of 3 parts of which students can choose those they wish to do. Part C (seminar) is available only for students who have completed either part A or part B. Part C is organized in spring term.

A) 2 ECTS: lectures + lecture test

B) 1 ECTS: (electronic) literature exam

C) 2 ECTS: seminar (group work or individual assignment)

Study methods

A) Lectures + lecture test. More information in Moodle workspace "Public International Law Courses

in English".

B) Written examination on von der Dunk, Advanced Introduction to Space Law (2020).
The written examination is available as an e-exam in the electrical exam service (called EXAM).

C) Seminar including a written assignment and its presentation.
NB. Attending the seminar requires that either A) or B) is completed.
Minimum group size: 8 students, registration in WebOodi.

Further information

It is possible to gain more ECTS for the module by an additional literature exam.

Learning material

Part B: Frans G. von der Dunk, Advanced Introduction to Space Law (Edward Elgar, 2020)

Course literature

ISBN number	Literature information
978-1-78990-187-0	Frans G. von der Dunk, Advanced Introduction to Space Law (Edward Elgar, 2020)

Evaluation scale

H-5

OTMEVAL0011 Corporate social responsibility, local people and multilevel governance of natural resources in the Russian North: 5 op

Objectives

Aim of the course is to attain in-depth knowledge of the multilevel governance and environmental and social issues to the use of natural resources in the Russian North.

Contents

Special attention in the course is paid to the role of non-state actors in governance of natural resources. The course focuses on how non-governmental organizations (NGOs) foster corporate social responsibility. After the general introduction to the environmental and social problems of resource extraction, the different cases of forest, renewable energy, nuclear energy, mining and oil sectors will be analyzed with a special emphasis on the situation of the local and indigenous people. On one hand the course contains knowledge about the legislation concerning e.g. land rights, participatory rights and indigenous people's rights. On the other hand analyze, how informal rules in the extraction sector and the interplay of formal and informal rules work. The differing CSR policies and international regulation of the above-mentioned sectors are also studied.

Study methods

Lectures (16 hours), learning diary and a written home exam. The course will be held in February and is included in the master's program of Aleksanteri Institute. This academic year the course will be held also in the winter school of Erasmus+ Strategic Partnership Program "Legal Challenges in International Investments, Indigenous Peoples and Environment Protection" as a 10 hour workshop with an extended learning diary and tasks given there. The call for application for the winter school will be open in the fall 2019 for students of the University of Lapland, Riga Graduate School and l'Universite de Versailles Saint-Quentin-en-Yvelines. Students of the BA degree are also eligible to apply for the winter school.

Learning material

Tysiachnyouk, M. ; Petrov A. 2018. Benefit sharing in the Arctic energy sector: Perspectives on corporate policies and practices in Northern Russia and Alaska Energy Research & Social Science

39 . - p. 29 – 34.

Tysiachniouk, M., Henry, L., Lamers, M & Tatenhove, J. van. 2017 Oil Extraction and Benefit Sharing in an Illiberal Context: The Nenets and Komi-Izhemtsi Indigenous Peoples in the Russian Arctic, *Society & Natural Resources*. <https://doi.org/10.1080/08941920.2017.1403666>

Tsyachnyouk, M.; Henry, L.A. ; Lamers, M.A.J. ; Tatenhove, J.P.M. van 2017.Oil and indigenous people in sub-Arctic Russia : Rethinking equity and governance in benefit sharing agreements. *Energy Research & Social Science* 37 . - p. 140 – 152

Tulaeva, S. Tsyachnyuk, M. 2017. Benefit-sharing arrangements between oil companies and indigenous people in Russian northern regions. *Sustainability* 9 (8).

Tysiachniouk, M.S. ; McDermott, C.L. 2016. Forest Certification with Russian characteristics *Forest Policy and Economics* 62 . - p. 43 - 53.

Laura A. Henry, L. Nysten-Haarala, S. Tulaeva S & Tysiachniouk M. 2016. Corporate Social Responsibility and the Oil Industry in the Russian Arctic: Global Norms and Neo-Paternalism, *Europe-Asia Studies*, 68:8, 1340-1368

Tsyachnyouk, M.; Henry, L.A. ; Lamers, M.A.J. ; Tatenhove, J.P.M. van 2017. Oil and indigenous people in sub-Arctic Russia : Rethinking equity and governance in benefit sharing agreements. *Energy Research & Social Science* 37 . - p. 140 – 152

Nystén-Haarala, Soili – Klyuchnikova, Elena – Helenius, Heidi: Law and self-regulation – Substitutes and complements in gaining social acceptance? *45 Resources Policy* 2015, s. 52–64.

Pappila, Minna: The interplay of Russian law, indigenous people and the oil industry – a need for non-state regulation? *The Yearbook of Polar Law*, vol. 6, 2015, p. 120-141.

Additional readings

Pierk, S. Tysiachniouk, M. Structures of mobilization and resistance: Confronting the oil and gas industries in Russia, *Extr. Ind. Soc.* (2016), <http://dx.doi.org/10.1016/j.exis.2016.07.004>

Tysiachniouk, M.S. ; Henry, L.A. (2015) Managed citizenship: global forest governance and democracy in Russian communities. *International Journal of Sustainable Development and World Ecology* 22 (6). - p. 476 – 489

Maletz O, Tysiachniouk M The effect of expertise on the quality of forest standards implementation: The case of FSC forest certification in Russia. *Forest Policy and Economics*, Volume 11, Issues 5-6, October 2009 422-428

Tysiachniouk M. 2012. Transnational governance through private authority: the case of the forest stewardship council certification in Russia. Wageningen: Wageningen Academic Publishers

Cultures of Contamination: Legacies of Pollution in Russia and the US 2007. ed by Michael Edelstein, Maria Tysiachniouk and Liudmila Smirnova, Elsevier Ltd

Prerequisites

BA

Evaluation scale

H-5

Assessment criteria

0-2

1-5

OTMEVAL0012 Willem C. Vis International Commercial Arbitration Moot: 5 - 16 op**Objectives**

Participation in the international Willem C. Vis International Commercial Arbitration Moot as a senior member of the team of the University of Lapland will be awarded with 15 ECTS. The team members are selected in the beginning of September. Membership in the team presupposes active working in Rovaniemi from September till April. Due to the nature of the moot being international, the Faculty coaches responsible for the team selection are keen on recruiting an international team consisting of members from several legal cultures. International students are therefore encouraged to apply and 1-2 international students have a chance of being selected.

After participation in the training program for the international Willem C. Vis International Commercial Arbitration Moot and the Moot itself, students are:

- able to function as members of an arbitration team working with a dispute concerning international sales
- to use international arbitration as a dispute resolution mechanism
- to analyze a legal dispute and to recognize legally relevant questions and legal facts
- to identify legal norms relevant to a dispute concerning international sales
- to apply legal norms and to present legally grounded argumentation in written memorandums for claimant and respondent
- master legal English in international sales and arbitration - to convince arbitrators through oral argumentation during arbitration proceedings.

Further information

Additional information

<https://vismoot.pace.edu/>

http://prezi.com/tlinew7ssy2a/?utm_campaign=share&utm_medium=copy&rc=ex0share

Kurssi on osa kansainvälisen kaupan erikoistumiskokonaisuutta. Kokonaisuudesta voi koota kursseja, jotka perehdyttävät irtaimen kaupan ja välimiesmenettelyyn yhdessä Vis Mootin kanssa ja/tai perehtyä kansainvälisen kaupan sopimusten hallintaan. Myös immateriaalioikeuden kursseja voi sisällyttää kansainvälisen kaupan erikoistumiskokonaisuuteen. Lisäksi kansainväliseen kauppaan erikoistumiseen sopivat Venäjän ja Kiinan oikeuden kurssit. Jos taas esimerkiksi haluaa erikoistua Venäjän kauppaan, kannattaa valita kolmen tarjolla olevan Venäjän oikeuden kurssin lisäksi International Sales Law ja International Trade Law.

Vis Mootin lisäksi on tarjolla muitakin kansainvälisiä kilpailuja kuten Brown Mosten Client Consultation Competition, Negotiation Competition sekä Nordic Intellectual Property Law Moot Court Competition. Kokonaisuus koostuu seuraavista notaari- ja maisterivaiheen opintojaksoista. Kukin opintojakso toimii luonnollisesti myös itsenäisenä osiona.

International Sales Law ONEVAL0002

International Commercial Arbitration OTMEVAL0003

International Trade Law OTMEVAL0037

Villem C. Vis Commercial Arbitration Moot OTMEVAL0012

Client Consultation OTMEVAL0004 Contract Drafting and Negotiation OTMEVAL0005
Proactive Law and Legal Design OTMEVAL0036

Kauppaoikeuden maisteritutkielmaseminaarissa opiskelijalla on mahdollisuus syventyä edelleen kansainväliseen kauppaan tai Venäjän oikeuteen. Opiskelijat, jotka osallistuvat Villem C. Vis kilpailuun, voivat kirjoittaa tutkielmansa kilpailuun liittyvistä teemoista kauppaoikeuden maisteriseminaarissa. Kauppaoikeuden seminaari alkaa yleensä tammikuussa.

Course literature

ISBN number

Literature information

978-0-19-955718-9 Blackaby, Nigel. Redfern and Hunter on international arbitration; Nigel Blackaby, Constantine Partasides; with Alan Redfern, Martin Hunter. 2009

Evaluation scale

H-5

OTMEVAL0014 China's Political System and China as a Global Actor in Before and After Corona World: 5 op

Objectives

After completion of the course the student is able to

- outline key political institutions
- explicate the central and complex role of politics in Chinese society
- describe the "dual structure" of governance of China (i.e. roles of the Communist Party and Government)
- describe main shifts of Chinese domestic and foreign policies during Xi Jinping era
- explicate how corona pandemic has affected Chinese foreign policy and its global trajectories
- discern political motivations and consequences of China's growing role in world politics and its impact on the Arctic regions.

Contents

The course consists of two overlapping sections:

1. An introduction to the political system of China.

2. A discussion on China's recent "Before-Corona" era developments as a global actor, i.e. how Beijing became a "great power". During the last decade, China has become increasingly active in seeking resources, markets, talents and political influence in all corners of the world. Understanding the politics and political system of China is the essential tool to understanding both China's domestic development as well as its rise into one of the most central players both in regional and global politics.

This course will provide an analytical view of the role of the Party and other institutional actors in this process. During the course, we will study the political motivation of the "going-out" strategy of Chinese companies and how Beijing is consequently reshaping the global order, which will influence also the Arctic regions as a new focus of Chinese foreign policy.

This all was challenged by the corona virus. Beijing is on the one hand, struggling with domestic political issues while it is in increasing need to polish and strengthen its' footing in the unfolding "After-Corona" era global political system. The corona virus has proven to become a game changer in the global system. And China as a central player in the system attempts at the same time to survive and to gain more voice in the After-Corona global system.

