



Law Schools  
Global League



KOC  
UNIVERSITY

LAW SCHOOL  
DR NUSRET - SEMAHAT ARSEL  
INTERNATIONAL BUSINESS  
LAW IMPLEMENTATION AND  
RESEARCH CENTER

7-18

July

2014

# 2nd LSGL Summer School

Koç University Law School  
Istanbul, Turkey







## **2<sup>nd</sup> LSGL SUMMER SCHOOL**

**7 -18 July, 2014**

**Koç University Law School, Istanbul**

### **DESCRIPTION**

Law Schools Global League (LSGL) introduces this year its 2nd LSGL Summer School at Koç University Law School (<http://www.ku.edu.tr/en>), in Istanbul, 7-18 July 2014.

2nd LSGL Summer School in Istanbul aims at providing an enabling environment for students reflecting diversity of legal systems to pursue an enriching academic experience as regards vivid and transnational issues of global legal enterprise. Realizing the innovative legal studies approach of LSGL based on sincere and cutting-edge research as well as learning and teaching, 2nd LSGL Summer School offers a two weeks/48 hours curriculum motivating new thinking of law, policy and global exercise of legal profession. This year's curriculum covers multifaceted aspects of international, regional and local disputes as to advocacy of rule of law, controversial aspects of transnational contracts and emerging legal and political architecture of digital democracy. Through face-to-face engagement of students and creative collaboration of renowned scholars and professionals supported by guest speakers, LSGL Summer School will be a high quality intellectual hub of promising future legal leaders meeting with excellence in scholarship and profession. LSGL's hub of summer schools gives the opportunity to be a part in the network of innovative legal experts seizing the knowledge and ability of transboundary critical thinking. LSGL invites the best profile of students to deepen their insights and to broaden their perspectives both academically and socially in Istanbul.

### **COURSES**

#### **1. International Contracts in the XXI Century: Controversial Issues**

- Wanderley Fernandes - Direito GV
- Francisco de Elizalde - IE

#### **2. Rule of Law in a Global Context**

- Başak Çalı – Koç Law School
- Yiğit Sayın – Koç Law School
- Sanem Özdural – Koç Law School

#### **3. Digital Democracy**

- Colette Cuijpers - Tilburg Law School
- Monica Guise Rosina - Direito GV



## 1. INTERNATIONAL CONTRACTS IN THE XXI CENTURY:

### CONTROVERSIAL ISSUES

Related to theme 4 of the 1st LSGL Conference (Business & Law –foreign investments), the course proposed by Profs. Elizalde and Fernandes focuses on current controversial issues of international contracts. Foreign investments in the 21st century pose new challenges to the Law as transnational contracts (which share common patterns in drafting) are forcing national Contract Law to evolve, re-shaping its content. The global market has brought the different legal systems closer while coping, at the time, with traditional (national) rules still in force. The analysis of how this is being done and its criticism, a task that cannot be omitted by global Law Schools, is crucial for determining the actual contractual framework that applies to foreign investments. By resorting to a comparative and international method, the course expects to raise the aforementioned questions, present how the problems that affect transnational contracts are being dealt with and reach critical conclusions. The co-convenors expect an active participation of students –which will be considered in the final assessment- who should bring the suggested materials prepared for each class.

### PROFESSORS



**WANDERLEY FERNANDES (Direito GV):** [wanderley@nascimentomourao.adv.br](mailto:wanderley@nascimentomourao.adv.br)

Doctor from the University of São Paulo (USP) and Master of Laws from the University of Illinois at Urbana-Champaign - College of Law (LL.M. 1996-1997). Graduated from the Program of Management Development (PMD-2011) from Harvard Business School and graduated in Law from USP. Professor of the Graduate Degree and Professional Master Degree at DIREITO GV.



**FRANCISCO DE ELIZALDE (IE):** [francisco.deelizalde@ie.edu](mailto:francisco.deelizalde@ie.edu)

Ph.D. in Law (special mention International Doctorate), University of Navarra (ES), LL.M. in Legal Practice, IE Law School (ES), LL.B. Universidad Complutense (ES), LL.B. Universidad Católica Argentina (AR). Francisco de Elizalde is a full-time Professor at IE Law School. He focuses on Private Law, especially, Contracts and the Law of Property, from a comparative perspective. He has been an Adjunct Professor at University of Navarra (LL.M. course) and a Visiting Scholar to the University of Cambridge (Centre for European Legal Studies) and Harvard Law School. Prof. de Elizalde has practiced law at the Litigation and Arbitration Department of Garrigues (largest law firm in continental Europe) during eight years, representing national and multinational companies.



