

**COURSE LIST 2020 – 2021**  
**Winter Semester 2020-2021**

<i>TITLE OF COURSE</i>	<i>LANGUAGE</i>	<i>HRS/WEEK</i>	<i>PROFESSORS</i>	<i>ECTS</i>
<b>1. Labour Law I (Individual)</b>	<b>English</b>	<b>2</b>	<b>I.Skandalis</b>	<b>4 (or 7 exams + essay)</b>
<b>2. Intellectual Property Law</b>	<b>English</b>	<b>3</b>	<b>Ch. Crissanthis</b>	<b>6 (or 9 exams + essay)</b>
<b>3. Competition Law</b>	<b>English</b>	<b>3</b>	<b>E.Mastromanolis</b>	<b>6 (or 9 exams + essay)</b>
<b>4. Maritime Law</b>	<b>English</b>	<b>3</b>	<b>D.Christodoulou</b>	<b>6 (or 9 exams + essay)</b>
<b>5. Insurance Law</b>	<b>English</b>	<b>3</b>	<b>D.Christodoulou/E.Kinini</b>	<b>6 (or 9 exams + essay)</b>
<b>6. European Law</b>	<b>English</b>	<b>2</b>	<b>M. Kouskouna/Rev.-Emm. Papadopoulou /M. Perakis</b>	<b>4 (or 7 exams + essay)</b>
<b>7. International Investment Law</b>	<b>English</b>	<b>2</b>	<b>A.Gourgourinis</b>	<b>4</b>
<b>8. International Telecommunications Law</b>	<b>English</b>	<b>2</b>	<b>G.Kyriakopoulos</b>	<b>4</b>
<b>9. Comparative Public Law</b>	<b>French</b>	<b>2</b>	<b>K.Yannakopoulos, V.Kondylis</b>	<b>4 (or 7 exams + essay)</b>
<b>10. National and International Protection of Fundamental Rights</b>	<b>German</b>	<b>2</b>	<b>Th.Antoniou, S.Vlachopoulos, E. Iliadou</b>	<b>4 (or 7 exams + essay)</b>
<b>11. Public Health Law</b>	<b>English</b>	<b>2</b>	<b>P.Paparrigopoulou</b>	<b>4 (or 7 exams + essay)</b>
<b>12. Criminal Procedure and Special Issues of Criminal Law</b>	<b>English</b>	<b>2</b>	<b>E.Anagnostopoulos/ I.Androulakis/A.Tzanetis</b>	<b>4 (or 7 exams + essay)</b>
<b>13. Civil Procedure</b>	<b>English</b>	<b>2</b>	<b>N.Katiforis</b>	<b>4 (or 7 exams + essay)</b>
<b>14. Information Technology Law</b>	<b>English</b>	<b>3</b>	<b>G.Yannopoulos/A. Varveris</b>	<b>6 (or 9 exams + essay)</b>
<b>15. Law and Society in Ancient Greece</b>	<b>French</b>	<b>2</b>	<b>A.Helmis</b>	<b>4 (or 7 exams + essay)</b>

**Spring Semester 2021**

<i>TITLE OF COURSE</i>	<i>LANGUAGE</i>	<i>HRS/WEEK</i>	<i>PROFESSORS</i>	<i>ECTS</i>
<b>16. Collective Labour Law</b>	<b>English</b>	<b>2</b>	<b>I.Skandalis</b>	<b>4 (or 7 exams + essay)</b>
<b>17. Company Law</b>	<b>English</b>	<b>3</b>	<b>I.Venieris</b>	<b>6 (or 9 exams + essay)</b>
<b>18. Banking Law</b>	<b>English</b>	<b>2</b>	<b>Ch. Livada</b>	<b>4 (or 7 exams + essay)</b>
<b>19. International Business Transactions</b>	<b>English</b>	<b>2</b>	<b>E. Moustaira</b>	<b>4 (no essay)</b>
<b>20. Business Acquisitions and Mergers</b>	<b>English</b>	<b>2</b>	<b>C.Chryssanthis</b>	<b>4 (no essay)</b>
<b>21. Comparative Family Law</b>	<b>English</b>	<b>2</b>	<b>G.Georgiades</b>	<b>4 (or 7 exams + essay)</b>
<b>22. Introduction to the Greek Civil Law</b>	<b>German</b>	<b>2</b>	<b>D. Liappis / K. Roussos</b>	<b>6 (or 9 exams + essay)</b>
<b>23. Greek Law of Succession</b>	<b>French</b>	<b>2</b>	<b>I.Kondyli</b>	<b>4 (or 7 exams + essay)</b>
<b>24. Penology</b>	<b>English</b>	<b>2</b>	<b>A.-I.Tzanetaki/G.Giannoulis</b>	<b>4 (or 7 exams + essay)</b>
<b>25. Criminology</b>	<b>English</b>	<b>2</b>	<b>M.Kranidioti</b>	<b>4 (or 7 exams + essay)</b>
<b>26. Philosophy of Law</b>	<b>English</b>	<b>2</b>	<b>Ph.Vasilogiannis</b>	<b>4 (or 7 exams + essay)</b>

**EUROPEAN CREDIT TRANSFER SYSTEM AT THE LAW SCHOOL**

At the Law School , ECTS credits are awarded in accordance with the following conversion table:

