

MINISTRY OF EDUCATION AND SCIENCE OF UKRAINE  
WEST UKRAINIAN NATIONAL UNIVERSITY  
LAW FACULTY



Approved  
T.a. Dean of Faculty of Law  
Nadia MOSKALYUK  
2023



Approved  
Vice-Rector for scientific and pedagogical work  
Viktor OSTROVERKHOV  
« 5 » 2023

Work program  
discipline

«Private international law»

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

Department of International Law and Migration Policy

Form of study	Study year	Semester	Lectures	Practical classes	Individual work	Training, CPIT	Student-self study	Total	Exam/Credit
Full-time	4	7	26	26	3	8	57	120	Exam

31.08.2023  
*[Signature]*

Ternopil – WUNU, 2023

The work program was developed on the basis of the educational and professional program for Bachelor's field of knowledge 29 International relations, specialty 293 International law (approved by the Academic Council of WUNU, Protocol No. 10 from 24.06.2020).

The work program was prepared by the Associate Professor of the Department of International Law and Migration Policy Dr. Liudmyla SAVANETS

The work program was considered and approved at the meeting of the Department of International Law and Migration Policy, Protocol No. 1 dated August 29, 2023.

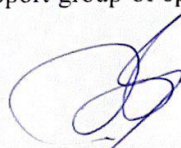
Head of Department



Yaryna ZHUKORSKA

Considered and approved by the Support group of specialty 293 International law, Protocol No. 1 dated August 31, 2023.

Head of the SGS



Yaryna ZHUKORSKA

Guarantor of EP



Liudmyla SAVANETS

## 1. Description of the discipline «Private international law »

Discipline Private international law	Field of knowledge, Specialty, Educational and Professional Program, higher education degree	Characteristics of the academic discipline
Number of credits ECTS – 4	Field of knowledge – 29 International relations	Discipline status: mandatory  Language of study: English
The number of credits modules – 4	Specialty – 293 International law	Study year – 4 Semestr – 7
Number of contents modules – 2	Educational and Professional Program - International Law	Lectures – 26 hours. Practical classes – 26 hours.
Total hours – 120	Higher education degree – bachelor	Student-self study - 57 hours. Training, CPIT – 8 hours. Individual work – 3 hours.
Weekly hours - 8 hours, including 3 hours of classroom hours.		The type of final control is an exam

## 2. The purpose and task of studying the discipline «Private international law »

### 2.1. The purpose of studying the discipline:

**The purpose** of the discipline «Private international law » is a deep and thorough study by students of the main provisions of the science of private international law, in particular the concept, methods, system, functions, sources and main categories of private international law, assimilation of the doctrine of its subjects , as well as the place in the legal system, sources, features of conflict regulation of private relations complicated by a foreign element.

### 2.2. The task of studying the discipline:

**The task** of studying the discipline consists in the acquisition by students of knowledge, skills and abilities (competencies) to effectively implement the acquired theoretical knowledge in practice. The task of studying the discipline is also a detailed study of the Law of Ukraine «On Private International Law», international treaties, laws, acts of the President of Ukraine, the Government and other legal acts, which are the sources of the field of private international law of Ukraine.

As a result of studying the academic discipline, the student should

#### **know:**

- approaches to defining the features, subject, concept, functions of private international law and its relationship with other elements of the legal system existing in the doctrine;
- concepts and types of methods of private international law;
- the system of private international law;
- the most important sources of legal regulation in various spheres of private international law;
- concepts and types of subjects of private international law
- essence and purpose of conflict of laws rules;
- the structure of conflict of laws rules;
- features of collision regulation of private relations complicated by a foreign element, in particular in the sphere of property, contractual, non-contractual, family, inheritance, labor relations, intellectual property relations, international civil proceedings and international commercial arbitration.

#### **be able to:**

- operate freely with special legal terminology in the field of private international law;
- work with international regulatory acts and national conflict of law legislation of Ukraine;
- to orientate in the regularities of implementation of conflict-of-law and material-law regulation of private-law relations complicated by a foreign element;
- apply the basic formulas for attaching conflicting norms;
- use acquired knowledge of private international law in legal practice;

- accurately assess the situational circumstances and make optimal decisions regarding the effectiveness of the practical application of norms regulating private law relations with a foreign element;

- quickly find the legal norm, correctly interpret it and apply it in specific situations.

**2.3. Name and description of competences, the formation of which ensures the study of the discipline:**

- ability to form judgments in the field of international, European, national law, comparative jurisprudence, taking into account social, scientific and ethical aspects;

- ability to provide legal support for legal relations with foreign element, foreign economic activity and international economic cooperation;

- ability to provide legal opinions and advice on issues of international public and private law, national law of Ukraine and the law of other states; to predict and assess legal risks of foreign policy and foreign economic initiatives and ways of their minimization;

- ability to conduct discussions and debates on international and general legal issues, prepare cases for consideration in Ukrainian, foreign and international courts and arbitration tribunals.

**2.4. Prerequisites for studying the discipline.**

The study of the academic discipline “Private International law” is carried out on the basis of the knowledge acquired by students from the academic disciplines “Politicalology”, “Theory of the state and law”, “Comparative civil law”, “Comparative civil procedure”, “International and comparative labor law”, “International public law (general part)”, “European Union law”, which leads to a more thorough study of the main categories and content of the regulation of private law relations, complicated by a foreign element.

