

## Concentration – Criminal Law

### A Block

#### Compulsory courses

⌚ Code	📖 Course	🔗 Prerequisite	Credit	Semester	
CRL 8200	Contemporary Criminal Law (General)	No prerequisites	8	I	Prerequisites ar compulsory
CRL 8210	Practicum of Contemporary Criminal Law. (Special division I)	CRL 8200	8	II	
CRL 8220	Practicum of Contemporary Criminal Law (special part II)	CRL 8210	8	III	
CRL 8230	Practicum of Modern Criminal Procedural Law	CRL 8220	8	IV	
CRL 8240	International Criminal Law	CRL 8220	8	IV	
CRL 8250	Comparative Criminal law	CRL 8220	6	V	

**B (I) Block****Elective relevant courses, that are compulsory for other programs**

 Code	 Course	 Prerequisite	Credit	Semester	<b>Prerequisites are not compulsory</b>
ATL 8010	Public Servants Law	No prerequisites	8	I	
ATL 8030	Contemporary Tax Law	No prerequisites	8	II	
ATL 8040	Tax Responsibility and Control	ATL 8030	8	III	
ATL 8060	Administrative Amenability Law	ATL 8050	8	IV	
IPL 8400	Public International Law	No prerequisites	8	I	
IPL 8430	International Law of Human Rights	No prerequisites	8	II	
ECON 7000	Economics for Lawyer	No prerequisites	6	I	

**B (II) Block****Elective non-relevant courses, that are compulsory for other programs**

<b>⊕ Code</b>	<b>📖 Course</b>	<b>📄 Prerequisite</b>	<b>Credit</b>	<b>Semester</b>	
<b>CVL 7000</b>	<b>MODERN CIVIL LAW</b>	<b>No prerequisites</b>	<b>8</b>	<b>I</b>	<b>Prerequisites are not compulsory</b>
<b>CVL 7010</b>	<b>Property, Land and Housing Law</b>	<b>No prerequisites</b>	<b>8</b>	<b>I</b>	
<b>CVL 7020</b>	<b>Practicum of Treaty and Tort Law</b>	<b>CVL 7000, CVL 7010</b>	<b>8</b>	<b>II</b>	
<b>CVL 7030</b>	<b>Family, Trusteeship and Guardianship Law</b>	<b>CVL7020</b>	<b>8</b>	<b>III</b>	
<b>CVL 7040</b>	<b>Inheritance Law and Practicum of Notarial Law</b>	<b>CVL7020</b>	<b>8</b>	<b>III</b>	
<b>CVL 7050</b>	<b>Civil Litigatio and Practicum of Enforcement Law</b>	<b>CVL 7040</b>	<b>8</b>	<b>IV</b>	
<b>CVL 7060</b>	<b>International Private Law and Practicum of International Procedure Law</b>	<b>CVL7050</b>	<b>8</b>	<b>V</b>	

<b>COL 7200</b>	<b>Contemporary Corporate Law</b>	<b>No prerequisites</b>	<b>8</b>	<b>I</b>	
<b>COL 7210</b>	<b>Comparative Corporate Law</b>	<b>COL 7200</b>	<b>6</b>	<b>II</b>	
<b>COL 7220</b>	<b>Corporate Governance and Liability of Directors</b>	<b>COL 7210</b>	<b>8</b>	<b>III</b>	
<b>COL 7230</b>	<b>Insolvency Law</b>	<b>No prerequisites</b>	<b>8</b>	<b>III</b>	
<b>COL 7240</b>	<b>Financial Markets and Securities Regulation</b>	<b>COL 7210, COL 7220, COL 7230, BIL 7400, ATL 8030</b>	<b>8</b>	<b>V</b>	
<b>BIL 7400</b>	<b>Modern Insurance Law (I)</b>	<b>No prerequisites</b>	<b>8</b>	<b>IV</b>	
<b>BIL 7410</b>	<b>Modern Insurance Law (II)</b>	<b>BIL 7400</b>	<b>8</b>	<b>III</b>	
<b>BIL 7420</b>	<b>The Contemporary Banking Law (I)</b>	<b>No prerequisites</b>	<b>8</b>	<b>III</b>	




<b>BIL 7430</b>	<b>The Contemporary Banking Law (II)</b>	<b>BIL 7420</b>	<b>8</b>	<b>IV</b>	
<b>ATL 8000</b>	<b>Contemporary Administrative Law</b>	<b>No prerequisites</b>	<b>8</b>	<b>I</b>	
<b>ATL 8020</b>	<b>Purchase, License and Right Law</b>	<b>ATL 8000</b>	<b>8</b>	<b>II</b>	
<b>ATL 8050</b>	<b>Administrative Procedural Law and Practicum of Enforcement Law</b>	<b>ATL 8000</b>	<b>8</b>	<b>IV</b>	
<b>IPL 8410</b>	<b>Law of International Organizations</b>	<b>IPL 8400</b>	<b>8</b>	<b>II</b>	
<b>IPL 8420</b>	<b>International law of treaties</b>	<b>IPL 8410</b>	<b>8</b>	<b>III</b>	
<b>IPL 8440</b>	<b>European Law</b>	<b>IPL 8420</b>	<b>8</b>	<b>IV</b>	
<b>IPL 8450</b>	<b>Diplomatic and Consular Law</b>	<b>No prerequisites</b>	<b>8</b>	<b>V</b>	
<b>HL 8600</b>	<b>Contemporary Health Law</b>	<b>No prerequisites</b>	<b>8</b>	<b>I</b>	
<b>HL 8610</b>	<b>Legal Regulation of Health Insurance</b>	<b>No prerequisites</b>	<b>8</b>	<b>I</b>	

<b>HL 8620</b>	<b>Health and Human Rights</b>	<b>HL 8600, HL 8610</b>	<b>8</b>	<b>II</b>	
<b>HL 8630</b>	<b>Health Care Policy and Public Health Law</b>	<b>HL 8620</b>	<b>8</b>	<b>III</b>	
<b>HL 8640</b>	<b>Health care Management, Financing, Legal Accountability</b>	<b>HL 8630</b>	<b>8</b>	<b>IV</b>	
<b>HL 8650</b>	<b>Health Information System and its Legal Regulation</b>	<b>HL 8640</b>	<b>8</b>	<b>V</b>	
<b>IBL 7600</b>	<b>Comparative Business Law</b>	<b>No prerequisites</b>	<b>6</b>	<b>I</b>	
<b>IBL 7610</b>	<b>Comparative civil law</b>	<b>No prerequisites</b>	<b>6</b>	<b>I</b>	
<b>MBA 7000</b>	<b>Management for Lawyers</b>	<b>No prerequisites</b>	<b>6</b>	<b>I</b>	
<b>IBL 7620</b>	<b>International Labor and Employment Law</b>	<b>MBA 8412</b>	<b>6</b>	<b>II</b>	
<b>IBL 7630</b>	<b>Comparative</b>	<b>IBL 7600,</b>	<b>6</b>	<b>II</b>	

	<b>property law</b>	<b>IBL7610</b>			
<b>IBL 7640</b>	<b>Comparative intellectual law</b>	<b>IBL 7600, IBL7610</b>	<b>6</b>	<b>II</b>	
<b>IBL 7650</b>	<b>Comparative Contract Law</b>	<b>IBL 7630</b>	<b>6</b>	<b>III</b>	
<b>IBL 7660</b>	<b>International banking law</b>	<b>IBL 7630, COL7210</b>	<b>6</b>	<b>III</b>	
<b>IBL 7670</b>	<b>Comparative Insurance Law</b>	<b>IBL 7630, COL7210</b>	<b>6</b>	<b>III</b>	
<b>IBL 7680</b>	<b>Investment and Comparative Tax Law</b>	<b>IBL 7630, ECON8200, MBA8412, COL7210</b>	<b>6</b>	<b>III</b>	
<b>IBL 7690</b>	<b>International Trade and Financial Law</b>	<b>IBL 7680</b>	<b>6</b>	<b>IV</b>	
<b>IBL 7700</b>	<b>International Commercial Arbitration</b>	<b>IBL 7650, IBL 7660, IBL 7670</b>	<b>6</b>	<b>IV</b>	
<b>IBL 7710</b>	<b>International Economic Law</b>	<b>IBL 7680, IBL 7690, CVL 7050</b>	<b>6</b>	<b>V</b>	

**C (I) Block**

**Elective relevant courses, that are not compulsory for any programs**

 code	 course	 prerequisite	credit	Semester	
PFL 9015	Legal English	PFL 9005	6	ALL	
LR 9005	Academic Writing and Research in Legal Studies	No prerequisites	6	ALL	
ATL 8015	Informational Law	No prerequisites	6	ALL	
CRL 8205	Criminal Justice System in Georgia	No prerequisites	6	ALL	
CRL 8215	Criminology	CRL 8220	6	ALL	
CRL 8225	Juvenile Justice	CRL 8220, CRL 8230	6	ALL	
CRL 8235	Methods of Commuting a sentence	CRL 8200	6	ALL	
CRL 8245	Criminalistics	CRL 8230	6	ALL	
CRL 8255	Investigation Methodology of Prevalent Crimes	CRL 8230	6	ALL	

<b>CRL 8265</b>	Contemporary Criminal Justice Systems	<b>No prerequisites</b>	<b>6</b>	<b>ALL</b>	
<b>LL 9025</b>	<b>Advocatory, prosecutorial and judicial skills</b>	<b>CRL 8230</b>	<b>6</b>	<b>ALL</b>	
<b>IPL 8425</b>	<b>International Humanitarian Law</b>	<b>IPL 8430</b>		<b>ALL</b>	
<b>IPL 8435</b>	<b>Precedent Law of Human Rights</b>	<b>IPL 8430</b>	<b>6</b>	<b>ALL</b>	
<b>IPL 8455</b>	<b>The Law of the United Nations</b>	<b>IPL 8410</b>	<b>6</b>	<b>ALL</b>	
<b>IPL 8465</b>	<b>International Refugee Law</b>	<b>IPL 8430</b>	<b>6</b>	<b>ALL</b>	
<b>CVL 7065</b>	<b>Legal regulation of civil and administrative law breaking</b>	<b>CRL 8235</b>	<b>6</b>	<b>ALL</b>	

**C (II) Block**

**Elective non-relevant courses, that are not compulsory for any programs**

<b>⊕ Code</b>	<b>📖 Course</b>	<b>🔍 Prerequisite</b>	<b>Credit</b>	<b>Semester</b>	<b>Prerequisites are not compulsory</b>
<b>CVL 7005</b>	<b>Res Soli</b>	<b>CVL 7010</b>	<b>6</b>	<b>ALL</b>	
<b>CVL 7015</b>	<b>Law of Claim Security</b>	<b>CVL 7020</b>	<b>6</b>	<b>ALL</b>	
<b>CVL 7025</b>	<b>Arbitration Law and Practicum of Georgian Arbitration</b>	<b>CVL 7050</b>	<b>6</b>	<b>ALL</b>	
<b>CVL7035</b>	<b>Notary Law</b>	<b>CVL 7040</b>	<b>6</b>	<b>ALL</b>	
<b>CVL7045</b>	<b>Labor and Social Security Law</b>	<b>No prerequisites</b>	<b>6</b>	<b>ALL</b>	
<b>COL 7205</b>	<b>Strategic Corporate Transaction</b>	<b>COL 7220</b>	<b>6</b>	<b>ALL</b>	
<b>CVL7055</b>	<b>Intellectual Property Law</b>	<b>No prerequisites</b>	<b>6</b>	<b>ALL</b>	
<b>ATL 8035</b>	<b>Customs Law</b>	<b>No prerequisites</b>	<b>6</b>	<b>ALL</b>	
<b>LL 9005</b>	<b>Judicial and Advocatory Skills</b>	<b>CVL 7050</b>	<b>6</b>	<b>ALL</b>	
<b>ATL 8005</b>	<b>Constitutionalism</b>	<b>No prerequisites</b>	<b>6</b>	<b>ALL</b>	

<b>ATL 8025</b>	<b>Law of Normative Acts and Practicum of Lawmaking process</b>	<b>No prerequisites</b>	<b>6</b>	<b>ALL</b>
<b>ATL 8035</b>	<b>Municipal Law</b>	<b>ATL 8000</b>	<b>6</b>	<b>ALL</b>
<b>ATL 8045</b>	<b>Construction law</b>	<b>CVL7020, ATL 8020</b>	<b>6</b>	<b>ALL</b>
<b>LL 9015</b>	<b>Advocatory, Representative and Judicial Skills</b>	<b>ATL 8050</b>	<b>6</b>	<b>ALL</b>
<b>IPL 8405</b>	<b>Contemporary International Law</b>	<b>No prerequisites</b>	<b>6</b>	<b>ALL</b>
<b>IPL 8415</b>	<b>International Law of Maritime</b>	<b>IPL 8400</b>	<b>6</b>	<b>ALL</b>
<b>IPL 8445</b>	<b>International Relations</b>	<b>No prerequisites</b>	<b>6</b>	<b>ALL</b>
<b>IPL 8475</b>	<b>Environmental Law</b>	<b>No prerequisites</b>	<b>6</b>	<b>ALL</b>
<b>IPL 8485</b>	<b>Not-for-Profit Law</b>	<b>No prerequisites</b>	<b>6</b>	<b>ALL</b>
<b>PFL 9005</b>	<b>General English</b>	<b>No prerequisites</b>	<b>6</b>	<b>ALL</b>
<b>CVL 7075</b>	<b>Enforcement Law</b>	<b>CVL 7050</b>	<b>6</b>	<b>ALL</b>
<b>ATL 8055</b>	<b>Canon Law</b>	<b>No prerequisites</b>	<b>6</b>	<b>ALL</b>
<b>ATL 8065</b>	<b>The Legal Regulation of the Church-State</b>	<b>No prerequisites</b>	<b>6</b>	<b>ALL</b>

	<b>Relationship</b>				
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**D Block**

*Alternative methods for gathering credits*

<b>⊕ Code</b>	<b>📖 Alternative Methods for gathering credits</b>	<b>🔗 Prerequisite</b>	<b>Credit</b>	<b>Semester</b>	
<b>CONF</b>	<b>Taking part in research conference</b>	<b>No prerequisites</b>	<b>4</b>		
<b>SA</b>	<b>Publishing scientific-research article</b>	<b>No prerequisites</b>	<b>2</b>		
<b>MC</b>	<b>Taking part in a mock trial process</b>	<b>No prerequisites</b>	<b>4</b>		
<b>LP</b>	<b>Educational Practice</b>	<b>No prerequisites</b>	<b>4</b>		

## *Course Description*

### **CVL 7000 MODERN CIVIL LAW, no prerequisite**

Concept and place of civil law in the law system. Elements of law system, private and public law. Problem of separation of private and public law. Basics of law. Sources of civil law. Law, as the sources of civil law. Source of law in continental law system. Source of law in common law system. Methods of case law. Types of civil norms – imperative norms (jus cogens) and dispositive norms (jus dispositivum). Indefinite norms. Customs and trade traditions. Operation of civil norms in time, space and towards persons. Law analogy. Civil law and case law. Margins of the operation of case law. persons in civil law. Legal subjectivity of individuals. Legal capacity and capability. Delict capacity. Role of the presumption in civil law. Recognition of a person as missing and declaring person as deceased. Criteria for the identification of individuals – name, place of residence, private non-material rights. Review of the Georgian court practice in relation to legal subjectivity of individuals. Private non-material rights in German law. Private non-material rights in French law. Private non-material rights in Anglo-American law. Concept of legal person, characteristics, types of legal persons: legal persons of private law. Legal persons of public law. Theories about legal persons – theory of fiction, theory of purpose property, theory of real link. Legal capacity and capability of legal person. Business reputation of legal person. Review of court practice. Concept and types of deed. (comparative legal analyze). Review of the court practice concerning deeds. Praxis of the conclusion of unilateral, bilateral and multilateral deeds. Terms and statutes of limitations in civil law – comparative legal analyze, review of court practice. General description of property law. Main criteria for separation material and non-material rights. Essence of ownership. Property as security – pledge and mortgage. Review of court practice. General description of obligations law. Types and concept of obligations. Freedom of treaties and restrictions. Essence of treaty – vital, ordinary, consequential and standard conditions. Form of agreement. Review of court practice. Concept and criteria of the fulfillment of obligations. Subjects, time and place of the fulfillment of obligations. fulfillment of obligation by a third person. Principle of proprio motu. Change of obligations object. Refusal to fulfill obligations (Exceptio non adimplenti contractus). Peculiarity of monetary obligations. Principle of “Nominalism”. Change of currency and its legal consequences. Review of court practice. Abrogation of obligations. Denunciation from the treaty. Abrogation of the treaty. Adjustment of

the treaty to the changed circumstances. Obligation for damages. Concept and type of damages – pecuniar and non-pecuniar damages. Not received income. Moratorium and compensation damage. Abstract damage. General grounds of the responsibility for damages. Unlawfulness of a conduct, nexus, mens rea, responsibility without fault. Review of court practice. Interruption of obligations. Different types of interruption of obligations – fulfillment, innovation, deposition, set off of obligations, forgiveness of a debt. Other grounds for abrogation of obligations. Review of court practice. Legal grounds for security – a penalty, earnest, a debtor’s guarantee, suretyship, bank guarantee. Review of court practice. Multiplicity of persons in obligations – solidary creditors, solidary borrowers. Review of court practice. General description of treaty concerning the transfer of the property into ownership. General description of the different types of civil law treaties. General description of family law institutes. Review of court practice. General description of inheritance law institutes. Review of court practice.

### **CVL 7010 Property, Land and Housing Law, no prerequisite**

General review of Property Law; real deal; difference between the real and obligatory legal relations; appurtenance and limited rights; comparative-legal analysis of proprietorship and ownership. Consideration of the legal practice in connection to the institute of an honest owner; ownership as an absolute right and human’s natural right; ownership as an obligation; review of the legal practice connected to the concept of ownership; historical types of protecting the right to property; analysis of the practical problems in connection to the common property; general review of the law of neighboring tenements and detailed study of the legal practice; obligation of tolerance of the neighboring influences and influence indemnity; right to claim prevention of danger; problem of a necessary way in the law of neighboring tenements and in legal practice; boundary marks; purchase and loss of property of real items; types of obtaining property of movable items; court practice; specificity of concession the claim and charging the debt according to the Georgian Law and court practice; relations connected to the management of the common property of the members of the householders’ association. Forms of householders’ association, forms of property of the members of the householders’ association, basic legal bases for origination, establishment, activity and liquidation of the householders’ association; review of the practice connected to the Housing Law; types of real deals and their difference from obligatory-legal relations; limited use of a stranger’s property: structure, usufruct, servitude –

relative-legal analysis, review of legal practice; property as security; relative-legal analysis of mortgaging and hypothec, review of legal practice. Difference between obligatory and property remedies for security; rule and importance of registration of rights under the public registry, regulating norms. Registration of rights to land and organization of this system; rule of regulating the issues connected to granting the right to the private property of the state-owned non-agricultural land used by physical entities and legal entities of Private Law under the effective legislation; basic terms and rule to recognize the right to the lawfully owned or used, as well as self-willed occupied land; rule to purchase and alienate agricultural plots of land; participation of a state in the relations connected to agricultural plots of land; concept of house law and its essence, rights and obligations of the householders; rule for using the residential area, peculiarities of legal trials of legal house disputes.

### **CVL 7020 Practicum of Treaty and Tort Law, prerequisite CVL 7000, CVL 7010**

Concept and place of treaty law in law system. General review of treaty law. General review and comparative legal analyze of treaties transferring ownership – purchase, exchange, bestow, loan, praxis of the creation of particular documents. General review and comparative legal analyze of treaties granting right of possession – rent, franchising, renting-leasing, lend. Review of court practice, praxis of the creation of each particular treaty. Treaties related to perform the work – contract, commission, general review and comparative legal analyze, praxis of the creation of each particular treaty. General review and comparative legal analyze of treaties concerning service – mediation, tourist service, transportation, deposit, review of court practice, praxis of creation of each particular treaty. General review of legal obligations. Discussion of problems existing in court practice. Completion of others duties without special order. Common rights. Ungrounded richness – review of court practice. Grounds of non-treaty (tort) obligations - damage, unlawfulness of conduct, nexus, mens rea, responsibility without fault. Complicity in tort obligations. Different types of non-treaty (tort) obligations. Review of court practice, comparative legal analyze. Review of the practice of European Court of Human Rights in relation to the tort obligations.

