

Please note that this document is a non-binding convenience translation. Only the German version of the document entitled "Studien- und Prüfungsordnung der Juristischen Fakultät der Universität Heidelberg für den Aufbaustudiengang 'Master of Laws in International Law (LL.M.)'", dated 22 July 2010 [published in the President's bulletin (Mitteilungsblatt des Rektors) of 25 August 2010, p. 1127] has legal validity.

**Heidelberg University's Faculty of Law: Study and
Examination Rules and Regulations for the
postgraduate degree programme
"Master of Laws in International Law (LL.M.)"**

Date: 22 July 2010

Preamble

All titles in this document, be they official, job, status or functions, are used in masculine form, however they refer to men and women equally and may also be used in the corresponding feminine form.

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Section I: General provisions

§ 1 Purpose of the academic programme and examination

(1) The Master's degree programme in International Law aims at conveying in-depth knowledge in areas of public international law and additional areas of relevance.

(2) This degree programme is offered by the Faculty of Law at Heidelberg University; the Faculty of Law at Heidelberg University offers this degree programme in collaboration with the Center for International Law at Universidad de Chile and with support from the Max Planck Institute for Comparative Public Law and International Law.

(3) At the end of the Master's programme, students can obtain a qualifying degree to enter a profession as a Master of Laws in International Law (LL.M.)

(4) The purpose of the Master's examination is to assess whether students have an overview of the interconnections within their subject, have the ability to apply in-depth academic methods and knowledge, and are able work independently in accordance with academic principles. Additionally, the students' abilities to perform the tasks described in paragraph 1 shall be examined.

(5) Admission to the academic programme is subject to separate admission regulations.

§ 2 Master's degree

Heidelberg University, represented by the Faculty of Law, awards the academic degree of "Master of Laws in International Law" (LL.M.) to candidates who have passed the Master's examination.

§ 3 Standard period of study, programme structure and range of courses offered

(1) The standard period of study for the Master's degree programme is two semesters. This includes the time necessary to compose the Master's thesis and to take the Master's examination. The Master's degree programme does not follow standard semester dates with regard to its start and finish, and its teaching periods.

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- (2) Successful completion of the Master's degree programme requires a total of 60 credits (CP).
- (3) The Master's programme is a modular programme. Out of the 60 credits, 38.5 credits will be obtained in examination components completed during the course of study, 5 credits will be awarded for passing the final oral examination, and 16.5 credits will be given for the Master's thesis and the research stay in Heidelberg.
- (4) The languages of instruction and examination in the Master's degree programme are English and Spanish.

§ 4 Modules and Credits

- (1) A module is a teaching unit, self-contained in terms of both time and content and comprised of various lectures and courses. It not only comprises the lectures and courses attended, but also the components necessary for a passing grade in the module.
- (2) The Master's thesis and final oral examination are both regarded as individual modules.
- (3) All modules have been designed to be compulsory modules, i.e. students have to successfully pass all of them.
- (4) Compulsory attendance applies to all modules.
- (5) All components within a module must be graded as "sufficient" (4.0) or higher (sub-module grades) for the complete module to be passed.
- (6) Credits are given for successfully completed modules, including their individual components. One credit (CP) corresponds to a student workload of 30 hours.
- (7) The following modules need to be passed successfully:
- a) Module 1: International Law (7.5 CP)
 - b) Module 2: International Trade: WTO and Intellectual Property (5 CP)
 - c) Module 3: International Trade: Regional Economic Integration (13.5 CP)
 - d) Module 4: International Investments (5 CP)

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- e) Module 5: International Commercial Arbitration (7.5 CP)
 - f) Module 6: Master's thesis and research stay in Heidelberg (16.5 CP)
 - g) Module 7: Final oral examination (5 CP).

(8) A grade report (Transcript of Records) will be issued at the end of each semester, listing all module and sub-module examinations that students have passed, including the corresponding credits and grades.

§ 5 Examinations board

(1) The faculty examinations board is responsible for the organisation of examinations and the tasks required by the examination rules and regulations. It is composed of a minimum of two professors. Additionally, secondary professors, associate professors or research associates and a representative from the scientific staff can be appointed members of the examinations board. The chairperson and the deputy must be professors. The professors must represent the majority of votes.

(2) The Faculty of Law appoints the members of the examinations board.

(3) The examinations board ensures that the examination rules and regulations are upheld. The committee also ensures that examinations can be taken within the timeframes stated in the current examination rules and regulations. The committee regularly reports to the extended faculty council regarding changes to examinations and study periods (including actual processing times for Master's theses), and the distribution of grades. Furthermore, the committee proposes changes to the curriculum and examination rules and regulations. This report is published in a suitable form.

