



Trinity College Dublin
Coláiste na Tríonóide, Baile Átha Cliath
The University of Dublin

LL.M BOOK OF MODULES 2020/2021

The information contained herein was correct at time of publication and may be subject to change before commencement of lectures.

All modules are offered in one semester only. Some modules may be delivered at the same time. A timetable will be provided in due course and students will be invited to submit your module enrolment form in consultation with the timetable.

Where a module has limited enrolment and capacity, priority will be given to students enrolled in the related degree programme.

Three modules must be chosen each semester, six in total.

Students registered on any of the three specialised LL.M. programmes must select at least two modules from the list of Section A modules each semester (four modules in total). The remaining two modules can be chosen from either Section A or Section B modules.

For example, a student enrolled in LL.M (International and Comparative Law) may choose the following options:

Semester 1: Three modules from Section A

Semester 2: Two modules from Section A and one module from Section B.

Advanced Lawyering Techniques (LA7060) 10 ECTS
Lecturer: Dr Diarmuid Rossa Phelan

This module is available on the following programmes in:	Semester 1
LL.M.	Section A
LL.M. International and Comparative Law	Section A
LL.M. International and European Business Law	Section A
LL.M Intellectual Property and Information Technology Law	Section B

The purpose of this module is to impart techniques to improve the analytic, oral, and written presentation abilities of module attendees. The motivation behind this course is that (a) substantive subject areas have grown to the extent that comprehensive information grasp is impossible, and (b) cognitive and rhetorical skills training is not the focus of dedicated development in the undergraduate law curriculum, but is rather assumed to be osmotically absorbed.

Most modules focus on the transfer and testing of knowledge of a substantive area, and many are taught in the traditional way of case-centric, narrative or historic of evolution of substantive law in reaction to developments. In contrast, this module teaches a set of advanced generic thinking skills applicable to the full range of areas of law, and also to many areas of politics and social engagement.

Techniques applicable across most substantive areas of law are introduced, explained, and practiced, without confinement to a specific subject or legal system. Techniques covered in previous courses include advocacy, memory technique, rhetoric and argument, the role of experience, legal writing, sometimes mind mapping, and examination of witnesses.

Students are alerted to the probability that there will be changes occasioned by the response to Covid 19, in module content, delivery, and assessment. So far as possible these changes will be announced at the commencement of the teaching of this module. However there may be further changes mid module as the situation develops.

Learning Outcomes

On successful completion of this module, students should be able to:

- Describe the nature of advocacy and reproduce some standard techniques, and improve skill
- Identify and apply techniques of memory training
- Apply introductory classical training in Rhetoric and structures of argument, including identification of fallacious reasoning
- Appreciate the role of experience and develop an insight into the mind of the decision maker
- Write better
- Have practiced examination of witnesses and the Single Point Presentation

Assessment

Coursework – 100%

- Tasks
- Essay
- Presentation
- Attendance & Participation

- Test

This module is based on continuous assessment. Attendance is taken. Tasks will be set most weeks to be handed in or presented the following week. In addition, there may be short in class tests, e.g. on memory learning techniques, which cannot be assessed out of class.

African Human Rights Law (LA7013) 10 ECTS
Lecturer: Professor William Binchy

This module is available on the following programmes in:	Semester 1
LL.M.	Section A
LL.M. International and Comparative Law	Section A
LL.M. International and European Business Law	Section B
LL.M Intellectual Property and Information Technology Law	Section B

The module analyses core aspects of African human rights law. It examines the application in the African context of international human rights instruments, with special emphasis on the African Charter on Human and Peoples' Rights and Protocol. It assesses the extent to which the Charter has influenced domestic legal systems in Africa. Several specific human rights themes are examined, including the death penalty, fair trial rights, the right to healthcare, equality issues, prisoner's rights, freedom of expression and the rights of ethnic and religious minorities. So far as domestic legal systems are analysed, the emphasis will be on the position in Commonwealth states.

Learning Outcomes

On successful completion of this module students should be able to:

- Identify the relationship between global and regional human rights and the incorporation of human rights norms at national level in Africa.
- Analyse key issues, including the death penalty, fair trial rights, gender equality and customary law.
- Discuss African human rights law in comparative perspective.
- Appraise and evaluate the role of tribunals and courts in Africa in protecting social and economic rights, freedom of expression and the right to liberty.

Assessment

Take-home Assignment – 100%

Business and Human Rights (LA7117) 10 ECTS
Lecturer: Ms Rachel Widdis

This module is available on the following programmes in:	Semester 2
LL.M.	Section A
LL.M. International and Comparative Law	Section A
LL.M. International and European Business Law	Section A
LL.M Intellectual Property and Information Technology Law	Section B

Pre-requisite: Students are asked to take into account that this module includes discussion of cases and provisions for corporate liability in civil and criminal law. It remains fully accessible to students from non-law backgrounds once they engage in keeping up to date with pre-reading and with lectures.

Business and Human Rights explores the extent to which multinational corporations and Business and Human rights is concerned with improving the accountability of business for negative impacts on human rights and the environment. Alongside states' duties to protect human rights from harm there is growing awareness amongst stakeholders, policy makers and business leaders that rights respecting business models are needed, particularly when multinational business groups operate in zones of weak governance.

This module explores the adequacy of the existing regulatory framework and emerging trends in international soft law, domestic regulation and transnational private regulation. It considers issues with access to remedy for business related human rights violations within civil and criminal law. The class will study recent cases in the home states of parent companies concerning the alleged involvement or complicity of group related operations in modern slavery, forced land dispossession, extrajudicial killings, and environmental degradation which also affects livelihoods. Lecture themes include legal and practical barriers to remedy, corporate responsibilities to conduct human rights and environmental due diligence, parent company duty of care, and the ongoing negotiations on a legally binding UN treaty on Business and Human Rights.

Within this unfolding area, the objective is to explore existing challenges and encourage students to consider how states, international institutions and business practices could prevent violations and improve access to remedy for victims.

Learning Outcomes

On successful completion of this module students should be able to:

- Appreciate the legal, commercial and human impacts at the interface between business and human rights.
- Understand the basis for attributing obligations to respect human rights to states, multinational corporations, and other business enterprises.
- Critically evaluate the main international instruments and policy initiatives in the area.
- Discuss legal and procedural barriers to remedy for victims of business related violations of human rights.
- Demonstrate an understanding of causes of action and potential effects on businesses stemming from human rights impacts throughout their operations.
- Identify and evaluate trends towards improving transparency and accountability via policy and regulation.
- Discuss the ways in which business is responding to increased focus on these issues.

Assessment

- Essay - 80%. 5,000 word essay due at the end of the semester, from a choice of assigned topics.
- Class Presentation - 10%. Students will deliver a short presentation in self-selected groups of 3 on a choice of assigned topics. The mark for the group will apply to all students within the group.
- Class Attendance/Participation- 10%. This will be determined on the basis of individual attendance at, participation in and contribution to discussions, online/in class.

The Chinese Legal System In Comparative Perspective (LA7080) 10 ECTS
Lecturer: Professor William Binchy

This module is available on the following programmes in:	Semester 2
LL.M.	Section A
LL.M. International and Comparative Law	Section A
LL.M. International and European Business Law	Section B
LL.M Intellectual Property and Information Technology Law	Section B

The Chinese legal system is of great interest from a comparative law perspective. Law in China had a completely different role traditionally from that in Western society. During the early decades of the 20th century, Western influences predominated. In the years since the establishment of the Peoples' Republic of China in 1949, the role of law has undergone successive radical changes as China's social and economic order and its place in the world have been so profoundly transformed. The module examines the contemporary legal system in China. It analyses its constitutional and administrative law foundations, its economic law, intellectual property, tort code and criminal justice norms and practices. It considers how public and private international law fit into the Chinese legal system and addresses issues of human rights and the wider debate on cultural relativism.

Learning Outcomes

On successful completion of this module, students should be able to:

- Identify key aspects of the Chinese legal system that are of importance from a comparative law perspective.
- Appraise the main features of Chinese public and private law, in such areas as constitutional law, commercial law, tort law and family law.
- Critically analyse human rights issues in the context of Chinese law and society.

Assessment

Take-Home Assignment – 100%

Comparative Civil Rights (LA7056) 10 ECTS
Lecturer: Professor Neville Cox

This module is available on the following programmes in:	Semester 2
LL.M.	Section A
LL.M. International and Comparative Law	Section A
LL.M. International and European Business Law	Section B
LL.M Intellectual Property and Information Technology Law	Section B

The module considers first the nature of civil rights and their overall sources and validity as well as the acceptable bases for limiting such rights. It then looks at the bases for civil rights protection in the key legal systems under discussion namely Ireland, America, Germany and

considers the links with international human rights law. It then focuses on three specific rights namely

- (a) privacy - especially in the contexts of sexual privacy, abortion and same sex marriage
- (b) free speech – especially in the context of so called offensive speech including blasphemy and holocaust denial.
- (c) Religious freedom – especially in the context of European and Iranian laws respectively prohibiting and requiring the wearing of particular kinds of headscarf or face veils

Learning Outcomes

On successful completion of this module students should be able to:

- Critically assess the concept of civil liberties in various jurisdictions
- Identify and critically examine the legal issues arising in respect of a range of factual scenarios connected to the application of civil rights in various jurisdictions
- Identify and evaluate the role of the law in protecting and recognising civil rights in various jurisdictions
- Appraise and evaluate the rules governing the protection specifically of the rights to privacy, freedom of religion, and freedom of expression
- Apply critical analysis and problem-solving skills and techniques to different essay and problem questions based on material covered in the module.