### **CVL 7030 Family, Trusteeship and Guardianship Law, prerequisite CVL 7020**

General review of family law. Court hearing of divorce cases. Registration of divorce and execution of court awards concerning divorces. Practical analyze of the rule of divorce in case of convicted spouse. Annulment of marriage and its legal consequences. Compensation of damage caused to the conscientious spouse. Remarriage in case of annulled marriage. Private and property rights of spouses – review of court practice. Common and individual property – comparative legal analyze. Conversion of spouses individual property into common property. Rule of division of common property. Problems related to the privatization of apartments. Rule of payment of debts of spouses. Marriage contract, its abrogation and annulment. Praxis of conclusion, annulment and abrogation of marriage contracts. Practical analyze of origin of a child in case of unmarried parents. Determination of the name and surname of child, change of surname – analyze of court practice. Parents equality towards children – rights and obligations determined by legislation and court practice. Deprivation of parent's right and comparative legal analyze of removal of a child without deprivation of parent's right. Review of court practice in relation to alimony. General legal review of the institute of adoption. Review of the application for adoption by court. Recognition of a child as abandoned. Concept of trusteeship and guardianship. Review of trusteeship and guardianship in the context of family and non-family legal relations. Recognition of citizen to have restricted legal capacity of to be incapable. Organs of trusteeship and guardianship. Establishment of trusteeship and guardianship over persons under age and age of majority. Persons who cannot be trustees or guardians. Supervision over the activities of guardian and trustee. Appointment of property trustee. Restriction of the authorities of guardians and trustees. Grounds for abrogation of trusteeship and guardianship. Role of the Organ of trusteeship and guardianship in discussion of family disputes. Comparative legal analyze of trusteeship and guardianship – review of court practice. Review of practice of trusteeship and guardianship organs. Praxis of the creation of documentation related to the trusteeship and guardianship.

### **CVL 7040 Inheritance Law and Practicum of Notarial Law, prerequisite CVL 7020**

General overview of Inheritance Law. Meaning of heritable relationships. The method of legal regulation of heritable relationships. Comparative overview of regulations related to Inheritance Law and heritable relationships. Practical analysis of heritable relationships. Overview of objects and subjects of heritable relationships on the ground of comparison legislative reality and judicial

practice. Comparative analysis of legal and testamentary heritage. Rights on heritage of incapables persons. Forfeiture of rights on heritage for the reason of nullity of marriage. Assignment of heritage without a heir to the government. Assignment of heritage without a heir in co-operatives and entrepreneurs association – overview of judicial practice. Practical analysis of issues concerning testamentary heritage. Comparative analysis of different forms of a will. Particular overview of compulsory portion and legatory testamentary disposition- overview of judicial practice. Changing or Cancelling a will. Execution of a will. Receiving or declining heritage. Inadmissibility of commanding heritage. The right on profit got before bringing an action. Consequences of vendition of heritage's separate items. Inheritance transmission. Appearance of proprietorship on heritage. Declining heritage. Getting several portions from heritage. Terms of arguing about receiving heritage and and the time of accruing operation. Dividing heritage – theory and practice. Consequences of non-attendance of a heir. Favoured right on heritage. Protection of heritage by notarial body. The analysis of practice related to issuing of a certificate of heritage.. Correlation of Inheritance Law and Notary Law. General overview of notarial business in the sphere of Inheritance Law. Practical work in Notary.

### **CVL 7050 Civil Litigatio and Practicum of Enforcement Law, Prerequisite CVL 7040**

Concept of Civil Procedural Law and its place in a legal system; Interrelationship of Civil Procedural Law with the different fields of law; Sources of Civil Procedural Law; Operation of Civil Procedural norms in time, in space and with respect to persons; Determination of relationships based on Civil Procedural Law; General characteristic of subjects of Civil Procedural Law; Review of the case law regard to the parties of civil procedure. Inconsistent party and rule of its adjustment;

Problematic issues related to procedural complicity and comparative analysis of procedural complicity; Third party in the Civil Procedural Law – review of court practice; Basis of the procedural succession; Admission rules for Procedural Succession; Procedural rights and obligations of successors; Jurisdiction of civil cases – review of case law; General jurisdiction (Actor sequitur forum rei), Forum shopping, Principle of unchanging jurisdiction (perpetuatio fori), International competency of Georgian Judiciary System. Comparative analysis of legal and

contractual representation; Peculiarity of legal entities representation; Expenses related to civil suit and litigation; Dividing litigation expenses between the parties – review of court practice; Evidences at civil litigation; Practical work on deliberation of evidences; Comparative analysis of evidences; Burden of proof (Onus proferendi); Subjects of Burden of proof; The basis and role of sharing burden of proof; Acceptable evidences; Evaluation of evidences – revision of case law; The concept and the main elements of complaint; Change of claim; The term for filing an civil complaint; Peculiarity of hearing vindictive claim; The right on claim; Provisions for filing of claim; The measures for ensuring claim (constrictive measures) – revision of court practice; Respondents protection measures against claim; Comparative analysis of counterclaim and respondents reply; Practical work for case preparing and oral hearing process; Notification and monition for trial, analysis of existing problems; Hearing of a case on a general session; Different stages of general session; Postponement of trial; Suspensions of trial; Different types of court determination; Particularity in process of court determination and court decision making – revision of court practice; Substantive and formal legal force of court decisions; Complete the litigation without making of court decision; Sources and consequences of birching the case hearing and litigation; Basis and consequences of “claim not settled” - revision of court practice; Specificity of simplifivative trial; Indisputable and simplifivative cases - revision of court practice; Appeal of court decisions; Litigation proceeding at the court of appeal; Appeal claim in return; The edge of examination of court decisions and authority of court of appeal; Absence litigation proceeding in Court of Appeal; Determination and decisions of the Court of Appeal; Legal nature of Cassation; Claim of cassation; Cassation claim in return; Litigation proceeding during cassation; Decision of Supreme Court; Concept, subjects and objects of private claim; Comparative analysis of appeal and cassation litigation proceedings; Legal nature of running the private claim; Comparative analysis of claim and private claim; Renewal of litigation proceeding - revision of court practice; Separate procedural documentations: Suit, Counterclaim (claim in return) announcement, claim, private claim, appeal suit, cassation suit, preparing draft of court decision and determination; Practicum of enforcement law, subject and its notion. Definition of law, Problem solving approach, Practice and Law – comparative analyze.

**CVL 7060 International Private Law and Practicum of International Procedure Law, prerequisite CVL7050**

General review of International private law, sources of international private law (municipal laws, international conventions, international trade customs, decisions of courts and tribunals), characteristics of the operation of conflict norms, attachment formulas, establishment of the essence of the norm of foreign country. Reverse reference and reference to the third countries of conflict norms. Autonomy of the will of the parties. Reservation regarding Public Order (Ordre Public), individuals in international private law, legal persons in international private law, state as the subject of international private law. International proprietary law. ownership and res in international proprietary law. Legal-conflict regimes of res. Investment Law. Essence and principles of the international treaty law. International purchase law. Law of international air, maritime, railroad and by-land transportation. International banking and securities law. Torts in international private law. International family law. Rules and conditions of marriage. Form of marriage in international private law. Abrogation of marriage. Property rights of spouses in international private law. Maintenance obligation, adoption, trusteeship and guardianship in international private law. International inheritance law. Conflict issues related to the international inheritance law. Form of will and escheat in international private law. Definition and main principles of international civil procedure. International court jurisdiction And margins of its use. Types of jurisdictional immunities. International legal assistance. Types of international competence. Concurrent international jurisdiction. Forum Shopping. Prerogative and derogative agreements. International courts of arbitration. Recognition and execution of the decisions of foreign courts. Review of the practice of the Supreme Court of Georgia. Practice of the recognition and execution of decisions.

### **CVL 7005 Res Soli, prerequisite CVL 7010**

Privatization of the agricultural lands existing in the state ownership. Sphere of regulation of the law of Georgia on the privatization of agricultural lands existing in the state ownership. Declaration of agricultural lands as ownership of Apostolic Autocephalous Orthodox Church of Georgia. Types of privatization of agricultural lands. Organs carrying out privatization agricultural lands. Documents certifying purchase of land. Planning of land and transfer in kind. Privatization of rented agricultural land. Privatization of non-rented agricultural lands. Registration of right of ownership and mortgage over the agricultural land. Recognition of the right of ownership over the lands existing in the possession of individuals and legal persons of

private law. Ownership over agricultural land. Declaration of the agricultural lands possessed by individuals and legal persons of private law as private property. Compensation of damage and payment of fee related to the utilization of land caused by the conversion of agricultural land into non-agricultural land. Registration of rights over real estate.

### **CVL 7015 Law of Claim Security, prerequisite CVL 7020**

Historical review of origination and development of Claim Security according to the Roman Law and Georgian Law; concept and essence of the Claim Security and preconditions for their application; means of security of the claim, which is accessory in nature and independent; general classification of claim security under the Civil Code of Georgia; legal property means for Claim Security; right to mortgage of a lessor, lessee and renter; right to mortgage of a pieceworker of movable items; right to mortgage of a carrier; property subrogation of the rented inventory; claim ensure in a wide sense; possibility to deduct liabilities; legal means for legal security with liability; legal claim for fulfillment – a pieceworker’s right in a piecework agreement, client’s legal claim in expedition agreement, creditor’s legal claim in bank credit agreement, a leasing receiver’s right; right to reject fulfillment – a seller’s right to detain the thing, consumer credit-receiver right to reject fulfillment, keeper’s and warehouse keeper’s right to detain a thing; property-legal contractual means for ensuring under the law: origination, essence, subjects, specificity, types of mortgage, termination of mortgage, hypothec – concept, practical value, rule of application, subjects, types, origination, termination and peculiarities; conditioned property as a means for claim security; obligatory-legal means for security by a debtor: penalty, advance, debtor’s guarantee – specificity and regulatory norms; obligatory-legal means for claim security by the third entity: debtor’s guarantee; concept of bank guarantee, its legal nature and precondition for use, difference from other forms of security, peculiarity, limits, termination; concept of bail, its practical value, form, basis for origination, scope of competence, termination and basics for exemption of liabilities; assignment of a claim as a means of a claim security; court practice in relation to the means of claim security.

## **CVL 7025 Arbitration Law and Practicum of Georgian Arbitration, prerequisite CVL 7050**

General overview of Arbitration Law. Comparative analysis of International Arbitrations, Arbitrations of different states and Georgian Arbitration system – general overview of practice. Arbitration as an alternative dispute resolution. Advantages and disadvantages of Arbitral tribunal. Parties' agreement on arbitration, its content and form. Arbitration agreement, as a bargain in the contract, force of arbitration agreement in the case of a null and void contract. Concluding an arbitration agreement with the help of a proxy. Forms of private arbitration bodies. Temporary private arbitration's Framework and terms of activities. Parties' participation in the formation and work of temporary private arbitration. Sense of institutional arbitration, the rule of its establishment as a subject of law. Legally compulsory conditions of Institutional Arbitration. Statute of Institutional arbitration, its establishment and promulgation. Appointment of an arbitrator, persons, which have no right to be appointed as an arbitrator, preliminary acceptance as a compulsory condition of appointment as an arbitrator. Quantity of members of arbitration, parties' participation in the determination of arbitrators' quantity and arbitrator's selection. Determination of arbitrator's quantity and the rule of appointing arbitrators by the Institutional arbitration, the difference in the rule of appointing members of Institutional and temporary arbitration. Participation of court in the issue of appointing arbitrators. Substitution of an arbitrator appointed by the party. Presiding arbitrator. Time constraints of. Basis of dismissal of arbitration members. Cause and time of beginning an arbitration proceedings. Parties' participation in the determination of arbitration proceedings' rules. Arbitration proceedings held by Institutional arbitration. Principles of equality and competition during arbitral proceedings. Evidences in arbitration. Providing evidences. Parties' notice about arbitration date. Arbitration language, place and form of arbitration proceedings. Impossibility of drawing an arbitral award without hearing parties' expounded and exclusive incidents. Legal and determined by parties term of drawing an arbitral award. The decision about dismissal of action and time constraints of dismissal. The rule of reaching decision by chamber of arbitrators. Formation of arbitral decision, its form and sense. Notarial attestation of a decision, its expedition to court and term of keeping. Interpretation

of arbitral decision and amendment of mistakes. Enforcement of decision. Appellation of arbitral decision in the court and ground of appellation. The specific of discussing arbitral disputes in the court. The correspondence of Arbitration and taxation disputes.

### **CVL 7035 Notary Law, prerequisite CVL 7040**

General overview of notarial relationships. Sources of Notary Law. (Notary legislation, the normative acts' operation in time and space, system of Notary Law. ) Organization of Notary. (History of development of notary, notary's office and its statute, position of a notary officer and its appointment, rights and obligations of a notary officer, Georgian Notary Chamber and its bodies of management, government control on Notary Chamber) . Main rules of notarial activities (Capacity of Notary's offices, place and time constraints of Notarial acts, Notarial office work, language of office work, appealation of Notarial act or the denial of its compliance, classification of notarial activities). Notarial activities concerning notarial attestation of indisputable rights. Notarial attestation of standing orders and constituent instruments of incorporated private persons . Notarial acts concerning notarial attestation of indisputable facts. Granting credit ad fiscal documents with force for enforcement. Notarial acts attested for the reason of guaranteeing legal relationships. Usage of Georgian Legislation concerning foreigners and apatrides. Usage of foreign legislative, International conventions and agreements. Disciplinary proceedings against notary.

### **CVL7045 Labor and Social Security Law, no prerequisite**

Labor law general review. Why it is separated as particular law object. What is saying Georgian main law – Georgian Constitution about labor right? What was the strife's history passed for worthy labor and employment right achieving. Labor and its consequent relations. Differences and similarities between them. List of special laws acting in this field and Georgian International agreements. Conditions required for labor relations. Minimal age of workability achieving established by law and international agreements. Works what are prohibited for minors and pregnant. Pre-contractual relations and requirements for candidates. Labour Contract signing forms and dates. Compatible works and trial periods. Compatible works, including the employes, who according the special law of "public service", is presenting state-political body or is occupying other position. Relations related with work implementation, in particular the obligation, cases and conditions created because of work implementation, when works might be implemented by other persons. Circumstances which are considered as labor contracts conditions main replacing and circumstances, which are allowed as replaceable by the law. Business trip rules and dates. Employer's right to establish labor internal regulations. Working day durability

established by the law. Work practice on working day durability, break and day-off time. Overtime job specific. Holidays determining history and dividing (public and religious holidays) principle. Vacation rules and durability. Vacation right requirement creation, vacation pay issues. The rule of giving vacation to pregnant and parturients. Form, number, paying time and place of labor pay. In case of involuntary lost time labor pay and deduction issues from this payment. Tax Code requirements for wage, as income, taxing. Human right on healthy and safe working environment. Obligation of creating labor safety ensuring preventive system and required information providing by the Employer. Bases for labor relations changing, stopping and interrupting. The properties of labor contract abrogation with minors. General regulations of union contract, representative institute and the form of signing such contract. Issues of responsibilities for violations in the field of labor relations. In particular: the issues of material (individual) obligations for caused loss or ones determined by written agreement. Limitations in labor contracts. The rules, procedures and dates for disputes solving created during labor relations. Strike and lockouts. Differences between them. Persons, who are prohibited to be involved in the strike. Unlawful strike and lockout. Employed rights guarantees. "Public service" Georgian law's properties in relation with labor relations. Similarity and main differences between labor and public legislations. Georgian law about "non military, alternative labor activity". Who and in what circumstance has non military, alternative activity requirement right. Other special laws acting in labor field: about "President of Georgia", "Member of Parliament" constitution and common court member labor pay. Right and principles established by "European Social Charter", which are protected by the Charter and which protection is all involved parties obligation. Points and sections of the Charter sounded as obligatory from Georgian side. ILO and its role in labor relations regulation. Social allowance system. Social allowance system's main principles and allowances types: subsisting donation, subsidy, reintegration donation, reimbursement for adoption (trusted fosterage), family support reimbursement for major. Non monetary social allowance. Social allowance financing. State pension - as the minimal live means insurance per age, disability or survivor's death. State pension award base and its amount. Pension awarding, granting, revoking and renewal rules and conditions. The authorized administrative body in this field. Pensioner rights - obligations. Retention from pension. The field regulated by state compensation and state academic grant law. State compensation and state academic grant receiving right creation basis. State compensation/grant maximal level. Compensation for former state - political bodies. Compensation for disability status. Survivor's compensation. Georgian law about high mountainous regions social - economic and cultural development. Subsistence minimum as

Georgian citizens protection and social guarantees basis. Subsistence minimum as social norm. Subsistence minimum calculation rule and system.

### **CVL 7055 Intellectual Property Law, no prerequisite**

Basic overview of intellectual property law. Differences between Industrial property and copyright and related rights. Subject matter of copyright and related rights. Owners of copyright and related rights. Limitations and exceptions of copyrights and its varieties. Term of protection of copyrights and related rights. Use of enforcement measures in practice. Forms of copyright contracts. Case study in the field of copyright and related rights. International conventions in the field of copyright and related rights. Basic principles of international copyright law. Protection of copyright in Internet. Folklore works. Analysis of Georgian legislation in the field of copyright and related rights and practical aspects of its use. Collective management organizations of copyright and related rights; their functions and foundation. Basic overview of Industrial property law. Functions and activities of National Intellectual Property Centre of Georgia “Sakpatenti. Patent granting procedure. International application. License and obligatory license. Criteria of patentability. Case study in the field of patent law. Overview of patent legislation in foreign countries. Trademark examination procedure. international application. Trademark assignment and licensing. Different types of trademark. Essence of Well known trademarks. Function of collective marks. Overview of litigation in the field of trademark law. (Case study, functions and activities of Board of appeal of “Sakpatenti.”). Procedure of registration of Geographical indications. Registration of Geographical indications abroad. Different ways of protection of Geographical indications on international level. Relation of Geographical indications with trademarks. Legislative provisions on unfair competition. International conventions acting in the field of industrial property law. International registration systems of industrial property objects.

### **LL 9005 Judicial and Advocatory Skills. prerequisite CVL 7050**

International legal acts regarding judicial system. Basic principles of court independence; the laws regulating judicial behavior in Georgia; Disciplinary proceedings towards judges; Georgian judicial system; judicial law; judicial ethics; independence. Impartiality, competence and delicacy

of a judge; relationship of a judge with society; non-judicial activities of a judge; other principles of judicial behavior; judicial skills; international legislation concerning advocacy activities; basic provisions of advocacy ethics; norms of advocates' ethical behavior in civil procedure; advocate's obligation regarding confidentiality; independence of advocate; professional prestige; art of debate. Legal basis of advocates representation; methodology of drawing out the legal position on a case by an advocate; preparation of case materials; definition of process subjects (defendant, witnesses, expert, specialist, supposed third party); drafting processual documents (suit, response suit, plea, draft decision, appeals); the actions of an advocate in case of presenting response suit; presenting a legal statement and definition at court; participation of an advocate in the first instance court on the stages of preliminary preparation of a case and case hearing; participation of an advocate in case of waiver, acknowledgment of suit, agreement; art of court speech; participation of an advocate at a court of appeal; participation of an advocate at a supreme court.

### **CVL 7075 Enforcement Law, prerequisite CVL 7050**

Enforcement law as part of the public law. Constitutional fundamentals of enforcement law. Sources of enforcement law. Civil Code and Law on Enforcement Proceedings as the basic sources for the enforcement law. Modern enforcement systems. Enforcement participants. Bailiff – public servant, rights, duties and responsibilities. Scope of application of enforcement law. Legal principles of obligation of the enforced decision and bailiff's legitimate requirements. Persons involved in enforcement procedure – creditor, debtor (owner) concerned (authorized) and responsible individuals. Legal acts subject to enforcement. Types of coercive enforcement. Identification of parties involved in enforcement procedure, their rights and obligations. Protection of human rights in coercive enforcement procedure. Types, requisites and remoteness of the enforcement documents. Enforcement writ – requisites, content, issuance and receipt procedure, opening of record. Timeframe for the execution of enforcement actions. Warning of debtor. Detection of debtor's property. Laying an attachment on property. Termination, postponement, temporary suspension, cancellation and completion of the enforcement procedure. Enforcement of separate types of the claim securing measures. Peculiarity of enforcement of judicial decisions in favor of the state. Enforcement of judicial decisions against the state, property limitation. Peculiarity enforcement of judiciary decisions against the legal entities of public law. Enforcement in cases with multiple creditors. Characteristics of enforcement of

payment obligation. Coercive auction – preparation, appointment, conduction, principles and terms of auction. First auction, repeated auction, transference of property in kind. enforcement (fee), rule of its imposing, calculation and payment. Specifics of realization of the mortgaged property – special provisions of the Civil Code. Distribution of recovered amounts among creditors. Priority (creditors) list. Peculiarity of proportional and partial recovery. Coercive mortgage – demand and execution procedure. Its potential and advantages. Sequester – coercive management of property, execution procedure. Its potential and advantages. Application of relevant norms of the Civil Code. Enforcement of transference of unlawfully possessed things/property. Enforcement of eviction from premises, laying attachment upon claim – subjects, procedures and outcomes. Enforcement of judgment on the payment of alimony. Enforcement of judgment on the imposition of administrative penalty. Enforcement of decisions on the expulsion of foreign nationals out of the territory of Georgia. Specifics of the recognition and enforcement of judgments of foreign states. Enforcement of judgments of the European Court on Human Rights. Rules of determination and enforcement on the cases of particular importance. Peculiarities of the execution of judgments subject to immediate enforcement. Other legitimate techniques and methods of coercive enforcement (securing the enforcement). Possibility of explanation of the enforced acts. Bailiff’s administrative acts – types, content, peculiarity of their elaboration, issuance (receipt) and termination. Liability, rules, timeframes and means of notification of the parties involved in enforcement procedure, as well as corresponding norms of the Civil Procedure Code. Appeal against enforcement actions or relevant acts. Cancellation of enforcement by court. Terms and liability of indemnification of damage as a result of illegally or wrongfully executed enforcement. Documentation reflecting the enforcement actions (enforcement proceedings), its form, preparation, drawing up, execution, control, preservation (archiving), enforcement statistics. Necessary skills for Bailiff (techniques and methods of enforcement). Criminal law and enforcement law. Civil Code (mortgage - security) and enforcement law. Tax Code and enforcement law. General Administrative Code and enforcement law. Code of Administrative Procedure and enforcement law. Civil Procedure Code and enforcement law. Criminal law and enforcement law. Law on Insolvency and enforcement law. Human Rights and enforcement law. Enforcement practice review. Review of enforcement-related jurisdiction. enforcement-related judgments of the European Court on Human Rights and review of its interpretation of the right to a fair trial. The existing enforcement system – its role and place in the executive branch system. Review of the system reformation process – possible trends, models, international recommendations and commitments.