(4) The chairperson manages the business of the examinations board, prepares and chairs its meetings and has the deciding vote in the event of a tie vote.

(5) The examinations board may confer further responsibility on its chairperson, provided this does not violate applicable law. Such a decision may be revoked at any time. The examinations board must be informed on a regular basis about the execution of these tasks.

(6) The examinations board appoints examiners and observers. The board may be called upon for all questions regarding examinations. Members of the examinations

board have the right to attend examinations.

(7) Members of the examinations board, examiners and observers are subject to official secrecy. Those who are not civil servants are sworn to secrecy by the chairperson.

(8) The candidate must be informed of negative decisions of the examinations board immediately and in writing; the reasons for the decision must be stipulated and information on the procedure for appeal must be provided.

§ 6 Examiners and observers

(1) In general, examinations which are not completed during the course of study may only be carried out by professors, associate professors, or research associates who have been granted the right to examine by the faculty council due to longstanding and successful teaching experience. Research assistants, research associates, adjunct lecturers and lecturers with special responsibilities may only be appointed to conduct examinations under exceptional circumstances, when there is not enough qualified faculty available to conduct examinations. International examiners need to have a qualification equivalent to clause 1.

(2) Observers must have sat the corresponding Master's examination or equivalent.

(3) The candidate is permitted to suggest an examiner for the Master's thesis and the final oral examination; however, this does not constitute entitlement to be examined by a particular examiner.

(4) The chairperson of the examinations board ensures that candidates are notified of examiners' names in due time.

§ 7 Recognition of study periods, course credits and results

(1) Study periods, examination prerequisites completed and results obtained through Master's degree programmes in International Law at German universities or universities and colleges of equal standing will be recognised without verification of their equivalence. Law at a University or a comparable institution of higher education in Germany will be recognised without an assessment of equivalence.

(2) Study periods, examination prerequisites completed and results obtained in

other degree programmes will be recognised, provided that equivalence can be established. Equivalence is established if the majority of the periods of study, course credits and examination results obtained, correspond to the Master's programme in International Law at Heidelberg University and Universidad de Chile in terms of content, scope and requirements. When assessing equivalence, programmes are not compared schematically, but rather considered and assessed as a whole. When recognising periods of study, as well as examination prerequisites completed and results obtained outside the Federal Republic of Germany, Equivalency Agreements and agreements between partner universities approved by the Conference of German Ministers of Education (Kultusministerkonferenz, KMK) and German Rectors' Conference (Hochschulrektorenkonferenz, HRK) must be taken into account.

(3) For study periods, examination prerequisites completed and results obtained at state-recognised distance learning institutions, paragraphs 1 and 2 apply accordingly. Paragraph 2 also applies to study periods, examination prerequisites completed and results obtained at other institutes of education, in particular universities of cooperative education (state or state-recognised).

(4) If examination prerequisites and results are recognised, the grades, provided that the grading systems are similar, must be transferred and used when calculating the overall grade in accordance with these examination rules and regulations. If grading systems are not comparable, examination prerequisites and results are graded as a "pass". This recognition can be indicated in the diploma.

(5) When requirements have been met in accordance with paragraphs 1 to 3, students are legally entitled to the recognition of their examination prerequisites and results. The recognition of study periods, examination prerequisites and results obtained in Germany is carried out ex officio. Students must present the documents necessary for recognition.

§ 8 Unexcused absence, withdrawal, exceeding of deadlines and deception

(1) An examination is graded as "failed" (5.0) if candidates fail to appear without being able to state a valid reason for their absence, or if they withdraw from the examination after it has started. A written examination that was not produced within the allowed time is also graded as "failed".

(2) Reasons for withdrawal or absence according to paragraph 1 must be plausible and must immediately be submitted in writing to the examinations board. If the candidate, or a child for whom the candidate is generally the sole caregiver, is ill, a medical certificate must be provided. In the event of doubt, a medical certificate from a university-designated physician may be required. If the reasons stated are accepted, a new examination date will be scheduled. In this case, examination results that are already available will be taken into account.

(3) When deciding whether the candidate is at fault for exceeding a deadline for registration, or taking an examination, the examinations board must respect the provisions stated in the Maternity Protection Act and the legal regulations concerning parental leave, and allow candidates to make appropriate use of these provisions.

(4) If the candidate tries to influence the examination results through deception or by using unauthorised aids, the examination will be graded as "failed" (5.0). If candidates disrupt the proper course of the examination, the examiner or examination supervisor may not allow them to continue the examination, in which case the examination result will be graded as "failed" (5.0). In extreme cases, the examinations board may exclude the candidate from all further examinations.

