FACULTY
OF LAW
Charles University

CZECH LEGAL SYSTEM IN EUROPEAN CONTEXT
STUDY PROGRAMME FOR INCOMING EXCHANGE STUDENTS

INSTITUTIONAL DETAILS	
Name	Charles University
Erasmus Code	CZ PRAHA07
Faculty	Faculty of Law
Postal address	nám. Curieových 7 116 40 Prague 1 Czech Republic
Website	www.prf.cuni.cz
Academic Erasmus+ Coordinator	Assoc. Prof. Dr. Magdalena Pfeiffer Vice-Dean for International Relations pfeiffer@prf.cuni.cz
Head of International Office	Dr. David Kohout kohout@prf.cuni.cz
Incoming Students Coordinator	Ing. Svatava Marešová maresova@prf.cuni.cz
Outgoing Students Coordinator	Martina Škvorová skvorova@prf.cuni.cz
Academic Staff Mobility Coordinator	Mgr. Eleni Dimelisová dimelise@prf.cuni.cz

INCOMING STUDENTS	
Courses	All courses are of Master level HERE
Academic calendar	**Winter Semester** October – mid February (incl. exam period) **Summer Semester** mid February – June (incl. exam period)
Recommended English language level	Nominated students are expected to have B2 level in English

FACULTY
OF LAW
Charles University

ERASMUS+ INCOMING STUDENTS	
Nomination	Nomination only via the Charles University online form (deadlines: for Winter Semester/Full Year – April 15; for Summer Semester – September 15)
Application procedure	1. Online registration: HERE 2. Sending the Application Form and Learning Agreement (signed by student and student´s home institution) to maresova@prf.cuni.cz (deadlines: for Winter Semester/Full Year – May15; for Summer Semester – October 15)

NON-ERASMUS INCOMING STUDENTS	
Nomination	Nominations by e-mail to international@prf.cuni.cz
Application procedure	All incoming non-Erasmus students are required to fill in the Application Form Application Form CLS.doc and e-mail all required attachments to sara.sojkova@prf.cuni.cz

FACULTY
OF LAW
Charles University

Winter Semester			
Course	**Supervisor**	**ECTS**	**Code**
Czech Constitutional System as a Part of European Constitutional Tradition	doc. JUDr. Jan Kudrna, Ph.D.	5	HASC1
Financial Law	JUDr. Petr Kotáb, Ph.D.	5	HASO1
Natural Resources Law	prof. JUDr. Milan Damohorský, DrSc.	5	HASO4
Introduction to Public International Law in the Czech Legal Context	prof. JUDr. Pavel Šturma, DrSc.	5	HASO2
Jurisprudence	Mgr. Petr Agha, LL.M., Ph.D.	5	HASO3
Czech Legal History	prof. JUDr. Jan Kuklík, DrSc.	5	HASO5
Introduction into Central European legal Culture	prof. JUDr. Zdeněk Kühn, Ph.D., LL.M.	5	HASO6
Emerging Legal Disciplines – Medical and Sport Law	JUDr. David Kohout, Ph.D.	5	HASO8
Legal Reasoning: First Amendment Case Law	Sean Davidson, J.D.	5	HASO9
Intellectual Property Law	JUDr. Petra Žikovská	5	HSSO8
Recent Trends in European Copyright Law	JUDr. Petra Žikovská	5	HASC11
Studies of the ICC Case Law	JUDr. Milan Lipovský, Ph.D.	5	HASO11
International Protection of Human Rights/Universal and Regional Standards	prof. Dr. iur. Harald Christian Scheu, Mag. phil., Ph.D.	5	HASC5
Theories of Legal Personhood and Juristic Person	prof. JUDr. Karel Beran, Ph.D.	5	HASO12
Common European Asylum System (in the time of refugee crisis)	doc. JUDr. Lenka Pítrová	5	HASO13
Environmental Law of the Sea	JUDr. Karolína Žákovská	5	HASO15

