The Czech Republic is a member of the United Nations, Council of Europe, OECD, The International Monetary Fund and many other economic and financial international organisations. The Czech Republic joined NATO on 12th March 1999 and became member of the European Union on 1st May 2004. Subsequently on 21st December 2007 the Czech Republic joined the Schengen Area, so on Czech citizens can travel freely across almost the whole of Europe without border checks. The country has not adopted the Euro yet, however, and still uses its national currency, the Czech crown.

Czech Republic has a civil law system based on Germanic law. Czech judiciary has triumvirate system of the main courts when Constitutional Court, the Supreme Court and the Supreme Administrative Court have specific competencies. Written law is the basis of the legal order, and the most important source of law are mainly legal regulations, international treaties and findings of the Constitutional Court. The case law is not defined as a source of law in the Czech Republic. Despite that the findings of the Constitutional Court are considered as a source of law and are binding for general courts.

The Czech Republic is a pluralist multi-party parliamentary republic with the representative democracy, with the Prime Minister as the head of government. The president is a formal head of the state.
The Czech Republic is a landlocked country in Central Europe bordered by Germany, Austria, Slovakia and Poland.

Even though Czech Republic’s area of 78,866 square kilometres and its 10,3 million inhabitants rank it among smaller or middle-sized European countries, its wealth of natural beauty and monuments of cultural heritage greatly contribute to its global prestige as a major cultural destination.

The topography of the Czech Republic is exceedingly various, it consists primarily of hills and highlands, as lowlands form only 5% of the country’s area. In 2014 the Czech Republic was ranked as the fifth most environmentally conscious country in the world within the Environmental Performance Index.

The Czech Republic is situated in the middle of the mild zone. It has a continental climate, with warm summers and cold, cloudy and snowy winters. The temperature difference between summer and winter is relatively high, due to the geographical position.
Prague is the capital and largest city of the Czech Republic, situated in central Bohemia and it is lying along the banks of the River Vltava (Moldau). Prague is a magical city of bridges, towers, church domes and buildings of various style periods. For eleven centuries it has been developing into its present day shape. However, Prague is considered as very environmental city with lots of parks and other green spots. Nowadays it covers a total area of 496 square kilometers with almost 1,2 million permanent residents. In 1992 the historical centre with a unique panorama of the Prague Castle was listed in the UNESCO World Cultural and Natural Heritage Register.

Prague is the seat of the top-level legislative, administrative and political bodies of the country – the Parliament, government and President. The most important social, cultural and educational institutions also reside here.

“The Magical City”, “Kafka’s Prague”, “Golden Prague”, “The City of One Hundred Towers”, “The Paris of the East” and “The Rome of the North” are some of the common descriptions of Prague. In general Prague has very good connection with all other capital cities in Europe via its international airport. It is also an ideal starting point for exploring other countries in Central Europe.

Public transportation is highly developed within the city itself, including underground, trams, buses, trains, cableway and river ferry.
Founded in 1348 by the Czech King and Roman Emperor Charles IV, Universitas Carolina is the oldest university in Central Europe and also among 20 oldest universities in the world which are still in operation since their foundation. It has enjoyed a long international reputation for high quality teaching and research. From the very beginning, instruction in Canon Law and Roman Law have been a part of the curriculum of Charles University and have formed the basis of ius communae europae. Johannes Kepler, Bernard Bolzano, T. G. Masaryk and Albert Einstein are included among the University’s distinguished alumni.

The fortunes of the University have been linked with the fate of the nation. In the second half of the XIXth century, the University was challenged by the aspirations and ambitions of political self-determination within the Austrian – Hungarian monarchy. In 1882 the government in Vienna was forced (by the efforts of independence in the cultural and intellectual life of the Czech society) to divide the University into two separate institutions, the German one and the Czech one. This double status lasted until the German occupation. Protests by students resulted in the closing of the Czech University from 17th November 1939 for the next six years. Some students and professors were executed, many of them oppressed. In 1945 the German University was abolished and the Czech one re-established.
However, academic freedoms and privileges were soon violated again by the communist regime after the coup d’état in 1948. For many years to follow, the regime subjected education and research to tight ideological and political control. However, Charles University supported the political revolt of the Prague Spring in 1968 and some students were trying to provoke resistance against the Russian occupation. After next 20 years it was followed by the protests of Charles University students on 17th November 1989. It has contributed to the opposition against totalitarian regime and started subsequent political development in the country. Since the re-establishment of a democratic government and basic rights in the Czech Republic in 1989, also the University has gained proper academic background.

Charles University has been facing the challenge of evolving and adapting in a rapidly changing environment, and has been prompted to revive its international position as a centre of excellence. Modern university life began to thrive, drawing strongly on international cooperation. Charles University continues to nurture academic cooperation and plays an active role in a broad spectrum of European and global programmes. The total number of its students nowadays amounts to more than 45 000 throughout its 17 Faculties.
With more than 4000 students, the Faculty of Law is the largest law faculty in the country. Being a public Faculty of Law it offers a complete accredited programme in law for undergraduate students (5 years of study) and 13 different specializations of doctoral (Ph.D.) studies.

All these study programmes are equally accredited in English. Many of the alumni hold prominent positions in politics, central and regional administration, in public service, as well as in advocacy and private business.

The Czech universities have been invited to participate in the European dimension in higher education since the academic year 1998–1999. The legal basis for its extension formed the Europe Agreement on Association – Decision of the Association Council No. 2/1997, which provides incoming students to a Czech university with a treatment equal to that established under the original SOCRATES Programme.

This move of the Central and Eastern European countries towards the Open European Area of Education and Training has been stimulated by the Agenda 2000 of the European Commission.

Since 1998/99 the Faculty of Law has gradually been involved, together with many other European universities in the student and teaching staff mobility scheme within the ERASMUS programme of the European Union. Courses offered in English have been covered by the European Credit Transfer System (ECTS). The Faculty also admits students under the exchange programmes of inter-governmental cultural agreements and inter-university or faculty agreements. Since the year 2011 the Faculty of Law of Charles University in Prague makes another step towards modern forms of continuous education by opening its own LL.M. programme in three different specializations.
Nowadays, over 200 law students from the Member States of the European Union nominated by their home Universities can spend one or two terms in Prague, while approximately 160 Czech law students from Law Faculty of Charles University go abroad for a comparable period.

ADMISSION REQUIREMENTS TO THE CZECH LEGAL SYSTEM IN EUROPEAN CONTEXT PROGRAMME

Candidates can be either undergraduate or postgraduate students. In the case of undergraduates, students having intermediate and upper intermediate law knowledge are preferred. Non-native speakers are obliged to submit a proof of their oral and written proficiency in English by sending a certification from a university or a recognised language school (TOEFL, CAE, CPE) verifying the candidate’s linguistic competence.

Detailed information about the application procedure and the Erasmus+ programme at Charles University can be found at: http://www.cuni.cz/UK-928.html.

For more information regarding study at the Faculty of Law visit http://www.prf.cuni.cz/en/erasmus-1404042250.html.

All candidates, nominated by their home Universities for studies at the Faculty of Law of Charles University in Prague in connection with the Erasmus+ exchange programme, have to do their on-line registration https://is.cuni.cz/webapps/erasmus/before the deadline, which is usually June 30th for Winter (Autumn) term and October 31st for Summer (Spring) term. Further, they have to send a printed version of their Application Form and Learning Agreement, duly signed and confirmed by Institutional and Faculty Erasmus+ Coordinator of their home University, to the Faculty of Law in Prague. Subsequently they will receive a Letter of Acceptance and an accommodation voucher from the European Office of Charles University in Prague.

ACCOMMODATION AND CATERING

Foreign students are housed usually in the University’s Residence Halls, in double occupancy rooms with shared kitchen and bathroom facilities. Accommodation in single rooms is not available. Generally it is also relatively easy to rent an apartment privately. Students can use either the cafeteria in the Law Faculty building, cafeteria in other university buildings or in some dormitory areas.

OTHER FACILITIES

The Law Library, located in the Faculty building, is the most extensive and modern law library in the country. It stocks a wide range of scientific periodicals and journals, monographs and textbooks, both Czech and foreign. The library is open from 9 a.m. until 8 p.m. during weekdays and from 9 a.m. until 4 p.m. on Saturdays. Wireless internet connection is available in the whole building of the Law Faculty.

The Faculty of Law frequently holds public lectures given by distinguished guests or respected professors, international symposia, important events etc. open to the whole academic community. Additionally, there are other in-door facilities in the Faculty building ready for use, such as a fitness area and a basic sport centre.
THE CZECH LEGAL SYSTEM IN EUROPEAN CONTEXT (CLS) - a study programme for incoming law students

The CLS Programme is a nine-month programme done on a full-time basis and is intended first of all for pregraduate students. Limited admission guarantees that each student receives optimal attention and has every opportunity to participate actively in the class. A different set of courses in English is given in each semester of the academic year thus enabling the maximum exchange period of two terms. The Winter Semester starts usually with the first week of October and lasts until mid-February (this includes an exam period in January and the first half of February). The Summer Semester starts in mid-February and ends in June.

THE CLS PROGRAMME STRUCTURE

The Programme is composed of more than 20 courses. All courses are taught in English by distinguished academics from Charles University and some other European universities, as well as judges and leading lawyers.

Before the nominated student comes, a preliminary Learning Agreement on the choice of courses must be signed by the student’s home University and Charles University. During the first two weeks after a semester beginning, each incoming student can attend all CLS courses, consult with their professors and, as the case may be, alter the choices and fill in a final (binding) Learning Agreement.

Participants are then required to attend all classes in which they have been enrolled (according to the final Learning Agreement) and adequate preparation is expected from each student as well. There is an obligatory reading load of between 100 - 200 pages per course. Background material (lecture notes, statutory and treaty provisions, cases and other relevant legal texts) is distributed to all participants and is available in the faculty library.