**2.5. Learning outcomes**

Program learning outcomes obtained during the study of the discipline «Private International Law» allow students in the process of professional implementation:

- to know and understand the normative provisions, doctrines and principles of functioning of international and national legal systems, to analyze and qualify legal phenomena on this basis, to apply international legal norms and principles in the national legal system;

- to provide legal support for international public relations and international private relations, to protect the rights and interests of individuals and legal entities, as well as the national interests of the state of Ukraine, through international and national legal mechanisms;

- to use the case law of the European Court of Human Rights, other international judicial and arbitration bodies, theoretical knowledge of international and national law to substantiate and defend one's own position, to protect the client's interests and for other professional purposes;

- communicate to specialists and non-specialists information, ideas, problems, solutions and own experiences on current issues of European and Euro-Atlantic integration, international, national and comparative law;

- make collective decisions, work in a team, show leadership, identify priority goals in professional and educational contexts, plan individual and group work to achieve them;

- formulate conclusions, develop recommendations, justify one's own vision of ways to solve problems in the field of law-making, law interpretation and law enforcement;

- to know modern scientific achievements in the field of international and national law, to have skills in research work, to interpret the results of scientific research and to take them into account in practical professional activities;

- determine the persuasiveness of arguments in the process of assessing previously unknown conditions and circumstances;

- independently determine educational goals and learning trajectories, find the necessary educational resources.

### **3. PROGRAM OF THE ACADEMIC DISCIPLINE «PRIVATE INTERNATIONAL LAW»**

#### **Content module 1**

#### **Topic 1. Deeds with a foreign element. Representation and limitation of action in private international law**

Concepts and types of transactions in private international law. Conflict-of-law regulation of the form and content of transactions complicated by a foreign element. Concepts and forms of representation

in private international law. Material-legal and conflict regulation of representation by power of attorney. General provisions on limitation of action in private international law.

### **Topic 2. Legal regulation of contractual obligations complicated by a foreign element**

Peculiarities of conflict regulation of contractual obligations in private international law. Contract of international sale of goods: concept, procedure of conclusion, content, and responsibility of the parties. Characteristics of the 1980 Vienna Convention on International Sales Contracts. General characteristics of WTO agreements on international trade. Analysis of the provisions of the EU Regulation on the law applicable to contractual obligations (Rome I). Limitation of action applicable to the international purchase and sale of goods.

### **Topic 3. International commercial agreements and settlements**

The concept of international commercial agreements. International commercial transactions. Types and content of international commercial agreements. Principles of international commercial contracts (UNIDRUA Principles). Application of INCOTERMS rules in foreign economic contracts. Features of concluding foreign economic contracts in wartime conditions. General characteristics of measures to simplify international trade procedures. General characteristics of the international legal regulation of monetary obligations. Forms of international financial settlements: a) collection as a form of international financial settlements; b) letter of credit form of payments; c) promissory note and check as settlement documents in international financial obligations. Bank account agreement. Forms of currency risk insurance in foreign economic contracts. Domestic legislation on currency regulation and its role in international financial obligations.

### **Topic 4. International transportation**

The concept of international transportation. International sea transportation. International railway transportation. International road transport. International air transportation. International river transportation. International mixed transportation. Limitation periods for claims that can be filed on the basis of transport conventions.

### **Topic 5. General provisions of international legal regulation of non-contractual obligations**

The concept and content of non-contractual obligations in private international law. Conflict regulation of tort obligations. Features of compensation for damage caused by a foreign state. Regulation of tortious obligations with a foreign element under the legislation of Ukraine.

### **Topic 6. Conflict and material norms of international property law. Securities in private international law**

Characteristics of property rights in private international relations. Conflicting issues of ownership. Occurrence and termination of ownership and other property rights. Ownership and other property rights to movable property in transit. Legal regime of foreign investments in private international law. Legal status of property of Ukraine abroad. General provisions on securities in private international law. Conflict-of-law regulation of the circulation of securities. Unification of material and legal norms in the field of circulation of securities.

## **Content module 2**

### **Topic 7. International legal norms in the field of protection of intellectual property rights.**

#### **International copyright and industrial property law**

International legal principles of protection of intellectual property results. Main international agreements on the protection of copyright and related rights. Protection of rights to objects of industrial property. WTO Agreement on Trade Aspects of Intellectual Property Rights.

### **Topic 8. Legal regulation of marital and family relations by norms of private international law**

Concept and legal nature of family legal relations in private international law. Peculiarities of legal regulation of marital and family relations with a foreign element. Marriage with foreigners and stateless persons. Conflicting issues of termination of marriage. Conflict regulation of property and personal non-property rights of spouses. Conflict regulation of the origin of children. Alimony obligations in private international law. International adoption and its consequences.

### **Topic 9. International legal regulation of inheritance relations**

The specifics of inheritance legal relations of an international nature. Conflicts of legislation in the field of inheritance. Inheritance rights of foreigners in Ukraine. Inheritance rights of Ukrainian citizens abroad. Legal regime of defunct inheritance in private international law.

### Topic 10. Private international labor law

Labor relations with a foreign element and sources of their legal regulation. Types of conflicting bindings of regulation of labor relations in private international law. Labor rights of foreigners in Ukraine. Labor rights of Ukrainian citizens abroad. Legal regulation of the work of employees of international and intergovernmental organizations.

