

Private International Law (B001809)

Course size *(nominal values; actual values may depend on programme)*

Credits 5.0 **Study time 150 h**

Course offerings in academic year 2024-2025

A (semester 1) English Gent

Lecturers in academic year 2024-2025

Deschuyteneer, Laura RE21 lecturer-in-charge

Offered in the following programmes in 2024-2025

	crdts	offering
Master of Laws in International and European Law(main subject International Business Law)	5	A
Master of Laws in International and European Law(main subject International and Human Rights Law)	5	A
Master of Laws in International and European Law(main subject International and National Legal Orders)	5	A
Exchange Programme in Law	5	A

Teaching languages

English

Keywords

Private international law – European law – International law – International contracts – International family law – Procedural law

Position of the course

The aim of the course is to train students on the topic of private international law and to acquaint them with an international approach necessary to solve international and complex legal issues. The focus is mainly on European private international law and on the conventions of the Hague Conference on Private International Law. This aim is achieved through the study of various topics. Students are first introduced to private international law, its general principles, specific concepts, and various sources and their application. Once the students are familiarised with the private international law landscape, the course covers different themes. The first theme deals with choice of courts and choice of law clauses, focusing on contracts and non-contractual obligations and the role of party autonomy. The second theme concerns the recognition and enforcement of judgments, both in commercial and family law instruments. As a third topic, the course dives into the role of the growing Europeanisation of private international law, based on the case law of the Court of Justice of the EU and the European Court of Human Rights, but also on principles of EU law, such as, free movement, mutual recognition, mutual trust, and non-discrimination. Finally, the students are invited to reflect on their own, national system of private international law, based on the knowledge gained.

Contents

- 1 General introduction to private international law
- 2 Choice of court and choice of law clauses
- 3 Recognition and enforcement of judgments
- 4 Europeanisation of private international law
- 5 National private international law

Initial competences

Having a good understanding of European law, principles of civil law and principles

of international law.

Final competences

- 1 Having a thorough knowledge of the rules of private international law and the applicable sources and being able to apply these to and to analyse multifaceted issues of private international law
- 2 Navigating between different sources and their application and to formulate a concrete and structured legal reasoning to questions regarding complex and diverse issues of private international law
- 3 Understanding the role of private international law in its interaction with other fields of law
- 4 Reflecting critically during classes on current issues of and debates within private international law
- 5 Arguing solutions/challenges in private international law orally
- 6 Solving practical issues of private international law
- 7 Reflecting on the national, own, system of private international law

Conditions for credit contract

Access to this course unit via a credit contract is unrestricted: the student takes into consideration the conditions mentioned in 'Starting Competences'

Conditions for exam contract

This course unit cannot be taken via an exam contract

Teaching methods

Group work, Lecture, Independent work

Study material

None

References

As communicated in the course syllabus

Course content-related study coaching

Explanation of the method of study and the method of examination during the lectures and on Ufora. Case studies will be discussed during the classes

Assessment moments

end-of-term and continuous assessment

Examination methods in case of periodic assessment during the first examination period

Oral assessment

Examination methods in case of periodic assessment during the second examination period

Oral assessment

Examination methods in case of permanent assessment

Participation, Presentation

Possibilities of retake in case of permanent assessment

examination during the second examination period is possible in modified form

Extra information on the examination methods

Possibilities of retake in case of permanent evaluation: additional task

Calculation of the examination mark

- Participation in class 40%
- Individual or group presentation 20%
- Oral exam 40%

Facilities for Working Students

- No possibility to substitute permanent evaluation.
- Possibility of oral examination with written preparation at another time within the academic year.
- Possibility of feedback by appointment during and after office hours.