

INTERNATIONAL LAW (ITGL)

ITGL 084. IMMIGRATION, ENFORCEMENT, AND PROTECTION FIELDWORK. (1 Credit)

Immigration, Enforcement, and Protection will immerse students in current issues in immigration enforcement and refugee protection in the United States through an academic and experiential component. For the first week of the Winter Term, students will participate in a seminar that explores the unique legal landscape applicable to the border region of the United States through the lens of two dominant but competing policy frameworks in immigration law: international protection and domestic law enforcement. The course will introduce students to key provisions of domestic and international law that assign and restrict the power of federal and state government actors, citizens, and noncitizens in the border region and at ports of entry. It also will examine policy choices related to protection and enforcement with a focus on civil immigration detention and expedited removal proceedings. Students will spend the second week of the Winter Term in Dilley, Texas, working under the supervision of the course instructor and licensed attorneys at Texas Rio Grande Legal Aid ("TRLA"). Students will apply their academic coursework to supervised, limited-scope representation of asylum-seeking families in expedited removal proceedings. Through the seminar component, the course aims to prepare students to think critically about their observations and experiences on-the-ground and to contextualize those observations and experiences within the broader framework of the rule of law at the southern border. By placing them in Dilley under the supervision of TRLA attorneys and Fordham faculty, the course aims to develop students' client counseling and advocacy skills while exposing them to creative, crisis lawyering and providing desperately-needed legal services to a vulnerable population. Students will spend 12.5 hours in the seminar and will perform at least 45 hours of on-the-ground work and given the demands of on-the-ground advocacy very likely more. To meet the requirements of an experiential course, students will be required to set goals during the seminar and write self-reflective assignments and keep a regular journal during the field component in Dilley, Texas. Spanish-language ability is preferred, but not required. <p>For the fieldwork, students depart Saturday, January 6th, and return Saturday, January 13th. The Feerick Center arranges for and pays for flights from New York City to Texas and back to New York, ground transportation in Texas, and accommodations in Dilley, Texas but not students' food expenses. Acceptance in the course is subject to Feerick Center approval. Registrants will receive instructions after they submit the Winter Registration Form .

Attribute: LLM.

ITGL 0101. INTRODUCTION TO UNITED STATES LEGAL SYSTEM AND PROCESS. (2 or 3 Credits)

This course presents an overview of the U.S. legal system. Subjects include an overview of the U.S. system of government including federalism, separation of powers and checks and balances, and supremacy and preemption; the judicial systems, including the organization and functioning of the federal courts, state judicial systems, and the lawmaking power of the courts; sources of law, including the distinction between primary and secondary sources of law and the use of precedent, including the defining principle of stare decisis and synthesizing case law; and an overview of civil litigation in the U.S. Case reading and analysis is a fundamental aspect of this course.

Attribute: LLM.

ITGL 0103. PERSPECTIVES IN UNITED STATES LAW. (2 to 4 Credits)

This course will examine current American law based on case law and statutory law related to selected topics in contracts, criminal law, wills corporations, domestic relations and New York Practice with special emphasis on New York distinctions. Note: No prerequisite required for this course.

Attributes: LLM, LMCO.

ITGL 0123. LAW PRACTICE FIELDWORK FOR GRADUATE STUDENTS. (1 to 2 Credits)

Fieldwork graded as credit/no credit.

Attributes: EXP, LAW, LLM.

Prerequisite: ITGL 0226 (may be taken concurrently).

ITGL 0203. INTERNATIONAL TRADE LAW. (2 to 4 Credits)

In this course, we will examine the United States' trade war with China, including China's theft of U.S. intellectual property, President Trump's retaliatory tariffs, and China's retaliatory tariffs. We will also discuss trade conflicts initiated by President Trump's with U.S. national security tariffs on steel and aluminum from multiple countries, and those countries' retaliations. We will review the United States' recent imposition of tariffs on solar equipment and residential washers, and recent imposition of antidumping and countervailing duties on other goods. In addition, we will discuss President Trump's unsuccessful attempts to gain meaningful concessions in negotiations or renegotiations of free trade agreements with Canada and Mexico, Europe, Japan, South Korea, Australia, the UK, or the Trans-Pacific Partnership.

Attributes: ICF, LAWI, LLM.

ITGL 0204. ASIAN AMERICANS & THE LAW. (2 Credits)

This 2-credit seminar will examine the history of legal regulation of people of Asian and Pacific descent within the United States and its territories. As background, we will begin with the history of Asians in the United States and the connection between race and national identity. We will then explore the evolution of U.S. state and federal laws concerning Asians, focusing especially on immigration, naturalization, and citizenship; anti-miscegenation, economic discrimination, public benefits including education; and civil rights and the Japanese-American internment during World War II. We will reflect on how the history of past regulation of Asian Americans bears upon current hot-button legal questions involving APAs and others, such as race-conscious admissions policies to selective schools and universities, and how APA experiences compare to those of other non-European descent groups. Grades will be based on class participation, a paper of at least 25 double-spaced typewritten pages (including footnotes) on one of a suggested list of topics, and an oral presentation of the paper. The paper satisfies the Law School's written work requirement; there is no exam.

Attribute: INLJ.