FACULTY
OF LAW
Charles University

Summer Semester			
Course	**Supervisor**	**ECTS**	**Code**
Environmental Law and Policy	prof. JUDr. Milan Damohorský, DrSc.	5	HSSC1
European Law in the Czech – EU Context	prof. JUDr. Richard Král, LL.M., Ph.D., DSc.	5	HSSC2
Business Law and International Business Transactions	prof. JUDr. Monika Pauknerová, CSc., DSc.	5	HSSC3
Crime and Criminal Law in European and International Context	prof. JUDr. Bc. Tomáš Gřivna, Ph.D.	5	HSSC4
Contracts and Torts	prof. JUDr. PhDr. David Elischer, Ph.D.	5	HSSO2
Labour Law and Social Security Law	doc. JUDr. Martin Štefko, Ph.D.	5	HSSO4
Law and Economics	Sven Hoeppner, M.Sc., LL.M., Ph.D.	5	HSSO3
Out-of-Court Dispute Resolution	JUDr. Zbyšek Kordač, LL.M., LL.M.	5	HSSO5
International Administrative Law	prof. JUDr. Jakub Handrlica, LL.M., Ph.D., DSc.	5	HASC8
Islam in Europe – ECHR Case Law	Sean Davidson, J.D.	5	HASC9
Theory and Practice of the European Convention on Human Rights	Mgr. Petr Agha, LL.M., Ph.D.	5	HASC10
Constitutional Review in Central European Context	prof. JUDr. Helena Hofmannová, Ph.D.	5	HSSO9
Financial Market Regulation in the Light of Financial Crisis	JUDr. Ing. Lenka Dupáková, Ph.D.	5	HASO10
International Peace and Security in Cyberspace	JUDr. Milan Lipovský, Ph.D.	5	HASO14
International Aviation Law	JUDr. Lucie Vosečková, Ph.D.	5	HSSO11

FACULTY
OF LAW
Charles University

Course Description – Winter Semester

Czech Constitutional System as a Part of European Constitutional Tradition **HASC1**

The course "Constitutional System of the Czech Republic as a Part of European Constitutional Tradition" focuses on the described issues de constitutione lata, or their interpretation within the framework of positive legal regulation, i.e. the current framework of the constitutional order and the norms immediately following and developing it. Attention will be paid to both the Constitution of the Czech Republic and the Charter of Fundamental Rights and Freedoms, while their individual institutes will be interpreted in the context not only of the laws that implement the constitutional order, but also of the current case law of the Constitutional Court of the Czech Republic. All this in the context and comparison within the legal rules of both the Council of Europe and the European Union, or their member states.

Common European Asylum System (in the time of refugee crisis) **HASO13**

The course is focused on one of the most important problems of our European contemporary life – refugee crisis and its political and legal solution. It should cover an introduction to the European Asylum System in a historical context and international context, analysis of EU legislation in force and case study on transposition of relevant legislation into Czech legal system. Contemporary problems in the time of Ukraine refugee crisis, and activation of temporary protection régime, especially in the light of the Czech Republic experience.

The course should focus not only on theoretical aspects of legal regulation of international protection of refugees, but should also give an opportunity for participants to simulate negotiations over the European legislation in the Council and to simulate an interview with an asylum or temporary protection seeker. The aim of the course is to improve the knowledge of the European Asylum system, its application.

Financial Law **HASO1**

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. The course will cover both the fiscal and non-fiscal parts of Financial law as well as the basics of theory of finance and financial law.

Focus will be given to Czech tax system and its individual components, direct and indirect taxes, and also customs duties. The course will also cover the financial system, banking and insurance, in particular their public-law aspects.

FACULTY
OF LAW
Charles University

Natural Resources Law **HASO4**

The course provides a comprehensive overview of the legal regulation of natural resources management at the international, EU and Czech national level. It deals with rules on the protection and sustainable use of both living and non-living natural resources, such as minerals, water, land and fauna and flora. It covers issues of energy generation from both conventional and non-conventional sources; it pays attention to specific legal regulation of marine resources exploitation and legal regime of resources of Antarctica.

Introduction to Public International Law in the Czech Legal Context **HASO2**

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.

Jurisprudence **HASO3**

The aim of the course is to enhance students' understanding of law by placing it in its theoretical, philosophical and sociological contexts.

Czech Legal History **HASO5**

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.

Introduction into Central European Legal Culture **HASO6**

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.

Emerging Legal Disciplines – Medical and Sport Law **HASO8**

It is possible to observe increasing 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).

Legal Reasoning: First Amendment Case Law **HASO9**

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. 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:

- to deepen students' understanding of U.S. interpretation of freedom of expression and religion;
- to provide context for students to compare and assess various approaches to such issues;
- to provide a framework for students to evaluate the applicability and merits of First Amendment legal arguments in potential future cases;
- to aid students in acquiring and using sophisticated legal English vocabulary and grammar.

Intellectual Property Law **HSSO8**

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

Studies of the ICC Case Law **HASO11**

The subject is intended for students with special interest in public international law, particularly international criminal law. To reach course goals the students are required to prepare every week according to the list of sources and exercises, to prepare answers to provided questions and actively participate in the lectures. Home preparation is thus combined with thematically focused interactive lectures. Students of the subject include Czech Master´s degree students, Erasmus students and LL.M. students. The work is in English language only.

International Protection of Human Rights/ Universal and Regional Standards **HASC5**

This course examines different aspects of international human rights protection. Special focus will be given to 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.

The course aims at providing insight into relevant instruments of protection, like e.g. individual complaints procedures, the evaluation of state reports and fact-finding missions. Students will 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.