OBJECTIVES OF THE CLS PROGRAMME

The CLS Programme has been designed with the following goals in mind:

- introduce a foreign student to the fundamentals of the Czech law, not only from an analytical perspective, but also in larger historical, political, socio-economic, environmental and regional contexts;

- familiarize students with the dramatic reforms, which the Czech law, as well as the laws of other Central and Eastern European Countries (CEECs), have faced since the fall of communism in 1989;

- analyse the close links between economic and social transformation and legal change;

- describe how the law in transition works, focusing on the available remedies of law enforcement;

- explain the procedure and prospects of law approximation which accompanies the integration of the Czech Republic and other CEECs within EU law.
Czech language courses are offered free of charge. The courses will take place subject to a sufficient number of participants and may be subject to change. The amount of credits for a course is fixed. Credits are awarded only when the course has been successfully completed by satisfying the assessment requirements, which are mainly written (tests, essays) or may be also oral examinations.

Students will obtain official Transcripts of Records, duly signed by the Erasmus Law Faculty Coordinator, with their exam results and a respective number of credit points at the end of their study in Prague.

<table>
<thead>
<tr>
<th>CODE</th>
<th>THE CLS COURSE TITLE</th>
<th>NO.of lectures</th>
<th>NO.of classes</th>
<th>CREDITS</th>
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<tbody>
<tr>
<td>ASC1</td>
<td>Czech Constitutional Law</td>
<td>12</td>
<td>24</td>
<td>6</td>
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<tr>
<td>ASC2</td>
<td>Public Policy: An Economic Perspective</td>
<td>12</td>
<td>24</td>
<td>6</td>
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<tr>
<td>ASC3</td>
<td>Private Law</td>
<td>12</td>
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<tr>
<td>ASC4</td>
<td>Administrative Law</td>
<td>12</td>
<td>24</td>
<td>6</td>
</tr>
<tr>
<td>ASC5</td>
<td>International Protection of Human Rights/ Universal and Regional Standards</td>
<td>12</td>
<td>24</td>
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<tbody>
<tr>
<td>ASC6</td>
<td>U.S. First Amendment Free Expression Issues</td>
<td>10</td>
<td>20</td>
<td>3</td>
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<tr>
<td>ASC7</td>
<td>Comparative Constitutional Law</td>
<td>10</td>
<td>20</td>
<td>3</td>
</tr>
<tr>
<td>ASC8</td>
<td>Czech Language/ (Basic) *</td>
<td>12</td>
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* Czech language courses are offered free of charge. The courses will take place subject to a sufficient number of participants and may be subject to change.

**LIST OF CLS COURSES;**

**Distribution of ECTS - credits for courses:**

**WINTER SEMESTER:**

**SUMMER SEMESTER:**

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<tr>
<th>CODE</th>
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<tbody>
<tr>
<td>ASC1</td>
<td>Czech and European Environmental Law and Policy</td>
<td>12</td>
<td>24</td>
<td>6</td>
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<tr>
<td>ASC2</td>
<td>European Law in the Czech - EU Context</td>
<td>12</td>
<td>24</td>
<td>6</td>
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<tr>
<td>ASC3</td>
<td>Commercial Law and International Transactions</td>
<td>12</td>
<td>24</td>
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<tr>
<td>ASC4</td>
<td>Criminal Law</td>
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</table>
WINTER SEMESTER:
The Czech Legal System in European Context (CLS) usually runs through the winter term for 12 weeks. Classes usually start in the first week of October with a registration meeting (exact date will be specified) and finish before Christmas, followed by a break for the 6-week examination session, courses finished earlier in the autumn term might be followed by the exams successively. There are public holidays in the Czech Republic on 28th October, and 17th November. The Christmas Holidays depend on the dates, but mostly occupy two weeks.

SUMMER SEMESTER:
Summer term usually lasts 12 weeks. Classes start in the middle of February and finish around the middle of May (exact dates will be specified), followed by another 6-weeks examination session. There are public holidays on Easter Friday and Monday, the 1st of May and the 8th of May.
PLEASE VISIT OUR WEB-SITE:

PLEASE NOTE:
The following list of courses may be subject to changes at the beginning of each semester.

WINTER TERM:

I. General courses

<table>
<thead>
<tr>
<th>CZECH CONSTITUTIONAL LAW</th>
<th>JAN KUDRNA</th>
<th>MILUŠE KINDLOVÁ</th>
<th>JAN GRINC</th>
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<tr>
<td>LECTURES:</td>
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<tr>
<td>1. Introductory Information; Roots of the Contemporary Constitutional System of the Czech Republic (Kudrna)</td>
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<tr>
<td>2. Law-making and the Sources of Law in the Czech Republic; International Law and European Law (Hofmannová)</td>
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<td>3. The President of the Republic (Kindlová)</td>
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<td>4. The Government in the Parliamentary System of the Czech Republic (Kindlová)</td>
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<td>6. Institutional Protection of Human Rights – the Judiciary, the Constitutional Court and the Public Defender of Rights (Kindlová)</td>
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<td>7. The Charter and Its Character; the Principle of Equality (Hofmannová)</td>
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<td>8. Political Rights in the Czech Republic (Hofmannová)</td>
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<tr>
<td>9. Principles of the Welfare State and Social Rights in the Charter, related decisions of the Constitutional Court of Czech Republic (Hofmannová)</td>
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<tr>
<td>10. Transformation of the Constitutional System; Selected Topical Problems – Sample Study: Lustration (Kudrna)</td>
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<td>11. Examination</td>
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POSTAL ADDRESS:
Charles University in Prague
FACULTY OF LAW
Erasmus Office
nám. Curieových 7
116 40 Praha 1
Czech Republic
COURSE DESCRIPTION

The course aims to provide students with basic knowledge of economic issues and economic principles. It studies behaviour on the part of consumers and firms, how markets work, market efficiency and market failure, public policy issues such as taxation, trade policy, the problems of unemployment, inflation, and economic growth, and the instruments of monetary and fiscal policy.

STUDENT LEARNING OUTCOMES

Upon completion of this course, students will be able to understand basic economic concepts, understand the role of economics in public and private decision-making, understand effects of economic policies and use this knowledge in everyday business-law dealings to make more effective decisions.

LECTURES:

Microeconomics

I. Homo Oeconomicus and its Behavior
principles of economics, consumer choice, market demand
producer choice, specialization and comparative advantage
supply, demand and market equilibrium

II. Government Regulation
state price interventions, taxes and subsidies
monopoly, regulation, cartels, antitrust law

III. Market for Factors of Production
labor demand, labor supply, equilibrium wage, minimum wage laws, trade unions
and unemployment capital markets and the interest rate, usury laws

IV. Market Failures
property rights, externalities, transaction costs, Coase theorem, free common resources,
free goods, public goods, free rider problem

Macroeconomics

V. Measuring a Nation’s Income
Domestic product, price index, aggregate expenditures

VI. Economic Growth
productivity, physical and human capital

VII. Money and Inflation
money, money supply and state monopoly over money creation, money demand,
inflation, nominal and real interest rate

VIII. Open Economy and Trade policy
export, import, exchange rate, flows of capital, international trade regulations

IX. Business Cycle and Macroeconomic Regulation
aggregate demand and aggregate supply model, monetary policy, fiscal policy, Phillips
curve, short run and long run

SELECTED READINGS:

(a different edition may also be used)

BECKER, G., Nobel lecture, The Economic Way of Looking at Behavior, Journal of Political Eco-


SMITH, A. an Inquiry into the Nature and Causes of the Wealth of Nations, Chapter 1
(pp.10-17), an Electronic Classics Series Publication, Jim Manis, Editor, PSU-Hazleton,
Hazleton, PA 18202, Pennsylvania University, 2005, (Section I.)

pp. 1-44, (Section IV.)


Management Fall 1979, Vol. 6, No. 1: pp. 15-21, (Section IX.).

COURSE MATERIALS:

- The Introduction to Czech Constitutional Law (a course-book)
- The Constitution of the Czech Republic
- The Charter of Fundamental Rights and Freedoms

PUBLIC POLICY: AN ECONOMIC PERSPECTIVE

HELENA CHYTILOVÁ
PRIVATE LAW
ALENA MACKOVÁ • ONDŘEJ FRINTA • DAVID ELISCHER

COURSE DESCRIPTION
The aim of the course is to introduce the essentials of Czech private. Private Law, after 1989, has become again the very basis of the Czech legal order. The first part of the course is aimed at the understanding of the private law system, and its fundamental notions and principles thereof. Then, the course will focus in more details on the essentials of property and other rights to things, essentials of contracts as well as essentials of torts. The end of this part of the course is aimed at labour law and intellectual property law. At the end of the course the attention will be paid to the judicial protection of the rights in the Czech Republic. This is aimed at the elements of the judiciary system, the civil litigation and the system of legal remedies.

OUTLINE OF THE COURSE
1. Introduction to the Private Law and Fundamental Institutions of the Private Law
   • History of civil law • Basic principles of private law • System of private law
   • Subjects of rights and duties • Property rights • Law of obligations etc.
2. Property Law
   • System of rights to things • Ownership
   • Lien (pledge, mortgage), easements, rights of retention
3. Contracts
   • Fundamental principles • Formation of contracts • Types of contracts
4. Torts
   • General and special liability for damage • Compensation of damage
   • Unjust enrichment
5. Law of Succession
   • Concept and function • Testamentary succession • Intestate (statutory) succession
6. Family Law
   • Features of the Family Law • Comparative insight into several institutes
   • Present codification and the future of the Family Law
7. Labour Law
   • Fundamental legislative changes • Provision of Employment • Collective Labour Law
   • Labour Disputes
8. Protection of Intellectual Property
   • Copyright Law • Industrial Property Rights • Trade Mark Law
9. Judiciary System
   • Overview of the History • Elements of the Judiciary system • Role of the Supreme Court
10. Courts, Judges and Legal Aid System
    • Independence of the judge • Position and the liability of the judge
    • The Bar (Attorney, European Attorneys)

11. Civil Litigation
    • Basic principles of civil litigation • Role of the court and parties
    • Rules of evidence, judgement, costs, review

READING LIST
Private Law – Excerpts from the textbook of Civil Law, Codex, 1995, Vol. 1
International copyright law and practice, yearbook, Mathew Bender
Text of laws:
Civil Procedure Code, Trade Links, Prague, 1999
The Civil Code, Trade Links, 1998
The Act on Arbitral Proceedings and Enforcement of Arbitral Awards

ADMINISTRATIVE LAW I, II
RICHARD POMAHAČ • JAKUB HANDRLICA • LENKA PÍTROVÁ

COURSE DESCRIPTION
Administrative law is a body of law the rules of which are characterized by derogation from common/private law in accordance with the demands of public interest. The course is concerned with the sources and principles of administrative law and regulatory policy. It focuses on two key problems - the judicial review of administrative action and the structure and function of the European Administrative Space.