### Topic 11. International civil procedure

Concept of international civil procedure and its sources. Legal status of foreign persons in civil proceedings. International jurisdiction (jurisdiction) of civil cases with a foreign element. Foreign court mandates. Recognition and enforcement of foreign judgments.

### Topic 12. International commercial arbitration

Concept and types of international commercial arbitration. Legal principles of functioning of international commercial arbitration. International regulations, Model Law on International Commercial Arbitration, UNCITRAL Arbitration Rules. Arbitration Agreement and Arbitration Clause. Arbitration decisions. Execution of decisions.

## 4. The structure of credit for the academic discipline «Private international law »

No.	Topic	Number of hours					Control measures
		Lectures	Practical classes	Student-self study	Individual work	Training, CPIT	
<b>Content module 1</b>							
1.	Topic 1. Deeds with a foreign element. Representation and limitation of action in private international law	2	2	5	1	4	Questions, tests
2.	Topic 2. Legal regulation of contractual obligations complicated by a foreign element	2	2	5			Questions, tests
3.	Topic 3. International commercial agreements and settlement	2	2	5			Questions, tests, essay
4.	Topic 4. International transportation	4	4	5			Questions, tests, practical task
5.	Topic 5. General provisions of international legal regulation of non-contractual obligations	2	2	5			Questions, tests
6.	Topic 6. Conflict and material norms of international property law. Securities in private international law	2	2	4			Questions, tests

Content module 2							
7.	Topic 7. International legal norms in the field of protection of intellectual property rights. International copyright and industrial property law	2	2	5	2	4	Questions, tests
8.	Topic 8. Legal regulation of marital and family relations by norms of private international law	2	2	4			Questions, tests
9.	Topic 9. International legal regulation of inheritance relations	2	2	5			Questions, tests, essay
10.	Topic 10. Private international labor law	2	2	5			Questions, tests, practical task
11.	Topic 11. International civil procedure	2	2	5			Questions, tests, practical task
12.	Topic 12. International commercial arbitration	2	2	4			Questions, tests, practical task
<b>Total</b>		<b>26</b>	<b>26</b>	<b>57</b>	<b>3</b>	<b>8</b>	

## 5. TOPICS OF PRACTICAL CLASSES ON THE DISCIPLINE «PRIVATE INTERNATIONAL LAW»

Practical classes are aimed at deepening students' theoretical knowledge and acquiring the necessary practical skills for solving specific practical situations, working with regulatory acts and their application.

Preparation for practical classes consists in the study of theoretical material, current legislation, and familiarization with special scientific literature on the subject of the class. In order to check the level of assimilation of the material, it is necessary to answer control questions and complete practical tasks.

An important form of deepening knowledge of private international law is the preparation of abstract reports by students on problematic issues of the course, their listening and discussion in classes.

The work program of the course "Private international law " provides for practical classes in the amount of 26 hours.

### Content module 1

#### Practical class № 1

**Topic: Deeds with a foreign element. Representation and limitation of action in private international law.**

*Purpose:* Study of conflict of laws and substantive rules regarding transactions with a foreign element, representation and limitation of action in private international law.

**Questions for discussion:**

1. Concepts and types of transactions in private international law.
2. Conflict-of-law regulation of the form and content of transactions complicated by a foreign element.
3. Concepts and forms of representation in private international law.
4. Material-legal and conflict regulation of representation by power of attorney.

5. General provisions on statute of limitations in private international law.

#### **Practical class № 2**

**Topic: Legal regulation of contractual obligations complicated by a foreign element.**

*Purpose:* Study of conflicting issues of international contractual obligations.

#### **Questions for discussion:**

1. Peculiarities of conflict regulation of contractual obligations in private international law.
2. Contract of international sale of goods: concept, procedure of conclusion, content, and responsibility of the parties.
3. Characteristics of the 1980 Vienna Convention on International Sales Contracts.
4. General characteristics of WTO agreements on international trade.
5. Analysis of the provisions of the EU Regulation on the law applicable to contractual obligations (Rome I).
6. Limitation of action applicable to the international purchase and sale of goods.

#### **Practical class № 3**

**Topic: International commercial agreements and settlements**

*Purpose:* Study of the concept and content of international commercial agreements, their types, principles of international commercial agreements, forms of international financial settlements, forms of currency risk insurance in foreign economic contracts.

#### **Questions for discussion:**

1. The concept of international commercial agreements. International commercial transactions.
2. Types and content of international commercial agreements.
3. Principles of international commercial contracts (UNIDRUA Principles).
4. Application of INCOTERMS rules in foreign economic contracts.
5. Features of concluding foreign economic contracts in wartime conditions.
6. General characteristics of measures to simplify international trade procedures.
7. General characteristics of the international legal regulation of monetary obligations.
8. Forms of international financial settlements:
  - a) collection as a form of international financial settlements
  - b) letter of credit form of payments
  - c) promissory note and check as settlement documents in international financial obligations.
9. Bank account agreement.
10. Forms of currency risk insurance in foreign economic contracts.
11. Domestic legislation

#### **Practical class № 4-5**

**Topic: International transportation**

*Purpose:* Study of conflict issues of international transport and international transport law.

#### **Questions for discussion:**

1. General characteristics of international transportation and international transport law.
2. International transportation by sea.
3. International transportation by inland waterways.
4. International transportation by rail.
5. International transportation by road.
6. International transportation by air.
7. International pipeline transportation.

