

**MINISTRY OF EDUCATION AND SCIENCE OF UKRAINE
WEST UKRAINIAN NATIONAL UNIVERSITY
FACULTY OF LAW**

APPROVED

Acting Dean of the Faculty of Law
WUNU
ФАКУЛЬТЕТ
№ 3680120
«29» 08 2025
Valentyna SLOMA

APPROVED

Vice-rector for scientific and pedagogical work
Vice-rector
№ 3680120
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Victor OSTROVERKHOV

**WORK PROGRAM
on the discipline
International commercial law**

Higher education degree - bachelor

Field of knowledge – 29 International relations

Specialty – 293 International law

Educational and Professional Program – «International Law»

Department of International and European Law

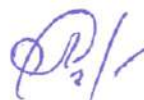
Form of study	Study year	Semester	Lectures	Practical classes	Individual work	Training,	Student Self study	Together	Exam/ Credit
Full-time	3	6	32	14	3	6	95	150	Credit

29.2.2025

The work program was compiled by Associate Professor of the Department of International Law and Migration Policy, Associate Professor, PhD (Law) Hanna Poperechna.

The work program was approved at the meeting of the Department of International and European Law, Minutes No. 1 of 26.08.2025

Acting Head of the Department



Lyudmyla SAVANETS

Guarantor EPP



Lyudmyla SAVANETS

1. Description of the discipline «International commercial law»

Discipline - International commercial law	Branch of knowledge, specialty, degree of higher education	Characteristics of the discipline
Number of ECTS credits –5	Branch of knowledge: 29 "International Relations"	Regulatory discipline cycle training
Number of credits modules - 3	Specialty - 293 "International Law"	Year of preparation – 3 Semester – 6
The number of content modules - 1	Degree of higher education– Bachelor	Lectures - 32 hours. Practical exercises – 14hours.
Total hours – 150 hours.		Independent work – 95 hours. Training - 3 hours Individual work - 6 hours.
Week's hours : daily from of studies – 8 hours, from them in audience - 3		Type of final control – examination.

2. The purpose and tasks of studying the discipline «International commercial law»

2.1. The purpose of studying 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.

2.2. 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.

2.3. 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.

2.4. Prerequisites for other disciplines.

The list of disciplines, which was already in the past, carried great results of study:

- Compare civil law
- Compare family law
- Compare labor law
- Comparative civil process
- Compare inheritance law

2.5. Learning outcomes

As a result of studying the discipline «International commercial law», students must:
know:

- sources of the law of contractual relations with a foreign element,
- methods of regulation of contractual relations with a foreign element,

- contractual relations with a foreign element,
- planning international commercial agreements,
- financing and paying for international commercial agreements,
- international commercial arbitration,
- commencing arbitration, the arbitration hearing and the arbitral award,
- confidentiality and non-disclosure agreements,
- commencing the arbitration. preparing for and conducting the hearing,
- international commercial arbitration: arbitration in the courts,
- international commercial arbitration: special regional considerations,
- litigation.

Be able to:

- analyze phenomena and processes in the field of International commercial law;
- assess the conformity of the processes and actions of the participants of international relations to the principles of International commercial law;
- to timely determine the problems of legal regulation of contract relationships in the word;
- to analyze the cases of international contact law.

3. Content of the discipline «International commercial law».

Content module 1. Sources of the law of contractual relations with a foreign element.

Planning international commercial agreements. Some fundamental principles of contract law

Theme 1. Sources of the law of contractual relations with a foreign element

Promulgation and enforcement of principles of contractual relations with a foreign element. The World's major legal systems. The civil law system. The British common law system. Commercial law in the United States of America. Socialist legal systems. Life after the Soviet Union. China. Islamic legal systems. The impact of international principles of commercial law. International Law Generally. The UNIDROIT Convention and the UNIDROIT Contract Principles. The European Contract Principles. The Vienna Convention 1980. The UN convention on the limitation period in the international sale of goods 1974.