ITGL 0213. Litigation Management for the International Lawyer. (3 Credits)

This course aims to provide students with an overview of the various stages of a United States litigation involving foreign and U.S. parties including practical advice in how to manage the litigation. At the outset of the course, students will be presented with a fact pattern involving a foreign company having potential claims against it and but also having its own claims against the adversary party. The case will be a commercial dispute involving potential contract and fraud claims, including possible violations of U.S. statutes. Students will discuss and decide initial issues of where to sue, including whether to bring the lawsuit in a Federal or New York State Court, what claims or counterclaims to allege, and which parties to include. Students will take on the role of the law firm hired by the foreign company to handle this complex litigation. The course will follow this litigation from the filing of the complaint all the way through trial and appeal. Specifically, students will act as the lawyers and will make decisions on important litigation issues such as jurisdiction, venue, which claims and defenses to assert in the complaint, answer, and counterclaims, motions, discovery (including e-discovery), class actions, certain compliance issues, trial, evidence, including choice of witnesses, direct and cross examination testimony, and what trial exhibits to be presented. Students will learn about the issues that arise at various stages of an American litigation and consider strategic considerations and techniques for managing these issues. The course will include a visit to the courthouses in Manhattan and meeting with a Judge from these courts. The course will discuss U.S. litigation compared with the litigation approaches in other countries. The course will also touch on famous trials and the greatest law novels. This course is intended for International L.L.M. students.

Attributes: LAWB, LAWI, LIDR, LMCO.

ITGL 0215. AVIATION LAW. (2 Credits)

Considers problems in the sources and organization of the law of international and domestic air transport, routes and rates, choice of law and forum, hijacking, exculpatory clauses, carrier liability for personal injury, death, and cargo damage, governmental liabilities, types of liabilities and limitations thereof, ground damage and other offensive aircraft operations, including air pollution and sonic boom.

Attributes: LAWB, LAWI, LLM.

ITGL 0226. LAW PRACTICE SEMINAR FOR GRADUATE STUDENTS. (1 or 2 Credits)

This seminar will explore various topics related to law practice and developing a robust and sustainable legal professional persona. The seminar will begin with a discussion of goal setting, a theme that will be revisited throughout the seminar. In addition, the seminar will focus on three broad features of defining and developing a professional persona: (1) Building blocks—(un)conscious (in)competence, habit formation, intelligence for lawyers, and leadership; (2) self-management (mindset and dispositions), time management and organization, and wellbeing and sustainability; and (3) relationships—working with others, talent management, effective communication, and your public professional persona. The course will conclude with student presentations reflecting on what they learned in developing their professional persona over the course of the fieldwork and seminar. This course is open by permission only. Permission will be granted only to students who have secured externship placements and received approval from Anthony Agolia to receive externship credit for the placement. Students must simultaneously be registered for the 2-credit Graduate Externship Fieldwork. This course will be graded on a Credit/No Credit basis.

Attributes: EXP, LLM.

Prerequisite: ITGL 0123 (may be taken concurrently).

ITGL 0231. INTERNATIONAL CIVIL LITIGATION IN UNITED STATES COURTS. (3 Credits)

In light of the growing importance of transnational litigation, this course will cover significant, as well as problematic, topics in international litigation and private international law as they play out in United States courts with an eye to comparative procedural regimes. The subjects covered will include personal jurisdiction over foreign defendants, subject matter jurisdiction over transnational cases, and limits on the exercise of jurisdiction over foreign sovereigns. The course will also cover jurisdiction to prescribe including choice of law and developments in the extraterritorial application of United States law, protective measures such as forum selection clauses in contracts, forum non conveniens, parallel litigation and antisuit injunctions, as well as recognition and enforcement of foreign judgments in the United States. Additional topics may include obtaining evidence abroad for use in domestic litigation and service of process abroad. The course will have a take home examination.

Attributes: ICE, JD, LAWI, LDF, LIDR, LLM.

ITGL 0234. INTERNATIONAL HUMAN RIGHTS SCHOLARSHIP. (2 Credits)

This two-credit seminar will provide a survey of state-of-the-art scholarship in the field of international human rights, broadly defined. After an introductory session, each week we will read and discuss a recent paper written by a prominent scholar of international human rights. Students must submit six reaction papers limited to 1000 words each over the course of the term. No examination will be given. Students who wish to satisfy the writing requirement may write a term paper for an additional credit. Both LLM and JD students are welcome.

Attributes: ICE, INLJ.

ITGL 0260. COURTS AND NATIONAL SECURITY IN THE 21ST CENTURY. (2 Credits)

This course will focus on individual court cases related to national security. Topics will include constitutional legal challenges to policy as well as criminal trials for terrorists and others deemed to be enemies of the country. Readings will cover the use of the material support statute in the trials of terrorists, the various government and private sector responses to the issue of privacy versus surveillance, ongoing challenges to the Muslim ban, the military commissions trials, as well as the Muller investigation.

Attributes: INLJ, JD, LLM.

ITGL 0261. NATIONAL SECURITY LAW & POLICY IN POST 9/11 AMERICA. (2 Credits)

An exploration of the evolution of American law and legal policy throughout the war on terror, with a focus on civil liberties, executive powers, and court decisions. The course will examine the country's major post 9/11 terrorism prosecutions including the military commissions cases at Guantanamo, and will study the course of legislation and policy related to surveillance, detention and war from the fall of 2001 to the present, including the USA Patriot Act, the FISA Amendments Act, and the 2001 Authorization to Use Military Force. Relevant court decisions from the FISA Court, the Supreme Court, and several circuit court decisions will be included as well. (Writing requirement can be satisfied with this course.)

Attributes: ICE, INLJ, LAWI, LLM.

ITGL 0295. INTRODUCTION TO INTELLECTUAL PROPERTY: A GLOBAL PERSPECTIVE. (2 or 3 Credits)

A brief introduction to intellectual property law and how the United States and Europe have taken different paths in determining what deserves to be considered intellectual property worth protecting. This course will mainly focus on global issues in copyright law but will also examine patents, trademarks, and trade secret protection. The course will also address the conflict in enforcing IP across international borders based on the differences in grantable rights in various countries. The discussion will include the recent changes to U.S. patent law that bring it in line with Europe, a number of recent cases from the United States and Europe, as well as treaties (both signed and still being negotiated).

Attributes: ICE, IPIE, JD, LLM.