## 2. RULE of LAW in a GLOBAL CONTEXT

The purpose of this two week course is to survey the conceptual, normative and institutional dimensions of rule of law in a global context. The course focuses on rule of law problems or issues that are brought forward by different national, transnational and international contexts as well as different issue areas. In so doing, the course pays attention to different scholarly traditions on the rule of law, different levels of legal institutions and issue-areas and comparative case-law.

### “RULE of LAW in the GLOBAL CONTEXT” COURSE TOPICS

DATE	COURSE TITLE
<b>Week I</b>	
Monday ,July 7	a) Introduction to course b) What is rule of law? c) What is the global context to the rule of law?
Tuesday, July 8	Domestic Courts and the Rule of Law
Wednesday, July 9	Transnational Courts and the Rule of Law I: The Case of Human Rights Courts
Thursday, July 10	Transnational Courts and the Rule of Law II: The case of international criminal courts and tribunals
Friday, July 11	Rule of Law and the International Legal System
<b>Week II</b>	
Monday, July 14	Investment and the Rule of Law: from Local to Global
Tuesday, July 15	Environment and the Rule of Law: from Local to Global
Wednesday, July 16	LSGL Academic Conference
Thursday, July 17	World Trade and the Rule of Law
Friday , July 18	General discussion





## PROFESSORS



### **BAŞAK ÇALI (KOÇ LAW SCHOOL) [bcali@ku.edu.tr](mailto:bcali@ku.edu.tr)**

Dr. Başak Çalı is Associate Professor in International Law at Koç Law School. Previously, she was Senior Lecturer in Human Rights and the Director of the MA in Human Rights at University College London. Her main field of expertise is international law, with a particular focus on international human rights law, European human rights law, politics of human rights law and interdisciplinary approaches to human rights law. She published on the theories of international law, humanitarian intervention, implementation of human rights judgments and the legitimacy of human rights law and human rights courts. Her work appeared in the European Journal of International Law, Human Rights Law Review, Human

Rights Quarterly and Law and Social Inquiry. She is the editor of International Law for International Relations (OUP, 2010). Dr. Çalı received large scale grants from the ESRC and the QNRF to study the domestic reception of human rights courts and law. She is an academic fellow of the University of Essex Human Rights Centre and a visiting professor at the Oxford Human Rights Programme. She has served as an human rights law expert for international organisations, such as the United Nations, Council of Europe and NATO, and non-governmental organisations, including the Aire Centre, ESCR-Net and Turkey Human Rights Platform. She is an academic committee member of Universal Rights Group, founding director of Judgment Watch Platform and has recently been invited to serve as a board member for Interights.



### **YİĞİT SAYIN (KOÇ LAW SCHOOL) [ysayin@ku.edu.tr](mailto:ysayin@ku.edu.tr)**

Dr. Yiğit Sayın is an assistant professor at Koc University School of Law. He has degrees in Roman Private Law and Economic Law. He has an LLM on International Economic Law and holds a PHD on Private Law for a study on the historical true nature of “natural obligations” and their legal characteristics in modern European Codes. His main field of study being Roman Private Law, his other field of interests include: Legal Philosophy, International Financial Institutions, Legal History and the Ethics of Legal Profession. He published in the fields of International Economic Law, Roman

Law; Legal History and Law of Obligations. Before joining the academia, as a member of Istanbul Bar Association, he had practiced law as an attorney for many years focusing mainly on commercial and international private law. Currently he lectures in courses regarding Roman Law, Legal Philosophy, Legal History and Advocacy Law.



