



Course Outline

Course number					
Course title	European Private International Law				
Credit points	3 ECTS (2 CP)				
Total hours	24				
Contact hours	24				
Independent studies	0				
Course level	Masters				
Prerequisites	None				
Category	Mandatory		Restricted elective		Free elective

COURSE RESPONSIBLE

<i>Name</i>	<i>Academic degree</i>	<i>Academic position</i>
Toms Krūmiņš, Ph.D.	Ph.D.	Lecturer

COURSE TEACHERS

<i>Name</i>	<i>Academic degree</i>	<i>Academic position</i>
Toms Krūmiņš, Ph.D.	Ph.D.	Lecturer
Aleksandrs Fillers, Ph.D.	Ph.D.	Assistant Professor

COURSE ABSTRACT

Private International Law (PIL) primarily deals with the following three main issues:

- (i) international jurisdiction, i.e., which court has jurisdiction over a cross-border dispute?
- (ii) applicable law, i.e., which law applies in a cross-border dispute?
- (iii) recognition and enforcement of foreign judgments, i.e., whether a foreign judgment can be recognized and enforced in another country?

The existence of private international law depends on two conditions – legal diversity and cross-border legal issues. Nowadays, there are more than 200 jurisdictions each applying its own substantive laws in solving legal disputes. If all countries in the world applied one unified and harmonized law in the same manner there would be no need for private international law. Similarly, if individuals and businesses limited their activities to only one state, issues of private international law would be less important.

The European Private International Law (EPIL) course will give an overview of different topics and typical practical issues in private international law – all geared towards solving legal problems in the real world of commercial cross border transactions within the European Union.

ORGANISATION

The EPIL course consists of both lectures and seminars. The theory of PIL is mainly presented in the lectures. In seminars students will be required to present CJEU landmark cases in the field of private international law and solve hypothetical case studies.

For each of the three main areas (Brussels I bis, Rome I and Rome II) a list of cases will be circulated among students at the beginning of the course. Each student is required to sign up and present one case during the course. Presentation must be concise, **not exceeding 5 minutes** and containing solely the essence of the particular case. More information regarding presentations will be given at the beginning of the course.

During seminars, students will also be required to present their findings of a hypothetical case-study uploaded on the RGSL Portal prior the respective seminar. By applying knowledge gained during lectures and presentations, students are required to solve the hypothetical case study and present their findings at the seminar.

GRADING CRITERIA

<i>Criteria</i>	<i>Weighting</i>
Exam	80%
Presentations	20%

COURSE REQUIREMENTS

The EPIL course will be concluded by an open-book written examination. The exam will consist of an essay question related to the general problems of private international law and a hypothetical cross-border case study with multiple sub-questions.

The final exam will constitute 80% of the final grade for the course. Presentations during classes will constitute the remaining 20% of the final grade.

COURSE PLAN – MAIN SUBJECTS

<i>No.</i>	<i>Main subjects</i>	<i>Planned hours</i>
1	Introduction, History & Sources of PIL	6
2	Jurisdiction (Brussels I bis)	6
3	Applicable law in contractual matters (Rome I)	6
4	Applicable law in non-contractual matters (Rome II)	6

COURSE PLAN – SESSIONS

<i>Session</i>	<i>Session subjects and readings</i>	<i>Lecture/ Seminar</i>
1	Introduction, History & General Problems of PIL	Lecture
2	Sources of PIL – International Law	Lecture
3	Sources of PIL – European Union Law	Lecture
4	Jurisdiction (Brussels I bis) - History, Scope & General Features	Lecture
5	Jurisdiction (Brussels I bis) - Jurisdiction and Recognition and Enforcement of Judgments	Lecture
6	Seminar (Brussels I bis) - Presentations & Case-study	Seminar
7	Applicable law (Rome I) - History, Scope & General Features	Lecture
8	Applicable law (Rome I) – Applicable law in contractual matters	Lecture
9	Seminar (Rome I) - Presentations & Case-study	Seminar
10	Applicable law (Rome II) - History, Scope & General Features	Lecture
11	Applicable law (Rome II) – Applicable law in non-contractual matters	Lecture
12	Seminar (Rome II) - Presentations & Case-study	Seminar

COURSE LEARNING OUTCOMES

The general objective of the EPIL course is to provide students with a basic knowledge of how to solve private international law issues inherent in commercial legal situations involving (a) cross-border element(-s) in the European Union. Students will be also introduced to the history of private international

law and different methods that scholars and practitioners have employed over centuries to solve cross-border disputes.