OUTLINE OF THE COURSE
Administrative Law I
(Administrative Law in Comparative and European Perspective)
1. National and Transnational Public Administration. Good Governance
2. Substantive Principles of Administrative Law
   • Legality and Restricted Discretion • Equality • Transparency • Proportionality
   • Legitimate Expectations • Public Liability
3. Procedural Principles of Administrative Law
   • Right to Hearing • Equality of Arms • Due Care • Fair Proceedings
4. Administrative Justice and Judicial Review
5. Europeanization of Administrative Law and the European Administrative Space
6. Comparative Administrative Law
INTERNATIONAL PROTECTION OF HUMAN RIGHTS – UNIVERSAL AND REGIONAL STANDARDS

HARALD CHRISTIAN SCHEU · VERONIKA BÍLKOVÁ

COURSE DESCRIPTION

This course examines different aspects of human rights protection. Participants will deal with dateless as well as highly topical human rights issues and study the complexity of different models of protection. The topics will be treated from different perspectives, combining and confronting the points of view of history, anthropology, philosophy, theory of international relations, ethics and law. Special focus will be put upon the protection of human rights as a fundamental component of the current international legal system. The course will introduce students to the development of both universal and regional human rights instruments and mechanisms of protection. Participants of the course will examine the international human rights system in the context of current changes in the structure and organization of international law. Students will explore the functioning of universal and regional human rights mechanisms. The course aims at providing insight into relevant instruments of protection, like e.g. individual complaints, state reports and fact-finding missions.

Students will further study selected case-law developed by the European Court of Human Rights and other international bodies, with a special focus to the practice of the Czech Republic. Czech reality will be reflected from the point of view of crucial legal documents as well as the implementation and application of international standards. Furthermore, moral and philosophical issues linked to Czech experiences will be discussed. By applying an inter-disciplinary approach to the issue of human rights protection the course aims at offering a comprehensive survey of the relevant aspects.

OUTLINE OF THE COURSE

A. Interdisciplinary Aspects of the Human Rights System

1. Nothing New Under the Sun?
   • Historical Evolution of Human Rights

2. Universal Heritage or Western Creation?
   • Universality versus Cultural Diversity

READING LIST:

3. The Other Face of Human Rights?
   • Concept of Human Responsibilities
4. Friends or Enemies?
   • Non-State Actors and Human Rights (NGOs, TNCs)
5. Saving by Killing?
   • Humanitarian Intervention
6. Freedom or Security?
   • Human Rights in the Era of Terrorism

B. The International and European Dimension of Legal Protection
1. The Basic Structure of the International System for the Protection of Human Rights
2. UN Human Rights Treaties and Universal Mechanisms of Control
3. Case Study I – Individual Communication to the Human Rights Committee
4. The Regional Systems for the Protection of Human Rights
5. The Protection of Human Rights in Europe
6. Case Study II – Procedure before the European Court of Human Rights

C. Selected Human Rights Issues
1. The Protection of Minorities and the Elimination of Racial Discrimination
2. The Combat against Trafficking in Human Beings

READING LIST

Mandatory Reading
Michael GEISTLINGER & Erwin KONJECIC: Public International Law at Central European Universities, Karolinum, Prague, 2000

RECOMMENDED LITERATURE

Walter KÄLIN, Lars MÜLLER, Judith WYTTENBACH: The face of human rights, Müller Publishers, Baden, 2004
Andrew CLAPHAM: Human rights obligations of non-state actors, Oxford University Press, 2006
Sandra FREDMAN (ed.): Discrimination and Human Rights. The Case of Racism, Academy of European Law, European University Institute, Oxford University Press, 2001

II. Courses of Specialization

FINANCIAL LAW

PETR KOTÁB · RADIM BOHÁČ · MICHAEL KOHAJDA

COURSE DESCRIPTION
The purpose of the course is to provide rather brief and general and yet professionally oriented introduction to Czech Financial Law with occasional overlaps to the Financial Science. Special emphasis is given to those areas of Financial Law that are connected to the stay, activities, business and investments of foreigners in the Czech Republic.

OUTLINE OF THE COURSE

1. General Introduction

2. Monetary Law
   Payment systems. Czech crown and the euro.

3. Foreign Exchange Control and Anti-Money Laundering Regulations

4. Czech Tax System

5. Income Taxes
6. Value Added Tax

7. Other Taxes

8. Banking Law

9. Financial Market

READIMG LIST
1. Presentation outlines for individual lectures – will be distributed electronically at the end of the course

RECOMMENDED:
RADVAN, Michal: Czech Tax Law, 3rd edition, MUNI Press – Masaryk University, Brno, 2010
Also available for free download on the Internet at: http://www.iclg.co.uk/kadmin/Publications/pdf/3999.pdf

INTRODUCTION TO PUBLIC INTERNATIONAL LAW IN THE CZECH LEGAL CONTEXT
PAVEL ŠTURMA · VERONIKA BíLKOVÁ

COURSE DESCRIPTION
The course intends to provide the participants with basic knowledge concerning the theory of public international law. Particular attention will be given to the Czech position in the international community and to the interaction between the Czech legal system and international law.

OUTLINE OF THE COURSE
1. Introduction to the Course • Basic concepts • Public International Law and its peculiarities in comparison with national legal orders
2. Relationship between international and internal law • Theory and practice • Comparative approach • International dimension of the Constitution of the Czech Republic • Article 10 and further developments
3. Subjects of international law • State and its jurisdiction • International organizations at the universal and regional levels • Examples: United Nations and Council of Europe
4. International status of individuals • Natural and juridical persons • Nationals and other categories of persons • Rights and obligations of individuals under international law
5. The Czech constitutional Charter of Fundamental Rights and Freedoms • International protection of human rights • Categories of rights • Fundamental United Nations international instruments
6. International protection of human rights (cont.) • Implementation mechanisms at the UN level • Case law
7. European protection of human rights • Activities and instruments of the Council of Europe • European Convention on Human Rights, European Social Charter, etc.
8. European protection of human rights (cont.) • ECHR norms and standards • European Court of Human Rights and its interpretation of the protected rights • Case law
9. International criminal justice • History and new developments of the prosecution of war crimes and crimes under international law • International Criminal Tribunal for the former Yugoslavia • International Criminal Court
10. Time reserve for a possible extension of any subject • Case studies • Tutorial
READING LIST
M. GEISTLINGER & E. KONJECIC (eds.): Public International Law at Central European Universities. Casebook, Karolinum, Praha, 2000
P. ŠTURMA (ed.): Implementation of Human Rights and International Control Mechanism, PF UK, Praha, 1999

NATURAL RESOURCES LAW
MILAN DAMOHORSKÝ  ·  MICHAL SOBOTKA  ·  KAROLINA ŽÁKOVSKÁ

COURSE DESCRIPTION
The aim of the course is to introduce and discuss basic approaches to natural resources management and protection under Czech law. Historical and political context is introduced with a specific consideration for transition from the state controlled economy. Attention is paid to the ownership rights over natural resources and statutory limits of their execution. Different public and private approaches to natural resources management are explained with respect to key conflicts between their economic utilisation and environmental protection. This course is related to the Czech and European Environmental Law and Policy course.

OUTLINE OF THE COURSE
1. General introduction and overview
2. Legal regulation of mining
3. Energetic law
4. Atomic law
5. Renewable and alternative sources of energy
6. Water management law
7. Land use
8. Biological diversity protection and exploitation
9. Forest management law
10. Fishing and hunting
11. Marine resources

READING LIST
State Environmental Policy (2002-2010) (Ministry of the Environment)
State Energy Policy (Ministry of Industry and Trade, 2004)
The Raw Material Policy of the Czech Republic in the Field of Mineral Materials and Their Resources (Ministry of Industry and Trade and Ministry of the Environment, 1999)
Report on Forestry in the Czech Republic (Ministry of Agriculture, 2009)
Game Management in the Czech Republic (Ministry of Agriculture, 2004)
Convention on Biological Diversity (Rio de Janeiro, 1992)

CZECH LEGAL HISTORY
JAN KUKLÍK  ·  PETR BĚLOVSKÝ  ·  ZÁBOJ HORÁK

COURSE DESCRIPTION
In order to understand the recent legal development in Czech Republic it is an indispensable requirement to know the past. The Czechs are often deeply rooted in their history and the knowledge of the basics of Czech historical background appears therefore useful.

OUTLINE OF THE COURSE
1. – 2. An outline of the Legal history of the Czech lands until the age of enlightened absolutism
3. – 4. Austrian Civil Law (foundations of civil law tradition, ABGB)
5. – 6. Criminal Law in the 19th century and Austrian constitutional development
7. – 8. Czechoslovak legal development 1918–1939: the first Czechoslovak Republic
   • The Constitutional Act 1920 • Legal dualism • Legal development 1938/1945
   • Constitutional developments • Characteristic of communist regime and its periods
   • Main branches of law
11. Typology of State Law on Churches in states of Europe and Northern America.
12. State Law on Churches in Czechoslovakia and in the Czech Republic.
AN INTRODUCTION TO THE CENTRAL EUROPEAN JUDICIAL CULTURE
ZDENĚK KÜHN · MAHULENA HOFMANN

COURSE DESCRIPTION
This course focuses on the judicial culture of Central Europe, particularly on Poland, Hungary and the countries of former Czechoslovakia. We would briefly explain the origins of Central European judicial culture.

After this historical introduction, we would deal with the communist judicial culture as developed in the four decades of Eastern European communism and with its impact on the transforming Central European legal cultures. We would compare various features of judicial culture and its ideology in Central Europe with Western European judicial culture and try to assess what new these countries can bring to the emerging new European legal culture. In the framework of this course, the constitutional systems of the new EU-candidate countries, Bulgaria, Romania, Croatia and Turkey, will be analyzed.