**SANEM ÖZDURAL (KOÇ LAW SCHOOL) [sozdural@ku.edu.tr](mailto:sozdural@ku.edu.tr)**



Sanem Özdural is an instructor at Koç University where she teaches international business law, and an experienced trial attorney with expertise litigating commercial and real property disputes. Ms. Özdural obtained her J.D. from Boston University School of Law (1997) and B.A. in Economics from Princeton University (1993). Prior to moving to İstanbul in 2013, Ms. Özdural was a partner with the law firm of Lewis Brisbois Bisgaard & Smith, LLP in New York City where she specialized in professional liability insurance defense. Ms. Özdural started her law career as a prosecutor at the Orleans Parish District Attorney's Office in New Orleans (1998-2001), where as a senior trial attorney in the Felony Trials Division, she prosecuted a wide variety of cases, from homicides to economic crimes. In addition, Ms. Özdural has substantial experience litigating commercial and real estate disputes in New York, Louisiana and Washington, D.C., and has tried over 150 cases to the bench and jury. Her successful appeal to the Louisiana Supreme Court overturned long-standing law to start allowing DWI and insurance checkpoints in Louisiana. *State v. Jackson*, 764 So.2d 64 (La. 2000). Ms. Özdural's debut novel – a work of literary magical realism titled *LiGa™* – was published by Elswen Press in the U.K. (2012).







### 3. DIGITAL DEMOCRACY

The purpose of each lecture is to address and critically discuss the various issues that can be related to (and that influence) the concept of Digital Democracy. To that end, we envision teaching methods that would allow students to actively engage in the proposed discussions, bringing their own national regulatory experiences (or lack of) to the table. Lectures will consist of expository lessons based on the proposed class themes and discussions. We will explore theories and practice of digital democracy by reading papers and discussing them, as well as exploring national regulatory frameworks on the issue surrounding Digital democracy. Active student involvement is key to learning in this course. Main Question: What role does the law play in the use of Information and Communication Technologies as a tool for democracy?

#### PROFESSORS:



**COLETTE CUIJPERS (Tilburg Law School)** [C.M.K.C.Cuijpers@uvt.nl](mailto:C.M.K.C.Cuijpers@uvt.nl)

Dr. Colette Cuijpers is assistant professor at TILT – Tilburg Institute for Law, Technology, and Society at Tilburg University and senior researcher at the Radboud University Nijmegen. She holds a degree in European Law and in Dutch Law. She received her PhD for a study on the possibility and desirability of implementation of the European Privacy Directive into the Dutch Civil Code. Her main field of expertise relates to the way in which technology and society influence privacy and data protection regulation and vice versa. She published in the field of privacy and data protection (primarily in relation to smart metering systems and location based services), liability, e-government, e-commerce, intellectual property and consumer protection. She has been involved in several large-scale EU-funded research projects such as FIDIS, Breaking Barriers to Egovernment, VIRTUOSO and currently FutureID. In 2010 she worked for the Dutch Scientific Council for Government Policy (WRR), where she participated in a project on the transformation of eGovernment to iGovernment. Colette Cuijpers is the coordinator of the international Master Program Law & Technology. She is a lecturer in courses regarding liability and the Internet, privacy and data protection and ecommerce.



**MONICA GUISE ROSINA (Direito GV)** [monica.rosina@fgv.br](mailto:monica.rosina@fgv.br)

Coordinator of Research and Education in Innovation Group (Gepi) the DIREITO GV. Teaches the disciplines of Intellectual Property, Entertainment Law and Research Methodology at undergraduate courses; Intellectual Property and Development in the Global Law Program and is a visiting professor of the Master Professional Degree. Has a Doctor's degree in International Law, Universidade de São Paulo (1975), Master of Laws, Universidade Federal de Santa Catarina (2006) and Bachelor of Laws, Universidade Estadual de Londrina (2003). Professor at the Law School of Fundação Getulio Vargas in São Paulo (DIREITO GV) and Fundação Armando Álvares Penteado (FAAP).



