

iCourts



Some possible MA-thesis/BA-projects in iCourts Nogle mulige specialer/BA-projekter i iCourts

The below list contains topics in both Danish and in English. For further information, please contact the relevant supervisor, or iCourts' educational coordinator Jakob v. H. Holtermann (jvhh@jur.ku.dk).

Please observe that writing your project with an iCourts supervisor may make you eligible for the iCourts Excellence Programme. Read more about the programme [here](#).

Click names below to go to individual researchers' KU-website.

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Lektor i retslingvistik [Anne Lise Kjær](mailto:anne.lise.kjer@jur.ku.dk) (anne.lise.kjer@jur.ku.dk):

- I hvilken udstrækning sammenligner den danske højesteret dansk ret med anden ret (anden national ret eller international ret)?
- Bør domme være formuleret i klart sprog, så almindelige borgere kan forstå dem?
- EU-retten er formuleret med på 27 officielle sprog og alle sprogversioner er ligeværdige. Udgør det et problem eller er det kun en fordel?
- En sammenlignende analyse af Østre Landsrets og Vestre Landsrets domsbegrundelser med henblik på at identificere forskelle og ligheder i deres argumentation.
- Hvor gode er danske domstole til at anvende retoriske redskaber og argumentation i deres domsbegrundelser?
- Bør anklagemyndigheden anvende overbevisende argumentation eller er det i modstrid med objektivitetskravet?

Professor MSO i folkeret [Astrid Kjeldgaard-Pedersen \(astrid.kjeldgaard-pedersen@jur.ku.dk\)](mailto:astrid.kjeldgaard-pedersen@jur.ku.dk):

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- The relationship between international law and national law
- The immunity of heads of state and other state representatives
- The human rights obligations of non-state actors
- The allocation of responsibility between states participating in partnered military operations
- The international legal regulation of cyber operations

Professor [Henrik Palmer Olsen \(henrik.palmer.olsen@jur.ku.dk\)](mailto:henrik.palmer.olsen@jur.ku.dk):

- International domspraksis i lovforarbejder: hvordan bruges international domspraksis i lovforarbejder?

Postdoc [Jacob Livingston Slosser \(jacob.slosser@jur.ku.dk\)](mailto:jacob.slosser@jur.ku.dk):

- How are new technologies understood by international/regional courts given sometimes dated legal frameworks?
- How do the interpretation and selection of precedents help shape international law?
- What is/what should be the role of automation in legal practice?
- Empiricism and legal research: How to design experiments for better understanding the law.
- What is the role of rhetoric and cognitive/psycholinguistics in understanding legal judgments?
- (How)Are marginalised voices represented in legal judgments?
- How can feminist thought help interpret European Human Rights law?

Lektor [Jakob v. H. Holtermann \(jvhh@jur.ku.dk\)](mailto:jvhh@jur.ku.dk):

- Er den internationale straffedomstol overhovedet en god ide? Kan traditionelle begrundelser for straf overføres fra nationale til internationale forbrydelser?
- Viden og sandhed i retten I: skal internationale straffetribunaler kun straffe de skyldige, eller skal de også skrive den historiske sandhed? Og hvad laver historikerne i så fald?
- Viden og sandhed i retten II: hvornår bør retten afgøre videnskabelig uenighed? Penkova, Klarlund, Esben Lunde Larsen og Bjørn Lomborg – ulovlig, uredelig eller bare dårlig videnskab?
- Hvornår er et lovforslag *med sikkerhed* i modstrid med gældende ret? Om "karrierefremmende regeringsrådgivning", embedspligten til at sige fra og den juridiske metode
- Er det for svært at blive dømt for voldtægt? Om bevisbyrde, uskyldsformodningen, hensynet til ikke at lade forbrydelse gå ustraffet og andre af retsstatens grundpiller

- Hvad skyldes modstanden mod den offentlige domsdatabase: Om retssikkerhed, retskildelære og professionelle og økonomiske interesser i kampen om domsdatabase
- Et provinsielt og forhastet faderopgør? En retsfilosofisk undersøgelse af opgøret med den skandinaviske realisme og af fremvæksten af en ny europæisk retsrealisme.
- Ytringsfrihed I: Udgør *safe spaces* og *no-platforming* en indskrænkning af ytringsfriheden?
- Ytringsfrihed II: Bør religiøse følelser have særbeskyttelse? Om blasfemi, den offentlige orden og voldsmandens veto
- Supplement eller alternativ til straf? Bør deltagelse i konfliktråd kunne erstatte straf?