Accomplishment methods

It is required to attend and pass all parts of the course to receive a final course grade.

Study methods

Short pre-course assignment; Lectures and exercises (20 h); Final essay with required readings.

Further information

Lecturer: Matti Puranen (Ph.D), University of Jyväskylä

Learning material

Articles, Book Chapters.

Course material is provided in Moodle.

Evaluation scale

H-5

Assessment criteria

0-2

Fail: Performance is highly deficient or erroneous. The work may be based on serious misunderstandings.

Sufficient and satisfactory (1-2): Performance is lacking in scope, superficial, or corresponds poorly to the assignment. The student is unable to illustrate that he/she has studied the material or/and merely lists things out of context or addresses them one-sidedly. The work contain errors or obscurities.

3-4

Good and very good (3-4): Performance corresponds to the assignment, manifesting comprehension and a skill of the study material. The author addresses mostly correctly to the assignments and, but the work/tasks may contain some deficiencies.

5

Excellent (5): Performance is excellent and the students illustrates deep knowledge of the study material / topic. The answers/analysis of the assignments are mostly or completely flawless and/or illustrates justified thinking or critical contemplation. The work is well written and implemented.

OTMEVAL0018 Advanced Course of Legal Informatics: 5 op**Objectives**

The aim of this course is to facilitate supplementary information about the specific area of Legal Informatics, particularly concerning with Open Data.

A further aim of the course is to emphasize the interdisciplinary perspective of Legal Informatics research. More specifically, the course seeks to illuminate the interaction of legal norms with ethical, economic and technological aspects.

The course gives the student the basic knowledge concerning the Legal Informatics methodology of research applied for Open Data.

Contents

The main focus of the course is to analyse the development of Open Data and Open Government Data (OGD) from an interdisciplinary perspective and to study and point out the legal aspects of

OGD together with the interconnected economical and technological issues. The course covers topics such as:

- a comprehensive introduction concerning the concepts of Open Data and OGD;
- the EU legislation concerning the field of OGD, in particular the course examines the recent recast Directive on Open Data and the re-use of Public Sector Information (PSI) Directive 2019/924/EU;
- the legal, economic, technological and ethical issue arising from the opening, dissemination, re-use, exploitation of Open Data datasets at different levels;
- the licences adopted for open data;
- the impact on open data ecosystem of the GDPR;
- the implementation of a sustainable Business Models for Open Data and OGD;
- the relevant technological issues linked with the Semantic Web and OGD;
- open data and AI;
- an overview concerning the methodology of research in Legal Informatics from an interdisciplinary perspective.

Accomplishment methods

Lecture course (Autumn semester) or written examination/essay (Spring semester).

Study methods

Alternative 1 (Autumn semester): Lecture course

In addition to attending the lectures (17 h), students are required to either take a written examination or write an essay. In the written examination, the student should answer to a set of open questions based on the lectures and parts of the literature listed above. The set of questions will be delivered during the lectures. Written examination (only for the students actively attending the course) will be arranged during the course.

Alternatively, a student attending the lectures can complete the course by writing an essay. The topic of the essay and the appropriate literature should be discussed with the teacher during the lectures period. The essay is composed by: the title, an abstract, the table of contents and the essay. The complete list of the requirements for the essay will be delivered during the lectures.

Alternative 2 (Spring semester): Completing the course without attending the lectures

Alternatively, the course can be completed either by taking a written examination or by writing an essay without attending the lectures.

If a student wishes to complete the course by taking a written examination without attending the lectures, the written examination consists of set of 4 questions based on the entire literature and legislation listed above.

If a student wishes to complete the course with an essay without attending the lectures, they are required to write an essay of approximately 25 pages (from 9000 up to 10.000 words). The topic of the essay and the appropriate literature should be discussed with the teacher also via email. The complete list of the requirements for the essay will be sent via email to the student.

Further information

Timing

Lectures (17 hours) will be delivered during the Autumn semester. Written examination for students attending the lectures will be organized in connection with the lectures.

In the Spring semester, the course is available as an essay/written examination course. Exams will

take place on specified general examination days of the Faculty of Law. The teacher is available for meeting and discussing with the students about the possible topic of the essay. For further information please contact: dino.girardi@ulapland.fi

Teachers:

Dino Girardi (LL.M, Ph.D. Candidate, University of Lapland & University of Bologna, dino.girardi@ulapland.fi)

Juhana Riekkinen (LL.D. trained on the bench, University Lecturer in Legal Informatics)

Other

This course is part of the Law and Tech package.

Learning material

The required reading is comprised of chapters of books, journal articles and relevant EU directives, which will be all available online. More reading will be suggested through the lectures.

Reference literature/legislation/normative:

1. Palmirani, M., Girardi, D., Open Government Data: Legal, Economical and Semantic Web Aspects, in: Saarenpää A., Sztobryn, K. (eds.): Lawyers in the Media Society. The Legal Challenges of the Media Society, University of Lapland, Rovaniemi 2016, pp. 187–205.
2. Biasotti A., Francesconi E., Palmirani M., Sartor G., Vitali F.: Legal Informatics and Management of Legislative Documents, Nazione Unite Press, Roma 2008 (Global Centre for ICT in Parliament Working Paper). (89 pages)
 - Directive 2013/37/EU of the European Parliament and of the Council of 26 June 2013 amending Directive 2003/98/EC on the re-use of public sector information, available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:175:0001:0008:EN:PDF>.
 - DIRECTIVE (EU) 2019/1024 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 20 June 2019 on open data and the re-use of public sector information (recast), available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019L1024&from=EN>
 - Consolidated Version of the Directive 2003/98/EC on the re-use of public sector information, available at: <http://ec.europa.eu/digital-agenda/en/news/consolidated-version-psi-directive-now-available>
 - Open Data Maturity Report 2019 available at: https://www.europeandataportal.eu/sites/default/files/open_data_maturity_report_2019.pdf
 - Commission Notice “Guidelines on recommended standard licences, datasets and charging for the reuse of documents, available at: <https://ec.europa.eu/digital-agenda/en/news/commission-notice-guidelines-recommended-standard-licences-datasets-and-charging-re-use>
</>http://europa.eu/rapid/press-release_IP-14-840_en.htm
 - DIRECTIVE (EU) 2019/790 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 17 April 2019 on copyright and related rights in the Digital Single Market and amending Directives 96/9/EC and 2001/29/EC, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32019L0790&from=EN>

- COMMISSION DECISION of 22.2.2019 adopting Creative Commons as an open licence under the European Commission's reuse policy, available at:

<https://ec.europa.eu/transparency/regdoc/rep/3/2019/EN/C-2019-1655-F1-EN-MAIN-PART-1.PDF>

- ARTICLE 29 - DATA PROTECTION WORKING PARTY, Opinion 05/2014 on Anonymisation Techniques, available at: <https://www.pdpjournals.com/docs/88197.pdf>

Evaluation scale

H-5

OTMEVAL0019 Company and Contract Law in Russia: 5 op

Objectives

Students compare Russian company and contract law to her own country's company and contract law

Contents

Main principles of contract law and company law in Russia

Study methods

Lectures (10 hours) and a seminar (4 hours), a learning diary based on the lectures.

An essay on an agreed topic comparing either company or contract law in Russia with company/contract law of the student's own legal system, presentation on the topic of the essay in the seminar

Further information

Timing

Spring term

Teacher

Researcher Olga Pushina

Language

English

Course literature

ISBN number

Literature information

978-952-10-7823-1 Soili Nysten-Haarala, Olga Makarova, Onerva-Aulikki Suhonen (toim.)
Sopimusoikeus Suomessa ja Venäjällä 2013

978-952-484-799-5 Nystén-Haarala Soili, Barton Thomas D., Kujala Jaakko Flexibility in contracting
2015

Prerequisites

BA

Evaluation scale

H-5

OTMEVAL0020 European Law I: 6 op

Objectives

The aim of European law I is to establish basis for the student to develop expertise in European law. In this course the history and practice of the development is related to the general legal theoretical

and cultural context of European integration. There is a detailed analysis of the effects of the European legal tradition and system for the legal reasoning, argumentation, adjudication and political discussion in general.

The student that has completed the course knows, understands and has skills particularly in the following fields:

- the basic features of modern European legal tradition (legal ideology, values, effects, the relationship between international, European and national law),
- political and legal developments of the European integration,
- basic principles, concepts and objectives of the European union system,
- main legislation and practice of the European union court,
- ability to read legislation and court cases in their systematic context,
- dynamics between various European legal orders,
- meaning of the European law for legal reasoning and practice,
- effective use of European law,
- basic ability to conduct legal research in this field and take part of the European union legal discourse .

Contents

Basic knowledge of the European political and legal integration, the structure of the system and the substantive law of the European Union.

1. Legal-historical developments of the European integration
3. European legal tradition (philosophical, social scientific, political, juridical)
2. The constitutional developments,
3. Treaties and the system of competencies
4. Derived legislation and its systematic analysis with examples,
5. The court system and legal procedures,
6. Constitutional, internal market and other case law (examples from all fields of competences)

During the lectures original texts (legislation, cases, scholars) are used and shown in analyzing various topics.

Electronic learning platform: All material and more detailed descriptions and instructions are in Moodle.

Accomplishment methods

1. Binding enrolment latest 2 weeks in advance,
2. Studying of the material given in electronic platform Moodle and completion of the pretask assigned before the lectures, starting 2 weeks in advance,
3. Lectures (participation), ca. 30 h)
4. Book exam.

Study methods

Lecture participation: 100% participation required. Completion of all pretasks required. Lecture room participation preferable, but also on-line possibility (link in Moodle). If no participation during the lectures, one must watch the recording, write a memo on it and download memo to the folder in Moodle.

Pre-task materials: In Moodle 2 weeks before.

Book exam in Moodle, 1 exam in every 2 months. Possibly in Exam system too.

Further information

Timing

Lectures fall and spring 25 h. More information, see

<http://kiikeri.typepad.com/eurooppaoikeus> and oodi

Teacher

Dr.iur. Markku Kiikeri

Lecturer in European law

Registration

According to the rules of the education-institution

Learning material

1. Craig, P., de Búrca, G., The Evolution of EU law (2. ed.) 2011 (parts described in detail Moodle)
2. Craig, P., de Búrca, G., EU law. Text, cases and materials (6. edition) 2015 (chapters described in detail in Moodle). Older version possible, corresponding chapters
3. Pretask material
4. Lectures and official texts used

Course literature

ISBN number

Literature information

978-0-19-927389-8 Craig, P. & de Búrca, G. EU law. Text, cases and materials (4. ed.) 2008

9780199592968 Craig, P., de Búrca, G., The Evolution of EU law (2. ed.) 2011

Evaluation scale

H-5

OTMEVAL0021 Public International Law: 5 op

Objectives

Learning objectives

The course addresses broadly the field of Public International Law. It is aimed to offer a general picture of the system of Public International Law and the influence thereon by international politics.