Theme 2. Planning international commercial agreements. some fundamental principles of contract law

Formation and subject-matter. Performance. Breach of contract and excused performance. Remedy. Dispute resolution

Theme 3. Different forms of international commercial agreement

Sales of goods or services. The sale of goods generally. Barter and countertrade. The sale of services. Agency and distributorship agreements. Franchises. Licensing and technology. Transfer. Joint ventures. Other forms of agreement

Theme 4. Planning for dispute resolution

Adaptation. Renegotiation. Mediation. Conciliation. Arbitration. Litigation. Other forms of dispute resolution.

Theme 5. Financing and paying for international commercial agreements

Direct payment. Payment devices. Insuring against risks. Other considerations in planning commercial agreements. Tax matters. Antitrust issues. Anti-dumping and countervailing duty issues. Export and import controls. Ethical considerations. Anti-bribery measures. Codes of conduct. Criminal matters.

Content module 2. International commercial arbitration

Theme 6. International commercial arbitration: commencing arbitration, the arbitration hearing and the arbitral award

Introduction. A brief history of commercial arbitration. The statutory basis for arbitration. The federal arbitration acts. The English arbitration acts. The UNCITRAL model law on international commercial arbitration.

Theme 7. Description of the major international arbitral institutions including a brief summary of their rules

The lex loci arbitri and “ad hoc” versus “institutional” arbitration. A description of the major international arbitral institutions. Including a brief summary of their rules. The international chamber of commerce. American arbitration association procedures. The UNCITRAL procedures. The WIPO rules.

Theme 8. Commencing the arbitration. Preparing for and conducting the hearing

Determining the issues to be arbitrated. Drafting the demand for arbitration. Selecting the arbitrator. Discovery. The pre-hearing conferences. Interim relief pending the hearing. The hearing. Order of presentation. Rules of evidence. Drafting the arbitral award.

Theme 9. International commercial arbitration: arbitration in the courts

Actions to compel or stay arbitration. Recognition and enforcement of arbitral awards. International recognition and enforcement of arbitral awards. The New York Convention. Enforcing awards not subject to the New York Convention.

Theme 10. International commercial arbitration: special regional considerations

The international centre for the settlement of investment disputes. The EU. The Iran-United States claims tribunal. Latin America. The Middle East and Africa. The Pacific Rim. China. The Former Soviet Union.

Theme 11. Litigation

Litigation: generally. Subject matter jurisdiction. Foreign Sovereign immunity and the act of state doctrine. Sovereign immunity. The act of state doctrine. Personal jurisdiction over private parties. Service of process. Choice of forum, venue and forum non conveniens. Choice of law. Discovery and gathering information and evidence abroad. Trial procedure. Enforcement of judgments at home and abroad.

4. The structure of the credit loan «International commercial law»

№ п/п	Themes	Number of hours				
		Lectures	Seminars	IWS	IWS	Control measures
1.	Theme 1. Sources of the law of contractual relations with a foreign element	4	1	10	1	
2.	Theme 2. Planning international commercial agreements. some fundamental principles of contract law	4	1	10		
3.	Theme 3. Different forms of international commercial agreement	3	1	10		
4.	Theme 4. Planning for dispute resolution	3	1	10		
5.	Theme 5. Financing and paying for international commercial agreements	2	1	10		
6.	Theme 6. International commercial arbitration: commencing arbitration, the arbitration hearing and the arbitral award	3	1	10		
7.	Theme 7. Description of the major international arbitral institutions including a brief summary of their rules	3	1	10		
8.	Theme 8. Commencing the arbitration. Preparing for and conducting the hearing	2	1	10		

9.	Theme 9. International commercial arbitration: arbitration in the courts	2	2	10		
10.	Theme 10. International commercial arbitration: special regional considerations	2	2	10		
11.	Theme 11. Litigation	4	2	15		
Total		32	14	95	3	

5. Themes of seminars.

Practical class №1

Theme 1. Sources of the law of contractual relations with a foreign element

1. Promulgation and enforcement of principles of contractual relations with a foreign element.
2. The World's major legal systems.
3. The civil law system.
4. The British common law system.
5. Commercial law in the United States of America.
6. Socialist legal systems.
7. Life after the Soviet Union.
8. China.
9. Islamic legal systems.
10. The impact of international principles of commercial law.
11. International Law Generally.
12. The UNIDROIT Convention and the UNIDROIT Contract Principles.
13. The European Contract Principles.
14. The Vienna Convention 1980.
15. The UN convention on the limitation period in the international sale of goods 1974.