TOPICS
1. The Concept of Europe • The Historical Emergence of Eastern Europe • Does Something like Central Europe Exist? • Gaze in the Course of the Centuries • The Emergence of Central European Legal Tradition
2. Marxism and Law • Positivism or Anti-Positivism? • The Role of Judges and Law in Marxist Theory
3. The Practice in the 1950's: The Stalinist Judicial Culture: General Features, its Central European Variations • The Emergence and the Decline of Communist Anti-Positivism • The Practice in the 1970's and 1980's: Communist Post-Stalinist Judicial Culture in Central Europe • Making a Post-Stalinist Ultra-Positivism
4. The Basic Problems of Post-Communist Legal Culture • The Transformation of Post-Communist Judiciary

5. Facing a New European Legal and Judicial Culture:
   Are Central European Judges Different?
6. The EU and its Judiciary in the Next Decade: How European Post-Communist Newcomers Might Respond to the Challenges Relating to the EU Enlargement?
7–10. Constitutional Systems of the New EU-Candidate Countries: Bulgaria, Romania, Croatia and Turkey

READINGS IS BASED ON THE COURSEPACK, INCLUDING:

Topics 1–6:
Larry WOLFF: Inventing Eastern Europe, Stanford, 1994

Topics 7–10:
The selected case law and statutes
EMERGING LEGAL DISCIPLINES: MEDICAL LAW AND SPORTS LAW
PETR ŠUSTEK · JAN KUKLÍK · DAVID KOHOUT

COURSE DESCRIPTION
Despite the increasing globalization and interdependence of national legal orders it is possible to observe certain internal tendencies for particularisation of law. The complexity of law and professional challenges bring needs for deeper specialization of modern lawyers beyond traditional branches of law. As a consequence new legal disciplines emerge and gain growing importance both in the legal theory and practice. This course aims at introducing (some of) these new legal disciplines that arose often on the thin line between the Private and Public Law. The purpose of this course is to present the basic principles and most remarkable issues connected to these areas of law to the students and make them acquainted with approaches common to these legal (sub-)disciplines. The Medical Law has received a lot of attention over the last decades as it is preoccupied with values central to human life and involves often great ethical implications. The Sports Law regulates not only a leisure activity but in the present world it is connected also to business activities as well as disciplinary or even Criminal Law issues (e.g. doping, liability for damages).

OUTLINE OF THE COURSE
1. Intro to European and Czech Medical Law (Dr. Krejčíková)
2. Euthanasia (Dr. Krejčíková)
3. Healthcare Management - Legal Issues (Dr. Sovová)
4. Informed Consent (Dr. Holčapek)
5. Wrongful Life/Birth (Dr. Krejčíková)
6. Civil Liability for Medical Malpractice (Dr. Holčapek)
7. Sports Law - General Notion, Perspectives and Development (Prof. Kuklík)
8. Civil Liability in Sport (Dr. Sup)
9. Doping and Law (Mgr. Haindlová)
10. Contracts and Sport (Mgr. Kučera)
11. Jurisdiction over Sport Related Disputes (Dr. Kohout)

READING LIST

LEGAL REASONING: FIRST AMENDMENT CASE LAW
SEAN WESLEY DAVIDSON

COURSE DESCRIPTION
The First Amendment to the U.S. Constitution safeguards freedom of expression, freedom of religion, and freedom of press, and also protects the principle of separation of church and state. Studying the judicial interpretation of the First Amendment is fundamental to understanding constitutional law in the United States, as many important and controversial high court cases have concerned the First Amendment, especially in recent years.

OUTLINE OF THE COURSE
This course focuses on U.S. Supreme Court decisions in selected First Amendment cases, including the arguments asserted and reasoning applied. Students are required to assess these cases and make legal arguments in seminar discussions and also formal moot court debate exercises. In particular, the cases in this course concern the following topics: symbolic expression, extremist expression, political satire, threatening speech, speech rights of students, establishment of religion, and exercise of religion. This course also takes a comparative approach to studying many of the decisions, especially those which are inconsistent with the decisions of European courts in similar cases. Cultural differences and implications are naturally considered as well.

The objectives of this course include the following: 1) to deepen students’ understanding of U.S. interpretation of freedom of expression and religion; 2) to provide context for students to compare and assess various approaches to such issues; 3) to provide a framework for students to evaluate the applicability and merits of First Amendment legal arguments in potential future cases; 4) to aid students in acquiring and using sophisticated legal English vocabulary and grammar.

SELECTED BIBLIOGRAPHY:
Irons, PETER (Editor, 1997). May it Please the Court: The First Amendment. The New Press.
IP AND IT LAW
PETRA ŽIKOVSKÁ  ·  TOMÁŠ DOBŘICHOVSKÝ

COURSE DESCRIPTION
This course covers the whole area of the intellectual property law and so called IT law. Lectures will also aim at copyrights, patents, trademarks, trade secrets and designs. The course addresses the policies underlying the protection of intellectual property and IT and compares the different ways organizations and individuals can use intellectual property to protect their interests. Technological developments and innovations affecting copyright are also addressed, including issues related to computer software, internet and cyberspace. Special attention shall be paid on the international case law at the respective field.

LIST OF LECTURES
1. The subject and system of IP Law
2. Copyright Law – License agreements and limitations and exceptions
3. Copyright Law – Neighboring rights, other related rights and collective management
4. Copyright protection in Cyberspace
5. IT Law (protection of software, databases, know-how and other IP rights related to IT)
6. Industrial property – Trademarks
7. Industrial property – Patents, Utility models, Industrial designs, Geographical indications, Commercial names
8. International Copyright Law, EU Copyright Law

SUMMER TERM:
I. General courses

CZECH AND EUROPEAN ENVIRONMENTAL LAW AND POLICY
MILAN DAMOHORSKÝ  ·  MICHAL SOBOTKA  ·  KAROLINA ŽÁKOVSKÁ

COURSE DESCRIPTION
The course provides information about the development of the Czech and European environmental policy and law and about their current status. The course deals with legal, economic and institutional instruments of environmental protection in the Czech Republic and EU. It covers both sectoral and horizontal environmental legislation and the background of public administration of the environmental protection. The course also provides general information about the process of transposition and implementation of European environmental law in member states, especially on the example of the Czech Republic. Attention is paid also to international standards of environmental protection as to basis for European and national legal action.

OUTLINE OF THE COURSE
1. The state of the environment on global, European and national level. International, European and Czech environmental policy
2. Environmental law as a key instrument of Environmental policy (system, instruments). Institutional safeguards for environmental protection
3. European and national environmental law – transposition and implementation
4. The liability system of environmental protection
5. Access to environmental information, public participation in environmental decision-making
6. Main horizontal legislation I: EIA, IPPC
7. Main horizontal legislation II: Land-use planning
8. Air pollution regulation
9. Water resources protection
10. Land and Forest Protection
11. Biodiversity and Nature protection
12. Regulation of sources of endangerment I: Waste
13. Regulation of sources of endangerment II: Chemicals
14. Regulation of sources of endangerment III: Protection against accidental harm. Noise regulation
15. Ownership and Environmental protection. Land and Agricultural Law & Environment
16. Role of the justice (courts) in the protection of environment
READING LIST

KRÄMER, L.: Casebook on European Environmental Law, Hart 2002
SCHUEER, S. (ed.): EC Environmental Policy Handbook – A critical Analysis of EU Environmental Legislation, EEB, 2005
State Environmental Policy (2002-2010) (Ministry of the Environment)

EUROPEAN LAW IN THE CZECH–EU CONTEXT
RICHARD KRÁL · JIRÍ ZEMÁNEK · MICHAL TOMÁŠEK

COURSE DESCRIPTION

First, basics of the institutional and legal system of the enlarged European Union and fundamental principles of its operation and evolution are presented. Then, summary of EU law of internal market and related policies will follow. Towards this background the institutional and legal aspects of the Czech EU membership shall be introduced. The course will focus also on the role of the ECJ and the effects of EU law within legal and judicial systems of the EU Member States. In this respect special attention shall also be paid to relevant Czech case law. The changes introduced by the Treaty of Lisbon will be discussed, too. The students shall be invited to reflect on their EU citizenship status and on the impact of EU law on the legal systems of their countries of origin. Therefore, the discussion in the class is welcome.

OUTLINE OF THE COURSE

1. The evolution of EC/EU
   - Evolution of three Communities
   - Evolution of the EU
   - Structure of the EU after Lisbon Treaty
2. Basic methods and principles of EU system of governance
   - Supranationalism
   - Intergovernmentalism
   - Division of powers
3. The EU and its Member States
   - Becoming a Member State
   - The membership’s rights and duties
   - Enhanced co-operation
4. The EU-citizenship
   - An individual in the focus of the EU law
   - The legal substance of the EU citizenship
   - The EU Charter of fundamental rights
5. The system of EU law
   - Definition, Autonomy
   - Sources
   - General principles
6. The decision-making process
   - Institutions and their powers
   - Ordinary legislative procedure
   - Issue of democratic deficit
   - Role of National Parliaments
7. The law of Internal Market
   - Main principles
   - Free movement of goods, capital and payments
   - Free movement of workers and students
   - Free movement of services and right of establishment
8. The EU competition law and policy
   - Cartels
   - Abuse of dominant position
   - Merger control
   - State aids
   - Enforcement
9. The Economic and monetary union and single currency
   - Historical outline
   - Monetary policy
   - Budgetary policy
   - Single currency - EURO
   - Convergence criteria
   - European Central Bank
10. The EU budget and selected EU policies
    - EU budget – sources and spending
    - EU budgetary procedure
    - Common agriculture policy
11. The Area of freedom, security and justice
- Border controls, asylum and immigration
- Judicial cooperation in civil matters
- Police and judicial cooperation in criminal matters

12. The European judicial system - The Court of Justice
- Structure, tasks and jurisdiction
- Position in the EU institutional balance
- Procedures and rules

13. The European judicial system and national courts
- Dialogue through Preliminary ruling procedure
- Methods of interpretation of EU law
- Cases

14. The application and enforcement of the EU law by the national courts and administrations
- Direct applicability of EU law
- Supremacy of EU law
- Principles of loyalty and effect utile

15. The EU Directives
- Structure
- Transposition
- Consequences of improper transposition

16. The constitutional dimension of EU law
- The process of constitutionalisation
- The failed institutional reform under the Treaty on Constitution for Europe
- The Treaty of Lisbon

17. The accession of the Czech Republic to the EU
- The European clause of the Constitution
- The Treaty on Accession
- The leading “European” cases of the Czech courts

COMMERCIAL LAW AND INTERNATIONAL TRANSACTIONS
MONIKA PAUKNEROVÁ · ALENA BÁNYAIOVÁ

COURSE DESCRIPTION
The course consists of two parts. The first part focuses on the general principles of Czech commercial law, including various aspects of business conduct in the Czech Republic such as the legal status of entrepreneurs and their commercial activities as individuals, the essentials of Czech company law and law of commercial contracts. Special attention will also be paid to the impact of the European legislation on this area of Czech law. Further, the course will deal in more detail with Czech competition law, both anti-trust as well as unfair competition, and will provide background of certain particulars of commercial contracts, security obligations, breach of contracts, liability for damages and other types of remedies.

