

Teaching guide

IDENTIFICATION DETAILS

Degree:	Law		
Field of Knowledge:	Social and Legal Science		
Faculty/School:	Law, Business and Governance		
Course:	INTERNATIONAL CONTRACTS		
Type:	Compulsory	ECTS credits:	3
Year:	3	Code:	7230
Teaching period:	Fifth semester		
Area:	Commercial Law		
Module:	Private Law		
Teaching type:	Classroom-based		
Language:	Castellano		
Total number of student study hours:	75		

Teaching staff	E-mail
Carlos Llorente Gómez de Segura	cllgds@me.com
Juan Mauricio Palao Uceda	j.palao.prof@ufv.es

SUBJECT DESCRIPTION

This subject aims to provide the students with a global perspective of the international contractual law taking account of the main differences between the legal systems. Beginning with an overview of the general contractual theory, we finally analyse some international contracts.

GOAL

The course goals are as follows:

1. To know what an international contract is in a world defined by globalization and e-business
2. To be aware of what specific legal problems affect international contracts as opposed to national contracts
3. To identify, work and be able to analyze critically the most important sources of regulation in the field of international contracts
4. To solve practical problems in the areas of international jurisdiction and applicable law to contracts
5. To understand different comparative law approaches to international contracts

PRIOR KNOWLEDGE

None are requested but a basic knowledge of contract law would help

COURSE SYLLABUS

I. GENERAL PART

A) Introduction

- a) What is an international contract?
- b) National v. international contracts. Specific problems of international contracts.
 1. A comparative approach to contract law
 2. International jurisdiction and applicable law

c) International contracts sources

1. Statutory sources (hard law)
2. Non-statutory sources (soft law)
 - 2.1. Typology and effectiveness
 - 2.2. In particular, UNIDROIT Principles of International Commercial Law

B) Main legal instruments applicable to international contracts

- a) Regulation Brussels I Bis (or Recast): international jurisdiction. An specific analysis of article 7.1
- b) Regulation Rome I on the law applicable to contractual obligations

II. SPECIAL PART

A) Sales of Goods

- a) Vienna Convention (CISG)
- b) INCOTERMS 2020

B) Carriage of goods

C) Other contracts

EDUCATION ACTIVITIES

The following learning activities will be developed throughout the course:

- 1) Course presentation with review of the academic guide, the learning objectives and its impact on the student's academic curriculum
- 2) Pre-assigned readings of bibliographical materials with different contents, scope and format in relation to topics to be addressed in the classroom
- 3) Lectures intertwined with participative debates with the students
- 4) Presentations of cases extracted from real life situations
- 5) Study and analysis of problems in accordance with the protocol established by the course professor
- 6) Review and analysis of case law derived from national and foreign courts

Specific methodologies used in this course will be, along with regular lectures, the following two: flipped classroom and problem-based learning. Flipped classroom aims at bringing students at the heart of the learning process by facilitating them materials which will promote their independent learning out of the classroom and will also provide higher value at the activities developed in the classroom. Problem-based learning is a method which will help students to obtain knowledge on the course topics through the analysis and solution of problems presented by the course professor.

Tutorships and follow-ups on the students' work will be performed either face-to-face or virtually.

Learning activities, as well as distribution of working hours, may be modified and adapted taking into account the different scenarios which might be envisaged by the health authorities

DISTRIBUTION OF WORK TIME

CLASSROOM-BASED ACTIVITY	INDEPENDENT STUDY/OUT-OF-CLASSROOM ACTIVITY
30 hours	45 hours

SKILLS

Basic Skills

Students must have demonstrated knowledge and understanding in an area of study that is founded on general secondary education. Moreover, the area of study is typically at a level that includes certain aspects implying knowledge at the forefront of its field of study, albeit supported by advanced textbooks

Students must be able to apply their knowledge to their work or vocation in a professional manner and possess skills that can typically be demonstrated by coming up with and sustaining arguments and solving problems within their field of study

Students must have the ability to gather and interpret relevant data (usually within their field of study) in order to make judgments that include reflections on pertinent social, scientific or ethical issues

Students must be able to convey information, ideas, problems and solutions to both an expert and non-expert audience

Students must have developed the learning skills needed to undertake further study with a high degree of independence

General Skills

To apply theoretical knowledge in the solving of problems.