Theme 2. Planning international commercial agreements. some fundamental principles of contract law

1. Formation and subject-matter.
2. Performance.
3. Breach of contract and excused performance.
4. Remedy.
5. Dispute resolution

Practical class №2

Theme 3. Different forms of international commercial agreement

1. Sales of goods or services.
2. The sale of goods generally.
3. Barter and countertrade.
4. The sale of services.
5. Agency and distributorship agreements.
6. Franchises.
7. Licensing and technology.
8. Transfer.
9. Joint ventures.
10. Other forms of agreement

Theme 4. Planning for dispute resolution

1. Adaptation.

2. Renegotiation.
3. Mediation.
4. Conciliation.
5. Arbitration.
6. Litigation.
7. Other forms of dispute resolution.

Practical class №3

Theme 5. Financing and paying for international commercial agreements

1. Direct payment.
2. Payment devices.
3. Insuring against risks.
4. Other considerations in planning commercial agreements.
5. Tax matters.
6. Antitrust issues.
7. Anti-dumping and countervailing duty issues.
8. Export and import controls.
9. Ethical considerations.
10. Anti-bribery measures.
11. Codes of conduct.
12. Criminal matters.

Theme 6. International commercial arbitration: commencing arbitration, the arbitration hearing and the arbitral award

1. A brief history of commercial arbitration.
2. The statutory basis for arbitration.
3. The federal arbitration acts.
4. The English arbitration acts.
5. The UNCITRAL model law on international commercial arbitration.

Practical class №4

Theme 7. Description of the major international arbitral institutions including a brief summary of their rules

1. The lex loci arbitri and “ad hoc” versus “institutional” arbitration.
2. A description of the major international arbitral institutions.
3. Including a brief summary of their rules.
4. The international chamber of commerce.
5. American arbitration association procedures.
6. The UNCITRAL procedures.
7. The WIPO rules.

Practical class №5

Theme 8. Commencing the arbitration. Preparing for and conducting the hearing

1. Determining the issues to be arbitrated.
2. Drafting the demand for arbitration.
3. Selecting the arbitrator.
4. Discovery.
5. The pre-hearing conferences.
6. Interim relief pending the hearing.
7. The hearing.
8. Order of presentation.
9. Rules of evidence.
10. Drafting the arbitral award.

Practical class №6

Theme 9. International commercial arbitration: arbitration in the courts

1. Actions to compel or stay arbitration.
2. Recognition and enforcement of arbitral awards.
3. International recognition and enforcement of arbitral awards.
4. The New York Convention.
5. Enforcing awards not subject to the New York Convention.

Theme 10. International commercial arbitration: special regional considerations

1. The international centre for the settlement of investment disputes.
2. The EU.
3. The Iran-United States claims tribunal.
4. Latin America.
5. The Middle East and Africa.
6. The Pacific Rim.
7. China.
8. The Former Soviet Union.

Practical class №7

Theme 11. Litigation

1. Litigation: generally.
2. Subject matter jurisdiction.
3. Foreign Sovereign immunity and the act of state doctrine.
4. Sovereign immunity.
5. The act of state doctrine.
6. Personal jurisdiction over private parties.
7. Service of process.
8. Choice of forum, venue and forum non conveniens.
9. Choice of law.
10. Discovery and gathering information and evidence abroad.
11. Trial procedure.
12. Enforcement of judgments at home and abroad.