## **CVL 7085 Alternative Dispute Resolution (ADR), no prerequisites**

The notion and legal footings of ADR. Background of ADR movement. Dispute resolution law and its notion. Definition and concepts of negotiation. Dispute and deal-making negotiation. Distributive and integrative bargaining. Approaches to negotiation. Adversarial approach. Problem solving approach. Negotiation approaches in practice. Stages of negotiation process. Planning and analyses. Exchanging information. Concessions and Compromise. Reaching agreement. Barriers to settlement. Ethical issues in negotiation: truthfulness, misrepresentation, threats. Legal aspects of negotiation. Settlement agreement. Policy favoring settlement. Validity of settlement agreements. Court approval of settlement agreements. Protecting confidentiality in negotiation. Incentives for settlement. Definition of mediation. Advantages and disadvantages of mediation. Mediation process. Mediator's introduction. Mediator assists parties with information exchange and bargaining. Drafting the mediation agreement. Role of mediator. Mediator skills. Mediator requirements. Ethical concerns. Maintaining integrity of mediation. Mandatory mediation programs. Ethical concerns for lawyer-mediators. Mediation and the role of law. Informed consent in mediation. Lawyers and mediation. Pre-mediation clients counseling. Representing clients in mediation. Legal issues of mediation: confidentiality, enforceability, liability of mediators, unauthorized practice of law restrictions. Mediation approaches in al litigated case. Notion of Arbitration. Historical perspectives of arbitration. The traditional model of arbitration. Compulsory arbitration. Public sector arbitration. Court –Annexed arbitration. Interest and Rights in Arbitration. Administered and non administered arbitration. Final offer arbitration. The arbitration proceedings. Initiating arbitration. Selection of arbitrators. Arbitration hearings. Law applied by arbitrators. Arbitrator ethics. Dispute resolution in court system in USA. Dispute resolution in court system in Europe. Dispute resolution and ADR practices in Georgia. Legislation on ADR in Georgia. Courts and arbitration in Georgia. Business Disputes, Settlement Issues in the Business Sector, Employment Disputes and Employer/Employee Relationships. International Arbitration and types of international arbitration.

## **COL 7200, Contemporary Corporate Law,no prerequisite**

General overview of contemporary corporate law; Origin of Corporate law in Georgia; The place of the corporate law in the Georgian contemporary legal system.The sources of corporate

law; The role of case law and court practice in the development of corporate law; General legal overview of entrepreneurial activities, practical analyse; Legal forms of enterprises; Principle – “Numerus Clausus” in Corporate Law; Reorganization of the treasury enterprises; Practical purpose of dividing enterprises in different legal forms; The partners of enterprises; The capital of business entities and legal nature of contribution; Freedom in choice of enterprises legal forms; Stipulated restrictions towards founding process based on separate legal form of enterprises; The meaning of registration; The importance of commercial register; Consequences of operating without registration; Specifications of enterprises registration; Redomicile/Domicile of enterprises; Commercial name of entities; The purpose of authorities and interrelationships of business societies; Out relationships and representations; Authorized person on representation and managing business entities; General meeting of partners; Supervisory board; Corporative governance; Good governance principle; Principle of freedom in entrepreneurial decision; Accountability of supervisors and supervisory board’s members; Partners accountability; Authority to accomplish legal actions; Commercial representative; Independent merchandiser; Trade commissioner; Liquidation and reorganization of commercial entities; Legal regulations of Partnership; Legal regulations of Limited Partnership; Legal provisions for Limited Liability Company; Legal provisions for Joint Stock Company; Opened and closed joint stock companies; Concept of shares; The forms and types of stocks; Stocks register; Different kinds of convertible securities; Shareholders’ rights and obligations; The title of minority and majority stakeholders; Handle of Joint stock company; Obligatory tender offering, obligatory trade of stocks; Shape of cooperative society; Revision and analysis case law of Georgia;

### **COL 7210 Comparative Corporate Law, Prerequisite COL 7200**

Subject of comparative corporate law. ‘Corporate’ unions in early world. Corporations in Middle Ages. Influence of trade relationships on establishment of corporations, origins of trade law. Impact of industrial revolution on origins of modern corporations. Corporations in the family of Anglo-Saxon and continental –European law. History of Corporate Law in Georgia, prerequisites of its formation. Georgian corporate law as a synthesis of German trade law and public law, or the result of reception of the American law? Unions of corporate nature in German-speaking countries. Corporate subjects in the American (USA) law. Classical understanding of

corporations in the law of German-speaking countries. Corporations in Georgia. Internal and external companies in the German law. Entrepreneurial activity as the major element of the corporate union. Concept of entrepreneurial activity according to German and Austrian law, its comparison with the Georgian law. Establishment of an enterprise as a corporation. Stages of establishment in the German, Austrian and French laws. Founding of an enterprise according to the Georgian legislation. Role of the 'pre-establishing consortium' and 'pre-company' in foundation of corporations. Foundation capital and the capital in corporate unions. Functions of the foundation capital. Role of the statutory reserve capital. Contribution to be made and actually made. Significance of the statute and its civil-legal and corporate-legal essence in German-speaking countries. Role of the statute as a non-mandatory requisite for founding a Georgian corporation. Partnership-like unions in the German and Georgian laws. Comparative-legal overview of the companies of capital type. Representative authorities at corporations. Deal-legal and trade-legal representation: legislative regulation or the postulate of statute?! Competence of enterprise management, its legal and agreement frameworks. Boundaries of competition and minority in relationship of corporations. Unions of corporate subjects: concern, cartels, syndicates. Company of civil law according to German and Austrian law. Non-solidarity company as an internal company. Partnership-type company in German law, its advantages. Joint stock company in German, Austrian and Georgian law. Essence of Commandite joint stock company. Present-day mechanisms for protecting the minority shareholders. Legal regulation of acquisition (purchase) of corporations. Main principles of law for enterprise acquisition. Mandatory tender offering and mandatory sale of shares as a factor stimulating investment, and a mechanism for guaranteeing protection of minority shareholders. Constitutional-legal relation of these institutes. Overview of the resolutions made by Constitutional Courts. Tendencies for developing Georgian corporate law.

### **COL 7220 Corporate Governance and Liability of Directors, prerequisite COL 7210**

Corporate Governance: concept, development and constituting parts – overview from the European point of view. Corporate Governance and “soft law”. Corporate Governance and legislation. Corporate Governance and voluntary self-regulation. Internal and external corporate governance. 6 constituting parts of corporate governance: Council and Board of Directors, employees and their co-participation (its negative influence on corporate management, German criticism), role of banks, stock exchange and capital market, enterprise control market - purchase

offers (voluntary and mandatory public offerings), publicity, i.e. transparency and audit. Corporate codes and their structure. Management model and corporate governance: a model of so called “Shareholder Value” and “Stakeholder Value”. Competition between the models. Does the corporate governance generate confidence? Why it became necessary to regulate the corporate governance – significance of the duty of directors in corporate governance. Subjects of duties. Definition and list of the duties of directors: Duty of Care and Duty of Loyalty. Duty of Silence. Rules that regulate responsibilities while making an entrepreneurial decision, so called Due Diligence and its significance.

### **Col 7230 Insolvency Law, no prerequisite**

Insolvency law development, Insolvency – in Georgian Law, The laws in force in the Insolvency law (Enterprises Bankruptcy decree of 1992, The law of Georgia on Bankruptcy of 1996, Inpaiment Law of 2007), The structure of the Inpaiment Law , Comparison the inpaiment Law with the Law of Bankruptcy and Enterprises Bankruptcy decree, Comparison the Georgian insolvency Law with the european countries Insolvency law. The purpose of the Insolvency law, development and modification. Referring the Inpaiment Law to the Corporate Law, Code of Procedures of the Civil Law and Executive Law. Insolvency proceedings and its comparison with the Code of Procedures of the Civil Law, Liquidation and Executive proceedings. The material and formal precede conditions of Insolvency proceedings. Inpaiment application and its discussing proceeding. Plenipotent persons on the inpaiment application, the structure and content of the Inpaiment application, the practicum of drawing up the application. Bankruptcy (Insolvency) of the debtor, the parties of Bankruptcy (Insolvency), Insolvent debtor: capacity, legal restrictions. The principles of the Insolvency (Inpaiment) application: Inpaiment (Insolvency) and threatening inpaiment, Indebtness Characterization, Practical review. Opening the Bankruptcy proceedings, taking in proceeding and refusing the Insolvency (Inpaiment) application. Court ruling about opening the Bankruptcy proceedings, taking in proceeding Insolvency (Inpaiment) application, structure and content of the court ruling, the practicum of drawing up the court ruling. Creditors in Insolvency (Inpaiment) proceedings, Kinds of creditors, Creditor’s organs, Creditor’s meeting and committee. The Insolvency proceedings organs, Court discussing the Insolvency case: subordination, functions, the procedure of appealing, Agreement council , the staff of council and functions. The managers in insolvency proceedings: The manager of Bankruptcy, the manager of rehabilitation, Guardian. Insolvency mass, tutorial

property, concept and content. Types of Insolvency mass: factual and compulsory mass. Insolvency Mass sharing proceeding: the term of satisfying the creditors, Insolvency schedule, the rules of satisfying ordinary and secured creditors, Plenipotent creditors on the object separated from the Insolvency mass. Influence of Insolvency existed legal relations (contract relations, unfinished processes). Insolvency agreement and rehabilitation, rescuing – recovering Insolvent debtor's enterprise, Development of Insolvency agreement institute, Referring the Insolvency agreement to the other agreement institutes, the procedures of Insolvency agreement, rehabilitation: rehabilitation proceeding, the plan of rehabilitation, Manager of rehabilitation. Peculiarity of the Insolvency proceedings in corporation, Corporation Insolvency as a principle of abolishment, the beginning and the end of the Corporation Insolvency, Corporation organs in Insolvency: functions, marking off the competences, Mass of corporation Insolvency: Peculiarity, content, partner (stockholder) in corporation Insolvency. Particular types of Insolvency proceedings, particular proceeding, Court practice analyse about Insolvency proceedings, the practicum of drawing up the Insolvency documentation.

**COL 7240 Financial Markets and Securities Regulation, COL 7210, COL 7220, COL 7230, BIL 7400, ATL 8030**

Program covers various legal aspects of securities market regulation including fundamentals of financial markets operation and securities regulation through comparative analysis of international practice and Georgian legislation in the field.

Program aims to deliver basic knowledge in the area of securities regulation and to enable the students to service securities transactions. In particular, program covers following issues and concepts: Financial Market and Types of Financial Markets (Money Markets, Capital Markets, Commodities Markets etc.), Fundamentals of Financial Markets Operation: Demand and Supply on the Market; Concept of Investment, Time Value of Money; Motivation for Trading on the Securities Market; Effective Market Hypothesis, Information on the Securities Market, Purpose of Regulation, Regulated Entities. Definition of Security under International Practice and Georgian Law; Security as an Instrument of Attracting Capital. Debt & Equity Securities; Types and Classes of Securities, Hybrid Securities, Derivatives and Synthetic Securities. Legal Study of Debt & Equity Securities, Definition, Fundamentals of Regulation. Specifics of Debt Securities,

Types (Sovereign, Municipal, Corporate etc.). Stock & Joint Stock Companies, Stockholders' Rights, Minority Shareholders' Rights, Widely & Closely Held Companies; Ownership v. Control (Berle & Means Doctrine); Corporate Governance and its Importance; Directors' Liability; Company Performance and its Effect on the Stock Price; Disclosure and Publicity; Reporting Companies and Obligations under the Georgian Law; Stock as an Instrument on the Securities Market and Purpose of Regulation. American Experience of Securities Market Regulation – 1933, 34, 40 and 2002 Statutes related to the Regulation of US Securities Markets. Law of Georgia on Securities Market, Review and Comparative Analysis. Licensing and Licensed Activities, Self-Regulatory Bodies; Concept of the Offering and Types of Offering; Private Offering: Legal Nature, Types, Entering International Capital Market through Private Offering; Public Offering, Legal Nature and Comparative Analysis with Private Offering. Primary and Secondary Markets. IPO (Initial Public Offering). International Securities Identification Number; Prospectus: Definition, Description, Purpose, Content, Local and International Requirements and Disclosure Standards. Procedures for Issuance of the Securities for the Public Offering, Approval by the Regulator. Review of Certain Parts of Prospectus (Georgian and International Samples). Regulated Market Participants and the form of Regulation: Stock Exchange, Central Depository, Brokerage Companies, Registrars. International Practice: Other Parties (Investment Banks, Trustees etc.). Insider Trading and other Violations, Supervision, Capital Adequacy for the Securities Companies; Securities Taxation; ABS (Asset Backed Securities) and Other Structured Finance Products and cross border transactions, Problems Related to Implementation of Structured Finance Products under the Georgian Jurisdiction.

### **COL 7205 Strategic Corporate Transaction, prerequisite COL 7220**

Introduction - the problems of modern corporate law, strategic corporate transactions; the main principle of the corporate law – duties of corporate fiduciaries, why are they needed? Duty of Care: basic standard and the business judgment rule; Duty of Loyalty – directors and other fiduciaries on both sides of transactions (conflicts of interest); other types of violation of the duty of loyalty: use of the property of corporation, taking the corporate opportunity, competing with the corporation. Duty of Loyalty of the controlling shareholders: selling the controlling block.

Strategic Transactions: Mergers and Acquisitions; rights of the minority shareholders: freeze outs, appraisal rights. Tender offers: friendly tender offers and hostile takeovers; protection measures against hostile takeovers. The fiduciary duties in takeover context: Unocal Unitrin rule; Revlon rule. The securities market rules. Trending in securities based on the insider information.

### **ECON 7000 Economics for Lawyer, no prerequisite**

Principles of Economics, Demand and Supply, Elasticity, Government policies (incl. Tax Policy), Externalities and Public Goods, Monopoly and Oligopoly, Earnings and Discrimination, Measuring a Nation's income (GDP, CPI), Inflation, Unemployment, Economic Growth, The Monetary System, Budget, Monetary and fiscal Policy, Aggregate Demand and aggregate Supply in Closed economy and in Open Economy. Financial markets, The International Flows and Goods and Capital. Exchange rates.

### **BIL 7400 Modern Insurance Law (I), no prerequisite**

Concept and meaning of Insurance; Legal and Economic prerequisites of formation of the system of Insurance; History of Insurance; Role and Importance of Insurance in modern Economic and Social sector; Basic Legal Principles; Legal regulation of Insurance Relations; Georgian Insurance Legislation; Georgian Civil Code; Georgian Law on Insurance; Subject of Insurance; Object of Insurance; Classification of Insurance Types; Obligatory and Voluntary forms of Insurance; Life and Non-Life Insurance; Contents of Insurance contract; Insurance Premium; Sum Insured; Insurance Limits; Insurance Indemnification; Deductibles; Insurance Risk; Insurance Interest; Contents Description of Insurance Contract; Peculiarity of Insurance Interest; Parties of Insurance Contract, their rights and obligations; Concept of Insurer, its rights and obligations; Concept of Insured, its rights and obligations; Concept of Insurant, its rights and obligations; Concept of Insured, its rights and obligations; Concept of Beneficiary, its rights and obligations; Insurance Agent and Insurance Broker, main differences between them; Beneficiary in different types of Insurance; Types of Life Insurance, and their peculiarities; Schemes of Pension Insurance, their peculiarities; Beneficiaries of Life and Pension Insurance; Description of Liability Insurance and its elements, as a special type of insurance; Rules of formation of Insurance premiums and limits; Beneficiary of Liability Insurance; Meaning of Reinsurance, its importance; Reinsuring institutions, principles of their activity; Types of Reinsurance contract; Co-Insurance and Double-Insurance;

Problems of Insurance Indemnification; Mechanisms of Claims Settlement; Importance of Claims Handling; Right of Subrogation; Role of Loss adjusters and Assistance organizations in Insurance; State Regulatory Institution, Legal base for its activity.

**BIL 7410 Modern Insurance Law (II), prerequisite BIL 7400**

History of Insurance, its social-economic importance; Aim of Insurance; Development stages of Insurance throughout history; Development history of Insurance in Georgia; Economical importance of Insurance; Main concepts of Insurance; Risk Management and Insurance; Classification of Insurance; Social Insurance; Legal basis of Insurance; Development history of Insurance Law; Subject of Insurance Law, its system and sources; Socio-Legal regulation of Insurance Law; Georgian Legislation on Insurance; Taxation peculiarities of Insurance field; Overview of Insurance Legislation in different countries; Role and functions of Georgia Insurance Supervisory Board; General trends of development of World Insurance Market; Legal character of Insurance contract, and its peculiarities; Rules and conditions of closing insurance contracts; Stages of Claim Settlement; Economics and Finances of Insurance; Insurance Premium; Economic basis of forming of Insurance Fund; Risk assessment and classification; Primary methods of calculation of Insurance tariffs; Insurance reserves; Calculation and Investment; Credibility of Insurance companies; Main types and aims of personal insurance; Life Insurance; Pensions Insurance; Health Insurance; Accident Insurance; Main types and aims of property insurance; Transport Insurance; Cargo Insurance; Agricultural insurance; Main types and aims of Liability insurance; Motor third-party liability insurance; Personal Liability Insurance; Professional Liability Insurance; Contract Liability Insurance; Principles and Analysis of Business Risks; Insurance of Financial Risks; Insurance in Banking; Principles and Methods of Reinsurance; Facultative and Obligatory Reinsurance; Proportional and unproportional Reinsurance; Financial Reinsurance; Subjects of Insurance relations; Structure of Insurance Organizations, principles of their activity; Licensing and control mechanisms of Insurance companies; Current reforms in the field of State Regulation; Perspectives of improvement of legislation on Insurance; Insurance Terminology; Approach to Insurance in countries of different legal systems; Perspectives of Development of the field.

## **BIL 7420 The Contemporary Banking Law (I), no prerequisite**

The origin and essence of banking. Its difference from the activities of the other financial institutions, the micro-financial institutions and credit associations. International achievements in the development of banking. The origin of the central bank, its function and the part it plays in the State. England's accomplishments in the formation of modern banking systems – the favorable circumstances and problems. The modern banking systems and the classification advantages and shortcomings thereof with regards to one another. The banking system in Georgia from its origination to this day, accomplishments, stagnation and progress. The general analysis of the banking Laws and the other governing norms. The influence of the EU banking directives upon the banking Law of Georgia. The bank capitalization problems. The reasons behind the banking supervision and the necessity thereof. The trends of the EU Banking Law and the comparative analysis of the Georgian and the EU Banking Laws. The management and governance of the commercial banks' activities. The fiducial obligations of managers. Corporate management of commercial banks. The supervisory guidelines and chief directions of the Basel Committee. Banking secrecy and the related contemporary approaches. Cardinal issues of the Georgian banking supervision: capital adequacy, classification of assets, currency positions, conflict of interests between the bank administrators and the bank, appropriateness criteria for the commercial bank administrators and the majority stockholders, clearing regulations and documental letter of credit. Bank guarantee and surety. The banking and banking transactions as the subject of the banking Law. The banking legal relationships. The banking norm application problems. The delimitation of banking and the activities of the other financial institutions. The legal standing of the National Bank of Georgia. The structure of the National Bank of Georgia. The competence of the National Banks of Georgia. The legal standing of the commercial banks. The regulations for the registration and licensing of the commercial banks. The structure and formation of the commercial banks. The regulation for the formation of the commercial bank structural units. Appropriateness criteria for the commercial bank administrators. The regulation for the establishment of a commercial bank affiliate, section (service center) and a representation. Conflict of interests in the activities of the commercial banks. The functions of the commercial banks. Legal protection of the bank information and bank secrecy in the activities of the National Bank of Georgia and the commercial banks. The supervision and governance of the commercial banks' activities. The regulation for the asset classification, formation and utilization of the possible loss-related reserves. The regulation for the determination, calculation and protection of the commercial banks' common open currency position limit. The regulation for the external

audit of the commercial banks. The regulation and terms for the imposition of sanctions on the commercial banks. The regulation for the liquidation, insolvency and bankruptcy of the commercial banks.