Assessment

- Essay to be submitted at end of module - 50%.
- Draft legal submissions in a hypothetical case before the European Court of Human Rights submitted at the end of the module - 30%
- Participation in a weekly online discussion forum running throughout the semester – 20%

Comparative Product Liability: Common Law, EU and US Perspectives (LA7086) 10 ECTS

Lecturer: Mr. Alex Schuster BL

This module is available on the following programmes in:	Semester 2
LL.M.	Section A
LL.M. International and Comparative Law	Section A
LL.M. International and European Business Law	Section A
LL.M Intellectual Property and Information Technology Law	Section B

Comparative Product Liability explores the extent to which manufacturers (and other businesses in the supply chain) are liable for injuries caused by defects in products. In examining selected areas of product liability law in the Common Law World, the EU and the US respectively, this comparative course is designed to afford participants with insights into how social and economic factors, as well as legal culture, have shaped the differences between the three legal regimes.

Issues to receive special emphasis in the context of this module will include the concept of a producer, the definition of defectiveness, the significance of instructions for use and danger

warnings, the manufacturing defect/design flaw dichotomy, development risks, the heads of recoverable damages, the running of time in product liability claims.

Learning Outcomes

On successful completion of this module students should be able to:

- Outline the common law principles governing liability for defective products;
- Understand the pivotal importance of both the concept of defectiveness and the development risks defence in an EU context;
- Trace the evolution of US Products Liability Law by acquainting themselves with the provisions of Section 402 (A) of the Restatement (Second) of Torts and the Restatement (Third) of Torts: Product Liability;
- Explain the significance of instructions for use and design warnings and the manufacturing defect/design flaw dichotomy in both an EU and a US context;
- Compare the different legal regimes for compensating consumers (injured by allegedly defective products) in the Common Law World, the EU and the US respectively;
- Assimilate the technical rules governing the running of time in product liability claims;
- Identify and describe the key rules governing both the quantum and the recovery of damages;
- Visualise some of the pitfalls inherent in product liability litigation.

Assessment

Examination in this subject is by way of 'take home' assignment (with an upper limit of 5000 words)

Contemporary Issues in EU Law (LA7120) 10 ECTS Lecturer: Dr Catherine Donnelly

This module is available on the following programmes in:	Semester 2
LL.M.	Section A
LL.M. International and Comparative Law	Section A
LL.M. International and European Business Law	Section A
LL.M Intellectual Property and Information Technology Law	Section A

This module will be delivered online in academic year 2020/21.

In an era in which the powers of the EU and the actions taken by Member States pursuant to EU law are ever-expanding, the focus of this module will be on contemporary issues in EU law. The module will be suitable for both those who have studied EU law previously and those who have not. Following a brief introduction to critical aspects of EU law, the module will focus on contemporary questions and challenges facing the EU. It will consider the following: (1) fundamental principles of EU law; (2) access to judicial remedies in EU law; (3) human rights in the EU and the impact of the Charter of Fundamental Rights of the European Union; (4) Brexit; (5) data protection; (6) social welfare and citizenship; (7) State aid and taxation.

Learning Outcomes

On successful completion of this module, students should be able to:

- Conduct effective and targeted research in case law and academic legal commentary regarding the EU law;
- Assess the theoretical rationale for fundamental doctrines of EU law;
- Identify, evaluate and critique the evolution of human rights protection in the EU;
- Discuss and debate the challenge of delivering accountability and remedial protections for individuals in the EU;
- Discuss the substantive case law of the Court of Justice of the European Union;
- Classify and compare the grounds for judicial review in EU law;
- Synthesise and evaluate case law on current issues of concern in the EU; and
- Apply EU law and theory to concrete practical contemporary problems.

Assessment

Essay (5,000 word count) – 100%

Contemporary Issues in International Law (LA7100) 10 ECTS Lecturer: Mr Michael Becker

This module is available on the following programmes in:	Semester 1
LL.M.	Section A
LL.M. International and Comparative Law	Section A
LL.M. International and European Business Law	Section A
LL.M Intellectual Property and Information Technology Law	Section A

The promise of a world public order based on international law remains elusive in the face of old and new threats to peace and prosperity. States have an international obligation to pursue the peaceful settlement of their disputes, but the extent to which many global problems can be addressed effectively by international law is an open question. This module will give students a theoretical and practical understanding of how international law addresses a range of contemporary problems, such as the use of force, responses to mass atrocity, weapons of mass destruction, , the global pandemic and disputes over self-determination, territory and resources. Students will consider how international law has evolved to deal with these problems and the dilemmas that policy-makers face when trying to balance legal, political and normative considerations. The topics will be explored through primary materials and selected academic literature, and lectures will be supplemented by group exercises and/or student presentations. Overall, the module will provide an opportunity to explore and evaluate the fluid relationship between international law and politics in the context of real-world problems.

Learning Outcomes

On successful completion of this module, students should be able to:

- Identify core principles of public international law and evaluate their application to a range of contemporary global problems;
- Critically analyse the case studies explored in the module from a public international law perspective;
- Demonstrate a nuanced understanding of the relationship between international law and politics;

- Use relevant primary materials to engage with international law from the perspective of a researcher and a practitioner.

Assessment

- Final Essay - 70% (4,000-4,500 words)
- Two short writing assignments during term – 15%
- Online participation - 15%

**Contemporary Issues in Refugee Law (LA7121) 10 ECTS
Lecturer: Dr Patricia Brazil**

This module is available on the following programmes in:	Semester 2
LL.M.	Section A
LL.M. International and Comparative Law	Section A
LL.M. International and European Business Law	Section B
LL.M Intellectual Property and Information Technology Law	Section B

As the global refugee crisis continues, this course offers a timely opportunity to engage with the complex interaction of international and regional frameworks concerning forced migrants. The course will focus on contemporary issues in refugee law, including the right to asylum and safe passage, non-refoulement, the particular social group in refugee law, complementary protection, exclusion from protection, child refugees, durable solutions (including resettlement and relocation) and the externalisation of protection.

Learning Outcomes

On successful completion of this module students should be able to:

- Identify and describe essential characteristics of international refugee law
- Debate different approaches to the interpretation of the 1951 Convention on the Status of Refugees
- Explain and apply the legislative framework of the Common European Asylum System
- Critically analyse key rights and pathways to refugee protection
- Conduct independent research on a particular aspect of refugee law
- Draft a higher court judgment on a particular aspect of refugee law, provided by the lecturers.

Assessment

- Four x 800-1,000 word reflection pieces, each worth 10% (totaling 40%)
- 4,000 word essay - 60%

**Copyright in the EU Digital Single Market: Law, Policy and Licensing Practices
(LA7106) 10 ECTS
Lecturer: Dr Giuseppe Mazziotti**

This module is available on the following programmes in:	Semester 2
LL.M.	Section A
LL.M. International and Comparative Law	Section B
LL.M. International and European Business Law	Section B
LL.M Intellectual Property and Information Technology Law	Section A

The development of a Digital Single Market has become one of the key objectives of the European Union. Since the launch of the Digital Agenda in 2010 the EU Commission has proposed new legislation aimed at creating the conditions for a borderless distribution of goods and services in web-based environments on a pan-European basis. This legislative action has increasingly touched upon the area of copyright and related rights, encouraging (and sometimes obliging) right-holders in the creative industries to adapt their licensing businesses to the digital environment and the new ways creators and content producers reach their audiences, viewers and readers.

The module critically evaluates policy initiatives and legislation the EU has implemented so far in order to standardize, streamline and make technologically up-to-date the conditions of rights clearance with regard to copyright works, orphan works (i.e., works whose authors or rights-holders are unknown) and cultural resources in the public domain (like book, music and film collections) held by public libraries, museums and archives.

Classes are designed to foster interactivity through a combination of lectures, online class discussions and analysis of relevant cases and policy documents. Students will gain familiarity with individual and collective models of rights management in order to understand how the digital environment is challenging the remuneration opportunities of individual creators and forcing content owners to change their business models with regard to specific types of creative work (i.e. music, films, books and newspapers, software, etc.). The module also aims at assessing whether the existing legislation and business practices may enable an effectively pan-European flow of diverse creative content and, if not, what additional measures the EU would need to implement.

Learning Outcomes

On successful completion of this module students should be able to:

- Critically evaluate the objectives of the EU Digital Single Market Strategy with regard to copyright works and cultural resources
- Understand the potential conflict between the goals of supporting cultural creation, preserving cultural diversity and ensuring broad access to knowledge
- Demonstrate an in-depth knowledge of the various licensing schemes adopted for musical and audiovisual works, books, software and news as well as their different consequences for the creation of a EU Digital Single Market
- Understand, from both a legal and business perspective, emerging business models

- Comprehend the functioning of collective rights management organisations and their mutual representation agreements, at both European and International level
- Analyze administrative decisions and judgments on the compatibility of the functioning and of the arrangements of collecting societies with primary EU law
- Understand the role that tools such as metadata and repertoire databases are expected to play for the licensing of digital uses in the near future
- Demonstrate a knowledge of the fields of application of the existing legislation and identify gaps, inconsistencies or unsettled issues, from both a legal and business perspective

Assessment

- 5000-word essay (80%)
- Coursework blogposts and forum discussions on Blackboard - (20%)

**Corporate Governance in the EU (LA7028) 10 ECTS
Lecturer: Professor Blanaid Clarke**

This module is available on the following programmes in:	Semester 1
LL.M.	Section A
LL.M. International and Comparative Law	Section B
LL.M. International and European Business Law	Section A
LL.M Intellectual Property and Information Technology Law	Section B

The term “corporate governance” refers to the “procedures and processes according to which an organisation is directed and controlled”. This module will examine the regulatory and market structures in the EU which specify the distribution of rights and responsibilities among different participants in the organisation – such as the board, management, shareholders, employees and other stakeholders – and which lay down the rules and procedures for decision-making. Corporate law theory, financial theory and behavioural economics theory will be used to develop an understanding of the rationale for these structures and rules and, in some cases, their failure to meet their desired objectives. These theories will also be contextualized and current controversial topics such as board culture, board pay, board diversity, corporate ethics, corporate social responsibility and corporate governance in banks will be explored. The module will distinguish between “shareholder-oriented, Anglo-American governance regimes” which may be said to exist in the UK and Ireland and the more inclusive more stakeholder-oriented regimes which exist in Germany and other continental European countries. The impact of the Covid-19 Pandemic, the Global Financial Crisis, and Brexit will also be considered as will the role of corporate law in the social market economy. Reference will be made to both hard law and soft law in the corporate governance field with an emphasis on EU regulation.

