

Course syllabus: Comparative family law



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

Study year: 2, semester: 4

Number of credits: 5 , language of instruction: 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

"Comparative family law" 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 family law to specific situations, acquire the ability to carry out a legal analysis of family law norms of foreign countries and independently analyze relevant judicial practice. Students acquire knowledge of the specifics of sources of family law in different countries, concepts, conditions for concluding and terminating marriages in different countries, research the personal non-property and property rights of spouses under the legislation of Ukraine and foreign countries, study the concepts and features of a marriage contract, learn the features of determining the origin of children, adoption, guardianship and care, examine the forms and methods of protection of family rights in case of their violation.

Course structure

hours (lek. / pr.)	Topic	Learning outcomes	Task
4 / 4	1 Concept and subject of "Comparative family law"	Understand the concept of family law, comparative family law and international family law. Know the subject of comparative family law. Understand the methodology of comparative family law	Tests, questions
4 / 4	2 Principles of family law	Know the concepts, signs and system of principles of family law. Know the principles of European family law. Understand the essence of conflict principles and conflict norms in regulating family relations, etc	Cases, tests, questions
4 / 4	3 Sources of family law of Ukraine and foreign countries	Know the concept and system of sources of family law. Know the sources of family law of Ukraine, Great Britain, Canada and the USA. Know the sources of family law of European states (Western Europe, Eastern Europe, Southern Europe). Know the sources of family law of the Nordic and Baltic states. Understand the EU Regulations in the system of sources of European family law. To know the sources of family law of Muslim countries and certain Asian countries	Cases, tests, questions

4 / 4	4 The institution of marriage: a comparative aspect	Know the concept and legal nature of marriage, the conditions for concluding a marriage, the procedure for concluding a marriage, terminating a marriage. Understand the meaning of the right to same-sex marriage and partnerships in foreign countries	Cases, tests, questions
4 / 4	5 Personal non-property and property relations of spouses according to the legislation of Ukraine and foreign countries	Know the personal non-property rights of spouses. To understand the essence of property legal relations of spouses. Know the nature and content of maintenance relations between spouses. Understand the peculiarities of the marriage contract. Know the personal non-property and property rights of partners in de facto unions	Cases, tests, questions
4 / 4	6 Determining the origin of the child. Personal non-property and property relations of parents and children	Know and understand the procedure for determining the origin of a child. To know the personal non-property relations of parents and children, their features. Know the property rights of parents and children. Understand the consequences of deprivation of parental rights as a special type of family legal responsibility	Cases, tests, questions
4 / 4	7 Forms of placement of children without parental care	Understand the essence of adoption, guardianship and care, as well as other forms of placement of children without parental care	Cases, tests, questions

Literary sources:

1. Convention of 24 October 1956 on the law applicable to maintenance obligations towards children. <https://www.hcch.net/en/instruments/conventions/full-text/?cid=37>
2. Convention of April 15, 1958 concerning the recognition and enforcement of decisions relating to maintenance obligations towards children. <https://www.hcch.net/en/instruments/conventions/full-text/?cid=38>
3. Convention of 5 October 1961 concerning the powers of authorities and the law applicable in respect of the protection of infants. <https://www.hcch.net/en/instruments/conventions/full-text/?cid=39>
4. Convention of 15 November 1965 on Jurisdiction, Applicable Law and Recognition of Decrees Relating to Adoptions. <https://www.hcch.net/en/instruments/conventions/full-text/?cid=75>
5. CONVENTION ON THE RECOGNITION OF DIVORCES AND LEGAL SEPARATION¹ (Concluded June 1, 1970). <https://assets.hcch.net/docs/bdb59a0f-9405-4910-9dc3-b7e5310405cc.pdf>
6. Convention of 2 October 1973 on the Recognition and Enforcement of Decisions Relating to Maintenance Obligations. <https://www.hcch.net/en/instruments/conventions/full-text/?cid=85>
7. Convention of 2 October 1973 on the Law Applicable to Maintenance Obligations. <https://www.hcch.net/en/instruments/conventions/full-text/?cid=86>
8. Convention of 14 March 1978 on the Law Applicable to Matrimonial Property Regimes. <https://www.hcch.net/en/instruments/conventions/full-text/?cid=87>
9. Convention of 14 March 1978 on Celebration and Recognition of the Validity of Marriages. <https://www.hcch.net/en/instruments/conventions/full-text/?cid=88>
10. CONVENTION ON THE CIVIL ASPECTS OF INTERNATIONAL CHILD ABDUCTION¹ (Concluded 25 October 1980). <https://assets.hcch.net/docs/e86d9f72-dc8d-46f3-b3bf-e102911c8532.pdf>
11. CONVENTION ON JURISDICTION, APPLICABLE LAW, RECOGNITION, ENFORCEMENT AND CO-OPERATION IN RESPECT OF PARENTAL RESPONSIBILITY AND MEASURES FOR THE PROTECTION OF CHILDREN¹ (Concluded October 19, 1996). <https://assets.hcch.net/docs/f16ebd3d-f398-4891-bf47-110866e171d4.pdf>

12. CONVENTION ON THE INTERNATIONAL PROTECTION OF ADULTS¹ (Concluded January 13, 2000). <https://assets.hcch.net/docs/c2b94b6b-c54e-4886-ae9f-c5bbef93b8f3.pdf>
13. Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance (HCCH 2007 Child Support Convention). <https://www.hcch.net/en/instruments/conventions/specialized-sections/child-support>
14. Protocol of 23 November 2007 on the Law Applicable to Maintenance Obligations. <https://www.hcch.net/en/instruments/conventions/full-text/?cid=133>

Informational resource

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/>

Evaluation policy

- Policy on deadlines and rescheduling: Rescheduling of modules takes place with the permission of the dean's office if there are good reasons (for example, sick leave).
- Academic Integrity Policy : Copying during tests and exams is prohibited (including using mobile devices).
- Attendance Policy: Attendance is a mandatory component of assessment. For objective reasons (for example, illness, international internship , and other reasons), training can take place online with the permission of the university administration.

Assessment

The final grade for the course is calculated as follows:

Credit module 1	Credit module 2	Credit module 3	Together
30%	40%	30%	100%
Oral survey during classes (1-4 topics) - 10 points per topic - max . - 40 points. Modular control work - max . 60 points.	Oral survey during classes (5-7 topics) - 10 points per topic - max . 30 points. Modular control work - max . 70 points.	Preparation of CPIT - max . 40 points. Protection of CPIT - max . 40 points Participation in trainings - max . 20 points .	100

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)