### **BIL 7430 The Contemporary Banking Law (II), prerequisite BIL 7420**

The function of the financial system and the part banks play in the modern financial system. The banking techniques and the legal regulation thereof. The electronic money; the electronic commerce; financial reporting of a bank; the risks and the assessment thereof; the banks value and efficiency assessment; the management methods of a bank's assets and liabilities; the legal regulation of an interest and credit risk; the management methods of a bank's assets and liabilities and the legal regulations thereof; the capital and dividend policy; the securitization and the banking risks; the globalization of banking and the currency risk; the bank account in the contemporary banking Law; the kinds of the bank accounts; the regulation for opening a bank account; the regulation for the bank account transactions; the regulations for the cash and other valuable-related transactions in the commercial banks; the clearing regulations; the legal regulation of the credit relationships; credit provision procedure; the content of the credit agreement; the kinds of the credit agreements; credit transformation into a problematic credit; the means of meeting a claim in the banking Law: the mortgage, pledge, surety, guarantee. The regulation for the registration of the mortgage and pledge agreements. The regulation for the realization of the means of security. The activities regarding the plastic cards. The legal regulation of the deposits. The legal regulation of the currency transactions.

### **ATL 8035 Customs Law, no prerequisite**

Customing – Unity of discriminative or protective actions. In scientific literature, existed concepts regarding the customs law. Inter excluding principles of customs policy and the mechanism of legal regulation. Liberal and protectionist rate policy, their positive and negative sides. Analyze of opinions expressed in scientific literature around the above mentioned question, customs bodies and legal basis of their activity, legal status of officials, guarantees of their legal and social defence and the code of officials behavior, customs procedures, customs control, customs registration, establishing the country of origin of goods. Methods for defining the cost of goods duties according to international Law and Georgia. Customs declaration and its sorts. Customs duties, conditions of their charging and using and the other actions regulating the

foreign trade, role of customs tariff and its action. Customs duties and their legal nature, place of customs duties in the Georgian Tax System and its legal base, sorts of customs duties and tariff rate, classification of goods and commodity of nomenclature of the goods of foreign economic activity, actions of economic policy, concept of preferences and legal basis, international legal norms for exempting from tax duties, customs regimes and their legal regulation operations for customs processing of goods, under control supply, customs supervision on goods, which is exported from customs territory of Georgia, including or giving the extra paid customs duties back and their legal basis, concept of customs obligations, its incurring and the conditions of performance, general principles of criminal law infringement responsibility, criminal law responsibility for infringement of customs rules, administrative law infringements of customs law the questions of responsibility, customs sanction, rules of appealing, customs dispute, material and formal basis of setting the disputes, system of international arbitrary courts and the peculiarities of discussing the disputes, procession rules for settling the disputes, international customs law. The system of international legal norms regulating the customs relations, international organizations in the field customing, international agreements conventions and agreements, agreements regarding the export and indirect taxation of import, free economic offshore and free customs zones in accordance of international customs legislation.

### **ATL 8000 Contemporary Administrative Law, no prerequisite**

General overview of contemporary administrative law; Constitutional basis of administrative law; Organisation of public governance; Organisation of activities of administrative agencies; Types of public governance bodies; Administrative supervision; Objectives of administrative law; Principles of administrative law; Legal forms of administrative agencies' activities; Comparative analysis of administrative decree and administrative act; Legal and illegal administrative act; Abolishment of administrative act, invalidity and nullity of restricting or authorising administrative act; Legislative basis for normative administrative decree, classification of these decrees, comparative analysis; Administrative contract; Legislative basis of administrative contract, the subjects of administrative contract, the peculiarity of administrative contract; Make a distinction between administrative and civil contract; Particularity of proceeding administrative and civil contracts; Legal nature of real act/action;

Practical work of making real act; Transparency of administrative agencies activities; Accessibility of public information, different types of confidential public information, personal secrecy, commercial secrecy, professional secrecy, state secrecy, information which could not be placed on the secret list, make public of public information, control of rendering public information from presidential and legislative bodies; Administrative proceeding; Comparative analysis types of administrative proceeding; Particularity of enforcement of an administrative act; Practical work on administrative enforcement, proportion of public and private interest throughout administrative enforcement; The measure for ensuring enforcement of administrative act; Special procedure for enforcing an administrative act in regard to the recovery of funds; Administrative complaint; The administrative agency competent to review an administrative complaint; Practical work on the term for filing an administrative complaint; The suspension of an administrative legal act upon filing an administrative complaint; Practical work on the procedure for reviewing an administrative complaint; The review and resolution of an administrative complaint; Special rules on the liability of an administrative agency; The application of the constitution of Georgia in redressing the damage inflicted by an administrative agency; Basis of damage, object of damage, compensation liability arisen from damages; Compensation liability in redressing the damage inflicted by administrative contract; The liability of a state or local self-government (government) agency for the damage inflicted by a lawful administrative decree; Liability of public official; Law on public goods; Automaticity of public governance; Legal consequences and unlawfulness of administrative acts implemented by automatic systems of governing; Legislation on electronic signature and its usage in administrative law;

### **ATL 8010 Public Servants Law, no prerequisite**

Legal and organizational foundation of public service; Comparative revision of governmental post and political posts; Legal regulations of exchequer/treasury agencies; Different types of public services – comparative analysis; Government service; Public service in the local government and local self-government; Practical and theoretical analysis of public servants rights and obligations; Main principles of public service; The influence of labour/employment law on public servants – court practice analysis; Main requirements stipulated towards public servants and local government servants;

Exceptions for recruitment of public servants; Special and additional requirements for recruitment of public servants; Period of public service, probation period, form of decision

concerning appointment on position of public servant. Hold an appointment by competition and without it; The procedure and consequences of competition; Rights and guarantees of public servants; Salary, working and brake time, vacation, remuneration, compensation in case of death or injury; Terms of reference; To fulfil of obligations, to defend of confidentiality, to restrict of commercial and political activity and conflict of interest; Ranking of positions in a public service; Types of acting ranks; Policy and internal procedure of organisations; Public servants' promotion and disciplinary liability; The forms and rules of promotion; Concept of disciplinary action, forms of liability to disciplinary action, disciplinary proceedings, abolish of liability; Attestation of public servants; Concept of attestation, subjects of attestation, time of attestation, competing commission, the head of commission; Suspension of relationship with public servant; The basis of suspension; Termination of labour relationship and legal basis for termination; Reserve of public servants; The goal of reserve, the legal state of reserved servants; Human recourses departments in public offices; Revision of case law concerning public service activity; Civil liability of public officials; Official malfeasance; Concept and types of the criminal liability concerning official malfeasance;

### **LL 9015 Advocatory, Representative and Judicial Skills, no prerequisite**

Court as state institution; the place of court in the system of state power; judiciary power according to the Georgian legislation; judiciary system. Administrative court in the system of common court. Judiciary control on the decisions of administrative body. The legal tools of restoring infringed right, effect of judiciary control, its concept and importance. Establishing the rule of law in the sphere of realization the efficient protection of putting the administrative body in strictly regulated frame; Georgian judiciary tradition: the judiciary of feudal Georgia with modern legal-administrative understanding; the judiciary power of democratic republic of Georgia; judiciary senate; the senate jurisdiction in legal-administrative sphere; judiciary standard; judiciary principles; personal and professional characteristics; the legal criteria for appointment of judges; legal criteria for dismissing judge; judiciary ethics; judge as a processual figure; establishment of judiciary ideology. Administration of justice on legal basis; guidance with international law and case law; universalizing law; technique of applying to the norm; philosophy of norm defining; influence of judicial philosophy on law development; reflection of doctrinal ideology in justice; reflection of judicial philosophy in doctrine; reflection of judicial philosophy in legislation; culture of communication while organizing justice; court and environment; relationship of court with media sources, relationship of court with students;

relationship of court with civil society organizations; culture of communication in justice: judiciary skills; gaining judicial authority by merging trust and qualification elements; leading trial; technique of clarifying the concept of a case; technique of finishing a trial by mutual agreement; culture of case proceeding; culture of preparing a case; determination of factual circumstances of a case; using the principle of officiality; adoption of judicial acts; types of judicial acts in administrative process; decision-making ability; making legal and motivated decision; culture of composing judicial acts; structure of a judicial act; uncovering the plot of a case; applying a law to an argued legal relation; law definition; culture of motivation; judicial supervision; the role of a higher court (appealing court); the role and function of supreme court.

## **ATL 8020 Purchase, License and Right Law, prerequisite ATL 8000**

Essence and meaning of state purchasing; Essence and aim of state purchasing; the right and duties of purchaser organization;

Types of purchasing units; Body performing coordination and monitoring referring to state purchase; State purchase agency structure, functions and sources of financing; Rule, rights, duties of appointment of chairmen of state purchase agency; Normative acts of issuing by him; Rule of functioning and watchdog council foundation of state purchase agency; terms and rules of getting rid of conflicts of interests; business connected to purchase performance that refers to terms and rules of getting rid of conflicts of interests; Planning of state purchasing; Plan of state purchasing of purchaser organization. Characteristics of multiyear purchase performance; characteristics of record keeping of state purchase; state purchase means; rule of state purchase means selecting; Performance of purchasing set under the legal acts by President/government of Georgia; inadmissibility artificial division of state purchasing; Tender committee; Its foundation and action rule; Application about holding tender; Qualification data selection rule; Tender fee payment and refund rule; Tender documentation, term and place of their representation; Rights and additional duties of pretenders; Pretender's tender statement representation and review rule; Tender statement provision; Tender statement selection; Tender statement opening, review and estimation criteria; Tender committee decision and meeting protocol; Intellectual service purchase and contract conclusion to winner pretender; Intellectual service purchase rule; Two stage tender holding rule; State purchase performance termination bases; failed and negative result end tender; repeated tender; procedures and terms of contract with winner pretender; Price quoting and one person negotiation; Price quoting usage bases; one person negotiation purchase performance criteria; Disqualified state purchase; Contract on state purchase; Contract term on state purchase and rule of their examination; State purchase contract performance control; State purchase contract provision; State purchase payment and monitoring; State purchase payment representation and rule and terms of its keeping; Their availability; Right to file an action and action base; action and conflict review rule, action that can't be brought to the court; Damage that can be compensated can't be compensated; Actions of purchaser organization; Suit procedures in state purchase agency; termination bringing suit of state purchasing; Administrative criminal

proceedings forms for state purchase means incorrect selection; criminal proceedings for failure of interest conflict rules; Results of state purchase agency demands failure; Comparative analyze in connection other countries (Russia, Bulgaria, China) state purchasing.

General principles and sources of record keeping of licenses and permissions; essence, meaning, study sources of record keeping of licenses and permissions; Main principles of licenses and permissions issue; term explanation; License issue notion and types; Usage license notion and types; Action license notion and types; general rule of business license issue; Necessary documentations on reception of business license; Bases on refusal of business license issue; Bringing action for business license issue refusal; Rights and duties of a person issuing license; Usage license issue characteristics; Notion of permission issue and its types; Permission types; Permission issue simple administrative action issue rule; Permission issue general rule, bases for refusal on permission issue, Rights and duties of a person issuing license, form of permission certificate, losing or damage of permission certificate, operation of permission and its term of operation; Control on license and permission term performance, permission and license abolishment, permission and license registers; Control on license term performance; Responsibility for failure license term; termination of decision on license issue, issue refusal or termination in case representing administrative suit. Control on permission performance, permission abolishment, responsibility for permission term infringement, permission issue, and issue refusal or termination decision stoppage in case of administrative action. License and permission registers.

Manufacturing business control characteristics; Manufacturing business control; Rule performance on manufacturing business; State register of controlling body; License and permission administrative performance characteristics; Simple administrative performance characteristics, plot and appointment; Formal administrative performance; Public administrative performance related to license and permission issue; Project-construction action license issue rule; Project-construction action license system; Project-construction action types subordinated to licensing; Building permission issue additional terms; Characteristics permission and license issue by environment protection and natural resources ministry; Rule permission and license issue by environment protection and natural resources ministry; permission issue rule; Types of permission and license to be issued by environment protection and natural resources ministry; administrative action for certain infringements of permission and license; Illegal medical, doctor or pharmaceutical business; Medical business license term failure; Usage of natural resources without certain license and rule infringement. Using wood without certain license; Environment

business license rule infringement; Infringement of license rule during education action performance. Nonpayment for parking license; action without license in broadcasting field, infringement of license terms about securities; Exchange operation rule infringement without license; Criminal action for certain infringements of license and permissions; Hindering legal manufacturing business; Characteristics of illegal manufacturing business of license and permission issue in foreign countries; Characteristics of license and permission issue in former USSR countries. ;

**ATL 8050 Administrative Procedural Law and Practicum of Enforcement Law, prerequisite ATL 8000**

Administrative Procedural Code of Georgia and the essence of administrative legal proceeding; court control on the activities of administrative bodies; principle of distribution of state authority and human rights; Administrative Courts and their hierarchy; general jurisdiction of administrative cases; principle of disposition; “domination” of parties on their subject of controversy; prerequisite for admitting and refusal of complaint or ending case on the ground of agreement by administrative bodies; principle of competitive, its significance and importance; full and objective principle for defining the case circumstances by private initiative, its significance and importance; general jurisdiction of District (City) Courts; list of administrative cases under general jurisdiction of magistrate judges; status of magistrate courts and its role in the Common Courts System of Georgia; the use of concepts and resolutions of Civil Procedural Code within the decision of issues concerning court expenses in administrative process; the terms of appeal of

court acts, their importance; special procedural-and-legal regulation to calculate the term of appeal; association of handing the statement and legal documents to the parties according to Articles 70-78 of the Civil Procedural Code of Georgia; specificity of sending a court decision, prejudication and decree to the parties in the administrative process vs. civil process; the circle of entities participating in the administrative process and its association to the circle of entities specified under Article 79 of the Civil Procedural Code of Georgia; administrative body as a principal, obligatory subject of the administrative process; participation of a state or local self-governmental (governmental) body in the administrative process; third entities in the administrative process; peculiarity of inviting the third entities in administrative process; third entities of so called ordinary or standard and necessary or obligatory invitation; burden of proof in an administrative process and its association to the principles of disposition, competition and inquisition; elements of proof and association of proof to the principle of studying the circumstances of the case; the obligation of a defendant to present a written answer (counter-action) and relevant proof as a legislative innovation; a court's authority to collect the circumstances of the case and proofs at its own initiative as well; peculiarities of collecting the proofs by the court in the administrative process and the difference from the civil process; the obligation of the administrative body to present proofs; the authority of the party to obtain the copies of pleas and other materials of the administrative case at the court office; issuing an order to examine an entrepreneur's activity as a judge's permit to examine the entrepreneur's activity; concept, types and aims of control over the entrepreneurship activity; the rule to solve the question of examination of the entrepreneur's activity; administrative legal proceedings to prevent violation in the family and protect and help the victims of violation in the family; term and rule to issue a protection order; a judge's order to place a person at hospital for involuntary psychiatric aid; a suit to declare an administrative-legal act invalid or nullified; preconditions for the suit admissibility; a suit to issue an administrative-legal act; preconditions for the suit admissibility; a suit to take an action; preconditions for the suit admissibility; content of the confessing suit; preconditions for a confessing suit; rule to solve contractual disputes; settlement of disputes associated with concluding, accomplishing and terminating an administrative contract by the common courts by the rule of administrative proceedings; settlement of disputes associated with concluding, accomplishing and terminating a private contract by an administrative body by the rule of civil proceedings; filing a suit before a court of competence – jurisdiction in an administrative process; court of cassation – the only authorized court to settle the dispute of jurisdiction among the courts by a founded prejudication; authority of the court to make a default judgement; deciding the question of admissibility of the suit by the court at the stage of reserving

the suit; examination of the preconditions for the suit admissibility; summary judgment; a court's (judge's) right to make a judgment at the party's request about accelerated trial of the case; a judge's right to help the party to transform the request with the aim of accelerating the process; suspension, act suspension; automated suspension of the appealed individual administrative-legal act at filing the appeal before the court – legal suspension; the court's authority, at the request of the party, to suspend an individual administrative-legal act or a part thereof; court prejudication to suspend a normative individual administrative-legal act by a party's petition at filing the case and preconditions thereof; a temporary ruling of the court to issue an individual administrative-legal act or take action; court decision to declare an administrative-legal act invalid or annulled in connection to the appeal; court decision to issue an administrative-legal act in connection to the appeal; court decision to apply the action in connection to the appeal; admissibility of cassation and appeal suits for administrative proceedings; concrete preconditions (bases) for admissibility of a cassation appeal; term of preserving a cassation appeal for an administrative case and making a judgment; preconditions for engagement of the third entities of obligatory invitation to the court of cassation; transitional provisions. Practicum of enforcement law, subject and its notion. Definition of law, Problem solving approach, Practice and Law – comparative analyze.

### **ATL 8030 Contemporary Tax Law, no prerequisite**

Tax Law and Tax-Legal relations, Principles of taxation, Conception and general characterization of the tax system. Organizational principles of Georgian tax law system. Establishment and abolishment of taxes. Local taxes in Georgian tax law system. International agreements in Georgian tax legislation. Concept and subject of International tax law. Sources of international tax law. The Principle of territoriality in International tax Law. Content of the conception of “permanent institutions” Reason of origination of International double taxation. Reasons of origination of tax shelters. Geography of the World Offshore Business. Typical schemes of offshore Business. Harmonization of tax system and tax policy. Basic Ideas of the world tax codes. Conception and types of taxpayers. Rights and obligations of taxpayers. Definition of tax status of individuals. Banks and Other Credit institutions. Tax Agents. Definition and basic means of tax payment. Current taxes. Accomplishment of tax obligations. Common-State Taxes. Income Tax. Excise. Custom tax. Local taxes: property tax. Definition of the tax system of foreign Countries. Contemporary tendencies of the tax systems of foreign Countries. Indirect taxes in foreign States. General description of income taxes of the legal Persons and Individuals in foreign countries. Aims and problems of The harmonization of tax system. Legal status of The International Agreements concerning taxation in various states. Types of International agreements. Taxes of the European States. (tax system of Great Britain) Tax system of France. Tax system of Germany and other States.

### **ATL 8040 Tax Responsibility and Control, prerequisite ATL 8030**

System of the tax control implementing bodies. Tax Administration. Authority of the ministry of Finance of Georgia in tax related issues. Rights and obligations of tax authorities. Employers of the tax organs and their Legal and Social Defence. Customs authorities. Organization of the tax control implementing bodies of European states. Definition and types of tax control. Governmental and nongovernmental tax Control. Procedures of current control. Verification of tax. Organization of the tax control in foreign countries. Definition of tax responsibility. Principles of tax responsibility. Definition of tax law Abrogation. Subjects of tax responsibility.

Types of tax responsibility. Tax sanctions for The abrogation of Tax legislation. Presumption of innocence of the Taxpayer. Responsibility of Banks. Taxpayers protection Rights. Administrative procedure of tax claims. Court hearing procedures of tax claims. Parties and Third parties. Rights of parties. Court evidences. Burden of Proof. Court jurisdiction. Witness and legal expertise. Tax litigation in first instance courts. Claim admissibility . Annulment of Claim.

### **ATL 8005 Constitutionalism, no prerequisite**

Constitutionalism is a political-judicial theory of state teaching; Constitution and Constitutional Law; Comparative Constitutional Law and Constitutionalism; The doctrine and the essence of Constitution; The guarantees of protecting Constitution and fair system of Constitutionalism; The influence of the constitutional change on modern condition of Constitutionalism; The genealogy of Constitutionalism; The sources of Constitutionalism – system and hierarchy; The problem of separation of powers and state governing model in Constitutionalism; The relations of Constitutional principles of state establishment. to the modern forms of state governing; Territorial and political establishment of state and the local ruling organization;. Election law and election systems; The highest representative judicial body of the state. Leader of state and hierarchal system of executive branch; Judicial authorities and constitutional justice; Constitutionalism and the case law of the constitutional court.

### **ATL 8015 Informational Law, no prerequisite**

General review of informational law. Models of informational society. United informational space, its main objects and aims of forming. Legal defense problems of informational space. Documentary information and its characteristic features. Visual image or field, as the information carrier (process, spatial image). Electronic document and its legal status, electronic signature.