Learning Outcomes

On successful completion of this module, students should be able to:

- engage in high-level analysis of a range of corporate governance issues;
- express an informed view on the ultimate interests that corporate governance regulations should seek to advance;
- assess different regulatory mechanisms;

- identify and discuss the main themes, perspectives and issues in the area of corporate governance;
- make informed recommendations for reform in the area of corporate governance;
- demonstrate an awareness and appreciation of the multidisciplinary approach to corporate law scholarship; and
- critically evaluate legal and doctrinal scholarship on corporate governance in the light of current developments.

Assessment

Essay: 75%

Students are required to submit a written assignment (maximum 4,500 words) by 12 January 2021. This will constitute 75% of the total marks available for the module. This will take the form of a short essay and a reflective journal. The latter will allow students to engage critically on a selected theme throughout the duration of the module in the context of current legal scholarship, regulation, public discourse and the relevance of the module to everyday situations and examples.

Response Paper/Presentation: 25%

On one occasion during the term, each student will be assigned a particular academic article and, with one week’s notice, must prepare and present a short Response Paper (maximum two pages) to the class. A total of 25% of the total marks will be available for this work. Feedback on this assignment will be provided within ten days of submission.

The Response Paper should not be a mere summary of the main points in the article but instead should reflect students’ own analysis of the arguments contained therein and their intellectual engagement with the material. This means: describing the core arguments; identifying their strengths and weaknesses; exploring their application to the current business environment; and referencing commonalities or inconsistencies with other material on the syllabus. It is particularly important that students include their own personal reactions to the assigned articles. The response paper must be submitted on Blackboard and to Blanaid.clarke@tcd.ie by 3.30pm on the Friday before the presentation is to be made.

**Cyber Security Law and Policy (LA7135) 10 ECTS
Lecturer: Dr Maria Grazia Porcedda**

This module is available on the following programmes in:	Semester 2
LL.M.	Section A
LL.M. International and Comparative Law	Section B
LL.M. International and European Business Law	Section B
LL.M Intellectual Property and Information Technology Law	Section A

***Priority will be given to students registered for the LL.M Intellectual Property and Information Technology Law degree programme. Any available places will be offered to students on other LLM programmes in late September 2020.**

Network and information technologies have taken centre stage in economic growth, the fight against crime, defence and diplomacy. This is why cyber security is now regarded as

essential for discharging the duties of the state and the endeavours of economic and civil society actors. However, cyber security means different things to different jurisdictions, and even to different interest groups within single jurisdictions. It can mean any or all of the following: information security, the mitigation of data breaches, protection against cybercrime, resilience from cybercrime, the confidentiality of communications, the preservation of evidence, the avoidance of cyber war, cyber defence and the acquisition of civilian and military cyber capabilities. Such broad understanding of cyber security is reflected in fragmented national and regional legal frameworks. International law offers solutions of limited reach due to political disagreements. The Convention on Cybercrime has not been signed by all members of the Council of Europe. Likewise, members of the United Nations have not yet reached an agreement on the feasibility of a Treaty regulating the use of force in cyberspace, making this a very lively area of IT law to research and study. The course will focus on the laws adopted in the areas of network and information security, privacy and data protection, cybercrime and cyber war and the most recent political developments at the regional and international level.

The classes will feature a combination of lecture and seminar-style debates allowing for the analysis of the legal frameworks and the discussion of case law and policy documents. Participants will cover a broad range of regional and international legal instruments, including soft law, having a bearing on network and information security, privacy and data protection, cybercrime and cyber war. These include, but are not limited to, the Council of Europe Convention on Cybercrime (Budapest Convention) its Additional Protocols, relevant sections of the Modernised Convention for the Protection of Individuals with Regard to Automatic Processing of Personal Data (Convention 108), the EU General Data Protection Regulation and relevant international standards. Students will gain the necessary knowledge to appraise the effectiveness of such instruments and their interaction. The course further aims to enable students to identify trends in political approaches to cyber security as they unfold and analyse current policy developments.

Learning outcomes:

On completion of this module, students should be able to:

- Understand the different meanings of cyber security and the scope of cyber security-related law and policy;
- Identify relevant sources of primary and secondary law;
- Apply the relevant bodies of law to each sub-area of cyber security;
- Comprehend relevant regional instruments, which include but are not limited to the Budapest Convention and its Additional Protocols;
- Appreciate the impact of technological, economic and political developments on cyber security law and policy;
- Appraise the tensions between areas of cyber security policy and the effectiveness of applicable laws;
- Discuss the key authors in the field;
- Write critically on the subject.

Assessment

- 40%: Book Review (max 2000 words)
- 40%: Open-book Exam (max 3000 words)
- 20%: Group Presentation

Data Protection: Law, Policy And Practice (LA7122) 10 ECTS
Lecturer: Dr David Fennelly, Dr Eoin O'Dell

This module is available on the following programmes in:	Semester 1
LL.M.	Section B
LL.M. International and Comparative Law	Section B
LL.M. International and European Business Law	Section B
LL.M Intellectual Property and Information Technology Law	Section A

*** Priority will be given to students registered for the LL.M (Intellectual Property and Information Technology Law) degree programme. Any available places will be offered to students on other LLM programmes in late September 2020.**

In recent years, data protection has gained a high public profile and has become a dynamic and important area of legal practice. With the introduction of the EU's General Data Protection Regulation [GDPR], which came into force in May 2018, the legal landscape of data protection is undergoing significant and far-reaching change. The aim of this module is to provide an introduction to this changing framework for data protection, combining perspectives from law, policy and practice so as to give students a well-rounded understanding of this fast-moving field. This course will explore the key concepts and current issues in data protection, including: the principles of data protection; the rights of data subjects, including the right to be forgotten; the accountability of data controllers and processors; the challenge of international data transfers; and the systems of remedies and fines for enforcement and compliance.

Dublin is home to the European headquarters of 9 of the top 10 US technology companies, 8 of the top 10 global software companies, the top 3 global enterprise software companies, and 4 of the top 5 IT Services companies. It is also home to the Data Protection Commission, which will often be the lead regulator for the application of the GDPR to these companies. And there is a growing range of legal and other professional services advising these companies and bodies. Drawing on expertise from this ecosystem, and in addition to the course coordinators, students will benefit from guest lectures from leading Irish and international experts in data protection law, policy and practice.

Learning Outcomes

On successful completion of this module students should be able to:

- To understand the core principles of data protection law and how they apply in practice
- To develop an insight into data protection law in its theoretical, policy and practical contexts
- To identify, interpret and apply the key sources and primary materials
- To engage in advanced research and analysis on current issues in data protection and
- To critically analyse the legal and policy framework of data protection

Assessment

Assessment in this module will be by Essay (100%). It must be

- 6,000 words (INCLUDING footnotes),
- referenced according to OSCOLA Ireland system of legal citation, and
- submitted only Turnitin on Blackboard, by 4:00pm on Friday 18 December 2020.

The topic of the Essay must be either (i) one of those set out on the course Blackboard website, or (ii) one which is approved by the lecturers; and - either way - it must be settled on or before the class in week 6 (Wednesday 5 November 2020)..

EU Aviation Law (LA7076) 10 ECTS
Lecturer: Dr Ewa Komorek

This module is available on the following programmes in:	Semester 2
LL.M.	Section A
LL.M. International and Comparative Law	Section A
LL.M. International and European Business Law	Section A
LL.M Intellectual Property and Information Technology Law	Section B

Pre-requisite - Basic knowledge of EU law general, and EU competition law in particular, is a welcome although not essential requirement for participation in this module.

This module aims to provide students with an overview of the regulatory structure of civil aviation in the European Union. Out of all transport modes in Europe, air transport has experienced the fastest growth in recent years. It makes a key contribution to the European economy and plays a vital role in regional development and integration of Europe, as well as ensures connectivity with the rest of the world. This is largely due to the work of the European Union and the creation of single market for aviation.

This module deals with EU laws, policies and case law in the field of air transport. Main topics include the liberalization of air transport and the creation of the internal market for aviation; the European safety and security policies; the protection of passenger rights; the protection of environment; and the application of EU competition law to air transport industry. The relations of the EU with third countries, following the European Court's of Justice 'Open Skies' judgments are also addressed. The module also looks at the EU regulatory responses to the recent Covid-19 crisis. Guest lectures are provided by industry experts from i.a. Irish Aviation Authority, Ryanair, INCE law firm (Paris) and Stephenson Harwood law firm (London). Internship opportunities are provided for students achieving best result in the module.

Learning Outcomes

On successful completion of this module students should be able to:

- Appraise and evaluate the regulatory structure of civil aviation in the European Union.
- Identify and evaluate the major developments in the regulatory framework since 1987.
- Identify and analyse main areas affected by regulation in the aviation industry in the EU.
- Critically evaluate the role of various regulatory bodies, national and international, in the aviation industry.
- Apply critical analysis and problem-solving skills to questions relating to EU aviation law.

Assessment

- Essay (5,500 words) - 90%
- Blackboard/Online participation – 10%

EU Competition Law - (LA7010) 10 ECTS
Lecturer: Dr Diarmuid Rossa Phelan

This module is available on the following programmes in:	Semester 1
LL.M.	Section A
LL.M. International and Comparative Law	Section A
LL.M. International and European Business Law	Section A
LL.M Intellectual Property and Information Technology Law	Section A

Pre-requisite: Students should be acquainted with EU law prior to taking this module or should consult with the module lecturer to ascertain whether this module is appropriate for them. Advisory: if you have not studied before the law of the European Union or if you are not fully conversant with one of the official languages of the European Union this course is not advised. The course proceeds on direct study of primary official EU texts.