ITGL 0307. EMERGENCY AND THE RULE OF LAW. (2 or 4 Credits)

This is a course for students interested in developing a greater understanding and mastery of constitutional law. The course covers a range of constitutional topics spanning (1) national security and the "war on terror," (2) the rights of foreign nationals in the absence of meaningful immigration reform, (3) the rights of LGBT persons and same-sex couples, and (4) the death penalty. Through an in-depth study of case law and law-review material, students will develop expertise on a range of critical constitutional issues and develop new tools for unpacking legal and constitutional problems. The assigned materials and class discussions will focus on the detention and prosecution of terror suspects at Guantanamo Bay, the role of habeas corpus as a check on governmental power, executive branch deferred action programs in immigration, personal liberty and privacy in intimate relationships, the right to marry, access to public facilities such as restrooms, and a range of different questions surrounding limits on criminal sentencing. The course has both procedural and substantive dimensions. As a matter of process, we will take on questions regarding jurisdiction, due process, federalism, executive power, and the separation of powers (both among and within the coordinate branches of government). As a matter of substance, we will explore border protection, deportation/removal, effective assistance of counsel, state and local enforcement of immigration law, privacy and individual liberty, prosecutorial discretion, as well as the role of military commissions and status tribunals for "enemy" combatants. Along both dimensions, we will consider the role of the Supreme Court in developing a body of principles, and we will explore those principles from a variety of theoretical and doctrinal perspectives. The goal of this course is not only to equip students with an enhanced understanding of particular topics, but enable students to understand connections across seemingly disparate topics. In addition to legal doctrine and theory, we will consider the various tools of courtroom lawyers by reading a variety of court documents and filings. This more granular inquiry will expose students to a number of features of complex litigation and the practical skills used by lawyers, including points of trial and appellate practice, litigation strategy, and legal ethics, spanning government, private bar and non-profit actors. Although this course builds on some of the basic material from Constitutional Law, that course, while potentially helpful, is not a prerequisite for this course. This course is recommended to those interested in administrative law, constitutional law, immigration law, national security law, and LGBT rights. Students have the option of writing a paper for this course or taking a take home exam. Those electing to write a paper can satisfy the Law School's writing requirement.

Attributes: ICE, INLJ, PIE.

ITGL 0320. Admiralty and International Maritime Law. (3 Credits)

Seminar style analysis of Admiralty and International Maritime law based upon decisions by United States Courts (primarily), domestic legislation, and international treaties concerning: jurisdiction practice and procedure maritime property persons cargo chartering services and products casualties marine insurance and general average limitation of liability emerging topics.

Attributes: ICE, LAWI.

ITGL 0321. COMPARATIVE LAW. (2 to 3 Credits)

The course aims to provide an understanding of comparative law as a method and as a body of knowledge. In the first part of the course you will learn how to compare legal institutions through a theoretical inquiry in traditional, as well as innovative, comparative law methods and how to apply these methods to some of the most controversial topics in the current legal debate. The second part will focus on the classic divide between common law and civil law, in particular in American and European legal traditions. It will also address the new understanding of the world law map. In the third part of the course we will turn our attention to globalization, an area where comparative law is essential in the understanding of many contemporary relevant phenomena. The course will offer case studies on different topics in order to test ability in comparing legal institutions and in using comparative law arguments in cross-border contexts. The course will be graded based on a 24-hour take-home final examination (75% of the final grade) and class participation (25%).

Attributes: ICF, INLJ, LLM.

ITGL 0322. NUCLEAR WEAPONS & INTERNATIONAL LAW. (2 Credits)

This international law seminar will explore issues as to the lawfulness of the use and threat of use of nuclear weapons in the Post 9/11 World in light of contemporary strategic realities, including Russia's increased adventurism and reliance on nuclear weapons, Iran's nuclear weapons program and the recent agreement, North Korea's nuclear weapons, the instability of Pakistan and possible availability of its nuclear weapons to terrorists, the risks and potential effects of an Indian/Pakistani nuclear war, the spread of terrorism and willingness of terrorists to use nuclear weapons, the risks of further nuclear proliferation and collapse of the NPT regime, the United States' continuing reliance on nuclear weapons, notwithstanding its clear superiority over the rest of the world in conventional weapons, the widespread practice of nuclear deterrence, and the relationship between nuclear power plants and nuclear weapons. The course will also focus on facts that are central to the legal analysis, including the characteristics and effects of nuclear weapons, psychological factors that affect policies as to nuclear weapons, litigation throughout the world concerning nuclear weapons, and the 1996 advisory decision of the International Court of Justice on the Legality of the Threat and Use of Nuclear Weapons. This will be a paper course and students will be required to present their papers in class. The assignments will consist of contemporary think tank, university, government, and military materials (generally available on line) and portions of the second edition (in process) of Charles J. Moxley, Jr., *Nuclear Weapons and International Law in the Post Cold War World* (Austin & Winfield, scheduled for fall 2017) (to be provided electronically). This course can be used to satisfy the writing requirement.

Attributes: ICE, INLJ.

ITGL 0332. INTERNATIONAL MERGERS AND ACQUISITIONS. (1 Credit)

This course provides an overview of, and insight into, the issues and complexities associated with cross border mergers and acquisitions. Course materials focus on comparing and contrasting relevant U.S. and European law and regulation (including the fiduciary duties and responsibilities of Boards of Directors in different jurisdictions), understanding the components of acquisition agreements and examining the differences between friendly and hostile takeovers. Class lectures and discussion use significant recent case studies that the lecturers have worked on to explore the M&A dynamic from the perspective of a deal lawyer participant. Many of the case studies involve transatlantic transactions covering U.S. as well as European legal and regulatory issues and considerations. The class will also discuss and debate M&A tactics as well as important ethical considerations encountered in the day to day life of an M&A practitioner. Adjunct Professor Simpson will be assisted by other Skadden partners and associates during the lectures.

