OPTIONAL COURSES – 4TH SEMESTER.

STUDENTS ARE OBLIGED TO PICK AND PASS TWO COURSES: ONE FROM THE FIRST TWO COURSES (EU LAW / INTERNATIONAL LAW), AND ONE OF THE LAST TWO COURSES (CIVIL PROCEDURE / CRIMINAL PROCEDURE)

<table>
<thead>
<tr>
<th>Course Title</th>
<th>New Developments in EU Legal Scholarship</th>
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<tbody>
<tr>
<td>Neptun Code</td>
<td>JA-PHD-K-41</td>
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<tr>
<td>Type</td>
<td>core / optional</td>
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<tr>
<td>Name and Position of Lecturer</td>
<td>Prof. Dr. Ernő Várnay CSc, Professor of Law</td>
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<td>Other Lecturers</td>
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Course Objectives

The purpose of the course is to give to the students an up to date overview of new developments in the European Union legal scholarship in order to broaden their knowledge on this field, part of the Hungarian legal system. The course will help the students become familiar with the style, structure and reasoning of the Anglo-Saxon-type scientific writings, which may reach their own perception on handling research problems and publication. Because the course is focusing to the new developments, it needs to be updated in each year. So the topics mentioned above are not for “eternity”.

Topics

1. Critical turn in EU legal studies in the recent academic literature
2. Social justice in EU law
3. The legal-constitutional aspects of the euro-crisis
4. The OMT case before the German Constitutional Court and the European Court of Justice
5. The general legal aspects of the EU migration-refugee crisis (aims, methods, procedures, institutions)
6. The EU migration-refugee policy in the Treaty (Treaty on the functioning of the European Union) and in the secondary legislation
7. The application of the EU Charter of Fundamental Rights

Requirements for Completion

Full-time students are obliged to attend classes and participate actively, part-time students are also welcomed in classes.
Students can choose an oral exam based on the required readings of the course, or can submit a paper on a selected topic approved by the lecturer, related to the course. Paper shall be based on individual research and shall be at least 40,000 characters with correct citations (including spaces and footnotes, excluding bibliography).

Required Readings

Recommended Readings
<table>
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<tr>
<th><strong>Course Title</strong></th>
<th>Challenges of the 21st Century in Public International Law</th>
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<td><strong>Neptun Code</strong></td>
<td>JA-PHD-K-42</td>
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<td><strong>Type</strong></td>
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<tr>
<td><strong>Name and Position of Lecturer</strong></td>
<td>Dr. habil. Sandor Szemesi PhD, Associate Professor of Law</td>
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**Course Objectives**

On one hand, in this course we would like to introduce the newest developments of public international law (including new problems, treaties, leading cases etc.). On the other hand, we would like to examine the international aspects of the PhD students’ area of research, helping them to finalize their dissertation (or at least a part of it).

**Topics:**

1. Sources of public international law: new developments (ius cogens, customary international law, soft law)
2. Creation of states: the examples of Crimea and Kosovo
3. Economic, social and cultural rights: new dimensions (individual complaint)
4. Climate change in international law I.: The International Law Commission
5. Climate change in international law II: The Paris Agreement and its consequences
6. Use of force in international law: new dimensions (civil war in Syria)
7. Possible responses to the challenge of terrorism in international law
8. (European) Migrant crisis: possibilities and limits
9. New leading cases of the European Court of Human Rights (and other international human rights bodies)
10. New developments in international criminal law: crimes against humanity, the case-law of the International Criminal Court
11. New developments in international criminal law: immunity of state officials from foreign criminal jurisdiction
12. International legal aspects of topics examined by students in their PhD research I.
13. International legal aspects of topics examined by students in their PhD research II.

**Requirements for Completion:**

Full-time students are obliged to attend classes and participate actively, part-time students are also welcomed in classes.
Students can choose an oral exam based on the required readings of the course (if their area of research does not fit to the topics of the course), or can submit a paper on a selected topic approved by the lecturer, related to the course and the students’ area of research. Paper shall be based on individual research and shall be at least 40,000 characters with correct citations (including spaces and footnotes, excluding bibliography).