6. STUDENT-SELF STUDY ON THE DISCIPLINE INTERNATIONAL COMMERCIAL LAW

Student self-study is, as one of the forms of assimilation of educational material in the time free from compulsory classes and without the participation of a teacher, involves the personal-oriented organization of the student's self-education. The organization of student self-study requires special attention, because part of the questions of each topic are submitted for student self-study by students, and the material intended for learning during student self-study is submitted for the exam. Student self-study is ensured by the necessary educational and methodical means (including lecture notes, educational and methodical developments for student self-study of the discipline, periodicals). Students have the opportunity to study the educational material independently in the library, study rooms and computer classes using the Internet, as well as at home (when receiving the appropriate package of educational and methodological literature).

Student-self study is a type of extracurricular individual work of a student of an educational, educational and research nature, which is used in the process of studying the program material of an educational discipline and ends with an assessment. The goal is student self-study of part of the program material, systematization, deepening, generalization, consolidation and practical application of the student's knowledge from the training course and development of independent work skills.

Student self-study is aimed at deepening the student's knowledge, teaching him to think original, non-standard, independently, creatively. For this purpose, various tasks are offered regarding the preparation of scientific work (essays, scientific articles, theses), annotations to scientific articles, and participation in scientific conferences. The "Student self-study" module can be credited upon confirmation by a relevant certificate of participation in the School of Polish and European Law, the School of Law of the European Union, the School of European Contract Law.

Scientific work (essay, scientific article, theses) on the narrow issues of the course (the topic of the scientific work can be proposed by the student himself and agreed with the scientific supervisor) or selected from the following:

Proposed variants

1. Online dispute resolution: categories and a suggested definition.
2. The possible contributions of online dispute resolution to commercial dispute resolution.
3. Renegotiation and online dispute resolution.
4. Mediation and online dispute resolution.
5. Arbitration and online dispute resolution.
6. The future of online dispute resolution.
7. Future trends in international commercial agreements and international commercial dispute resolution.
8. Trends in international commercial agreements.
9. Trends in international commercial dispute resolution
10. Drafting international commercial agreements
11. The use and effect of a letter of intent
12. Choosing the language and the law of the agreement
13. Using standardized clauses and forms
14. Sample clauses in international commercial
15. Agreements — formation and performance
16. Sample clauses — breach, remedies and miscellaneous
17. Drafting the dispute resolution and choice of forum clauses

7. TRAINING ON THE DISCIPLINE INTERNATIONAL COMMERCIAL LAW

Organizing and conducting training

Training is a planned process of modifying (changing) the learner's attitude, knowledge or behavioral skills through the acquisition of learning experience in order to achieve effective performance in one activity or in a particular field.

The order of training

1. The introductory part is held in order to acquaint students with the topic of the training session.
2. The organizational part is to create a working mood in the team of students, determining the rules of the training session. It is possible to have handouts in the form of tables, forms of documents.
3. The practical part is implemented by performing tasks in groups of students on certain problematic issues of the training session.
4. Summing up. The results of completed tasks in groups are discussed. Exchange of views on issues raised at the training sessions.

Training topics

- Negotiation and Drafting of International Commercial Contracts
- International Trade Terms (Incoterms) and Their Application
- Dispute Resolution in International Commercial Transactions

Teaching methods

In the educational process are used: lectures, practical and individual lessons, group work, abstracting, as well as methods of questioning, testing, business games and more.

8. ASSESSMENT TOOLS AND METHODS OF DEMONSTRATION OF LEARNING RESULTS

In the process of studying the discipline "International Commercial law" the following methods are used to evaluate the student's academic work:

- current testing and surveys;
- module tests and surveys;
- presentations of the results of completed tasks and research;
- assessment of independent work;
- student presentations and speeches at scientific events;
- essays;
- trainings;
- other.

9. ASSESSMENT TOOLS AND METHODS OF DEMONSTRATING LEARNING OUTCOMES

Teaching Methods

The learning process includes lectures, practical and individual classes, group work, preparation of summaries, as well as methods such as questioning, testing, business games, etc.