## 2<sup>nd</sup> LSGL SUMMER SCHOOL SCHEDULE

Koç University Law School, Istanbul

WEEK	DATE	COURSE 1	SCHEDULE	COURSE 2	SCHEDULE
1	7 -11 July	INTERNATIONAL CONTRACTS IN THE XXI CENTURY: CONTROVERSIAL ISSUES	<b>Monday,</b> 10:00-11:30/ 11:45-13:00  <b>Tuesday-Friday</b> 09:00- 10:30/ 10:50 – 12:00	RULE  of  LAW  in a  GLOBAL CONTEXT	<b>Week 1 :</b>  <b>Monday- Friday</b> 14:00 – 16:00
2	14-18 July	<b>COURSE 3</b>  DIGITAL DEMOCRACY	 <b>Monday – Friday</b> 09:00- 10:30/ 10:50 – 12:00		<b>Week 2:</b>  <b>Monday-Thursday</b> 14:00 – 16:00  <b>Friday</b> 13:30 – 15:00

### EVALUATION

Participants will be evaluated for the three LSGL Courses by a common written exam that will take place on **Saturday, 19<sup>th</sup> July 2014.**





## ADMISSION

Each LSGL member school can nominate two students for this program. As decided in previous General Meeting, all members are required to pay € 1,000 fee to the host institution.

## ELIGIBILITY

- Students who have completed at least 1 year of legal studies at university level
- J.D., LL.B, LL.M. students
- a proficient command of English

## APPLICATION

Member schools should submit the application form including required documents to Koç University Law School via e-mail: [esraozcan@ku.edu.tr](mailto:esraozcan@ku.edu.tr)

**Application Deadline: May 9, 2014**

## TUITION

Tuition is € 1.000. It covers academic and social programs (opening session, first day lunch on campus, cocktail, coffee-breaks, weekend excursions and closing cocktail.).

## PAYMENT

Payment can be made by bank transfer to:

**Account Holder: Koç University**

**Bank: YAPI KREDİ BANK      Branch number: 938**

**Account Number: 94193550**

**SWIFT: YAPITRIS**

**IBAN: TR08 0006 7010 0000 0094 1935 50**

The transfer must clearly indicate "2<sup>nd</sup> LSGL Summer School" and "YOUR FULL NAME". The bank transfer receipt should be sent directly to Ms. Esra Özcan [esraozcan@ku.edu.tr](mailto:esraozcan@ku.edu.tr) After payment confirmation, the application process will be completed.

## CONTACT

**Organization Coordinator: Ms. Esra OZCAN**

Address: Koç University Law School Rumelifeneri Yolu 34450 Sarıyer ISTANBUL- TURKEY

TEL: +90 212 338 1885 FAX: +90 212 338 1763

E-mail: [esraozcan@ku.edu.tr](mailto:esraozcan@ku.edu.tr) Website: <http://law.ku.edu.tr/>



## ACCOMMODATION

Koç University dormitories have a capacity of nearly 2,500 students. On-campus housing is guaranteed for all LSGL Summer School participants.

Since Koç University Campus is far away from the city center we **strongly** recommend on-campus housing option for all participants.

### PRICE

Double room / per night & person	<b>18 Euros</b> (Including VAT)
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### Main Campus Facilities

- Double-occupancy, Single and Quadruple (also bunk bed) rooms are available. (During LSGL Summer School only double rooms with shared bathrooms are available.)
- Wireless Internet access, cable-TV and phone-services are available in each room.
- Each dorm room has a refrigerator, bed, closet, desk, chair, bed stand, light, pillow and blanket.
- Students are recommended to bring their own towels.
- Weekly housekeeping services.
- Each building is equipped with a laundry room, a kitchen and a lounge with a TV and computers.
- Outdoor swimming-pool, sports center, indoor ice-skating, Students' Center (cafeterias, bank, hair-dresser, post-office, market, bookstore etc.) and parking garage
- Health center

Each dormitory building has a Residence Assistant (RA) that lives in the building. Their duty is to support the dorm residents for their needs and to ensure a peaceful and tolerable environment for all. Upon your arrival, no matter what time it is, you can obtain your door key from Dorm Management at Building S.

**Our dormitory management is open for 24 hours, 7 days so you can check in at any hour.**







## KOÇ UNIVERSITY



Located in the hills of Sarıyer, Istanbul, Koç University is twenty minutes from the Black Sea beaches, surrounded by charming villages and natural landscapes, and connected to the city center through a plethora of convenient transportation options.

## ARRIVAL

### Quick notes:

- Istanbul has two sides, European and Anatolian. Koç University is on the northern part of the European side. Istanbul Atatürk Airport is on the southern European side while Sabiha Gökçen Airport is on the southern Anatolian side.
- Transportation from both airports are mainly towards Taksim (the city center).
- Although various alternatives have been provided below, we strongly suggest you to use a taxi since it is the safest, fastest and easiest way to get to campus, especially with your luggage.
- You will be welcomed by the security at the gate when you arrive at Koç University. The security will direct you to the dormitory management when you arrive.





