

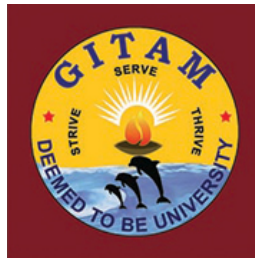
**GANDHI INSTITUTE OF TECHNOLOGY AND
MANAGEMENT (GITAM)**

(Deemed to be University, Estd. U/s 3 of the UGC Act, 1956)

VISAKHAPATNAM * HYDERABAD * BENGALURU

Accredited by NAAC with 'A+' Grade

CENTRE FOR POST GRADUATE LEGAL STUDIES (CPGLS)



REGULATIONS & SYLLABUS

**ONE YEAR LL.M (INTERNATIONAL LAW)
(CHOICE BASED CREDIT SYSTEM-CBCS)
ACADEMIC YEAR 2021-22**

SCHOOL OF LAW

GITAM Deemed to be University

Rushikonda, Visakhapatnam-530 045, A.P.

Ph: 91-891-2840511, Fax:91-891-2736511, email: director_sol@gitam.edu

www.gitam.edu

2021-22

REGULATIONS & GUIDELINES

One-Year Full Time LL.M Semester Programme

Introduction: GITAM School of Law, a constituent Institute of GITAM Deemed to be University, Visakhapatnam Campus offers One Year full time LL.M (International Law) Programme which aims at imparting quality Legal Research education leading to excellence and innovation. The students are trained to meet the needs of the society in the changing global scenario and they are equipped with theoretical foundations in Law as well as Research Orientation towards Law practice in such a way that they are not only capable to perform as effective Legal practitioners but also to shoulder greater responsibilities of the society.

This programme is uniquely comprehensive, that it helps students in developing an integrated view of Legal Research studies through a semester system, in which the courses are handled in-depth and students are evaluated continuously on various dimensions. Learning is facilitated through a mix of classroom interactions, case laws, project work, chamber visits, court visits, moot courts, and internship.

The curriculum lays the foundation for a conceptual and analytical understanding of Indian legal system and contemporary global legal regime. These programmes are designed to blend current legal theory and practice with emerging trends in the field of Law with the aim of moulding the students into competent, responsible and visionary Legal Researchers & Practitioners. The course content is constantly updated to be in tune with the emerging trends in the field of Legal Research all over the globe.

Objectives of the Programme:

- To impart quality legal education, leading to excellence and innovation
- To train the students in legal education to meet the needs of the society in the changing global scenario
- To provide quality teaching and research for advancement of legal knowledge and dissemination relevant to the contemporary knowledge society.
- To provide challenging career in the world of work
- To mould students into socially responsible citizens.
- To develop a holistic personality of the students with good culture, values, ethics and attitudes.

- 1) **Admissions:** Admission into One Year Fulltime LL.M Programme of GITAM School of Law is on the basis of GITAM Admission Test or CLAT or LSAT or any other National Level Admission Test conducted by any UGC recognised University.
- 2) **Eligibility Criteria:** Admission into One Year Fulltime LL.M is based on the qualifying examination and entrance test. **To be eligible into this programme,** a candidate should have passed his / her graduation in 3 Year LL.B or Five Year BA.LLB / BBA.LLB / BSc.LLB / B.Com.LLB from any recognized University with not less than 50% marks (45% in case of SC/ST and persons with divyang) and candidates who are appearing for the final year and awaiting results may also apply for the entrance test. No upper age limit is prescribed for these programmes.
- 3) **Structure of the Programme:** The LL.M Programme is designed, keeping in mind the objectives stated earlier and structured by including courses on various aspects of Law. This entails an in-depth study of core courses in the TWO semesters. LL.M Course is to be pursued in a selected branch of specialization offered by the University. The course consists of 3 compulsory theory papers, one practical examination and dissertation common to all LL.M students and 6 papers of specialization and the semester-wise course structure is as follows:
 - (a) In the first semester, the candidate has two compulsory theory papers (Paper 1&2) and three papers from the branch of specialization. (Branch Papers 3,4,5).
 - (b) In the second semester, the student has one compulsory theory papers (Compulsory Paper 1) and three Papers from the branch of specialization. (Branch papers 3,4,5).
 - (c) In the second semester, the student has to complete the dissertation in partial fulfillment of the LL.M degree and shall have a practical examination on teaching aptitude and soft skills.
- 4) **Medium & Method of Instruction:** The medium of instruction (including examinations and project reports) shall be English. The method of instruction shall comprise of class room lectures, guest lectures, presentations, seminars, chamber visits, court visits, moot courts, case law presentations, mediation / counseling, internship, etc.

Learning and teaching activities

- Case studies
- Discuss contemporary developments
- Class presentations
- Group Discussions

Assessment procedure:**FIRST SEMESTER**

Task	Task type	Task mode	Weightage (%)
A1. Project / Presentation	Individual	Assignment & Presentation	10
A2. Coursera	Individual	Coursera Certificate Compulsory in Paper-II	10
A3. Teaching	Individual	UG Teaching	20
A4. End-term exam	Individual	Written (short/long)	60

Sl. No	Component of assessment	Marks allotted	Type Assessment	Scheme of Examination
1	Internal	40	Continuous evaluation	Assignment & Presentation (10) + Coursera (10) + UG Teaching (20)
	Semester-end examination	60	End semester exam	Five out of 8 questions =5*12=60 marks
		100		

SECOND SEMESTER

Task	Task type	Task mode	Weightage (%)
A1. Project / Presentation	Individual	One Compulsory Publication from respective specialisation in reputed impact journals	20
A2. Teaching	Individual	UG Teaching	20
A3. End-term exam	Individual	Written (short/long)	60

Sl. No	Component of assessment	Marks allotted	Type Assessment	Scheme of Examination
1	Internal	40	Continuous evaluation	Compulsory Publication (20 Marks) + UG Teaching (20 Marks)
	Semester-end examination	60	End semester exam	Five out of 8 questions =5*12=60 marks
		100		