(5) With regard to paragraph 4, clauses 1 and 2, within a period of two weeks, the candidate may request that the decision be validated by the examinations board. The candidate must be informed of negative decisions immediately and in writing; the reasons for the decision must be stipulated and information on the procedure for appeal must be provided.

§ 9 Types of examination components completed during the course of study

(1) Examinations completed during the course of study are:

1. written examination components
2. oral examinations

(2) Examinations as referred to in paragraph 1 are taken as an integrated part of the lecture or course. The lecturer responsible for a lecture or course determines the nature and duration of the integrated examinations and provides this information no later than at the beginning of the lecture or course.

(3) If candidates provide a medical certificate which credibly proves that they are not able to take examination components completely or partially in their intended form, due to long-term or permanent health problems, the examinations board may allow them to take an equivalent examination.

§ 10 Written examination components completed during the course of study

(1) Through written examination components, the candidates shall prove that they are capable of processing a specific subject in an academic way. They shall use knowledge on academic work obtained in the course, take available resources into consideration and develop individual ideas and approaches to a solution.

(2) Written examination components usually take the form of a written research paper. The candidate must therefore assure that he/she is the author of the work and has used no sources or aids other than those indicated.

(3) Where written examination components take the form of a written exam, the time to sit said exam shall be no less than 120 and shall not exceed 180 minutes.

§ 11 Oral examination components completed during the course of study

(1) In oral examinations, candidates should be able to prove that they can identify interrelationships within the examination subject matter and relate specified problems to these interrelationships. Additionally, the purpose of the oral examination is to assess whether the candidate has adequate basic knowledge of the field of study.

(2) An oral examination lasts between xx and xxx minutes.

§ 12 Assessment of examination components

(1) Grades for the individual examinations are determined by the respective examiners. The following grades must be used for assessment of examinations:

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| 1 = very good | = | an outstanding performance; |
| 2 = good | = | a performance which lies substantially above average requirements; |
| 3 = satisfactory | = | a performance which corresponds to average |

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requirements;

- 4 = sufficient = a performance which, despite deficiencies, still meets the requirements;
- 5 = failed a performance which does not meet the requirements due to considerable deficiencies.

For more detailed assessments of examination results, grades may be further differentiated by increasing or decreasing the individual grades by 0.3; however, the grade 0.7 and incremental grades higher than 4.0 may not be applied.

(2) To calculate the final module grade, all sub-module grades are equally considered in their unrounded form. Where a module contains a final module examination, the final module grade shall be comprised of examination components completed during the course of study weighted at 30% and the grade for the final module examination weighted at 70%.

(3) Grading for the final module grade and overall Master's

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| examination grade is as follows: for an average of up to and including 1.5 | very good |
| for an average of between 1.6 and up to/including 2.5 | good |
| for an average of between 2.6 and up to/including 3.5 | satisfactory |
| for an average of between 3.6 and up to/including 4.0 | sufficient |
| for an average exceeding 4.0 | failed |

(4) When calculating final module grades and the overall examination grade, only the first decimal after the point is taken into account. The other decimals are dropped without rounding.

(5) In addition to the grades calculated using the German system, students who have passed the examination components will also be awarded an ECTS grade according to the following scale:

A for the top 10 %

B for the subsequent

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25 % C for the subsequent 30 % D for the subsequent 25 % E the subsequent 10 %		

Depending on the number of students in the current graduating class, the grades are calculated based on the examination results of the entire graduating class, as well as the graduating classes from at least two previous years. In addition to the German grade, the inclusion of the ECTS grade for degree grades is mandatory. For individual modules, the ECTS grade may be listed when possible and necessary (e.g. when transferring to a university abroad).

Section II: Master's examination

§ 13 Master's examination admission requirements

(1) Admission to the individual examinations for the Master's examination will only be authorised for those who:

1. hold a general higher education entrance qualification, a related subject-restricted higher education entrance qualification or a higher education entrance qualification recognised by legal regulation or by the competent government authority;
2. are enrolled at Heidelberg University for the Master's degree programme in International Law;
3. have not lost their entitlement to take the final examinations in the Master's degree programme in International Law.

(2) In order to be permitted to write the Master's thesis, students need to provide proof of having successfully passed the modules stated in § 4 paragraph 7.

(3) The Master's thesis has to be submitted prior to taking the final oral examination.

