



Information about the subject

Degree: Bachelor of Arts Degree in Law

Faculty: Faculty of Legal, Economic and Social Sciences

Code: 310403 **Name:** International Private Law

Credits: 6,00 **ECTS Year:** 4 **Semester:** 1

Module: European Union Law and International Law

Subject Matter: European Community and International Law **Type:** Compulsory

Department: Public Law

Type of learning: Classroom-based learning

Languages in which it is taught: Spanish

Lecturer/-s:

314A	<u>Ricardo Gosalbo Bono</u> (Responsible Lecturer)	ricardo.gosalbo@ucv.es
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Module organization

European Union Law and International Law

Subject Matter	ECTS	Subject	ECTS	Year/semester
European Community and International Law	18,00	European Union Law	6,00	1/2
		International Private Law	6,00	4/1
		International Public Law	6,00	3/2

Recommended knowledge

In order to study Private International Law, it is recommended - not obligatory - to have previously passed the subjects of Civil Law I, II, III, IV, Commercial Law I and II, Community Law and Public International Law.

Learning outcomes

At the end of the course, the student must be able to prove that he/she has acquired the following learning outcomes:

- R1 To identify the existence of a foreigner element in a legal-private relationship.
- R2 To know the rules relating to the attribution of international jurisdiction.
- R3 To know the particularities of the judicial procedure with a foreign element.
- R4 To know how to apply the conflict rule to determine the law applicable to a legal relationship with a foreign element.
- R5 To know the rules concerning the recognition and enforcement of foreign rules.



Competencies

Depending on the learning outcomes, the competencies to which the subject contributes are (please score from 1 to 4, being 4 the highest score):

GENERAL	Weighting			
	1	2	3	4
CG1 Knowledge of the Science being studied, in this case of the science of Law, fundamentally of the most practical branches, with their international and economic implications and their specialized language.				X
CG2 Analysis and synthesis capacity			X	
CG3 Capacity for organization and planning		X		
CG4 Problem-solving capacity.				X
CG5 Computer skills related to the field of knowledge.			X	
CG10 Knowledge of a foreign language in relation to the Science of Law.		X		
CG11 Professional relationships: be able to establish and maintain relationships with other relevant professionals and institutions.		X		
CG12 To be able to develop audiovisual presentations.	X			
CG13 Information management capacity.		X		
CG14 Ability to work as a team and collaborate effectively with others.			X	
CG15 Ability to work in interdisciplinary teams.	X			
CG16 Ability to develop and maintain one's own competencies, skills and knowledge according to the standards of the profession.			X	



SPECIFIC	Weighting			
	1	2	3	4
CE2 Understanding of the different ways of creation of Law in its historical evolution and in its current reality, assimilating the existence of subordinate and supranational legal systems and the forms in which they are articulated.			X	
CE4 Ability to understand and know how local, regional, state, community, and international institutions work, in their genesis and as a whole, and to identify the competent institution or administration in each case as well as the sectoral law applicable in each case.		X		
CE5 Ability to identify the rights and obligations of the natural persons in all the areas of Law and give legal form to their acts of will.				X
CE8 Ability to know the law applicable to intra-community transactions and to international transactions outside the community and the means of enforcing it.				X
CE26 Assumption of the necessary interdisciplinary vision of legal problems.			X	
CE27 Capacity for negotiation and conciliation.	X			
CE28 Ability to give legal form to bilateral and multilateral relations of individuals.			X	
CE29 Ability to legally articulate projects, agreements, or disagreements.		X		
CE30 To acquire the knowledge of the necessary legal concepts in English in order to understand and articulate a basic legal discourse in this language.		X		



Assessment system for the acquisition of competencies and grading system

Assessed learning outcomes	Granted percentage	Assessment method
R1, R2, R3, R4, R5	50,00%	Practical tests
R1, R2, R3, R4, R5	15,00%	Attendance, active participation and favourable attitude in the subject/ course/ module
R1, R2, R3, R4, R5	35,00%	Written theoretical tests