A, Purpose. To teach (i) European competition law (ii) familiarity with primary legal materials (iii) analytical lawyering ability. The module innovates in basing itself on primary materials published by the EU, of which an online manual is composed, such as Treaty Articles, Regulations and Directives, and extending to official Notices and Vade Mecum. It eschews heavy reliance on academic commentary and case law analysis, with some exceptions for illustrative purposes. The purpose of the module is threefold. First, acquaintance with the subject matter. Second, skills training in the reading and analysis of primary materials, such as Regulation 1/2003 Third, the development of independent critical and scholarly argument and exposition based on the primary materials. Students should be aware that this module does not follow textbooks but looks directly to primary instruments and moves from instrument to instrument, rather than primarily thematically.

Substantive EU competition law. Articles 101-106 (TFEU). Areas not covered are Mergers, State Aids, and great detail about procedures before the European Commission. Many primary documents are covered. The focus is on these. There is relatively little focus on the case law of the Court of Justice or on secondary literature. By this means, the course may be taken by those with experience of EU competition law, and those with none. Students from outside Europe with no acquaintance of the EU institutional and treaty framework may take the course without notable disadvantage, provided they do some primer reading in the first two weeks.

Students are alerted to the probability that there will be changes occasioned by the response to Covid 19, in module content, delivery, and assessment. So far as possible these changes will be announced at the commencement of the teaching of this module. However there may be further changes mid module as the situation develops.

Learning Outcomes

On successful completion of this module students should be able to:

- Describe and summarize the primary materials on competition law published by the EU, of which the module manual is composed, such as Treaty Articles, Regulations, Directives and official Notices and Vade Mecum.
- Analyse, breakdown, and interpret those primary materials.
- Create and illustrate independent authoritative argument and exposition on the basis of

those materials, and break any hold of assumptions of secondary literature and narrative.

Assessment

The assessment is by four short essays

2 essays of 2,000 words (30% each)

2 essays of 1,000 words (20% each)

The essays will be based on topics considered during class. Advance reading for the class, and class attendance, is required. The essay deadlines will be spread throughout term. Different sub-topics in a theme may be assigned to different students - not all students may have the same essay title. For example, if the theme of the first essay is on the Treaties, students may be assigned to write on different articles in Treaties.

EU Consumer Law (LA7042) 10 ECTS Lecturer: Mr Alex Schuster BL

This module is available on the following programmes in:	Semester 2
LL.M.	Section A
LL.M. International and Comparative Law	Section B
LL.M. International and European Business Law	Section A
LL.M Intellectual Property and Information Technology Law	Section B

The EU is comprised of circa 445 million consumers based in 27 different countries. Although drawn from different traditions and cultures, all of these myriad consumers are supposedly the ultimate beneficiaries of the process of market integration in the EU (insofar as that marketplace provides them with high quality goods and services at optimal prices). A closely related issue is whether the blueprint for EU law and policy in the consumer field has been adequately designed to turn its 445 million consumers from market passengers into market drivers. With all of this in mind, the course focuses on the following subject areas:

1. The Evolution of EU Consumer Law and Policy;
2. The Concept of a 'Consumer';
3. Positive and Negative Harmonisation
4. Consumer Contract Law;
5. Unfair Terms in Consumer Contracts;
6. Consumer Sales, Supply of Services and Guarantees ;
7. Product Liability and Product Safety;
8. EU Travel and Tourism law;
9. Consumer Rights (including Electronic Commerce)
10. Unfair Commercial Practices;
11. Litigation, Redress and Enforcement.

Learning Outcomes

On successful completion of this module students should be able to:

- Identify and describe the gradual evolution of Consumer law and policy at an EU level;
- Locate the relevant legislative and judicial texts;
- Recall and correctly interpret substantive EU Consumer law;

- Examine the extent to which EU Consumer law has transformed European consumers from market passengers into informed drivers of the marketplace;
- Critically assess the problems inherent in the enforcement of EU Consumer Law;
- Outline the importance of EU Consumer Law for businesses selling goods and services on a pan-European basis.

Assessment

Examination in this subject is by way of 'take home' assignment (with an upper limit of 5000 words)

EU Digital Single Market (Media and Content Regulation) (LA7123) 10 ECTS Lecturer: Dr Ewa Komorek

This module is available on the following programmes in:	Semester 2
LL.M.	Section A
LL.M. International and Comparative Law	Section B
LL.M. International and European Business Law	Section A
LL.M Intellectual Property and Information Technology Law	Section A

The European media landscape is undergoing a transformation, characterised by a steady increase of convergence of media services, with a visible move towards intertwining traditional broadcast and internet. Information and communication technologies (ICTs) are revolutionising the development and distribution of information today, giving a unique chance to better create and market European content.

To function optimally, a "single European digital media market" needs a minimum set of common rules. To this end the module would analyse the European Commission's regulatory efforts in three fields (three EU media policies within the Single Digital Market): Audiovisual and Media – the Audiovisual Media Services Directive (AVMSD) which created single European market for audiovisual media services. The Directive was most recently amended in 2018 to bring it in line with the new digital realities.

Media Freedom and Pluralism in the Digital Age – providing safeguards for media transparency, freedom and diversity remains vital in Europe's rapidly changing media landscape

Media literacy – the European Commission is pursuing several actions in this field aimed at increasing the critical thinking towards the media among EU citizens, including the ability to distinguish information from propaganda, to deconstruct media communication and to interact with social media in a mindful way.

It is recommended that students who wish to take this module have basic familiarity with general principles of EU law.

Guest lectures are provided by industry experts from the Broadcasting Authority of Ireland, media consultancy companies and others.

Learning Outcomes

On successful completion of this module students should be able to:

- Identify and evaluate the EU regulatory structure governing the (mainly audiovisual) media;
- Appraise the importance of the Digital Single market initiative and the Audiovisual Services Directive for the EU regulation of the media;

- Critically evaluate the role of European Union in the international regulation of the media industry in Europe;
- Identify and assess the main issues connected with the need to maintain pluralistic and diverse media market in Europe and the role the European Union plays in this area;
- Appraise the importance of promoting media literacy and identify and assess the EU's initiatives in the area of EU regulations of the media.

Assessment

- Essay (5,500 word limit) - 90%
- Blackboard/Online participation – 10%

EU Financial Services Law (LA7025) 10 ECTS

Lecturer: Mr Donald A. MacLean

This module is available on the following programmes in:	Semester 1
LL.M. International and European Business Law	Section A

*** This module is only available to students registered for the LL.M (International and European Business Law) and MSc Law and Finance degree programmes only.**

This module is a survey of the primary principles in the regulation of financial service providers within the EU (*and Ireland*). We will look at past, current and future development of banking, securities, occupational pension and insurance regulation, such as:

- Irrational for, and impact of, regulation on the provision of financial services;
- standardisation and harmonisation of law;
- coordination and cooperation among Member States; and
- comingling of sectors and resultant issues

with regards to the following subject matter:

- Major Concepts — The Single Market; Freedom of Movement of Capital; Prudential Supervision; Mutual Recognition, Risk and Risk Management Conduct; Capital Adequacy
- Regulation of EU Banking — Introduction to the Single Supervisory Mechanism; the Single Resolution Mechanism; Authorisation; Capital Requirements; Reporting
- Regulation of EU Securities Markets — Introduction to the Securities Directives; Markets & Trading; Authorisation; Capital Requirements; Reporting; Market Abuse
- Regulation of EU Investment Funds — Introduction to the Collective Investment Scheme Directives; Markets & Trading; Authorisation; Capital Requirements; Reporting
- Regulation of Pensions — Introduction to Occupational Pension Directives; Portability and Other Issues
- Regulation of Insurance — Introduction to Insurance Directives; Capital Requirements; Reporting;
- Cross-sectoral issues.

Learning Outcomes

On successful completion of this module students should be able to:

- Explain in general terms the major directives governing financial services in the EU
- Explain the principles behind authorization, regulation and enforcement related to financial

- services in Ireland and the EU
- Identify specific EU and Irish financial services' issues related to the European system of regulation of financial services
- Assess the impact of regulation on financial services in the EU.

Assessment

- Coursework – 100%

European Trademark and Design Law (LA7093) 10 ECTS **Lecturer: Ms Gemma O'Farrell BL**

This module is available on the following programmes in:	Semester 2
LL.M.	Section A
LL.M. International and Comparative Law	Section B
LL.M. International and European Business Law	Section A
LL.M Intellectual Property and Information Technology Law	Section A

This module will cover EU Trade Mark Law and will focus on Community Directives and Regulations and the enforcement and protection of these rights within the EU including the Trade Mark Recast Directive. The module will analyse legislation in light of relevant case-law of the Court of Justice of the European Union and will consider the criteria for obtaining protection for a trade mark, as well as the limits to protection in the content of infringement proceedings. The module will consider the variety of forms of registration available for trade marks within the EU as well as revocation and proceedings for invalidity. Topics covered include: the acquisition of trade marks; the rights conferred by a trade mark and the limits to those rights under EU Law. The module will also address other issues affecting the use of trade marks, including in particular, the law on misleading and comparative advertising and the law on unfair commercial practices, the protection of geographical indications and designations of origin and the relationship between trade marks and domain names. It will also deal with parallel importations and exhaustion of rights. This module will also examine the registered trade mark and design regimes at an EU and national level.