Attribute: LLM.

ITGL 0343. COMPARATIVE CONSTITUTIONAL LAW & CHALLENGES TO DEMOCRACY. (2 or 3 Credits)

Democracy is facing a legitimacy crisis worldwide. The titles of three books published recently in the United States – “How Democracies Die”, “The People vs. Democracy: Why Our Freedom Is in Danger & How to Save It”, and “Can It Happen Here? Authoritarianism in America” – tell the story of a growing awareness of worldwide threats to liberal democracy – a system which, only a decade ago, was seen optimistically as the only game in town. Today’s main threats to liberal constitutional democracy do not come from violent dictatorships filling prisons with political opponents and driving tanks through crowds (although these things happen, too), but from elected autocrats: rulers who, once elected democratically, curtail political liberties and rights in order to expand and consolidate their political power. From Poland to the Philippines, and Hungary to Venezuela, the main threats to political liberties and democratic governance are identified as “populism”, “competitive authoritarianism”, or “illiberal democracy”. This course will discuss the various characterizations of political systems which parade as alternatives to liberal democracy. The course will look at these issues through the lense of comparative constitutional law, and while a number of different concepts and issues will be canvassed during the course, two foci of special attention will be on (1) activist constitutional (and supreme) courts as putative bulwarks of resistance to illiberal authoritarianism, and (2) the measures of so-called “militant democracy” (restrictions of political rights for anti-democratic forces). The underlying aspiration of this course will be to study and evaluate the resilience of constitutional devices protecting liberal democracy from within.

Attributes: ICE, INLJ, JD, LAWJ, LLM.

ITGL 0347. IMMIGRATION LAW. (3 or 4 Credits)

This class is a survey of immigration law and policy in the United States. The course is grounded in the rules governing how newcomers are admitted to and removed from this country. It provides an overview of the agencies that make and implement immigration policy. It examines the various categories of visas for temporary visitors, and the routes to permanent residence and citizenship in the United States. It explores the law of asylum for those who fear persecution in their home countries. In addition, the class sets out the criteria for admission to the United States and deportation from it, and reviews removal procedures, with a particular focus on the interaction between criminal convictions and immigration law. The course also addresses the subjects of undocumented immigration and citizenship. But the study of immigration is more than just learning who gets in and who will be barred at the door or later ejected. Immigration policy brings up broad constitutional issues, draws on (and sometimes flouts) core principles of international and administrative law, and, most fundamentally, raises the questions of who we imagine ourselves to be as a country and who we really are.

Attributes: ICE, INLJ, LAWI, PIE.

ITGL 0350. HUMAN RIGHTS SEMINAR. (2 to 3 Credits)

This seminar will allow each student to devise their own human rights project or course of study which might include independent research and writing projects or internships at local human rights organizations. These might also include group projects that could have a regional or substantive focus. Seminar content will reflect the projects of the students.

Attributes: ICS, JD.

ITGL 0356. HUMAN RTS CROWLEY CSWK. (1 Credit)**ITGL 0357. INTERNATIONAL TAXATION. (2 to 4 Credits)**

This course is a comprehensive study of the U.S. international tax rules that apply to foreign persons investing and engaging in business in the U.S. and U.S. corporations investing and engaging in business abroad. The “inbound” portion focuses on how the U.S. taxes foreign persons on their U.S. passive income, business income, and income from the sale of real property. The “outbound” portion focuses on the U.S. foreign tax credit rules, the U.S. anti-deferral regimes, and some aspects of the U.S. transfer pricing regime. We also examine important recent developments, such as corporate inversions and the rise of “stateless income.” The application of income tax treaties is an integral part of the course.

Attributes: BFE, ICE, JD, LAWB, LAWI, LLM.

Prerequisite: TXGL 0348.

ITGL 0359. INTERNATIONAL BUSINESS TRANSACTIONS. (2 to 4 Credits)

The course introduces students to laws involved when doing business in more than one nation. The goals are to provide: 1. Core subject knowledge to students wanting to take only one international business law course 2. A solid foundation from which to pursue advanced topic-specific international law courses to students interested in international careers. The course is divided into two parts. Part I covers underlying legal concepts: Transnational lawyering by U.S. and foreign attorneys Dispute resolution: issues of jurisdiction, enforcement, arbitration, discovery Public international law: customary law, treaties, expropriation, nationalization World trade system: trade regulation, exchange controls, role of private lawyers Corporations: nationality, alien corporations, multinational enterprises, limited liability International tax: corporation tax status, US taxation of foreign businesses, tax treaties. Part II adopts a transactional approach. Students examine legal issues within the context of fundamental international business transactions: Transnational sales (choice of law and choice of forum, transportation and financing, export controls, anti-boycott legislation, Foreign Corrupt Practices Act) Agency and distribution agreements (termination, exclusive distributorships) Licensing agreements (international aspects of intellectual property law) Foreign direct investment (choice of business form, national restrictions on foreign investment, protection of foreign investments) Mergers and acquisitions (stock purchase agreement, securities law issues, EC Merger Regulation, Exon-Florio, privatization) and Joint ventures (Chinese regulation of foreign investment). U.S. and EU antitrust law issues will be covered as they arise in many of these transactions. This course will have a Take-home final exam. Student attendance and participation will also be taken into consideration for the final grade.

Attributes: ICF, LAWB, LAWI.

ITGL 0360. MULTINAT'L CORPORATIONS. (2 Credits)

This seminar is an introduction to a range of legal issues facing business entities that operate in a transnational setting, and more particularly, the legal issues that they face because of their multinational character. The course will focus, inter alia, on methods of entry into other markets and alternative forms of organization; current trends in the use of joint ventures; regulation of foreign direct investment and vulnerability of multinationals to country risk and expropriation. The course shall also examine the risk analysis and preventive use of contractual provisions; antitrust aspects of doing business across borders, extraterritorial application of U.S. securities, environmental and employment legislation; international regulation and codes of conduct for multinationals. Paper Required.