Databases and its forms, as the object of legal regulation. Information identification problem in law system. Subjects in information relations: Government authorities, citizens (human), General civil status and officer. Basic informational rights and independent regulator international agreements and conventions, constitutional norms, special laws. Right on information. Ownership, profit, order features in informational relations. Getting information, processing, saving, dissemination and its legal regime. Right of access to the information. Goods informational relations. Legal maintenance of confidential defense. Directive of European Council "About Databases defense", March 11, 1996. "Know-how", "now-now" as mechanism of intellectual objects' defense. Non-commodity informational relations. Legislation guarantees of economic turnover (Constitution of Georgia, Articles 20; 24; 41). Official documents, its details and obligations of information dissemination entities. Legal information and obligation of its exchange. European Convention "About information of foreign legislation", June 7, 1968, and agreements concluded with the separate governments on the basis of the convention. Obligation on documental information supplying (General Administration Code of Georgia, Chapter III, "Information Independence"), Public information supplying. Information, revealing of which is allowed. Informational infrastructure support of information dissemination maintenance ("About library affair", "About national library", "About national archives fund" Laws of Georgia). Mass information right, as the informational law institute; organization and activity of mass media; independence concept of mass media, borders, responsibility. Action defense of personal nontangential during mass information dissemination. Defamation problem in informational law. Rights' defense in the process of mass information dissemination. Journalist status in the system of informational law. Censorship prohibition. Basics of mass media restriction. Mass media defense from monopoly. Concept of personal life nontangential and legal defense. Personal data, as the personal life nontangential institute and legal defense object. **Privarcy** conception (personal life status outfit). Personal data defense during computer processing.. Informational catastrophes. Risky role of computer technologies in information dissemination. Legal basis of informational security. National interests of Georgia in the informational sphere. Human defense from information bad influence. Rights, obligations and responsibility in the sphere of defense from bad influence. Informational war. Informational terror and informational crimes of other types (computer cheating, illegal filming, computer sabotage, etc.); acceptance of confidential information, processing, Criminal Law responsibility for dissemination. Confidential information. Legal regime of state secrecy („About State Secrecy", Law of Georgia, 1996). International legal guarantees of State secrecy defense. Appeal of data betraying for supporting state secrets' defense. Concept and types of confidential information. Concept of commercial secret

information (“About national bank”, Law of Georgia, “About commercial banks”, Law of Georgia). Prevention of commercial secrecy falsification, plundering, percolation. Prevention of computer crimes in the bank sphere. Legal regime of professional and official secrets. State politics and state management in the informational sphere. Informational technologies, as the object of informational law. International passing (internet) of information and its general character of legislation regulation. International practice of internet settlement in legislation way. International and local court precedents in the sphere of informational law.

### **ATL 8025 Law of Normative Acts and Practicum of Lawmaking process, no prerequisite**

The subject, sources and principles of normative act law; The essence of law creation; The concept, signs and structure of normative acts; Normative act system of Georgia; The system of bodies empowered to implement normative acts and the hierarchy of normative acts; The general rules of preparing, implementing, publishing of normative acts; The terms of normative acts; The stages of law creating; The state registration and systematisation of normative acts; Judicial technics – object, structure and rules; The judicial definitions, terminology and their usage in law creating; The bind and freedom of law creators in the process of creating norms; The obscurity in judicial norms; Judicial culture; The problem of terminology unification in law creating process; The issues concerning effectiveness of norms – collision, analogy, gap, judicial nihilism and judicial culture; The control of norms as the means to protect normative acts; The definition of the norm; Law creating process and the case law of the Constitutional Court of Georgia and European Court of Human Rights. Practicum of Lawmaking process.

### **ATL 8035 Municipal Law, no prerequisite**

Notion and role of Municipal Law. Position of Municipal Law in domestic legal system. Position of Municipal Law in international legal system. Notion, role and legal footings of local self governance. Notion, role and legal footings of local government. Interaction between local self governance and local government. Local self governance and local government in common legal system. Decentralization – its notion, role and legal footings. Deconsentration - its notion, role and legal footings. Devolution - its notion, role and legal footings. Globalization and local self governance and local government (cities, states, cantons, lands, etc) in developed and developing countries. Economic-financial grounds of local self governance and local government. Local self

governance and local government in context of political systems, forms of government and governance. Local self governance and civil society, NGO sector, CBOs, political parties. US model of local self governance and local government. European model of local self governance and local government. International treaties on local self governance and local government. European Charter of local self government. Local self government and local government in Georgia. Legal basis of implementation of local self-governance and main principles of its enforcement. State politics and obligations of state in the sphere of self-governance. Non-entrepreneurial legal entities of self-governance and public oversight. Formation rules of local self-governance and election procedures. Status of self-regulation entity and its activities organization. Authority of self-regulated body. Bodies of local self-governance and their officers. Status of Sakrebulo's member and his activities warranties. Authority and activities of representative body of local self-governance. Authority and structure of the executive body of local self-governance. Legal acts of local self-governance. Financial and economic grounds of self-governed body. Budgeting process of self-governed body and organization of levying of local duties. Donated funds and transfers. Property authority and right to privatize and transfer property by the self-governed body. Warranties of exercise of local self-governance. State supervision of the activities of local self-governed bodies and their officers, system of control and its types. Responsibility of local self-governed bodies and their officers. Pre-term termination of the authority of self-governed body. Direct state governance, term, forms and rules of its implementation. Governance of the capital and special status of the city of Tbilisi in the self-governance system of Georgia. Distribution of competence between the state and the city and exclusive authorities of the city of Tbilisi.

### **ATL 8045 Construction law, prerequisites CVL 7020, ATL 8020**

Construction Law concept. Construction as a law regulation subject. Construction law regulation sphere. Principles of Construction Law. Participating parties of Construction law dealings. Construction law sources. Norms of public and private law. Construction law links with other fields of law. Civil Law. Contract for building. Cooperation. Investor. Intellectual property in Construction Law. Real Estate Law. Administrative law, Municipal Law. Permissive Law in accordance with Construction Law. Public and private interests in the fields of area allocation and in city planning. Planning ways and hierarchy. Country and region area allocation planning.

Overall plan of land ownership. Landscaping regulation plan. Private and public interests in authorization of issuing construction permit. Constructive activities and building units which do not require construction permit. Constructive activities and building units, requiring ordinary authorization. Steps for construction permit. Juridical importance of each step. Rules and dates of each stage performance. Conclusion of city building provision. Performing architectural-construction project, law requirements while performing projects. Validity dates for authorization. Authorization determined steps and their fulfillment. Extending terms of use. Ceasing construction process. Suspension of the building unit. Making changes in planning documentation, acquiring new permits for construction. Deviations from the rules of planning documentation. Allowable deviation from planning documentation. Control on architectural-construction activities, supervision agencies. Security norms. Final confirmation of permission terms, building unit startup. Confirmation of building validity for exploitation of the whole building complex or building unit. Build without licence or by deviation of it. Overview of Construction law, project in accordance with the laws in force.

### **ATL 8055 Canon Law, no prerequisites**

Understanding of Terms: Church, Law, Canon Law. The origins of canon law and ecclesiastical law. Conjunction of canon law with Theological and Juridical sciences. Sources of contemporary canon law. Georgian canon law as a science and its foundation. Membership of the Church. Mysteries of the Church: Baptism, Chrism, Penitence, Eucharist, Ordination, Marriage, Unction. (Rights and Duties arise from Baptism). Rules for receiving heterodoxies into Orthodoxy. Loosing the Church membership. Rights, Duties and Privileges of Church members (both laities and clergies). Clerics in Orthodoxy. Requirements from a Candidates of Ministry and reasons for delaying them. The highest governing body in the Orthodox Church: Synodical Government: General Synod, Province and Dioceses. Governing Act of the Georgian Apostolic Autocephalic Orthodox Church, issued in 1995. Seven Ecumenical Councils and Provincial Councils as an authoritative teaching for the Orthodox Church. Autocephaly, Autonomy, Exarches and Metropoly. Types of crimes and types of penalties in the church (sinning of clergies and laities). Oikonomia (Dispensation) and akribia (Strictness). Church Court. Church properties and its forms. Subjects and Objects of church property. Running and expropriation of Church Property. Requirements for legal recognition of the Church marriage in the Orthodox canon law. Mixed marriage. Comparative discussion of civil and church marriages. Church Service for deceased people. Heresy and Schism. Relationship between Church and State in EU states. Rights of

Religious Minorities. Relationship of other Christian denominations with Orthodoxy. Religion and Education - Religious study at Schools and Universities. Constitutional Agreement between the Church and the State in Georgia (2002). Ecumenism and World Council of Churches.

**ATL 8065 The Legal Regulation of the Church-State Relationship, no prerequisite**

Church teaching concerning to Church-State Relationship: Scripture-Gospel; Writing of Apostles; St. Father's teaching; Decrees of the Ecumenical and Provincial Councils. Church and the State in Byzantine, Rome and Russia-from their historical perspective. Relationship between Church and the State in Georgia: Church establishment and Recognized model in time of Vakhtang Gorgasali, Bagrat III, David the Builder and Vakhtang VI. Epoch of Tsarizm. The first Republic, 1918-1921. Soviet period. The political and legal analysis of Church-State relationship and its historical impact in the process of construction the Georgian National State. Three models of Church-State Relationship in the European Union Countries: Social Facts; Legal Sources; The Legal Status of Religious Communities; Churches and Religious Communities within the Political System; Culture-Media and Education; Labour Code within the Religious Communities; Financing of Religious Communities; Access of Religious Communities to Public Institutions. Chaplains in Prison, Army and Hospital; Legal Status of Priests and Members of Religious Orders. Their Rights and Duties; Religion, Matrimonial and Family Law; Religion and Criminal Law.

**LR 9005 Academic Writing and Research in Legal Studies, no prerequisite**

Notion of a research project / thesis. Drafting a timetable for the thesis: scheduled list of "to do" tasks: interviews, due dates, materials to be read, etc.; plan of "to say" items: list of argumentative goals of the thesis – the main points and the plan to accomplish them. Identifying the types of research ('black-letter'/doctrinal legal analysis, comparative research, research in legal philosophy, critical legal analysis, law-in-context research, socio-legal research) and the methodologies associated with them. Choosing the right type of the research based on what the selected research project is about and the available resources. Review of the literature and its nature (selective, critical, thematically organized, etc.). Using the literature review to identify an

insufficiency in the existing body of knowledge, i.e. the need for the research. Identification of the possible contributions to the field for the purposes of filling the gaps/insufficiencies. Formulating research questions, what should they be aimed at and why. Elements of a good research question. What is the thesis statement, what it contains and how should it be formulated. Structuring academic legal writing: general structure of the thesis, logical structure of the thesis, structure within different parts of the thesis, title related issues, paragraph and sentence structure. Legal sources and legal reasoning. Analysis of the different types of legal sources: distinction between primary and secondary sources, authoritative and persuasive sources, etc. Accessing primary and secondary sources: legal and academic databases, law reviews; books; etc. Use of and interaction between the sources. Types of legal reasoning, legal and policy arguments. Review of the main techniques of legal interpretation. References and citations, rules of academic honesty. Styles of legal citing and rule of uniformity. Prohibition of plagiarism and the sanctions for breaching the rules of academic honesty. Summary writing. Issues of style and syntax.

### **CRL 8200 Contemporary Criminal Law, no prerequisite**

General review of Contemporary criminal Law, Principles of Criminal Law, definition and system of the principles of Criminal Law, Meaning of the Principle of Legality in Criminal Law, Meaning of The principle of equality in Criminal Law. Meaning of the Principle of Personal responsibility in Criminal Law. Meaning of Criminal Responsibility in Criminal Law. Meaning of equity in Criminal Law. Policy of The criminal law. Policy of The criminal Law and realization of Law . Definition and Base of Criminal Responsibility. Theories of the Criminal responsibility. Idea of the positive responsibility in Criminal law. Punishment as a sign of Crime. Object of Criminalization and definition of crime. Object of Criminalization and Legal definition of Crime. Principles of Criminalization, Active Criminal Action. Criminal inactivity. Charge. Excluding and Mitigating circumstances of charge in criminal Law. Stages of commitment of crime. Preparation of Crime. Terminative Crimes. Moment of Termination Of Crime. Executor of Crime. Participator of crime. Definition and Nature of Participation and its objective and subjective signs. Meaning of the causal relationship Participation and components of crime. Types of Participation. Responsibility of participants. Ineffectual encouragement and Ineffectual assistance. Aggravating , excluding and Mitigating circumstances of criminal

responsibility of participants. Individual penalties for participants of Crime. Criminal Law of Foreign Countries. Foreign Theories and Schools of Criminal Law.

Educational-Humanistic School, Classical School. Anthropology School. Sociology School.

**CRL 8210 Practicum of Contemporary Criminal Law. (Special division I). prerequisite  
CRL 8200**

The meaning of criminal actions against human life and the issues of qualification, review of theory, practical analysis; Classification of criminal actions against human health and the issues of qualification, theoretical and practical preconditions; Threat delicts against human life and health; Issues of qualification of criminal actions against sexual liberty and inviolability; Criminal actions against human rights and liberties; Specifics of actions against family and minors and their qualification; The nature of criminal actions against business and economical undertakings, the issues of qualification of crimes committed in the area of monetary relations; The specifics of crimes committed in the field of financial activity, theoretical and practical analysis, issues of qualification; Actions against the interest of service committed in an enterprise or other organization; The meaning of criminal actions against social security and their practical analysis; The issues of qualification of actions against social order; The nature of crime against the health of population, the meaning, practical analysis and issues of qualifications; Actions against social morality and practical meaning of their qualification; The issues of qualification of crimes against cultural values; The qualification of international crimes against cultural heritage; The issues of qualification of crimes related with illegal rotation and usage of drugs; The theoretical overview of crimes related to illegal rotation of psychotropic agents, their analogues and strong substances; Description and qualification of actions against security rules in working enterprise; Specifics and issues of qualifications of crimes against the security and exploitation rules of vehicles; Urgency of actions against the rules of environmental protection established in various areas of activity; The issues related to qualification of abuse of ecological security of water resources, atmosphere, land and fossils; Qualification of crimes against flora and fauna; Qualification issues of computer crimes;

**CRL 8220 Practicum of Contemporary Criminal Law (special part II), prerequisite CRL 8210**

The nature and issues of qualification of crimes against constitutional order in Georgia; The nature, theoretical analysis, practical overview and qualification issues of crimes against the basis of security of Georgia; Description of terrorist crimes, specifics of their review and issues of qualification; Issues of qualification of criminal actions supporting organizing and implementation of terrorist activity; Urgency of main bureaucracy crimes, their practical meaning, specific of litigation and issues of qualification; Qualification of crimes committed in different spheres of bureaucracy; qualification issues of crimes against Georgian state symbolic and state border in government sphere; The meaning and qualification of actions against activities prescribed by appropriate state bodies and non-fulfillment of their lawful requirements; Theoretical and practical analysis and qualification issues of crimes against court system; specifics and qualification issues of crimes against order of obtaining evidence; Qualification of crimes against prevention of crimes and their detection; Theoretical and practical aspects and qualification of crimes against execution of verdicts and other court orders; Qualification of crimes against rules of pretrial detention and penitentiary institutions, preventing administration's activities and evasion of punishment; The nature, specifics of litigation and issues of qualification of actions against subordination rules established in military service and protection of military honor; Qualification of actions against military property; Specifics of international and national regulation of crimes against peace and security of humanity; Crimes against international humanitarian law, their place in national legislation; Qualification issues related to amendments in special part of criminal legislation;

**CRL 8230 Practicum of Modern Criminal Procedural Law and, prerequisite CRL 8220**

General review of Criminal Procedural Law and relative legal analysis; types and initiate of criminal prosecution and practical analysis; Civil action in Criminal case; participant's peculiarities of criminal process, practical assignment; relative legal analysis of rights and duties

of the participants of criminal process; exceptional circumstance for participation in criminal process; special precautionary measures for the participants of criminal process; evidences and evidence-relative legal analysis; practical assignment; Criminal Procedural Law compulsion and its' types; liability during pre-trial investigation, for failure of procedural obligations and for abrogation of order; terms of process. Court expenses and their reimbursement. Rehabilitation and compensation for loss due to the illegal and groundless action of Criminal Procedural Law Organs – review of court practice; motion in Criminal Procedural Law; specifics for creation and examination of complaint; practical analysis for separation and unification of criminal cases; International cooperation in the sphere of Criminal Law; interaction of Court, Prosecution Office, Investigation Organs with the corresponding organs and officials of foreign countries; rule of legal aid; practical work of pre-trial investigation; peculiarities of bringing the person to account as accused –analysis of practice; practical analysis of investigation action; rule and bases to cease and terminate the criminal prosecution – practical review; practical work of verdict establishment; peculiarities of case examination at the courts of first instance – review of court practice; specifics of writing the judgment; case examination at the Courts of Appellate – review of practice; review of judgments and other court decisions due to the newly found and opened circumstances; execution of court judgment, decision and resolution; case trial of a private accusation; case trial of crimes done by non-adults; procedural agreement and release from charge – theory and practice; cases trial against the legal entity during the impose of criminal responsibility; suggestions to the problematic issues of Criminal Law Court Practice; recommendations to the problematic issues of Criminal Law Court Practice; general regulations and principles of draft law of Criminal Procedural Law. Jurors and other innovations.

### **CRL 8240 International Criminal Law, prerequisite CRL 8220**

Concept of International Criminal Law. The subjects of International Law. Principle of legitimacy; International Ad hoc Tribunals and International Criminal Court: Nuremeberg and Tokyo Tribunals, Yugoslavia and Rwanda, similarities and differences, International Criminal Court (The cases discussed by the Tribunals: Tadic Case and Akaesu Case); The general principles of International Criminal Law; Genocide (Review of the court cases); Crimes Against Humanity; War Crimes (Discussion of cases on Iraqi Conflict); War crimes in non-international Armed

Conflict (The comparison of International and non-international armed conflict from the perspective of International Humanitarian Law, War Crimes committed in Rwanda and Yugoslavia Conflicts); Aggression and other international crimes; The Modes of Participation in International Crimes; The circumstances excluding the Criminal Liability; Initiation of Process and International Cooperation; The Rights of the Parties; Cumulative Charges, The compensations of the Parties; The Statute of the Yugoslavia Tribunal; The Statute of the Rwanda Tribunal; The Statute of the International Criminal Court; The Elements of the Crimes (The crimes committed on the territory of Rwanda).

### **CRL 8250 Comparative Criminal law, prerequisite CRL 8220**

Definition of crime and its elements in criminal law of foreign countries; actus reus, mens rea , justification and excuse; causation and omission – comparative overview; self defense and its comparative overview; dolus eventualis and its comparative overview; liability without fault in English and American Criminal Law; punishment and its purposes; utilitarian and retribution theories; inchoate offences; punishment inchoate offences; theories differentiating attempt and preparation; complicity; conspiracy and preparation of crime; differentiating murder and manslaughter; crimes directed against property in American and Georgian law; particular features of inquisitorial and adversarial procedure; investigative judge in French criminal procedure; European Convention on Human Rights and adversarial criminal justice; European standards of arrest and pretrial detention; reasonable suspicion and its different degrees in criminal procedure; time limits in criminal procedure; presumption of innocence; use of pretrial testimony in court; trial in absentia; origins of jury trial and its development worldwide; overview of common law and civil law jury; scope of jury trial in accordance with gravity of the crime and sentence; jury selection; challenges with cause and without cause; freedom of the press and jury trial; ways of protection of jury from prejudice; delineation of powers of judge and jury; jury instructions in American and English law; types of jury verdict and comparative overview; jury nullification

### **CRL 8205 Criminal Justice System in Georgia, no prerequisite**

Criminal Justice System in Georgia: subject, system and sources; Criminal Justice System and civil society in Georgia: relationship with other state agencies; Main principals in the Criminal Justice System of Georgia: legality, presumption of innocence, independence of judiciaries, equality, public proceeding, adversary and equal in rights criminal proceeding, right of defense, and political neutrality

The nature and functioning of Court in the criminal Justice system of Georgia. Reforms of Judiciary system of Georgia; Main rules of assignment and dismissal of Judges; disciplinary liability and its legal procedure; The Constitutional court of Georgia; Supreme Court of Georgia; Other Courts in Georgia. Supreme Council of Justice of Georgia. System and structure of prosecutor general office in Georgia; Functional and structural reforms in prosecutorial system; Draft of merging of the Prosecutor General Office and the Ministry of Justice of Georgia: pros and cons; Ministry of Justice and Prosecutor General – American model of criminal justice system. Ministry of Internal Affairs of Georgia: structure and main function. Main directions of reforming of law enforcement agencies. Merger of the Ministry of Internal Affairs and Ministry of Securities of Georgia. Department of Constitutional Securities in Ministry of Internal Affairs: structural analyses. Structure and functional responsibilities of Police Department of Ministry of Internal Affairs of Georgia. Questions concerning with rights of use of deadly force and police brutality. Operating bureau: Patrol as successful project of Georgian government. Function of Patrol; Anticorruption strategy. System of criminal investigation in Georgia. Investigator and his functions, liability and coordination. Ombudsmen office in Georgia: regulation, status and authority in sphere of criminal justice. Defense attorney in Georgia. Bar association of Georgia; Structure, regulations and forms of activities. Role and image of advocates in Georgia.