Transferrable and Employability Skills

S.No.	Outcomes	Assessment
1	Know how to use online learning resources: G-Learn, online journals,etc	A1 & A2
2	Communicate effectively using a range of media	A2 & A3
3	Apply teamwork and leadership skills	A3
4	Find, evaluate, synthesize & use information	A1 & A2
5	Demonstrate professionalism & ethical awareness	A3
6	Apply multidisciplinary approach to the context	A3
7	Analyze real world situation critically	A4
8	Reflect on their own professional development	A4

End Term Examination - General Marking Criteria

Well Below Expectations	(0-20%)	Little or no relevant material presented. Unclear or unsubstantiated arguments with very poor accuracy and understanding. Little evidence of achievement of the relevant stated learning outcomes of the course unit.
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Below Expectations	(20-40%)	Reveals a weak understanding of fundamental concepts with no critical analysis. Produces answers which may contain factual and/or conceptual inadequacies. Provides poorly written answers that fail to address the question, or answers that are too brief to answer the question properly. Provides solutions to calculative questions that demonstrate inadequate analytical skills.
Meets Expectations	(40-60%)	Demonstrates good understanding of the material. Shows a basic knowledge of relevant literature but draws mainly on lecture material. Addresses the questions and demonstrates reasonable writing skills with some ability to structure the material logically. Provides solutions to calculative questions that demonstrate good analytical skills.
Exceeds Expectations	(60-80%)	Demonstrates an ability to integrate the concepts introduced and applies them to problems with some evidence of critical analysis. Shows evidence of reading beyond lecture notes that is appropriately analyzed and evaluated. Provides clear and competent answers to the questions, well written. Clearly presents solutions to calculative questions and demonstrates very good analytical skills.
Well Above Expectations	(80-100%)	Demonstrates the ability to evaluate concepts and assumptions critically and to thoughtfully apply concepts to problems. Demonstrates independent thinking and insight into theoretical issues. Shows evidence of extensive reading beyond the lecture notes and the ability to synthesize and integrate the relevant literature. Writes well and structures the response so as to provide a succinct, coherent and logical answer. Clearly presents solutions to calculative questions and demonstrates excellent analytical skills.

5) **Choice Based Credit System - Continuous Assessment & Examinations:** The course content of individual subjects – classroom lectures as well as practicals is expressed in terms of a specified number of credits. The number of credits assigned to a subject depends on the number of contact hours (lectures & practicals) and each programme consists of total No. of **24** credits. The assessment of the students' performance in each course will be Choice Based Credit System consisting of continuous internal evaluation and semester-end examination. The marks for each of the component of assessment are as follows:

Examination rules & regulations:

- Candidate shall take examination in each of the subjects prescribed for study at the end of the semester by registering for that semester examination and obtaining hall ticket for the same. Duration of the examination is three hours.
- A candidate will be declared to have passed in the concerned paper if the candidate secures a minimum of 45%.
- However, for practical papers, a minimum of 50% is essential.
- For qualifying in the whole examination for obtaining the LL.M degree, the candidate has to secure a minimum overall aggregate of 50%.
- The calculation of the aggregate percentage required for qualifying in the examination would be done only at the end of the completion of the course.

- 6) **Grading System:** Based on the students' performance during a given semester, a final grade will be awarded at the end of the each semester in each course. The grades and the corresponding grade points are as given below:

Grade	Grade points	Absolute Marks
O	10	90 and above
A+	9	80-89
A	8	70-79
B +	7	60-69
B	6	50-59
C	5.2	45-49
F	0 (Fail)	< 45

CGPA required for award of Degree on the successful completion of the LL.M programme is shown below:

Distinction	...	$\geq 8.0^*$
First Class	...	≥ 7.0
Second Class	...	≥ 6.0
Pass Class	...	≥ 5.2
Fail	...	< 5.2

*In addition to the required CGPA of 8.0, the student must have necessarily passed all the courses of every semester in the first attempt.

Grade Point Average: A Grade Point Average (GPA) for the semester will be calculated according to the formula:

$$\frac{\sum C \times G}{\sum C}$$

where C = number of credits for the course,
G = grade points obtained by the student in the course.

Grade Point Average (GPA) is awarded to those candidates who pass in all the subjects of the semester. To arrive at Cumulative Grade Point Average (CGPA), a similar formula is used considering the student's performance in all the courses taken in all the semesters completed up to the particular point of time.

- 7) **Eligibility for Award of the LL.M Degree:** A student is expected to complete the LL.M programme in two semesters of one year duration. However, a student may complete the programme in not more than two years including study period. The above regulation may be relaxed by the Vice Chancellor in individual cases for cogent and sufficient reasons.

A student shall be eligible for award of the One Year Fulltime LL.M degree if he / she fulfill the following conditions.

- a. Registered and successfully completed all the courses and projects.
- b. Successfully acquired the minimum required credits as specified in the curriculum within the stipulated time.
- c. Has no dues to the Institute, hostels, Libraries, NCC / NSS etc, and
- d. No disciplinary action is pending against him / her.

ONE YEAR FULLTIME LL.M (INTERNATIONAL LAW)

Duration	:	One Year (Full Time)
Total No. of Credits	:	12+12=24
Course Load	:	5+5=10 subjects per year
Weekly Hours	:	30 Hours including teaching
Weekly Tutorials	:	25 Hours
Assessment pattern	:	40+60=100 marks for theory subjects & 70 (dissertation) + 30 (viva) =100 Marks

COURSE TITLES (SYLLABUS)

Code No	Title of the course	Credits	Marks		Total
			Internal continuous assessment	End-Sem	
SOL1C101	Research Methods & Legal Writing	3	40	60	100
SOL1C102	Comparative Public Law (including coursera)	3	40	60	100
SOL1C103	Public International Law	2	40	60	100
SOL1C104	<i>Human Rights Law (National & International)</i>	2	40	60	100
SOL1C105	<i>International Trade Law</i>	2	40	60	100
Total:		12			

SEMESTER-II

Code No	Title of the course	Credits	Marks		Total
			Internal continuous assessment	End-Sem	
SOL1C201	Law and Justice in Globalised World	3	40	60	100
SOL1C202	Conflict of Laws (Private International Law)	2	40	60	100
SOL1C203	Law of International Institutions	2	40	60	100
SOL1C204	Transnational Dispute Resolution	2	40	60	100
SOL1C205	Dissertation	3	---	100	100
Total:		12			

ONE YEAR LL.M (INTERNATIONAL LAW)

SEMESTER-1

Course Code: SOL1C101	Course Title: Research Methods & Legal Writing	
Semester: I	Course Type: Core	Credits: 3

Course description and learning outcomes: This course is designed to give an insight into the meaning and significance of research methods for legal research to the law students in contemporary times. It aims to provide an understanding of the various types of research methods and the different techniques of legal research and legal writing with a view to equip the students for further research in law.

