

City University of Hong Kong

Course Syllabus

offered by School of Law
with effect from Semester B 2017/18

Part I Course Overview

Course Title: Transnational Legal Problems

Course Code: LW6145E

Course Duration: One semester

Credit Units: 3

Level: P6

Medium of Instruction: English

Medium of Assessment: English

Prerequisites:
(Course Code and Title) Nil

Precursors:
(Course Code and Title) Nil

Equivalent Courses:
(Course Code and Title) LW5545 Transnational Legal Problems

Exclusive Courses:
(Course Code and Title) LW6545E Transnational Legal Problems

Part II Course Details

1. Abstract

This course aims to study in detail the structure and process of international and national legal orders in connection with the resolution of legal problems of a transnational nature.

2. Course Intended Learning Outcomes (CILOs)

(CILOs state what the student is expected to be able to do at the end of the course according to a given standard of performance.)

No.	CILOs	Weighting (if applicable)	Discovery-enriched curriculum related learning outcomes (please tick where appropriate)		
			A1	A2	A3
1.	Identify, describe and analyse the basic normative and institutional components of international legal order with a special emphasis on the functions of international organizations and international dispute resolution mechanisms.			√	√
2.	Critically analyse the working of international law and institutions within the national legal orders and the response of the national legal orders to the demands of globalization of legal problems.			√	√
3.	Apply and analyze critically the national and international legal framework for dealing with transnational problems in China and East Asia.		√	√	√
4.	Have the skills to carry out further independent research in the field.		√	√	√
		100%			

A1: Attitude

Develop an attitude of discovery/innovation/creativity, as demonstrated by students possessing a strong sense of curiosity, asking questions actively, challenging assumptions or engaging in inquiry together with teachers.

A2: Ability

Develop the ability/skill needed to discover/innovate/create, as demonstrated by students possessing critical thinking skills to assess ideas, acquiring research skills, synthesizing knowledge across disciplines or applying academic knowledge to self-life problems.

A3: Accomplishments

Demonstrate accomplishment of discovery/innovation/creativity through producing /constructing creative works/new artefacts, effective solutions to real-life problems or new processes.

3. Teaching and Learning Activities (TLAs)

(TLAs designed to facilitate students' achievement of the CILOs.)

TLA	Brief Description	CILO No.				Hours/week (if applicable)
		1	2	3	4	
Lectures	The course leader will present and explain the law on the topics listed below in the syllabus.	√				2
Interactive class discussion	Students will be engaged in debates to develop a critical view on transnational legal problems.		√	√		1

4. Assessment Tasks/Activities (ATs)

(ATs are designed to assess how well the students achieve the CILOs.)

Assessment Tasks/Activities	CILO No.				Weighting	Remarks
	1	2	3	4		
Continuous Assessment: 50%						
Coursework		√		√	50%	
Final Examination: 50% (duration: 3 hours)						
					100%	

Students are required to attend at least 70% of the classes (lectures, seminars, presentations). If a student does not meet this requirement, he/she may be disqualified for assessment.

Students must obtain a minimum mark of 40% in both coursework and examination and an overall mark of 40% in order to pass the course.

5. Assessment Rubrics

(Grading of student achievements is based on student performance in assessment tasks/activities with the following rubrics.)

Assessment Task	Criterion	Excellent (A+, A, A-)	Good (B+, B, B-)	Fair (C+, C, C-)	Marginal (D)	Failure (F)
Coursework	Demonstration of understanding of concepts, principles, and theories. Demonstration of ability to identify legal issues. Application of knowledge to specific legal problems, to discuss questions, and to comment on legal phenomenon. Application of legal writing and research skills. Demonstration of ability to engage in argument-based analysis based on critical thinking. Demonstration of aptitude for formulating innovative solutions to designated fact-based questions.	Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base.	Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.	Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material.	Sufficient familiarity with the subject matter to enable the student to progress without repeating the course.	Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature.
Examination	Demonstration of understanding of concepts, principles, and theories. Demonstration of ability to identify legal issues. Application of knowledge to specific legal problems, to discuss questions, and to comment on legal phenomenon. Application of legal writing and research skills. Demonstration of ability to engage in argument-based analysis based on critical thinking. Demonstration of aptitude for formulating innovative solutions to designated fact-based questions.	Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base.	Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.	Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material.	Sufficient familiarity with the subject matter to enable the student to progress without repeating the course.	Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature.

Part III Other Information (more details can be provided separately in the teaching plan)

1. Syllabus

1.1 Keyword Syllabus

(An indication of the key topics of the course.)

A general introduction to the structure and process of international legal order; Sources of international law and the law of treaties; Legal aspects of international organizations; International dispute resolution mechanisms; The interaction between international law and national legal orders; National courts in the transnational setting: the problems of jurisdiction and foreign judgments; National regulation with a transnational reach: Criminal jurisdiction and economic regulation.

1.2 Detailed Syllabus

1. A general introduction to the structure and process of international legal order;
2. Sources of international law and the law of treaties;
3. Legal aspects of international organizations
 - 3.1 The United Nations;
 - 3.2 The European Union;
 - 3.3 WTO;
4. International dispute resolution mechanisms;
5. The interaction between international law and national legal orders
6. National courts in the transnational setting: the problems of jurisdiction and foreign judgments.
7. National regulation with a transnational reach: Criminal jurisdiction and economic regulation

2. Reading List

2.1 Recommended Readings

Malcom N. Shaw, International Law, 6th ed., (Cambridge, UK: Cambridge Univ. Press, 2008)

Ian Brownlie, Principles of Public International Law, 7th ed., (Oxford: Oxford University Press, 2008)

Philippe Sands, Bowett's Law of International Institutions, 5th ed., (London: Sweet & Maxwell, 2001)

Henry J. Steiner, et al., Transnational Legal Problems: Materials and Text, 4th ed., (Westbury, N.Y.: Foundation Press, 1994)