Observations

- To compute the set of grades, the theoretical examination (5/10) and the individual practical test must be passed. In order to pass the course it is necessary to obtain a grade of 5 out of 10 in the course set.
- The final examination consists of a theoretical part and a practical part. The theoretical part can be taken either orally or in writing. At the beginning of the course, the teacher will give a clear indication in this respect.
- Provided that it is merited, the honourable mention can be obtained in the first or second call for papers with a minimum overall mark of 9.
- Only the mark obtained in the theoretical and practical examination will be taken into account in the second round. It will only consist of one exam. It will not be possible to recover marks for the other sections (activities, attendance, participation).
- In relation to absences, the communication of these will be made in advance - when possible - and the justification, in any case, within the following 7 days by e-mail.
- The attendance to the sessions is neither compulsory nor voluntary, but necessary to obtain the qualification related to the active participation of the student.
- According to Article 9 of the General Regulations for the Assessment and Grading of Official Studies and UCV-Specific Degrees, the single assessment is linked to the inability of students enrolled in a face-to-face degree program to attend. It is, therefore, an extraordinary and exceptional assessment system available to students who, with justified and accredited documentation, are unable to submit to the continuous assessment system. They may request this from the professor responsible for the subject, who will expressly decide whether to accept the student's request for a single assessment and will inform them of the acceptance/denial. Regarding the subject of Procedural Law I, the minimum attendance requirement is 70%. This is the limit to be considered for any potential request for a single assessment:
- If granted, the 15% required for attendance, active participation, and a favorable attitude in the subject will be increased by the percentage of the final exam taken during the official exam period.



- In the second sitting, the same assessment criteria will apply as for students who do not have a single assessment (since attendance, active participation, and a favorable attitude in the subject are not taken into account).

- Use of AI in the course:

- Students may use AI for any course-related questions and may even provide it with statements, exercises, or assessment tests to obtain automated answers, as long as these are verified and validated by the students themselves. For this purpose, faculty may perform the appropriate checks.
- Students may not use AI:
 - To record or transcribe, in whole or in part, any classroom activity, in order to obtain summaries or notes created by AI.
 - To enter notes or any other material created by the faculty who provided it into AI tools such as ChatGPT or other non-institutional tools whose information is not stored in controlled environments.
- Citation and attribution criteria:
 - Any use of AI tools must be explicitly stated in the submitted document (e.g., in a footnote or appendix).
 - The name of the tool, the purpose of use (e.g., grammar check, organization of ideas, writing sample), and the part of the work where it was used must be indicated.
- Responsible use of AI will be evaluated as part of the criteria for originality and academic honesty.

CLASS ATTENDANCE IN FACE-TO-FACE DEGREES

In accordance with the development guidelines of the General Regulations for the Evaluation and Qualification of Official Teachings and Own Degrees of the UCV, in face-to-face degrees, class attendance with a minimum of 80% of the sessions of each subject will be required as a requirement to be evaluated. This means that, if a student does not attend the sessions of each subject, in a percentage greater than 20%, he/she will not be able to be evaluated, neither in the first nor in the second call, unless the person responsible for the subject, with the approval of the person responsible for degree, in view of duly justified exceptional circumstances, exempt from the minimum attendance percentage. The same criterion will be applicable for hybrid or virtual degrees in which teachers must maintain the same percentage in the requirement of "presence" in the different training activities, if any, even if these are carried out in virtual environments.

MENTION OF DISTINCTION:

The mention of "Honors" may be awarded to students who have obtained a grade equal to or greater than 9.0. Their number may not exceed five percent of the students enrolled in a group in the corresponding academic year, unless the number of students enrolled is lower.



Learning activities

The following methodologies will be used so that the students can achieve the learning outcomes of the subject:

- M1 Group work sessions supervised by the teacher. Study of legal cases, both true and fictitious. Significant construction of knowledge through student interaction and activity. Critical analysis of values and social commitment.
- M6 The student must present a case in which the applicable law is not the national law but the Community or international law directly.
- M7 The students must read some specific texts that are connected with the module and be able to present their conclusions.
- M8 Exposition of contents by the teacher, analysis of competences, explanation and demonstration of capacities, skills and knowledge in the classroom.
- M11 Personalised attention and in small groups. Period of instruction and/or orientation carried out by a tutor with the aim of reviewing and discussing the materials and topics presented in the classes, seminars, readings, completion of assignments, etc.
- M12 Set of written and/or oral tests used in the initial, formative or summative evaluation of the student.
- M13 Group preparation of readings, essays, resolution of problems, seminars, papers, dossiers, etc., to be presented or delivered in theory classes, practical classes, and/or small group tutorials.
- M14 Student's study: individual preparation of readings, essays, problem-solving, seminars, works, reports, etc. to present or deliver in the theoretical classes, practical classes and/or small group tutorials.