§ 14 Admission procedure

(1) The application for admission to the examination must be made in writing, addressed to the chairperson of the examinations board. The following must be enclosed with the application:

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1. evidence of fulfilment of the admission requirements in accordance with § 13,
 2. candidates' declarations stating whether they have already failed their final attempt at the Master's examination in the Master's degree programme in International Law and whether they are currently undergoing an examination procedure.
- (2) If candidates are unable to provide such evidence, the examinations board may allow other documents to be accepted as proof.
- (3) The application is the basis for the examinations board's decision as to whether the candidate may be admitted to the examination. Denials must be made in writing, stating the reasons and providing information on the procedure for appeal.
- (4) The application for admission to the examination may only be denied if:
1. conditions are not fulfilled in accordance with § 13, or
 2. documents set forth in paragraph 1 are not complete, and have not been completed upon request, or
 3. candidates have failed their final attempt at the Master's examination in the degree programme in International Law or have lost the entitlement to take the final examinations, or
 4. the candidate is currently undergoing examination procedures in such a degree programme.

§ 15 Scope and nature of Master's examination

- (1) The Master's examination consists of:
1. successful completion of the examinations for the modules set forth in § 4, paragraph 7;
 2. the Master's thesis;
 3. the final oral examination.
- (2) The Master's examination has to be taken in the following order: examination components completed during the course of study (paragraph 1 no. 1)
Master's thesis (paragraph 1 no. 2).

final oral examination (paragraph 1, number 3).t

(3) § 9 paragraph 3 applies accordingly.

§ 16 Master's thesis

(1) The purpose of the Master's thesis is for candidates to prove that they are able to work independently, within a given period of time and using academic methods, to address a problem from the field of International Law.

(2) Every examiner authorised according to § 6 paragraph 1 clause 1 is entitled to assign and supervise Master's theses.

(3) In accordance with § 4, the candidate must start writing their thesis or apply for allocation of a Master's thesis topic no later than ten days after passing the last course-integrated examination component. This application must be addressed to the chairperson of the examinations board. If the deadline is not met, the Master's thesis will be graded as "failed" (5.0), unless the candidate is not at fault for exceeding the deadline.

(4) The topic of the Master's thesis will be determined by the thesis supervisor. If an application for assignment of a topic is submitted, the chairperson of the examinations board will ensure that the candidate receives a topic for his or her Master's thesis in a timely fashion. The candidate is permitted to propose topics; however, this does not constitute entitlement to a particular topic. The topic is assigned by the chairperson of the examinations board. The date of assignment must be recorded.

(5) The Master's thesis must be submitted within three months. In exceptional circumstances, the examinations board may extend this deadline by up to one month. If the deadline is not met, the Master's thesis will be graded as "failed" (5.0), unless the candidate is not at fault for exceeding the deadline.

(6) The topic, task and scope of the Master's thesis must be limited in such a way that the candidate should be able to complete the thesis within the given time frame.

(7) The Master's thesis must be written in English.

§ 17 Submission and assessment of Master's thesis

- (1) Three copies of the Master's thesis must be submitted to the examinations board before the established deadline; the submission date must be recorded.
- (2) When submitting the Master's thesis, the candidate has to provide a written statement, in which they state that they are the sole author of their work and that they have not used any resources and aids other than those stated. They must also state that the thesis has not been submitted in its current or a different form to another faculty or a faculty member, and that it has not been submitted as an examination component for another academic or state examination.
- (3) According to § 6, paragraph 1, clause 1, the Master's thesis is assessed by two examiners, one of whom must be a professor. The first examiner should be the thesis supervisor. The second examiner is designated by the examinations board. The candidate is permitted to make a proposal; however, this does not constitute entitlement to be examined by a particular examiner. The evaluation period should not exceed a period of four weeks.
- (4) Each examiner shall propose an individual grade. Where the assessments given differ, the average shall serve as the final grade. Both individual grades, however, must at least be "sufficient" (4.0).
- (5) Where, according to paragraph 4, one of the two grades is "insufficient", the examinations board shall appoint a third examiner. The Master's thesis shall be passed if a minimum of two examiners have at least awarded the grade "sufficient" (4.0).
- (6) In case the Master's thesis does not obtain the grade "sufficient" (4.0), it shall be considered failed. The Master's thesis may be retaken once. The retake has to be started within six months of the announcement of not having passed the first attempt. Where this deadline is exceeded, the Master's thesis shall definitely be considered "not passed", unless the candidate is not at fault for exceeding this deadline. In well-founded cases, the examinations board may extend this deadline by up to four semesters upon request. The chairperson of the examinations board shall ensure that the candidate receives a new topic for their Master's thesis in due time. The Master's thesis may not be retaken a second time. The retake is subject to the same regulations as the first attempt at the Master's thesis.