Learning Objectives

- To understand importance of research in law
- To understand various legal research methods and legal research processes
- To acquaint with various legal writing techniques

On successful completion of this course, students will be able to:

S.No.	Learning Outcome	Assessment
1	Learn the general principles in legal research and types of research	Presentation/research
2	Learn various legal research methods	Presentation/research
3	Understand the legal research processes and legal source	Presentation/research
4	Learn writing legal reports	Presentation/legal writing
5	Understand the contemporary trends in legal research in India	Presentation/research

Course outline and indicative content

UNIT-I: Introduction: Research: Definition, Meaning, Objectives, Motivations, Types and Significance, Method and Methodology, Scientific Method, Research Process - Types of Research – Descriptive vs. Analytical, Applied vs. Fundamental, Quantitative vs. Qualitative, Conceptual vs. Empirical, and other types like and Action Research – Logic and Research, Scientific Method and Research – Inductive and Deductive Research Methods - Qualities of a Good Researcher.

UNIT-II: Legal Research Methods: Definition and Meaning of Legal Research- Objectives- Motivation- Significance, Types- Evolutive, Explicative, Identificatory, Projective, Collative, Impact Analysis, Interactive, Interpretative, Socio- Legal Research Methods, Inter/Multidisciplinary research Historical. Research - Doctrinal Research Method and the various steps - Non-Doctrinal Research Method and the various steps.

UNIT-III: Legal Research Process & Sources: Criteria for a Good Research Formulating Research Problem: Literature Review, Hypothesis, Research Design Methods of Data Collection: Observation, Interview, Questionnaire, Schedules, Case Study Organization, Interpretation and Analysis of Data, Tools of Legal Research: Library, Books, Law Reports, Law Commission Reports, Legislative and Constitutional Assembly Reports, Computer/Internet Plagiarism and Copyright Infringement.

UNIT-IV: Legal Research-Writing: Legal Writing – Meaning and Significance - Report Writing, How to write a Dissertation / Thesis Use of Citations, Foot Notes, Blue Book Citations - ILI Format – MLA Format – Chicago Manual - Reference, Bibliography, Indexes, Appendixes, Chicago Manual.

UNIT-V: Legal Research in India: Legal Research – Evolution, Changing Emphasis and Contemporary Trends in general and specific to India - Legal Research and Law Reforms: Role of Judges and Jurists, Recommendations of Commissions and Committees etc.- Obstacles to Good Research in India.

References:

1. Tiwari H.N., Legal Research Methodology, Allahabad Law Agency, Haryana, 1997, 2003
2. Kothari C.R., Research Methodology: Methods and Techniques, 2nd Edition, New Age International Publishers.
3. Anderson J Durstan; B. H. Pooli, Thesis and Assignment Writing, Eastern Books Limited, New Delhi, 1977.
4. Prof. Tushar Kanti Saha, Textbook on Legal Methods, Legal Systems and Research, Universal Law Publishing Co., New Delhi, 2010.

Course Code: SOL1C102	Course Title: Comparative Public Law	
Semester: I	Course Type: Core	Credits: 3

Course description and learning outcomes: This course is designed to examine from a comparative perspective –legal structure and concepts that are found in Constitutions across the world, precepts such as basic rights, rule of law, systems of governance, judicial review. Comparative Constitutional Law course is intended to make students familiar with the constitutional systems of a few countries, in particular the constitution of United States of America, Canada, Australia and few other emerging constitutions along with the Indian Constitution. Students will be benefitted from deeper understanding of the doctrines and values underlying the provisions and principles from various constitutional systems.

On successful completion of this course, students will be able to:

S.No.	Learning Outcome	Assessment
1	Identify, analyze and explain theoretical knowledge and understanding of the range of constitutional models throughout the world;	Group Discussion
2	Investigate, synthesize and critically evaluate the role and relevance of constitutional comparison;	Quiz/Assignment
3	Interpret and critically examine contextually, the current trends towards protecting human rights in the U.S.A Canada & Australian legal systems, and in other legal systems;	Case Law enactment
4	Identify, evaluate and review the accomplishments and shortcomings of the Indian constitutional system through a comparative lens; and	Group discussion/ Assignment
5.	Plan, design and execute a research project that identifies, critically examines and communicates comparative analysis to complex theoretical issues and practical problems in constitutional schemes, demonstrating relevant research principles and techniques.	Research project design/Assignments

Course outline and indicative content:

Objective of the course - Public law in a broader sense means the way in which a country is governed. It consists of the, duties, power, functions and the limitations of State inter se and vis-à-vis its citizens and vice-versa. This paper exposes the student to these processes and interactions.

Unit-I: Concept of Constitution : Meaning and Idea of Constitution, Nature and Goals, Living Constitution, Constitution as Supreme Law, Study of Comparative Constitutional Law relevance Problems and Concerns in Using Comparison, Constitutionalism ,Concept, Distinction between Constitution and Constitutionalism, Essential features of Constitutionalism -Written Constitution, Separation of Powers, Fundamental Rights, Independence of Judiciary and Judicial Review.

Unit-II: Constitutional Foundations of Powers: Supremacy of Legislature in Law Making Rule of law, Dicey’s Concept of Rule of Law, Modern Concept of Rule of Law, Social and economic rights as part of rule of law.

Unit-III: Separation of Powers: Concept of Separation of Powers ,Checks and Balances ,Separation of Powers or Separation of Functions.

Unit-IV : Forms of Governments: Federal and Unitary Forms, Features, Advantages and Disadvantages Models of Federalism and Concept of Quasi-federalism, Role of Courts in Preserving Federalism Parliamentary and Presidential Forms of Government

Unit-V : Constitutional Review and Amendment: Methods of Constitutional Review, Judicial and Political Review, Concentrated and Diffused Review, Anticipatory and Successive Review, Concept and Origin of Judicial Review, Limitations on Judicial Review, Various Methods of Amendment, Limitations on Amending Power: Comparative Perspective, Theory of Basic Structure: Origin and Development.

