



Faculty of Law, Criminal Justice and Public Administration

LL.M. INTERNATIONAL BUSINESS LAW

SPRING SEMESTER 2020
COURSES OPEN TO THE PUBLIC
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International Company Law 19-20 March 2020

This course will focus on practical aspects of cross-border merger and acquisition transactions, in particular on selected difficulties of contract drafting for prevention of post-transaction disputes. Examples (essentially based on the acquisition of a Swiss target by a foreign purchaser) will be analysed in light of the relevant principles of contract and corporate law. Relocation of the seat of a corporation (from and to Switzerland) will also be examined.

Business and Human Rights 30 April-1 May 2020

This course engages with the rapidly developing area of business and human rights law. It will examine the State obligation to protect human rights, including from adverse impacts by business entities, and the corporate responsibility to respect human rights. It will also consider the access to effective remedies by victims of corporate activities.

The course will cover developments in international, regional and domestic regulation, and international standards such as the United Nations Guiding Principles on Business and Human Rights. It also will look at developments in international, regional and domestic dispute resolution involving business and human rights, including with respect to claims brought against companies. While the focus of this course is on legal issues, this area does raise policy and risk management issues, all of which have practical implications for business regulation and dispute resolution. As it draws from legal principles across a wide area of law, such as company law, public law, environmental law, financial law, criminal law, public international law, tort law, contract law, private international law and labour law, it opens up the possibility of innovative thinking and applications for business.

International Arbitration and Mediation Advanced 7-8 May 2020

Targeted toward professionals with sound knowledge of this area and students who have already completed the LL.M. courses in International Commercial Arbitration or Investment Arbitration, this course addresses specialised problems arising in the practice of international arbitration.

This year's edition of the course will be devoted to problems related to the conduct of arbitration proceedings (case management, terms of reference, procedural timetable, procedural orders, taking of evidence, expert witnesses, hearings, applicable rules of law, expedited procedures, confidentiality *etc.*) and the making of the award (final, partial and interim awards, scrutiny of the award, award by consent, correction and interpretation, decision as to the costs *etc.*). The course will include case discussions and relies on contributions by experienced counsel and arbitrators, including Pierre-Yves Gunter (Bär & Karrer) and Joachim Knoll (LALIVE).

Sharing Economy and the Law 14–15 May 2020

This course introduces students to contract law, property law and labour law aspects of the sharing economy; it also covers the legal framework for platforms and its challenges and liability risks. Furthermore, the course programme includes competition and tax law aspects, as well as problems arising in a cross-border context.

International Litigation Advanced 11-12 June 2020

Targeted toward professionals with sound knowledge in this area and to students who have already completed the LL.M course in International Commercial Litigation, this course, which relies on contributions by experienced litigators, addresses specialised problems arising in the practice of international disputes.

This year edition of the course will be devoted to problems related to the recognition and enforcement of civil judgments and interim measures, both in Switzerland and in selected foreign countries (Swiss PIL Act, Brussels Ia Regulation and Lugano Convention, English recognition system after Brexit). We will focus in particular on some specific grounds for refusal (indirect jurisdiction, defective service of process, substantial and procedural public policy), other obstacles to enforcement (state immunity, prescription), and the enforcement procedures.

This course relies on contributions by experienced litigators, including Sandrine Giroud (LALIVE) and Alexander Layton (Twenty Essex, London).

Business Law and Litigation in Asia (May/June 2020 - dates to be confirmed)

In a global marketplace where trade with Asian countries is increasing, basic knowledge of Asian Business Law is essential. This course covers the legal framework for doing business in Asia from an Asian comparative perspective. It also addresses the important question of how disputes are litigated or arbitrated in Asia. A special focus will be placed on new dispute resolution centres such as Hong Kong and Singapore.