The second part of the course is oriented directly to the regulation of civil and commercial relations with an international element, as well as to some practical implications. Special regard will be paid to conflict rules and rules of international civil procedure in Europe and in the Czech Republic, to European Private International Law and Czech Private International Law. Further parts concern international commercial transactions, in particular commercial contracts and other formulations. Attention will also be drawn to the settlement of civil and commercial disputes.

OUTLINE OF THE COURSE
I. Commercial Law
1. General Principles of Commercial law, Introduction to Czech Company Law
   - legal status of entrepreneurs
   - essentials of Czech company law
   - legal forms of companies
   - establishment of companies
2. Company Law – General Partnership, Limited Liability Company
   - corporate structure
   - rights and duties of partners (shareholders)
3. Company Law – Joint Stock Company
   - shares, registered capital
   - corporate structure, liability of members of corporate bodies
   - rights and duties of shareholders

READING LIST
ZEMÁNEK Jiří, KRÁL Richard, TOMÁŠEK Michal Course planner and materials
www.europa.eu (Selected documents)
J. STEINER, L. WOODS, EU Law, 10th edition, Oxford University Press, 2009
4. **Company Law – Joint Stock Company, Harmonization with EU Law**
   - participations of shareholders in management of the company
   - principles of minority shareholders protection
   - mandatory tender offers

5. **Competition Law – General, Unfair Competition**
   - general overview of protection of competition
   - unfair competition - general clause
   - unfair competition - individual breaches and relevant case law

6. **Competition Law - Antitrust**
   - cartel regulation
   - abuse of dominant position
   - other means of public law protection of competition - merger control,
   - public procurement, state aid

7. **Commercial Obligations**
   - general principles
   - law of contracts
   - typical commercial contracts

8. **Commercial Obligations**
   - breach of contracts
   - security obligations
   - liability for damages

II. **Private International Law and International Transactions**

1. **General introduction and special characteristics of the Czech private international law, conflict of laws and substantive rules**
   - General introduction - the working of private international law demonstrated
   - Private international law rules and related rules
   - Conflict rules in general

2. **General introduction (continued), Sources of the Czech private international law, European private international law**
   - Sources of the Czech private international law
   - European private international law - introduction
   - Special characteristics of Czech private international law

3. **Private international law rules and related rules**
   - Conflict rules – selected topics
   - Application of foreign law
   - Public policy
   - Mandatory rules and overriding mandatory rules

4. **Persons in Czech and European private international law**
   - Natural persons in private international law
   - Legal persons and “other than foreign natural persons” in private international law
   - Persons and freedom of establishment in European and Czech law

5. **Contractual and non-contractual obligations in Czech and European private international law**
   - Determination of the proper law of contracts and torts
   - Law applicable to contractual obligations in Czech and European private international law
   - Law applicable to non-contractual obligations in Czech and European private international law

6. **International commercial contracts and Czech law - general climate, sources of law and other formulations**
   - International commercial contracts
   - Sources of law
   - Conflict rules and direct substantive rules in Czech private international law
   - Other formulations - *lex mercatoria* under Czech and European law

7. **Settlement of disputes in the Czech Republic and in Europe**
   - Introduction
   - International civil procedure under Czech law
   - Regulation Brussels I (Regulation on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters)
   - Other European instruments (European enforcement order for uncontested claims, European order for payment procedure, European small claims procedure)

8. **International commercial arbitration in the Czech Republic as compared to other selected countries**
   - Introduction – the options for international dispute resolution
   - Litigation or alternative dispute resolution
   - Arbitration in the Czech Republic
   - Arbitration rules in other selected countries

**READING LIST**

Zuzana SLOVÁKOVÁ, *Czech Business Law*, Introduction: Monika Pauknerová, Charles University in Prague, Faculty of Law 2007

COURSE DESCRIPTION
The purpose of the course is to provide a general introduction into Czech Criminal Law in a European context. The course will emphasize similarities and differences with other Western and Central European legal systems as well as the United States. The course is taught by academicians as well as practitioners with a deep expertise in criminal law. The first part of the course deals with the substantive questions of Czech Criminal law. We will deal with some interesting aspects of criminal law, like the law of abortion, which gave the right to abortion long before the similar reforms in most Western European nations and the United States. We will also go through emerging questions of harmonization of European criminal law by the law making activity of the EU. The second part will focus on the law of criminal procedure. It will explain ongoing reforms of criminal procedure law in Central European region after 1989 and assess their effects. We will also observe similar reforms in criminal law in other Central European nations, above all Poland, Slovakia and Hungary.

OUTLINE OF THE COURSE
1. The Issue of Abortion – Central European Experience
2. Criminal Law during Communism
3. Crime and Corruption after Communism
5. Procedural Law II. Fact Finding
6. The Americanization of Criminal Procedure in Central Europe? The Case of Plea Bargaining
7. The Problems of Czech Criminal View: Judge’s View
8. Criminal Law and the EU: European Arrest Warrant
9. Criminal Law and the EU
11. TBA
12. Conclusions

READING LIST
Chapter 1: No readings
Chapter 2:
POMORSKI S.: Communists and Their Criminal Law Revisited, 1989
HAVEL V.: Kicking the Door, 26 NY Review of Books Number 4, 1979
Chapter 3:
PIZZI William T., MONTAGNA Mariangela: The Battle to Establish an Adversarial Trial System in Italy, excerpts, 2004
Chapter 5: DAMASKA M.: Presentation of Evidence and Factfinding Precision, 1975
DIEHM J.: The Introduction of Jury Trials and Adversarial Elements into the Former Soviet Union and Other Inquisitorial Countries, 2001
Optional: PIZZI William T., MONTAGNA Mariangela: The Battle to Establish an Adversarial Trial System in Italy, excerpts, 2004
Chapter 8: European Commission Papers: Reactions to the Presentation of the Broad Outline of European Union Security Policy
SANCHEZ W.: Council Framework Decision of 13 June 2002 on the European Arrest Warrant and the Surrender Procedures between Member States
Is the EU Unconstitutional? The German Federal Constitutional Court Decision on the EAW (Press Release)
II. Courses of Specialization

**CONTRACTS AND TORTS**

DAVID ELISCHER · ONDŘEJ FRINTA · JANA HRSTKOVÁ

**COURSE DESCRIPTION**

The purpose of the course is to give students an opportunity to study closely selected topics in the area of contracts and torts as provided in Czech Private law. In the first part of the course students will be introduced to principles of formulation, interpretation and enforcement of contracts. The relationship between the Civil Code and the Commercial Code will be considered. The following parts of the course will address in details legal protection afforded by the Civil Code against interference by others with security of one's person, property or intangible interests.

Special emphasis will be given to consideration of general liability and special liability for damage. Students will have an opportunity to discuss current topics related to contracts and torts with practical examples from the legal practice and court decisions.

**OUTLINE OF THE COURSE**

1. **Contracts A.**
   - Concept of Obligation • Historical and Modern Development • Decisive Features of Obligations • Principles of Obligations • Sources of Obligations • Types of Obligations • Origination of Obligations

2. **Contracts B.**
   - Concept of Contract • Foundations of the Binding Force of Contract (Lex Contractus) • Types of Contract • Parties to a Contract • Content of Contract • Origination of Contract • Harmonisation of European Contract Law (Principles of European Contract Law) • Principle of Good Faith in European Contract Law

3. **Contracts C.**
   - Introduction to Contracts • Principal Sources • Definition and Meaning • Foundations of the Binding Force of Contract • The Synallagmatic or Bilateral Contract and the Unilateral Contract • Nominate and In nominate Contracts

4. **Contracts D.**
   - Common Types of Nominate Contracts • Comparison of Civil Code and Commercial Code • Principles of Interpretation of Contracts • Purchase Contract • Contract on Work • Lease Contract

5. **Contract E.**
   - Recent Development • Consumer Contracts • Consideration of Cases and Examples from Legal Practice

6. **Contracts F.**
   - Contracts in Family Law (in general) • Marriage as a contract • Cohabitation as a contract

7. **Torts A.**
   - Introduction to Torts • Principal Sources • Civil liability • Prerequisites • Fault as a Prerequisite of General Liability for Damage • Comparative Overview • Case law

8. **Torts B.**
   - Wrongfulness/Unlawfulness as a Prerequisite of Liability for Damage • Comparative Overview • Case law

9. **Torts C.**
   - Damages • Manner and Scope of Compensation for Damage • Joint Liability • Comparative Overview • Case law

10. **Torts D.**
    - Causality as a Prerequisite of Liability for Damage • Different types of Special liability for Damage • Prescription in Tort Law • Comparative Overview • Case law

**READING LIST**

Civil Code, Trade Links, Prague 1998

HRSTKOVÁ, J.: Fundamentals of Czech Civil Law, Charles University, Prague, 2005

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**INSTITUTIONAL ECONOMICS AND ECONOMICS OF THE PUBLIC SECTOR**

HELENA CHYTILOVÁ

**COURSE DESCRIPTION**

The course is divided into two mutually related parts. The purpose of the first part is to describe and explain how economic behavior is influenced by “institutions” (formal and informal norms, values and habits) and how institutions vary widely in their impacts on economic performance. While some societies and/or economies develop institutions that produce growth and development, other develop institutions leading to high transaction costs, economic problems and stagnation.