To research, manage sources and handle information.

To communicate orally and in writing within different contexts, using technical language when the situation calls for

it.

Specific skills

To create and develop criteria for problem-solving and decision-making.
To handle (legal, jurisprudential and doctrinal) law sources applicable to the matter of study.
To read and interpret legal texts.

LEARNING RESULTS

LEARNING APPRAISAL SYSTEM

REGULAR (FIRST) CALL

In this first call, students will be graded as follows:

- A) Final exam (weight: 60% of the final grade): written exam dealing with theoretical and/or practical issues covered by the course program
- B) Team work (weight: 15% of the final grade)
- C) Individual work (weight: 15% of the final grade)
- D) Class participation (10% of the final grade)

Specific instructions:

1. Exams will be developed face-to-face as long as the health situation permits so, but they may be modified with the purpose to comply with the authorities' health instructions
2. Attendance to class, both in face-to-face and virtual scenarios, shall be mandatory
3. Class participation does not measure attendance but active, reasoned and significant student participation in the classroom
4. Team and individual work assignments will include, among others, analysis and solution of problems, critical review of case-law and preparation of short essays on the courses's topics
5. In order to be entitled to receive a final grade, students must have passed the final exam and must have delivered on time the required team and individual work assignments
6. In the event that the health authorities adopt decisions forcing the return to remote teaching, class participation will not be taken into account and the evaluation will consist of the final exam (60%) and the work assignments (20 + 20%).

RE-TAKE

In the event an student does not pass the course in the regular call, the evaluation will consist of a final exam with a 70% weight in the final grade. The rest of the final grade (30%) will come from the results obtained in the work assignments and, if applicable, in class participation, during the regular call.

SECOND CALL

Students failing the re-take will move on to the second call, where the final written exam will bear a 70% percent of the final grade weight and they will have to perform the work assignments indicated by the professors, with a total weight of 30%.

STUDENTS WITH ACADEMIC WAIVER AND ASSIMILATED SITUATIONS

In situations duly authorized by the degree academic supervisor where a student is exempted from attending classes, the final evaluation will consist of a final exam (70%) and of working assignments (30%). Students will be duly informed by the course's professor of the course's readings, materials and assignments which they will have

to prepare.

HONORS

An award of honors to an student is an acknowledgment of excellence and is a sole competence of the course's professor to be adopted under the academic criteria rules and as long as the student has demonstrated a special involvement in the course, command of the subject matter, interrelation abilities with other subjects from the academic curricula, independent research capacities, etc.

RULES OF ACADEMIC COEXISTENCE

Conducts infringing academic performance compliance rules, such as plagiarism and cheating in exams, shall be considered severe infringements according to article 7 of the UFV Rules of Coexistence and appropriate sanctions shall be imposed as per article 9 of such Rules

BIBLIOGRAPHY AND OTHER RESOURCES

Basic

BOGDAN, Michael and PERDEGÁS, Marta, Concise Introduction to European Union Private International Law, Europa Law Publishing, 4th edition, 2019 (ISBN 978-9089522085) (paperback, no e-Book available)

BORTOLOTTI, Fabio, Drafting and negotiating international contracts. A practical guide, ICC, 3rd edition, 2017 (ISBN 978-92-842-0410-6) (hardcover, e-Book available)

SÁNCHEZ LORENZO, Sixto A., Cláusulas en los contratos internacionales. Redacción y análisis, Atelier, Barcelona 2012 (paperback, no e-Book available) (ISBN 978-84-92788-79-8)

Additional

Students will be provided through the course website with different sources, materials and documents related to course topics.