Attributes: ICE, LAWB, LAWI, LLM.

ITGL 0364. EUROPEAN UNION & INTELLECTUAL PROPERTY LAW. (2 to 3 Credits)

Paper required. Satisfies the writing requirement. This course explores IP case law from the European Court of Justice and the enacted and proposed EU directives and regulations which harmonize Member State laws of copyrights, trademarks, patents and industrial designs. In addition, international treaties and organizations, including the WIPO, which affect these laws, are examined. Prerequisite: any intellectual property law course here or in another school, or permission of instructor.

Attributes: ICE, IPIE, JD, LAWI, LAWT.

ITGL 0367. INTERNATIONAL ARBITRATION. (2 to 3 Credits)

This is a core course in law and practice of international arbitration as an alternative to litigation, private method of international dispute resolution. We will cover in depth the international arbitration process from the arbitration agreement to arbitral proceeding and arbitral award, as well as post-award moves by the parties, such as requests to the courts for setting aside or recognition and enforcement of arbitral awards. In doing so, we will analyze court decisions and arbitral awards and study the 1958 Convention on the Recognition and Enforcement of Foreign Arbitral Awards (the New York Convention), domestic arbitration laws (the Federal Arbitration Act and laws following the UNCITRAL Model Law on International Commercial Arbitration), the rules of leading arbitral institutions (such as the ICC, AAA/ICDR, and LCIA), the UNCITRAL Arbitration Rules, and the IBA rules and guidelines in international arbitration. We will conclude the course with the overview of investment arbitration, where the focus will be made on investor-state arbitrations conducted under the 1965 Convention on the Settlement of Investment Disputes between States and Nationals of Other States (the Washington Convention). We will largely rely on the casebook supplemented by occasional law review articles and more recent cases. There will be several group practice exercises. The course will be graded based on a 24-hour take-home final examination (60% of the final grade) and class participation, including attendance (40%).

Attributes: ICF, LAWI, LDE, LIDR, LLM.

ITGL 0371. HUMAN RIGHTS & RESOLVING CONFLICT IN NORTHERN IRELAND. (3 Credits)**ITGL 0395. CORPORATE SUSTAINABILITY, TRANSNATIONAL BUSINESS & HUMAN RIGHTS. (2 Credits)**

This seminar is focused on the social dimension of corporate sustainability, defined as a company's delivery of long-term value in financial, social, environmental and ethical terms. In particular, this seminar explores the multifaceted intersection of business and human rights, including labor rights. While some still consider that the social responsibility of business is merely to increase its profits, the idea that business has human rights responsibilities - moral and/or legal - has been steadily gaining acceptance. Growing awareness of the impacts that business can have on human rights - positive and negative - as well as of the increasing power of corporations vis-à-vis the States in which they operate has raised the volume on calls for businesses to ensure that, at a minimum, human rights are respected within their operations and value chain. Key developments include: Well-known human rights organizations, like Amnesty International and Human Rights Watch, have launched human rights and business campaigns and monitor and report on human rights abuses by businesses. Consultancies and law firm practices advise businesses on how to improve their human rights performance. A growing number of multinational corporations now assess their human rights impacts, have introduced human rights policies and training programs, report on their human rights performance and have hired experts in corporate social responsibility (CSR) and human rights. Some companies even find themselves being sued for their involvement in human rights violations. Major international organizations, such as the United Nations, the International Labour Organization and the OECD, have issued principles and standards outlining the social responsibilities of businesses. In particular, a six year process undertaken by the UN Special Representative of the Secretary-General on Business and Human Rights culminated in June 2011 in the endorsement by the UN Human Rights Council of a set of Guiding Principles on business and human rights. Most recently, in June 2014, the UN Human Rights Council adopted a resolution to embark on a process to elaborate an internationally legally binding instrument on transnational corporations and other business enterprises with respect to human rights. These developments beg questions - which will be explored in the seminar - such as why human rights are or should be a business issue; if so, to what extent; what can a company do to respect and support human rights; and what remedies might be available for those whose human rights have been adversely affected by a business. The seminar addresses the following main areas: A) Why human rights is a business issue B) Some further context for business and human rights C) The international business and human rights framework D) Applications of business and human rights E) Remedies.

Attributes: ICE, INLJ, LAWB, LAWI.

ITGL 0402. EUROPEAN CORPORATE AND SECURITIES LAW. (2 Credits)

The course offers a comparative overview on basic principles, rules and precedents of European Corporate and Securities law. We will start with a short introduction into the difference between European law and the laws of national member states. Next, we will go through the law governing each corporate governance actor: boards, shareholders, and the general assembly. We will work on case studies concerning, for example, capital increase, shareholder minority rights, institutional and activist shareholders, and competences of the general assembly. We will then move on to main principles of EU securities law, namely prospectus and disclosure rules, insider trading, and securities fraud. Case studies on an "initial coin offering", on inside information and securities fraud will be discussed in class. <p> Prerequisite/corequisite: Corporations .

Attributes: ICE, LAWB, LAWI, LLM.

Prerequisite: (BUGL 0201 (may be taken concurrently)).

ITGL 0441. INTERNATIONAL COMMERCIAL ARBITRATION. (2 to 3 Credits)

The course will cover the law and practice of international commercial arbitration through casebook readings, lectures and written exercises. Exercises will include preparation of a brief point on jurisdiction or arbitrability, a letter challenging appointment of an arbitrator and a first procedural order. The topics covered by the course will include the content and effect of the arbitration agreement; authority to arbitrate; arbitrator qualifications, independence and conduct; appointment and challenge of the arbitrators; the arbitral proceedings; choice of law in arbitration; content and enforcement of the award and challenges to the award. The student's grade for the course will be based fifty percent on the written assignments and fifty percent on a final exam, subject to adjustment up or down by one grade level (e.g., B+ to A- or vice versa) for class participation. The learning outcomes for the course are: (i) understand the legal framework for arbitration of cross-border commercial disputes, including arbitral authority, the role of courts, ethical considerations, challenging and enforcing awards; (ii) gain familiarity with the main phases of an international arbitration and (iii) develop a facility for briefing issues that often arise in international arbitration.