Learning Outcomes

On successful completion of this module students should be able to:

- Compare, critically analyse and debate the approaches to trade mark protection at a national and European level;
- Identify the applicable EU legislation in the areas of: trade marks, unfair commercial practices, comparative advertising, geographical indications and designations of origin, domain names and exhaustion of rights;
- Interpret and analyse that legislation in the light of relevant and developing case-law of the Court of Justice of the European Union;
- Give clients practical advice on the nature and extent of the rights conferred under EU law in the above identified areas;
- Use their knowledge of EU law to interpret and apply national implementing legislation in these areas;
- Analyse existing problems and deficiencies in the EU's legislative framework governing these

- areas and the main challenges to be addressed by future legislation;
- Apply critical analysis and problem-solving skills to essay and problem based questions on current Trade Marks issues in the EU.
- Explain the interaction between trade mark and design laws,
- Review different models of design protection and compare approaches to design protection

Assessment

Coursework in the form of 5,000 word essay.

**FinTech Regulation and Policy (LA7136) 10 ECTS
Lecturer: Dr Deirdre Ahern**

This module is available on the following programmes in:	Semester 2
LL.M. International and European Business Law	Section A

*** Priority will be given to students registered for the LL.M (International and European Business Law) and MSc Law and Finance degree programmes. Any available places will be offered to students on other LLM programmes in late September 2020**

New technologies and artificial intelligence (AI) are fundamentally changing how we work and do business. Furthermore, AI decision-making is more sophisticated than human decision-making. Yet, given the involvement of machine-learning, it is often not possible to understand how it has reached its complex decision. The objective of this module is to allow students to gain an understanding of both the opportunities and challenges presented by the use of artificial intelligence and new technologies in producing new financial services FinTech business models, and enhanced products and service and processes in the business world. To do so, the module will engage with cutting edge legal, policy and regulatory issues that are emerging as important to address.

Learning Outcomes

On successful completion of this module students should be able to:

- Appreciate the challenges of applying existing legal frameworks to regulation of FinTech through robust engagement with law, policy and theoretical frameworks and synthesis of such material.
- Develop a coherent research proposal, undertake independent research and complete a research paper that effectively critically engages with contemporary law and policy concerns in relation to FinTech.
- Effectively deliver a peer oral and slide presentation and delivery of mutual peer feedback that demonstrates an assimilation of technological, business and regulatory policy concerns.
- Engage flexibly with how the digital landscape is changing our society and develop an independent understanding of current and emerging technologies and how they are interfacing with financial service products and processes.

Assessment

- Research Paper 90%.
- Class Presentation - 10%

Freedom of Expression and Intellectual Property (LA7091) 10 ECTS
Lecturer: Dr Eoin O'Dell

This module is available on the following programmes in:	Semester 2
LL.M.	Section A
LL.M. International and Comparative Law	Section A
LL.M. International and European Business Law	Section B
LL.M Intellectual Property and Information Technology Law	Section A

This module considers three ways by which Intellectual Property (IP) rules inter-operate with Freedom of Expression (FOE) concerns. First, some IP rules reinforce FOE. For example, copyright has been called an engine of free expression, and the protection of trademarks can similarly promote FOE. Here, the policies underlying IP and FOE are mutually reinforcing, and the question is the extent to which such doctrines protect initial speakers' IP and FOE rights. Second, many IP rules are restrictions upon FOE. For example, copyright law, trademark law and the equitable doctrine of breach of confidence can prevent subsequent speakers from publishing words, images, music, and so on. Here, the policies underlying IP and FOE are antithetical, and two questions arise: (i) whether the initial speakers' IP rights are legitimate restrictions upon subsequent speakers' FOE, and (ii) whether subsequent speakers' FOE can limit initial speakers' IP rights, either by constraining the interpretation of the instrument affording the IP right in question, or by relying directly upon a constitutional protection of FOE. Third, initial speakers' IP rights are restricted by exceptions and limitations, such as fair dealing and fair use in some copyright regimes. These restrictions provide some scope for the protection of subsequent speakers' FOE; and the question arises whether constitutional protections of FOE can influence the interpretation or application of such restrictions.

Learning Outcomes

On successful completion of this module students should be able to:

- comprehend and critically understand one of the key debates in modern Intellectual Property law
- critique the intellectual foundations of the law and theory relating both to Intellectual Property and to Freedom of Expression;
- assess Intellectual Property doctrines in the context of policy, politics and the economy;
- address current and emerging issues relating to the protection of Intellectual Property online;
- engage with such doctrines and issues from the perspective of Freedom of Expression; and
- apply the insights gained in the course to current debates about reform of Intellectual Property.

Assessment

Assessment in this module will be by Essay (100%). It must be:

- no longer than 6,000 words (INCLUDING footnotes),
- referenced according to OSCOLA Ireland system of legal citation, and
- submitted, ONLY via Turnitin on Blackboard, by 4:00pm on the last day of teaching term (Friday 23 April 2021).

The topic of the Essay must be either (i) one of those set out on the course Blackboard website, or (ii) one which is approved by the lecturer; and - either way - it must be settled on or before the class in week 6 of term (Thursday 11 March 2021).

Human Rights Law Clinic (LA7131) 10 ECTS
Lecturer: Dr David Fennelly, Mr Colin Smith

This module is available on the following programmes in:	Semester 2
LL.M. International and Comparative Law	Section A

***A maximum of 10 students from LL.M (International and Comparative Law) are permitted on this module.**

Pre-requisite - Students must have studied human rights law at undergraduate level or higher.

This module will explore the application of human rights law in practice. Students – who will already have studied human rights law – will examine the theory and practice of human rights, reflecting on the legal and policy framework for human rights protection and the deployment of core lawyering skills in this context. In order to gain an in-depth understanding of human rights law in practice, students - under the supervision of the instructors - will collaborate with a partner organisation on topical human rights issues which form part of the organisation’s advocacy and case-work. Students will undertake individual and group research, culminating in a final research report which will be presented to the partner organisation at the end of the module. In weekly workshops, students will review the work-in-progress with the instructors, gaining insight into the realities of human rights practice while also developing core lawyering skills.

Learning Outcomes

Having successfully completed the module, students should be able to:

- understand the application of human rights law in practice;
- apply core legal skills in a practical context;
- develop their knowledge and skills through practical experience;
- reflect upon practical experience to broaden and deepen their understanding of human rights law;
- understand the role of human rights litigation and its limitations;
- recognise and respond to ethical issues arising in human rights practice;
- work effectively in a group and professional setting;
- make a contribution to the community and gain an appreciation of the value of civic engagement as a method of learning.

Assessment

- Learning Journal (40%)
- Group Report/Presentation (60%)

Globalisation and Law (LA7034) 10 ECTS
Lecturer: Professor William Binchy

This module is available on the following programmes in:	Semester 1
LL.M.	Section A
LL.M. International and Comparative Law	Section A
LL.M. International and European Business Law	Section B
LL.M Intellectual Property and Information Technology Law	Section B

In the present era of globalisation we are witnessing the collapse of national barriers in the face of the international movement of capital, workers, commodities, ideas and communications of every kind. The ending of the Cold War, the increasing power of international corporations, the development of information technology and the expansion of air travel have had a huge impact in changing global culture and on our understanding of law. The traditional models of nation states and international law have given way to challenges to the concept of sovereignty, the development of international human rights tribunals, such as the International Criminal Court, the extension of new international legal rights and duties to non-state actors and the development of new models of global administrative regulation.

This module seeks to examine these developments in order to gain new insights into the nature and purpose of law. It analyses how globalisation has changed traditional approaches to public and private international law, human rights law, international trade law, freedom of expression (in relation to such matters as defamation, pornography and incitement to hatred), political dissent, terrorism and cultural and religious diversity.

Learning Outcomes

On successful completion of this module students should be able to:

- Assess the effects of globalisation on traditional approaches to law at the national and international levels
- Critically analyse the impact of globalisation of the categorisation of public and private law and of the interrelationship between constitutional and administrative law, international human rights norms, civil law and criminal justice
- Locate key legislative and judicial texts
- Debate current issues relating to such matters as the impact of globalisation on cultural and religious diversity, the responsibilities of transnational corporations and controls on the Internet.

Assessment

Take-home Assignment (100%).

International and European Copyright Law and Policy (LA7092) 10 ECTS
Lecturer: Dr Giuseppe Mazziotti

This module is available on the following programmes in:	Semester 1
LL.M.	Section A
LL.M. International and Comparative Law	Section A
LL.M. International and European Business Law	Section A
LL.M Intellectual Property and Information Technology Law	Section A

This module sheds light on how international and EU legislative instruments, from the end of the 19th century onwards, have sought to ensure an effective and uniform recognition, enforcement and exploitation of copyright and related rights. The module aims at analyzing and critically evaluating the most important principles of artistic and literary property embodied in the Berne Convention, the TRIPS (Trade Related Aspects of Intellectual Property Rights) Agreement, the WIPO (World Intellectual Property Organization) 'Internet' treaties and several EU directives that, while seeking to harmonize national laws on copyright from the early 1990s onwards, embody measures of industrial, innovation and cultural policy. The module will place particular emphasis on technological aspects of copyright and of its enforcement with the aim to assess validity and desirability of rules, principles and legislative solutions in an increasingly broad digital environment.

Learning Outcomes

On successful completion of this module students should be able to:

- Demonstrate a thorough understanding of the international and European legal regime of copyright laws and how this regime interacts with national IP laws;
- Analyze the impact of international agreements on EU copyright legislative instruments;
- Analyze the requirements for obtaining copyright protection in Europe, considering also the most important principles laid down under international agreements such as the Berne Convention, the TRIPS Agreement and the WIPO Internet Treaties;
- Analyze the scope of protection as well as the relevant exceptions and the enforcement of the exclusive rights granted under copyright at international, EU and domestic level;
- Demonstrate a thorough understanding of the latest legislative measures the EU adopted with the aim to modernize the copyright framework, in light of technological developments that have been changing the way rights are exploited, managed and, in certain cases, relinquished for non-commercial purposes.