Coursera Compulsory Certificate Course: Revolutionary ideas: Utility, justice, equality, freedom: In this course, we will explore those ideas, taking the political institutions and political systems around us not as fixed and unquestionable, but as things to evaluate and, if necessary, to change. We will consider the ideas and arguments of some of the world's most celebrated philosophers, including historical thinkers such as Plato, Aristotle, Thomas Hobbes, John Locke, Immanuel Kant, Mary Wollstonecraft, and John Stuart Mill; and more contemporary theorists such as Elizabeth Anderson, Isaiah Berlin, Thomas Christiano, Frantz Fanon, Amy Gutmann, Friedrich Hayek, Robert Nozick, Martha Nussbaum, Julius Nyerere, Ayn Rand, John Rawls, Peter Singer, and Kok-Chor Tan. The aim of the course is not to convince you of the correctness of any particular view or political position, but to provide you with a deeper and more philosophically-informed basis for your own views, and, perhaps, to help you better understand the views of those with whom you disagree.

References:

1. D.D. Basu, Comparative Constitutional Law, Wadhwa Nagpur.
2. Dr. Subhash C Kashyap, Framing of Indian Constitution Universal Law.
3. Mahendra P. Singh, Comparative Constitutional Law Eastern Book Company.
4. Christopher Forsyth, Mark Elliott, Swati Jhaveri, Effective Judicial Review: A Cornerstone of Good Governance Oxford University Press.
5. David Strauss, The Living Constitution Oxford University Press.
6. Elizabeth Giussani, Constitutional and Administrative Law Sweet and Maxwell.
7. Erwin Chemerinsky, Constitutional Law, Principles and Policies, Aspen.
8. M.V. Pylee, Constitution of the World Universal.
9. Neal Devins and Louis Fisher, The Democratic Constitution Oxford University Press.
10. S.N Ray, Judicial Review and Fundamental Rights Eastern Law House.
11. Sunil Khilnani, Vikram Raghavan, Arun Thiruvengadam, Comparative Constitutionalism in South Asia Oxford University Press.
12. Vikram David Amar, Mark Tushnet, Global Perspectives on Constitutional Law Oxford University Press.
13. Zachery Elkins, Tom Ginsburg, James Melton, The Endurance of National Constitutions Cambridge University Press.

Course Code: SOL1C103	Course Title: Public International Law	
Semester: I	Course Type: Core	Credits: 2

Course description and learning outcomes: This course is designed to analyze the role of International Law in maintaining the harmonious relations among the nations of the world. It also focuses on international human rights and a means to maintain international peace and security.

LEARNING OBJECTIVES

- To understand the basic concepts of movable property, immovable property
- To understand the principles governing transfer of property
- To acquaint with provisions dealing with various modes of transfers such as sale, mortgage, lease, gift etc.

On successful completion of this course, students will be able to:

	Learning Outcome	Assessment
1	Learn about the basic principles International Law	Presentation / Case Law
2	Explain about the basic principles of law of the sea and status of individual	Presentation / Case Law
3	Understand the status of individual	Presentation
4	Understand the various International Organizations	Presentation / Case Law
5	Acquaint with International Human rights and human rights in India	Presentation / Case Law

Course outline and indicative content

UNIT-I: (12 Sessions) Nature of International Law: Origin, Nature and Importance of International Law; Public vs. Private International Law; Is International Law True Law? Basis of International Law; Sources of International Law and Schools of International Law; Relations between International Law and Municipal Law, Subjects of International Law.

UNIT-II: (12 Sessions) State Recognition & Succession: Meaning and classification of States; Theories of Recognition; Methods and consequences of Recognition; Recognition of Belligerency and Insurgency; State Succession. Universal and Partial Succession. Consequences of State Succession; Acquisitions and Loss of State Territory

UNIT-III: The Law of the Sea: Territorial Sea; Continental Shelf – Contiguous Zone; Exclusive Economic Zone (EEZ) - UN Convention on the Law of the Sea; International Sea-bed and the High seas Marine Environment.

UNIT-IV: Place of Individual in International Law: Nationality Modes of acquiring and loss of nationality; Double nationality; Statelessness; Extradition and Asylum in International Law; Diplomatic Agents: Privileges and immunities; International Treaties; Vienna Convention on International Treaties.

UNIT-V: UBO & Dispute Resolution (12 sessions): The League of Nations; United Nations Organization (UNO), General Assembly and Security Council; Dispute Settlement System; International Arbitration, International Court of Justice (ICJ) and International Criminal Court (ICC).

References:

- 1) S.K.Kapoor: Public International Law, Central Law Agency.
- 2) Malcolm Shaw- International Law
- 3) Ian Brownie: Principles of Public International Law, Oxford University Press.
- 4) Stark: Public International Law.
- 5) Oppenheim: International Law.

Course Code: SOL1C104	Course Title: Human Rights Law (National & International)	
Semester: I	Course Type: Core	Credits: 2

Course description and learning objectives

This course is designed to examine the grounds for sustenance and protection of Human rights at international and national level based on global justice.

LEARNING OBJECTIVES

- To understand the basic concepts of Human Rights in general
- To study International Instruments on Human Rights with reference to Universal Declaration.
- To acquaint with the regional conventions on Human Rights.
- To analyse Indian Constitution and its relation with Human Rights.

On successful completion of this course, students will be able to:

	Learning Outcome	Assessment
1	Learn about the basic principles of Human Rights Law	Presentation / Case Law
2	The role of UNO on International Human Rights and optional protocols	Presentation / Case Law
3	Understand the regional arrangements on Human Rights	Presentation
4	Knowledge of role of human rights w.r.t. vulnerable groups (Special Intl. Conventions)	Presentation / Case Law
5	Acquaint with Indian response to Human Rights in the light of UDHR	Presentation / Case Law

Course outline and indicative content

UNIT-I: The Concept of Human Rights (12 sessions): Origin and Evolution of Human Rights – Significance of Human Rights; Theories of Human Rights; the Three Generation of Human Rights.