Theories of Legal Personhood and Juristic Person **HASO12**

How is it possible that "something" which does not naturally exist, "something" which cannot be perceived with one's own senses, can have rights and obligations? How is it possible that "something" which – unlike a human being – cannot have its own reason and will, can engage in legal conduct?

How is it possible that "something" which cannot have conscience and feel guilt – like a human being – can be legally responsible? And what is then such a legal creation – a juristic person – good for?

The presented course aims to answer all these questions and explain the concept of legal personhood, the concept of juristic person and the theories of juristic person.

Recent Trends in European Copyright Law **HASC11**

The course should cover recent changes in the European Copyright Law. It should be dealing with new Directives, specifically with the Directive on copyright in digital single market and its implementation in a different EU member states and its consequences. In the second part of the course we will focus on the respective decisions of the ECJ.

Environmental Law of the Sea **HASO15**

The course aims to introduce students to the importance of oceans and marine ecosystems for life on the planet and the well-being of both local communities and the international community as a whole, and to familiarize them with the basic sources of international law relevant to the protection and sustainable use of the oceans and their resources and the challenges to their proper implementation.

FACULTY
OF LAW
Charles University

Course Description – Summer Semester

Environmental Law and Policy **HSSC1**

The course will give to the students the fundamental information and knowledge of international, European and Czech regulation of protection of the environment and its parts and components.

Business Law and International Business Transactions **HSSC3**

The course consists of two blocks. The first block of the course focuses on the general principles of conducting business, including various aspects of business conduct such as the legal status of entrepreneurs and their commercial activities, the essentials of company law and most common business contracts in comparative Czech-European view. Special attention is paid to the impact of the European legislation on this area in national law in EU member countries, especially in Czech law. Further, the course offers introduction to Czech/European antitrust law.

The second block of the course focuses on the regulation of cross-border civil and business relations and their practical implications. Special regard is given to both conflict rules and rules of international civil procedure in unified European private international law and in Czech national private international law. Students are introduced to the conflict of laws regime of international business transactions, in particular international business contracts as well as to various options of settlement of commercial disputes.

Constitutional Review in Central European Context **HSSO9**

The course provides knowledge and understanding of the theoretical and practical aspects of the functioning of constitutional adjudication in the Central European region. The starting point of the course is to provide detailedknowledge of the status and functioning of the Constitutional Court of the Czech Republic. Simultaneously, the course places the constitutional adjudication of Czech Republic into a wider context of Central Europe, i.e. in the context of constitutional adjudication as applied in Germany, Austria, Poland, Slovakia and Hungary.

FACULTY
OF LAW
Charles University

European Law in the Czech – EU Context **HSSC2**

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. Within this context the institutional and legal aspects of the Czech EU membership shall be introduced. The course will focus also on EU citizenship status, the role of the CJ EU and the effects of EU law within legal and judicial systems of the EU Member States.

Crime and Criminal Law in European and International Context **HSSC4**

The aim of the course is to introduce students to the basics of Czech criminal law, including its historical context. In doing so, we also draw on criminological theories. We will try to compare some institutes under different legal systems and focus on new phenomena in criminal law such as cybercrime or electronic evidence.

Contracts and Torts **HSSO2**

The aim of the course is to provide students with more details the Czech contractual and tort/delict law. The aim is then to introduce the essential principles and typology of different contracts or more largely the obligation as whole. The course will focus in more details on the essentials of contracts in family law, inheritance law, consumer law as well as essentials of torts. The second part of the course will particularly focus on different prerequisites of civil liability as fault, causation, wrongfulness and damages. The course also put the Czech legislation into broader European context via comparative approach.

Labour Law and Social Security Law **HSSO4**

The course examines and compares the history, structure, and regulations of both employment law (labour law) and social security law in Central Europe, while it mainly focuses on EU law aspects. The course provides a comprehensive information on current EU legislation, including CJEU case law, it focuses also on international law, not leaving behind some up-to-date impacts of EU legislation on Czech labour and social security law.

FACULTY
OF LAW
Charles University

Law and Economics **HSSO3**

This course is designed to introduce students into a framework of institutions such as formal laws, contracts, and informal norms within which all economic activity takes place. Economic analysis will be applied to illuminate the common law areas such as torts, contracts, property or criminal law. It will examine the effect of legal rules on individual behavior, behavior of firms, consequent resource allocation, income distribution, economic growth.

Furthermore, the economic analysis will examine whether these legal rules are in line with reaching socially optimum outcomes. Prior acquaintance with principles of economics is desirable, although brief overview of the relevant economic concepts is given in the introduction.

Out-of-Court Dispute Resolution **HSSO5**

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 course will conclude with class on mediation and overview of other ADR methods.