#### **Practical class № 6**

**Topic: General provisions of international legal regulation of non-contractual obligations**

*Purpose:* Clarification of the legal nature of non-contractual obligations in private international law.

#### **Questions for discussion:**

1. Concept and content of non-contractual obligations in private international law.
2. Conflict regulation of tort obligations.
3. Features of compensation for damage caused by a foreign state.
4. Regulation of tortious obligations with a foreign element under the legislation of Ukraine.

#### **Practical class № 7**

**Topic: Conflict and material norms of international property law. Securities in private international law**



*Purpose:* Study of conflict and material norms of international property law, clarification of the legal regime of securities in private international law.

**Questions for discussion:**

1. Characteristics of property rights in private international relations. Conflicting issues of ownership.
2. Occurrence and termination of ownership and other property rights.
3. Ownership and other property rights to movable property in transit.
4. Legal regime of foreign investments in private international law.
5. Legal status of Ukrainian property abroad.
6. General provisions on securities in private international law.
7. Conflict-of-law regulation of the circulation of securities.
8. Unification of material and legal norms in the field of circulation of securities.

**Content module 2**

**Practical class № 8**

**Topic: International legal norms in the field of protection of intellectual property rights. International copyright and industrial property law.**

*Purpose:* Study of the features of international legal protection of objects of intellectual property rights, international protection of copyright, related rights and industrial property rights.

**Questions for discussion:**

1. International legal principles of protection of intellectual property results.
2. Main international agreements on the protection of copyright and related rights.
3. Protection of rights to objects of industrial property.
4. WTO Agreement on Trade Aspects of Intellectual Property Rights.

**Practical class № 9**

**Topic: Legal regulation of marital and family relations by norms of private international law**

*Purpose:* Study of family legal relations in private international law.

**Questions for discussion:**

1. Concept and legal nature of family legal relations in private international law.
2. Peculiarities of legal regulation of marital and family relations with a foreign element.
3. Marriage with foreigners and stateless persons.
4. Conflicting issues of termination of marriage.
5. Conflict regulation of property and personal non-property rights of spouses.
6. Conflict regulation of the origin of children. Alimony obligations in private international law.
7. International adoption and its consequences.

**Practical class № 10**

**Topic: International legal regulation of inheritance relations**

*Purpose:* Study of hereditary relations complicated by a foreign element.

**Questions for discussion:**

1. The specifics of inheritance legal relations of an international nature. Conflicts of legislation in the field of inheritance.
2. Inheritance rights of foreigners in Ukraine.
3. Inheritance rights of Ukrainian citizens abroad.
4. Legal regime of deceased inheritance in private international law.

**Practical class № 11**

**Topic: Private international labor law**

*Purpose:* Study of labor relations in private international law.

**Questions for discussion:**

1. Labor relations with a foreign element and sources of their legal regulation.
2. Types of conflicting bindings of the regulation of labor relations in private international law.
3. Labor rights of foreigners in Ukraine.
4. Labor rights of Ukrainian citizens abroad.
5. Legal regulation of the work of employees of international and intergovernmental organizations.

**Practical class № 12**

**Topic: International civil procedure**

*Purpose:* Study of the peculiarities of the international civil process.

**Questions for discussion:**

1. Concept of international civil process and its sources.

2. Legal status of foreign persons in civil proceedings.
3. International jurisdiction (jurisdiction) of civil cases with a foreign element.
4. Foreign court mandates. Recognition and enforcement of foreign judgments.

### **Practical class № 13**

#### **Topic: International commercial arbitration**

*Purpose:* Study of the peculiarities of international commercial arbitration.

#### **Questions for discussion:**

1. Concepts and types of international commercial arbitration.
2. Legal principles of functioning of international commercial arbitration.
3. International regulations, model law on international commercial arbitration, UNCITRAL arbitration regulations.
4. Arbitration Agreement and Arbitration Clause.
5. Arbitration decisions. Execution of decisions.

### **6. COMPLEX PRACTICAL INDIVIDUAL TASK**

Complex practical individual task (CPIT) is a form of organization of education, which aims to deepen, generalize and consolidate the knowledge that students acquire in the process of learning, as well as the application of this knowledge in practice. CPIT is performed by students independently under the guidance of teachers, it is a completed theoretical or practical work within the curriculum of the course, which is performed on the basis of knowledge, abilities and skills acquired in the course of lectures and practical classes.

CPIT from the discipline «Private international law » consists of:

1. The theoretical part.
2. Practical part.

#### **Proposed types of CPIT (to be chosen by the student) for the theoretical part of CPIT.**

1. Scientific work (essay, scientific article, theses) on the narrow issues of the course (the topic of the scientific work can be proposed by the student himself and agreed with the scientific supervisor) or selected from the following.

Topics for theoretical tasks of a complex practical individual task:

2. The most common types of conflict of interest regarding property rights.
3. Forms of investment activity.
4. Legal mechanisms for compensation of foreign investor's losses.
5. Correlation of the concepts «agreement in private international law» and «foreign economic agreement».
6. Legal problems of choosing the law regarding part of the deed and regarding its various parts.
7. Terms of application of the Vienna Convention on Contracts for the International Sale of Goods of April 11, 1980.
8. Legal essence of Incoterms: groups E, F, C, D.
9. Legal characteristics of the bill of lading.
10. International monetary obligations and international settlement legal relations: general characteristics.
11. Legal relations under the documentary letter of credit.
12. Legal relations on documentary collection.
13. Advance payment and payment on an open account.
14. Bank guarantees in international monetary obligations.
15. Promissory note in international settlements.
16. Check in international settlements.
17. Types of letters of credit.
18. Payment schemes using letters of credit and collection: subjects and sequence of actions.
19. Basic principles of protection of copyright objects in private international law.
20. International organizations in the field of intellectual property.
21. The procedure for obtaining permits for the employment of foreigners in Ukraine.
22. Concepts and features of legal protection of objects of intellectual property rights in private international law.
23. System of objects of intellectual property rights. International and national sources of regulation of relations in the field of using the results of intellectual and creative activity.

