

Universität Bayreuth, Universitätsstr. 30, 95440 Bayreuth

Bayreuth, 15.01.2020

Kleines Seminar im Sommersemester 2020

Thema: African Legal Studies

Das englischsprachige Seminar befasst sich mit rechtlichen Themen in ausgewählten Staaten Afrikas. Das Seminar richtet sich auch an Studierende, die bisher keine Vorkenntnisse in den einzelnen Problemfeldern haben. Es werden Literaturhinweise und eine angemessene Betreuung angeboten, die den Einstieg erleichtern und eine gute Erschließung der Themen ermöglichen. Das Seminar findet als Blockseminar mit drei Terminen statt.

1. Vorbesprechung: 03.02.2020 um 12 Uhr
2. Kick-off: 24.04.2020
3. Zwischenseminar: 18.05.2020
3. Abgabe der schriftlichen Arbeit: 15.06.2020
4. Endseminar: 03.07.2020

- Themen -

Human rights

- I. Assess the impact of *Unity Dow (1992 BLR 119 (CA))* on the right to equal protection and freedom from discrimination in Africa.
- II. How significant is the Botswana High Court's judgement in *Motshdiemang case (MAHGB-000591-16)* for the protection of LGBT rights within African constitutions?
- III. Critically assess the changing nature of customary law of inheritance with reference to case law. See eg *Mmusi case (2012 2 BLR 590 (HC))*.

- IV. Assess the implementation of the Gacaca Courts in Rwanda by considering in particular the balancing of human rights standards and the restorative customary procedures.

Law and politics

- V. What are the key lessons from the *Kenya Presidential Petition 2017 (Presidential Petition 1 of 2017)* and the *Malawi Presidential Petition 2019 (Constitutional Reference No. 1 of 2019)*?
- VI. Describe and critically assess the relation between the International Criminal Court (ICC) and selected African countries. Position to the ICC's future perspective in the light of specific African head of states and the provisions of the Rome Statute of the International Criminal Court.

Trade law

- VII. Focusing on SADC and EAC, analyse the opportunities and risks for African states arising from regional integration and trade liberalisation. What is the role of law in mitigating these risks and enhancing the opportunities?
- VIII. What legal options are available to states for curbing illicit financial flows (IFF) from high value industries in Africa?

Environmental governance and sustainability

- IX. Using regional and/or national legal instruments and cases, assess the extent to which there is an emerging obligation to conduct an environmental impact assessment for large entrepreneurial projects?
- X. Should African states recognise an emerging right of access to energy? What legal options would be available on different policy-making levels? See eg state level, supra-regional communities, Africa Union.

Wir bitten um vorherige Anmeldung unter: africanlegalstudies@uni-bayreuth.de. Geben Sie gerne Ihr Wunschthema schon in der E-Mail an. Die Themenvergabe findet allerdings endgültig bei der Vorbesprechung statt.