Assessment

5000-word essay based on one out of three questions (100%)

International and European Human Rights Law (LA7001) 10 ECTS
Lecturer: Ms Grainne Mullan BL

This module is available on the following programmes in:	Semester 2
LL.M.	Section A
LL.M. International and Comparative Law	Section A
LL.M. International and European Business Law	Section B
LL.M Intellectual Property and Information Technology Law	Section B

This module examines various aspects of international human rights law, and discusses the general themes of which human rights can and should be protected by the international legal order, for example whether the international community should attempt to regulate the cultural practice of female circumcision. Particular emphasis is placed on the European Convention on Human Rights, which is often described as the most successful human rights system in the world. The course examines the institutional structure of the ECHR system and also certain substantive rights protected by the ECHR, such as freedom from torture, freedom of expression, and family rights. The impact of incorporation of the ECHR into Irish law is also considered.

Learning Outcomes

On successful completion of this module students should be able to:

- Identify and describe the essential characteristics of international human rights law
- Debate different theoretical perspectives on human rights law
- Discuss and evaluate the interaction between international human rights law and domestic human rights law
- Explain the law and practical effects of the European Convention on Human Rights 1950
- Critically analyse certain key rights guaranteed by international human rights law
- Conduct substantial independent research into a particular aspect of human rights law.

Assessment

- Take-Home Assignment - 70% of the final mark.
- Each student is required to make a presentation on an allocated subject - 30% of the final year mark.

International Aviation Law (LA7097) 10 ECTS
Lecturer: Dr Ewa Komorek

This module is available on the following programmes in:	Semester 1
LL.M.	Section A
LL.M. International and Comparative Law	Section A
LL.M. International and European Business Law	Section A
LL.M Intellectual Property and Information Technology Law	Section B

As noted by E.M. Giumulla, 'Aviation is a transnational, border-crossing phenomenon. Without aviation, the globalisation of the flow of people and goods, and of the mixing of cultures would have been impossible. Without aviation, the global awareness that we all live together on one planet could not have developed' (International and EU Aviation Law, Kluwer Law International 2011) From its conception in the early 20th century, aviation has been the matter of international concern. The increasing number of legal issues in this area led to the adoption of numerous international measures.

This module aims to provide students with an overview of the international regulatory framework governing civil aviation.

This module explains the history of international aviation law and examines the international legal framework governing civil aviation. Particular attention is paid to the 1944 Chicago Convention which is a cornerstone governing international civil aviation. The course topics also cover the International Civil Aviation Organization (ICAO), the 1929 Warsaw Convention and 1999 Montréal Convention on carriers' liability, the 1963 Tokyo Convention on crimes committed on board aircraft and the 1970 Hague Convention on unlawful seizure of aircraft (the 'Hijacking Convention'). The course also looks at the international legal responses to the recent Covid-19 crisis and finishes with the analysis of the regulation of international interests in mobile equipment (2001 Cape Town Convention) and aviation liability insurance. Guest lectures are provided by industry experts from i.a. the Irish Aviation Authority, Air Accident Investigation Unit, INCE law firm, Paris.

Internship opportunities are provided for students achieving best results in the module.

Learning Outcomes

On successful completion of this module students should be able to:

- Identify and evaluate the international regulatory structure governing civil aviation;
- Appraise the importance of the Chicago Convention for the public international aviation law;
- Critically evaluate the role of ICAO in the international regulation of civil aviation;
- Analyse the principles of private international aviation law as governed by the Warsaw and Montreal Conventions;
- Identify main international legal instruments dealing with crimes committed on board aircraft and unlawful seizure of aircraft;
- Analyse main principles governing the international regulation of aviation liability insurance;
- Identify and assess legal principles governing the international interests in mobile equipment;
- Apply critical analysis and problem-solving skills to questions relating to international aviation law.

Assessment

- Essay (5,500 word limit) - 90%
- Blackboard participation – 10%

International Dispute Resolution (LA7068) 10 ECTS
Lecturer: Dr Sonja Heppner

This module is available on the following programmes in:	Semester 2
LL.M.	Section A
LL.M. International and Comparative Law	Section A
LL.M. International and European Business Law	Section A
LL.M Intellectual Property and Information Technology Law	Section A

The module examines international investment arbitration, including theoretical and comparative aspects thereof. After an introduction to the basic features of investment arbitration, the use of precedent in investment arbitration, and a discussion of existing criticisms and reform proposals, the module compares investor-state arbitration to other means of international dispute resolution, with a specific focus on the International Court of Justice and the Court of Arbitration for Sport.

Learning Outcomes

On successful completion of this module students should be able to:

- Have an overview and general understanding of the various means of international dispute resolution with a particular focus on international investment arbitration
- Understand the fundamental principles and mechanics of resolving a dispute before international courts and tribunals.

Assessment

- Paper 1 – 3000 words (50%)
- Paper 2 – 2500 words (40%)
- Presentation (10%)
- Assessment for this module will be based on an individual research paper (50%), on a hypothetical problem encompassing issues addressed in class and in the reading list (40%) and a short student presentation (10%) which will take place in class or online, circumstances permitting.

International Economic Law (LA7007) 10 ECTS
Lecturer: Mr T P Kennedy

This module is available on the following programmes in:	Semester 1
LL.M.	Section A
LL.M. International and Comparative Law	Section A
LL.M. International and European Business Law	Section A
LL.M Intellectual Property and Information Technology Law	Section B

International Economic Law concerns the legal rules relating to trade between states. The course focuses on the organisations put in place to regulate economic relationships between states most notably, the World Trade Organisation and the international treaties, which it enforces such as the General Agreement on Tariffs and Trade. The course examines trade in goods, services and the international regulation of intellectual property. Consideration is given to the international rules governing free trade such as most favoured nation status, national treatment rules and rules against tariff discrimination and other barriers to inter state trade. Defences to breaches of these rules will be looked at. Finally the negotiation of trade agreements and the rules relating to international trade disputes are reviewed.

Learning Outcomes

On successful completion of this module students should be able to:

- Identify the essential characteristics of the rules of international trade and appreciate the tensions between a normative legal approach and state interest;
- Explain the operations and functions of the World Trade Organisation;
- Critically analyse the provisions of the General Agreement on Tariffs and Trade;
- Analyse the methods used for resolving international trade disputes.

Assessment

Essay on a topic to be set during the module.

International Humanitarian Law (LA7072) 10 ECTS Lecturer: Mr Colin Smith BL

This module is available on the following programmes in:	Semester 1
LL.M.	Section A
LL.M. International and Comparative Law	Section A
LL.M. International and European Business Law	Section B
LL.M Intellectual Property and Information Technology Law	Section B

Warfare is as old as humanity itself, but as long as there has been war, there have been customary practices intended to limit the effects of violence for humanitarian reasons. In the last 150 years, States have agreed to codify these practices as international law. The body of rules now known as international humanitarian law (IHL) applies only in time of armed conflict or occupation. IHL aims to define the rights and obligations of the warring parties and to protect people who are not taking part in hostilities.

This module is intended to familiarize students with the rules and principles of IHL as well as with the complex regime by which they are enforced. The module is divided across eleven teaching weeks, with two hours of lectures per week. The module begins with an introduction to IHL and to the law's historical development. There follows an exploration of the sources of IHL and the scope of its application. The module then examines the protection that the law provides to the victims of both international and non-international armed conflicts. The focus here is on modern conflicts such as those taking place in Ukraine and Syria. The module will also address the limits established by the law on the means and methods of war which may be selected by belligerents in time of armed conflict. Students will have an opportunity to explore and discuss the implementation and enforcement of IHL by

State and non-State actors, domestically and on the international stage.
The module concludes with an analysis of the diverse challenges posed to IHL today, from cyber-attacks to Islamic State.

Learning Outcomes

On successful completion of this module, students should be able to:

- Describe and assess the concept and purpose of IHL and the place of IHL in the corpus of general international law;
- Identify and evaluate the source and scope of IHL;
- Explain and apply the rules protecting victims of armed conflict;
- Locate, apply and critically evaluate the rules governing the conduct of hostilities on land, at sea and in the air;
Compare and contrast the rules applicable in law of non-international armed conflicts with those applicable in international armed conflicts;
- Describe and assess how IHL is implemented; and
- Identify and understand the contemporary challenges facing IHL.

Assessment

- The International Humanitarian Law module is assessed principally by way of an essay which makes up 95% of the student's final mark for the module. A further 5% is awarded for attendance at a minimum of ten lectures.
- **Topics**
The essay must be a critical engagement with some area of international humanitarian law. Students are free to choose their own essay topic, subject to approval by the module lecturer. It is the topic and not the title which must be approved; provided the essay remains within the boundaries of the approved topic, students are permitted to choose the title at a later stage. Students are not limited to material covered in lectures and are welcome to speak to the lecturer after lectures to discuss topics. Students should submit their final topic to the lecturer by email for approval no later than Friday, 2 October 2020 at 5.00pm GMT.
- **Length**
The deadline for submission is Friday, 18 December 2020 at 5.00pm GMT. The word limit for the essay is **5,000 words, including footnotes**. This is a limit, not a suggestion. Marks may be deducted from students who exceed the word limit at a rate of one percentage point per 100 words or part thereof that the student exceeds the limit. A bibliography is not required.
- **Style**
In style, essays should conform to the Oxford Standard for the Citation of Legal Authorities ('OSCOLA'), and in particular to the Citing International Law Sources Section of OSCOLA 2006, which is available here:
https://www.law.ox.ac.uk/sites/files/oxlaw/oscola_2006_citing_international_law.pdf
- **Format**
In format, essays should be submitted in size 12 point Arial font, with footnotes in size 10 point. The text should be 1.5 spaced. Pages should be numbered.
- **Submission**
The deadline for submission will be confirmed during lectures. Students should familiarise themselves with Law School policy on marking penalties for late submission of coursework. Any extensions must be requested in advance by email to the lecturer.

International Trade Law (LA7050) 10 ECTS
Lecturer: Mr T P Kennedy

This module is available on the following programmes in:	Semester 2
LL.M.	Section A
LL.M. International and Comparative Law	Section A
LL.M. International and European Business Law	Section A
LL.M Intellectual Property and Information Technology Law	Section A

International Trade Law draws on issues of International Economic Law and Public International Law. This module examines a number of controversial trade issues and considers the approach of law and regulation to them.