<b>TYPE OF COURSE</b>	<b>ECTS credit points</b>
Lectures (exams).....	2 per hour of lecture a week (SWS)
Lectures (essays).....	3
Lectures (exams and essays).....	5 for a 1 - hour course a week
.....	7 for a 2 - hours course a week
.....	9 for a 3 - hours course a week
.....	11 for a 4 - hours course a week

No credits are given for attendance only

**DESCRIPTION OF THE GRADING SYSTEM:**

The grading scale runs from 0 to 10

Passing grades are from 5 to 10:

5 - 6 = good

7 - 8 = very good

9 - 10 = excellent

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## **WINTER SEMESTER 2020**

### **1. Labour Law I (Individual) (2hrs/week): I.Skandalis**

1. The general features
2. Definitions and Notions
3. The Historical Background
4. Sources of Labour Law

The individual employment relationship

1. Work performance: duties of the parties in the course of employment.

Duties of the employee. Duties of the worker

#### **2. WORKING TIME AND HOLIDAYS**

Working time. Sunday rest. Annual vacation

#### **3. REMUNERATION**

Definitions. Pay systems. Forms of Remuneration

4. Suspension and change of the individual labour contract

5. The termination of the individual labour contract

The protection of the position of the employee. The termination of the labour relation of specific time. The termination of the labour relation of indefinite time

### **2. Intellectual Property Law (3hrs/week): C. Chrissanthis**

Exclusive rights in the context of freedom of competition. Public domain and exclusive rights. Patents (national, European and international). Trademarks (national, European and international). Designs. Non registered marks. Unfair competition. Advertising (unfair, deceptive and comparative). Unfair trade practices. Likelihood of confusion in the context of trademark law. Principles for assessing likelihood of confusion, Unfair resemblance and dilution. Parallel imports, repackaging, look-alike products and other types of trademark infringement. Administrative proceedings for trademark registrations.

### **3. Competition Law (3hrs/week): E. Mastromanolis**

This aim of this course is to familiarize students with the main principles, the regulatory framework and the practice of E.U. and Greek Competition laws. Use of legislative documentation and relevant case law shall be used to cover the following topics:

1. Convergent and divergent objectives of Greek and E.U. Competition Law
2. Sources of E.U. and Greek Competition Law: The EC Treaty, Regulations and Directives, decisions of the EC Commission, ECJ and CFI jurisprudence, Law 703/77, decisions of the Hellenic Competition Commission
3. Agreements and concerted practices and Articles 81 of EC Treaty/ 1 of Law 703/77: the conditions of “agreement”/ concerted practice”, “restriction of competition”, “effect on trade”
4. “Appreciability” and the De Minimis Notice
5. The enforcement mechanism: the Calculation of Fines and the Leniency Notices of the Hellenic Competition Commission
6. Forms of behavior caught by Articles 81 of EC Treaty and 1 of Law 703/77: price and non-price restrictions. Horizontal and vertical agreements
7. The EC Notice on Horizontal Co-operation Agreements
8. The system of exemption to the prohibitive rule of Articles 81(1) EC Treaty and 1 of Law 703/77: an analysis of the four conditions required for exemptions
9. Individual and block exemptions. Representative block exemptions: research and development agreements (Regulation 2659/2000) and vertical agreements (Regulation 2790/99)
10. Joint venture and their assessment pursuant to E.U. and Greek Competition laws: the full functionality criterion. The EC Commission’s Notice on the Concept of Full-Function Joint Ventures
11. Abuse of dominant position and the conditions of Article 82 EC Treaty/ 2 Law 703/77: the notions of dominant position and price/ non-price forms of abusive behavior
12. E.U. and Greek Jurisprudence on the Abuse of Dominance (AKZO, Tetra Pak II, Hilti and 3E): the predatory pricing and tying as representative abuse paradigms
13. The system of merger control under E.U. and Greek Competition laws: The one-stop-shop principle, the notion of concentration, the Community dimension and the ancillary restrictions assessment under the EU Merger Regulation 139/2004 and Article 4 of Law 703/77.
14. Competition law and regulated industries: the boundaries of Articles 86 and 82 of the EC Treaty and Directive 80/273 (transparency of financial relations)

15. The decentralization of Competition law and Regulation 1/2003: modernization

**4. Maritime Law (3hrs/week): D.Christodoulou**

A. Organization of International Shipping in a historical and politico-economic perspective (Freedom of the Seas) Sectors of Shipping (differences and functional features).

B. Ship and Conditions of registration (1st Title GCPML & jurisprudence of ECJ).

C. National measures of flag discrimination and access to the shipping market – the issue of Cabotage (EC Regulations 4055/86, 4058/86 & 3577/92).

D. Organization of the Shipping Industry – classical and modern operational structures: co-ownership of ships (2nd Title GCPML), Shipping Conferences, pools and consortia, single-ship companies, ship-management companies.

E. Affreightment of Ship: contract for the carriage of goods and charter. Charter party and bill of lading

F. The Hague - Visby Rules (L. 2107/92).

G. Carriage of passengers: Athens Convention relating to the carriage of passengers and their luggage by sea, 1974.

H. Limitation of ship-owner's liability (6th Title, Chapter 3 GCPML & 1976 Convention on limitation of liability for maritime claims) – Conduct barring limitation.

