



Syllabus

« International commercial law»

Higher education degree - bachelor

Field of knowledge – 29 International relations

Specialty – 293 International law

Educational and Professional Program – «International Law»

Year of study: III , Semester: VI

Number of credits: 5

Language of instruction: english

Course leader

PhD, Associate Professor, Associate Professor at the Department of International and European Law
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Description of the discipline

The purpose of the course «International commercial law» is the formation of scientifically sound representations of International commercial law and the familiarization with peculiarities, basic concepts, categories, institutes and branches of International commercial law.

The task of studying the discipline «International commercial law» is the mastering of students' knowledge of the peculiarities and basic concepts, categories, institutions and branches of contract law in European Union; patterns of development of contractual relations, etc.

Name and description of competencies, the formation of which provides the study of discipline: the ability and readiness to use knowledge of the main categories of International commercial law and the provisions of international legal acts, to choose and use methods of interpretation of legal norms, the ability to think logically, critically, creatively, scientifically analyze significant problems and processes of the legal sphere, to have a system of categories and methods necessary for the election and application of the current international legal norm of stagnation. To generalize scientific methods for solving various professional tasks.

Course structure

Hours (Lec. / Sem.)	Topic	Learning outcomes	Task
4/1	Theme 1. Sources of the law of contractual relations with a foreign element	Students will be able to identify and analyze the key sources of law applicable to international contracts, including international conventions, national laws, and customary practices. They will understand how to determine the applicable legal framework in cross-border contractual relations.	Tests, questions
4/1	Theme 2. Planning international commercial agreements. some fundamental principles of contract law	Learners will understand the core principles governing contract formation, validity, and enforceability in international contexts. They will be able to apply these principles when drafting or negotiating international commercial agreements.	Cases
3/1	Theme 3. Different forms of international commercial agreement	Students will gain knowledge of the main types of international commercial agreements such as sales, distribution, agency, and licensing contracts. They will be able to distinguish between them and evaluate their appropriate use in business contexts.	Tests, questions
3/1	Theme 4. Planning for dispute resolution	Learners will understand the importance of incorporating dispute resolution mechanisms into international contracts. They will be able to compare litigation, arbitration, and alternative dispute resolution methods and select suitable options based on the nature of the agreement.	Cases
2/1	Theme 5. Financing and paying for international commercial agreements	Students will learn about various international payment methods and financing instruments used in global trade. They will be able to assess financial risks and ensure appropriate payment mechanisms are embedded in international contracts.	Cases
3/1	Theme 6. International commercial arbitration: commencing arbitration, the arbitration hearing and the arbitral	Learners will understand the procedural steps involved in initiating arbitration, conducting hearings, and obtaining arbitral awards. They will be able to evaluate how arbitration ensures neutrality and efficiency in resolving cross-border disputes.	Tests, questions

	award		
3/1	Theme 7. Description of the major international arbitral institutions including a brief summary of their rules	Students will become familiar with key international arbitration institutions such as the ICC, LCIA, and ICSID. They will be able to summarize and compare their rules, procedures, and areas of competence.	Tests, questions
2/1	Theme 8. Commencing the arbitration. Preparing for and conducting the hearing	Learners will understand the procedural requirements for initiating arbitration, including drafting notices and selecting arbitrators. They will gain practical skills in preparing for and participating in arbitration hearings.	Tests, questions
2/2	Theme 9. International commercial arbitration: arbitration in the courts	Students will analyze the role of national courts in supporting or interfering with arbitration, including in the recognition and enforcement of awards. They will be able to identify jurisdictional and procedural issues related to court involvement.	Tests, questions
2/2	Theme 10. International commercial arbitration: special regional considerations	Learners will examine how regional legal traditions and regulations impact international arbitration practices. They will be able to assess the influence of regional norms in Asia, the EU, the Middle East, and the Americas.	Tests, questions
4/2	Theme 11. Litigation	Students will understand the process of litigating international commercial disputes in national courts. They will be able to evaluate the advantages and challenges of litigation versus arbitration in resolving cross-border disputes.	Tests, questions

List of recommended literature:

1. Ahluwalia P. Politics and post-colonial theory: African inflections / P. Ahluwalia – New York/London: Routledge, 2020. – 164 p.
2. Boutros Ghali. The League of Arab States // Karel Vasak. Dimensions of human rights. Westport: Greenwood Press, 2020. Vol. 1). P. 575.
3. Brown L. N. General principles of law and the English legal system// New16 perspective for a common law of Europe. - Leyden, 2020. P. 238.