UNIT-II: United Nations Organisation (UNO) – International Human Rights (12 sessions): The UNO and Human Rights; UN Commission on Human Rights; Human Rights Council. Universal Declaration of Human Rights; International Covenant on Civil and Political Rights, 1966; International Covenant on Economic, Social and Cultural Rights, 1966; Optional Protocol to the Covenant on Civil and Political Rights, 1966; Implementation of the Covenants.

UNIT-III: Special International Conventions (12 sessions): Convention on the Prevention and Punishment of the Crime of Genocide, 1948; Geneva Convention relating to the Treatment of Prisoners of War, 1949; Convention against torture and other cruel, inhuman or degrading treatment or punishment, 1984; Convention on Elimination of all forms of discrimination against Women, 1979; Convention on the Rights of the Child; 1989, International Convention on the protection of Rights of all migrant workers and member of their families, 1990.

UNIT-IV: Regional Conventions (12 sessions): European convention for the protection of Human Rights and Fundamental Freedoms, 1950; European Commission; European Court on Human Rights; American Convention on Human Rights, 1969; Inter-American Commission; Inter-American Court of Human Rights; African Charter on Human and People's Rights, 1981; African Commission; African Court on Human and People's Rights.

UNIT-V: India - Human Rights (12 sessions): Indian Constitution and Human Rights; International Covenants and Indian Constitution; National Human Rights Commission, 1993; State Human Rights Commission, The National Commission for Backward Classes, 1993; National Commission for Women Act, 1990; the National Commission for Minorities Act, 1992 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities Act, 1989).

Text Books:

1. Jack Donnelly: Universal Human Rights in Theory and Practice; Cornell University Press, 2013.
2. Oliver De Schutter: International Human Rights Laws, Cases and Materials, Cambridge 2014.
3. SK Kapoor, Human Rights Understanding – International & National Law, Central Law Agency, 2018.

References:

- 1) F.Gomer Isa, K.De Feyter (Ed) International Human Rights Law in a Global Context; Univeristy of DEUSTO, Spain, 2009.
- 2) James Griffen on Human Rights, Oxford, 2014.
- 3) Dinah Sheltonl Advanced Introduction to International Human Rights Laws, Elgar Edition, 2014.

Course Code: SOL1C105	Course Title: International Trade Law	
Semester: I	Course Type: Core	Credits: 2

Course Description and Learning outcomes: The majority of the economists and business experts realize that no business today is purely domestic. Businesses around the world are affected by Global competition and Global events. The realities of the modern world make all business international. No longer, an economic or political change in one nation occurred without causing reverberations throughout the world markets. The world today is more economically interdependent than at any other time in history; and this has led to the Globalization of products service and capital.

In this new millennium, nations have moved away from protectionism to free trade, opening markets for goods and services that were once closed to foreign competition. The world has seen a steady movement towards the economic integration and development of free trade areas and **common markets** among nations. Further, greater political stability in developing countries has led to increasing foreign investment and integration of those nations into the world economy.

The sharing of technology and knowhow, patents, copyrights and trademarks now licensed for use around the globe freely, the interrelatedness of financial markets, the worldwide flow of capital; the free movement of people, money and technology across national borders by MNCs have had a tremendous impact on global economy.

With this interdependence, nations realized the need to reach an agreement on important legal issues; that led to the development of widely accepted legal norms and conventions to provide a stable and consistent legal environment for organizations doing business across national borders.

Learning objectives:

- To provide an overview of International Business theories and laws.
- To analyse the legal dimensions of international trade transactions.
- To equip with various international conventions and organisations connected with the International Trade.
- To focus on various modes of dispute resolution methods in international trade.

On successful completion of this course, students will be able to:

	Course Outcomes	Assessment
CO1	Discuss the theories and the importance of GATT and WTO and the differences between the two.	A1,A2,A3&A4
CO2	Analyse the legal framework related to international trade transactions	A1,A3&A4
CO3	Elucidate the role of international conventions and organisations in the international trade activities.	A2,A3&A4
CO4	Familiarise the various methods of settlement of disputes arising out of international trade transactions.	A2&A4

Course outline and indicative content:

Unit-I (12 sessions) (CO1, CO2, L3 & L2: International Trade Environment: The nature, purpose of International Trade; theories of International Trade, the evolution of GATT (General Agreement of Tariffs & Trade) and its objectives. An assessment of GATT; World Trade Organization (WTO); the Membership structure and functions of WTO; WTO Vs. GATT - A Comparative study; main principles of international trade, most favoured nation; National Treatment. Barriers to International Trade; tariff and Non-tariff barriers.

Unit-II (10 sessions) (CO1, CO2, L3 & L2): International Sales Contracts: Special Trade terms in export sales, formation, performance acceptance and rejection of goods; frustration of contract invoices, packing, rules relating to packing, product liability; The Consumer Protection Act.

Unit-III (10 Sessions) (CO2, CO3, L3 & L2): International Finance: Bills of exchange, payment by bills of exchange; nature of bills of exchange; foreign bills. The UN Convention of 1988 on International Bills of Exchange and Promissory Notes; Letters of Credit, Kinds of Letters of Credit; Fraud affecting Letters of Credit, Bank Guarantees; International Factoring.

Unit-IV (12 Sessions) (CO4, CO3, L3 & L4): International Transportation & Insurance: Carriage of goods by sea, air and land – Legal aspects; Bills of Lading, Perils of the sea; container transport; marine and aviation insurance; Llyod's Marine Policy; Air Cargo Insurance.

Unit-V (16 Sessions) (CO5, CO4, , L3,L4): Regulation of International Business & Dispute Settlement Mechanism: Export Licensing regulations, customs regulations, the Indian Customs Act, International Agency arrangements; contract of agency; Agent's authority, Kinds of agents, Rights and duties of agents and principal, Sole distribution agreements, **Dispute Settlement Mechanism**, international commercial dispute resolution; Rome Convention, The Brussels and Lugano Conventions; International commercial arbitration, UNCITRAL arbitration; the ICC Arbitration; International Centre for Settlement of Investment Disputes (ICSID). Enforcement of foreign judgments and arbitral awards; WTO Dispute Settlement Procedure.