I. International compensation regime for oil pollution (1992 Civil Liability and Fund Conventions).

16. Civil Procedure: (2hrs/week) N. Katiforis

a. Fundamental procedural principles

b. Process in the courts

c. Remedies

d. Enforcement with emphasis in the field of international enforcement (regulation 44/2001 etc).

**5. Insurance Law (3hrs/week): D. Christodoulou / E. Kinini**

Insurable interest in life, in property – kinds of insurance cover – insurance contracts – contract formation, the proposal of insurance, premium, the insurance contract contents, the period of cover – exceptions, -

misrepresentation – non disclosure – indemnity – subrogation – third party rights – assignment – independent intermediaries – agents of the insured, authority to bind the insurer, rights and duties – regulation of insurance industry.

**6. European Law (2hrs/week): M. Kouskouna /Rev.-Emm. Papadopoulou / M. Perakis**

History of European integration, European Union's Institutions, Competences, Legal Acts and Legal Procedures, General Principles of the EU Legal Order: Autonomy, Supremacy and Direct Effect, European Union's Judicial System (Court and General Court), Legal Remedies and Actions, Market Freedoms, Competition Law, Area of Freedom, Security and Justice, the Economic and Monetary Union, the External Relations of the EU (CFSP), the EU and Human Rights.

**7. International Investment Law (2hrs/week): A. Gourgourinis**

This course revisits fundamental public international law issues (such as subjects of international law, sources of international law, jurisdiction, content and implementation of international responsibility, fragmentation of international law, etc.) through the lens of the special field of international investment law. Accordingly, the aim of the course is, on the one hand, to examine how the doctrine of public international law is put into practice before investment arbitral tribunals; and, on the other, to provide students with a thorough view of the procedural and substantive guarantees for foreign investments and investors in the context of the continuously growing field of international investment law.

**8. International Telecommunications Law (2hrs/week):G. Kyriakopoulos**

International legal framework for the usage of radio frequencies; The right of the Public to use the International Telecommunication Service as a specific form of the Freedom of Expression; The International Telecommunications Union (ITU), its structure and its role; The ITU Radio Regulations and the management of the radio-frequency spectrum; General principles for the establishment and the use of radio/tv stations; The problem of the unauthorized broadcasting; The use of satellites for communication purposes; Television broadcasting by satellite; The UN Principles on Direct Broadcasting by satellite; Satellite Communications, international trade and intellectual property issues.  
Recommended : F.von der Drunk & F.Tranchetti(eds.), Handbook of space Law, Edward Elgar Publishing, 2015

**9. Comparative Public Law (2hrs/week): K. Yannakopoulos/ V. Kondylis**

(Offered only in French)

A. Aspects de l'influence du droit de l'Union européenne sur le droit administratif de ses Etats membres

- I. Le droit de l'Union européenne et les sources du droit administratif
- II. Le droit de l'Union européenne et le régime de passation et d'exécution des marchés publics
- III. L'ouverture des marchés et la régulation administrative
- IV. Le droit de l'Union européenne et la protection juridictionnelle effective des administrés
- V. L'influence du droit de l'Union européenne sur le système de contrôle de constitutionnalité des lois

B. Etudes de cas

- I. Créer une Autorité Administrative Indépendante pour se conformer au droit de l'Union européenne, et balancer entre Indépendance et Responsabilité (Accountability): Le cas de la Commission Nationale (Hellénique) des Télécommunications et de la Poste (EETT) et le droit de l'Union européenne»
- II. Le juge légal: approche comparative
- III. Le dialogue des juges nationaux avec les juges européens

**10. National & International Protection of Fundamental Rights (2hrs/week): S. Vlachopoulos , Th.Antoniou, Aik.Iliadou (Offered only in German)**

“Ausgewählte Fragen des nationalen, supranationalen und internationalen Menschenrechtsschutzes”

1. Konzeption und historische Entwicklung des Grundrechtsschutzes in den Mitgliedstaaten der Europäischen Union
2. Grundrechtsschutz in Griechenland
3. Die Charta der Grundrechte der Europäischen Union
4. Der Schutz der sozialen Grundrechte in der EMRK
5. Die UNO-Konvention gegen Folter

**11. Public Health Law (2hrs/week): P.Paparrigopoulou**



## INTRODUCTION

1. 1. Gradual consolidation of public health law autonomy in European law
2. 2. Goal and method of the research

## PART ONE: DELIMITATION OF PUBLIC HEALTH LAW

3. Foundation of public health law on social solidarity

### CHAPTER ONE: THE SEMANTIC FORMATION OF PUBLIC HEALTH LAW

#### I. The notion of health

4. Definition of health
  5. Health as an individual and collective good
- #### II. The right of health protection in the Constitution
6. Civil right to the protection of health
  7. Social right to the protection of health
  8. Personal scope of application field of social right

#### III. Public health law

9. Definition of public health law
10. Public health law as branch of social protection law
11. The distinction of health law from social security and social assistance law