## Arriving from Istanbul Sabiha Gökçen Airport

Sabiha Gökçen Airport is located on the Anatolian side of Istanbul at Pendik/Kurtkoy, at a distance of 70 km from Koç University main campus and 50 km to Taksim.

You can get to Taksim from Sabiha Gökçen Airport using:

### 1. Airport Shuttle: HAVATAŞ

<http://www.sabihagokcen.aero/passengers-and-visitors/transport-and-parking/transportation/havatas-en>

Upon arriving in Sabiha Gökçen Airport, you may choose to use these shuttles to arrive Taksim.

Journey time to Taksim is 1.5 hours approximately. The Route is Sabiha Gokcen Airport - Kavacik FSM Bridge - 1 Levent - Zincirlikuyu Metrobus- Dolapdere – TAKSIM.

From Taksim you may choose to take a taxi, bus or the metro to Koç University Campus in Sarıyer. In case you take the metro you need to get off in the last station (Haciosman) and take a taxi to Koç University which will cost around 25 TL).

Ticket price from Sabiha Gökçen airport to Taksim is 13 TL.

### 2. Taxi

From Sabiha Gökçen to Koç University is 150 TL (approximately 50 €).

### 3. Bus

A public bus (E-3) operates from Sabiha Gökçen Airport and departs in front of the Arrivals door which takes you to 4. Levent. From 4. Levent you can either take Metro to the Haciosman station, or take a taxi directly to Koç University.

In case you take the metro to Haciosman station you may take the taxi or take the bus coming to our Main Campus. Please see below or visit: <http://ogs.ku.edu.tr/facilities-management/shuttles> for the Bus Schedule from Haciosman to KU Campus. Please note that buses running between Koç University campus and Haciosman metro station do not work at the weekends.







## Arriving from Istanbul Atatürk Airport

Atatürk Airport is located in Yeşilköy, on the European side of İstanbul. The distance is 28 km to Taksim and 68 km from our main campus.

There are various ways of getting to Taksim from Atatürk Airport:

### 1. Airport Shuttle: HAVATAŞ

<http://www.havatas.com/en/coach.aspx>

HAVATAŞ shuttles bring you to the center of the city (Taksim) in approximately 45 minutes. These shuttles depart from the airport (in front of Arrivals exit) every 30 minutes.

The Route is Ataturk Airport - Sahil Yolu - Aksaray - TAKSIM. Ticket Price is around 10 TL to Taksim.

When you arrive in Taksim, you may choose to take a taxi, bus or the metro to Koç University in Sarıyer.

### 2. Metro

Unlike Sabiha Gökçen airport, Atatürk Airport is linked to Istanbul metro system. Upon arriving the airport you may follow the signs which will lead you to the metro. The metro runs everyday between 6:00 am and 00:15 am. For details please visit: <http://www.dhmi.gov.tr/home.aspx>

The final stop for the Airport line is Aksaray. From Aksaray you may choose to take a taxi, which will cost approximately 60 TL, or you can take the T1 line to Kabataş and then use F1 to get to Taksim.

Please note that for the interchange from Aksaray to T1 line you have to walk a long way.

### 3. Taxi

#### Airport Taxi

The airport taxi firm offers a transfer service which can be arranged before your arrival. We advise you to use this service. You pay the amount on the taxi meter, with no additional charge for booking a taxi, and the driver will meet you at the arrivals terminal. Below is the contact information of the transfer service, you can call in advance and book your taxi:

Atatürk Airport Taxi Transfer Service: +90 535 491 9827

<http://www.havalimanitaksi.com/site/transfer.html>



The taxi fee is approximately 85-95 TL (\$42-\$45 and/or €31-€34) from Atatürk Airport to the Koç University. If anything goes wrong regarding your transfer, there will be a number of taxis in front of the Arrivals Terminal which you can use for a similar price.

