

Course syllabus: International law of obligations



Higher education degree - bachelor
Field of knowledge - 29 International relations
Specialty - 293 International law
Educational and professional program – «International law»

Year of study: 4, semester: 8

Number of credits ECTS: 5

Language of study: English

Course leader:

PhD, Associate Professor, Associate Professor of the Department of International Law and Migration Policy
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Description of the discipline

«International law of obligations» is an educational discipline that contributes to the training of specialists in the field of international law. Students acquire theoretical knowledge and practical skills in applying acts of binding law to specific situations, the ability to perform legal analysis of norms of international binding law and independently analyze judicial practice. Students acquire knowledge of the features of the concept, types, means of ensuring the fulfillment of obligations, features of the fulfillment of obligations, will research the forms and methods of protecting the rights of obligation in case of their violation.

Course structure

Hours (lect. / prakt.cl.)	Topic	Results of the study	Tasks
2 / 2	1 Concepts and sources of international binding law	To know the concepts and features of the obligation law. To know the types of sources of international binding law	questions, tests, essay
2 / 2	2 General legal categories of international obligation law	Understand the concept and essence of the conflict of laws rule. Understand the qualification scheme in private international law. To be able to apply imperative norms in international mandatory law	questions, tests, cases
2 / 2	3 The concept and features of an obligation with a foreign element	Understand the features, structure and content of obligations with a foreign element	questions, tests, cases
4 / 4	4 Parties in an obligation	Analyze the legal status of the parties in the obligation, their rights and obligations. Determine the status of third parties, know the peculiarities of representation	questions, tests, cases

4 / 4	5 General characteristics of the fulfillment of obligations in national and international private law	Understand the specifics of fulfilling obligations with a foreign element (place, time, parties, currency, etc.). To understand the content of the counter performance of the obligation	questions, tests, cases
2 / 2	6 Means of ensuring the fulfillment of obligations in national and international private law	To know and analyze the means of securing obligations with a foreign element	questions, tests, cases
2 / 2	7 Termination of obligation. Legal consequences and liability for breach of obligation	Understand the specifics of terminating an obligation with a foreign element. To know the legal consequences and responsibility for breach of obligation	questions, tests, cases
2 / 2	8 Force majeure in international obligations	Know the peculiarities of legal regulation of force majeure in contractual obligations	questions, essay
4 / 4	9 Peculiarities of legal regulation of international sales contracts in national and private international law	Know the peculiarities of legal regulation of international sales contracts in national and international private law	questions, tests, cases
2 / 2	10 INCOTERMS	Understand the peculiarities of using INCOTERMS	questions, essay
2 / 2	11 General principles of legal regulation of international transport of goods by various modes of transport in national and international law	To know the peculiarities of legal regulation of international transport of goods by various modes of transport in national and international law	questions, tests, essay
2 / 2	12 Service contracts in national and international private law	Know the peculiarities of the service contract in national and international private law	questions, tests, cases
2 / 2	13 Agreement on Trade-Related Aspects of Intellectual Property Rights	Know the specifics of an agreement on trade-related aspects of intellectual property rights	questions, essay
2 / 2	14 Credit relations and settlements in national and international private law	Understand the essence of credit relations and settlements in national and international private law	questions, tests, essay
4 / 4	15 General characteristics of certain types of non-contractual obligations in national and international private law	Know the peculiarities of legal regulation of certain types of non-contractual obligations in national and international private law	questions, tests, cases
2 / 2	16 Arbitration	Understand the peculiarities of arbitration and enforcement of arbitral awards	questions, essay

Bibliography:

1. Poomintr Sooksripaisarnkit, Sai Ramani Garimella. (2019). *Contracts for the International Sale of Goods: A Multidisciplinary Perspective*. Sweet & Maxwell Hong Kong. 288 pages
2. Florea, Dumitrița, and Narcisa Gales. "Franchise Contract in International Trade Law." *European Journal of Law and Public Administration* 9, no. 2 (December 20, 2022).
3. Shojaei, Abdorreza. "Validity of Open Contract in International Trade Law." *Journal of Politics and Law* 10, no. 2 (February 28, 2017).
4. Jovanović, Marko. "A conclusion of contracts for the international sale of goods." *Pravo - teorija i praksa* 38, no. 3 (2021): 65–76.
5. Zuñiga Peralta, Raul F. "Long-term contracts and the Unidroit PICC: towards a realistic regulation." *Uniform Law Review* 26, no. 3 (August 1, 2021).
6. Sopamena, Ronald Fadly. "Choice of Law in International Business Contracts." *Balobe Law Journal* 2, no. 2 (October 25, 2022).
7. Bridge, Michael. "International trade and transnational law." *Revija Kopaonické škole prirodno prava* 2, no. 2 (2020).
8. Poole, Jill. *Textbook on contract law*. Oxford: Oxford University Press, 2012
9. Klee, Lukas. *International Construction Contract Law*. Wiley & Sons, Limited, John, 2018
10. *International Law and Economics*, 127–66. Cham: Springer International Publishing, 2022
11. Ashraf M. A. Elfakharani. *Contemporary Legal Analysis of the International Sale Contract in the Vienna Convention: A Narrative Review*. *Baltic Journal of Law & Politics*. Vol. 15 No. 1 (2022): issue-1-june-2022. <https://versita.com/menuscrypt/index.php/Versita/article/view/299>
12. Nataliia Martsenko. *Mistake in the contract law of Ukraine and some foreign countries. Actual problems of law*. № 1. 2023.
13. Nataliia Martsenko, Anastasiia Melnychuk, Olesya Remenyak. *European Union property law: review of the main provisions and peculiarities. Actual problems of law*. № 2 (34). 2023. C. 160-166. DOI:10.35774/app2022.02.160.

Information resources:

1. The official web portal of the Verkhovna Rada of Ukraine. URL: <http://portal.rada.gov.ua/>
2. Official online representation of the President of Ukraine. URL: <http://www.president.gov.ua/>
3. The single web portal of executive authorities of Ukraine. URL: <http://www.kmu.gov.ua/>
4. Official web portal of the judicial authorities of Ukraine. URL: <http://court.gov.ua/>
5. Unified State Register of Court Decisions URL: <https://reyestr.court.gov.ua/>
6. Official web portal of the UN Commission on International Trade Law (UNCITRAL). URL: <https://uncitral.un.org/en>
7. The official web portal of the Hague Conference on Private International Law. URL: <https://www.hcch.net/ukrainian>

Evaluation policy

- **Deadline and retake policy:** Modules are retaken with the permission of the dean's office if there are good reasons (for example, sick leave).
- **Academic Integrity Policy:** cheating during tests and exams is prohibited (including using mobile devices).
- **Visiting policy:** Attending classes is a mandatory component of the assessment. For objective reasons (for example, illness, international internship, and other reasons), training can take place online with the permission of the university administration.

Evaluation

The final score for the course is calculated as follows:

Credit module 1	Credit module 2	Credit module 3	Credit module 4	Total
20%	20%	20%	40%	100%

<p>Oral survey during classes (1-8 topics) - 5 points per topic - max. - 40 points. Modular control work - max. 60 points.</p>	<p>Oral survey during classes (9-16 topics) - 5 points per topic - max. 40 points. Modular control work - max. 60 points.</p>	<p>Preparation of CPIT - max . 40 points. Protection of CPIT - max. 40 points Participation in trainings - max. 20 points .</p>	<p>Test tasks (10 tests) 2 points each – max. 20 points Theoretical questions (2 questions) - 20 points each - max. 40 points Case (1 case) – max. 40 points</p>	<p>100</p>
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Student evaluation scale

According to the scale of the University	On a national scale	According to the ECTS scale
90-100	perfectly	A (excellent)
85-89	fine	B (very good)
75-84		C (good)
65-74	satisfactorily	D (satisfactory)
60-64		E (enough)
35-59	unsatisfactorily	FX (unsatisfactory with possibility of reassembly)
1-34		F (unsatisfactory with mandatory repeat course)