Upon completing this module, the student should be able to

- explain the general system of Public International Law
- describe the sources of Public International Law
- identify subjects of Public International Law, as well as their authorities and responsibilities
- discuss the role and duties of the UN- analyze the role of human rights
- assess the international regulation of use of force
- tell about specific branches of Public International Law.

Contents

The normative nature and substantive contents of international law: its sources and subjects, state jurisdiction and responsibility, protection of human rights, protection of the environment, organisation and functions of the United Nations, peaceful settlement of disputes, linkage between international law and international politics.

Accomplishment methods

The module consists of 2 parts of which students can choose those they wish to do.

A) 2 ECTS: lectures

B) 3 ECTS: (electronic) literature exam

Study methods

A) Lectures: more information in Moodle workspace "Public International Law Courses in English".

B) Written examination on Klabbbers Jan, International Law (3rd ed., Cambridge 2021), Parts I-II (pp.

1-320). The written examination is available as an e-exam in the electrical exam service (called EXAM).

Learning material

Klabbers Jan, International Law (Cambridge, 3rd ed. 2021)

Course literature**ISBN number Literature information**

978-1-108-73282-6 Klabbers Jan, International Law (Cambridge, 3rd ed. 2021)

Evaluation scale

H-5

OTMEVAL0033 Master Thesis: 26 op**Evaluation scale**

H-5

OTMEVAL0036 Proactive Law and Legal Design: 5 op**Objectives**

At the end of the course, a student is expected to be able to:

- explain the role of proactive approaches to law in the market for legal services
- explain the main concepts of proactive law and legal design
- describe the main fields of proactive law and legal design
- describe the differences between drafting and design
- evaluate factors that have impact on proactive legal decision-making and problem solving

Contents

The following subjects will be covered:

- Proactive approaches to law and business lawyering
- Proactive contracting and contract design: design pattern for clarity and transparency
- Problem solving and peaceful settlement of disputes in family law issues

Study methods

Course will consist of lectures, seminars, team-work and essay or book exam on the basis of course literature and material selected by the tutors.

Further information

Kurssi on osa kansainvälisen kaupan erikoistumiskokonaisuutta. Kokonaisuudesta voi koota kurseja, jotka perehdyttävät irtaimen kaupan ja välimiesmenettelyyn yhdessä Vis Mootin kanssa ja/tai perehtyä kansainvälisen kaupan sopimusten hallintaan. Myös immateriaalioikeuden kurseja voi sisällyttää kansainvälisen kaupan erikoistumiskokonaisuuteen. Lisäksi kansainväliseen kauppaan erikoistumiseen sopivat Venäjän ja Kiinan oikeuden kurssit. Jos taas esimerkiksi haluaa erikoistua Venäjän kauppaan, kannattaa valita kolmen tarjolla olevan Venäjän oikeuden kurssin lisäksi International Sales Law ja International Trade Law.

Vis Mootin lisäksi on tarjolla muitakin kansainvälisiä kilpailuja kuten Brown Mosten Client Consultation Competition, Negotiation Competition sekä Nordic Intellectual Property Law Moot Court Competition.

Kokonaisuus koostuu seuraavista notaari- ja maisterivaiheen opintojaksoista. Kukin opintojakso toimii luonnollisesti myös itsenäisenä osiona.

International Sales Law ONEVAL0002
International Trade Law OTMEVAL0037
Willem C. Vis Commercial Arbitration Moot OTMEVAL0012
Client Consultation OTMEVAL0004
Contract Drafting and Negotiation OTMEVAL0005
Proactive Law and Legal Design OTMEVAL0036

Kauppaoikeuden maisteritutkielmaseminaarissa opiskelijalla on mahdollisuus syventyä edelleen kansainväliseen kauppaan tai Venäjän oikeuteen. Opiskelijat, jotka osallistuvat Willem C. Vis kilpailuun, voivat kirjoittaa tutkielmansa kilpailuun liittyvistä teemoista kauppaoikeuden maisteriseminaarissa. Kauppaoikeuden seminaari alkaa yleensä tammikuussa.

Learning material

Literature

To be selected by the tutors

Recommended reading:

Praven Kosuri (2015) Beyond Gilson: the Art of Business Lawyering. Institute for Law and Economics Research Paper No 15-27 (pages 463-495) Available at:
<http://ssrn.com/abstract=2635639>

Forrest S. Mosten, Lawyer as Peacemaker: Building a Successful Law Practice Without ever going to court. Family law Quarterly Vol 43 No3 (fall 2009), p. 489-512. ABA

Helena Haapio, Next Generation Contracts: A Paradigm Shift. Lexpert 2019 (319 pages) Contracts: A Paradigm Shift. Lexpert 2019 (Article based Ph.D. 319 pages)

Nuottila, J., Kujala, J. and Nysten-Haarala, S.: Flexibility in Software Project Business: What we can learn from agile methods in the Software Industry. In Nysten-Haarala, S., Barton, T. and Kujala, J. (toim.) Flexibility in Contracting. Lapland Law Review 2015, Issue 2. Available at:
<https://www.ulapland.fi/loader.aspx?id=3b5ebc2d-34df-44c3-aba5-bf679e23847d>

Nuottila, J., Kauppila, O., Nysten-Haarala, S. Proactive Contracting: Emerging Changes in Attitudes towards project contracts and lawyers' contributing. Journal of Strategic Contracting and Negotiation. 1-16 2016 Sage.

Prerequisites

No previous studies necessary

Evaluation scale

H-5

Assessment criteria

0-2

1-5

OTMEVAL0037 International Trade Law: 5 op

Objectives

This is a live online course aiming at familiarizing students with theories and policies that guide international trade and with the laws and regulations set in place by the World Trade Organization

(WTO). The course gives also some perspectives of the central concepts of intellectual property rights regulation and their interplay with international trade instruments such as WTO-TRIPs. The course addresses the main challenges for the international trading system in times of sanitary crisis.

By the end of this course students should have a critical understanding of the WTO law and institutions, the WTO Agreements (GATT, GATS, TRIPS), and will learn how to meet the trade regulations and discuss the principles behind the organization's dispute resolution system.

Contents

The course offers a general introduction to WTO law, including the analysis of the GATT and GATS Agreements. Particular emphasis is given to the institutional framework for liberalization of trade and the WTO dispute settlement system. The course will also analyze the status of the EU in the WTO and the legal effect of WTO law in the EU context. Moreover, the course offers an analysis of the history and functioning of IP instruments in the context of the WTO and TRIPs Agreement, as well as an understanding of the role of IP in economic development and of some of the major global IP-related controversies between developed and developing countries (e.g. TRIPS and public health; biodiversity and traditional knowledge). Also, the course reviews and analyzes the main challenges for the international trading system in times of COVID-19.

Accomplishment methods

Assignment: 40% Exam: 60%

Study methods

Lectures (19 contact hours), seminars (4-6 hours), self-study, independent research, exercises.

Further information

Timing

Autumn 2020

Vastuhenkilö

Responsible teacher:

Professor Rosa Maria Ballardini, University of Lapland

Lecturers:

Visiting lecturer Dr. Yovana Reyes Tagle, Catolica University of Peru

Professor Rosa Maria Ballardini, University of Lapland

Language of instruction:

English

Learning material

MANDATORY

- 1) Allee, T., Elsig, M. & Lugg, A. (2016). The Presence of the World Trade Organization within Preferential Trade Agreements. Available at: https://www.designoftradeagreements.org/media/filer_public/3e/ed/3eed0af0-766f-4e1b-9327-1097709
- 2) Baldwin, R. (2016). The World Trade Organization and the Future of Multilateralism. *Journal of Economic Perspectives*, 30(1), pp. 95-116.
- 3) Bechtel, M. M., & Sattler, T. (2015). What is litigation in the world trade organization worth? *International Organization*, 69(2), 375-403.
- 4) Howse, R. (2016). The World Trade Organization 20 Years On: Global Governance by Judiciary. *European Journal of International Law*, 27(1), pp. 9-77.
- 5) OECD. (2020). COVID-19 and international trade: Issues and actions. Available at <http://www.oecd.org/coronavirus/policy-responses/covid-19-and-international-trade-issues-and-actions-494da2fa/>

- 6) Taylor, C. O. (2017). Beyond retaliation. *Northwestern Journal of International Law & Business*, 38(1), 55-136.
- 7) WTO. (2020). Export Prohibitions and Restrictions. Information Note. Available at https://www.wto.org/english/tratop_e/covid19_e/covid19_e.htm
- 8) WTO. (2020). Trade Costs in the Time of Global Pandemic. Available at https://www.wto.org/english/tratop_e/covid19_e/covid19_e.htm
- 9) Resource Book on TRIPS and Development: An authoritative and practical guide to the TRIPS Agreement. Available at: <http://www.iprsonline.org/unctadictsd/ResourceBookIndex.htm>
- 10) Legal material delivered during the lecture containing agreements, cases and commentary and reference literature
- 11) Matsushita, M., Mavroidis, P. C. and Schönbaum, T. J. *The World Trade Organization, law, practice, and policy*, 2nd ed, Oxford: Oxford University Press, 2006. (pp.1-17; 110-139; 201-231; 233-256; 257-285)
- 12) Shaffer, G. (2015). How the World Trade Organization shapes regulatory governance. *Regulation & Governance*, 9(1), pp. 1-15.

OPTIONAL

- 1) *The Oxford Handbook of International Trade Law*, Daniel Bethlehem, Donald McRae, Rodney Neufeld and Isabelle Van Damme, Oxford Handbooks in Law, 856 pages January 2009.
- 2) Taubman, A., Wager, H. & Watal, J. Eds. (2012). *A handbook on the WTO-TRIPs Agreement*. Cambridge: Cambridge University Press.
- 3) WIPO "Intellectual Property Handbook: Policy, Law, and Use" (WIPO IP Handbook, 2008) WIPO Publication No. 489 (E). Available at: http://www.wipo.int/edocs/pubdocs/en/intproperty/489/wipo_pub_489.pdf
- 4) Jackson J H: *The world trading system: law and policy of international economic relations*. 2nd edition Cambridge, Mass: MIT Press, 1997. (pp.149-155;157-173; 305-317; 139-155; 157-173).
- 5) Sampson, G. P. (2018). Challenges Facing the World Trade Organization: An Overview. *Australian Economic Review*, 51(4), pp. 453-473.