24. Territorial and temporal nature of copyright and related rights.
25. Legal protection of copyright objects according to the Berne and Universal (Geneva) Conventions: a comparative legal analysis.
26. Legal protection of related rights in private international law.
27. Implementation and protection of copyright and related rights of foreigners on the territory of Ukraine.
28. Copyright and related rights of citizens of Ukraine in foreign countries.
29. Activities of international organizations in the field of protection of intellectual property rights.
30. Concept, system and features of industrial property law in private international law.
31. International legal protection of objects of industrial property rights
32. Legal issues of patenting objects of industrial property rights abroad.
33. Implementation and protection of industrial property rights of foreigners in Ukraine
34. International legal protection of trademarks.
35. Legal protection of trademarks under the Madrid Agreement.
36. Terms of registration of foreign trademarks in Ukraine.
37. Protection of commercial secrets and know-how in private international law.
38. Issues of inheritance in contracts on legal assistance.
39. Conflicts of legislation in the field of inheritance.
40. Inheritance rights of foreign citizens in Ukraine.
41. Protection of inheritance rights of citizens of Ukraine abroad.
42. Peculiarities of the transfer of inherited property to territorial communities as deceased.
43. Sources of conflict regulation of family relations with the participation of a foreign element.
44. Conflict issues in the field of family relations with the participation of a foreign element; their collision regulation.
45. Law applicable to marriage. The concept of consular marriages. Recognition of marriages concluded abroad.
46. Conflict regulation of the legal consequences of marriage.
47. Conflict regulation of property and personal non-property relations of spouses.
48. Conflict regulation of termination of marriage and recognition of its invalidity.
49. Establishing and contesting paternity. Rights and responsibilities of parents and children. Alimony obligations in private international law.
50. Conflicting issues of adoption.
51. Conflict-of-law regulation of labor relations in private international law.
52. International legal regulation of labor relations of migrants.
53. Legal regulation of employment and labor relations of foreigners in Ukraine.
54. Labor rights of foreigners in Ukraine. The procedure for attracting and using foreign labor in Ukraine.
55. Social security of foreigners in Ukraine.
56. Labor rights and social security of Ukrainian citizens abroad.
57. International agreements on social security.
58. Concept of international civil process.
59. Concepts, types and methods of determining international jurisdiction. Prorogation agreements.
60. Rules and grounds for determining the jurisdiction of the courts of Ukraine for cases with a foreign element. Exclusive jurisdiction.
61. Procedural legal capacity and legal capacity of foreign persons. Procedural position of the state. Judicial immunity.
62. Recognition and enforcement of decisions of foreign courts according to the legislation of Ukraine and foreign countries.
63. Concept and legal nature of international commercial arbitration.
64. Convention on Foreign Trade Arbitration of 1961 UNCITRAL Arbitration Rules.
65. Permanent arbitration courts.
66. The International Commercial Arbitration Court and the Maritime Arbitration Commission at the Chamber of Commerce and Industry of Ukraine. ICAC Regulations at the Chamber of Commerce and Industry of Ukraine.

67. Arbitration at the International Chamber of Commerce, arbitration in Stockholm, other arbitration courts.
68. Consideration of disputes in ad hoc arbitration.
69. General characteristics of contractual regulation in private law relations complicated by a foreign element.
70. Peculiarities of contracts in private international law related to their international character. Specific conditions that traditionally make up the content of treaties of an international nature.
71. Form, procedure for conclusion, accounting (registration) of contracts in private international law.
72. Legal regulation of contracts that are in the legal field of several legal orders.
73. Conflict issues of treaties of an international nature.
74. Principles of international commercial contracts (UNIDRUA Principles).
75. General characteristics of the contract of international sale and purchase (supply): place among other contracts in private international law, concept (definition) of the contract and legally significant features of its individual types.
76. Legal regulation of sales and purchase relations in international trade: features, sources, ratio of material and collision methods.
77. UN Convention on Contracts for the International Sale of Goods of April 11, 1980 (Vienna Convention): general characteristics and scope of application.
78. Conclusion and form of the contract of sale according to the Vienna Convention.
79. Approaches of the Vienna Convention on determining the rights and obligations of the parties to the contract of sale.
80. The issue of liability for breach of the contract of sale and the consequences of its termination under the Vienna Convention.
81. International rules of interpretation of trade terms "Incoterms": main provisions.
82. Convention on limitation of action in the international sale of goods (New York, 1974): general description.
83. Convention on International Carriage by Rail (COTIF) of May 9, 1999, as amended by the Protocol of June 3, 1999.
84. Convention on the Unification of Certain Rules of International Air Transportation dated May 28, 1999 (Montreal).
85. The 1974 Athens Convention on the Carriage of Passengers and Their Baggage by Sea and General Characteristics of the 1976 Protocol thereto.
86. Convention on the International Carriage of Passengers and Baggage (CAPP) of March 1, 1973 (Geneva).
87. Convention on the contract for the international carriage of goods by road (KDPV) of May 19, 1956 (Geneva).
88. The procedure for concluding a contract of international transportation. Requirements for transport documents established by conventions.
89. Rights and obligations of the parties to the contract of carriage, determined by transport conventions.
90. Peculiarities of the carrier's responsibility under the contract of international carriage.
91. The procedure for presenting claims (complaints) to the carrier according to transport conventions.
92. Limitation periods for claims that may be filed on the basis of transport conventions.
93. International monetary obligations and international settlement legal relations: general characteristics.
94. Causing damage by a subject of foreign nationality in Ukraine.
95. Causing damage by a subject of Ukrainian nationality abroad.
96. Peculiarities of application of the law and responsibility for damage caused to the consumer.
97. Legal characteristics of conflict of laws rules applied in the protection of property rights and other property rights in private international law
98. Legal regime of ownership of foreign states, international organizations, foreign individuals and legal entities in Ukraine.
99. Legal regime of ownership of the state of Ukraine, citizens of Ukraine and Ukrainian legal entities abroad.