### **CRL 8215 Criminology, prerequisite CRL 8220**

Entrance to the Criminology; Counting crime and measuring criminal behavior; Ingredients of crime; Typologies of Crime; Explanation of crime and criminal behavior: deviation and crime; conceptions on consensus and conflict models in criminology; felonies, misdemeanors and violations; main ingredients of crime: act requirement, the legality requirement, the harm

requirement, the causation requirement, “Mens Rea”- the guilty mind requirement, concurrence requirement, the punishment requirement. Typology of Crime; measuring crime; methods of collecting data; ethics and researcher. Researches of subject of crime: age, gender, social class, race and other. Criminological Schools thought of history; classical criminology; positivist criminology; biological determinism; historical and contemporary criminology. Cesare Beccaria and Jeremy Bentham’s utilitarian theories. Cesare Lombroso, Ferrero, Garofalo: the Italian school. Psychological determinism: pioneers of criminal psychology; Sociological determinism Adolph Quetelet, Andre Michel Guerry, Gabriel Tarde and Emile Durkheim; Psychological and Biological perspectives: Psychology and crime; Mental disorder and crime; Biology and crime. Modern bioclimatology: genetic and crime; violence and crime. The IQ debate; biochemical factors; neurophysiological factors; criticism of biocriminology. The interconnectedness of sociological theories: Anomie – Emile Durkheim; Strain theory – Merton; cultural deviance theories, social disorganization theory, differential association theory, cultural conflict theories. Subcultural theories of delinquency and crime; the middle-class measuring rod; tests of Cohen theory; Delinquency and opportunity; Focal concern: Miller’s theory; Gangs at the turn of the 21st century; Female delinquent subculture; Middle class delinquency; Social control theory: social bonds, empirical tests of Hirshis’ theory; evaluation of Hirshi’s theories; Social control and Drift; Personal and Social control; Labeling, Conflict and Radical Theories; Situational theories of crime; Theories of victimization. Types of crime. Violet crime: homicide (murder, Manslaughter) assault, rape and sexual assault; kidnapping, robbery. Organized crime: history, structure and influence ethnical diversity forms contemporary conception and international approaches. Terrorism; explanation of terrorist activities; world after 911; new approaches to combating with terrorism; International conventions; person of terrorist and his victims; Crime against property: Larceny (thief). Elements of thief; recidivisms. Shoplifting, Art theft. Burglary; Fraud: Obtain property by false pretenses and Confidence games and Fraud. High tech crimes; Computers and Internet. White-Collar and Corporate Crime: Defending white-collar crime; fraudulent bankruptcy; bribery and other crime; Frequency and problem of definition of corporate crime; Theories of corporate liability. Public Order Crimes. Drug abuse and crime: the history of drug abuse; the extent of drug abuse; definition. Alcohol and crime. History of legalization. Sexual morality offences. Deviate sexual intercourse by force or imposition, prostitution, pornography. Trafficking of Human Beings. International and comparative criminology. Definition of comparative criminology. History of comparative criminology. Main directions: preparation, comparative researches, special and empirical research; cooperation of theories; development of international strategies and others.

**CRL 8225 Juvenile Justice, prerequisites CRL 8220, CRL 8230**

Main principles of the Juvenile Justice System; International conventions, standards and norms in the field of Juvenile Justice; Peculiarities of the Criminal Responsibility of juveniles (minimum age of criminal responsibility and peculiarities related to it, reducing the minimum age of criminal responsibility from 14 to 12 years for certain crimes in Georgia); Arrest - international standards and domestic legislation and practice; Special procedures related to investigation of crimes committed by juvenile (Circumstances to be investigated in Juvenile Case, Psychological and Psychological-psychiatric Complex expertise of Juvenile, Investigation of Living and Upbringing Conditions of Juvenile, mandatory participation of a lawyer in interviewing process, interview of Suspect and Accused juvenile, Participation of Psychologist in interviewing process of Juvenile Accused, Coercive Measures (pre-trial measures) Applicable Against Juvenile). Main court hearing international standards and procedures in domestic legislation (compatibility of Georgian legislation and practice with the international standards). Confidentiality of juveniles in criminal cases (international standards, domestic legislation and practice including closed court hearings). Types of penalties to be imposed to juveniles and circumstances to be considered while making a decision on juvenile case (types of penalties foreseen by the legislation and analysis of practice in Georgia). Juveniles in detention/ international standards and domestic legislation and practice/ types of juvenile detention facilities. Release from criminal responsibility by using educational coercive measures (coercive measures of educational effect, nature and types, bases of using and results of systematically avoiding to fulfil them). Release from criminal responsibility and punishment. Early conditional release of juveniles (parole). Rehabilitative, diversion and alternative sentencing measures for juvenile offenders. Restorative justice. Juveniles and administrative violations. Specificities related to juvenile witnesses and victims of the crime (special categories and interviewing techniques). Psychological issues related to children in conflict with the law.

**CRL 8265 Contemporary Criminal Justice Systems, no prerequisite**

Criminal Justice System's definition and main characteristics. The Stages of the Criminal Justice Process: Entry into system, Prosecution and pretrial services, sentencing decision, correction decision diversion out system. Juvenile Justice. The development of the Juvenile justice. The Juvenile Justice process. Victims and Criminal Justice. The victim's role in the criminal justice system Enforcement of law: law enforcement system. Enforcing the law: Practice and Research. History of Policing in USA. Law enforcement agencies in USA: Federal Law enforcements; Department of Homeland Security; State police; County police; Special - purpose police; Private police. Command structure: Operations bureau: Patrol; Operations bureau: Investigation; Specialized unit; Nonline function. Police and community. The rule of law and Law-enforcement: civil rights; use the deadly force and police brutality. Corruption in Police. The nature and functioning of court. The origin of courts. The US court system: State courts; Federal courts; Integration between State courts and Federal courts. Lawyers in the Court system. Role of the trial judge. The Trial: Selecting of Jury: Voir Dire.; The Proceedings; Jury decision making. Sentencing today: incapacitation; Deterrence; Retribution; rehabilitation; Model penal code; just desert; restorative justice. Capital punishment. The Deterrence argument; the discrimination argument; trend in the American capital punishment. Correction system. A historical overview. From the antiquity to eighteen century; Punishment in the new world. The reformatory movement. The medical treatment model community involvement. The prisoner's rights movement. Correction today. Types of incarceration. Prisons culture and Society; Correctional officers; Criminal Justice System in Germany. Role of Police. Judiciary system. Correctional system: prisons and jails.

Criminal Justice system in Russian Federation. Law-enforcements: militia and prosecutor office. Court system. Penitentiary system: from GULAG to contemporary prisons. Georgian Criminal Justice system. Comparative analyses. Police – background and realities. Police reforming ideology. Patrol and other functional structures; Struggle with corruption; Role of the Prosecutor General Office. Structure of the Prosecutor office. Court system: Supreme Court; Constitutional Court; Appellation Court; Participants of the criminal justice process; Independence of court. Penitentiary system in Georgia. International Police organizations. History of INTERPOL. Structure, functions, The Role of INTERPOL in the contemporary world. History of EUROPOL. Structure, functions, obligations. The role of EUROPOL in contemporary world. The comparative analyses of different law-enforcement systems and problem of the coordination of practical activities.

**CRL 8245 Criminalistics, no prerequisite CRL 8230**

General review of Criminalistic, Criminalistic Identification, Definition and Main Point of Criminalistic Technique. Criminalistic photography. Traceology ( Definition, Classification of Prints, Their separate types: Hands print as a object of dactylology. Human Foot print, Tooth Print, and various Prints. Prints of means of Transports. Print of Weapons. Criminal Ballistics. Classification of Fire arms. Expertise of explosives. Criminal examination of Manuscript. Criminalistic Research: (Definition, Types, Examination of printed texts, Seals and Stamp prints. Criminal identification of person on the ground of appearance. (Verbal Porters, Portraiture Expertise.) Criminalistic Registration of corpse, Fire arms, Fugitives and various Things. Contemporary problems of Use of Computer techniques. Criminalistic Tactics: (Common Issues: Organization and Planning, Tactics of salvation The crimes and execution of separate Inquiry Actions. Basic methods of The investigation of actual and Prevalent Crimes (on the examples of Murder, Rape, Thievery, Robbery, Brigandage, Swindle, Bribery, Financial, Drug, tax, Custom Crimes. Crimes committed against environment and other crimes.)

**CRL 8255 Investigation Methodology of Prevalent Crimes, prerequisite CRL 8230**

General methodology of clearance of crime; The concept and importance of crime's criminalistic characterization, investigation situation and methods of crime in the structure of clearance of crime; The criminal characterization of murder and the methodology of its disclosure; The problem of dissociation and qualification of murder committed in aggravating and mitigating circumstances; Establishing investigative leads, planning investigation and defining circumstances to be ascertained; methodology of investigation and disclosure of felony murder established on the ground of family and neighbouring relationships; peculiarity of methodology of disclosure of murder of newborn by mother; methodology of disclosure of prompting to suicide and murder committed by simulating suicide; methodology of investigating and clearance of crime against human rights and freedoms (illegal detention, trafficking, kidnapping, provocation

of crime); methodology of disclosure of stealing, robbery and armed robbery; establishing investigative leads and planning investigation. Swindle, extortion, appropriation or peculation, their investigation and disclosure tactics; Disclosure methodology and investigation of crime committed in sphere of financial activities (violation of custom rules); criminalistic methods of investigating and disclosure of bureaucracy crime; peculiarity and disclosure methodology of material and formal bureaucracy crimes; investigation and disclosure methodology of rape; disclosure methodology of narcotic crime; investigative activities and its tactics; inspection of locus delicti; appointment of expertise.

### **LL 9025 Advocatory, prosecutorial and judicial skills, prerequisite CRL 8230**

Skills of prosecutorial activities: skills of processual leading of implementing prosecution and preliminary investigation; skills of implementing prosecutorial supervision over legal activities of operational- investigatory bodies; skills of prosecutorial activities to implement the prosecutorial function at a court; skills of prosecutorial activities in the process of proof. Skills of advocatory activities: advocatory skills for implementing defence function during preliminary investigation; advocatory skills for implementing defense function during trial; skills of advocatory activities in the process of proof; advocatory skills and ethics. Judiciary skills: judiciary skills for appropriate judgement during trial; judiciary skills regarding leading the trial efficiently and communication with process parties; judiciary skills in the process of proof; judiciary skills and ethics;

### **IPL 8400 Public International Law, no prerequisites**

The nature and development of international law. Law and politics in the world of community. The scope of application of international law. Historical developments and theories. International law today. Modern theories and interpretations. Sources of international law. Custom. Treaties. General principles of law. Judicial decisions. Writers. Other possible sources of international law. The International Law Commission. Hierarchy of sources and ius cogens. Obligations erga omnes. Codification of international law. International law and municipal law. Theories. Public

international law and private international law. Subjects of international law. Legal personality. States. Creation of statehood. Self-determination and the criteria for statehood. Recognition. Recognition of states. Recognition of Governments. De facto and de jure recognition. The legal effects of recognition. The fundamental right of states. Independence, equality, peaceful co-existence. Federal states. Special cases. The right of all peoples to self-determination. Individuals. International criminal responsibility. International Organizations. The nature of human rights. The development of international human rights law. The international protection of human rights. Prohibition of Genocide. Prohibition of discrimination. The protection of minorities. The United Nations system of human rights protection. The commission on human rights. Expert bodies established under particular treaties. Specialized agencies. International mechanisms of human rights protection. The regional protection of human rights. The concept of territory in international law. Territorial sovereignty. Jurisdiction. The principles of domestic jurisdiction. Legislative, executive and judicial jurisdiction. The territorial principle. The nationality principle. The passive personality principle. The universality principle. Extraterritorial jurisdiction. Immunities from jurisdiction. Sovereign immunity. Diplomatic law. Immunities of International Organizations. Internationally protected persons. Draft Articles on State Responsibility – ILC. The nature of state responsibility. The question of fault. Internationally wrongful act. Ultra vires acts. State control and responsibility. Circumstances precluding wrongfulness. The consequences of internationally wrongful act. Cessation. Reparation. Serious breaches of peremptory norms (jus cogens). Diplomatic protection and nationality of claims. The exhaustion of local remedies. The treatment of aliens. The expropriation of foreign property. The responsibility of international institutions. The law of treaties. The making of treaties and their entry into force. Adoption of the text. Reservations to treaties. Registration. The application of treaties. Invalid treaties. The amendment and modification of treaties. Termination of treaties. Dispute settlement. Treaties between the states and international organizations. State succession. Succession to the treaties. Succession with respect to matters other than treaties. The settlement of disputes by peaceful means. Diplomatic methods of dispute settlement. International institutions and dispute settlement. Inter-state courts and tribunals. International Court of Justice. International law and the use of force by states. The UN charter. Categories of Force. Force and self-determination. International Humanitarian law. The United Nations system. The collective security system. The Use of force in non-enforcement situations. Terrorism and international law. International institutions. Institutions of a universal character. Regional institutions. Legal Aspects of international organizations.

## **IPL 8420 International law of treaties, prerequisite IPL 8410**

Definition of international law of treaties. Historical background. 1969 Vienna Convention on the Law of Treaties – preparatory history – travaux préparatoires. Scope of application of the Convention and its retroactive effect. The Convention and customary international law. 1986 Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations. Constitution of an international organization as a treaty. Basic principles of international law of treaties. Types of treaties. Treaty as a primary source of international law. Definition of treaty and its elements. Capacity to make treaties. Federal states. Overseas territories. International Organizations. International legal personality. Unilateral Declarations. Political agreements/Memorandum of Understanding (MOU). Legal nature and consequences of MOUs. Treaties and MOUs. Adoption of treaties under the Convention and Georgian legislation. Full powers. Meaning of full powers. Procedure of concluding treaties under Georgian legislation. Consent to be bound by the treaty according to the Vienna Convention and Georgian legislation. Signature. Initialing. Exchange of agreement. Ratification. Acceptance or approval. Accession. Adoption and authentication of the treaty. Reservations to the treaties. Definition of reservation. Reservations to the constitutions of international organizations. Reservations to human rights instruments. Unresolved issues. Role of the International Law Commission. Procedure of making reservations. Interpretative declarations and their legal consequences. Binding and non-binding interpretative declarations. Entry into force of the treaty, provisional application. Obligation not to defeat object and purpose of the treaty. Treaties and domestic law. Duty to perform treaties. Normative hierarchy in international law. Definition of *ius cogens* norm. Article 103 of the UN charter. Application of successive treaties related to the same subject-matter. Treaty interpretation. Methods of interpretation. Interpretation of the constitutive treaties of international organizations. Termination or suspension of treaties. Express provisions. Denunciation. Termination or withdrawal by consent. Termination for the breach of the treaty. Impossibility of performance. *Rebus sic stantibus* – fundamental change of circumstances. Severance of diplomatic or consular relations. Outbreak of hostilities. Grounds for suspension. Procedure of suspension. Legal consequences of termination or suspension. Termination or suspension procedure under Georgian legislation. Invalidity of international treaties. Violation of internal law. Error. Fraud. Corruption. Coercion of a representative of a state. Coercion by threat or use of force. Conflict with the peremptory norm. Consequences of invalidity. Third states. Third party rule in international law. Treaties providing for obligations for third states. Treaties providing for rights for third states. *Erga omnes* status and regime.

Customary law provisions. Succession to treaties. 1978 Vienna convention on succession of states in respect of treaties. Express provisions. Bilateral treaties. Multilateral Treaties. Amendments to the treaties. Procedure of amending treaties. Amendments to the constituting treaties of international organizations. Legal consequences of amendments. The depositary. Functions of depositary. Secretary General of the UN as the depositary. Registration and publication of treaties. Terms of registration. Legal consequences of publication. Settlement of disputes and monitoring observance of the treaties. Dispute settlement within the international organization. Treaty in international and national law. Territorial application of treaties. Competence of executive and legislative branches. Role of the judiciary. The place of the treaty in the national normative hierarchy. Constitutional court and the treaties.

### **IPL 8430 International Law of Human Rights, no prerequisites**

Basic principles of legal research in HR LLM programme; concept of human rights; history of development of the concept; generations of rights; concept of rights and duties; critics of universality of human rights; cultural relativism; basic international documents on human rights and their application; International mechanisms of human rights protection – UN, African, Inter-American and European systems; History of development of European Convention for the protection of human rights and fundamental freedoms; procedure of applications in ECtHR; Implementation of Basic human rights standards at the national level; standards of right to life; excessive use of force and application of right to life; positive obligations of state; obligation on prevention and investigation; euthanasia and abortion; death penalty; prohibition of torture, inhuman and degrading treatment; differences between definitions; detention, arrest and other forms of deprivation of liberty and prohibition of torture; conditions of detention; positive obligations of state; asylum, deportation extradition; terrorism and prohibition of torture; European Convention standards on right to freedom and personal integrity; specifics of common law and continental systems; right to fair trial; right to access to the court; court immunity; independence and impartiality of the tribunal; equality of arms; execution of court orders; right of fair trial and criminal process; Freedom of religion; requirements for restriction; positive and negative obligations; Freedom of expression and information – scope of the freedom; facts and opinions; burden of proof; freedom of expression and judiciary; scope of freedom of

information; freedom of information and environment; Freedom of assembly and association; European and Georgian standards; positive obligations of the state; actions of the political parties; activity of the professional unions; Equality and non-discrimination; definition of discrimination; lawful discrimination and grounds; positive discrimination; prohibition of discrimination according to the Georgian legislation;

### **IPL 8440 European Law, Prerequisite IPL 8420**

Historical preconditions and development of European Law. Marshal Plan. Schuman Plan. Creation of the European Union. The first expansion of the European Union. The second and third expansions of the EU. The fourth expansion of the EU. The fifth expansion of the EU. Maastricht Treaty of 1992. Treaty of Amsterdam. The basis for joining the EU. Development of the European integration – reasons behind integration, the basis for the creation of the European Community, the foundation of the European Coal and Steel Community, the so called Treaties of Rome (functionalism strategy), foundation of EFTA, The stages of European integration development and expansion; European Union (three pillars concept) – European Community, European Atomic Energy Community, Common Foreign and Security Policy, cooperation in justice and internal affairs. The competence of the European Community: financing the union, economic and financial policy making, common market, agriculture, regional politics, transport, environment protection, education, etc. Creation of the European Council. Foundations of the European Council: aim, obligations, resources, official and working languages, location, Charter of the European Council. Conditions for becoming the member of the European Council. Withdrawal, suspension or abolishment of the membership status. Members of the European Council and the special status. Bodies of European Community – European Parliament, Council, Commission of the permanent representatives of the member states, the Court, Chamber of Control, European Central Bank and oth. Sources of law of the European Community – primary sources, secondary sources (regulation, directive, decision, other sources); interrelation of European Community law and domestic laws – primacy of European Community law, direct effect of the European Community law; competences of European Community and member states; European Court of Justice – actions for failure to fulfill treaty obligations, actions on annulment of normative acts, actions for failure to act, application for compensation of damages, procedure for making a preliminary ruling; principle of free movement of goods, free movement

of workers; freedom of foundation, freedom of services, freedom of capital and payment; European Communities and International Law; Common Trade Policy of the European Community; Expansion of the European Community; Competition Law. Cooperation between European Council and OSCE. European Convention on Human Rights and Basic Freedoms and its Protocols. European Court of Human Rights and its structure, case law of the ECtHR and its role in the domestic legislations. Status of the European Convention within Georgian legislation. Case law of the ECtHR and the ECJ in practice: analysis of practice of European states. Application of the case law of the ECtHR and the ECJ in Georgia.

### **IPL 8450 Diplomatic and Consular Law, no prerequisite**

Origins and the steps of development of Diplomatic Law. Notion and sources of Diplomatic Law. Vienna Convention on Diplomatic Relations 1961, Customary International Law, General Principles of Law, Relative legislation of Georgia. Establishment of Diplomatic relations: Practice of Georgia; Bilateral Agreements of Georgia on the establishment of Diplomatic relations. Authorities of foreign relations of state and their system: Head of state; Parliament; Ministry of Foreign Affairs; Diplomatic and Consular Representations abroad; Representations to International Organizations. Relationship of Diplomatic Law with other branches of law. Procedure of the establishment of diplomatic relations. Classes of diplomatic representation and members of its staff. Classes of the heads of diplomatic mission. Accreditation. Agreement. Credential. Rotation. Categories of the members of diplomatic mission. Diplomatic agents; Administrative and technical staff; Service staff of the mission; Private servant. Diplomatic corps and its main functions. Doyen of diplomatic corps and his competence. Notion and steps of historical development of diplomatic privileges and immunities. Main theories on diplomatic privileges and immunities. Beginning and the end of diplomatic privileges and immunities. Recall of diplomatic agent. Diplomatic privileges and immunities in the territory of a third state. Transit pass through the territory of a third state. Privileges and immunities of the members of diplomatic mission: absolute privileges and immunities, limited privileges and immunities. Privileges and immunities of the receiving or the third state nationals. Diplomatic bag and freedom of communications. Privileges and immunities of diplomatic bag. Privileges and immunities of diplomatic courier; ad hoc diplomatic courier and his status. The right to use the flag and emblem

of the sending state. Premises of diplomatic mission. The private residence of the head of the mission, means of transport and their status. Immunity from the criminal, administrative and civil jurisdiction of the receiving state. Jurisdiction of the sending state. Duty to respect laws and regulations of the receiving state. Giving of testimony. Waiver of immunity, relative cases. Exemption from all duties and taxes, personal or real, national, regional or municipal. Family members of diplomatic agent and their privileges and immunities. Nationality of the members of the family of diplomatic agent. Administrative and technical personnel and their legal status, privileges and immunities. Declaration **Persona non grata** or not acceptable person.