Evaluation scale

H-5

OTMEVAL0038 Nordic Intellectual Property Law (NIP) Moot Court Competition: 10 - 15 op

Objectives

The purpose of this elective course is to give an insight into substantive intellectual property law and procedural issues in relation to intellectual property law litigation.

The course will enable students to:

- deepen their understanding of IP law and practice their skills outside of the lecture halls of the university and in an international environment,
- build a professional profile and prove their skills during their studies,
- demonstrate depth and breadth of understanding how intellectual property rights are litigated,
- draft Statements of Claim and Statements of Defence in IP-related cases.

Contents

The course takes place as a moot court competition, which means that three-person teams from Finland, Denmark, Sweden and Norway compete against each other. The competition focuses around one case only. First all teams shall draw up a Statement of Claims, whereafter each team

replies to another team in the form of a Statement of Defence. The best team from each country goes on to the final, which is held in the form of an oral hearing.

Each team is provided with coaching of no more than 8 hours by IP attorneys from top-notch Helsinki based law firms specialising in IP law. The competition starts in mid-September and ends in mid-December. The winning team is announced on the day of the final by a panel consisting of IP judges from all Nordic countries. The winning team is chosen on the basis of best overall performance. There is also a prize for best written submissions.

The case will be published in the first two weeks of September and the deadline for the Statement of Claims will be in the end of September/beginning of October. The deadline for the Statement of Defence will be in the end of October/the beginning of November. The winning teams from each country will be announced shortly thereafter. The final round consisting of an oral hearing will take place in the end of November/beginning of December.

The teams are supposed to know and use Nordic and EU legal materials. Participation in the competition requires therefore that at least one team member is able to read legal materials in Scandinavian languages and/or Finnish.

Conduct

The Nordic IP Moot Court course is divided into two parts:

- 1) writing and submission of Statement of Claims and Statement of Defence (approximately 20-30 pages each) in accordance with the given directives and schedule; and
- 2) preparing for and taking part in the oral hearing in accordance with the given directives and schedule (the final).

Both parts include coaching by Finnish IP attorneys.

All those who pass the first part receive 10 ECTS. The best Finnish team reaches the second part (the oral hearing) and receives thus an additional 5 ECTS.

Students will be graded based on their written submissions (the first part) and oral presentation (the second part).

Study methods

Submission of Statement of Claims and Statement of Defence (approximately 20–30 pages each) in accordance with the given directives and schedule is required.

The Nordic IP Moot Court course is divided into two parts: Moot Court Competition I and II. All those who fulfill the requirements of the Moot Court Competition up to the final (i.e. those who draft a Statement of Claims and a Statement of Defence) pass Moot Court Competition I (10 ECTS).

The best Finnish team that reaches the final (i.e. the oral hearing) passes Moot Court Competition II and receives thus an additional 5 ECTS.

Moot Court Competition I includes writing a Statement of Claims and a Statement of Defence and coaching by Finnish IP attorneys. Moot Court Competition II includes preparing for and taking part in an oral hearing and coaching by Finnish IP attorneys. Students will be graded based on their written submissions (Moot Court Competition I) and oral presentation (Moot Court Competition II).

Further information

The competition is open to students from all Finnish universities. The total maximum of students

accepted (students from all Finnish universities) is 24, i.e. 8 teams of 3 students each. As a starting point no more than 12 students from the University of Lapland may participate. The teacher may however make an exception and accept more students from the University of Lapland, if students from other Finnish universities do not fill up the quota.

Registration via Weboodi.

Examples of previous years' competitions:

[https://blogs.helsinki.fi/nipcomp2017/\(2017\)](https://blogs.helsinki.fi/nipcomp2017/(2017))

[http://www.juridicum.su.se/IFIM/nip/nip.aspx\(2016\)](http://www.juridicum.su.se/IFIM/nip/nip.aspx(2016))

[https://www.uio.no/studier/program/jus/nip-2015-practical-information.pdf\(2015\)](https://www.uio.no/studier/program/jus/nip-2015-practical-information.pdf(2015))

Target Group

This course is part of the course OTMVA0032 Essee tai Oikeustapauskilpailut.

This course is open to all students from the Finnish Masters of Laws programmes, the Bachelors of Laws degree, as well as to exchange students.

Responsible teacher Professor Rosa Maria Ballardini

Language of instruction

English

Other

This course is part of the Law and Technology package.

Prerequisites

Compulsory studies in commercial law (for example at Ulap the mandatory commercial law pooli ONPOOL6) or equivalent knowledge.

Evaluation scale

H-5

OTMEVAL0043 Law, philosophy, history of the social sciences and power: 5 op

Objectives

After the course the student

- understands the basic ideas of modern philosophy of science,
- understands the continuum of historical (social) philosophical conceptions of science,
- understands and is able to apply the theories of Searle and Lacan in particular analytically in the consideration of social issues,
- is familiar with the interlocutors of the recent (social) philosophical debate on science and their basic ideas,
- understands the connection between law, philosophy of law and the methodology of legal research within the modern social philosophical and scientific debate.

Contents

The course covers the history and philosophy of the humanities and social sciences from the birth of modern science (15th century). The aim is to ultimately understand the development of modern law as part of social structure and thinking, and to mirror the methodology used in the application and research of law against the views presented in other sciences and philosophies of science.

The course first deals with the birth of modern science and the different views presented on it

through the ideas of René Descartes, David Hume, Immanuel Kant and Georg H.F. Hegel (skeptical, analytical, epistemological and ontological approach). It then examines the evolution of scientific thought in the 19th and 20th centuries by analyzing the perceptions of writers of the time (Weber, Durkheim, Popper, Wittgenstein, positivism, etc.). After this, the development of the philosophy of science and the conception of science in the second half of the 20th century is considered, e.g. with the help of John Searle (social ontology) and Jacques Lacan (social discussions/discourses). Lectures cover e.g. thoughts of Foucault, Deleuze, Zizek on the state of society and science. A fairly complete and illustrative analysis of Searle's and Lacan's theories is presented. The analysis ultimately presents a comparison of these (psychoanalytic and more traditional linguistic-philosophical) approaches.

Scientific and social philosophical ideas are addressed in the course largely through everyday examples related to the current political, legal, and social debate.

Study methods

Working methods:

1. Pre-reading (delivered in Moodle 2 weeks before)
2. Lectures and exercises (20 h)
3. Written exam (Moodle)
4. Case analysis (3-4 pages)

Material: all pretask, lecture and exam is delivered in Moodle

During the lectures original texts of the writers are used and shown when analyzing different topics.

Further information

Tutor

Markku Kiikeri

Evaluation scale

H-5

OTMEVAL0045 Advanced Copyright Law: 5 op

Objectives

Aim and Content

The student will learn the advanced features of international and European copyright law, as well as differences between the legal traditions relating to copyright around the world. The student will learn to understand the central concepts of copyright law and familiarize him or herself with recent international scholarship. The student will acquire skills to evaluate and test comparative conclusions for reliability and accuracy.

Learning outcomes

The course covers advanced international and European copyright law through selected court cases and legislation on similar issues in different legal cultures. The student will improve research skills in utilizing international legal sources, institutions and databases. The course covers issues related to advanced copyright law from both a European and international perspective. After completing the course students will be able to:

- Understand and critically analyse legislations, court decisions, as well as legal literature in copyright law at an advanced level;
- Understand, describe and analyse the impact of new technological developments to the overall copyright system;
- Demonstrate depth and breadth understanding of the need and consequences of the

developments of new policies and legislations in the field of copyright law.â€

Study methods

The language of instruction is English, including all assignments.

The course may be completed 100 % online through independent study of electronically available course materials.

The course consists of two mandatory elements and mandatory course materials:

- Assignments (30%) &
- Essay paper (70%).

The passing grades of the quizzes and the essays will be weighted at 30 % and 70 % respectively to constitute the grade for the class. Assignments compose of mandatory quizzes and problems based on the course materials. The student may attempt the quizzes five times maximum, and must receive 70 % of the available points to pass.

The Essay paper should be 15 pages if written individually. Students may write essays also in groups (maximum 2 students per group). Essays authored by pairs must be 25 pages. Students must pre-approve their essay topics by 31.1.2022 regardless of time of completion of the course. Essays are subject to plagiarism detection. Students must receive 50 % of the available points to pass the essay.

Student completing the online course by 30.4.2022 will be graded by 31.5.2022. Students completing the online course by 31.7.2022 will be graded by 31.8.2022.

Further information

The course is offered online from 10.1.2022-29.7.2022 by the IPR University Center. Selection of eligible students is performed on a first-come-first-served basis. Registration opens on 15.11.2021 at 8.00 and closes 15.11.2021 at 24.00. Students must register during that time at:
<https://link.webpolsurveys.com/S/BBB107E1F6FBB178>

Selected students will be informed of their selection by latest 17.12.2021 and be granted access to the study portal, where further information is available.

Quotas: The course is offered in cooperation with IPR University Center. Entry is limited to 40 students. Students from the University of Lapland/Law Faculty, the University of Helsinki/Law Faculty and the UEF/Law School have priority to 30 seats, giving each partner 10 seats. Should any seat remain open, they default to eligible students at University of Lapland/Law, University of Helsinki/Law and UEF/Law respectively, in order of registration. Students from other IPR University member universities are reserved 10 seats. Any registered, eligible student may fill a vacant seat, if quotas are not otherwise filled.

Responsible teacher:

Professor Rosa Maria Ballardini in cooperation with IPR University Center (Prof. Pihlajarinne/University of Helsinki)

Other

This course is part of the Law and Technology package.

Prerequisites

The course is a Master level course. One basic course in intellectual property law, such as

ONEVAL0032 - Guide to IPRs (5ECTS), ONPOOL6B, Introduction to Intellectual Property Law (5ECTS), or equivalent is required in order to be able to enroll in the course.

Evaluation scale

H-5

OTMEVAL0046 Advanced Patent Law: 5 op

Objectives

Aim and Content

The student will learn the advanced features of international and European patent law, as well as differences between the legal traditions and patent registration systems of the world. The student will learn to understand the central concepts of patent law and familiarize him or herself with recent international scholarship. The student will acquire skills to evaluate and test comparative conclusions for reliability and accuracy.

Learning outcomes

The course covers advanced international and European patent law through selected court cases and legislation on similar issues in different legal cultures. The student will improve research skills in utilizing international legal sources, institutions and databases. The course covers issues related to advanced patent law from both a European and international perspective.

After completing the course students will be able to:

- Understand and critically analyse legislations, court decisions, as well as legal literature in patent law at an advanced level;
- Understand, describe and analyse the impact of new technological developments to the overall patent system;
- Demonstrate depth and breadth understanding of the need and consequences of the developments of new policies and legislations in the field of patent law.

Study methods

The language of instruction is English, including all assignments.

The course may be completed 100 % online through independent study of electronically available course materials.