### CHAPTER TWO: INTERNATIONAL SOURCES OF PUBLIC HEALTH LAW

#### I. International law

12. The impact of the international sources of law
13. Distinctions between international conventions consolidating the right to the protection of health
14. Important international conventions specifying the right to the protection of health
15. Comparison between the consolidation of the rights to the protection of health, to social security and assistance on international level

#### II. European law

- A. Legal consolidation of the right to the protection of health
  16. Provisions on Internal market
  17. Article 3, par. 1, subpar. o and article 169 of the TFEU
  18. The protection of health as a human right
  19. EU policy and actions for the protection of health
- #### B. The interaction of public health, environmental and consumer law in European law

20. The consolidation of the right to the protection of the environment and of consumer rights
21. Comparison of legal consolidation of the rights to the protection of the environment, the consumer and health
22. Common principles of the rights to the protection of health, of the environment and of the consumer
23. Common methods used to the rights to the protection of health, of the environment and of the consumer

#### Conclusions of Part One

24. Public health law as a particular branch of social protection law
25. The principles of European law as a factor of cohesion of public health law

PART TWO: THE ORGANIZATION OF PUBLIC HEALTH SERVICE 26. The notion of public service for the protection of health

#### CHAPTER ONE: SYSTEMS FOR THE PROTECTION OF HEALTH

27. Classification of health systems

##### I. Characteristics

28. Bismarck and Beveridge models
29. The health system of the United Kingdom (National Health Service)
30. The health system of France (Hospital Public Service)

##### II. Common problems and principles for their confrontation in United Kingdom and France

31. The financing of health systems
32. The organization of health systems
33. The measure of high quality health services in EU

#### CHAPTER TWO: THE GREEK HEALTH SYSTEM: EXAMPLE OF A MIXED MODEL

##### I. Main characteristics and particularities of the Greek System

34. The protection of health prior to L 1397/1983
35. The protection of health after L 1397/1983
36. The general principles of the National Health System
37. Fields of the legislation on the NHS to be adjusted to the general principles of European Public Health Law
38. The control of the expenses depends on the participation of health professionals and of users in the operation of health system

##### Conclusions of Part Two

39. An odd form of competition concerning the standard of high quality out-of-hospital health services according to European law
40. The Greek NHS organization fails to provide of high quality services to its users

#### PART THREE: USER'S RIGHTS TO PUBLIC HEALTH SERVICES

41. Establishment and distinctions of user's rights

## CHAPTER ONE: USER'S RIGHTS BASED ON THE OPERATIONAL PRINCIPLES OF PUBLIC SERVICE

42. Position upgrade for the user of health services

I. Access to health services

43. The principle of equality

44. The principle of continuity

II. Access to high quality health services

45. The principle of adaptability

46. The principle of cost-effectiveness

47. The principle of security

48. Democracy in health

## CHAPTER TWO: USER'S RIGHTS BASED ON THE FUNDAMENTAL CONSTITUTIONAL PRINCIPLES AND CIVIL RIGHTS

49. The development of specific rights for the user's protection

I. The respect of human value and dignity

50. Legal consolidation of human value and dignity

51. Information

52. The protection of privacy and of personal information and data

A. The protection of privacy and professional confidentiality

B. Records with personal medical data

53. The protection of human's dignity in front of pain and/or death

II. The respect of human autonomy

54. Legal consolidation of autonomy

55. The free choice of a practitioner in public health services

56. Consent as a principal mean for the protection of the user's physical and mental integrity

Conclusions of Part Three

57. The functional principles of public services safeguard the access to high quality health services

58. The specification of human value and dignity as a protection shield against the risks due to the progress of medicine

GENERAL CONCLUSIONS

59. Public health law focuses on the high quality of health services and on public sanitary order

60. The public sector of health services is the keystone of the health systems

61. The consolidation of a relation of trust and cooperation between the health professional and the user as an ultimate goal of the user's rights

## COURSE DESCRIPTION

Recently in Europe, the healthcare law and other fields of special administrative law, like the environmental law, have experienced great development due to the influence of the advances of science and technology and also due to the global health and environmental problems, which require coordinated action of states. The legislation, the case law and the scientific literature are enriched daily. Emphasis is given in bioethics, in the protection of public health and in the organization and operation of “public services of health” of high quality for the population, according either the “Bismarkian” model (f.ex. in France) either the “Beveridgian” model (f.ex. in United Kingdom) either mixed models (f.ex. in Greece).

The course approaches systematically the public healthcare law, defines this branch of law scientifically, as autonomous field of the social protection law, and examines the organization and the operation of public services of health as well as the users rights based on the one hand on the general principles of public service, such as the principle of equality and continuity, and on the other hand on the fundamental human rights and constitutional principles of autonomy and dignity of human being. The course focuses on international and especially European Union’s law. Extensive comparative reports in the systems of health of United Kingdom, France and Greece are included. The comparison of these different systems takes account of the differently orientated main legislative interventions adopted, in order to achieve the common goals for healthcare protection in the European Union (open method of coordination). United Kingdom insists on greater competition rules in the National Health Service and France on the collaboration of the private and public sector of the healthcare system and the accreditation of their functioning.

[1] The term “public service of health” refers to the healthcare systems where any person has access as social benefit. The system is intrinsically linked to the social coverage of risk.

[2] The notion of public service in European Union’s law corresponds roughly to the notion of “service of general interest”.