100. Legal issues of nationalization in private international law. Extraterritorial effect of laws on nationalization.

101. Types of foreign investment insurance.

102. Legal status of foreign investments in free economic zones.

103. Settlement of investment disputes in private international law.

**2. At the student's choice, take either 10 test tasks within the proposed problem, with a single answer that must be indicated; or a situational problem with a solution (using legal acts):**

1. Occurrence and termination of ownership and other property rights.
2. Characteristics of property rights in private international relations. Conflicting issues of ownership.
3. Ownership and other property rights to movable property in transit.
4. Objects of property rights of foreigners in Ukraine.
5. Legal regime of foreign investments in private international law.
6. Legal status of Ukrainian property abroad.
7. Concepts and types of transactions with a foreign element. Form and content of the deed.
8. Scope of the law applicable to the deed. Peculiarities of conflict regulation of contractual obligations in private international law.
9. Contract of international purchase and sale of goods: concept, procedure of conclusion, content, and responsibility of the parties. The issue of statute of limitations.
10. Characteristics of the 1980 Vienna Convention on International Sales Contracts.
11. General characteristics of WTO agreements on international trade.
12. The concept of international transportation. International sea transportation.
13. International rail transportation. International road transport.
14. International air transportation. International river transportation.
15. International mixed transportation.
16. Limitation periods for claims that can be filed on the basis of transport conventions.
17. Concept and content of non-contractual obligations in private international law.
18. Conflict regulation of tort obligations.
19. Features of compensation for damage caused by a foreign state.
20. Peculiarities of the regulation of tortious obligations with a foreign element under the legislation of Ukraine.
21. International legal principles of protection of intellectual property results.
22. Main international agreements on the protection of copyright and related rights.
23. Copyright protection in private international law.
24. Legal protection of related rights in private international law.
25. Protection of rights to objects of industrial property.
26. WTO Agreement on Trade Aspects of Intellectual Property Rights.
27. Concept and legal nature of inheritance legal relations in private international law.
28. Conflicting issues of inheritance in private international law.
29. Inheritance rights of foreigners in Ukraine.
30. Inheritance rights of Ukrainian citizens abroad.
31. Legal regime of deceased inheritance in private international law.
32. Sources of regulation of international labor relations.
33. Types of conflicting ties of regulation of labor relations in private international law.
34. Labor rights of foreigners in Ukraine.
35. Labor rights of Ukrainian citizens abroad.
36. Legal regulation of the work of employees of international and intergovernmental organizations.
37. Concept and legal nature of family legal relations in private international law.
38. Conflicts of laws in the field of family law.
39. Marriage with foreigners and stateless persons.
40. Property and personal non-property rights of spouses.
41. Termination of marriage.
42. Origin of children.
43. International adoption and its consequences.
44. Alimony obligations in private international law.

45. Concept of international civil process and its sources.
46. Legal status of foreign persons in civil proceedings.
47. International jurisdiction (jurisdiction) of civil cases with a foreign element.
48. Foreign court mandates.
49. Recognition and enforcement of foreign judgments.
50. Concepts and types of international commercial arbitration.
51. International commercial arbitration at the Chamber of Commerce and Industry of Ukraine.
52. Maritime Arbitration Commission at the Chamber of Commerce and Industry of Ukraine.
53. Legal principles of functioning of international commercial arbitration.
54. International contractual unification of commercial arbitration.
55. International Regulations, Model Law on International Commercial Arbitration, UNCITRAL.
56. Arbitration agreement and arbitration clause.
57. Arbitration decisions. Execution of decisions.

**2. Prepare an abstract for a scientific article devoted to the problems of private international law for 2019-2023. The student should note, first of all, the relevance of the topic and the conclusions made by the author of the article.**

The deepening of the research topic by the student on his own, the formulation of his own conclusions and proposals will be highly appreciated.

A copy of the article should be added to the abstract.

### **7. INDEPENDENT WORK**

Independent work, as one of the forms of assimilation of educational material in the time free from compulsory classes and without the participation of a teacher, involves the personal-oriented organization of the student's self-education. The organization of independent work requires special attention, because part of the questions of each topic are submitted for independent study by students, and the material intended for learning during independent work is submitted for the exam.