The course consists of two mandatory elements and mandatory course materials:

- Assignments (30%) &
- Essay paper (70%).

The passing grades of the quizzes and the essays will be weighted at 30 % and 70 % respectively to constitute the grade for the class. Assignments compose of mandatory quizzes and problems based on the course materials. The student may attempt the quizzes five times maximum, and must receive 70 % of the available points to pass.

The Essay paper should be 15 pages if written individually. Students may write essays also in groups (maximum 2 students per group). Essays authored by pairs must be 25 pages. Students must pre-approve their essay topics by 31.1.2022 regardless of time of completion of the course. Essays are subject to plagiarism detection. Students must receive 50 % of the available points to pass the essay.

Student completing the online course by 30.4.2022 will be graded by 31.5.2022. Students completing the online course by 31.7.2022 will be graded by 31.8.2022.

Further information

Additional information

The course is offered online from 10.1.2022-29.7.2022 by the IPR University Center. Selection of eligible students is performed on a first-come-first-served basis. Registration opens on 15.11.2021 at 8.00 and closes 15.11.2021 at 24.00. Students must register during that time at: <https://link.webropolsurveys.com/S/BBB107E1F6FBB178>

Selected students will be informed of their selection by latest 17.12.2021 and be granted access to the study portal, where further information is available.

Quotas: The course is offered in cooperation with IPR University Center. Entry is limited to 40 students. Students from the University of Lapland/Law Faculty, the University of Helsinki/Law Faculty and the UEF/Law School have priority to 30 seats, giving each partner 10 seats. Should any seat remain open, they default to eligible students at University of Lapland/Law, University of Helsinki/Law and UEF/Law respectively, in order of registration. Students from other IPR University member universities are reserved 10 seats. Any registered, eligible student may fill a vacant seat, if quotas are not otherwise filled.

Other

This course is part of the Law and Technology package.

Responsible teacher

Professor Rosa Maria Ballardini in cooperation with IPR University Center.

Prerequisites

The course is a Master level course. One basic course in intellectual property law, such as ONEVAL0032 - Guide to IPRs (5ECTS), ONPOOL6B, Introduction to Intellectual Property Law (5ECTS), or equivalent is required in order to be able to enroll in the course.

Evaluation scale

H-5

OTMEVAL0047 Advanced Trademark Law: 5 op

Objectives

Aim and Content

The student will learn the advanced features of international and European trademark law as well as differences between the legal traditions and trademark systems of the world. The student will learn to understand the central concepts of trademark law and familiarize him or herself with recent international scholarship. The student will acquire skills to evaluate and test comparative conclusions for reliability and accuracy.â€

Learning outcomes

The course covers advanced international and European trademark law through selected court cases and legislation on similar issues in different legal cultures. The student will improve research skills in utilizing international legal sources, institutions and databases. The course covers issues related to advanced trademark law from both a European and international perspective. After completing the course students will be able to:

- Understand and critically analyse legislations, court decisions, as well as legal literature in trademark law at an advanced level;
- Understand, describe and analyse the impact of new technological developments to the overall trademark system;
- Demonstrate depth and breadth understanding of the need and consequences of the developments of new policies and legislations in the field of trademark law.

Study methods

The language of instruction is English, including all assignments.

The course may be completed 100 % online through independent study of electronically available course materials.

The course consists of two mandatory elements and mandatory course materials:

- Assignments (30%) &
- Essay paper (70%).

The passing grades of the quizzes and the essays will be weighted at 30 % and 70 % respectively to constitute the grade for the class. Assignments compose of mandatory quizzes and problems based on the course materials. The student may attempt the quizzes five times maximum, and must receive 70 % of the available points to pass.

The Essay paper should be 15 pages if written individually. Students may write essays also in groups (maximum 2 students per group). Essays authored by pairs must be 25 pages. Students must pre-approve their essay topics by 31.1.2022 regardless of time of completion of the course. Essays are subject to plagiarism detection. Students must receive 50 % of the available points to pass the essay.

Student completing the online course by 30.4.2022 will be graded by 31.5.2022. Students completing the online course by 31.7.2022 will be graded by 31.8.2022.

Further information

Additional information

The course is offered online from 10.1.2022-29.7.2022 by the IPR University Center. Selection of eligible students is performed on a first-come-first-served basis. Registration opens on 15.11.2021 at 8.00 and closes 15.11.2021 at 24.00. Students must register during that time at:
<https://link.webropolsurveys.com/S/BBB107E1F6FBB178>

Selected students will be informed of their selection by latest 17.12.2021 and be granted access to the study portal, where further information is available.

Quotas: The course is offered in cooperation with IPR University Center. Entry is limited to 40 students. Students from the University of Lapland/Law Faculty, the University of Helsinki/Law Faculty and the UEF/Law School have priority to 30 seats, giving each partner 10 seats. Should any seat remain open, they default to eligible students at University of Lapland/Law, University of Helsinki/Law and UEF/Law respectively, in order of registration. Students from other IPR University member universities are reserved 10 seats. Any registered, eligible student may fill a vacant seat, if quotas are not otherwise filled.

Other

This course is part of the Law and Technology package.

Responsible teacher

Professor Rosa Maria Ballardini in cooperation with IPR University Center (Prof. Katja Lindroos/UEF Law School)

Prerequisites

The course is a Master level course. One basic course in intellectual property law, such as ONEVAL0032 - Guide to IPRs (5ECTS), ONPOOL6B, Introduction to Intellectual Property Law (5ECTS), or equivalent is required in order to be able to enroll in the course.

Evaluation scale

H-5

OTMEVAL0048 Legal Challenges in International Investments, Indigenous Peoples and Environmental Protection: 3 op

Contents

The program of the Winter school consists of the following courses:

1. Multilevel governance of natural resources in the Arctic.

The course focuses on the interplay of state and non-state actors in governing natural resources, especially oil & gas, minerals and forests. National regulation of land rights and participatory rights of local, especially indigenous people, is compared between Finland, Sweden, Norway, Russia and Alaska.

2. Indigenous peoples' rights to land in the Arctic with comparative approach, including Finland, Sweden and Norway.

This course provides general introduction to the rights concerning the Saami people, particularly in Finland. Comparison is made to the other Nordic countries, especially to Sweden and Norway. The course has an interdisciplinary approach combining the methods of international relations and international law therefore it is suitable for students coming from different disciplines.

Additionally to getting substantive knowledge of the subject students will be able to develop their communication and presentation skills working with people coming from different disciplinary backgrounds and different cultures.

Study methods

The format of the Winter school prescribes five days of teaching (20 – 24 January) and one day for final students' presentations (25 January). Written home examination based on the lectures and the literature mentioned below.

Credits

Participation in the Winter School gives the students possibility to obtain 5 ECTS points (requires active participation in the Winter school, group presentation on the final day and preparation of a written assignment submitted).

Further information

Additional information

“Legal Challenges in International Investments, Indigenous Peoples and Environment Protection” (3IPEP) is a two-years project that has been funded with support from the European Commission within Erasmus+ Program. The project is implemented by a consortium of three partners: University of Versailles Saint Quentin-en-Yvelines/Paris Saclay (France), University of Lapland (Finland), Riga Graduate School of Law (Latvia). The purpose of the project is to grasp the strong interactions between protection of indigenous people, the protection of environment and the role of multinational

companies for the achievement of sustainable development, focusing on – but not limited to – legal issues. The Winter School “Legal Challenges in International Investments, Indigenous Peoples and Environment Protection» in Rovaniemi is a part of the project that will provide educational program for the students of partner universities.

More information: Junior Researcher Olga Pushina, University of Lapland, Faculty of Law
olga.pushina@ulapland.fi

Learning material

1. The course “Multilevel governance of natural resources in the Arctic”.

MANDATORY MATERIALS

1) Henry, Laura, Nysten-Haarala, Soili, Tulaeva, Svetlana and Tysiachniouk, Maria, Corporate Social Responsibility and the Oil Industry in the Russian Arctic: Global Norms and Neo-Paternalism. *Europe Asia Studies*, 2016: 68:8, 1340-1386 <http://dx.doi.org/10.1080/09668136.2016.1233523>

2) Tulaeva, Svetlana, Nysten-Haarala, Soili (2019). Resource allocation in oil-dependent communities: oil rent and benefit sharing arrangements. *Resources* 2019 (1st May) 8, 86; 8, doi:10.3390/resources802008.

3) Tysiachniouk, M.; Petrov A. 2018 Benefit sharing in the Arctic energy sector: Perspectives of corporate policies and practices in Northern Russia and Alaska. *Energy Reserach & Social Science* 39. p. 29-34.

4) Tysiachniouk, M., Henry, L., Lamers, M & Tatenhove, J. van 2017. Oil Extraction and Benefit Sharing in an Illeberal Context: The Nennets and Komi Izhemtsi Indigenous Peoples in the Russian Arctic, *Society & Naturla Resources* <https://doi.org/10.1080/08941920.2017.1403666>.

5) Nysten-Haarala, Soili, Klyuchnikova, Elena and Helenius, Heidi, Law and Self-Regulation – substitutes or Complements in gaining social acceptance. *Resources Policy* 2015, Vol 45, p. 52-64.

6) Pappila, M.: The interplay of Russian law, indigenous people and the oil industry – a need for non-state regulation? *The Yearbook of Polar Law*, vol 6, 2015, p. 120-141.

Oheiskirjallisuus

1) Borrows, J. *Canada’s Indigenous Constitution*. 2010

2) Tysiachniouk, M. & McDermott, C.L. 2016. Forest Certification with Russian characteristics. *Forest Policy and Economics* 62, p. 43-53.

3) Larsen S.V., Bors E.K., Johannsdottir L., Gladun E., Gritsenko D., Nysten-Haarala S., Tulaeva S. & Sformo, T. (2019) A conceptual framework of Arctic economies for policy-making, research, and practice. *Global Policy*. DOI:10.1111/1758-5899.12720

2. The course “Indigenous peoples’ rights to land in the Arctic with comparative approach, including Finland, Sweden and Norway”.

1) Tanja Joona, *The ILO Convention No. 169 in Nordic Context with Comparative Analysis: An Interdisciplinary Approach*, *Juridica Lapponica*, 37, Lapland University Press, 2012.

2) Tanja Joona, Safeguarding Cultural Rights of Sámi Children and Youth in Finland, with Special Emphasis on the Linguistic Part of Cultural Identity – Current Challenges. The Yearbook of Polar Law IX (2017) 109-129, Brill, 2018.

Possible other literature, articles etc. are provided by the teacher during the lectures.

Evaluation scale

H-5

OTMEVAL0049 Sustainable Development and Private Law: 5 op

Objectives

1 A comprehensive knowledge of the concept of sustainability and of the role private law plays while trying to promote sustainability.