Attributes: ICE, LDE, LIDR, LLM.

ITGL 0442. HUMAN RIGHTS LAW. (2 to 4 Credits)

This is a core course in the Law School's human rights curriculum. The course examines issues ranging from the extraordinary rendition of terrorism suspects to mass atrocities to basic rights to housing, sex equality, LGBT rights and more. The course begins with the origins of the idea of rights from an historical, philosophical and analytical perspective. It then turns to the rise of the modern international human rights regime, including its origins and theoretical foundations, examines the basic international and regional human rights instruments and oversight and enforcement institutions, and considers remedies under both international and domestic law. The course considers the role of human rights law in the U.S. domestic system, as an example of the role of national law and institutions in securing human dignity. It also examines the human rights of women and refugees, the relationship between international criminal law and international humanitarian law and human rights law, and the human rights responsibilities of business enterprises. The course also covers selected rights from a comparative perspective (including international, U.S., and other national approaches), including comparative approaches to such topics as the protection of economic and social rights, equality and privacy in the context of LGBT rights, and the protection of rights in counterterrorism efforts.

Attributes: ICF, INLJ.

ITGL 0444. HUMAN RIGHTS AND CORPORATE SOCIAL RESPONSIBILITY. (3 Credits)

This course will focus on international human rights law and practice and how the human rights framework applies to business. The class sessions will be divided into three parts: (I) Foundations of human rights; (II) Business and human rights; (III) Implementation challenges of business and case studies of human rights issues in different industries, including academia. There will be one course paper due at the end of the term. A short draft outline will be due in the middle of the term. The assigned readings are drawn from legal and policy writing, news articles and several business case studies. Part of your grade will be based on class participation; you will be expected to have a basic familiarity with the assigned reading and make reference to it in class discussion.

Attributes: INLJ, LLM.

ITGL 0500. INTERNATIONAL DEVELOPMENT AND TRADE. (3 Credits)

What role does international trade law have to play in addressing poverty and inequality in the global economy? The course focuses on the intersection of two key objectives of the international order and international economic law: the promotion of central rules and policies for the stabilization and liberalization of international trade; and the encouragement of economic growth and development in poor countries. Thus course will consider the challenge of addressing poverty and development in a climate of increasing challenge to the post-World War II consensus on international trade, and assess the effects of current controversies around trade and development for the fracturing world economic order. The first part of the course will focus on the primary multilateral trade organization, the World Trade Organization (WTO), and its predecessor, the General Agreement on Tariffs and Trade (GATT). The second part of the course focuses on trade regimes affecting particular regions of the developing world, with special emphasis on U.S. trade law and policy in respect of those regions.

Attributes: ICE, LLM.

ITGL 0510. ANTITRUST LAW AND ENFORCEMENT – COMPARATIVE PERSPECTIVES. (2 Credits)

This seminar will explore selected important and current legal and economic antitrust/competition issues in a comparative law setting, with an emphasis on the U.S. and EU laws and decisions. Specific topics will include: Institutional differences in enforcement (eg administrative authorities, private actions and courts) and policy; the role of economics and experts; cartels and oligopolies; vertical restraints; abusive unilateral conduct; mergers, joint ventures and other collaboration among competitors (eg sports leagues); hot industries – including high tech, transportation, media, telcom, natural resources, etc. – and related global enforcement issues.

Attributes: ICE, JD, LAWB, LAWI, LLM.

ITGL 0516. INTERNATIONAL LAW. (0 to 4 Credits)

This is an introductory course in international law designed primarily for those who have not previously studied the subject. The course aims to illustrate the importance of international law in relation to many of the central issues that preoccupy national governments and to highlight the extent to which the assumptions underpinning it have changed in recent decades. Like any general international law course, the coverage of topics is necessarily selective given the range of possible subjects. The assumption, however, is that the materials provide an understanding of the essential normative and analytical frameworks required to tackle any issue within the field of public and quasi-public international law. It does so by providing an introduction to diverse specialist areas such as human rights, the use of force, international trade, and the law of the sea, as well as exploring how international law is applied in U.S. courts.

Attributes: ICF, INLJ, LAWI.

ITGL 0530. Understanding War, Crime and Justice after 9/11: Today's National Security Law in context. (2 Credits)

This course exams the philosophical and legal arguments which infused the numerous legal debates surrounding war on terror policies. We will look at the long tradition of philosophical and juridical debates which have focused on the relationship between law and violence and the responses over time of the U.S. government and the courts to these evolving philosophical premises. Readings will include Hannah Arendt, Cesare Beccaria, Richard Posner, Michael Walzer, Robert Cover, among others, as well as several Supreme Court decisions related to war and political violence. (Writing requirement can be satisfied with this course.)

Attribute: ICE.

ITGL 0602. UNITED STATES FOREIGN RELATIONS LAW. (3 to 4 Credits)

This course will provide an in-depth introduction to the relationship between U.S. constitutional law and public international law. On the domestic side, selected topics will include the courts and foreign relations, Congress v. the President in foreign affairs, the role of the states, and the status of treaties and customary international law. With regard to international law, treaties, custom, jurisdiction, and sovereign immunity. Special emphasis will be placed on the place of international human rights in both the international and domestic legal regimes.

Attributes: ICE, JD, LAWI, LAWJ, LLM.