The module commences with a consideration of the issue of development and the special rules applicable to developing nations. It then moves on to look at the issues surrounding international trade and agriculture, issues surrounding the regulation of international intellectual property, rules relating to foreign investment and the conflicts that can arise between international environmental law and international trade law.

Learning Outcomes

On successful completion of this module students should be able to:

- Debate different theoretical and legal approaches to economic development and global inequality
- Evaluate the application of multilateral treaties to agriculture and the weakness of these treaties
- Identify the legal rules for the protection of intellectual property and varying levels of international application of these rules
- Explain international rules relating to international investment protection
- Critically analyse the tension between emerging international environmental legal norms and rules of international trade.

Assessment

There is a tutorial during the module where teams of students are asked to engage in a mock WTO negotiation round. The tutorial may be provided in an online format.

Students will be assessed on a combination of the written work submitted in advance of the tutorial and performance in the tutorial itself.

Islamic Law (LA7065) 10 ECTS
Lecturer: Professor Neville Cox

This module is available on the following programmes in:	Semester 2
LL.M.	Section A
LL.M. International and Comparative Law	Section A
LL.M. International and European Business Law	Section B
LL.M Intellectual Property and Information Technology Law	Section B

With the increasing Islamic population both in Ireland and globally, the study of Islamic law is both timely and interesting. In this module, we consider first the sources and history of Sharia law and the implications of the operation of a system which derives its authority from an omnipotent and infallible God. We also consider the geographical reach of Islamic law and the various ways in which it is applied in different jurisdictions. We then turn to consider two 'hot topics' in so far as Islamic law is concerned namely the relationship between Islamic law and modern conceptions of International Human Rights and, more briefly, the concept of Islamic finance, that is, the efforts to try to create new and innovative methods of engaging in global commerce which are compliant with Sharia Law.

Learning Outcomes

On successful completion of this module students should be able to:

- Critically assess the sources and history and nature of Islamic Law
- Identify and critically examine the legal issues arising in respect of a range of factual scenarios connected to the application of Islamic Law within the field of international law.
- Identify and evaluate the interplay between Islamic Law and International Human Rights Law
- Appraise and evaluate the difficulties emerging from the operation of Islamic Finance Law
- Apply critical analysis and problem-solving skills and techniques to different essay questions based on material covered in the module.

Assessment

- Essay 5000 words - 80%
- Participation in Online Discussion Forum (Blackboard) - 20%

Judicial Review & Human Rights: Theory & Practice (LA7066) 10 ECTS
Dr Alan D.P. Brady BL

This module is available on the following programmes in:	Semester 1
LL.M.	Section A
LL.M. International and Comparative Law	Section A
LL.M. International and European Business Law	Section B
LL.M Intellectual Property and Information Technology Law	Section B

Pre Requisite - Students must have previously studied the constitutional law of at least one common law State.

This module examines the role played by the courts in protecting, promoting and defining human rights in domestic legal systems. Most common law jurisdictions provide for litigable human rights through constitutions or other fundamental rights documents. In many instances these rights can be asserted against primary legislation as well as executive or administrative decisions. The judiciary are charged with the task of deciding these specialised disputes between the individual and the state. (For the purposes of this course, the term 'judicial review' is given its broad definition which includes challenges to legislation as well as administrative decisions). Human rights adjudication gives rise to numerous theoretical and practical issues of law and politics, which are discussed in this course. Key issues addressed include:

- The desirability and dangers of 'judicialisation' of human rights
- The relationship between the courts and other branches of government in the context of human rights protection
- The consequences of a finding that government action violates human rights
- The role that the judiciary play in promoting a 'human rights culture'
- Obstacles for human rights litigants

Throughout this module, a critical approach is taken to the appropriateness and efficacy of placing the courts process and the judiciary at the centre of human rights protection. The course draws on sources from common law jurisdictions, including Ireland, the UK and Canada. While there are no formal prerequisites for taking this course, students are expected to be familiar with the constitutional law of at least one jurisdiction

Learning Outcomes

On successful completion of this module students should be able to:

- Describe and analyse the role played by judicial review in the broader political context of human rights guarantees
- Explain and appraise the merits and disadvantages of the systems of judicial review in operation in various common law jurisdictions
- Evaluate the leading constitutional debates on the subject of rights-based judicial review
- Critically evaluate the practice of rights-based judicial review from the perspective of constitutional theory and institutional design
- Categorise and discuss the practical effects produced by the operation of the practice of judicial review and the practical experiences of litigants.

Assessment

Essay (5,500 words) - 95% of each student's final mark for this module.

Participation in online discussions through Blackboard - 5%

-Students will need to make a minimum of one substantive contribution per week to obtain these marks.

Law and Risk (LA7118) 10 ECTS
Lecturer: Dr Suryapratim Roy

This module is available on the following programmes in:	Semester 1
LL.M.	Section A
LL.M. International and Comparative Law	Section A
LL.M. International and European Business Law	Section A
LL.M Intellectual Property and Information Technology Law	Section B

The word 'risk' is now everywhere. Whether one considers media reports, regulatory decisions or commercial transactions, there is inevitably mention of some form of risk: climate risk, credit risk, health risk, security risk, risks of migration. Such references are accompanied by actions taken by agents in different professional and governing capacities: risk assessment, risk communication, risk management, mitigation of risk. This is especially true for the European regulatory space, where 'risk' is ubiquitous. The governance of danger, however, is surely not a recent development. What, then, has changed? It is time to take a step back, explore the concept of risk and how it may be governed.

Given recent concerns brought about by COVID-19, the effective handling of risk has brought about an additional concern – could emergency powers be invoked to regulate risk while diluting democracy and the Rule of Law in the process?

The governance of risk balances a fundamental tension between the danger of the unknown on one hand, and the ability to anticipate and control the unknown on the other. Institutionalising the anticipation and control of the unknown requires hard theoretical, political and technical choices. This module concentrates on how law shapes and responds to the prevalence of risk in private and public decisions. Given the array of legal tools to deal with risk, the module will cover conventional approaches such as command-and-control regulation as well as more recent approaches derived from Behavioural Law & Economics. This module will engage with some central themes of risk regulation, and allow the participants to analyse aspects of risk in their chosen areas of inquiry such as financial law, environmental law and health law.

Learning Outcomes

On successful completion of this module, students should be able to:

- Have a grasp on the legal principles that guide risk regulation, such as the precautionary principle and the proportionality principle.
- Approach legal principles from perspectives found in other disciplines. In the bargain, students would appreciate the distinction between normative questions and empirical questions.
- Pursue a practical interest in institutional engagement with risk and/or theoretical inquiry in the relationship between law and risk.

Assessment Review (30%)

Choice between a book review, a response to an article or a case note of around 2500-3000 words (30%). The subject could be a legal or non-legal text. If it is a non-legal text, students would be expected to analyse the subject using legal concepts and tools. Students may also review fiction, but then the review must tease out what the author is trying to say (or has the luxury to avoid saying) about a non-fiction world.

If you like a book that's not there in the library, then I can try and convince the library to get it. I would recommend students to purchase the subject of review. If you intimately read a work, it is good to have this item in your collection.

It is suggested that the first draft be submitted around the middle of the term. We would then be able to review the Review (!) and you can submit the final draft by **January 15, 2021**. You must use the standard law school assignment cover sheet with its anti-plagiarism declaration for the final submission.

Essay (70%)

Proposal for Essay: Students must submit a proposal of their interests about a potential subject for their essay (15%). **This needs to be submitted by the end of the Reading Week.** This will be distributed to a specific student serving as a Discussant for the presentation. I have nothing against the essay having an empirical component, with three caveats: (1) I am not an expert in advanced statistics,; (2) empirical research takes time and resources; and (3) you would need to secure an ethics approval from the College before conducting empirical work, and this takes time. Should you have conducted empirical work (or are conducting empirical work for your Masters thesis), or are particularly interested in a particular line of empirical inquiry, I would recommend concentrating on how such empirical work could be used for legal decisions or policy recommendations in this module. .

Oral/Online Presentation of preliminary draft of Essay: Presentation of a preliminary draft of essay + Discussion of a proposal by another student in class (15%) will take place after the reading week, to allow enough time for revision before submission of Final Essay. Depending on the choice of topics, I will seek to pair students on similar themes. The presentations begin one week after the Reading Week.

Final Essay: Final Essays of around 5000 words should be submitted individually (40%) by **January 15, 2021**..

Mergers and Acquisitions (LA7128) 10 ECTS **Lecturer: Dr. Alexandros L. Seretakis**

This module is available on the following programmes in:	Semester 2
LL.M. International and European Business Law	Section A

*** Priority will be given to students registered for the LL.M (International and European Business Law) and MSc Law and Finance degree programmes. Any available places will be offered to students on other LLM programmes in late September 2020**

The continuous growth of the financial sector and its ability to channel large amounts of funds in a short time and the quest of companies for global expansions have led to the constant rise of merger and acquisition (M&A) activity. The total value of global dealmaking exceeded 3 trillion dollars in 2017. While North America still accounts for 44% of global M&A volume, Europe has been witnessing an exponential increase in M&A activity with European activity reaching 27% of total dealmaking. The aim of this module is to equip students with a sound understanding of the business drivers of M&A transactions and the legal regime governing them. The module will predominantly focus on the European and Irish M&A landscape. Topics covered include the market for corporate control, domestic and cross-border mergers and their regulation in the E.U., takeover regulation in the E.U. and Ireland and takeover defense tactics. The module will also include practitioner talks.

Learning Outcomes

On successful completion of this module students should be able to:

- Understand the business drivers and sources of value creation of M&A transactions.
- Assess the regulation of domestic and cross-border mergers and takeovers in the EU and Ireland.
- Critically evaluate the benefits and perils of hostile takeovers.
- Assess the desirability of takeover defenses.
- Further develop their interest in financial markets.