2 Ability to view contract law, property law and other traditional fields of private law from the sustainability perspective, also in detailed questions.

3 Ability to develop creative solutions to abstract problems, especially using the general doctrines of private law.

Contents

During the course, the participants get familiar with the concept of sustainability and the importance of private law while trying to promote sustainable development. First, the relevant private law questions have to be identified. For example, the business models of the so called Circular Economy are going to be studied. Second, the participants are going to address the content of the regulation we have at the moment, both at the EU level, and at the national level. Thirdly, the acceptability of the regulation is going to be studied. The participants are required to ponder if the law needs amendments, or if it is possible to interpret the regulation we have at the moment so that the sustainability goals are reasonably met.

Accomplishment methods

Requirements:

Before the intensive week, studying of the pre-reading material given in electronic platform (Moodle) and performing the pretasks.

Participation during the intensive week 23.8-27.8.2021, and performing the tasks given during the week.

Writing of an individual essay of 5000 words. The participants are free to choose their topic, as long they write about sustainability and private law. The students have to submit their essays 30.9.2021, at the latest.

Study methods

An intensive course, 23.8-27.8.2021, with preliminary work and an essay submitted afterwards. During the intensive week, there are lectures, reading, working in small groups and oral presentations.

The intensive course comprises of five days, from Monday to Friday, of intensive working. All the working days are similar. First, there is going to be a lecture of 2 hours. At the end of the lecture, the students are given questions they have to start answering after the lecture is over. The participants work in groups of 4-6 students, and they have 4 hours to study the questions. One or more teachers

are ready to give assistance. Finally, the groups present their findings to all of the participants. This will take 2 hours. So, the students get to work for 8 hours every day, altogether 40 hours. The topics change on a daily basis.

Further information

Timing

23.8.-27.8.2021.

Tutor

Professor Janne Kaisto

OTMEVAL0050 Advanced Course on Privacy and Data Protection: 5 op**Objectives**

This is an intensive course of two weeks and consecutive seminar aiming at familiarizing students with theories and policies concerning the protection of personal data ranging from a historic and philosophical perspective leading to the European General Data Protection Regulation and the consequences on the use of advanced technologies as AI and robotics. Further famous international cases concerning the international exchange of personal data as Facebook and Google cases and the activities of intelligence agencies concerning the use of personal data will be subject of the course as well as the influence of concepts and cases on the right to be forgotten and the use of IoT and big data. In this way students will acquire a better understanding of the role of this fundamental right of privacy and data protection in the current society.

Contents

The course offers a general introduction to Privacy law and data protection law, including the analysis of the concept of privacy and data protection in different treaties as the Charter of the UN, the Europe Convention on Human Rights (ECHR), the European Charter of Fundamental Rights Charter and important secondary legal instruments as the European General Data Protection Regulation. Particular emphasis is given to development of privacy and data protection in historical and philosophical perspective as well as the more modern (European) Case law concerning the data protection regulation an the ECHR. The course will also analyze the relation between privacy and other non-absolute fundamental rights as well as the relation to public interests and the exceptions on the protection of privacy based on legal instruments. Further the role of intrusive technology in the processing of personal data will be highlighted.

Study methods

Lectures (18 contact hours), seminars (4-6 hours), self-study, independent research, exercises.

Assignments: 20%

Paper: 80%

Further information

More literature information and extra material

MANDATORY:

1)van den Hoven van Genderen, R, Privacy Limitation Clauses: Trojan Horses under the Disguise of Democracy

On the Reduction of Privacy by National Authorities in Cases of National Security and Justice Matters available at: <https://research.vu.nl/ws/portalfiles/portal/21336273/complete+dissertation.pdf>

2) Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (Text with EEA relevance)

available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32016R0679>

3) European Charter of Fundamental Rights

Available at: https://ec.europa.eu/info/aid-development-cooperation-fundamental-rights/your-rights-eu/eu-charter-fundamental-rights_en

4) European Convention on Human Rights

Available at: <https://www.coe.int/en/web/human-rights-convention>

5) Legal material delivered during the lecture containing agreements, cases and commentary and reference literature:

available at:

<https://hudoc.echr.coe.int/eng#%7B%22documentcollectionid%22:%5B%22GRANDCHAMBER%22,%22CHAMBER%22%5D%7D>

and: https://europa.eu/european-union/law/find-case-law_en

corona:

<https://www.lexxion.eu/wp-content/uploads/2020/03/COVID-19-Special-Data-Protection-Authorities-Deal-with-COVID-19.pdf>

WHO-2019-nCoV-Ethics_Contact_tracing_apps-2020.1-eng

Documents on: https://edpb.europa.eu/our-work-tools/our-documents/ovrigt/statement-data-protection-impact-interoperability-contact_en

Tutor

Prof. Dr. Robert van den Hoven van Genderen, University of Lapland, Vrije Universiteit Amsterdam

Lecturers (not complete list):

Professor Dr. Robert van den Hoven van Genderen:

Senior Lecturer Juhana Riekinnen, University of Lapland

Associate Prof. Rosa Maria Ballardini, University of Lapland

Doctoral candidate Emmanuel Salami, University of Lapland

Doctoral candidate, Dino Girardi, University of Lapland

Visiting lecturer Ass. Professor Dr. Tijmen Wisman, Vrije Universiteit Amsterdam

Visiting lecturer Professor Arno Lodder, Vrije Universiteit Amsterdam:

OTMEVAL0051 European Procedural Law: 5 op

Objectives

European procedural law course prepares student to work as an attorney or a judge in a case, where one needs to apply and use the procedural rules of European law. The course deepens student's knowledge and skills especially in procedural European law (European union/European human

rights).

After the course the student knows how to use in practice European legal material and method of literal, aim-oriented and systematic interpretation.

Study methods

Working methods:

1. Pre-reading (delivered in Moodle 2 weeks before)
2. Lectures and exercises (15 h)
3. Case analysis (3-4 pages)

During the lectures original texts (legislation, cases, scholars) are used and shown in analyzing various topics.

During the lectures original texts (legislation, cases, scholars) are used and shown in analyzing various topics.

OTMEVAL0052 Air Law: 5 op

Objectives

The primary objective of the module is to help the student to understand and discuss various questions related to air law.

The secondary objective of the module is to facilitate student's overall understanding of the courses taught in the public international law program.

Contents

Air law from the international perspective, including for instance:

- general aspects
- the Chicago Convention
- the International Civil Aviation Organization
- air service agreements, airline alliances
- air carrier liability
- financial arrangements
- safety and security
- environmental issues.

Accomplishment methods

The student must complete all the following in order to pass:

- 1) Watching online lectures.
- 2) Completing a short workbook. The workbook contains questions on the topics discussed in the lectures.
- 3) Participating in live or online discussions. The discussions concern the questions presented in the workbook.
- 4) Writing an essay (min. 3000 words) on one of the available topics.

Study methods

The module is only available as a lecture course, which is organized every spring and involves the aforementioned study methods. The course is only available in full as 5 credits; flexible credit is not

offered. Partial credits are offered in other courses of the public international law program, please see the study guide for details.

Further information

Semester/timing: every spring, generally from february to march.

The Moodle enrollment key will be provided via email when the participants are confirmed. The student must ensure that the EMAIL ADDRESS they have provided on Peppi/Oodi is valid.

The evaluation is primarily based on the essay, but the other items are considered also.

The module is part of the Public International Law Package.

Learning material

The learning material will be available as follows:

- The online lectures are watchable on Moodle as premade videos.
- The workbook will be provided on Moodle.
- The Moodle workspace contains information on how to acquire sources for the essay. Ultimately, the student is her or himself in charge of acquiring the sources.
- The instructions for the essay will be provided at the beginning of the course.
- For Chicago Convention Annexes (SARPs), see <https://bit.ly/3kbDanO>.
- See ICAO treaty depositary at <https://bit.ly/3cRGaIS>.

Course literature

ISBN number Literature information

- 9780367870720 Dempsey, Paul S. & Jakhu, Ram S. (2017) Routledge handbook of public aviation law
- 9781619542716 Hamilton, Scott J. (2015) Practical aviation & aerospace law workbook
- 9781107697737 Havel, Brian F & Gabriel S. Sanchez (2014) Principles and Practice of International Aviation Law
- 9789523372368 Huttunen, Mikko T. (2020) Safety and Security of Unmanned Aircraft Systems: Legislating Sociotechnical Change in Civil Aviation
- 9789041191366 Mendes de Leon, Pablo (2017) Introduction to Air Law
- 9789462366190 Milde, Michael (2016) International Air Law and ICAO, 3rd edition (2nd edition is also available)
- 9783319000688 Ruwantissa, Abeyratne I. R. (2014) Convention on International Civil Aviation: A Commentary
- 9781138319134 Ruwantissa, Abeyratne I. R. (2018) Aviation Security: Legal and Regulatory Aspects
- 9783030482176 Ruwantissa, Abeyratne I. R. (2020) Aviation in the Digital Age: Legal and Regulatory Aspects
- 9781138588806 Scott, Benjamyn I. & Trimarchi, Andrea (2020) Fundamentals of International Aviation Law and Policy

Prerequisites

No pre-requirements. Having studied the basics of public international law in some form greatly aids in completing the module.

Evaluation scale

H-5

OTMEVAL0053 Responsible Platform Economy and Law: 5 op

Objectives

The aim of the course is to encourage our students to interrogate the responsibilities embedded in the current forms of platform economy and the role that law and regulation play in building responsible platform-driven trade. After taking the course, the students recognise the varieties of platform economy and identify the typical societal issues and challenges related to platformisation. The students can independently approach the concept of responsibility with a multidisciplinary perspective and tools and examine the responsabilisation of platform economy stakeholders. The students will acquire skills to combine law with perspectives from other disciplines and learn to utilise sources from various research fields when conducting legal analysis.

Contents

The course comprises perspectives from several disciplines, including law and regulation, cyber/digital security, corporate social responsibility, and social license to operate, to responsibility and responsabilisation in platform-driven trade and other value creation. Digitalisation generates new business models and social and economic practices that transform the ways in which we interact with each other. Moreover, it requires that societal structures, such as regulation, become adjusted to these transformations. Digital platforms have a great potential to generate economic growth, facilitate innovations, create new employment and business opportunities, increase competition, and enhance societal participation. However, platform economy blurs the established demarcation between a trader and a consumer and the laws regulating traditional production and supply may not suit to regulating these novel forms of social and economic interaction. The situation has led to several challenges in the application of legislation in force to platform economy. Several concerns have arisen regarding, for instance, platform workers' rights, platform-induced competition restrictions, security and privacy of platform users, and consumer protection. The spreading of mis/disinformation, hate speech, and the manipulation of social practices on platforms have called for more attention from governments and legislators, but also from ICT companies, law enforcement and courts. Thus, the responsibilities of platform economy stakeholders require clarification.