[3] Collaboration is wider than the private public partnerships.

## **12. Criminal Procedure and Special Issues of Criminal Law (2hrs/week): E. Anagnostopoulos/ I.Androulakis/A.Tzanetis**

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**16. Civil Procedure:** (2hrs/week) N. Katiforis

- a. Fundamental procedural principles
- b. Process in the courts
- c. Remedies

d. Enforcement with emphasis in the field of international enforcement (regulation 44/2001 etc).

#### **14. Information Technology Law (3hrs/week): G. Yannopoulos**

##### **MODULE(\*) 1: INTRODUCTION TO THE TECHNOLOGY & LEGAL INFORMATICS**

1. Methodological definitions – History: Law, Computers, Information Technology; Computer history, machines for calculations.
2. Basic principles of computer architectures: Binary system, system analysis, logical diagram, computer programming; Boolean operators, Logical ports, AND-OR-NOT; Digital communications, protocols; Security of Information Systems.
3. Treatment of Information: Information as a subject-matter worth legal protection; “Property” of information, protection, transfers; Information as an object of commercial transactions; The new right to the Information Society and Data Protection; Information and employment.
4. Legal Information Systems: Legal information as an object of processing; Legal Information Systems – Legal Information Retrieval; Legal Databases.

##### **MODULE 2: INTERNET LAW & REGULATION**

1. History of the Internet, connection to ISPs, connection to the Internet: Definitions, structure, technical characteristics and operation; Communication protocols, TCP/IP; Internet applications: Hypertext Transfer Protocol (HTTP), World Wide Web (WWW).
2. IP Addresses, Domain Name System: Registration rules, conflicts, trade marks.
3. Legal regulation of the Internet: Greek Constitution, ECHR art. 10; Legal Regulation of the Internet: Sectoral legislation; Protection of intellectual property; Internet & trade marks; Internet & Contracts: Conclusion of contracts, Liability.

##### **MODULE 3: CRYPTOGRAPHY & DIGITAL SIGNATURES**

1. Symmetrical cryptography, certification providers.
2. Public Key Infrastructure (PKI), applications: Public & private keys, directories of public keys; Trusted Third Parties; Private key - protection (hardware, software).



3. Digital signatures, public key cryptography: Directive 99/93 (Greek PD 150/01); Digital certificates; Certification Authorities; Registration Authorities.

#### MODULE 4: LEGAL INFORMATION SYSTEMS

1. Information flows when illustrating a legal problem: Databases for legislation; Databases for case-law.
2. Expert systems: Automation of a legal office; Automatic drafting of legal texts.

#### MODULE 5: RETRIEVAL OF LEGAL INFORMATION

1. Analysis of legal problems by means of information technology tools: In search of sources of law – the legal subsystem.
2. Electronic information retrieval – data structures: Indexing - Reverse index; Thesaurus – Decision tree data structure; Boolean operators - AND- OR – NOT; Retrieval standards - Recall and Precision; Conceptual retrieval - Intelligent front-ends.

#### MODULE 6: INFORMATION SOCIETY AND INTELLECTUAL PROPERTY

1. Intellectual property: Subject-matter, “positive” and “negative” powers of the creator, protected “works”; International protection, Berne Convention, WTO (GATT), TRIPS; EU Directives, Software protection, data base protection.
2. Directive 2001/29: Adaptation to the Information Society; Rights and limitations, technical measures.

#### MODULE 7: SOFTWARE PROTECTION & CONTRACTS

1. Software contracts: Predefined general terms, “shrink-wrap” licensing, non-exclusive license; Licensing, exploitation agreements; Liability; Competition, consumer protection.
2. Protection of computer programmes, Directive 91/250; Protection of databases, Directive 96/9; Object code, recompilation; Infringement by simple use, loading or “running” of computer programmes; Nonliteral copying, copying of large parts, “Look and feel”

#### MODULE 8: DATA PROTECTION (TECHNICAL MEASURES)

1. Protection of personal data, subject-matter, the 8 principles: Greek Constitution art. 9A; Directive 95/46; The eight principle: security measures; Trans - border data flows.
2. Protection of physical data, analysis of techniques.

(\*) Modules to be taught will be subject to the availability of dates

### **15. Law and Society in Ancient Greece (2hrs/week): A. Helmis (Offered only in French)**

Droit et société en Grèce ancienne

## Introduction

Écriture et droit : Les législations archaïques; Élaboration et publicité de la loi à Athènes; Le rôle de l'écrit dans la procédure; Rhétorique et droit; Le métier du logographe; Stratégies des orateurs; Le problème de la représentation en justice; Pénalité; Théories du châtement; Vengeance et légitime défense;

Protection des intérêts de la collectivité;

La problématique du genre; Mariage; Relations sexuelles hors mariage; Les femmes et la justice des hommes; Droit et religion; Le serment; Les «lois sacrées»; Les imprécations

Conclusion

## **SPRING SEMESTER 2021**

### **16. Collective Labour Law (2hrs/week): D. Ladas/I.Skandalis**

#### CHAPTER 1. TRADE UNION FREEDOM

§1. The Achievement of Trade Union Freedom

§2. The protection of Trade Union Freedom

I. Introduction

II. Protection against Acts of Interference Protection and Limitations of Collective Activities

§3. Individual Trade Union Freedom and its Protection ]