Professor MSO [Joanna Lam \(joanna.lam@jur.ku.dk\)](mailto:joanna.lam@jur.ku.dk):

- Interpretation of contracts under the CISG (the United Nations Convention on Contracts for the International Sale of Goods)
- Limitation of liability clauses in [a specific type of agreement in international commercial contracts]
- Consolidation and joinder in international commercial arbitration

Ph.d.-stipendiat Magnus Esmark (magnus.esmark@jur.ku.dk):

- The Danish and European legal fields: Empirical mapping of the overlaps and differences between the two
- Prejudicial references in Danish legal practice: How do the Danish courts phrase their questions and what does this mean for the dialogue?
- Distinguishing the practice of the CJEU: How do national courts apply general precedents from the CJEU in new fact constellations?
- Ascending/descending arguments in national civil law: Can Koskenniemi's duality in international legal argument be applied to understand national argumentation practices in *inter partes* relationships?
- Fundamental rights legal activism: How has NGO's influenced human rights in the practice of the CJEU?

Professor [Mikael Rask Madsen \(mikael.madsen@jur.ku.dk\)](mailto:mikael.madsen@jur.ku.dk):

- Internationale domstoles effekt på national ret
- Internationale domstole og den internationale retlige orden: fragmentering eller homogenisering?
- Reform af Den Europæiske Menneskerettighedsdomstol: Brighton-erklæringen, København-erklæringen og hvad så?
- Beskyttelsen af ytringsfrihed og andre frihedsrettigheder
- Forandringer af den juridiske profession. Danske eller udenlandske udviklinger

- The internationalisation of criminal law in Europe and abroad
- How are international criminal courts created?
- How has international criminal law developed since the end of the Cold War?
- Does international criminal law have an actual impact?
- What role does the International Criminal Court play in international governance?
- Is international criminal law the same in Europe as it is in Africa?
- Dansk narkotikakontrol mellem strafferet og socialvæsen
- Den uafhængige politiklagemyndighed: Er den uafhængig?
- Hashsalg og bandekrig i København: Politi, røvere og sociale myndigheder
- Kan Al Capone metoden bruges overfor danske bander?
- Radikalisering af danske borgere: Politiets eller samfundets ansvar
- Christiania og politiet: Et eksempel på komplementaritet eller antagonisme?
- Kampen om EPPO: Verdens første supranationale anklagemyndighed
- Danmark udenfor Europol og Eurojust: En juridisk og institutionel analyse

Ph.d.-studerende [Salome Addo Ravn \(salome.addo.ravn@jur.ku.dk\)](mailto:salome.addo.ravn@jur.ku.dk):

- What effective measures can be put in place under international law to ensure state compliance with judgments of international courts and how?
- What role do domestic courts play in the implementation and enforcement of judgments of international courts?
- How does the gender composition of international courts affect cases?

Postdoc [Salvatore Caserta \(Salvatore.caserta@jur.ku.dk\)](mailto:Salvatore.caserta@jur.ku.dk):

- Diffusion of EU-style international courts across the globe: A comparative institutional/doctrinal/socio-political analysis of 1 or 2 newly established regional international courts with the Court of Justice of the EU
- Comparative Regional integration: A comparative institutional/socio-political analysis between the EU and other regional systems in Africa, Latin America, and the Caribbean
- Civil society, legal professions, and international courts: The role of non-state actors in the development of international/regional law
- Human rights in Latin America and the Caribbean: The International Court of Justice and the development of international law

Lektor [Shai Dothan \(shai.dothan@jur.ku.dk\)](mailto:shai.dothan@jur.ku.dk):

- Should international courts behave differently across their life span, from the time they were created onwards? How can the international community prevent international crimes?

- Should international courts monitor compliance with their judgments and how?
- Should international courts grant a different margin of appreciation to different countries?
- Who gains and who loses from a globalized world? What principles should regulate global institutions to ensure just results?

Professor MSO Thomas Gammeltoft-Hansen (tgh@jur.ku.dk):

- Hvad betyder de mange ændringer af Udlændingeloven for den lovgivningsmæssige kvalitet og sammenhængskraft?
- Humanisme eller menneskesmugling: Er kriminalisering af NGOer og borgere, der hjælper migranter og flygtninge et rimeligt indgreb?
- Er begrænsningen på retten til familiesammenføring for personer, der tildeles asyl efter paragraf 7.3 i Udlændingeloven i strid med retten til familieliv?
- Hvilken rolle spiller den Europæiske Menneskerettighedsdomstol i forhold til dansk udlændingeret?
- Is the Refugee Convention outdated?
- Which role do international courts and committees on human rights play in regard to migrants' rights?
- Humanitarianism or human smuggling: Is the criminalization of NGOs and citizens helping migrants and refugees legitimate?
- What impact, if any, are the new compacts on migration and refugees likely to have on international law?
- Do we need a new international convention to address migration resulting from climate change?
- Backlash against international law: temporary setback or paradigm change?
- Why (and when) do states respect international law?