The second part of the course focuses on functioning and economic principles of the public (government) sector. It looks both at general goals, mechanisms and efficiency of the public sector and at its specific issues analysed by economic theories of public choice, regulation, taxation and income redistribution, government bureaucracy and public companies.
MAIN TOPICS OF THE COURSE:

Part I

Part II

SELECTED READING

OUTLINE OF THE COURSE
1. Law of Social Protection and its History in Europe
   - History of Social Protection
   - Development of the Welfare State, Types of Welfare State, the Crisis of the Welfare State
   - Sources of Law (international and EC law)
   - Social Welfare Rights, Functions and Aims of Labour Law and Social Security Law
2. The outline of the course, information about Exam Employment Relationship, Definitions
   - Employee, EC Worker, Dependent Work
   - Employer’s Risks
   - General Principles
   - Other Types of Employment Relationships
3. Protection of Work, Liberalisation of Employment Law (Flexicurity)
   - Choice of Law Rules
   - Non Competition Covenants
4. Contract of Employment, Employment Relationship, Establishment, Changes and Termination
5. Working Time, Rest Periods, Payments
6. Social Law and Social Rights
7. Pregnancy, Maternity, Working Conditions of Parents
8. Sickness, Invalidity, Aging, Poverty and Social Exclusion
9. Posting of Workers
   - Working Conditions in Central and Eastern Europe
10. Coordination of Social Security Laws

READING LIST (OPTIONAL LITERATURE)
OUT-OF-COURT DISPUTE RESOLUTION
ZBYŠEK KORDAČ

COURSE DESCRIPTION

The aim of the course is to present different methods of dispute resolution. Litigating before national courts is not always the best method how to deal with the dispute which has arisen. Parties can employ number of other dispute resolution techniques and methods. First part of the course will deal with arbitration. Especially in the area of international commerce, arbitration became the preferred method of resolving disputes. After introducing features of international commercial arbitration, the course will focus on the differences which can be found in the area of investment arbitration. The classes on mediation will be divided between legal aspects of mediation and techniques and approaches used by mediators.

The course will conclude with an overview of other dispute resolution methods.

OUTLINE OF THE COURSE:

1. General Introduction into Arbitration
   • What is Arbitration?
   • Arbitration's Advantages
   • Limits of Arbitration
   • Regulatory Framework

2. Arbitration Agreement
   • Validity of Arbitration Agreement
   • Arbitrability
   • Drafting the Arbitration Agreement

3. The Tribunal
   • Appointment of Arbitrators
   • Duties of Arbitrators
   • Challenge to Arbitrators

4. Applicable Law and Rules
   • Delocalisation v. Territoriality
   • Law Applicable to Arbitration Agreement
   • Rules and Law Applicable to the Arbitral Proceedings
   • Law Applicable to Merits of the Case

5. The Arbitral Proceedings and Judicial Assistance
   • Taking of Evidence
   • Interim Measures
   • Anti-suit Injunctions

6. The Award
   • Different Types of Awards
   • Challenges to the Award
   • Enforcement of the Award

7. Investment Arbitration
   • Special Features of Investment Arbitration
   • Washington Convention
   • Bilateral Investments Treaties
   • Standards of Protection

8. Legal Aspects of Mediation
   • Nature of Mediation
   • Duties of Mediator
   • Confidentiality
   • Legal Nature of Settlement

9. Methods Used by Mediators
   • Facilitative Mediation
   • Evaluative Mediation
   • Collaborative Mediation

10. Other ADR Methods
    • Med-arb
    • Arb-med
    • Adjudication
    • Dispute Resolution Boards
    • Last Offer Arbitration
U.S. FIRST AMENDMENT FREE EXPRESSION ISSUES
SEAN DAVIDSON

COURSE DESCRIPTION
This course focuses on judicial decisions in various cases involving the First Amendment to the U.S. Constitution, which protects freedom of expression, freedom of the press, and freedom of religion. Students will be required to analyze U.S. Supreme Court decisions and form legal arguments in both class discussions and formal moot court debate exercises. This course concerns the following issues, among others, relating to the First Amendment: presence of religious symbols in public places; obscene and indecent expression; commercial speech; religious and political expression in the workplace; and freedom of the press.

The objectives of this course are: 1) to deepen students’ understanding of U.S. interpretation of freedom of expression; 2) to provide students the context to compare and assess various approaches to such issues; 3) to provide the framework for students to determine the appropriate boundaries of individual freedoms; and 4) to aid students in acquiring and using sophisticated legal English vocabulary and grammar.

This course is designed as a follow-up to the winter semester course titled “Legal Reasoning: First Amendment Case Law”, yet naturally this course covers different topics and entirely new cases and principles that are not covered in the winter semester course. Prospective students who wish to register for “Legal Argumentation and Debate: First Amendment Issues in Context” without having taken the winter semester course are recommended to have knowledge of fundamental First Amendment principles, or corresponding European law principles on freedom of expression and religion. The instructor is prepared to provide any consultation necessary in that regard.

The instructor prepares the materials for the course from the selected bibliography below, along with other supplementary materials from the U.S. Supreme Court’s database.

SELECTED BIBLIOGRAPHY:
IRONS, Peter (Editor, 1997). May it Please the Court: The First Amendment. The New Press.

COMPARATIVE CONSTITUTIONAL LAW
MAREK ANTOŠ

COURSE DESCRIPTION
The course is dedicated to the most important institutions (Rechtsinstitut) of constitutional law which are discussed in comparative perspective. Its aim is to support contacts and cooperation between Erasmus and Czech students who are enrolled on parity. Therefore also the capacity for Erasmus students is restricted to 15 participants.

Drawing on wide legal and linguistic background of the students, the course consists of a series of workshops on specific constitutional institutions analyzed and presented by groups of students from various countries. Active participation and attendance of all participants is therefore essential and required.

The first lesson is a brief introduction to the comparative law methodology and to the course requirements. Also the final list of topics (constitutional institutions) will be set here, reflecting preferences expressed by the students in class. Once the schedule is set, groups of 5-6 students, internationally composed, will be formed and assigned with specific topics to prepare a comparative presentation. Each student is supposed to take part in two presentations throughout the course.
The task of the presenting group is to prepare a collective presentation (approx. 45 minutes) providing: a) a short theoretical introduction of the institution; b) a description how the institution is differently implemented in 4-5 countries; c) a comparison (preferably with an analysis how and why is the implementation different).

One of the countries described should always be the Czech Republic; the rest of the selection is up to the group, as long as different approaches to the institution are represented. The second half of each lesson is reserved for general discussion and reflection of the presentation by other students. In order to allow them to prepare in advance, the presenting group is expected to prepare a written handout (either in form of a Powerpoint presentation or a text in PDF) which will be distributed to all course participants in advance. References to relevant legal sources, court cases and literature are warmly recommended.

PRELIMINARY LIST OF TOPICS:
- constitutional status and powers of the head of state
- rules of the legislative procedure
- supervisory powers of parliament
- parliamentary minority rights
- courts administration
- constitutional amendment process
- models of judicial review of laws
- second chambers of parliament
- relationship between the government and parliament
- models of federalism
- constitutions and international (and European) law
- budgetary powers of parliaments and their limits (e.g., “debt brakes”)
- forms of direct democracy
- parliamentary immunity
- funding of political parties and election campaigns

BASIC REFERENCE LITERATURE
(AVAILABLE IN THE FACULTY LIBRARY):

MAREK ANTOŠ, JUDr., PhDr., Ph.D., graduated from the Charles University in Prague, Faculty of Law and Faculty of Social Sciences, where he received his Doctor of Laws (JUDr.) and Doctor of Philosophy (Ph.D.). At the Faculty of Law he received his Philosophiae Doctor (Ph.D., 2008) degree. During academic year 2006/2007 he studied at Stockholm University in Sweden. In 2005 he was awarded Bolzano Prize for the best final thesis „U.S. Presidential Election System and Its Impacts on Voter Turnout and Election Results“, in 2006 he won Sasakawa Young Leaders Fellowship Fund scholarship. He is a member of the Department of the Constitutional Law at the Charles University, his research is focused mainly on elections and electoral law.

ALENA BÁNYAIOVÁ, JUDr., CSc., practising lawyer with more than 30 years of experience in economic and commercial law. Received her doctoral degree (JUDr.) from Charles University in 1973; in 1988 received CSc. degree (PhD. equivalent), from Charles University. Served as an arbitrator at the Czechoslovak State Arbitration Agency, between 1976-87 a member of the Legislative Department of the Czechoslovak State Arbitration Agency, between 1988-89 research scholar at the Institution of State and Law of the Czechoslovak Academy of Sciences and since 1991 in private practice. A member of the Committee for Private Law of the Legislative Council of the Government of the Czech Republic. A member of the Czech Bar and the International Bar Association. Since 2001 arbitrator with the Arbitration Court attached to the Economic Chamber of the Czech Republic and Agricultural Chamber of the Czech Republic with its seat in Prague.

PETR BĚLOVSKÝ, Doc., JUDr., Dr., graduated from the Law Faculty of Charles University in 1996 and continued his studies as postgraduate student at the Department of Legal History at the same faculty. After having completed his thesis on Roman Jurisprudence and finishing his doctoral studies, he continued with research in the area of Roman Law, especially in Roman property law and the history of the Czechoslovak civil law. He teaches Roman Law at the Faculty of Law of Charles University since 1997. He undertook research in Catania (Italy) and Pretoria (South Africa) where he was a visiting professor.


RADIM BOHÁČ, Doc., JUDr., Ph.D., graduated 2005. He is a member of the Department of Financial Law and Financial Science of Charles University School of Law in Prague and a visiting lecturer at the Metropolitan University in Prague. He is a Deputy Department Director of Tax Legislation Department of Ministry of Finance of the Czech Republic. He is a member of the Working Commission on Public Law II – Financial Law of the Legislative Council of the Government of the Czech Republic. He is a co-author of a university textbook on Budgetary Law and other publications and papers.