Textbooks:

1. AK Kaul: A Guide to WTO and GATT: Economics, Law and Politics (Kluwer Law International-2006).
2. Raj Bhalla: International Trade Law, Theory and Practice (LexisNexis).
3. Carrole Murray, Leo D'Arcy, and Barbara Cleave: Schmitthoff's Export Trade, The Law and Practice of International Trade (Sweet & Maxwell).

References:

1. Schnitzer, Simone, Understanding International Trade Law (Universal Publishing House)
2. Indira Karr & Richard Karr: International Trade Law (Routeledge).
3. P.Todd: Cases and Materials on International Trade Law (Sweet & Maxwell).
4. Nicholas Kouladis: Principles of Law relating to International Trade (Springer).

SECOND SEMESTER

ONE YEAR LL.M (INTERNATIONAL LAW)

Course Code: SOL1C201	Course Title: Law & Justice in Globalised World	
Semester: II	Course Type: Core	Credits: 3

Course description and learning outcomes: The students should understand the process of globalization in all its dimensions and perspectives, they should particularly appreciate the globalization in the context of law and justice and the *vice versa* i.e. the law and justice in the context of globalization.

Learning Objectives:

1. To understand importance of research in law
2. To understand various legal research methods and legal research processes
3. To acquaint with various legal writing techniques

On successful completion of this course, students will be able to:

S.No.	Learning Outcome	Assessment
1	Learn the concept of law and justice and globalisation	Presentation
2	Learn justice delivery systems and issues related	Presentation
3	Understand various decision-making tools	Presentation
4	Understand the factors which influence decision making	Presentation
5	Understand the growth and development of doctrine of precedent	Presentation

Course outline and indicative content

UNIT-I: Law & Justice in New World Order: Concept of Law & Justice, Law making power of different organs of the Government, Components of Judicial Process (Judges, Lawyers, Law Schools) commissions & committees, Types of Justice i.e. Compensatory justice, distributive justice, socio-economic justice, social justice etc. Globalisation as Process, Existing Scenarios and Issues: Economic, Social, Political Rethinking the Idea of Just World Order

UNIT-II: Justice Delivery System and Some Related Issues: Structure of Court system in India, U.S.A. and U.K., Organization and Independence of Courts (American Model, UK Model, Pre-1993 Indian Model, Post-1993 (Collegiums) Model, South African Model–JAC), United Nations’ Institutional Mechanism, Responsibility of Nation States Challenges and the Way Forward, Reflective Judiciary, Issues affecting Justice delivery system (Transfer, Court Packing, Judicial Accountability- Reasoned Decision, Legislative Reaction, Executive Reaction, Reaction of Public and Media, Judicial Ethics and Conduct)

UNIT-III: Decision making and its tools: Divergence of juristic opinion of Blackstone, Bentham, Ehrlich, American realists about the role of the judges performance and the judicial freedom of decision, The critical decision making–use of logic, History and custom, mechanical jurisprudence and method of sociology.

UNIT-IV: Factors Influencing Decision making Process: Making the decision–Role of Intuition, subjective influence, the role of rules and principles, Legal reasoning and justification of the decision

UNIT-V: The doctrine of precedent and growth of law: Precedent, Judicial creativity and judicial activism, problem of democratic accountability, Indian experiences.

References:

1. Andrew Byrnes, Mika Hayashi, Christopher Michaelsen, *International Law in the New Age of Globalization*, Martinus Nijhoff Publishers, 2013.
2. Antony Anghie (Editor), *The Third World and International Order: Law, Politics, and Globalization*, Kluwer Law International, 2003.
3. Joseph Stiglitz, *Making Globalization Work: The Next Step to Global Justice*, Penguin 2007
4. Kai Ambos, Judith Large, Marieke Wierda, *Building a Future on Peace and Justice: Studies on Transitional Justice, Peace and Development, the Nuremberg Declaration on Peace and Justice*, Springer Science & Business Media, 2008.

Course Code: SOL1C202	Course Title: Conflict of Laws (Private International Law)	
Semester: II	Course Type: Core	Credits: 2

Course description and learning outcomes: This course deals with the principles and rules that a court applies in this context to determine primarily jurisdiction to decide the case and, if so, which law it should apply. The course gives students an opportunity to grapple with contemporary legal debates and issues in conflict of laws.

LEARNING OBJECTIVES

- the student is capable to understand the fundamental concepts that are involved in deciding a case pertaining to conflict of laws. This enables the student to apply the precedents and principles more efficiently.
- The student is equipped with enough knowledge on jurisdictional barriers and how to overcome the issues. This enables the student to apply foreign judgments and awards in India and vice versa.
- to understand the principles governing contracts, property laws and tortuous acts and apply them in practicality.
- the student maybe adept in understanding the holistic picture of NRI marriages and issues relating to marriage.
- the student is well versed with the conceptual clarity of the nature of cases that fall under conflict of laws. The student may also be equipped with the historical and the theoretical dimensions of conflict of laws.

On successful completion of this course, students will be able to:

	Learning Outcome	Assessment
	On successful completion of this course, students will be able to	
1	Learn about the basic understanding of Private International Law	Presentation/Case Law
2	Explain about the concepts involved in conflict of law cases	Presentation/Case Law
3	Understand the various jurisdictional aspects in conflict of laws	Presentation/case laws
4	Understand the varied issues involved in case of marriages under the subject matter	Presentation/Case Law
5	Understand the various matters pertaining to law of contracts and obligations	Presentation/ case laws

Course outline and indicative content

UNIT-I: Meaning Nature and Scope; Difference between Public International Law and Private International Law; Jurisdiction of Courts; Choice of Law, Recognition of Foreign Judgements and Theories

UNIT-II: Jurisdiction, Basis, International Convention on Jurisdiction; Submission and Immunity from Jurisdiction; The Principle of LEXFORI; Renvoi Process and Theories of Renvoi; Domicile; Acquisition; Residence; Lex Loci, Lex Causae and Lex Situs.

UNIT-III: Matrimonial and other Adult Relationships; Marriage – Matrimonial causes - Children – Legitimacy and Adoption; Declarations and Financial Relief; Jurisdiction and Choice of Law, Law of Property; Capacity to Transfer; Movable and Immovable Property.

UNIT-IV: Rules Governing Torts; the Lex Fori and Lex Commilli Theories, Choice of Law; Contracts – Proper Law of Contracts, Formation; Validity and discharge of contracts.