I. Right to be a Member (Positive Freedom)

II. The Negative Aspect: Right not to be a Member

III. Protection of Individual Trade Union Freedom

#### CHAPTER 2. EMPLOYEES' REPRESENTATION AND EMPLOYERS' ASSOCIATIONS

§1. The Social Partners

§2. The Trade Unions

I. Anatomy of Trade Unions

A. Introduction

B. National Level

## II. The Formal Legal Status of Trade Unions

### A. Legal Forms

### B. Legislation on Legal Persons

## III. The Founding of the Trade Union

## IV. Internal Organization: Functioning- Trade Union Organs -Representation

### A. The Meeting of the Members

### B. Trade Union Government (Executive Board of the Trade Union Representatives)

## V. Trade Union Economics

## VI. Dissolution of Trade Unions

### §3. The Employers' Associations

## CHAPTER 3. INSTITUTIONALISED RELATIONS BETWEEN EMPLOYERS' AND EMPLOYEES' REPRESENTATIVES

### Representation at Management Level

#### I The Works Councils - European Councils

#### II. The Committee for Safety and Health

## CHAPTER 4. COLLECTIVE BARGAINING

### §1. Introduction

### §2. Content

### §3. The Levels of Bargaining

### §4. Binding Effect

### §5. Employees Covered: Extension

## CHAPTER 5. INDUSTRIAL CONFLICT

### §1. Strikes

### §2. Lock-outs

### §3. Prevention and Settlement of Industrial Conflict

#### I. Introduction

#### II. Mediation

#### III. Arbitration

### **17. Company Law (3hrs/week): I. Venieris**

Incorporated and unincorporated partnerships. General principles regarding legal entities. General

partnership. Limited partnership. Partners Liability in all kind of commercial companies. Limited liability company. Undisclosed partnership. Minority rights in all forms of companies. Rights of partners and share holders. Company administration and representation's limits. Distribution of profits. Actio pro socio. Liability towards company creditors. Dissolution and liquidation procedure, Mergers and acquisitions of companies and business assets. Off shore companies and the registered office theory. Issues of conflicts of laws in the context of company law. The impact of EC.Directives and the jurisprudence of the ECJ.

### **18. Banking Law (2hrs/week): Ch. Livada**

The following topics are going to be discussed:

#### A) Core Banking Activities

A.1. Introduction to banks and banking transactions, bank-customer relationship (deposit-taking and current accounts), transactional and advisory liability

A.2. Payments and credits (electronic payments, credit transfers, credit cards, E-money)

A.3. Trade finance, letters of credit (documentary credits, letters of guarantee etc.)

#### B) Non-Core banking activities

B.1. Leasing and Factoring

B.2. Venture Capital operation

B.3. Investment service offered by the banks

The above topics are going to be discussed both from a theoretical point of view and from that of the Hellenic jurisprudence.

### **19. International Business Transactions (2hrs/week): E. Moustaira**

The topics that will be discussed during the course are:

International Insolvency Law. General Principles, National rules, International Conventions, European Regulation 1346/2000.

And Recast Regulation.

### **20. Business Acquisitions and mergers (2 hrs/week) Ch.Chrissanthis**

Types of business acquisitions; share deals, asset deals, capital increase and legal mergers. Types of legal mergers. - Liability for information memorandum regarding business acquisitions. Legal and financial due diligence. Share transfer agreements. Liability for the value of the

transferred shares, or assets. - The merger process. Shareholders' and creditors protection during the merger process. Liability in the context of merger transactions. - Competition law implications of business acquisitions; mergers and full function enterprises. - Employees' rights in case of business acquisitions. - Hostile takeovers.

## **21. Comparative Family Law (2hrs/week): G.Georgiades**

This course examines some cases of the European Court of Human Rights concerning Family Law, as Salgueiro da Silva Muta v. Portugal(1999), Mazurek v. France(2000), Sommerfeld v. Germany(1996), Petrovic v. Austria(1998), Johnson v. The United Kingdom(1997), Marckx v. Belgium (1978), Boujaïdi v. France (1997), Beldjoudi v. France( 1992), Laskey, Jaggard and Brown v. The United Kingdom(1997), Case of X, Y and Z v. The United Kingdom(1997), Soderback v. Sweden(1998), Jaggi v. Switzerland(2006), Odievre v. France(2003), Frette v. France(2002), Evans v. United Kingdom(2006), Elli Poluhas Dodsbo v. Sweden(2006), Haas v. Netherlands(2004), L. v. Lithuania(2006), Merger and Cros v. France(2004), Gorgulu v. Germany(2003), E.P. v. Italy(1999), Plaand Puncernau v. Andorra(2001), Pannullo and Forte v. France(2002), Haase v. Germany(2003), Goodwin v. United Kingdom(2002), Maurice v. France(2005), Kleinert v. Germany(2007), Paulík v. Slovakia(2006), Maslov v. Austria(2007), V.A.M. v. Serbia(2007), Tysiac v. Poland (2007), Tavli v. Turkey(2007), Aoulmi v. France(2006), Elsholz v. Germany(2000), Koudelka v. the Czech Republic( 2006), Zavrel v. Czech Republic(2007), Guillot v. France (1996), Scozzari-Giunta v. Italy(2000), Suss v. Germany(2006), Moser v. Austria(2006), Emonet and others v. Switzerland(2008), Hoffmann v. Germany(2003), Sahin v. Germany(2003), Saviny v. Ukraine(2008), Gnahore v. France(2000), Karner v. Austria (2003), Schmidt v. France(2007), Kutzner v. Germany(2003), Kosmopoulou v. Greece (2004), Folgero and others v. Norway(2007), Saadi v. Italy(2008), E.B. v. France(2008), Jucius and Juciuviene v. Lithuania(2009), Yousef v. The Netherlands(2003), Bevacqua and S. v. Bulgaria(2008), Sophia Gudrun Hansen v. Turkey(2003), Dickson v. The United Kingdom(2007), Case of C.v. Finland(2006), Costreie v. Romania(2009) etc and in the same time compares the family laws of the States of Europe.