Origins and the steps of development of Consular Law. Notion and sources of Consular Law. Vienna Convention on Consular Relations 1963, Customary International Law, General Principles of Law, Relative legislation of Georgia. Bilateral consular conventions of Georgia. Establishment of consular relations. Establishment of consular post. Classes of consular post. Consular district. Members of the staff. Classes of the heads of consular post. Categories of the members of consular post, nationality, quantity and accreditation. Exequatur. Consular functions. Exercise of consular functions outside the consular district. Consular privileges and immunities. Consular premises and their legal status. Use of national flag and coat-of-arms. Exemption from taxation. Inviolability of the consular archives and documents. Freedom of movement. Freedom of communication. Immunity from jurisdiction. Liability to give evidence. Waiver of immunities. Family members of consular officer and their privileges and immunities. Persons declared **non grata**. Consular bag and its privileges and immunities. Consular courier and his legal status. Beginning and end of consular privileges and immunities. Obligations of third state. Regime relating to honorary consular officers and consular posts headed by such officer. Performance of diplomatic functions by consular post.

### **IPL 8405 Contemporary International Law, no prerequisite**

History and development of international law: early origins, founders of modern international law, positivism and naturalism, nineteenth and twentieth centuries. International law today. Modern theories and interpretations. Sources of International Law: Custom and its comprising elements (state practice and *opinio juris*), international treaties, general principles of law, judicial decisions, scholarly works, other possible sources of international law. Hierarchy of sources and *jus cogens*. International law and national law: the theories and the practice. The subjects of

international law: states and statehood, special cases, national liberation movements, international public companies, individuals, international organizations. Protection of human rights under international law: basic principles and treaties, customary international law, the United Nations system, basic prohibitive rules, the protection of minorities. Recognition of states and governments. Types of recognition (de facto, de jure, premature, conditional, collective) and their legal effects. The concept of territory in international law. Air law and space law: theories and general overview of the main instruments. The law of the sea: general overview of different regimes and the main instruments in the field. Jurisdiction: the territorial principle, the nationality principle, the passive personality principle, the protective principle, the universality principle. Treaties providing for jurisdiction. Immunities from jurisdiction: sovereign immunity, the absolute immunity approach, the restrictive approach. Overview of non-immunity areas. Diplomatic law and diplomatic immunities. State responsibility. The question of fault. Imputability of acts. Ultra vires acts. Circumstances precluding wrongfulness. Legal consequences of internationally wrongful acts. Reparation and its types. Diplomatic protection and nationality of claims. The rule of exhaustion of local remedies. State responsibility and the international environmental law. Liability for damages to the environment caused by private persons. The law of treaties. The making of treaties. Types of expression of consent to be bound (signature, exchange of instruments, ratification, accession). Reservations to the treaties. Application of the treaties to the third states. Consequences of breach, termination or suspension of the treaties. Treaties between states and international organizations. Successor states. Categories of treaties: territorial, political and other treaties. Types of dispute settlement: peaceful means, international institutions, inter-state courts and tribunals, arbitration. ICJ and its jurisdiction. Enforcement. International law and the use of force by states. Collective self-defence. Humanitarian intervention. Terrorism and international law. International humanitarian law and history of its development. The scope of protection under the Geneva Conventions system. The United Nations: its main bodies and their functions in theory and practice. International institutions of a universal character. International economic organisations. Regional institutions. Some legal aspects of international organisations.

### **IPL 8415 International Law of Maritime, prerequisite IPL 8400**

Definition, system and sources of the Law of the Sea: Modern Law of the Sea; Historical background; mare clausum v. mare liberum; sources; system; Rights and obligations of states on

maritime zones; use of seas by States. Internal Waters: baselines; normal baselines; straight baselines; bays, estuaries, islands; legal status of internal waters; jurisdiction of coastal State. Territorial Sea: definition; legal status of TS as defined by 1958 Geneva Convention on territorial Sea and Contiguous Zone and 1982 LOSC; right of innocent passage in TS; civil and criminal jurisdiction of coastal State; Straits and Channels: regime as provide by customary international law and LOSC; transit passage; Special regime/ 1936 Montreux Convention; legal status of Panama and Suez Channels; Contiguous Zone: legal status of CZ as defined by 1958 Geneva Convention on territorial Sea and Contiguous Zone and 1982 LOSC. Exclusive Economic Zone: definition and development; legal status as defined by the LOSC; EEZ in customary international law; Rights and obligations of a coastal State; rights and obligations of Flag/third states; delimitation. Continental Shelf: definition and development under customary international law; legal status as defined by 1958 Convention on Continental Shelf and the LOSC; delimitation; Rights and obligations of a coastal State; rights and obligations of Flag/third states; comparative analysis of legal status of EEZ and CS. High Seas: definition and legal status as defined by 1958 Geneva Convention on High Seas and the LOSC; freedoms of HS; jurisdiction on HS; universal jurisdiction on HS; right of hot pursuit; Archipelagos and Archipelagic States: Archipelagos and Archipelagic States, development of special regime; archipelagic waters and customary international law; archipelagic baselines. Area: common heritage of mankind; legal status as defined before before adoption of the UNCLOS III, by the LOSC and 1994 Agreement; Exploitation of Area; International Sea Bed Authority. Geographically Disadvantaged and Land-Locked States: definition; Navigational rights and right of passage to ports of land-locked states: access to resources for Geographically Disadvantaged and Land-Locked States; closed and semi-enclosed seas. Marine-Scientific Research: definition and legal status of marine-scientific research; principles; Peaceful purposes of marine-scientific research; pure and applied marine-scientific research; legal status as defined by 1958 Convention, the LOSC; customary international law and national legislation of Georgia; international cooperation; Protection of Marine Environment: international regulation of marine environment protection; the LOSC regime; 73/78 MARPOL; pollution from ships; dumping; pollution from land; pollution from space; pollution from seabed, including within national jurisdictions; protection of special zones; Fishing: Fishing until 1970s; modern regime; fishing regime in different zones; protection of certain species; highly migratory species; anadromous and catadromous species; marine mammals. Military Use of Sea: use of use in peacetime; international regulation of military use of seas; demilitarization of sea. Dispute Settlement: the LOSC regime; ITLOS;

### **IPL 8425 International Humanitarian Law, prerequisite IPL 8430**

Following themes will be covered as a part of International Humanitarian Law (Law of Armed Conflicts) Class: Resort to Armed Force in International Law, Territorial Integrity and Inviolability of State Sovereignty, Individual and Collective Self-Defence; Classification of Armed Conflicts, International and Non-International Armed Conflicts, Wars of National Liberation, so-called Internationalized Armed Conflicts and UN Peacekeeping and Peace-Enforcement; Main Rules and Principles on Conduct of Hostilities, Military and Civilian Objectives, Principle of Distinction, Principle of Military Necessity, Armed Forces and Direct Participation in Hostilities; Main Principles regulating the Choice of Weapons, International Treaties either Restricting or Prohibiting Certain Types of Weapons, Non-Discriminatory Attacks; the Status of Combatants and their Rights, so-called Unlawful Combatants, their status and derived rights and duties, Civilian Population, Religious and Medical Personnel, Protection of Sick, Wounded and Shipwrecked; Occupation and Protection of Civilians on Occupied Territories; Non-International Armed Conflicts, the Status of so-called “Rebels” and their Rights and Duties, Application of the Hague Law to Non-International Armed Conflicts, Internal Disturbances and Tensions; Implementation and Enforcement of International Humanitarian law, Grave Breaches of the Geneva Conventions, Other Violations of the Rules and Customs of International Humanitarian Law, War Crimes; Role of the International Committee of the Red Cross in Implementation and Dissemination of International Humanitarian law; International Criminal Court, Ad Hoc International Criminal Tribunals and so-called Hybrid Courts and their Role in the Enforcement of International Humanitarian Law; Interplay of International Humanitarian Law and International Human Rights Law in International and Non-International Armed Conflicts, Right to Life in Non-International Armed Conflict; Terrorism and International Humanitarian Law, “War on Terror” and Classification of Armed Conflicts, Terrorist Acts and Grave Breaches of the Geneva Conventions, War Crimes and Crimes Against Humanity.

### **IPL 8445 International Relations, no prerequisite**

Introduction to the study of International Relations; History of IR theories (realism, liberalism, structuralism); Modern Theories (neorealism, neoliberalism, institutionalism, constructivism, complex interdependence); Main concepts (national security, national interest, international

system, power politics, balance of power, et cetera); International systems and its types; International organizations: NATO (origins, functions, institutions, decision-making); European Union (origins, functions, institutions, decision-making); United Nations (origins, functions, institutions, decision-making); OSCE (origins, functions, institutions, decision-making); CIS (origins, functions, institutions, decision-making). Conflict and Cooperation in International Relations; Main tools of foreign policy; Small states in International Relations; Georgia and various aspects of Georgian foreign policy: European and Euro-Atlantic Integration; Conflict management; Relations with neighboring states and Russian Federation; Other issues of students' interest.

#### **IPL 8455 The Law of the United Nations, prerequisite IPL 8410**

Historical background of the establishment of the organization. The League of Nations. The purpose of formation of the United Nations (UN). The primary functions and main responsibilities of the organization – an overview. The UN system. Structure of the UN and its organs. Functions of the organs of the UN. The Security Council. The General Assembly. The Economic and Social Council. The Trusteeship Council. The Secretariat. The specialized agencies. The procedural aspects of functioning of the UN. The UN Charter. The purposes of the organization. Main principles of international law as embodied in the Charter. The issues of interpretation of the UN Charter. Direct interpretation. Intention of the parties. Travaux préparatoires. The state practice. Judicial decisions. Membership to the UN. The criteria for admission. Termination or suspension of membership, expulsion. Legal personality. Reparation for injuries case. Privileges and immunities. The Convention on the Privileges and Immunities of the United Nations. The issues of Responsibility. Responsibility of the UN for the action/omission of Peacekeeping Forces. Hierarchy among the organs of the UN. International Court of Justice. Functions of the Court. Judicial review in the UN system. Article 103 of the UN Charter. Amendment of the Charter. The United Nations system peace and security. The peaceful settlement of disputes. Legality of use of force in international law. Role of the UN organs in the issues of peace and security. Uniting for Peace Resolution of General Assembly. Certain

Expenses case. The UN peacekeeping mission, as its organ. Peacekeepers and peace enforcers. The role of the Secretary-General of the UN in peacekeeping operations. Peacekeeping during the Cold War. UN forces in Middle East. Congo. Cyprus. Modern peacekeeping and observer missions. Administration of territories. The collective security system and enforcement measures. The role of the Security Council. Determination of the situation. Chapter VII measures. Measures not involving the use of force. Economic sanctions. Measures involving the use of force. The use of force in non-enforcement situations. Self-defense according to the UN charter and customary international law. The UN and regional arrangements and agencies. Practice under chapter VII during the Cold War. UN forces in Korea. Iraq-Kuwait war. Somali, Rwanda, Haiti, Yugoslavia. War in Iraq. Afghanistan. Constitutional crises in the United Nations and its possible reform. United Nations actions from humanitarian assistance to enforcement. International law and the International Court of Justice.

#### **IPL 8465 International Refugee Law, prerequisite IPL 8430**

Introduction to International Refugee Law; Historical overview; The development of and responsibility for international protection; The legal framework for international protection and its implementation; International Refugee Law – Universal treaties: The 1951 Convention relating to the Status of Refugees and the 1967 Protocol relating to the Status of Refugees; Regional treaties - Cartagena Declaration; the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa (OAU Refugee Convention); European Council and Union instruments; “Soft law” instruments – UNHCR Executive Committee Conclusions, UNHCR Statute; National Legislation framework – Georgian Refugee Law 1998; Georgian Law on IDPs, Provisions on Refugee Status Determination; UN High Commissioner for Refugees; Refugees, asylum seekers, returnees and IDPs; Refugee status and determination procedures and Inclusion clauses, Exclusion clauses and Cessation clauses (Identification of asylum request, Minimal standards of treatment, Interview with asylum seekers, prosecution and grounds for it, Information about Country of Origin); Principle of non-refoulement; Principle of the Family reunification; Admission into a country of asylum; Illegal entry in the country of asylum; Individualized determination procedures and group determination procedures; Refugee rights and Obligations; Durable solutions – local integration, repatriation and resettlement in third country; Special protection groups – women, children and eldest people; International and National Bodies for refugee protection; Cases from ECHR.

## **IPL 8475 Environmental Law, no prerequisite**

General overview of environmental law. System of environmental legislation. International cooperation in the protection of environment. International agreements and conventions. Georgian laws and subordinate legislation. Definitions of general terms in environmental law. General principles of protection of the environment. Principle of risk reduction; sustainability principle; priority principle; principle of preservation of bio-diversity; principle of recycling; principle of restitution; principle of availability of information; rights and obligations of the citizens in the sphere of protection of environment. Education and research in the field of protection of environment. Teaching the basics of environment protection; programs and plans of scientific research, state management of environment protection. Competences of state organs in environment protection, criteria for the division of competencies; competence of the Ministry of Environment Protection; function of interdisciplinary management; state management of environment protection and rational, sustainable and complex exploitation of natural resources; state control, management of meteorological agency, management of environment monitoring, the competence of ministry of health care in Georgia in the environment protection. State supervision of the observation of sanitary hygienic norms and sanitary epidemiological norms; planning of environment protection. The system of planning of environment protection; strategy of sustainable development; ecological insurance. eco-marking; audit of environment protection; licensing in the sphere of environment protection. Types of licenses; provision of information on environment protection, the rules of environment protection, ecological demand for leftovers; state ecological expertise. State of ecological emergency; The basis for announcement of state of emergency; zone of the ecological emergency. Zone of ecological accident; the official authorized to declare the state of ecological emergency; protection of natural ecosystems. The aim of protection; protection of wild animals and plants; protected territories. The aim of creation of protected territories; categories of protected territories. global and regional management of environment protection. Legal means of problem solving; protecting the climate from global changes; protection the ozone layer; protection of biodiversity; protection of the Black Sea from pollution; issue of responsibility for violating the legislation on environment protection. Types of responsibilities; the basis for responsibility; animal kingdom, as Georgian national treasure. Protection of animal kingdom; status of the animal kingdom; objects of the animal kingdom. Separation of powers between state and municipal organs in the sphere of protection of animal

kingdom and usage of the objects of animal kingdom. Usage of the objects of animal kingdom. Hunting, hunting and fishing industries; using the objects of the animal kingdom for scientific, cultural, educational, up-bringing, recreational, aesthetic and veterinarian purposes. Responsibility issues for violations of the legislation on animal kingdom.

### **IPL 8485 Not-for-Profit Law, prerequisites IPL 8410, IPL 8430**

The role of not-for-profit sector in the democratic society: tackling shortcomings of majoritarianism, “public sector market failure”, promotes public trust, social stability and economic efficiency. Not-for-profit law as an inherent part of fundamental freedoms guaranteed by international human rights law: freedom of association under UDHR, ECHR, ICCPR. Political party cases and cases concerning the freedom of association of ECtHR. Concept, types and definitions of not-for-profit organization (NPO). Legal procedure for the establishment of NPO in Georgia. Comparative analysis on the legislation on establishment of NPO. Model Provisions for Laws Affecting Public Benefit Organization (2002). Conditions for the registration and public registry. Public benefit status of the organization. Public benefit tests in UK and Canada. General fiduciary obligations: duty of loyalty, diligence and confidentiality. USA case law on fiduciary obligations. Prohibition of direct and indirect private benefit. Activities of not-for-profit organizations: charitable, economic, political, religious etc, based on UK and Canadian case law. Reporting \_ comparative analysis of foreign legislation. Fundraising. Quasi non-governmental organizations. Comparative analysis of tax preferences.

### **HL 8600 Contemporary Health Law, no prerequisite**

The Law of Georgia on Patient's Rights; The aim of the Law, Discrimination; specific definitions; Patient's right to freely apply to other physician; Patient's right to apply to the court;

Right to medical treatment and care; Access of health care; Informed Consent; Written and oral consent; Medical Records; Access of information; Cases when information on the patient's health status may only be withheld or limited; Medical Ethics Committee; Confidentiality and Private Life; Disclosure of confidential information by healthcare provider; Right in the field of genetic counselling and gene therapy; Rights of pregnant women and nursing mothers; Right of Minor; Rights of servicemen, men due for call-up and servicemen on contractual basis; Right of persons being in detention or held in custody; Person being in detention or held in custody; Palliative care and terminally ill patients; Patient's individual rights and Georgian legislation on Patient's rights; Capability of the patient and ability of making realized decisions; Review of health related legislation: - Law on medical activities; Law on health care; Law on patient's rights; Labor Law; HIV/Aids and the related Legislation; /Law of Georgia about Preventive Measures of Acquired Immunodeficiency Syndrome,

#### **HL 8610 Legal Regulation of Health Insurance, no prerequisite**

Insurance, its aim and importance; Legal and Economic prerequisite of formation of Insurance; History of Insurance; Role and Importance of Insurance in modern Economic and Social sector; Basic Legal Principles; Legal regulation of Insurance Relations; Georgian Insurance Legislation; Georgian Civil Code; Georgian Law on Insurance; Subject of Insurance; Object of Insurance; Classification of Insurance Types; Obligatory and Voluntary types of Insurance; Life and Non-Life Insurance; Contents of Insurance contract; Insurance Premium; Sum Insured; Insurance Limit; Insurance Indemnification; Deductibles; Insurance Risk; Insurance Interest; Description of Insurance Contract Contents; Peculiarity of Insurance Interest; Parties of Insurance Contract, their rights and obligations; Meaning of Insurer, it's rights and obligations; Meaning of Insurant, it's rights and obligations; Meaning of Insured, it's rights and obligations; Meaning of Beneficiary, it's rights and obligations; Insurance Agent and Insurance Broker. Main difference between them; Beneficiary in different types of Insurance; Types of Life Insurance, and their peculiarities; Schemes of Pension Insurance, their peculiarities; Beneficiaries of Life and Pension Insurance; Description of Health Insurance and it's elements, as important form of insurance; Obligatory Health Insurance; Functions, rights and Obligations of State while implementing obligatory health insurance; Role and importance of health insurance on state's

social stability; Rules of formation of Insurance premium and limits; Types of Voluntary Health Insurance; Co-existence of Obligatory and Voluntary Health Insurance; Problems of Insurance Indemnification; Mechanisms of Claims Settlement; Importance of Claims Handling; State Regulatory Institution, Legal base for its activity; Licensing and control mechanisms of Insurance companies; Current reforms in the field of State Regulation; Perspectives of improvement of legislation on Insurance; Insurance Terminology; Approach to Health Insurance in countries of different legal systems; Perspectives of Development of the field of Health Insurance.

