International and European Procedure (B001750)

Due to Covid 19, the education and assessment methods may vary from the information displayed in the schedules and course details. Any changes will be communicated on Ufora.

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

| Credits 4.0 | Study time 120 h | Contact hrs | 30.0h |

Course offerings in academic year 2021-2022

| A (semester 2) | English | Gent |

Lecturers in academic year 2021-2022

| Vandenbussche, Wannes | RE21 | lecturer-in-charge |

Offered in the following programmes in 2021-2022	crdts	offering
Master of Science in Teaching in Social Sciences(main subject Laws)	4	A
Master of Laws in Laws	4	A

Teaching languages

English

Keywords

Civil procedure, European civil procedure, international procedural law

Position of the course

The aim of this course is to familiarize students with the general principles of international and European civil procedure. First, the course focuses on the rules of procedure originating from international and intergovernmental organizations (such as UNCITRAL, the Hague Conference on Private International Law and Unidroit). In addition, it analyses procedural rules coming from the European Union law, as well as the influence of the European Convention on Human Rights on civil procedure.

Contents

I. Introduction: The internationalization and Europeanisation of the law of civil procedure
II. International jurisdiction of courts
III. Parallel proceedings and Lis pendens
IV. Service of documents
V. Taking of evidence
VI. Recognition and enforcement of judgments
VII. Collective proceedings
VIII. Alternative Dispute Resolution (mediation, ADR and ODR)
IX. EU unified procedures
X. Influence of article 6 of the European Convention of Human Rights

Initial competences

To have a good knowledge of the structure, core concepts and techniques of the law of civil procedure and private international law.

Final competences

1 To have a good knowledge of the applicable treaties and legislation in the field of international and European civil procedure, including to the relevant case law of the European Court of Human Rights and the Court of Justice of the European Union.
2 To reflect critically on issues that arise in this field, taking into account the ever advancing legal rules and case law.
3 To recognize and analyze problems that arise in the application of rules of civil procedure in a cross-border context
4 To build a legal reasoning with respect to a procedural issue

5 To solve specific cases in which various legal questions arise.
6 To apply (evolving) legal rules in new, concrete and complex situations.
7 To defend own solutions orally and in writing

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

Lecture: plenary exercises, Lecture, Self-reliant study activities

Extra information on the teaching methods

Guided self-study, Lecture, lecture: plenary exercises

Learning materials and price

For various parts of the course: documents provided by the lecturers on Ufora.

References

Will be communicated during the course

Course content-related study coaching

Explanation of the method of study and the method of examination during the lectures and on Ufora. More insight is given during the plenary exercises. Examples of questions are discussed during the plenary exercises.

Assessment moments

end-of-term assessment

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

Oral examination

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

Oral examination

Examination methods in case of permanent assessment

Possibilities of retake in case of permanent assessment

not applicable

Calculation of the examination mark