Digital platforms typically operate globally. Yet, the negative implications of platform-driven trade often come out nationally and/or locally. This globality of platforms poses additional challenges to supranational, national, and/or local regulators. Legal norms do not comprehensively define the concept of responsibility, which also derives from social norms, peer pressure and personal morale, industry standards and good practices, available guidance, and so forth.

The course encompasses the following topics:

- a) Introduction to platform economy and law
- b) Cyber/digital security in platform economy
- c) CSR as a trigger to regulate: Corporate social responsibility as a tool to measure responsibility of platform actors and question the adequacy of legal measures
- d) From legal acceptance to social license to operate – why should platform providers and platform users acknowledge local responses and reactions

Accomplishment methods

Written assignments, group work, learning project.

Study methods

The course will be begin in November 2021.

The course consists of:

- a) lectures 8–10 h
- b) learning journals and reflections
- c) group work and assignments
- d) and a personal or a team project

Further information

This course is part of the Law and Tech course package.

The package on Law and Technology includes several LLB and LLM level courses on a variety of theoretical and practical legal issues related to technological development, as well as sustainability related matters.

Learning material

Will be announced later on Moodle workspace.

Prerequisites

The course is recommended only for LLM students.

Pass / fail

Fail/pass, peer reviews, 1-5

OTMEVAL0054 Fundamentals of Law and Technology: 5 op**Objectives**

The primary objective of the module is to help the student understand and discuss the fundamental aspects of the relationship between law and technology.

The secondary objective is to facilitate learning in the specific courses belonging to the Law and Technology Program.

Contents

The module encompasses the following topics:

- the concepts of regulation, law, and legislation
- the concepts of rules, standards, and principles
- the concept of technology: social construction and change (sociotechnical change)
- the distinctiveness and interdependency (co-dependency) of law and technology: technological and legal determinism, instrumentalism, and normativity
- regulation/governance of technologies (regulatory theory): typical legal issues created by technology and possible legal and other approaches to the issues, and
- the role of values in law and technology.

The topics are discussed from a general and critical perspective that is not bound to any single field of law nor the particularities of legal doctrine. Examples are provided from a wide range of phenomena, such as transportation, weapons, information and communications technology (ICT), and biotechnology. Technology is thus viewed as something not limited to ICT. This broad perspective also allows the students to discuss a wide range of topics in their essay.

The module is listed as an LLM level course, but it is also recommended for students at the LLB level who are interested in law and technology.

Accomplishment methods

To pass, the student must complete the following items:

- 1) Watching online lectures.
- 2) Completing a short workbook. The workbook contains questions on the topics discussed in the lectures.

3) Participating in live or online discussions. The discussions concern the questions presented in the workbook.

4) Writing an essay (min. 3000 words) on one of the available or personally chosen topics.

Study methods

The module is only available as a lecture course, which is organized every fall. The module is only available in full as 5 credits; flexible credits are not offered.

Further information

Semester/timing: every fall in September - October

The Moodle enrollment key will be provided via email when the participants are confirmed. The student must ensure that the EMAIL ADDRESS they have provided on Peppi/Oodi is valid.

The evaluation is primarily based on the essay, but the other items are considered also.

The module is part of the Law and Tech Package.

Learning material

The learning material will be available as follows:

- The online lectures are watchable on Moodle as premade videos.
- The workbook will be provided on Moodle.
- The Moodle workspace contains information on how to acquire sources for the essay. Ultimately, the student is her or himself in charge of acquiring the sources.
- The instructions for the essay will be provided at the beginning of the course.

Course literature

ISBN number Literature information

- 9780199576081 Baldwin, Robert – Cave, Martin – Lodge, Martin (2012) *Understanding Regulation: Theory, Strategy, and Practice*, 2nd edition
- 9781584350576 Baudrillard, Jean (1972/1987/2012) *The Ecstasy of Communication*, new edition. Originally *L'autre par lui-même*; trans. in Finnish as *Ekstaasi ja rivirus*
- Bennett Moses, Lyria (2007) *Recurring Dilemmas: The Law's Race to Keep Up With Technological Change*. In *Journal of Law, Technology & Policy*, Vol. 2007, No. 2, pp. 239–285
- 9780262517607 Bijker, Wiebe E. – Hughes, Thomas P. – Pinch, Trevor (eds, 2012) *The Social Construction of Technological Systems: New Directions in the Sociology and History of Technology*
- 9780199276806 Brownsword, Roger (2008) *Rights, Regulation, and the Technological Revolution*
- 9780815356455 Brownsword, Roger (2019) *Law, Technology and Society: Re-Imagining the Regulatory Environment*
- 9780199680832 Brownsword, Roger – Scotford, Eloise – Yeung, Karen (eds., 2017) *The Oxford Handbook of Law, Regulation, and Technology*
- Dworkin, Ronald (1967) *The Model of Rules*. In *University of Chicago Law Review*, Vol. 35, No. 1, pp. 14–46
- 9780674518360 Dworkin, Ronald (1986) *Law's Empire*
- 9780394703909 Ellul, Jacques (1964) *The Technological Society*
- 9780415197557 Feenberg, Andrew (1999) *Questioning Technology*
- 9780199644704 Hart, Herbert L. A. (1961/2012) *The Concept of Law*, 3rd edition
- 9780062290700 Heidegger, Martin (1977) *The Question Concerning Technology and Other Essays* (the essay itself is available in many editions)
- 9781786430229 Hildebrandt, Mireille (2015) *Smart Technologies and the End(s) of Law: Novel Entanglements of Law and Technology*



- 9789523372368 Huttunen, Mikko T. (2020) Safety and Security of Unmanned Aircraft Systems: Legislating Sociotechnical Change in Civil Aviation
- 9780674793033 Jasanoff, Sheila (1995) Science at the Bar: Law, Science, and Technology in America
- Kaisto, Janne (2020) Älykoodi lakina – vai ei sittenkään? In Lakimies, Vol. 118, No. 7/8, pp. 993–1016 (in Finnish)
- Kosti, Nir – Levi-Faur, David – Mor, Guy (2020) Legislation and regulation: three analytical distinctions. In The Theory and Practice of Legislation, Vol. 7, no. 3, pp. 169–178
- 9789521070365 Koulu, Riikka (2016) Dispute Resolution and Technology: Revisiting the Justification of Conflict Management
- 9789058509864 Leenes, Ronald E. – Kosta, Eleni (eds., 2013) Bridging Distances in Technology and Regulation
- 9780465039142 Lessig, Lawrence (1999/2006) Code Version 2.0
- Lessig, Lawrence (1998) The New Chicago School. In The Journal of Legal Studies, Vol. 27, No. S2, pp. 661–691
- 9781782545637 Marchant, Gary E. – Abbott, Kenneth W. – Allenby, Braden (eds., 2013) Innovative Governance Models for Emerging Technologies
- 9789400713550 Marchant, Gary E. – Allenby, Braden R. – Herkert, Joseph R. (eds., 2011) The Growing Gap Between Emerging Technologies and Legal-Ethical Oversight: The Pacing Problem
- 9789462652798 Reins, Leonie (ed., 2019) Regulating New Technologies in Uncertain Times
- 9781138240025 Skrbina, David (2014) The Metaphysics of Technology
- 9780190864446 Sunstein, Cass (1996/2018) Legal Reasoning and Political Conflict, 2nd edition
- 9780262730495 Winner, Langdon (1978) Autonomous Technology: Technics-out-of-Control as a Theme in Political Thought

Evaluation scale

H-5

OTMEVAL0055 Conflict management and mediation in civil and commercial disputes: 5 op

Objectives

Students will learn to diagnose the legal and non-legal elements of conflicts and possible solutions to these conflicts. They will learn to address conflicts constructively through negotiations and mediation. The students will be able to work through a mediation process and to use mediation as a dispute resolution tool in civil and commercial disputes. They also learn the importance of interaction, communication and ethical behavior.

Contents

Students practice conflict diagnosis, negotiation and mediation skills and techniques in various exercises and practice a simulated mediation.

Study methods

A seminar with lectures, teamwork and a learning diary written according to the instructions given at the beginning of the course (40 hours)

Each student should be able to practice once in the role of a mediator and as a disputant/lawyer.

Further information

Teacher

Petra Hietanen-Kunwald

Registration in Weboodi, maximum 20 students, 80% attendance required.

Learning material

Fisher Roger, Ury, William; Getting to Yes: Negotiating an agreement without giving in, Random House Business (2012)

Moore, Christopher, The Mediation Process: Practical Strategies for Resolving Conflict; 4th Edition; Jossey-Bass (2014)

Hopt Klaus; Steffek Felix; Mediation: Principles and Regulation in Comparative Perspective, Oxford University Press (2013) pp. 1-205.

Evaluation scale

Approved/Rejected

OTMEVAL0056 European cross-border insolvency law: 5 op

Objectives

The course provides the students an overall look into the regulation of cross-border insolvency proceedings and enforcement of foreign judgements in Europe. The focus is on regulation 2015/848 on insolvency proceedings and regulation 1215/2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters.

Contents

Upon completion of the course, the students will:

- recognize the key difficulties of enforcement of foreign judgements.
 - be familiar with cross-border insolvency and enforcement regulation in the EU.
 - know how a judgement given in one member state is enforced in another member state.
 - know the relative benefits and disadvantages of the options for cross-border enforcement.
 - be familiar with the procedural safeguards the debtor and the creditor's have in cross-border enforcement.
 - know how collective insolvency proceedings are performed when the debtor has connections to more than one member state.
 - know the primary and secondary bankruptcy proceedings in cross-border bankruptcy.
 - be familiar with regulation regarding actio pauliana and other auxiliary matters in a cross-border bankruptcy.
 - know the powers and duties of court appointed insolvency practitioner in cross-border bankruptcy.
- The course does not include civil law view on obligations and debt. The course only addresses civil and commercial matters as laid out in regulation 1215/2012. Tort claims and their enforcement is not addressed. Administrative matters are also excluded.

Accomplishment methods

The course consists of lectures, group work, seminar presentations, and written assignments or exam.

The course begins with a lecture on basics of the regulation. During the lecture, the students are divided into groups of at least 3 persons and given a group assignment. They need to write at least a 15-page analysis on some issue, phenomenon or court case that fits the themes of the course. The group then presents their work for the entire course attendance in a seminar. Students are required to comment on other groups' presentation. After the seminar work the students produce an independent written analysis of no less than 10 pages. The basis of the analysis is on the course reading or other viable source of student's choosing (subject to permission from teacher). Alternative to the independent written assignment is a written exam on the entire book. The exam

can be done at any time during the semester and is available in Exam.