Assessment

- 5.000 word essay (excluding footnotes) - 100% of total mark.

The assessment method is designed in order to enhance students' research, writing and presentation skills and allow them to obtain in-depth knowledge of specific topics.

National Security Law (LA7126) 10 ECTS Lecturer: Dr Eoin O'Connor

This module is available on the following programmes in:	Semester 1
LL.M.	Section A
LL.M. International and Comparative Law	Section A
LL.M. International and European Business Law	Section B
LL.M Intellectual Property and Information Technology Law	Section B

This module will explore the growth of national security law as a discipline, and in particular the rule of law and human rights concerns that are in tension. The course will have an international emphasis, with considerable examination of the UK, and other major common law countries' experiences dealing with national security law issues. In addition, the module will examine Irish law and practice where it touches on national security law issues, and will include examination of evidentiary concepts including informer and public interest privilege that are invoked when national security considerations are at play.

Some of the seminar topics will include:

1. National security and the courts. Consideration of informer privilege and public interest immunity. Comparative analysis of the Closed Material Procedure in the UK.

2. National security and legislation - examination of legislation which has placed on national security issues on a statutory basis.
3. National security and immigration – examination of whether the State can expel a person on the basis of a threat to national security without providing details of same to the person concerned. Comparative analysis of UK and Irish approaches to this issue, and how the ECtHR has dealt with same.
4. Coercive or enhanced interrogation and intelligence sharing. What is the legal position, and what are limits on the use of such intelligence? Comparative approach to the UK position.
5. National security and Ireland. Examination of the use of informers, the Special Criminal Court and the Witness Protection Programme.

Learning Outcomes

On successful completion of this module, students should be able to:

- Identify and critically analyse national security law concepts, doctrines and rules both orally and in writing;
- Apply the law of national security in practical and theoretical settings;
- Pinpoint and critically analyse international and comparative perspectives on national security law;
- Develop theoretical and policy perspectives on the law of national security;
- Assess the development of the law and formulate proposals for reform;
- Conduct effective international, comparative and multidisciplinary research where relevant.

Assessment

Coursework (100%).

The coursework will take the form of a 6,000 word independent research paper.

Students will be expected to read materials in advance of class and to participate actively in class discussion. Some classes will involve individual and group student presentations.

Patent Law In The Globalized World (LA7106) 10 ECTS Lecturer: Mr. Naoise Gaffney

This module is available on the following programmes in:	Semester 1
LL.M.	Section A
LL.M. International and Comparative Law	Section A
LL.M. International and European Business Law	Section A
LL.M Intellectual Property and Information Technology Law	Section A

Present day business activities increasingly take place at an international level, with technology and information no longer confined to national borders. Science and technology companies in particular operate in this multinational environment and for these companies, patent rights are crucial.

With the progression of globalization, IP students and practitioners need to be aware of the variations in patent law in the key markets around the world, and also need to be prepared to respond to a variety of problems that only arise in the context of multi-jurisdictional patenting activities. This module takes a practical look at patent law in key international territories: principally in Europe (on a national and regional level), the US and in Asia. As a

relevant backdrop to this landscape, the principles, treaties and institutions that attempt to regulate and harmonize patent rights at the international level are also considered. Opportunity permitting, practitioners with different expertise may be invited as guest speakers to address certain topics in detail.

Learning Outcomes

On successful completion of this module students should be able to:

- Demonstrate an understanding of the fundamental precepts of international patent law.
- Demonstrate knowledge of the applicable conventions and treaties attempting to harmonize aspects of patent law at an international level
- Apply knowledge of the international conventions and treaties to resolve complex multijurisdictional patent issues.
- Demonstrate knowledge of the extent to which questions of validity, infringement and remedies differ between jurisdictions
- Devise appropriate patent protection and enforcement strategies for different scenarios taking into account chronological and jurisdictional considerations as well as substantive variations in patent law.
- Demonstrate a practical appreciation of the interface between patent law and other areas of law such as competition law.

Assessment

- Written Assignment - 80%.
- Online presentation / online participation – 20%

Principles of Commercial Arbitration (LA7083) 10 ECTS **Lecturer: Mr Barry Mansfield BL**

This module is available on the following programmes in:	Semester 1
LL.M.	Section A
LL.M. International and Comparative Law	Section A
LL.M. International and European Business Law	Section A
LL.M Intellectual Property and Information Technology Law	Section A

The module explores arbitration as a means for resolving commercial disputes without recourse to the courts, particularly in an international context. The balancing of public policy considerations, such as party autonomy and access to justice, is traced through the legal framework for, and practice of, the resolution of commercial disputes by arbitration. The module compares and contrasts arbitration with litigation.

Learning Outcomes

On successful completion of this module students should be able to:

- Identify and analyse the challenges posed by the out of court resolution of civil and commercial disputes;
- Identify and analyse arbitration as a method of resolving civil and commercial disputes without recourse to the courts, particularly in an international context;
- Appraise the advantages and disadvantages inherent in arbitration as a dispute resolution mechanism, particularly in contrast with litigation;

- Apply critical analysis and problem-solving skills and techniques to arbitration as a dispute resolution mechanism; and
- Discuss and debate perspectives on arbitration as a means of resolving commercial disputes.

Assessment

Research paper (100%) - 6,000 words.

Regulation of Cyberspeech (LA7133) 10 ECTS Lecturer: Dr Ewa Komorek

This module is available on the following programmes in:	Semester 1
LL.M.	Section A
LL.M. International and Comparative Law	Section A
LL.M. International and European Business Law	Section B
LL.M Intellectual Property and Information Technology Law	Section A

We are living in the age of information and expanding potential channels for expression. Nowadays, internet allows everyone to be content creator and as a result freedom of expression is wider than ever. However, with this great potential comes great risk and the limits of freedom of expression are being tested in new ways. While up until recently there was reluctance to regulate the internet in general and social media in particular, the present trends are increasingly shifting towards more and more regulation. Thus, the aim of the module is to challenge students to think about whether and how the law can be shaped and improved for the benefit of (digital) society.

The module will cover a number of topics in the four main subject areas: internet governance, cyber-speech, privacy in the Digital Society and selected (speech related) aspects of cyber-crime. In particular, the following issues will be discussed:

1. Brief overview of the theory and regulation of freedom of expression in different jurisdictions
2. Internet governance in general (who should regulate internet and to what extent)
3. Characteristics of cyber-speech (anonymity, trending, sharing, permanent nature, transient nature)
4. Types of problematic cyber-speech, including:
 - Online defamation
 - Breach of privacy (other than breach of data protection law)
 - Hate speech
 - Grossly offensive speech
 - Fake news
 - Cyber-bullying and harassment
 - Hacking and cyber-terrorism or social protest? (example of the actions of The Anonymous)

Guest lectures will be delivered by experts from the industry, providing practical insight into the topics covered.

Learning Outcomes

On successful completion of this module students should be able to:

- Identify and assess the main issues and challenges connected with online expression
- Identify and evaluate the international, EU and national regulatory structures applicable to cyberpseech;
- Critically assess the effectiveness of existing regulatory solutions and identify and evaluate areas for improvement;
- Appraise the importance of promoting online media literacy and identify and assess the regulatory and self-regulatory initiatives in this area;
- Apply critical analysis and problem-solving skills to questions relating to regulation of cyberspeech.

Assessment

- 90% essay (5,500 word limit) on a topic selected by a student from the range of topics discussed

10% Blackboard participation

LL.M Research Dissertation (LA7047) 30 ECTS

The research dissertation is mandatory on the following programmes in:	All Year
LL.M.	
LL.M. International and Comparative Law	
LL.M. International and European Business Law	
LL.M Intellectual Property and Information Technology Law	

All candidates must complete a dissertation as part of their LL.M degree at Trinity. The total mark available for the dissertation counts for 33% of the LL.M degree or the equivalent of three modules.

The dissertation is intended to be self-directed research with broad guidance given in the manner described below. Students are presented with a number of thematic groups, each led by an academic with a research interest in that broad area. Students will be able to choose a group based on the research dissertation that they wish to pursue, indicating a number of preferences. They will be assigned into groups on a first-come, first-served basis.

The dissertation groups, including all students and the academic leader, will meet, in-person or virtually, on three occasions during the first semester and three occasions during the second semester. All students will be provided with a general introductory lecture at the beginning of each of the two semesters. The academic leader will provide individual feedback on the research plan, a sample of writing and the final plan for the dissertation. In the dissertation groups, students will make presentations of their work and provide feedback to one another, facilitated by the academic leader. The academic leader will, in consultation with the students, assign them into sub-groups of three or four to facilitate peer-to-peer learning and mutual support outside the classroom.

There will be an opportunity for one individual meeting with the academic leader during May to review progress on the dissertation.

The dissertation will be due for submission by 23 July 2021. The word limit for the dissertation is 15,000 words, including footnotes.

Learning outcomes:

On successful completion of this module students should be able to:

- Complete a substantial dissertation based on independent, largely self-directed research;
- Work effectively under the guidance of a research academic leader and collaborate within themed workgroups;
- Conduct effective and targeted research of the full range of primary and secondary legal sources on a particular topic;
- Critically assess in writing legal theories, concepts and doctrines;
- Discuss and critique in writing different perspectives on law;
- Determine the scope and structure of a research project and establish a viable research plan;
- Identify, discuss and debate various research methodologies; and
- Present arguments in a coherent manner written in a clear style and a coherent conclusion that follows correctly from the analysis.

Module Aims:

The aim of this module is to encourage students to engage in largely self-driven research and writing leading to the completion of an analytical and critical piece of research. While students are proceeding under the direction of an academic leader who is a member of the Law School staff, to successfully complete the dissertation, a student should be capable of carrying out independent research and writing and working in a timely fashion in order to meet the deadline for submission of the dissertation.