The EPIL course has the following objectives:

- (i) to provide an overview of the most important historical developments of private international law;
- (ii) to introduce general structure and main doctrines/general principles of private international law from the perspective of EU private international law;
- (iii) to introduce and analyse the most important EU regulations on private international law, such as the Brussels I bis regulation, Rome I and Rome II regulations;
- (iv) to provide an overview of other international conventions and EU instruments dealing with private international law issues;
- (v) to develop students' practical and analytical skills through hypothetical case studies and presentations in which students are required to apply knowledge gained during lectures.

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

Knowledge

1. History of PIL;
2. Underlying principles of PIL;
3. Structure of EU PIL;
4. Brussels I bis regulation;
5. Rome I regulation;
6. Rome II regulation;
7. International PIL instruments;
8. Court of Justice of the European Union (CJEU) case-law on PIL.

Competencies

Ability to:

9. independently understand the framework of EU PIL and applicability of different EU PIL instruments to cross-border civil and commercial disputes;
10. determine jurisdiction and applicable law (both in contractual and non-contractual matters) in cross-border civil and commercial disputes by applying different EU PIL instruments;
11. understand the importance of and to connect the CJEU case-law to EU PIL instruments and principles established therein.

Skills

12. Understanding of the basic concepts, principles and history of PIL;
13. Ability to locate and determine the scope of applicability of different EU and international PIL instruments;
14. Determination of jurisdiction and applicable law (both in contractual and non-contractual matters) in cross-border cases in the EU;
15. Understanding of synergy between EU and international PIL instruments.

By completing the study course and successfully passing examination, the student will be able to:

Learning outcomes	Evaluation criteria		
	(40-69%)	(70-89%)	(90-100%)
Knowledge	The student has acquired only basic knowledge of	Overall, the student's knowledge complies with	The student has demonstrated in-depth

	the course subject. The student lacks understanding of some of the core issues of the course subject.	the expectations. However, there are issues that the student does not fully understand.	knowledge and understanding of the issues related to the course subject.
Skills	The student has demonstrated only basic level of skills.	The student has demonstrated good skills.	The student has demonstrated excellent skills.
Competences	The student can apply the knowledge only at a basic level. The student struggles with assessment and evaluation of legal issues. The student can identify the relevant legal norms. However, the student cannot correctly apply them.	The student can apply the knowledge at a reasonably good level. However, the student does not have the necessary level to be able to fully apply the acquired knowledge independently. The student has some problems to correctly apply the legal norms.	The student is able to apply the knowledge independently and correctly. The student can assess and evaluate legal issues, identify the relevant legal norms, and correctly apply them.

Please analyse the contribution of defined grading criteria to learning outcomes. Number of grading criteria and learning outcomes should correspond to previously defined one.

Grading criteria	Learning outcomes														
	1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15.
Presentation		x	x	x	x	x	x	x	x	x	x	x	x	x	x
Exam	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x

COURSE LITERATURE

Compulsory literature

No.	Author, year, title, publisher
1	Bogdan M., Concise introduction to EU Private International Law, 3rd edition, Groningen: Europa Law Publishing, 2016.
2	Other mandatory reading will be specified during classes and uploaded respectively on the RGSL Portal

Additional literature and sources (non-exhaustive)

<i>No.</i>	<i>Author, year, title, publisher</i>
1	Bogdan M., EU Private International Law: An ECJ Casebook, 2nd edition, Groningen: Europa Law Publishing, 2012
2	Van Calster Geert, European Private International Law, Oxford/Portland: Hart Publishing, 2013
3	Cheshire, North & Fawcett, Private International Law, 14th edition, New York, Oxford University Press, 2008
4	McParland M., The Rome I Regulation on the Law Applicable to Contractual Obligations, Oxford: Oxford University Press, 2015
5	Ferrari F. (ed.). Rome I Regulation: Pocket Commentary. Munich: Sellier European Law Publishers, 2015
6	Dickinson A., The Rome II Regulation, New York: Oxford University Press, 2008
7	Briggs A., The Conflict of Laws, 3rd ed., Oxford: Oxford University Press, 2013
8	Huber P., Rome II Regulation: Pocket Commentary, Munich: Sellier European Law Publishers, 2011
9	Dickinson A. et. al. (eds.), The Brussels I Regulation Recast, Oxford: Oxford University Press, 2015
10	Mieriņa A., Starptautiskās privāttiesības: ģenēze un sistēma, Rīga: LU Akadēmiskais apgāds, 2015