### 4. Bus

A public bus operates from Atatürk Airport (departs from the door of Arrivals) and takes you to Taksim. The bus line is 96T and departs approximately every 40 minutes. For the current schedule please visit:

[http://www.iett.gov.tr/en/main/hatArama/hatsaatleri/96T\\_ATAT%C3%9CRK-HAVAALANI-TAKS%C4%B0M-%C4%B0ETT-Otob%C3%BCs-Sefer-Saatleri](http://www.iett.gov.tr/en/main/hatArama/hatsaatleri/96T_ATAT%C3%9CRK-HAVAALANI-TAKS%C4%B0M-%C4%B0ETT-Otob%C3%BCs-Sefer-Saatleri)



## 5. Coming to Campus from Taksim

Any of the previous alternatives will take you to Taksim. From Taksim to Koç University you have various options:

- Taxi
- Bus
- Metro

i. You may choose to take the taxi from Taksim directly to our campus. Providing the driver with the address will be enough. It will cost approximately 55 TL.

ii. If you choose to take a bus, you will use line 25T which will take you to Sarıyer. However, our campus is not in Sarıyer center, from the last stop of 25T you may take a taxi or use a dolmuş (minibus). Dolmuş operates across the street from Sarıyer Cultural Center. The dolmuş you will take will have Koç University written on its front sign.

Details about bus schedule can be found at:

[http://www.iett.gov.tr/en/main/hatArama/hatsaatleri/25T\\_SARIYER---TAKS%C4%B0M-%C4%B0ETT-Otob%C3%BCs-Sefer-Saatleri](http://www.iett.gov.tr/en/main/hatArama/hatsaatleri/25T_SARIYER---TAKS%C4%B0M-%C4%B0ETT-Otob%C3%BCs-Sefer-Saatleri)

iii. If you choose to use the metro from Taksim you will get off at Hacıosman station. From there you may take a taxi to our campus, which is approximately 20 TL or you take the bus from the bus station next to metro station. Please visit: <http://ogs.ku.edu.tr/facilities-management/shuttles> for the Bus Schedule from Hacıosman to KU Campus.



## İstanbul Hızlı Ulaşım Sistemi Istanbul Rapid Transit Network



### Information Technology

Computer labs and wireless connection with free Internet access are available to students. In addition, scanners, printers and photocopy machines are available for student use. Detailed information about Information Technology Usage will be provided upon your arrival.

### Emergency Cases

7/24

In case of any emergency (health, psychological, criminal, personal, etc.) our on campus health center, psychologists and security officers will be available for 24/7. In case of emergency you should follow these steps:

1. Contact Esra Ozcan. We are ready to be of assistance for any emergency situation.

Mobile: +90 549 728 1477 – Office: +90 212 338 1885

2. If you need assistance on campus, please ask our 24 hour On Campus Security Officers who will guide you.

3. If you have a medical emergency, please contact our fully equipped (including ambulance) Health Center which is open 24 hours.



## HEALTH CENTER

Emergency : +90 212 338 1100

Ambulance/Call Center : +90 212 338 1273

## DORMITORY - MAIN CAMPUS

+90 212 338 1108

## SECURITY

Emergency/Main Entrance : +90 212 338 3535

Lost & Found : +90 212 338 3637

Security Office : +90 212 338 1015

## LIABILITY AND INSURANCE

The organization cannot accept liability for personal accidents or loss of or damage to private property of participants and accompanying persons. Participants are advised to take out their own personal travel and health insurance for their trip.

## VISA

Turkey applies visa regime to some countries. Please check the link <http://www.mfa.gov.tr/visa-information-for-foreigners.en.mfa> and find out if you are required to obtain a visa for the entry.

As of April 17, 2013, electronic visa (e-Visa) replaces “sticker visa” which was issued at the border crossings. Applicants just need to visit [www.evisa.gov.tr/en/](http://www.evisa.gov.tr/en/) and provide the requested information, (after the application is approved) make online payment and download their e-Visa. Visa fee is € 15.

## CURRENCY & EXCHANGE OFFICES

Turkish lira (TL) is the currency of Turkey. Euro is not generally accepted for payment of services in Turkey. Please exchange money at the airport. There are 24-hour exchange offices in the arrivals hall at Ataturk International Airport that offer rates comparable to those offered by offices in the city. US Dollars and Euros are easily changed at exchange offices. Please follow: <http://www.ataturkairport.com/en-EN/airportguide/Pages/BanksandCurrencyExchangeOffices.aspx>