ITGL 0650. NATIONAL SECURITY LAW. (2 to 3 Credits)

This course is an introductory survey of U.S. national security law. Topics include constitutional design and structure; presidential and congressional war powers; detention, interrogation, prosecution, and targeting of suspected terrorists; electronic surveillance; regulation of covert CIA activities; and issues of secrecy and political accountability. In considering those topics, attention will be paid to comparative institutional competence, the allocation of decision-making authority among institutions, trade-offs between security and liberty, and the relationship between domestic law and international laws and norms. Note, however, that this course focuses predominantly on U.S. law and legal institutions. While the course is open to non-J.D. students, it may be difficult for those who have not taken an introductory course in U.S. constitutional law.

Attributes: INLJ, JD, LAWJ, LLM.

ITGL 0718. LABOR LAW IN THE INTERNATIONAL CONTEXT. (2 Credits)

This course addresses the development of workers' rights in the global economy and explores various obstacles to their successful realization. Trade, investment, and economic growth have expanded rapidly at the international level in the past 35 years. As a result, the rights of workers in a transnational setting have become critically important—for national governments, multinational corporations, international public bodies, and NGOs as well as for tens of millions of workers. The course will examine legal structures and implementation practices that are shaping the rights of workers in this competitive global setting.

Attributes: ICE, INLJ, LWR, PIE.

ITGL 0747. REFUGEE LAW AND POLICY: MIDDLE EAST CONFLICTS. (2 Credits)

This seminar examines refugee law from three perspectives. First, we study the international and domestic legal frameworks governing refugee protection. Second, we analyze the challenges in practice for refugees seeking protection and for adjudicators deciding claims. Third, we consider foreign and domestic policy dynamics that affect refugee protection. In the seminar, we will discuss recent legal developments, including the 2017 executive orders banning refugee resettlement and the ensuing challenges in federal courts, the developing law surrounding gender-based and gang-related persecution, and the growing recognition of the impact of trauma on memory and testimony. The grade will be based on class participation, written responses, practical exercises, a final presentation, and a final paper.

Attribute: INLJ.

ITGL 0782. GLOBAL PERSPECTIVE ENTREPRENEURSHIP LAW. (3 Credits)

This course provides an introduction to the theory and practice of entrepreneurship law from a global perspective, as well as a critical analysis of how entrepreneurship supports and complements human rights and civil society efforts. It includes perspectives on the rise of entrepreneurship associated with the global economy, technology, automation and changing labor opportunities. Topics include the role of entrepreneurship in a global economy, corporate social responsibility, disruptive technologies, microbusiness, social business, social entrepreneurship, the creative economy, sustainable local economies, cooperatives and shared work, and inclusive entrepreneurship. The course will also cover the role of transactional lawyers in representing entrepreneurs and the legal structures that promote profit alongside sustainable economic and human development.

Attributes: JD, LLM.

ITGL 0875. IMMIGRATION, ENFORCEMENT AND PROTECTION. (1 Credit)

Immigration, Enforcement, and Protection will immerse students in current issues in immigration enforcement and refugee protection in the United States through an academic and experiential component. For the first week of the Winter Term, students will participate in a seminar that explores the unique legal landscape applicable to the border region of the United States through the lens of two dominant but competing policy frameworks in immigration law: international protection and domestic law enforcement. The course will introduce students to key provisions of domestic and international law that assign and restrict the power of federal and state government actors, citizens, and noncitizens in the border region and at ports of entry. It also will examine policy choices related to protection and enforcement with a focus on civil immigration detention and expedited removal proceedings. Students will spend the second week of the Winter Term in Dilley, Texas, working under the supervision of the course instructor and licensed attorneys at Texas Rio Grande Legal Aid ("TRLA"). Students will apply their academic coursework to supervised, limited-scope representation of asylum-seeking families in expedited removal proceedings. Through the seminar component, the course aims to prepare students to think critically about their observations and experiences on-the-ground and to contextualize those observations and experiences within the broader framework of the rule of law at the southern border. By placing them in Dilley under the supervision of TRLA attorneys and Fordham faculty, the course aims to develop students' client counseling and advocacy skills while exposing them to creative, crisis lawyering and providing desperately-needed legal services to a vulnerable population. Students will spend 12.5 hours in the seminar and will perform at least 45 hours of on-the-ground work and given the demands of on-the-ground advocacy very likely more. To meet the requirements of an experiential course, students will be required to set goals during the seminar and write self-reflective assignments and keep a regular journal during the field component in Dilley, Texas. Spanish-language ability is preferred, but not required. <p>For the fieldwork, students depart Saturday, January 6th, and return Saturday, January 13th. The Feerick Center arranges for and pays for flights from New York City to Texas and back to New York, ground transportation in Texas, and accommodations in Dilley, Texas but not students' food expenses. Acceptance in the course is subject to Feerick Center approval. Registrants will receive instructions after they submit the Winter Registration Form.

Attributes: INLJ, LAWJ, LLM.

ITGL 0876. GLOBAL BUSINESS, NATIONAL SECURITY & LAW. (1 Credit)

This course will examine the nexus of national security interests and the fight against financial crime, namely the use of economic sanctions and anti-money laundering initiatives to deprive criminal enterprises and terrorists of access to the US financial system. The course will also examine the challenges that global corporations face in trying to abide by the laws involving economic sanctions, second order liabilities, and Foreign Corrupt Practices Act issues. The course will discuss key agencies, including the NSA and DHS, with a focus on the Department of Treasury's Office of Foreign Asset Control and Financial Crimes Enforcement Network, their mandates and the unique role financial institutions play in executing on those mandates, as gate-keepers to the U.S. financial system. Readings will include a selection of enforcement cases, articles and regulatory guidance that demonstrate how national security policy objectives are dependent, at least in part, on the effective deterrence and detection of financial crime.