4. Brownlie I. The Protection of Individuals and Groups // Principles of Public International Law. – 6th ed. – Oxford: University Press, 2020. – P. 497-578.
5. Human Rights in International Law (ed. T. Meron), 2 vols. –Oxford, 2021.
6. Ibhawoh B. Cultural relativism and human rights: reconsidering the African discourse / B. Ibhawoh // Netherlands quarterly of human rights. – 2021. – Vol. 19. – Issue 1 (March 2021). – p. 43-62. 29.
7. Johann Bair. The International Covenant on Civil and Political Rights and its (first) optional protocol: a short commentary based on views, general comments, and concluding observations by the Human Rights Committee. – Frankfurt am Main; New York: P. Lang, 2020.
8. Kanu M. A. The indispensability of the basic social values in African tradition: a
9. Mubiala M. The contribution of African human rights law traditions and norms to United Nations human rights law / M. Mubiala // Human rights and international legal discourse. – 2021. – Vol. 4. – p. 210-240.
10. Mwenda K. K. Deconstructing the concept of human rights in Africa / K. K. Mwenda // Alternative law journal. – 2020. – Vol. 25. – Issue 6. – p. 292-302.
11. Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment New York, 18 December 2002 // GA Resolution A/RES/57/199 of 9 January 2020.
12. The International Covenant on Economic, Social, and Cultural Rights: a perspective on its development.. – Oxford: Clarendon Press Published, 2020.
13. The Universal Declaration of Human Rights. A common standard of achievement / Ed.Gudmundur Alfredsson. – The Hague, 2021.

Evaluation policy

- **Deadline and Recompilation Policy:** Entries that fail to meet deadlines without good reason are rated lower (-20 points). Relocation of modules takes place with the permission of the dean's office if there are good reasons (for example, due to illness).
- **Academic Integrity Policy:** All written works are checked for plagiarism and are allowed to be defended with correct text borrowings of no more than 20%. Write-offs during tests and exams are prohibited (including the use of mobile devices). Mobile devices may only be used during online testing (for example, Kahoot).
- **Attendance policy:** Attendance is a mandatory component of the assessment for which points are awarded. For objective reasons (e.g. illness, international internship) training can take place online in consultation with the course leader.

Evaluation

The final grade for the course is calculated as follows:

Module 1		Module 2	Module 3
40%	40%	5%	15%
Ongoing evaluation	Modular control 1	Training	Independent work
The grade is determined as the arithmetic mean of the	Module control is	The grade is determined as the	The grade is determined as the arithmetic mean of the grades

grades obtained during practical classes (classes 1 to 7). Each student must be assessed at least once every two classes and receive at least three grades. Missed practical classes must be made up during consultation hours, otherwise they are considered a grade of '0' and are taken into account when determining the arithmetic mean. For applicants studying on an individual schedule, the current assessment is carried out during consultations and by completing tasks in the Moodle system. Current assessment is carried out through oral questioning, preparation of scientific reports, problem solving, testing through the Moodle system in practical classes	planned after 7 practical classes and covers topics 1 to 11, and involves completing 20 test tasks and two tasks	arithmetic mean of the grades received for completing the training tasks.	obtained for completing various tasks related to the preparation of a research paper (essay, research article, abstract), an abstract to a research article, and participation in scientific conferences. The module 'Independent work' can be credited upon confirmation of the results of the relevant certificate of participation in the School of Polish and European Law, the School of European Union Law, the School of European Contract Law.
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Grading scale:

On the scale university	On the national scale	On the ECTS scale
90-100	excellent	A (excellent)
85-89	good	B (very good)
75-84		C (good)
65-74		D (satisfactory)
60-64	satisfactory	E (enough)
35-59		FX (non-satisfactory with possibility of repeated passing)
1-34		F (non-satisfactory with repeated course of lectures)