### Required Readings

- Leading cases of the International Court of Justice, the European Court of Human Rights and certain international bodies dealing with international human rights issues

### Recommended Readings

- **FOAKES, Joanne:** *The Position of Heads of States and Senior Officials in International Law*. Oxford University Press, 2014.
- **Max Planck Encyclopedia of Public International Law**
- **SLOMANSON, William R.:** *Fundamental Perspectives of International Law*. Wadsworth, Boston, 2011
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<tr>
<th><strong>Course Title</strong></th>
<th>Achievements in the codification of civil procedure with regard to foreign experiences</th>
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<td><strong>Neptun Code</strong></td>
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<tr>
<td><strong>Name and Position of Lecturer</strong></td>
<td>Dr. habil. László Pribula PhD, Associate Professor of Law</td>
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<td><strong>Other Lecturers</strong></td>
<td>Dr. Judit Molnár PhD, Senior Lecturer of Law</td>
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<td>Dr. Anna Nyilas PhD, Senior Lecturer of Law</td>
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**Course Objectives**

With primary focus on procedural issues, the course presents fundamental changes that the new code of civil procedure aims to establish. It examines the controversial issues of codification and foreign examples of the new institutions and evaluates the results of these changes. It will enable students to look at case studies, analyze the results of codification in a field of law, and see the underlying policies that support a law.

**Topics**

1. Aims of codification
2. Main steps of codification from the Decree of the Government to the adoption of the Code of Civil Procedure
3. Controversial issues during the codification process
4. Recent codifications of civil procedure in Central European countries
5. Changes in fundamental procedural principles
7. Changes in the rules of court competence and territorial jurisdiction. Division of the two separate procedural tracks in the district courts and regional courts
8. Litigation costs: introduction of the compensation approach
9. Divided trial system: how does it work?
10. New rules on expert evidence
11. Challenges in the new rules of remedies
12. Special procedures: is there a need for special rules?
13. Examination of the effects of codification through case studies

**Requirements for Completion**

Full-time students are obliged to attend classes and participate actively, part-time students are also welcomed in classes.
Students can choose an oral exam based on the required readings of the course, or can submit a paper on a selected topic approved by the lecturer, related to the course. Paper shall be based on individual research and shall be at least 40,000 characters with correct citations (including spaces and footnotes, excluding bibliography).

**Required Readings**
- Selected chapters of *The International Comparative Legal Guide to: Litigation & Dispute Resolution 2016,* 9th Edition (Free Online Access)

**Recommended Readings**
<table>
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<th>Course Title</th>
<th>The progress of criminal procedure</th>
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<tr>
<td>Name and Position of Lecturer</td>
<td>Dr. habil. Balázs Elek PhD, Associate Professor of Law</td>
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**Course Objectives**

During criminal procedure, the division of the procedural functions allows for the complex examination of the formation of judicial belief, with a focus on separate subdivisions. The effectiveness of the criminal procedure is established in regards to the basic principles that may even have cross purposes. The final outcome of the procedure can largely depend on the strength and the practical and theoretical evaluation of these basic principles. The regulations influencing judicial belief can be formulated in a different way depending on the historical age, on the system of procedure, on the given country, and even in the same age, as a result of change in legislation. This may provide the necessity of a comparative research.

**Topics**

1. The significance of the jurisprudence
2. The role of jurisprudence in the legislature
3. The role of jurisprudence in the judicial practice
4. The progress of the criminal procedure from the XIX century
5. The explanation of the 'truth'
6. The legal force in the criminal and civil procedure
7. The formation of the judicial belief, and the basic principles of the criminal procedure

**Requirements for Completion**

Full-time students are obliged to attend classes and participate actively, part-time students are also welcomed in classes.

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Required Readings


Recommended Readings