Attributes: CRCP, INLJ, LAWI, LAWJ, LLM.

ITGL 0895. INTERNATIONAL BUSINESS NEGOTIATIONS: A SIMULATION WITH CARDOZO SCHOOL OF LAW. (3 Credits)

This course is structured around a semester-long, simulated negotiation exercise which is intended to provide an in-depth study of the structuring and negotiating of an international business transaction. This class will be taught in counterpart with a class at Cardozo Law School. Students in this class will represent a U.S. pharmaceutical company, and the students in the class at Cardozo will represent an African agricultural production company. The two companies are interested in working together to exploit a new technology developed by the pharmaceutical company that uses the cassava produced by the African agricultural production company. The form of their collaboration could be a joint venture, a licensing agreement or a long term supply contract. The negotiations between the two classes will take place through written exchanges and through real-time negotiations which will be conducted in face to face meetings, alternating between Fordham and Cardozo. <p> The purpose of the course is to provide students with an opportunity (i) to experience the sequential development of a business transaction over an extended negotiation, (ii) to study the businesses and legal issues and strategies that impact the negotiation, (iii) to gain insight into the dynamics of negotiating and structuring international business transactions, (iv) to learn about the role that lawyers and law play in these negotiations, (v) to give students experience in drafting communications, and (vi) to provide negotiating experience in a context that replicates actual legal practice with an unfamiliar opposing party (here, the students at Cardozo). Students will also learn about the legal and business issues that may arise in joint ventures, supply agreements and licensing agreements. <p> The thrust of this course is class participation and active involvement in the negotiations process. Students are expected to spend time outside of class, working in teams, to prepare for class discussions involving the written exchanges, as well as preparing for the live negotiations. Class discussions will focus on the strategy for, and progress of, the negotiations, as well as the substantive legal, business and policy matters that impact on the negotiations. <p> This class will meet on Thursdays from 6:00 to 8:50. NOTE: Since some of the Thursday live negotiations will take place at Cardozo, students will need to allow for commuting time; it will also be important to be at all negotiating session somewhat early to set up and be ready to begin promptly. It should also be noted that negotiation sessions may not end precisely at 8:50; if negotiations are robust, a session may run over to allow for a natural end of discussions. Finally, the last negotiation session will be scheduled for four (4) hours, with the last hour reserved for a collective "debrief" between the students in both classes. <p> SCHEDULED NEGOTIATIONS WITH CARDOZO:
 Sept. 28: 6-8:50PM
 Oct. 12: 6-8:50PM
 Oct. 26: 6-8:50PM
 Nov. 9: 6-8:50PM
 Nov. 16: 6-9:50PM (1 additional hour)

Attribute: LAWI.

ITGL 0936. ANTITRUST-INTL CROSS BORD MERG. (2 Credits)

Handling an International Cross-Border Merger involves more than just knowing the law. To get a deal negotiated, signed and cleared starts with a knowledge of the law and the regulators, but also requires a sense what arguments will work best, when, and with whom. This course examines the business, regulatory, and legal factors that all come into play in getting an international merger negotiated, signed, filed, cleared by antitrust authorities, and closed. We use the actual merger documents and filings used by the parties in the United States and the European Union in a major, multinational acquisition as our working papers. We also use internal client memoranda to consider the client-centered business issues (in addition to the strictly legal ones) involved in mergers and acquisitions. The course starts with an exploration of why companies merge, acquire or divest businesses, to understand what is important to the client in a deal. After a quick review of the governing legal standards, we then move on to the actual filings themselves, including the issues that the regulators raise, why they raise them, and how counsel responds. Finally, we reach the stage of remedies and decrees, including what to divest, how, and where.

Attributes: ICE, LAWB, LAWI, LLM.

ITGL 0950. INTRODUCTION TO THE UNITED STATES LEGAL SYSTEM FOR MSL STUDENTS. (1 Credit)

This course, designed for MSL students, examines the principal features of the U.S. legal system, including federalism the structure and operation of the national government the federal and state judicial systems the use of precedent, methods of reading, analyzing, and synthesizing case law and dispute resolution. <p> The course will be taught on-line, with a few sessions held in the evenings. Online lectures will be available in early August. Students should plan to complete the lectures and required readings before the start of the regular semester. <p> Students will be evaluated on the basis of an examination to be administered early in the semester.

ITGL 0963. CRIMMIGRATION:THE INTERSECTION OF IMMIGRATION & CRIMINAL LAW & PROCEDURE. (2 Credits)

The course will focus on the historical and legal relationship between criminal and immigration law. First, we will discuss substantive immigration law and how it relates to the criminal system. The goal of this part of the course is to provide the student with an understanding of the immigration consequences of criminal conduct and how the student can navigate through the criminal system to best assist the non-citizen. The second part of the course will focus on immigration process and procedure, including removal proceedings and detention, and provide the students with an understanding on how to best represent the non-citizen before the immigration authorities.

Attributes: INLJ, LLM.

ITGL 0992. PROTECTION OF SEXUAL ORIENTATION AND GENDER IDENTITY UNDER INTERNATIONAL HUMAN RIGHTS. (2 Credits)

This course will explore the protection of LGBTI persons under international human rights law and how sexual orientation and gender identity have been addressed through international and regional mechanisms. In particular, we will analyze specific rights protections identified by key human rights treaty bodies, as well as how these issues have been addressed by the Human Rights Council through various resolutions, the Universal Periodic Review process, and reporting by Special Procedures. We will also compare these approaches to those taken through regional mechanisms such as the Inter-American, European, and African systems. We will use these frameworks to assess rights protections pertaining to such issues as violence against LGBTI persons, criminalization of same sex activity, marriage and same sex relationship recognition, gender markers in government documentation, and equal access to housing, employment, education, and public accommodations. Paper required.

Attributes: ICE, LAWJ.