Independent work is ensured by the necessary educational and methodical means (including lecture notes, educational and methodical developments for independent study of the discipline, periodicals). Students have the opportunity to study the educational material independently in the library, classrooms and computer classrooms using the Internet, as well as at home (when receiving the appropriate package of educational and methodological literature).

<b>No</b>	<b>Topics</b>
1	Topic 1. Deeds with a foreign element. Representation and limitation of action in private international law
2	Topic 2. Legal regulation of contractual obligations complicated by a foreign element
3	Topic 3. International commercial agreements and settlements
4	Topic 4. International transportation
5	Topic 5. General provisions of international legal regulation of non-contractual obligations
6	Topic 6. Conflict and material norms of international property law. Securities in private international law
7	Topic 7. International legal norms in the field of protection of intellectual property rights. International copyright and industrial property law.
8	Topic 8. Legal regulation of marital and family relations by norms of private international law
9	Topic 9. International legal regulation of inheritance relations
10	Topic 10. International legal regulation of legal relations in the field of labor
11	Topic 11. International civil process
12	Topic 12. International commercial arbitration

### **8. TRAINING IN THE DISCIPLINE «PRIVATE INTERNATIONAL LAW»**

Training (eng. training) is a planned process of modifying (changing) the attitude, knowledge or behavioral skills of a learner through the acquisition of educational experiences in order to achieve effective performance in one activity or in a certain field. Training (from English to train — to

educate, teach) — a set of exercises for training in something. Training is a system of training the human body in order to adapt it to the increased demands and difficult conditions of work and life.

### The topic of the training

1. Establishing the content of foreign law.
2. Qualification of the conflict of laws rule.

### Training procedure

1. **The introductory part** is conducted in order to familiarize students with the topic of the training class.
2. **The organizational part** consists in creating a working mood in the team of students, determining the rules for conducting a training class. It is possible to have handouts in the form of tables, document forms.
3. **The practical part** is implemented by performing tasks in groups of students on certain problematic issues of the topic of the training class.
4. **Summing up.** The results of completed tasks are discussed in groups. Exchange of opinions on the issues raised at the training sessions.

### 9. 3 assessment tools and methods of demonstrating learning outcomes.

In the process of studying the discipline «Private international law » the following assessment tools and methods of demonstrating learning outcomes are used:

- standardized tests;
- current survey;
- credit module testing and survey;
- abstracts, essays;
- presentations of the results of completed tasks and research;
- evaluation of the results of CPIT;
- student presentations and performances at scientific events;
- final exam;
- other types of individual and group tasks.

### 10. CRITERIA, FORMS OF CURRENT AND FINAL CONTROL.

The final score (on a 100-point scale) from the discipline «Private International Law » is determined as a weighted average, depending on the specific weight of each credit component:

Credit module 1	Credit module 2	Credit module 3	Exam	Total
20	20	20	40	100%
1. Oral survey during classes (6 topics of 5 points each - 30 points) 2. Modular control work - 70 points	Oral survey during classes (6 topics of 5 points each - 30 points) 2. Modular control work - 70 points	Preparation of CPIT - max. 40 points. Protection of CPIT - max. 40 points Participation in trainings - max. 20 points	Theoretical questions (2 questions) - 30 points each, max. 60 points. Case (1 case) - max. 40 points	100

The final score (on a 100-point scale) from the discipline “Private International Law” is determined according to the evaluation scale:

#### Rating scale

According to the scale of the University	On a national scale	According to the ECTS scale
90–100	Excellent	A (excellent)
85-89	Good	B (very good)
75–84		C (good)

65–74	Enough	D (satisfactory)
60-64		E (enough)
35–59	Unsatisfactory	FX (unsatisfactory with possibility of reassembly)
1–34		F (unsatisfactory with mandatory repeat course)

**11. TOOLS, EQUIPMENT AND SOFTWARE, THE USE OF WHICH PROVIDES FOR THE EDUCATIONAL DISCIPLINE**

No.	Name	Homep
1	Electronic version of lectures	1-12
2	Methodical instructions for performing practical tasks	1-12
3	Technical means for demonstrating presentations	1-12

**LIST OF RECOMMENDED SOURCES:**

**Basic:**

1. Aust H.P. & Nolte G. (eds.), *The Interpretation of International Law by Domestic Courts: Uniformity, Diversity, Convergence* (2020).
2. Balthasar S. (ed.), *International Commercial Arbitration: International Conventions, Country Reports and Comparative Analysis* (2019).
3. Baruffi M.C., Honorati C. *EU private international law in family matters: legislation and CJEU case law*. Cambridge ; Antwerp ; Chicago : Intersentia, 2022.
4. Basedow J. *EU Private Law*. Intersentia (2021)
5. Beaumont P., Hess, B., Walker, L. & Spancken, S. *The Recovery of Maintenance in the EU and Worldwide* (2020).
6. Bogdan M. *Concise Introduction to EU Private International Law* (3d ed. 2020).
7. Borchers P.J. *Conflicts in a Nutshell* (4th ed. 2020).
8. Bork R. *European Cross-Border Insolvency Law* (2021).
9. *Diversity in International Arbitration* / Edited by Shahla F. Ali, Filip Balcerzak, Giorgio Fabio Colombo, Joshua Karton. *Elgar European Law and Practice series* (2022)
10. *Encyclopedia of Private International Law*. Ed. by Jürgen Basedow, Giesela Rühl, Franco Ferrari, Pedro De Miguel Asensio. *Elgar* (2022)
11. *EU Cross-Border Succession Law* / Edited by Stefania Bariatti, Ilaria Viarengo, Francesca C. Villata. *Elgar European Law and Practice series* (2022)
12. Geert van Calster. *European Private International law*. Hart Publishing (2022)
13. Perdue W. C. *Procedure and private international law* (2022).
14. *Private International Law. Contemporary Challenges and Continuing Relevance*. Ed. by Franco Ferrari, Diego P. Fernández Arroyo. *Elgar* (2023)
15. *Public Policy and Private International Law* / Edited by Olaf Meyer. Germany (2022)

