

Course Outline

Course number	RBB108
Course title	International Private and Procedural Law
Credit points	3 ECTS (2 LV credit points)
Total hours	80
Lecture hours	20
Seminars	10
Course level	Bachelor
Prerequisites	Comparative Contract Law

COURSE RESPONSIBLE

<i>Name</i>	<i>Academic degree</i>	<i>Academic position</i>
Aleksandrs Fillers	PhD	Assistant Professor

COURSE TEACHERS

<i>Name</i>	<i>Academic degree</i>	<i>Academic position</i>
Aleksandrs Fillers	PhD	Assistant Professor

COURSE ABSTRACT

The course introduces students to three key areas of private international law (PIL): 1) international jurisdiction; 2) conflict of laws (applicable law); 3) recognition and enforcement of foreign judgments. The course opens with an overview of the notion of PIL, its sources and history. The course continues by introducing students to the theoretical underpinnings of the Brussels Ibis Regulation and teaches its application to practical cases. Final sessions provide students with the necessary theoretical foundation to identify the main characteristics of conflict-of-laws rules and to develop their skills of working with the Rome I and Rome II Regulations.

COURSE OBJECTIVES

The general objective of the PIL course is to provide students with a basic knowledge and competence to apply PIL rules in cross-border cases. The PIL course also introduces students to general issues of PIL that will allow them to understand and to apply principal European PIL instruments.

The course has the following objectives:

- (i) to introduce to structure, main sources and subject matter of PIL;
- (ii) to introduce and analyse the most important jurisdictional rules under the Brussels Ibis Regulation;
- (iii) to introduce and analyse the procedure and limits of the recognition and enforcement of judicial decisions under the Brussels Ibis Regulation;
- (iv) to provide an overview of the foundation of conflict-of-laws rules and its general problems: qualification, preliminary questions and renvoi;
- (v) to overview the approaches to conflict-of-laws rules that are not unified within the EU: conflict-of-laws rules for natural, legal persons, property and inheritance;
- (vi) to introduce and analyse the principles and specific provisions contained in the Rome I and Rome II regulations;
- (vii) to develop students' practical and analytical skills through hypothetical case studies and active discussion during seminar sessions.

The learning outcomes of the PIL course can be summarized as follows:

Knowledge

- 1) Students will study sources and underlying principles of PIL.
- 2) Students will learn a distinction between different areas of PIL and the mechanism of their interrelation.
- 3) Students will study key theoretical issues of conflict of laws (qualification, preliminary issues, renvoi).
- 4) Students will be acquainted with conflict-of-laws rules for personal status, property and inheritance and will learn how to apply key provisions of the Brussels Ibis Regulation, Rome I and Rome II Regulations.

Competencies

1. Students will obtain competence to independently understand the framework of PIL and determine the applicability of different PIL instruments to cross-border civil and commercial disputes.
2. Students will learn to apply the knowledge gained to solve real-life problems and effectively resolve typical issues of PIL arising in cross-border cases.
3. Students will improve their ability to improve their research and academic writing skills as well as their listening and note-taking skills.

Skills

1. Students will develop understanding of the basic concepts and principles PIL and ability to apply them to hypothetical problems (case studies).
2. Students will develop self-study skills and academic writing skills.
3. During seminars sessions, students will further improve their interpersonal skills and skills of working in small groups.

GRADING CRITERIA

The course examination will consist of 2 mandatory take-home assignments. Both assignments will contain one or more theoretical questions and hypothetical case-studies.

Criteria	Weighting
In order to pass the course, a student must be present in at least 2 seminars and 10 lectures (unless the absence is objectively justified).	
Mid-term assignment (take-home)	40%
Final assignment (take-home)	60%

COURSE PLAN – MAIN SUBJECTS

No.	Main subjects	Planned hours
1	General understanding of the scope, subject matter and role of private international law. Understanding the interrelationship between procedural law, conflict of laws and substantive law matters. The objective, the structure and the limits of EU harmonization of private international law.	2
2	International civil procedure: jurisdiction, recognition and enforcement issues.	14
3	Conflict of laws I: general principles and conflict-of-laws rules on personal and legal persons, property and inheritance.	4
4	Conflict of laws II: Rome I and Rome II Regulations.	10