Rights: between the individual preferences and the general welfare (R. Brandt)

R. Brandt, "Utilitarianism and Moral Rights", in *Morality, Utilitarianism, and Rights* (CUP), pp. 197-212

The choice theory (H.L.A. Hart)

H.L.A. Hart, "Legal Rights", in *Essays on Bentham. Studies in Jurisprudence and Political Theory* (Clarendon Press), pp. 162-193

Rights and autonomy (Th. Nagel)

Th. Nagel, "Personal Rights and Public Space", in *Concealment and Exposure and Other Essays* (OUP), 31-52

Positive and negative rights (C. Sunstein / St. Holmes vs. A. Gewirth)

St. Holmes – Cass Sunstein, *The Cost of Rights. Why Liberty Depends on Taxes* (W.W. Norton & Company), pp. 36-47

A. Gewirth, "Are All Rights Positive?", *Philosophy & Public Affairs* 30 (2002), pp.1-13

General bibliography

A. Harel, "Theories of Rights", in M. Golding – W. Edmundson, *The Blackwell Guide to the Philosophy of Law and Legal Theory* (Blackwell), pp. 191-206

William Edmundson, *An Introduction to Rights* (CUP), esp. pp. 3-40, 61-85, 86-118, 119-132, 143-159

**22. Introduction to the Greek Civil Law (3hrs/week): D. Liappis / K. Roussos (Offered only in German)**

**EINFÜHRUNG IN DAS GRIECHISCHE ZIVILRECHT**

1. Geschichte und Systematik des gr. ZGB

a. Vorgeschichte des ZGB

b. Die Vorbilder des ZGB

c. Die Struktur des ZGB

d. Die Prinzipien des ZGB

2. Darstellung der Bücher des ZGB

a. Allgemeiner Teil

b. Schuldrecht

c. Sachenrecht

d. Familienrecht

e. Erbrecht

3. Ausgewählte Themen

a. Die Personen

b. Subjektive Rechte und Rechtsgeschäfte

c. Persönlichkeitsschutz

d. Grundzüge des gr. Deliktsrechts

e. Umweltschutz im Zivilrecht

4. Europäisches Zivilrecht - Beispiele

a. Verbraucherschutz

b. Allgemeine Geschäftsbedingungen

### **23. Greek Law of Succession (2hrs/week): I. Kondyli (Offered only in French)**

- Notions générales; Données historiques, sociologiques, économiques; Aspects comparatifs (droit français, anglo-américain, droits socialistes)
- Testament. Le testament olographe, notarié, mystique; Conditions de fond, condition de forme; Révocation
- La succession ab intestat; Les ordres, les descendants, les ascendants, les collatéraux; Le conjoint survivant. Le préciput conjugal
- La réserve légale. Nature, portion, bénéficiaires, mise en oeuvre; L'exhérédation. Les causes, les conditions de fond et de forme. Le pardon; L'exhérédation «ex bona mente»
- L'acceptation et la renonciation
- Le fidéicommiss. Notion, conditions, conséquences
- Le legs. Notions, conditions, conséquences
- Succession vacante
- Partage d'ascendant

### **24. Penology (2 hrs/week) A.-I. Tzannetaki/ G.Giannoulis**

1. The Justification of Punishment: Retributive and Utilitarian theories.
2. The main schools of thought which have been developed with regard to the control of criminality and the treatment of offenders from the 18th century up to the present.
  - a) The classical School of Criminology (Beccaria, Bentham)
  - b) The Italian Positivist School (Lombroso, Garofallo, Ferri)
  - c) The Welfare Model and the Rehabilitation Ideal
  - d) The Justice Model (primary emphasis is given to the work of A. von Hirsch)
  - e) The Administrative Criminology (Rational Choice Theory, Situational Opportunity Theory etc)
3. The policy of Zero Tolerance with respect to “uncivil and disorderly” behavior (Primary emphasis is given to the work of J. Q Wilson)
4. Recent international trends in the use of imprisonment.
5. Comparative analysis of the range of penal measures prescribed by the legislation of a number of European Countries

## **25. Criminology (2hrs/week): M. Kranidioti**

### INDICATIVE OUTLINE (2008)

#### A. On criminal justice in Greece

History and basic elements of criminal law/ procedure. The criminal justice system.: Police, courts, prisons. The criminal justice system for juveniles.