DAVID ELISCHER, Doc., JUDr., PhDr., Ph.D., member of the Civil Law Department, graduated at the Law Faculty of Charles University in 2005, received his doctoral degree (JUDr.) in 2006 and Philosophiae Doctor (Ph.D.) in 2009 from Charles University. He wrote his dissertation thesis on Wrongfulness and damage as prerequisites of civil responsibility in European legal context. Within the Civil Law Department where he works as an assistant professor he deals with the law of obligations, particularly with its general part, contracts and civil responsibility (torts). He also concentrates on family law, namely on so-called alternative ways of cohabitation such as registered partnership, unmarried cohabitation, PACS etc. Within the family law, he focuses on the social and legal protection of children in a comparative way. In 2008-2009 he was a member of a working group on new Czech civil code by the Legislation Council of the Czech Government.

ONDŘEJ FRINTA, Doc., JUDr., Ph.D., member of the Department of Civil Law, graduated from the Law Faculty of Charles University in 2004, received his doctoral degree (JUDr.) from Charles University in 2005 and Philosophiae Doctor (Ph.D.) in 2008. As a postgraduate student at the Department of Civil Law at the same faculty, he was focused on issues concerning the legal regulation of subjects, namely of those with artificial nature, their le-
gality, etc. He is also interested in new reproductive techniques and concerning legal issues such as the establishment of parental relationships, surrogate motherhood, etc.

**TOHÁŠ GŘIVNA, Doc., JUDr., BC., Ph.D.,** graduated from the Faculty of Law of Charles University in Prague where he received his Magister of Laws (Mgr.), Doctor of Laws (JUDr.) and Philosophiae Doctor (Ph.D.) degrees. In 1998 he graduated at the Police Academy of the Czech republic. Dr. Gřivna teaches criminal law at the Faculty of Law of Charles University. He has been awarded the Bolzano Prize for his doctoral thesis. He is also practising lawyer (a member of the Czech Bar Association).

**JAKUB HANDRLICA, JUDr., LL.M., Ph.D.,** studied law at Charles University in Prague, Ruhr University in Bochum and at the Université Montpellier 1. Currently he is teaching Administrative Law at the Department for Administrative Law at Charles University in Prague. Member of the International Nuclear Law Association, Energy Law Research Forum and of the Chaudfontaine Working Group on Export Control of Dual Use Items. His main field of interest is European administrative law, European and international nuclear law. He publishes regularly in the OECD Nuclear Law Bulletin and in the International Journal of Nuclear Law.

**MAHULENA HOFMANN, Prof., JUDr., CSc.,** graduated at the Law Faculty of Charles University in Prague in 1980. In 1984 she defended her post-graduate (doctoral) thesis. During 1984–1990, she was a research fellow at the Institute of State and Law of the Czechoslovak Academy of Sciences, Prague, where she dealt mainly with general international law, law of mass media, space and telecommunications law. In 1990, she was awarded a scholarship of the Alexander von Humboldt Foundation to spend two years of research at the Max Planck Institute of Comparative Public Law and International Law in Heidelberg, Germany. In 1992, she started to work as senior research fellow at this Institute, the major fields of her research being the legal developments in the Eastern European countries, minority rights, telecommunications and space law. Since 1996, she is a member of the Space Law Committee and since 2001, member of the Human Rights Committee of the International Law Association. In January, 2006, she defended her habilitation thesis “From Transformation to Co-operation” at the Faculty of Law at the University of Cologne, Germany. She teaches International, European and Constitutional Law of the countries of Central and Eastern Europe.

**HELENA HOFMANNOVÁ, Doc., JUDr., Ph.D.,** graduated from the Faculty of Law of Charles University in Prague where she received her Magister of Laws (Mgr.), Doctor of Laws (JUDr.) and Philosophiae Doctor (PhD.) degrees. She teaches constitutional law and theory of state at the Faculty of Law of Charles University. She has been awarded several scholarships (Ford Foundation Scholarship for spring 1996, Michigan Grotius Fellowships for 2006/2007). She undertook research at the New York University School of Law and the Michigan University School of Law as a visiting scholar. Author of book „The Legal Situation of Jews in the Protectorate Böhmen and Mähren” and several articles mainly on the human rights and minority issues. Ms. Hofmannová also worked as a legal consultant for the Czech Helsinki Committee till 1998. Now she is an advisor to the Czech Constitutional Court Justice.

**ZÁBOJ HORÁK, Doc., JUDr., Ph.D., LL.M., JCLic.,** studied at the Law Faculty of Charles University in 1993–1998 and awarded there the Master Degree in 1998. In the academic year 1999/2000 he studied civil, commercial and comparative law at the Law Faculty of Münster University in Germany, where in 2001 was awarded an LL.M. degree. In 1999–2002 he studied in the doctoral program at the Law School of the Charles University, from 2000 in a residential form, and awarded the doctorate in legal history and theory in 2002 together with the JUDr. degree. From 2002 till today he has worked as an assistant (senior lecturer) in the legal history department of the Law Faculty of Charles University, and from the following year also as a secretary of this department. He specializes in Roman law, legal history, church law and state law on churches. Since 1995 he has been a member of the operational committee of the Church Law Society in Prague and of the Church Law Review (Revue církevního práva) editorial board. In 2002–2006 he studied canon law at the Faculty of Law, Canon Law and Administration of the Catholic John Paul II University in Lublin in Poland and in 2006 was awarded the degrees of Master and Licentiate of Canon Law there.

**JANA HRSTKOVÁ, JUDr., Ph.D., LL.M.,** graduated from the Faculty of Law of Charles University in Prague where she received her Magister of Laws (Mgr.), Doctor of Laws (JUDr.) and Philosophiae Doctor (Ph.D.) degrees. In addition, she also holds a Master of Laws (LL.M.) degree from Harvard Law School, where she was a recipient of the Fulbright Scholarship. She is an attorney-at-law, with over 16 years of legal experience and has been involved in a number of international business transactions providing full legal assistance to variety of clients in the region of Central and Eastern Europe. Since 1997 she teaches course on contracts and torts as a visiting lecturer at the Faculty of Law of Charles University. In the period of 2000–2004, she has been acting as Secretary of the Information Technologies Law Commission of the Legislation Council of the Czech Government. In December 2000, she was awarded The Bolzano Prize for her doctoral thesis. She is a member of the New York State Bar in the U.S. and the Czech Chamber of Advocates.

**MILUŠE KINDLOVÁ, JUDr., M.Jur., Ph.D.,** graduated from the Faculty of Law of Charles University in Prague where she received her Magister of Laws (Mgr., summa cum laude, 2003), Doctor of Laws (JUDr., 2005) and Philosophiae Doctor (Ph.D., 2007) degrees. She is also a graduate of the Faculty of Law of the University of Oxford (University College) where she received her Magister Juris (M.Jur., with Distinction, 2006) degree. In 2000-2001,
she studied at Cardiff University and was awarded the Diploma in Legal Studies with Distinction there. Ms Kindlová is a recipient of the Hlávka Foundation Prize for best university graduates and of the International Visegrad Fund Scholarship. She teaches constitutional law and theory of state at the Faculty of Law of Charles University (since 2004) and practices as a lawyer in the Office of the Government Agent before the European Court of Human Rights and the United Nations Human Rights Committee (since 2007). She worked as an assistant to Professor Zdeněk Jičínský, Member of Parliament, until 2008. She has published in the area of her main academic interests, i.e. human rights law, fundamental concepts of constitutional law such as the rule of law and the separation of powers, constitutional law in the common law world, and jurisprudence.

MICHAEL KOHAJDA, Doc., JUDr., Ph.D., graduated 2005. He is a member of the Department of Financial Law and Financial Science of Charles University Faculty of Law in Prague. He is a member of the Working Commission on Public Law II – Financial Law of the Legislative Council of the Government of the Czech Republic and a member of the Czech Chamber of Advocates. He went through several short-time teaching sojourns at Universidad de Santiago de Compostela (Spain), The Hague University (the Netherlands) and Université Paris Sud, Faculté de Jean Monnet (France). He is an author of several publications and papers.

DAVID KOHOUT, JUDr., Ph.D., graduated from the Faculty of Law of Charles University in 2009, during 2007/2008 he also studied at the Katholieke Universiteit Leuven. Since graduation he has been holding the position of the Head of International Office of the Faculty of Law. He finished his Ph.D. at the Department of Legal History with his dissertation topic aimed at the prosecution of Nazi criminals. Since 2010 he was a secretary of the Revision and Appellate Commission of the Football Association of the Czech Republic and member of the Commission on Players’ Agents. And most recently he has been serving on the Board of Arbitrators of the Football Association since 2013.

KRISTINA KOLDINSKÁ, Doc., JUDr., Ph.D., is a Senior Lecturer at the Charles University Faculty of Law. She holds a degree as „Doctor of Law” and a „Ph.D.” degree (2000), both from Charles University. Since 1998, she has actively lectured at the Department of Labour Law and Social Security Law at the Charles University. She used to teach also at two private universities. She is a member of two international networks of lawyers - EU Network and trESS – Training and Reporting on European Social Security. In 2004-2005 she took a part at the EC mission in Georgia and participated in conceptualizing social reforms in this country. Especially, she prepared a bill on Social Assistance act. She has written, jointly or individually, some 15 books concerning social security law, and European social law. She has written more than 30 articles published in various European legal journals and participated in some 20 international and domestic research projects. She participated at some 15 international conferences and seminars as a speaker.

ZBYŠEK KORDAČ, JUDr., LL.M., LL.M., is a lawyer focusing on dispute resolution. He has been appointed as an arbitrator in number of domestic as well as international cases. He is listed on lists of the Vienna International Arbitral Centre and of the Arbitration Court attached to the Economic Chamber of the Czech Republic and Agricultural Chamber of the Czech Republic. Zbyšek is a member of the Czech Bar Association and passed also the bar examination in California and New York. He has participated on legislative works in the area of arbitration and mediation. Zbyšek has been representing the Czech Republic at UNCITRAL Working Group II (arbitration/mediation). He is currently acting as a Vice-Chair of the Internation Mediation Committee and Steering Committee of the International Arbitration Committee of the American Bar Association Section of International Law. Zbyšek has published number of articles in Czech legal magazines and on internet. Currently, he is working on several publications in the area of dispute resolution. Zbyšek graduated from the Charles University in 2006 (summa cum laude) and was awarded the Doctor of Laws degree in 2008 for his thesis on arbitrability. He has also studied at the Queen Mary University of London (LL.M. in International and Comparative Dispute Resolution) and at the University of San Francisco School of Law and Queen Mary University of London (LL.M. in International Transactions and Comparative Law and LL.M. in Comparative and International Dispute Resolution).