Assessment Methods

In the study of the discipline, the following methods are used to assess students' academic performance:

- ongoing testing and questioning;
- credit module testing and questioning;
- presentations of completed tasks and research results;
- assessment of independent work;
- student presentations and participation in academic events;
- essays;
- trainings;
- other forms.

10. CRITERIA, FORMS OF CURRENT AND FINAL CONTROL

The final score (on a 100-point scale) in the discipline "International Commercial law" is defined as a weighted average, depending on the proportion of each component of the credit:

For credit

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 grades obtained during practical classes (classes 1 to 7). Each student must be assessed at least once every two classes and	Module control is planned after 7 practical classes and covers topics 1 to 11, and	The grade is determined as the arithmetic mean of the grades received for completing the training tasks.	The grade is determined as the arithmetic mean of the grades 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

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	involves completing 20 test tasks and two tasks		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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Ongoing Assessment during Classes:

- **90–100 points** – demonstrates full mastery of the learning material, presents it independently, fluently, and with reasoned arguments during answers, provides a deep and comprehensive explanation of theoretical issues;
- **75–89 points** – demonstrates sufficient mastery of the learning material, but when presenting certain topics lacks adequate depth and argumentation, with minor inaccuracies or insignificant mistakes;
- **65–74 points** – demonstrates general knowledge of the learning material and presents its main content, but without in-depth comprehensive analysis, justification, or argumentation, allowing for certain significant inaccuracies and mistakes;
- **60–64 points** – demonstrates incomplete knowledge of the learning material, presents it fragmentarily (without justification or argumentation), insufficiently reveals the content of theoretical issues, allowing for significant inaccuracies;
- **1–59 points** – does not demonstrate mastery of the learning material and fails to reveal the content of theoretical issues.

The final grade for ongoing assessment within each module is calculated as the arithmetic mean of the grades received during classes within the respective module.

Training (Workshops):

- **90–100 points** – demonstrates full mastery of the learning material, applies it independently, fluently, and with reasoned arguments when completing training tasks, shows a creative approach to task performance;
- **75–89 points** – demonstrates sufficient mastery of the learning material, but when completing some training tasks lacks adequate depth and justification in its application, allows for minor inaccuracies or insignificant mistakes, generally shows a creative approach to tasks;
- **65–74 points** – demonstrates general mastery of the learning material and generally applies it during training tasks, but without comprehensive analysis, justification, or argumentation, allowing for significant inaccuracies and mistakes, occasionally shows creativity in task performance;
- **60–64 points** – demonstrates incomplete mastery of the learning material, applies it fragmentarily (without justification or argumentation), insufficiently reveals the content of training tasks, allows for significant inaccuracies, shows no creativity in task performance;

- **1–59 points** – does not demonstrate mastery of the learning material, does not reveal the content of training tasks, does not participate in group tasks during training.

Independent Work:

- **90–100 points** – the content of independent work fully meets established requirements, contains elements of independent research, demonstrates a high level of mastery of the learning material, the student shows a creative approach to tasks at a high level;
- **75–89 points** – the content of independent work mostly meets established requirements, minor shortcomings may be present in some tasks, demonstrates an adequate level of mastery of the learning material, the student appropriately shows creativity in task performance;
- **60–74 points** – assigned tasks are completed at an insufficient level; author's contributions are general and poorly justified, demonstrating an insufficient level of mastery of the material; the student makes significant mistakes in task performance, occasionally shows creativity;
- **1–59 points** – tasks are practically not completed; no author's contributions are presented; gross mistakes in task performance demonstrate a low level of mastery of the material; the student does not show creativity.

Module Work – forms of assessment in which the student's knowledge of theoretical and practical material is evaluated on a scale from 0 to 100 points as the sum of points for completed tasks.

Rating scale:

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

11. Tools, equipment and software, the use of which provides for the discipline

№	Name	Topic
1.	Flipchart	1-11
2.	Laptop	1-11
3.	Projector	1-11
4.	Smart-TV	1-11

List of recommended literature:

List of recommended literature:

Basic 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.