#### B. On Criminology and its Research Methods

What is Criminology (broad-narrow definition of)/ Victimology. Public conceptions and misconceptions of crime / media and crime. .Main sources of data in Criminology. Official statistics/ self report and victimization studies. Other research. Ethical problems in research.

#### C. Schools and theoretical approaches

Classical versus positive school. Sociological approach. Emil Durkheim and the notion of anomie. Cartographic School 6. Strain theories Control theories (Hirschi). Learning/ subcultural theories (Sutherland/ Wolfgang-Ferracuti etc.). Symbolic interactionism and labeling theory. 8. Critical criminology- Marxist Recent theoretical approaches in Criminology.

#### Suggested books

Williams, K., 1991, 2005, Textbook in Criminology, Blackstone Press, London, Vold, G. B. / Bernard, T. J. / Snipes, J. B., 1998, 2002, Theoretical Criminology, Oxford University Press, New York, C.D.Spinellis/ M.Kranidioti, "Greek Crime Statistics", in Martin Jehle/ Chris Lewis (Home Office), Improving Criminal Justice Statistics. National and International Aspects, Series "Kriminologie und Praxis", 1995, Wiesbaden, σ. 67-88. For Greek speaking students M. Kranidioti, 2007, Integration as a method of theory development in Criminology, Nomiki Vivliothiki, Athens (in Greek).

## **26. Philosophy of Law (2hrs/week): Ph. Vasilogiannis**

### Philosophical theories of rights

What is a right? Is it necessary to dissociate liberties from claims? Are rights forms of interests? If so, how is a right to be distinguished from a mere interest? Or, alternatively, are rights forms of freedom – and if so, how can they be distinguished from other forms of freedom?

Moreover, how are rights to be justified? Do we need rights? If so, on what grounds, grounds of general utility or grounds of autonomy? Are rights absolute? What is the function of a right?



Finally, what are the normative conditions of the exercise of a right? Are all rights, in a certain sense, positive? How is the state supposed to protect a right?

Such questions, questions regarding, first, the nature, second, the foundations and, third, the exercise of rights, are of great practical and theoretical interest. This is the reason why they should be treated from a philosophical point of view, i.e. the point of view of philosophy of law – and not only from a civil law or a constitutional law perspective.

Plan of the course

Introduction

The prehistory of the concept: Duns Scotus vs St Thomas of Aquinas (and Aristotle)

M. Villey, *La formation de la pensée juridique moderne* (Ed. Montchrestien), esp. Cours 1961-1962, “Doctrines du droit de Saint Thomas”, pp. 116-146, Cours 1962-1963, “Prolégomènes à l’étude du droit subjectif chez Guillaume d’Occam”, “La genèse du droit subjectif chez Guillaume d’Occam”, pp. 225-273

The history of the concept: Grotius, Hobbes and Locke

R. Tuck, “Grotius and Selden”, in J.H. Burns (ed.), *The Cambridge History of Political Thought 1450-1700* (CUP), 499-522

A. Ryan, “Hobbes’s political philosophy”, in T. Sorell (ed.), *The Cambridge Companion to Hobbes* (CUP), pp. 208-245

A. J. Simmonds, *The Lockean Theory of Rights* (PUP), esp. ch. II (“Locke and Natural Rights”), pp. 68-120 Analysis: the Hohfeldian scheme

W.N. Hohfeld, “Some Fundamental Legal Conceptions As Applied in Judicial Reasoning”, in C. Wellman, *Rights and Duties*, vol. I (Routledge), pp. 16-59

The interest theory

D. N. MacCormick, “Rights in Legislation”, in C. Wellman, *Rights and Duties*, vol. I (Routledge), pp. 189-209

## EUROPEAN CREDIT TRANSFER SYSTEM AT THE LAW SCHOOL

At the Law School, ECTS credits are awarded in accordance with the following conversion table:

TYPE OF COURSE	ECTS credit points
Lectures (exams).....	2 per hour of lecture a week (SWS)
Lectures (essays).....	3
Lectures (exams and essays).....	7 for a 2 - hours course a week
.....	9 for a 3 - hours course a week

The written essay (3 ects) is not mandatory..  
The courses with the code EPA have ONLY 4 ects.  
No credits are awarded for attendance only.

#### DESCRIPTION OF THE GRADING SYSTEM:

The grading scale runs from 0 to 10

Passing grades are from 5 to 10:

5 - 6 = good

7 - 8 = very good

9 - 10 = excellent

#### DEPARTMENTAL COORDINATORS

#### OFFICE HOURS

#### TO BE SCHEDULED

#### ACADEMIC CALENDAR 2020-2021

#### TO BE SCHEDULED

The mobility period for the Erasmus+ students begins on the orientation day and ends with the examination of the last course .

#### ERASMUS +PROGRAMME – Winter Semester 2020 - 2021

#### COURSE COMMENCEMENT October 2020 (To be scheduled)

#### ERASMUS PROGRAMME – Winter Semester 2020– 2021

All courses will be taking place in the new building of the Law School (entrance from Sina Str.3), 3rd floor, Room 8 , unless indicated otherwise (\*).

TO BE SCHEDULED

We wish you a very pleasant stay!