UNIT-V: Recognition and Enforcement of Foreign Judgments; at Common Law, Indian Law; Mode of Enforcement of Foreign Judgments.

Assessment methods

Task	Task type	Task mode	Weightage (%)
A1. Mid-Semester	Individual	Written (short/long)	20
A2. Project/Presentation	Individual	Project/Presentation	20
A3. End-term exam	Individual	Written (short/long)	60

Transferrable and Employability Skills

	Outcomes	Assessment
1	Know how to use online learning resources: G-Learn, online journals, etc.	A1 & A2
2	Communicate effectively using a range of media	A2 & A3
3	Apply teamwork and leadership skills	A3
4	Find, evaluate, synthesize & use information	A1 & A2
5	Analyze real world situation critically	A4
6	Reflect on their own professional development	A4
7	Demonstrate professionalism & ethical awareness	A3
8	Apply multidisciplinary approach to the context	A3

Learning and teaching activities

- Case studies
- Discuss contemporary developments
- Class presentations
- Group Discussions

Teaching and learning resources

TEXT BOOK

- Setalvad’s Conflict of Laws, 3rd Edition, Lexis Nexis, 2014;

REFERENCES

- Cheshire, North and Fawcett, Private International Law, 14th Edition, Oxford University Press, London, 2008;
- Clarkson and Hill, The Conflict of Laws, 5th Edition, Oxford University Press, 2016;
- Adrian Briggs, The Conflict of Laws, 3rd Edition, Oxford University Press, 2013;

Course Code: SOL1C203	Course Title: LAW OF INTERNATIONAL INSTITUTIONS	
Semester: II	Course Type: CORE	Credits: 2

Course description and learning objectives

The course will explore the areas of co-operation in international relations which are likely to bring about cohesion and integration, and assess the role of international organizations in fostering change. It will also provide an opportunity for understanding the major issues of law and policy concerning international organizations.

LEARNING OBJECTIVES

1. To give thorough knowledge about international institutions
2. To introduce students to United Nations and its subsidiary organs
3. To make students understand the functioning of these institutions in the contemporary world.

On successful completion of this course, students will be able to:

	Course Outcomes	Assessment
CO1	Understand historical background of international institutions	A2
CO2	Analyse the functioning of various international organisations	A1 &A2
CO3	Understand the role of UNO and its importance in ensuring peace, security and cooperation	A1&A2
CO4	Understand the legal personality of various international institutions	A1&A2
CO5	Analyse the various dispute settlement mechanisms functioning under these international institutions	A1&A2

Course outline and indicative content

UNIT-I: Historical development of international organizations (12 Sessions) (CO1: L2, L3): History of international organizations - Pervasiveness of International Organizations; Classification: The concept and nature of International Institutional Law; Sources of Law.

UNIT-II: League of Nations: (12 Sessions) (CO2: L2, L3, L4): Principal organs and reasons for failure of League of Nations – United Nations Organization (UNO) – Purpose and principles – Organs of UNO – General Assembly – Security Council – Economic & Social Council (ECOSOC) and International Court of Justice – UN peace keeping Operations.

UNIT-III: Legal position of international organizations (12 Sessions) (CO2, CO3: L2, L3, L4): Legal Personality; Issues of Membership; Issues of Financing; Responsibilities; Dissolution and Succession.

UNIT-IV: Specialized agencies of UNO (12 Sessions) (CO3, CO4: L2, L3): World Health Organization (WHO), UNESCO, International Labour Organization (ILO), FAO, World Intellectual Property Organization (WIPO), International Civil Aviation Organizations (ICAO). International Monetary Fund (IMF); IBRD (World Bank).

UNIT-V: Regionalism and International organizations (12 Sessions) (CO5: L2, L3): Regionalism under the League of Nations an UN Charter – Important Regional Organizations – OAS – The Arab League – OAU – NATO – EEC – The Antarctica Treaty.

TEXT BOOK

1. Bowett's Law of International Institutions, 6th Edition, Sweet and Maxwell
2. Lionel Bently & Brad Sherman, Intellectual Property Law, Oxford University Press; 5th edition, 2018.
3. P. Narayanan, Intellectual Property Law, Eastern Law House; 5th edition ,2016

REFERENCES

Cornish William- Intellectual Property, Oxford University Press, 8th edition 2013.

JOURNALS

Journal of Intellectual Property Rights (JIPR).

Course Code: SOL1C204	Course Title: International Dispute Resolution	
Semester: II	Course Type: Core	Credits: 2

Course description and learning outcomes: This course allows the student to develop advanced knowledge of the procedural and substantive law and the rules that govern the settlement of international and transnational disputes. As such, the course focuses on the contemporary rules, procedures and practice of international courts and tribunals. This includes the International Court of Justice, Interstate and mixed arbitration tribunals, as well as investment dispute resolution mechanism such as International Centre for Settlement of Investment Disputes (ICSID), or World Trade Organization (WTO). The course also deals with mechanisms allowing the settlement of disputes which are of a hybrid nature, e.g. particularly international and partly domestic.

LEARNING OBJECTIVES:

- to impart to the student different modes of dispute settlement mechanisms as an alternate to the court procedure
- to observe the domestic legal developments in Arbitration mechanism.
- developed to provide insight into the development of Arbitration mechanism as far as international arena is concerned
- provides students with knowledge and practical understanding of Conciliation law.
- to shed light on different ADR methods developed in our country that are different from traditional ADR methods.

On successful completion of this course, students will be able to:

	Learning Outcome	Assessment
1	students will be able to understand where the origin of ADR and how it has evolved over time.	Presentation/Case Law
2	Students will understand the technicalities and legal functioning of Arbitration Law	Presentation/Case Law
3	teach students the implement international law on arbitration especially International Commercial Arbitration	Presentation/Drafting ICA Agreement
4	Dedicated to Conciliation as it is the fastest growing commercial dispute resolution mechanism and as students of Commercial laws they should be aware how disputes are resolved in commercial sector.	Presentation/Case Law
5	provide insight to students into world of different dispute resolution systems developed in India which provides protection to family institution and weaker section of the society	Presentation

Course outline and indicative content

UNIT-I: Evolution & Concept of Alternative Dispute System (ADR), Advantages and Disadvantages of ADR, Different kinds of Alternative dispute resolution systems and functions

UNIT-II: Negotiation – Consultation – Forms of Negotiation- Substantive aspects of Negotiation and significance; Limitations; Mediation, Consent to Mediation – Functions & Limits.