**Additional:**

1. Andone R.-O. *Private International Law of the Republic of Moldova: The Law Applicable to the Material and Formal Validity Conditions of the Juridical Act* (2020).
2. Arvind T.T., Steele J. *Contract law and the legislature: autonomy, expectations, and the making of legal doctrine*. Oxford etc.: Hart. (2020).
3. Bantekas I. *An Introduction to International Arbitration* (2021).
4. Basedow J., Hopt J. K., Zimmerman R., Stier A.(eds.). *The Max Planck Encyclopedia of European Private Law*. Oxford: Oxford University Press (2020).
5. Bělohávek A.J. *Rome Convention, Rome I Regulation: Commentary: New EU Conflict-of-Laws Rules for Contractual Obligations*. (2022).
6. Bogdan M. *Private International Law as Component of the Law of the Forum: General Course*. The Hague: Hague Academy of International Law. (2022).
7. Catterwell R. *A unified approach to contract interpretation*. Oxford etc.: Hart. (2020).



8. Ebers M., Poncibò C., Zou M. Contracting and contract law in the age of artificial intelligence. Oxford etc: Hart. (2022).
9. European contract law and the creation of norms / Ed. By Stefan Grundmann, Mateusz Grochowski. Intersentia (2021)
10. Fawcett J.J, Torremans P. Intellectual Property and Private International Law. 2nd ed. Oxford: Oxford Private International Law Series. (2021).
11. Gardiner C. Unfair contract terms in the digital age: the challenge of protecting European consumers in the online marketplace. Cheltenham, UK ; Northampton, Massachusetts : Edward Elgar Publishing. (2022).
12. Garro A., Moreno R., José A. Use of the UNIDROIT principles to interpret and supplement domestic contract law. Cham: Springer. (2021).
13. Grundmann S., Grochowski M. European contract law and the creation of norms. Cambridge; Antwerp; Chicago: Intersentia. (2021).
14. Hesselink M.W. Justifying Contract in Europe: Political Philosophies of European Contract Law. Oxford: Oxford University Press. (2021).
15. Hofmann O. Breach of contract: an economic analysis of the efficient breach scenario. Cham, Switzerland: Springer. (2021).
16. Huber P. (ed.). Rome II Regulation. Pocket Commentary. Munich: Sellier European Law Publishers. (2021).
17. Huber P., Mullis A. The CISG: A New Textbook for Student and Practitioners. Munich: Sellier European Law Publishers. (2022).
18. Kötz H., Mertens G., Weir T. European contract law. Oxford etc. : Oxford University Press. 2nd edition. (2020).
19. Magnus U., Mankowski P.(eds.). Brussels Ibis Regulation. Munich: Sellier European Law Publishers. (2022).
20. Mak V. Legal pluralism in European contract law. Oxford: Oxford University Press. (2020).
21. Ní Shúilleabháin M. Cross-border Divorce Law: Brussels Ibis. Oxford: Oxford University Press. (2020).
22. Noto La Diega G. Internet of things and the law: legal strategies for consumer-centric smart technologies. Abingdon U-K ; New York : Routledge, Taylor & Francis group. (2023).
23. Okoli Ch., Opong R. Private International Law in Nigeria. Hart Publishing (2020)
24. Savanets L., Stakhyra H. A Comparative Study on the Conformity of Goods under the UN Convention on Contracts for the International Sale of Goods (CISG) and Ukrainian Sales Law. *Krytyka Prawa. Niezależne Studia nad Prawem*. 2022. № 14 (2). P.143-162.
25. Savanets L., Stakhyra H. Digital consumer – how to protect one in big data economy. Actual problems of jurisprudence. № 3 (23). 2020. C.153–159.
26. Schulze R., Zoll F. European contract law. Baden-Baden München Oxford : Nomos C.H. Beck Hart Publishing. (2020).
27. Schwenger I., Muñoz E. Global Sales and Contract Law. Oxford: Oxford University Press. (2022).
28. Seppälä Ch. The FIDIC Red Book Contract : An International Clause-By-Clause Commentary. Alphen aan den Rijn : Wolters Kluwer Law International. (2023).
29. Stakhyra H., Savanets L. Ensuring the security of personal data on the internet: the commercial use of personal data by digital content providers. Actual problems of jurisprudence. 2021. № 3. C.110-116.
30. Stone P. EU Private International Law. 2nd ed. Cheltenham: Edward Elgar Publishing Limited. (2020).

#### Information resources on the Internet

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. Official web portal of the UN Commission on International Trade Law (UNCITRAL). URL: <https://uncitral.un.org/en>
6. The official web portal of the Hague Conference on Private International Law. URL: <https://www.hcch.net/en>