### **HL 8620 Health and Human Rights, prerequisites HL 8600, HL 8610**

What is the Health care Law? Health Care Law and its components; Legal basis of health care providers; Patient-doctor relationships and current legislation regulating these relationships; The role of law and ethics in providing medical services; Bioethics Legal and ethical problems of death and euthanasia; Tools for protection of Patient's and marginalized group's rights; Litigation in health field /Georgia/; Malpractice, Medical Error; Capability of the patient and ability of making realized decisions; Patient's individual rights and Georgian legislation on Patient's rights; Stress and psycho-social environment- History Overview; Social Stress and its structure; The opportunities for reducing social stress; Heath of Sexual Minorities; Stigma; Patient's autonomy; Review from history – Tuskege experiment; Convention of Franch revolution; Nurnberg Code; Principle: - “primum nil nocere”. Allocation of health recourses; Marginalized groups rights – Prisoners, Roma Health, Children's rights; terminally ill patients rights; Drug users; People with HIV/Aids; International protection of human rights; Article 25.1 of the Universal Declaration of Human Rights; ICESCR - “the right of everyone to the enjoyment of the highest attainable standard of physical and mental health”; UN Committee on Economic, Social and Cultural Rights; Cases regarding of Medical Error/Malpractice; Criminal Law of Georgia; Criminal Law Legislation of Georgia and Its Purpose Mercy Killing; Abandoning Ill Person in Distress; Illegal Abortion; Compulsion to Take an Organ, Part of an Organ, or Tissue of a Person ; Illegal Trade with Blood or Blood Components; Trade with Human Organs; Genetic Manipulation; Types of compulsory medical measures, grounds and rules of their application; Infliction of death by Negligence; Crime Against Health; Infection with HIV/AIDS; Infection with Especially Dangerous Infectious Disease; Restricting the Rights of a Disabled Person

## **HL 8630 Health Care Policy and Public Health Law , prerequisite HL 8620**

Health Care Policy; Health Politic in Georgia; Review of foreign countries practice; Reforms taking place in Georgia; Factors Influencing Human's Health; Socioeconomic factors; Biological factors; Physical environment; Behavioral factors; Factors related to activities of health systems; The National Health services and systems of health care – Great Britan; United States of America; Germany; Patient Safety; Regulation /accreditation, certification and licensing Reforms taking place in Georgia; Functioning of Georgian Health Care System; Current reforms of hospital sector; General plan of hospital sector development determines; Optimal location of medical institutions; Types of hospital service; Health Care Financing; Several types of health care financing models: Social insurance; Budget funding; Private\voluntary insurance; Out of pocket tax payments - Georgia, India, Laos, Nepal, Nigeria, Pakistan, and Singapore. Functions of health care funding; Direct and indirect payments; Mandatory insurance payment; Voluntary insurance payments; Medical savings; Out of pocket costs; Loans, grants and contributions; Methods for remuneration for medical service: - Payments per capita; Global budget; Patient Safety; HIV\AIDS and road accidents; protection of patient's rights, improving patient-doctor relationships (improving image), patient education; Regulation; central aspects of regulation; the basic area of regulation; Regulation through order and control; Self-regulation; Regulation Enforcement (who enforces regulation?); Permits; Licensing; Accreditation. Public Health- definition, focus, concept; Determinants of public health; Basic functions of public health; Public health practice; Human rights and public health; Individual's rights and public health (mandatory examination\testing, immunization, quarantine, and isolation); International Regulation of Health (International Law on infectious diseases); Biological terrorism and public health; International convention on Tobacco control; Georgian legislation versus international regulations on health

## **HL 8640 Health care Management, Financing, Legal Accountability, prerequisite HL 8630**

What is the health management? Who are the health managers; Structure of health providers; Primary and Secondary health care; Management of Health System, organization, financing; Difference between private and public hospitals; Share of State for financing; Economical issues in Health and Social sphere; Organizational theories; Analyses of Health Policy; Health care marketing; Health Informational systems; Project Management; Tall and Flat Organizations;

Centralization vs. decentralization; Divisional structure; Functional structure and its strength and weaknesses; hybrid structure and its characteristics; Financial management of health care organizations; Matrix; Management and leadership; System thinking and the management team; Management information with application to quality; Human resources development and staff relations; Team building, Communications and Presentation skills; Intrinsic and extrinsic motivation. Providing the framework for the study of the theoretical and practical aspects of management;. Management functions and roles are described within the context of the organizational system. Participants learn about and understand their individual leadership styles; They explore how their personal ethics and values and those of the organization and employees affect their decision-making as managers. Labor law of Georgia; Salaries and wages of employees at health care organizations; Contracts – labor contracts; Tax Law of Georgia; Taxes under the Georgian legislation; Decision making system; Income and benefits; Balance scorecard; types of taxes for health organizations; Law on Entrepreneurial of Georgia; Rights and obligations of Health managers; Chair persons; Share holders minutes and etc; Fiscal year and politic; making annual budget for hospitals; Preparation of business plans;

**HL 8650 Health Information System and its Legal Regulation, prerequisite HL 8640**

Directions of Georgian health politic for 2000-2007 years. Appropriation of health system under the state economical development strategy; Health services; Objectives of health system; Quality based health care; Effectiveness and efficiency of health system; Evidence based medicine; Management information systems—how to gather analyze and develop data for management problem solving, program planning; Design, and installation of information; Systems and describes how to structure, organize, and evaluate a quality management program. Essential concept of quality management and the importance of outcome measurements; Human Resource Management (HRM) - Job analysis and job description; Recruitment and selection; Performance management; Training and development; Compensation and motivation; Organizational Ethics. CPD activities; WHO and its goals;

**IBL 7600 Comparative Business Law, no prerequisite**

Comparative business law – concept and structure. Comparative jurisprudence. Margins of the dissemination of CBL (French, German and USA Theories). CBL and other branches of law (civil law, different branches of business law). Sources of CBL. Its origin and history of development. Structure of the business law. Branches of general business law (civil law, trade law). Branches of private business law (corporate law, banking, insurance, investment, international private, international trade and etc.). Determination of terms in business law. Concept of terms in the branches of business law (terms of contracts). Statutes of Limitations in business law branches (in civil law, corporate law). Individuals, as subjects of business law. Legal persons, as subjects of business law. Concept of legal person. Concept and types of legal persons in continental law system. Concept of legal person in common law system. Legal persons of foreign countries (non-resident companies), characteristics of their registration. Trade registers for the companies, memorandums and special agents. Off-shore companies, their status and influence in business law. The role of the transnational companies in international business relations. State, as subject of business law. Legal basis of the different branches of business law. License and anti-monopolistic legislation in business law. Licenses, concessions and special authorizations in continental and common law systems. Anti-monopolistic and antidumping legislation. Prohibition of the limitation of competition in USA and European Union Law. Concept of the free economic zones in business law. Origin of the free economic zones. Margins of the dissemination of free economic zones. Different types of free economic zones. Liberal and preferential regimes. Prospects of the development of the free economic zones in post-soviet countries. Free economic and industrial zones in Georgia (prospects). Supranational branches of business law. Origin and development of internet law and electronic commerce. Transaction of business contracts via internet. Influence of the e-commerce on modern international business. European Union supranational business law. State parties of the European Union and their municipal business law. Common market of European Union and its legal regulation. European Union directives and regulations. Case law of European Union.

### **IBL 7610 Comparative civil law, no prerequisite**

Notion of Comparative Civil Law, its functions and goals. Differences of civil law systems. Institutional and pandect system. History of comparative civil law (way of development of Ius Civile) Method of comparative law in civil law. USA Federal civil law and law of states. Case Law in British Civil Law. EU supranational civil law. Civil law and civil code (Code Civil)

system of France. German Civil Law (Bürgerliches Gesetzbuch - BGB). CIS Model civil code. Georgian Civil Code- its system, problems and perspectives. Family Law as a branch field of civil law, marital regulation and conditions in the law of continental and Anglo-American countries. Religious rituals, as the bases for the creation of the marriage. Divorce regulations and conditions. Conjugal property rights and responsibilities in legal system. Inheritance Law as a branch field of civil law. Legal Testament. Understanding of Testament in British Law. Testament in USA and continental European countries. Testament in the countries of religious system. Testament obligations (legate).

### **IBL 7620 International Labor and Employment Law, prerequisite MBA 7000**

Historical bases of international labor law. International labor and employment law regulation field and functions. USA and EU Countries' policies in the field of labor and employment law. CIS countries' policies in the field of labor and employment law. Labor rights and duties of foreigners. Working time and break hours. Regulations and terms regarding wages, guarantees and compensations for country citizens and foreigners. Labor discipline. Social insurance's regulations and terms. Regulation of international labor law. International labor standards in EU. International labor relations in highly developed and developing states. Employment standards and restrictions in transnational corporations. Corporations' privatization policy and guarantees of labor rights' defense in Post-Soviet countries.

### **MBA7000 Management for Lawyers**

Importance of management. Place and role of the management in the modern society, necessity of management, historical stages of the management development, as the comprehensive and special field of the juridical activity, juridical organization's definition, variety of the organizations, common characteristics of the organizations, levels of the organizational hierarchy, lawyers professional activities base, managerial roles, functions, necessary approaches for the successful

management, main reasons of the unsuccessful management. Planning of the organization activity, importance of the planning, aims of the organization and its characteristics, variety of the planning, strategic management, necessity of the strategic management, strategy foundation process, approaches, development of the corporate strategy, business strategy, organization structuring, its importance, principles of the structuring. Decision making process, characteristics of the decision making process. Decision making conditions. Communication, types of communication, human resource management, necessity of the human resource. Staff selection and recruitment, human resource planning, job analysis and job description. Compensation, career development and management, motivation, motivation theories, necessity of the motivation, organizational culture, its components and types, organizational change implementation, necessity of the change, ethics of the management and the responsibility of the corporations, ethically difficult decisions making; factors which stipulates ethical decisions, social responsibility's essence, estimation of the corporation's social activity.

### **IBL 7630 Comparative property law, prerequisite IBL 7600, IBL 7610**

Notion of Property Law. Historical bases of Property Law (from Roman law till the modern times). Property Law in Anglo-American law. Concept of property in various fields of legal systems. Notion of real estate and personal property. Understanding of non-material goods in Continental European Law. Real estate in Anglo-American Law. Real estate purchase in States' law. Know-how as a property. The necessity of the registration at public (land) register in the countries of continental system of law. German system of public register. Swedish system of public register. Georgian system of public register. Torrens System. Mortgage and its specific understanding in Anglo-American and Continental European Law. Ships and Aircraft mortgage in French Law. Maritime mortgage. Mortgaging. Mortgaging of auto transportation means. Mortgage of the securities, safety stocks and shares, mortgage on demands and rights. Limited utilization of someone else's property in Continental Law System and Anglo-American countries (structure, usufruct, servitude). Property on Natural Recourses. Natural Monopolies' legal regimes.

### **IBL 7640 Comparative intellectual law, prerequisites IBL 7600, IBL 7610**

Notion of Intellectual Property Law, its formation and development. Intellectual Property Law of USA and EU Countries. Legal systems' comparative specification of copyrights and neighboring rights. Copyrights protection in USA. Copyrights protection legislation in EU countries. EU Supranational Intellectual Property law. Management of copyrights and neighboring rights on collective bases. Court practice in the field of copyright law. Universal Copyright Convention adopted in 1952. Bern Convention of 1971 for the Protection of Literary and Artistic Work. General overview of Industrial property law. Patent law. Trade marks. Geographical markup. Unfair competition. 1891 Madrid Agreement Concerning the International Registration of marks. 1994 Eurasian Patent Convention. Georgian national law on the protection of intellectual property.

### **IBL 7650 Comparative Contract Law, prerequisite IBL 7630**

Notion and principles of Comparative Contract Law. Autonomy of Will in Contract law. Stages of efficiency in contract law. Notion and forms of deals in Anglo-American and Continental European Law. Conclusion of an agreement. Offer and acceptance in British Law, offer and acceptance in German Law. Modified aspects, freedom and obligation in the agreement law, demands to the form of the agreement, criteria for the revelation of aims, definition of the agreement, fault, fraud, menace, representation, assignment, agreements in favor of the third persons. Fulfillment of agreements in Anglo-American and Romano-Germanic system of law. Appeals about the fulfillment of agreements and the compulsory execution of the court decisions adopted on their bases, violation of the agreement, liberation from liabilities, groundless enrichment in Anglo-American and Romano-Germanic system of law. Notion of International Sale and Purchase Contract. Parties and rules for the Conclusion of the Contract for the International Sales and Purchase of Goods. Form of Contract for the International Sales and Purchase of Goods. The Content of the Contract for the International Sales and Purchase of Goods. Fulfillment of the Contract for the International Sales and Purchase of Goods. The means for the legal protection in case of failure of fulfillment the obligations predicted by Contract for the International Sales and Purchase of Goods and the responsibilities of the parties.

**IBL 7660 International banking law, prerequisites IBL 7630, COL 7210**

Notion of International Banking Law, stages of its formation and development. Notion of Commercial Bank. Structure of Commercial Bank and managing bodies in USA and EU Law. Commercial Bank's Supervisory bodies. Federal Bank of the United States of America. EU Bank (Frankfurt). Notion and structure of European Bank of Reconstruction and Development (EBRD). Notion and types of currency. Freely convertible currency and its legal bases. Euro, as a notion of unified European currency. The 1998 EU directive on the establishment of unified currency (Euro) on the territory of Europe. Georgian Banking Law. Notion and forms of Bank Credit in USA and EU Law. Deposits. Legislative regulation on plastic cards. International transactions. International Letter of Credit Agreement. International Banking Guarantee. International non-banking money transfers and its legal regulation (Western Union, Many Gram and other). Notion of International Insurance Law, its formation and stages of development. Insurance companies in USA and EU countries. Life insurance, liability insurance, managers' personal liability insurance and other contracts. Reinsurance contracts. Law of Georgia on Insurance.

**IBL 7670 Comparative Insurance Law, prerequisites IBL 7630, COL 7210**

Content and notion of Insurance. Historical origins of notion of Insurance Law, stages of its formation and development. Georgian insurance legislation. Forms and types of insurance; Objects of insurance; Parties of insurance relations; Insurance organization (company); Governmental regulation of insurance activities; The issue of license on insurance activities. Demands for the insurance organizations; Insurance contract; Insurance certificate (policy); The rights of Insurance Contract parties and their specifics; Insurance in favor of the third persons; The characteristics and legal bases of non-life insurance types; Specifics of civil liability

insurance, Professional liability insurance contract; Life insurance and its specifics; Reinsurance; Insurance companies in USA and EU countries.

**IBL 7680 Investment and Comparative Tax Law, prerequisites IBL 7630, ECON 7000, MBA 7000, COL 7210**

Notion of Investment Law. Formation and development of the Investment Law. Investment Law and International Investment Law. Forms and notion of investments. Direct and indirect investments. National and foreign investments. Legal regimes of foreign investments. Investment Law of developing countries. Specific and general Investment Law in highly developed countries. EU supranational Investment Law. Georgian legislation on investment (history and status quo). Government guarantees for the protection of foreign investment. Investments' expropriation, confiscation, requisition. Seoul Convention of 1985. Multilateral Investment Guarantee Agency – MIGA. Notion of free economic zones. Offshore zones and their legislative regulation. Preferential legal regimes in offshore zones. Procedures of companies' registration in offshore zones. Law used in investment relations. Alternative possibilities of reviewing investment disputes (International Commercial Arbitration), 1965 Washington Convention on the "Settlement of Investment Disputes between States and Nationals of Other States". International Center for the Settlement of Investment Disputes – ICSID. Notion, structure and classification of Tax. Tax Law and tax legal relations. Tax legislation. Notion of Taxation System. Legal bases for international tax relations. The reasons of the creation of double taxation and means of its avoidance. Terms of the tax calculations. Tax payment, collection and reimbursement. Objects of tax legislation. Tax Administrations. Tax payers. Protection of tax payer's rights. Tax control and tax liabilities. Governmental tax calculation and terms of payment. Terms of local tax calculation and payment.

**IBL 7710 International Economic Law, prerequisites IBL 7680, IBL 7690, CVL 7050**

Notion of International Economic Law. Sources of International Economic Law. International Economic Law in EU countries. Adjoining fields of International Economic Law. Objects of International Economic Law. Notion and types of Budget. Budgetary Law in International

Economic Law. Legal bases of Budgeting. In budget of maintained paragraphs. Notion of Solvency. Bankruptcy, insolvency, rehabilitation, sanation. Specifics of revision insolvency related issues. 2007 Georgian law related to the “insolvency case management”.

### **IBL 7690 International Trade and Financial Law, prerequisites IBL 7680**

Sources of International Trade and Financial Law - Lex Mercatoria in modern International Trade Law. United Nations Convention on Contracts for the International Sale of Goods (Vienna, 1980). Organization and specifics of International Trade Deals. International Commercial Contracts: Mandatory rules. International Commercial Contracts: Battle of Forms. International Commercial Contracts: economic disappointment and Force Majeure. Fulfillment of export contract: guarantee of contract. Financing export contracts: Documental Credit. Means of personal reassurance: Letter of comfort. Financial Leasing. Regulations on liberation from liabilities. Methods of ensuring the public order in International Trading Law. Organizations ensuring the public order in International Trading Law. UNCITRAL, its managing bodies and functions. UNIDROIT, its functions and developed models contracts. World Trade Organization (WTO). Its creation and development. WTO Marrakesh Agreement. Uruguay Round. General Agreements on Tariffs and Trade (GATT). The legalization of the documentation used in International Trade Law. 1961 Hague Convention on Abolishment the Requirement of Legalization of Official Documents” (“Apostille Convention”). Comparing of legalization and Apostille. International trade dispute examination by the governmental courts. International trade dispute examination by International Commercial Arbitration. Third party participation in international commercial disputed. UN Convention on Contract for the International Sale. (Vienna, 1980). Principles of international commercial agreements (1994). Principles of European contract law (1998). UN Convention on international arbitration decision’s acceptance and implementation. The philosophy of business management in XXI century. International contracts (classification, contents charge and terms), risks and system of their management. E-Contracts – contracts concluded by means of the internet. Negotiations within the international business (methods and rules of implementation), internet means (internet conference - E-Conferences, as a means of negotiation and e-mail, electronic mail as an accept and offer of a deal). E-Commerce and its legislative problems.

**IBL 7700 International Commercial Arbitration, prerequisites IBL 7650, IBL 7660, IBL 7670**

Notion of International Commercial Arbitration. Main principles of Commercial Arbitration. Creation and development of the arbitration as an institution. Alternative means of dispute. The mediation and other means of commercial disputes. Types of International Commercial Arbitration. UNCITRAL Model Law on International Commercial Arbitration (1985). 1975 Panama's Latin-American countries Pan-American Convention on "International Commercial Arbitration". 1952 Arab League Convention on "The recognition and implementation of foreign countries arbitrary and court decisions". Permanent International Arbitration. Arbitration created especially for concrete dispute cases, so called "ad hoc" arbitrations. International Chamber of Commerce Court of Arbitration; London Court of International Arbitration – LCIA; American Arbitration Association (AAA); The Arbitration Institute of the Stockholm Chamber of Commerce; The International Arbitration court of Vienna Federal Economic chamber; The Arbitration of Geneva chamber of Commerce. Trade Arbitration Commission of Central Chamber of Commerce of Finland. The maritime Arbitration Chamber of Paris. 1958 New-York Convention on the "Recognition and Enforcement of Foreign Arbitral Awards"

**PFL 9005 General English, no prerequisite**

Review of basic grammatical structures and certain grammar points. Some differences between British and American English (considering the pronunciation and intonation difference, divergence in spelling and lexis); reading and comprehension; structure of interrogative sentences in English; preparing lexical foundation for studying Legal English; discussions and debates in the English language.

**PFL 9015 Legal English, prerequisite PFL 9005**

Familiarizing with basic legal terms (different branches of law – Criminal, Civil, Contractual, International, Corporate etc.). Getting acquainted with the terms used in the Constitution of

Georgia; enriching one's legal vocabulary with special emphasis on the terms of Latin origin widely used in Legal environment; some differences between British and American English (considering the pronunciation and intonation difference, divergence in spelling and lexis). Review of basic grammatical structures and certain grammar points. Discussions and debates in the English language.

**IPL 8410 Institutional law of international organizations, prerequisite IPL 8400**

History of international organizations. First international organizations. Concept of international institutional law. Sources of institutional law. Definition of international organizations. Differences: international organizations, international corporations, non-governmental organizations. Classification of international organizations. Criteria for classification: universal versus closed organizations, intergovernmental versus supranational, special versus general organizations. International organizations as subjects of international law. Issues related to the international legal personality. Personality at the national and international level. Definition of international legal personality. Consequences of international personality. Objective personality. Definition of international organization. Recognition of international organizations and its effects. Reparation for injuries case. Powers of international organizations. Attributed and implied powers. Limitation to the powers of international organizations. Functional necessity doctrine. International organizations and member states. Interpretation of the constitutional texts of international organizations. Who can interpret. Methods of interpretation. Certain Expenses Case. International organizations and the law of treaties. Constitution of organization as a treaty. Reservations. Amendments. Membership to the international organizations. Commencement of membership. Admission Case. Admission procedure. Termination of membership. Withdrawal, expulsion, disappearance of the member or the loss of essential qualifications. Rights and obligations of full members, associate members, partial and affiliate members, observers. Privileges and immunities of international organizations. Differences between the privileges and immunities of states and international organizations. Limitations. Instruments laying down privileges and immunities. Immunity from jurisdiction. Property, assets and currency, premises and archives, communications. Subjects of privileges and immunities. Waiver of immunity. Finances of international organization. Budget. Sources of income. Obligatory contributions. Voluntary contributions. Expenditures. Organs of international organization and structure. Judicial and non-judicial organs. Decision-making process. Voting, modalities of voting procedure. Consensus. Legal nature of the acts of international

organizations. Recommendations, declarations, conventions, binding rules. Judicial review of the acts of organs of international organizations. Issues of responsibility of international organizations. Law governing relations between international organizations and other parties. Application of international law to international organizations. General principles of law. Treaty law. Customary law. Decisions of other organizations. Substantive rights. Right to bring claims at international law. Dissolution of organizations. Methods of dissolution. Consequences of dissolution. International organizations and the issues of succession. assets and debts, personnel, functions. Settlement of disputes. Particular international organizations: the United Nations, European Union, North Atlantic Treaty Organization, Organization for the Security and Cooperation in Europe, Council of Europe, World Trade Organization.