UNIT-III: Conciliation – The Emergence of Conciliation – Practice of conciliation and significance; Arbitration – Forms of Arbitration; Selection and Terms of Arbitration; Bulk of the decision – International Commercial Arbitration; International Centre for Settlement of Investment Disputes – Permanent Court of Arbitration.

UNIT-IV: Adjudication – The World Court, Jurisdiction; Membership of the Court; Effect of Judgments and significance of the Court

UNIT-V: WTO – Dispute Settlement understanding – Dispute Settlement Body – Panel System – Appellate Body – Developing Countries and Dispute Settlement System. The International Tribunal for the Law of the Sea; The Sea-bed Disputes Chamber.

Assessment methods

Task	Task type	Task mode	Weightage (%)
A1. Mid-Semester	Individual	Written (short/long)	20
A2. Project/Presentation	Individual	Project/Presentation	20
A3. End-term exam	Individual	Written (short/long)	60

Transferrable and Employability Skills

	Outcomes	Assessment
1	Know how to use online learning resources: G-Learn, online journals, etc.	A1 & A2
2	Communicate effectively using a range of media	A2 & A3
3	Apply teamwork and leadership skills	A3
4	Find, evaluate, synthesize & use information	A1 & A2
5	Analyze real world situation critically	A4
6	Reflect on their own professional development	A4
7	Demonstrate professionalism & ethical awareness	A3
8	Apply multidisciplinary approach to the context	A3

References:

1. JG Merrills: International Dispute Settlement, Sweet & Maxwell (1984).
2. Anila V. Menon: International Commercial Arbitration – A Critical Study, Asia Law House.

Course Code: SOL1C205	Course Title: Dissertation (Including Teaching Aptitude & Soft Skills)	
Semester: II	Course Type: Core	Credits: 3

Dissertation consisting of:

- Law Teaching & Clinical Work.
- Doctrinal research
- Viva-Voce

DISSERTATION GUIDELINES: All the LL.M (International Law) students are required to submit their dissertation in the area of his / her area of specialization, in consultation with the subject faculty with minimum 150 pages. After accepting the Dissertation, a Viva-Voce will be conducted. The main objective of the dissertation component are to assess the research and writing skills of the students as well as to provide a platform for creative legal scholarship. Students are especially encouraged to think about career options. Hence, writing a dissertation is a significant exercise that helps in developing one’s prospects for the same. These dissertations can be further refined and submitted for publication in scholarly journals or even serve as the basis for full-length dissertations in master’s programs. The planning for the dissertation should ideally begin soon in the third week of July.

Topic selection: The Research Supervisors will ask students to submit their initial choice of topic on or before a date notified by the institute. Preparing an initial dissertation proposal in an area of one’s interest is a necessary step at this stage. This proposal should consist of a skeletal outline of the issues that the student intends to discuss as well as a preliminary list of references. Students should also feel free to consult scholars and practitioners from outside the University who may have experience and expertise in the chosen fields and the due date for submission of the dissertation proposal is on the date to be notified by the Institute, from time to time.

Preparatory tasks, format and length of dissertations: After the preliminary work, the onus is on the students to maintain regular contact with the respective faculty members. Supervisors may ask students to engage in several tasks such as preparing notes on the research problem, generating a survey of literature and making short presentations before faculty members from time to time. In particular, students should make full use of the library resources.

It is always worthwhile to periodically show rough drafts to the supervisors. It is advisable for students to meet their supervisors at least once every week. The dissertation should be in the following format:

Cover Page	Introduction
Declaration by student	Research Methodology
Certificate by Research Supervisor	Hypothesis
List of statutes, cases, abbreviations etc.	Research Questions
Table of Contents	Plan of Study
Synopsis	Conclusions and Suggestions
	Bibliography

The Dissertation shall be the original work of the candidate and any plagiarism if found will disqualify in that Seminar Course. The aggregate length of the main body of the dissertation should be between 150-160 pages. The Dissertation has to be typed in A4 size white paper and the pages to be printed on one side. The margins to be of 1” in left margin and 0.5” in right margin. The text in the main body should be in the Times New Roman font (size 12), with double-spacing. The footnotes should be in the Times New Roman font (size 10), with single-spacing. Students can choose Blue Book 19th Ed. style of citation after consulting with their

supervisors. It must be followed in a uniform manner for the entire submission. The Cover page, Supervisor's Certificate, Student's Declaration and the manner of giving Acknowledgements shall be given as prescribed. The final copy of the Dissertation should be submitted in two multiple copies (hard bound) to the concerned Research Supervisor. In all the two copies of the Dissertation, the Declaration Page & Certificate page should be original. Soft copy of the final draft of the Dissertation has to be e-mailed to concerned Research Supervisors' email id for plagiarism check.

Submission of Dissertations: A student must necessarily show a draft of the entire dissertation to her/his supervisor before obtaining approval for submission. The last date for submission of dissertation shall be notified from time to time. Rough drafts need to be submitted to supervisor in **October** so that supervisors have sufficient time for reviewing and editing. Once the supervisor approves the draft, two hard copies need to be submitted to concern Research Supervisor.

Evaluation of Dissertation: The Dissertation Paper carries a Total of 3 credits. The Written Dissertation carries 70 marks and 30 marks viva-voce. The candidate has to score minimum of 45% for dissertation and viva voce and shall also aggregate of 50% for dissertation and teaching assignment together. The Examiner may consider the following while evaluation of dissertation. Please note that this is merely suggestive:

Final Submission contents:

- (a) Research (1) Relevance and (2) Comprehensiveness
- (b) Structure and Analysis (1) Logical presentation and (2) Coherence of thought and analysis
- (c) References and Style (1) Appropriate and Imaginative referencing and (2) Accurate and uniform style of citation (Blue Book 19th Ed) and bibliography

Examiners may consider the following while conducting viva-voce. Please note that this is merely suggestive:

- (1) Comprehension (2) Articulation (3) Interaction and (4) Relevancy of answers

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