



## Syllabus

### Private International Law

Higher education degree - bachelor  
Field of knowledge - 29 International relations  
Specialty - 293 International Law  
Educational and Professional Program - International Law

**Study year – 3 Semestr – 6**  
**Number of credits: 3, Language of study: English**

#### Head of the course:

Assoc. prof. of the Department of International Law and Migration Policy, PhD, Assoc. prof.  
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### Description of the discipline

The purpose of the discipline “Private International law” is a deep and thorough study by students of the main provisions of the science of private international law, in particular the concept, methods, system, functions, sources and main categories of private international law, assimilation of the doctrine of its subjects, as well as its place in legal system, sources, features of collision regulation of private relations complicated by a foreign element.

The task of studying the discipline consists in the acquisition by students of knowledge, skills and abilities (competencies) to effectively implement the acquired theoretical knowledge in practice. The task of studying the discipline is also a detailed study of the Law of Ukraine «On Private International Law», international treaties, laws, acts of the President of Ukraine, the Government and other legal acts, which are the sources of the field of private international law of Ukraine.

As a result of studying the academic discipline, the student should

#### **know:**

- approaches to defining the features, subject, concept, functions of private international law and its relationship with other elements of the legal system existing in the doctrine;
- concepts and types of methods of private international law;
- the system of private international law;
- the most important sources of legal regulation in various spheres of private international law;
- concepts and types of subjects of private international law;
- essence and purpose of conflict of laws rules;
- the structure of conflict of laws rules;
- features of collision regulation of private relations complicated by a foreign element, in particular in the sphere of property, contractual, non-contractual, family, inheritance, labor relations, intellectual property relations, international civil proceedings and international commercial arbitration.

#### **be able:**

- operate freely with special legal terminology in the field of private international law;
- work with international regulatory acts and national conflict of law legislation of Ukraine;

- to orientate in the regularities of implementation of conflict-of-law and material-law regulation of private-law relations complicated by a foreign element;
- apply the basic formulas for attaching conflicting norms;
- use acquired knowledge of private international law in legal practice;
- accurately assess the situational circumstances and make optimal decisions regarding the effectiveness of the practical application of norms regulating private law relations with a foreign element;
- quickly find the legal norm, correctly interpret it and apply it in specific situations.

## Course structure

<b>Hours (lec. /pract.)</b>	<b>Topic</b>	<b>Learning outcomes</b>	<b>Control measures</b>
2 / 2	1. General characteristics of private international law.	Understand the concept, subject, method and system of private international law, to find out the history of the science of private international law.	Tests, questions
2 / 2	2. History of the science of private international law.	To study the peculiarities of the emergence of the science of private international law and its development until the beginning of the XXI century. Historical aspects of the formation of the science of private international law in Ukraine.	Tests, questions
4 / 4	3. Sources of private international law.	To know the peculiarities of the sources of private international law.	Tests, questions, cases
2 / 2	4. Sources of private international law in Ukraine.	To know the peculiarities of the sources of private international law in Ukraine.	Tests, questions
2 / 2	5. Basic principles of private international law.	Distinguish and single out the main principles of private international law.	Tests, questions
4 / 4	6. Conflict of laws.	Know and understand the legal nature of conflict of laws.	Tests, questions, essay
2 / 2	7. Effect and interpretation of conflict of laws norms.	Understand the specifics of the operation and interpretation of conflict of laws rules.	Tests, questions, cases
2 / 2	8. Application of foreign law.	Know the peculiarities of the application of foreign law.	Tests, questions, essay
2 / 2	9. Natural persons in private international law.	Learn the peculiarities of the legal status of natural persons in international private law.	Tests, questions, cases
2 / 2	10. Legal entities in private international law.	Learn the legal status of legal entities in international private law.	Tests, questions,

			cases
2 / 2	11. Cross-border bankruptcies.	Know the peculiarities of cross-border bankruptcies in international private law.	Tests, questions, essay
2 / 2	12. Participation of the state and legal entities under public law in private law relations with a foreign element.	Understand the peculiarities of the participation of the state and legal entities of public law in private law relations with a foreign element.	Tests, questions, essay