International Administrative Law **HASC8**

Foreign elements do regularly appear in the relations of administrative law – thus, the administrative authorities must cope with foreign driving licences, university diplomas issued by foreign universities, passports issued by other States, foreign nationals participating in administrative proceedings, facts that occurred abroad with relevance to inland (foreign incomes in tax law) etc. A special branch of law has emerged to deal with the issues, which has been labelled as "international administrative law" (droit administratif international, diritto amministrativo internazionale, Internationales Verwaltungsrecht).

This course will deal with both theoretical topics and with the issues of practical application

of the provisions of international administrative law (in particular with respect to the recognition of foreign administrative acts). The course is opened for both Czech and Erasmus students.

FACULTY
OF LAW
Charles University

Financial Market Regulation in the Light of Financial Crisis **HASO10**

The course is focused on the latest development in financial market regulation. Significant changes have occurred in the particular segments of the financial markets, as a response to the latest Global financial Crises 2007-2009. These changes have substantially affected financial market regulation. And there are still running works on their full implementation.The course will also touch upon the role of the central banks which over the past decade and a half have done things they never did before. Rushed by the emergencies of the Global financial Crises and the Covid 19 pandemic, the major central banks pursued extremely accommodative policies.

The course will aim not only on mentioned changes and central bank policies but also on the core understanding of the functioning of the financial markets, financial institutions and their instruments.

Islam in Europe – ECHR Case Law **HASC9**

This course focuses on analysing and assessing decisions of the European Court of Human Rights in various cases involving the free religion and free expression rights of Muslims in Europe. These cases require judges to perform the often difficult task of determining where the border may lie in cases of free religion under the European Convention on Human Rights, which was drafted by the Council of Europe in 1950.

The topic of the free religion rights of Muslims has become particularly important in recent years, and most of the cases studied in this course are quite recent, including the 2014 decision in the case of the French veil prohibition (S.A.S. v. France). This course covers cases in a number of contexts, including the free religion rights of students in primary and secondary schools as well as the rights

of believers in public.

In this course, students are encouraged to critically analyse the reasoning of the European Court of Human Rights in the cases studied, and there is a particular focus on the proportionality test, as well as the implications of its application. In addition, students are introduced to comparisons with cases decided by American high courts to gain better understanding of different reasoning used in different jurisdictions.

The objectives of this course are:

- to deepen students' understanding of how the free religion rights of Muslims are protected by the European Court of Human Rights; to deepen the students' understanding of the interpretation of freedom of expression and religion;
- to provide a deep insight into current issues concerning the definition of human rights in Europe;
- to provide students the tools to compare and assess various approaches to reasoning free religion cases;

- to aid students in acquiring and exercising sophisticated legal English vocabulary and grammar.

Theory and Practice of the European Convention on Human Rights **HASC10**

This is a multi-disciplinary course that provides students with a rigorous and focused engagement with different disciplinary perspectives on the subject of human rights including philosophy, sociology and law. It provides students with contending interpretations of human rights as an idea and practice from the different standpoints that the disciplines present. The course applies the insights of disciplinary frameworks of understanding to key human rights issues such as universality, the right to life, free speech and globalization.

This course is designed to provide students with a broad introduction to the conceptual and legal problems raised by the development of a global human rights regime and to help students think their way through some of the complexities of European human rights law. It will provide an introductory analysis to the jurisprudence of the European Court of Human Rights and the substance of European human rights law, by looking at different generations of rights, their content and relation to each other, through an analysis of different "functions" of human rights (protection, participation, distribution, inclusion).

International Peace and Security in Cyberspace **HASO14**

The regulation of international peace and security belongs among the cornerstones of international law and its goal is to guarantee the safety and peaceful coexistence and cooperation of states and other international actors. The creation of cyberspace has confronted the system with unforeseen challenges and the cyberspace, once considered a "free" domain, is gradually succumbing to law-based regulation.

Despite the recent efforts to regulate activities in cyberspace, the technical challenges of attribution as well hesitations regarding the applicability of international law in its entirety to the new domain challenge the effectiveness of international peace and security.

The goal of the subject is to get the students acquainted with the system of international peace and security, as well as with the currently most debated areas of the system's interplay with activities in cyber space.

In order to reach the goal of the subject, students will be required to read prepared materials and actively participate in debates during lectures/seminars. Study methods include case-studies of both fictitious and real events in cyberspace.

FACULTY
OF LAW
Charles University

International Aviation Law **HSSO11**

This course covers the whole area of international aviation law, including air rights, security and safety, liability of the air carrier towards passengers, shippers, and third parties, and air traffic management. Firstly, we will focus on the public international regulation of civil aviation law, specifically on Chicago Convention establishing the core principles permitting international transport by air and the role of the International Civil Aviation Organization. From this starting point, we will explore the individual topics civil aviation law deals with. Special attention will be dedicated to the respective case law