(7) § 12 applies accordingly.

§ 18 Final oral examination

(1) The final oral examination must be taken within eight weeks after submitting the Master's thesis. If this deadline is not met, the final oral examination will be graded as "failed" (5.0), unless the candidate is not at fault for the deadline being exceeded. The final oral examination takes approx. 45 minutes and covers both the topic of the Master's thesis and its broader area of application.

(2) The final oral examination will be held by one examiner and one qualified observer.

(3) The topics examined and the results of the oral examination must be recorded in a written report to be signed by the examiners and the observers. Candidates must be notified of examination results immediately following the oral examination.

(4) Students wishing to take a subject examination at a later date, should be permitted to listen in on the same examination, if room is available. The audience may not be present for assessment or announcement of the examination results. Upon the candidate's request, or for other valid reasons, listeners may be prohibited from attending.

§ 19 Passing the examination and overall grade

(1) The Master's examination is passed when all examination components according to § 15 paragraph 1 have each been graded as "sufficient" (4.0) or better.

(2) When calculating the overall grade for the Master's examination in accordance with § 12 paragraph 3, the numerical values of all module grades shall be considered without rounding according to § 12 paragraph 3 and shall be weighted as follows: Modules 1 to 5 each are weighted at 8%; module 6 is weighted at 40%; and module 7 is weighted at 20%.

§ 20 Retaking an examination; deadlines

(1) If examination components are not passed or are considered not to have been

passed, they may be retaken once. This includes failed examinations at other universities.

- (2) Retaking an examination that has been graded as passed is not permitted.
- (3) If a candidate fails at the final oral examination, it must be retaken no later than during the following semester. If candidates fail to meet this deadline, they will lose entitlement to take this examination, unless they are not at fault for the deadline being exceeded.
- (4) To retake the master's thesis, § 17 paragraph 6 applies accordingly.

§ 21 Master's diploma and certificate

- (1) Within four weeks of the Master's examination having been passed, a diploma will be issued. The diploma states all individual modules with their respective grades, credits, and the overall grade. The diploma shall also state the topic of the Master's thesis. The diploma is dated with the day of the last examination component. It must be signed by the chairperson of the examinations board.
- (2) A Diploma Supplement in both German and English is also provided, containing additional information about the course content and period of study. The content complies with the European Diploma Supplement Model.
- (3) A bilingual Master's certificate in both German and English is issued with the diploma, bearing the same date as the diploma. It certifies the conferment of the academic degree "Master of Laws in International Law (LL.M.)". The Master's certificate is signed by the dean of the Faculty of Law and the chairperson of the examinations board. It bears the faculty seal.
- (4) If the Master's examination is failed at the final attempt or is considered not to have been passed, the chairperson will issue a written notification, providing information on the procedure for appeal. A certificate will be issued upon request, and upon presentation of corresponding documentation and proof of a de-registration certificate, listing passed examinations and their grades, missing examinations required for obtaining the Master's degree, and a statement that, on the final attempt, the Master's examination was not passed.

Section III Final provisions

§ 22 Invalidity of examinations

(1) If a candidate has cheated on an examination and this is not discovered until after the diploma has been issued, the examinations board may correct the examination results that were affected by the deception and may declare the examination to be partially or completely failed.

(2) If the requirements for admission to the examination were not fulfilled, but without any intent on the candidate's part to deceive and this is not discovered until after the diploma has been issued, the passed examination will be considered a compensation for this shortcoming. If the candidate intentionally gained admission to the examination through deceit, the examinations board will make a decision on the matter.

(3) Before a decision is made, the candidate will be given the opportunity to provide an explanation.

(4) Fraudulent examination diplomas will be confiscated and, if necessary, a new diploma will be issued. If the examination has been graded as "failed" due to cheating or deception, the corresponding Master's certificate will be confiscated and be declared "not passed" due to deception. In accordance with paragraph 1 and paragraph 2 clause 2, a decision may not be made more than five years after the date indicated on the examination diploma.

§ 23 Access to examination documents

After the examination procedure has been completed, the candidate has the right to request access to examination documents within a reasonable period of time. Requests must be made in writing and within a period of up to one month after completion of the examination process. The chairperson of the examinations board will decide when and where such access will be given.

§ 24 Coming into force

(1) These examination rules and regulations will come into force on the first day of the month following publication in the President's bulletin (Mitteilungsblatt des Rektors).

(2) For students, who at the time of the present examination rules and regulations coming into force are already enrolled, the examination rules and regulations in their version of 12 November 2004 remain effective.

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