

General Information			
Course name	<i>European Private International Law: Contractual Obligations</i>	ECTS Credits	5
		Semester	winter/summer

Aims

The aim of the course is to provide students with a solid understanding of European Union Private International Law as it applies to contractual obligations in civil and commercial matters. The course focuses on EU regulations that are directly applicable in all EU Member States.

Students will learn how to identify the international element of contractual relationships and how this element raises issues of international jurisdiction, applicable law, and the recognition and enforcement of judgments. Special attention is paid to party autonomy, consumer and employment contracts, and the interaction between jurisdiction and choice-of-law rules.

By the end of the course, students will be able to analyze cross-border contractual disputes within the EU legal framework and apply the relevant regulations to practical cases.

Content

1. Introduction to European Private International Law General concepts and functions of Private International Law; the international element; sources of EU Private International Law; methods of interpretation; role of the Court of Justice of the European Union.

2. International Jurisdiction in Civil and Commercial Matters Scope and structure of the Brussels Ia Regulation; exclusive jurisdiction; jurisdiction agreements; protective jurisdiction for weaker parties (consumers, employees; general and special jurisdiction.

3. Law Applicable to Contractual Obligations CISCG; introduction. Rome I Regulation: party autonomy; objective connecting factors; characteristic performance; specific types of contracts (sale of goods, provision of services, consumer and employment contracts); mandatory rules and public policy.

4. Recognition and enforcement of judgements

Principles and mechanisms for the recognition and enforcement of judgments within the EU under the Brussels Ia Regulation; abolition of exequatur; grounds for refusal; practical implications for cross-border enforcement of judgments arising from contractual disputes.

Assessment Methods and Criteria

The course is assessed by an open-book written exam. Students are required to solve two practical case studies. EU regulations may be used during the exam.

Grading Scale (in %):

8 points – A
7 points – B
6 points – C
5 points – D
4 points – E

Grading System:

The University recognises the following six degrees for the evaluation of the study results:

- a) A – excellent (excellent results) (numerical value 1)
- b) B – very good (above average results) (1.5)
- c) C – good (average results) (2)
- d) D – satisfactory (acceptable results) (2.5)
- e) E – sufficient (results meet the minimum criteria) (3)
- f) FX – failed (requires further work) (4)

Bibliography

EU Regulations on Private International Law in civil and commercial matters (Brussels Ia Regulation, Rome I Regulation).

Bogdan, M., Pertegás Sender, M.P.: Concise Introduction to EU Private International Law, 4th Edition, 2019.

Case law of the Court of Justice of the European Union (as specified by the lecturer).