IN-CLASS LEARNING ACTIVITIES

	LEARNING OUTCOMES	HOURS	ECTS
In-class presentation of practical cases where international law or European Law is directly applied. M13	R1, R2, R3, R4, R5	10,00	0,40
Practical cases. M6	R1, R2, R3, R4, R5	10,00	0,40
In-class presentation of readings related to the subject. M13	R1, R2, R3, R4, R5	10,00	0,40
Theoretical classes. M8	R1, R2, R3, R4, R5	25,00	1,00
Tutorial. M11	R1, R2, R3, R4, R5	2,00	0,08
Assessment M12	R1, R2, R3, R4, R5	3,00	0,12
TOTAL		60,00	2,40

LEARNING ACTIVITIES OF AUTONOMOUS WORK

	LEARNING OUTCOMES	HOURS	ECTS
Group work. M1	R1, R2, R3, R4, R5	10,00	0,40
Individual work. M14	R1, R2, R3, R4, R5	80,00	3,20
TOTAL		90,00	3,60



Description of the contents

Description of the necessary contents to acquire the learning outcomes.

Theoretical contents:

Content block	Contents
LESSON 1	CONCEPT, NATURE AND CHARACTERISTICS OF PRIVATE INTERNATIONAL LAW. CASE LAW.
LESSON 2	THE SOURCES OF PRIVATE INTERNATIONAL LAW. CASE LAW.
LESSON 3	PROCEDURAL PRIVATE INTERNATIONAL LAW. CASE LAW.
LESSON 4	SPANISH LAW ON NATIONALITY AND FOREIGNERS. CASE LAW.
LESSON 5	TYPES OF PRIVATE INTERNATIONAL LAW RULES. CASE LAW.
LESSON 6	THE APPLICATION OF FOREIGN LAW. CASE LAW.
LESSON 7	PERSONAL LAW, FAMILY LAW AND THE LAW OF SUCCESSION. CASE LAW.
LESSON 8	THE LAW OF MOVABLE AND IMMOVABLE PROPERTY. CASE LAW.
LESSON 9	CONTRACTUAL AND TORTIOUS OBLIGATIONS. CASE LAW.



Temporary organization of learning:

Block of content	Number of sessions	Hours
LESSON 1	3,00	6,00
LESSON 2	3,00	6,00
LESSON 3	3,00	6,00
LESSON 4	3,00	6,00
LESSON 5	3,00	6,00
LESSON 6	6,00	12,00
LESSON 7	3,00	6,00
LESSON 8	3,00	6,00
LESSON 9	3,00	6,00



References

BASIC BIBLIOGRAPHY:

- *Dicey, Morris & Collins on the Conflict of Laws*. edición (2024), Sweet & Maxwell. Considerado "gold standard" en conflict of laws .
- *European Private International Law: Commercial Litigation in the EU*, Geert van Calster, 4^a ed., Hart, 2024, 576 pp. Cobertura integral del Reglamento Bruselas I, Roma I/II, insolvencia y libertades europeas . .
- *Private International Law in an Era of Change*, Morten M. Fogt (ed.) Edward Elgar, noviembre 2024. Enfoque comparado sobre digitalización, blockchain, familia, sucesiones.
- *Philosophical Foundations of Private International Law*, Roxana Banu, Michael S Green & Ralf Michaels (eds.) Oxford University Press OUP, noviembre 2024, 432 pp. Interdisciplinar: derecho comparado y filosofía jurídica del DIP.
- *From Theory to Practice in Private International Law*, Bloomsbury – Practitioners. Recopilación (2023–2024). Artículos sobre criptomonedas, medio ambiente, derechos humanos.

LEGISLATIVE COLLECTIONS

- ÁLVAREZ GONZÁLEZ, S., ESPLUGUES MOTA, C. Y OTROS, Legislación de Derecho internacional privado, Granada, Comares, 2021.
- BORRÁS MORENO, A., BOUZA VIDAL, N. Y OTROS, Legislación básica de Derecho internacional privado, Madrid, Tecnos, 2023.

LINKS

- ICC - International Chamber of Commerce
- Eurlex - Buscador de Derecho de la Unión Europea. Comisión Europea.
- ICSID - International Centre for the Settlement of Investment Dispute
- UNCITRAL - UN Commission for International Trade Law
- UNIDROIT - UN International Institute for the Unification of Private Law
- USITC - United States International Trade Commission
- WIPO - World Intellectual Property Organization
- WTO - World Trade Organisation