### Recommended sources

1. Aust H.P. & Nolte G. (eds.), *The Interpretation of International Law by Domestic Courts: Uniformity, Diversity, Convergence* (2020).
2. Balthasar S. (ed.), *International Commercial Arbitration: International Conventions, Country Reports and Comparative Analysis* (2019).
3. Basedow J. *EU Private Law*. Intersentia (2021).
4. Beaumont P., Hess, B., Walker, L. & Spancken, S. *The Recovery of Maintenance in the EU and Worldwide* (2020).
5. Bogdan M. *Concise Introduction to EU Private International Law* (3d ed. 2020).
6. Borchers P.J. *Conflicts in a Nutshell* (4th ed. 2020).
7. Bork R. *European Cross-Border Insolvency Law* (2021).
8. Baruffi M.C., Honorati C. *EU private international law in family matters: legislation and CJEU case law*. Cambridge ; Antwerp ; Chicago : Intersentia (2022).
9. *Encyclopedia of Private International Law*. Ed. by Jürgen Basedow, Giesela Rühl, Franco Ferrari, Pedro De Miguel Asensio. Elgar (2022).
10. Geert van Calster. *European Private International law*. Hart Publishing (2022).
11. Perdue W. C. *Procedure and private international law* (2022).
12. *Private International Law. Contemporary Challenges and Continuing Relevance*. Ed. by Franco Ferrari, Diego P. Fernández Arroyo. Elgar (2023).
13. *EU Cross-Border Succession Law / Edited by Stefania Bariatti, Ilaria Viarengo, Francesca C. Villata*. Elgar European Law and Practice series (2022).
14. *Public Policy and Private International Law / Edited by Olaf Meyer*. Germany (2022).
15. *Diversity in International Arbitration / Edited by Shahla F. Ali, Filip Balcerzak, Giorgio Fabio Colombo, Joshua Karton*. Elgar European Law and Practice series (2022).
16. Andone R.-O. *Private International Law of the Republic of Moldova: The Law Applicable to the Material and Formal Validity Conditions of the Juridical Act* (2020).
17. Bantekas I. *An Introduction to International Arbitration* (2021).
18. Basedow J., Hopt J. K., Zimmerman R., Stier A.(eds.). *The Max Planck Encyclopedia of European Private Law*. Oxford: Oxford University Press (2020).
19. Bělohávek A.J. *Rome Convention, Rome I Regulation: Commentary: New EU Conflict-of-Laws Rules for Contractual Obligations* (2022).

20. Bogdan M. Private International Law as Component of the Law of the Forum: General Course. The Hague: Hague Academy of International Law (2022).
21. European contract law and the creation of norms / Ed. By Stefan Grundmann, Mateusz Grochowski. Intersentia (2021).
22. Fawcett J.J, Torremans P. Intellectual Property and Private International Law. 2nd ed. Oxford: Oxford Private International Law Series (2021).
23. Huber P. (ed.). Rome II Regulation. Pocket Commentary. Munich: Sellier European Law Publishers (2021).
24. Huber P., Mullis A. The CISG: A New Textbook for Student and Practitioners. Munich: Sellier European Law Publishers (2022).
25. Magnus U., Mankowski P.(eds.). Brussels I Regulation. Munich: Sellier European Law Publishers (2022).
26. Magnus U., Mankowski P.(eds.). Brussels Ibis Regulation. Munich: Sellier European Law Publishers (2022).
27. Ní Shúilleabháin M. Cross-border Divorce Law: Brussels Ibis. Oxford: Oxford University Press (2020).
28. Okoli Ch., Oppong R. Private International Law in Nigeria. Hart Publishing (2020).
29. Savanets L., Stakhyra H. A Comparative Study on the Conformity of Goods under the UN Convention on Contracts for the International Sale of Goods (CISG) and Ukrainian Sales Law. *Krytyka Prawa. Niezależne Studia nad Prawem*. 2022. Vol. 14 (2). PP.143-162.
30. Stakhyra H., Savanets L. Ensuring the security of personal data on the internet: the commercial use of personal data by digital content providers. Actual problems of jurisprudence. 2021. Vol. 3. PP.110-116.
31. Savanets L., Stakhyra H. Digital consumer – how to protect one in big data economy. Actual problems of jurisprudence. Vol. 3 (23). 2020. PP.153–159.
32. Stone P. EU Private International Law. 2nd ed. Cheltenham: Edward Elgar Publishing Limited (2020).

#### Information sources

1. The official web portal of the Verkhovna Rada of Ukraine. URL: <http://portal.rada.gov.ua/>
2. Official online representation of the President of Ukraine. URL: <http://www.president.gov.ua/>
3. The single web portal of executive authorities of Ukraine. URL: <http://www.kmu.gov.ua/>
4. Official web portal of the judicial authorities of Ukraine. URL: <http://court.gov.ua/>
5. Official web portal of the UN Commission on International Trade Law (UNCITRAL). URL: <https://uncitral.un.org/en>
6. The official web portal of the Hague Conference on Private International Law. URL: <https://www.hcch.net/ukrainian>

### Evaluation policy

- Policy on deadlines and rescheduling: Rescheduling of modules takes place with the permission of the dean's office if there are good reasons (for example, sick leave).
- Academic Integrity Policy: Copying during tests and exams is prohibited (including using mobile devices).
- Attendance Policy: Attendance is a mandatory component of assessment. For objective reasons (for example, illness, international internship, and other reasons), training can take place online with the permission of the university administration.

### Evaluation

The final score (on a 100-point scale) from the internship is determined as a weighted average value, depending on the specific weight of each component:

Credit module 1	Credit module 2	Credit module 3	Total
30	40	30	100 %
Oral survey during classes (5 topics) - 5 points per topic - max. 25 points. Modular control work - max. 75 points	Oral survey during classes (7 topics) - 5 points per topic - max. 35 points. Modular control work - max. 65 points	Preparation of CPIT - max. 40 points. Protection of CPIT - max. 40 points Participation in trainings - max. 20 points	100

### Student evaluation scale:

ECTS	Marks	Content
A	90-100	excellent
B	85-89	good
C	75-84	good
D	65-74	satisfactorily
E	60-64	enough
FX	35-59	unsatisfactory with the possibility of reassembly
F	1-34	unsatisfactory with a mandatory repeat course