PETR KOTÁB, JUDr., Ph.D., graduated 1985. He is a member of the Department of Financial Law and Financial Science of Charles University Faculty of Law in Prague and was formerly a visiting professor at the University of Connecticut. He also lectured at the University of Economics in Prague, the Metropolitan University in Prague and the Central European University. Previously, he was a member of several expert commissions of the Czech Government and a member of supervisory boards of several major financial institutions. Currently, he serves as the Chairman of Senate of the Appellate Commission of the Czech National Bank. He is an author or co-author of several university textbooks on financial law and more than 40 other publications. He is a member of the Czech Chamber of Advocates, Slovak Chamber of Advocates, the International Bar Association and the International Fiscal Association.


JAN KUDRNA, JUDr., Ph.D., graduated from the Faculty of Law of Charles University in Prague where he received his Magister of Laws (Mgr., 1999), Doctor of Laws (JUDr., 2000) and Philosophiae Doctor (Ph.D., 2003) degrees. He is a member of the Department of Constitutional Law at the Faculty of Law of Charles University since 2003. During his doctoral studies, he undertook study visits to universities in Ljubljana (Slovenia), Budapest (Hungary), Lodz (Poland) and Vilnius (Lithuania). He also undertook several research visits to the Polish Constitutional Court, for which he prepared several expert analyses. From 2001 to 2010 he worked as an assistant to Professor Zdeněk Jičínský, Member of Parliament, from 2002 to 2010 he was a legal advisor to the Chairman of the House of Depu-
ties of the Czech Parliament (since the 2006 elections to the Vice-Chairman). He especially concentrates on the relations between constitutional bodies and their mutual limitations and on constitutional aspects of the national security issues. Since 2004 he participates as lecturer in the South Texas University courses at the Faculty of Law in Prague.

JAN KUKLÍK, Prof., JUDr., DrSc, the present Dean of the Law Faculty. Graduated from the Faculty of Law in 1989 (JUDr.); awarded Doctorate in legal theory and history (1995); in 1991–92 a visiting graduate student at St. Edmund Hall, Oxford University, where he specialized in Czech and Czechoslovak legal history, with a focus on the 19th and 20th centuries. Publications on Czechoslovak legal history and foreign policy during the interwar period and WW II; monograph: The Establishment of the Czechoslovak National Committee and Provisional Government in Exile.

ZDENĚK KÜHN, Doc., JUDr., Ph.D., LL.M., S.J.D. earned his Ph.D. degree from the Charles University School of Law, Prague, Czech Republic, in 2001, and his LL.M. and S.J.D. degrees from the University of Michigan Law School in Ann Arbor, Michigan in 2002, 2005 respectively. Zdenek Kühn is Associate Professor of Jurisprudence at the Charles University School of Law. In 2007 he was appointed Justice ad hoc at the European Court of Human Rights in Strasbourg and in 2008 Justice of the Supreme Administrative Court of the Czech Republic. He is author of 3 books, co-editor of other 2 books. He has written a number of articles published in the Czech Republic, USA, Great Britain, China, Russia, the Netherlands etc. His academic interest includes issues of jurisprudence, constitutional interpretation, fundamental rights and constitutional aspects of European integration.

ALENA MACKOVÁ, Doc., JUDr., Ph.D., graduated 1985 (Charles University Prague), Ass. Professor at the Civil Law Dept., PHARE Programme Expert. Author of Independence of the Judge, 1996 (awarded The Rector of the Charles University and the Rule of Law Foundation Prizes), Attorney’s Services (C. H. Beck, 2002), Civil Procedure in Czech Republic (Kluwer, 2007), E-government Act, Commentary (Kluwer, 2009), and many others. The Democratic Institution Fellowship fellow (Brussels1992). Visiting lecturer and scholar at the Catholic University Leuven, University of Passau, LMU Munich and Vienna University. Research Study at the Court of Justice of European Communities (Court of First Instance). Research interests include issues such as the role of the judge, the effectiveness of judicial protection of rights, legal aid etc.

MONIKA PAUKNEROVÁ, Prof., JUDr., CSc., DSc., graduated from Charles University; postgraduate study at the Institute of State and Law at the Czechoslovak Academy of Sciences in Prague and since 1980 research fellow there. Since 1993 lecturer and since 2002 Professor in Private International Law and International Commercial Law at the Faculty of Law. More than 30 years experience in this field. Since 2003 member of the International Academy of Comparative Law (IACL), since 2007 President of the Czech National Committee of the IACL. Since 2004 member of the European Group for Private International Law. Since 1990 President of the Czech National Committee of the International Association of Legal Sciences (IALS), since 2003 member of the International Committee of Comparative Law of the IALS, member of the Czech National Committee of the International Law Association. Since 1985 arbitrator at the Arbitration Court in Prague. Author of about 150 publications.


LENKA PÍTROVÁ, Doc., JUDr., CSc., studied at Charles University in Prague at the Faculty of Law, at Czechoslovak Academy of Sciences and at FIDC in Strasbourg. Legal expert in public law and EC law. Teaching at the Law Faculty of Charles University in Prague, teaching EC law officials of central public administration. Vice-director of the Parliamentary Institute of the Czech Parliament, head of the EU Department of the Parliamentary Institute. Member of the Legislative Council of the Government. Author and co-author of many publications on Constitution, EU Law themes etc.

RICHARD POMAHAČ, Prof., JUDr., CSc., studied at Charles University in Prague at the Faculties of Law and Philosophy and at FIDC in Strasbourg. Professor of Administrative Law and Science at Charles University in Prague. Member of European Scientific Council – European Public Law Organization and permanent expert of Council of Europe. His main field of interest is comparative public administration and European administrative law. Publications include European Administrative Justice (C. H. Beck, 1998), Public Administ-
HARALD CHRISTIAN SCHEU, Doc., Mag. phil., Dr. iur., Ph.D., Educated at the University of Salzburg (Dr. iur., 1995, Mag. phil., 1996) and the University of Prague (Ph.D., 1997, Doc., 2006). Numerous Fellowships (Max-Planck-Institut für ausländisches öffentliches Recht und Völkerrecht in Heidelberg, University of Bern, European University Institute in Florence). Member of the International Institute for Strategic Studies, London. From 1997 to 2006 at the Department of International Law, since 2006 at the Department of European Law at the Faculty of Law of Charles University in Prague. In 2001 and 2002 Guest Lecturer at the University of Banska Bystrica, Slovakia. From 2005 to 2006 Attaché for European Affairs at the Austrian Embassy in Prague. Teaches and conducts research in issues concerning International and European Law and International Human Rights Law.

MARTIN ŠTEFKO, Doc., JUDr., Ph.D. is a Sestern University in Florida, USA (2009). He holds a degree as „Doctor of Law” (2003) and a „Ph.D.” degree (2005), both from Charles University. Martin Štefko teaches a variety of courses in labour law as well as in social security law. He is also the coordinator of the human resources and public employment policy course. His primary research interest is the Posted Workers Directive and its implementation in EU Member States but he is also active in topics on the relationship between civil law and labour law and immigration law. In his spare time, Martin Štefko has written more than 90 articles published in various legal journals. He has also written, jointly or individually, 20 books concerning labour law and social security law. He also works as a law adviser at the Czech Social Security Administration in Prague and is an honour member of the Expert Board at the Labour Office of Prague.

PAVEL STURMA, Prof., JUDr., DrSc., Professor of International Law, graduated from Charles University in 1985, awarded a research degree at the Institute of Law of the Academy of Sciences where he was a research fellow. Prior to his appointment as lecturer (1995) in international law at the Faculty of Law CU, he used to stay at IHEI University Paris II (1990–91), Council of Europe (1992) and worked as a UN staff member (UN Office at Vienna, 1992–1994). Since autumn 1997 head of the Department of International Law at the Faculty, since February 2006 Vice Dean for Research and Publications. He is also (co-) author of several books, as well as many articles published in Czech reviews and partly abroad (in English or French). Member of the Legislative Council of the Czech Government, member of the Permanent Court of Arbitration (The Hague), member of the EU Network of Independent Experts in Fundamental Rights and of several academic and professional associations, visiting professorship at the University Paris XI (2001).

MICHAL TOMÁŠEK, Prof., JUDr., PhDr., DrSc., Professor of European Law and Head of European Law Department at Charles University Faculty of Law. Graduated from the Charles University, Faculty of Law and Faculty of Philosophy, from University of Paris and from Beijing University in China. He has held John Marshall fellowship at the University of Virginia. 1990–1996 Czech diplomatic service, posted in Brussels at the Czech Mission to the EU. 1996–2002 European Union advisor to Koměrní banka and Chairman of Committee for European Integration of the Czech Bankers’s association. Responsible for projects of introducing the euro in 1998 and 2002. Published more than 200 articles on European integration and several books.


KAROLINA ZÁKOVSKÁ, JUDr., Ph.D., graduated from the Faculty of Law in 2001. In 2003 she obtained a Master’s degree on the Faculty of Law and Political Sciences in Nantes, France. Currently she is a senior lecturer in the Department of Environmental Law. She cooperates actively with the Maritime and Ocean Law Centre of the University of Nantes. She is a member of the Czech Environmental Law Society. She specializes in international environmental law, marine environment and biodiversity protection, air pollution regulation and chemicals management. She is author of monography Protection of marine biodiversity in international law (2010) and author or co-author of several contributions in law journals and textbooks, e.g. Textbook on International Environmental Law (2008).

PETRA ŽIKOVSKÁ, JUDr., MgA., member of the Institute of the Copyright Law, Industrial Property Rights and Competition Law, graduated at the Law Faculty of Charles University in 1993, received her doctoral degree (JUDr.) in 2001. In 1995 she graduated at the Academy of Music Art at the department of Dance theory. She was awarded by Fulbright Scholarship and during her studies at New York University she wrote her doctoral thesis on the Protection of the choreography works in the Czech republic and USA. Within the Institute of the Copyright Law, Industrial Property Rights and Competition Law she works as an assistant professor and deals with the license agreements, exceptions and limitations the copyright law, differences between the european and anglo-american copyright law systems. She is a member of the experts group organized by the Ministry of Culture.
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