The course is a standalone course catering to both English and Finnish speaking students. The lectures are available only in English. The reading material is available both in Finnish and English, though the English version is recommended as it is more comprehensive. The written assignments can be made in either language as per the student's choice.

- 1) Lecture 6 hours (14.–15.3.2022)
- 2) Group work 15 pages (ca. 5 per student)
- 3) Seminar presentation in group 30 minutes (31.3.2022)
- 4) Seminar attendance, observing and commenting on other groups
- 5) Written analysis 10 pages OR examination

Study methods

More accurate instructions are provided during the first lecture of the course. Attendance is mandatory.

The course's examination can be found in Exam-system, though completion of the examination does not yield course credits without performing rest of the course work.

Learning material

Literature:

Bork, Reinhard: European Cross-Border Insolvency Law. Oxford University press 2016. ISBN: 9780198729099

Regulation:

Regulation (EU) 2015/848 of the European parliament and of the council on insolvency proceedings (recast)

Regulation (EU) no 1215/2012 of the European parliament and of the council on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (recast)

Regulation (EC) No 1896/2006 of the European parliament and of the council creating a European order for payment procedure

Regulation (EC) No 805/2004 of the European Parliament and of the Council creating a European Enforcement Order for uncontested claims

Regulation (EC) no 861/2007 of the European parliament and of the council establishing a European Small Claims Procedure

Regulation (EU) no 655/2014 of the European parliament and of the council establishing a European Account Preservation Order procedure to facilitate cross-border debt recovery in civil and commercial matters

Evaluation scale

H-5

OTMEVAL0057 European banking law: 5 op

Objectives

The course provides a comprehensive look into EU regulation concerning banking and financial markets.

Contents

After the course, the student:

- knows the key regulations regarding banking and financial markets
- knows how consumer credit and mortgage credit are regulated in the EU
- recognizes key tools the regulations provides to combat abuse in the banking sector
- knows at a basic level how collateral and securities are regulated in the EU

Study methods

The course is an independent course. The student must familiarize herself with the course material, after which examination is available in the Exam service. Exam is available throughout the semester and the student is free to choose at which time to attend the examination.

Course literature**ISBN number Literature information**

9781138044227 Matthias Haentjens, European Banking and Financial Law Statutes. Routledge 2017.

Evaluation scale

H-5

OTMEVAL0058 International Tax Law: 5 op**Objectives**

The aim of the course is to give students a basic knowledge of the international taxation, Finnish international tax law and international tax treaties. During the course students will learn to find and use the necessary information in order to solve international tax law issues.

Contents

The course composes of four Modules

1. Introduction to international tax law
2. Basics of Finnish international tax law
3. Tax treaties
4. Tax planning

Accomplishment methods

Each Module consists of preassigned readings, lectures, written assignments or case studies. After all the four Modules have been completed, there will be a written essay.

Study methods

It is required to complete all the parts of the course to receive a final course grade. The course is only available in full as 5 credits, flexible or partial credit is not offered.

Further information

The course language is English but the written essay can be written either in English or Finnish.

Timing: Spring semester.

Course literature**ISBN Literature information
number**

Helminen Marjaana, Finnish International Taxation (Alma Talent Fokus, online), or Helminen Marjaana, Kansainvälinen verotus (Alma Talent Fokus, online), chapters 3-13 and 20
Organisation for Economic Co-operation and Development Committee on Fiscal Affairs. Model Tax Convention on Income and on Capital: Condensed Version 2017.

Prerequisites

For the students of the University of Lapland ONPOOL11 Finanssioikeus is recommended. For exchange students a basic level course in tax law is recommended.

Evaluation scale

H-5

EU Private International Law: 5 op

Objectives

After completing this course, the student:

- knows the basic concepts of private international law, especially in the context of EU law
- understands what private international law is about generally and what is the role of private international law within EU law specifically
- comprehends the content of the central EU Regulations on private international law and is able to apply them to a given case
- is able to interpret and analyse the European Court of Justice's judgments concerning EU private international law.

Content

Private international law regulates legal disputes between private parties that have connections to more than one state legal order. There are three main issues of concern within private international law: i) which court has jurisdiction to rule on an international case; ii) what is the applicable law in such an international case; and iii) how are foreign court judgments recognised and enforced?

Previously private international law was mainly a national matter as each country had their own laws that defined these three issues. Nowadays private international law is largely harmonized by the European Union, which means that the same conflict of laws rules apply in all Member States. This course provides a general overview of the EU's harmonized private international law regime.

Further information

Toteutus ja työmuodot

Lectures (OTM0002D1, 2 ECTS) and a written exam (OTM0002D2, 3 ECTS).

Information on the lectures (OTM0002D1, 2 ECTS) will be provided separately for every semester. Students can take the exam in the electronic environment EXAM: <https://exam.ulapland.fi/>

Lisätietoja kirjallisuudesta ja muusta materiaalista

Michael Bogdan: Concise introduction to EU private international law (2016) or Michael Bogdan and Marta Pertegás Sender: Concise introduction to EU private international law (2019)

Säädökset

- Brussels I Regulation (Regulation (EU) No 1215/2012)
- Brussels II Regulation (Regulation (EC) No 2201/2003)

Applicable law for contracts:

- Rome I Regulation (Regulation (EC) No 593/2008)

Applicable law for tort:

- Rome II Regulation (Regulation (EC) No 864/2007)

Insolvency:

- Insolvency Regulation (Regulation (EU) 2015/848)

Succession:

- Succession Regulation (Regulation (EU) No 650/2012)

Matrimonial property regimes:

- Regulation (EU) 2016/1103

Property consequences of registered partnership:

- Regulation (EU) 2016/1104

Arviointi

The lectures are graded fail/pass and the written exam on a scale from 0–5.

Vastuhenkilö

Tomi Tuominen

Opetuskieli

English

Lisätiedot

The course book and the exam questions are in English, but students can answer the exam in either English or Finnish. The lectures are delivered in English or in Finnish.

The course is directed to both degree students of the University of Lapland and exchange students.

This course is part of the EU law program:

- ONEVAL0031 European Constitutional Law
- ONEVAL0034 European Union Economic Law
- ONVAL0067 EU:n sisämarkkinaoikeus ja kilpailuoikeus
- OTM0002D EU Private International Law
- OTM0018 Theoretical and Methodological Approaches to EU and International Law

OTM0002D1 EU Private International Law, online seminar: 2 op

Evaluation scale

H-5

OTM0002D2 EU Private International Law, written exam: 3 op**Course literature****ISBN number**

9789089521774

Literature information

Michael Bogdan: Concise Introduction to EU Private International Law (2016)

978-90-8952-208-5

Michael Bogdan and Marta Pertegás Sender: Concise Introduction to EU Private International Law (2019)

Evaluation scale

H-5

OTM0018 Theoretical and Methodological Approaches to EU and International Law: 5 op**Objectives**

After completing this course, the student:

- Understands what is meant by theory and method in legal research, and how they relate to each other
- Is able to read and comprehend theoretically oriented scholarship in EU law and public international law
- Is able to apply an identified theoretical approach to their own thesis
- Is able to analyse the underlying theoretical assumptions and paradigms in a piece of legal scholarship

Contents

Contents

European Union law and public international law are interrelated research areas in that they both take law beyond the confines of sovereign states. For this reason, they share many paradigms. For example, questions relating to their legal nature (are they law or just politics?) and how they challenge the sovereignty of individual states (are state legal orders subordinate to the EU/international legal order?) are central in both. Therefore, there are also many similarities between them what comes to theoretical conceptualisation and the required methodology for studying them. This course aims to provide the student with a basic understanding on the different approaches to European Union law and public international law and to convey how they are simultaneously both argumentative practices and academic efforts. The course does not focus on individual “theories” or “methods” nor use them as labels. Rather, it assumes the view that scholarship within EU and international law should be understood through the overall aim that the individual scholar is pursuing with their work. In other words, the combination of theory and method translates to the approach. The purpose of this is to make it easier to grasp what many theoretically oriented scholars within these academic disciplines are doing.

Participation to the course requires that the student has taken a course in both EU law and public international law. The course does not provide the student with basic knowledge on these areas of law. Rather, the course explores what EU and international law are about, and what are some topical discussions within these areas of scholarship. The course is especially suitable for students who are going to write their master’s thesis on EU law or public international law.

Seminar I: Introduction to the Topic

The first seminar is a lecture by the teacher, which introduces the students to the topic and overall aim of the course. The lecture briefly explains the following seminars and how they are connected to each other. Thus, the seminar draws a picture for the students of what to expect from the course.

Seminar II: Doing Law

How to interpret and apply EU and international law? We explore the doctrinal method, which is the internal perspective of the judge. This is the basic methodological apparatus of both practicing lawyers and academics.

Seminar III: Thinking About Law

How to think about law beyond the positivist doctrinal account? We introduce key thinkers in EU and international law. Such theoretical accounts try to understand the nature of law as a social phenomenon.

Seminar IV: Understanding Political Science

How to study legal issues from the political scientist's external perspective? Political scientists use different methods as lawyers and they also have theories through which they aim to understand the world and different phenomenon. We explore these theories and methods.

Seminar V: Merging Disciplines

How to combine legal research with other social sciences? Law is a central societal phenomenon. It both structures politics and is the object of politics. Therefore, legal scholars and political scientists often study the same issues. We explore how to combine these two fields of research.

Accomplishment methods

Active participation to the seminars and a written essay of approximately 3.000 words.

Study methods

The course is delivered in the form of weekly seminars. The first seminar is an introduction to the topic of the course. For each of the following four seminars, the students will be required to read the material provided by the teacher and to answer a set of preliminary questions based on the material. The material consists mainly of literature. In the seminars, the weekly topic will be discussed on the basis of the preliminary questions. After the seminars, the students will be assigned a topic on which to write an essay.

Further information

Period: The course is usually organized every fall semester.

Target audience: The course is aimed for students writing their master's thesis in European Union law or public international law. Students interested in theoretical and methodological discussion within these areas of law will also find the course interesting.

Responsible teacher: Tomi Tuominen, Mikko Huttunen

Language: English

This course is part of the EU law program:

- ONEVAL0031 European Constitutional Law
- ONEVAL0034 European Union Economic Law
- ONVAL0067 EU:n sisämarkkinaoikeus ja kilpailuoikeus
- OTM0002 EU Private International Law
- OTM0018 Theoretical and Methodological Approaches to EU and International Law

Learning material

The course material will be provided by the teacher.

Prerequisites

A basic level course in European Union law and public international law.



Please note that this is not a course on the substance of EU law or public international law but a course on theoretical and methodological issue in the study of EU law and public international.

Evaluation scale

H-5

Assessment criteria

0-2

Grading will be done on a scale of 0 to 5. The essay forms the basis of the grading, but active participation to the discussions within the seminars are also taken into consideration.