



FICHA TÉCNICA DE LA ASIGNATURA

| Datos de la asignatura | |
|------------------------|--|
| Nombre completo | Contratos internacionales en la UE / International Contracts in the EU |
| Código | E000001223 |
| Título | Máster Universitario en Derecho Internacional y Europeo de los Negocios (International and European Business Law) por la Universidad Pontificia Comillas |
| Impartido en | Máster Universitario en Derecho Internacional y Europeo de los Negocios [Primer Curso] |
| Créditos | 3,0 ECTS |
| Carácter | Obligatoria |

| Datos del profesorado | |
|-----------------------|---------------------------------|
| Profesor | |
| Nombre | Carlos Llorente Gómez de Segura |
| Departamento / Área | Departamento de Derecho Privado |
| Correo electrónico | cllorente@icade.comillas.edu |

DATOS ESPECÍFICOS DE LA ASIGNATURA

Contextualización de la asignatura

| Competencias - Objetivos | |
|--------------------------|---|
| Competencias | |
| GENERALES | |
| CG01 | Capacidad de análisis y síntesis |
| CG03 | Capacidad de gestión de la información |
| CG06 | Capacidad de trabajo en equipo |
| CG07 | Capacidad de trabajo en un contexto internacional |
| CG08 | Capacidad de razonamiento crítico |
| CG10 | Capacidad de desarrollo de un aprendizaje autónomo |
| CG11 | Motivación por la calidad |
| CG12 | Capacidad de aplicar los conocimientos teóricos a la práctica |
| ESPECÍFICAS | |
| | Dominar los principales tratados internacionales con relevancia en el ámbito del tráfico económico internacional, |



| | |
|------|--|
| CE02 | distinguiendo los instrumentos vinculantes de las simples recomendaciones o instrumentos meramente interpretativos u orientadores (soft law) |
| CE04 | Dominar las principales normas de derecho comunitario y de derecho internacional con relevancia para el desarrollo de negocios internacionales |
| CE05 | Ser capaz de diseñar estrategias de reestructuración de grupos de sociedades y/o de las actividades intra-grupo y de mercado para maximizar las ventajas del marco legal |
| CE06 | Identificar de manera precisa los riesgos contingentes derivados de las normas relevantes y establecer adecuadamente medidas de evitación o minimización |

BLOQUES TEMÁTICOS Y CONTENIDOS

BIBLIOGRAFÍA Y RECURSOS

METODOLOGÍA DOCENTE

Aspectos metodológicos generales de la asignatura

RESUMEN HORAS DE TRABAJO DEL ALUMNO

HORAS PRESENCIALES

HORAS NO PRESENCIALES

CRÉDITOS ECTS: 3,0 (0 horas)

EVALUACIÓN Y CRITERIOS DE CALIFICACIÓN

En cumplimiento de la normativa vigente en materia de **protección de datos de carácter personal**, le informamos y recordamos que puede consultar los aspectos relativos a privacidad y protección de datos [que ha aceptado en su matrícula](#) entrando en esta web y pulsando "descargar"

<https://servicios.upcomillas.es/sedelectronica/inicio.aspx?csv=02E4557CAA66F4A81663AD10CED66792>



SUBJECT DETAILS

| Data on the subject | |
|---------------------|---|
| Full Name | International Contracts in the EU |
| Code | E000001223 |
| Degree | Postgraduate in Master in International and European Business Law |
| Year | 2021-2022 |
| Nature | Fall |
| ECTS Credits | 3 |
| Department | Law |
| Area | Law |
| Teaching staff | Carlos Llorente |

| Data on the teaching staff | |
|----------------------------|--|
| Teacher | |
| Name | Carlos Llorente |
| Department / Area | |
| e-mail | cllorente@comillas.edu |
| Telephone | +34 647838935 |
| Tutoring Schedule | Upon request from students |

SPECIFIC DATA ON THE SUBJECT

| Framework of the subject |
|---|
| Pre-requisites |
| None. |
| Contribution of the degree to the professional profile |
| Contracts are the most important legal instrument in the commercial world. International business lawyers need to have a good command of international contract law and gather general and specialized knowledge on those contracts which are directly related to international trade and transactions (sale of goods, payment instruments, guarantees, carriage of goods, etc.). The approach to this topic will be made from a EU |



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perspective but with a worldwide orientation. Students will learn to identify and apply the relevant legislation, analyze relevant case law and be prepared to solve different legal problems in this field.

Competences - Goals

Competences to be developed

Generic Competences

- GC 1: Analysis and synthesis abilities
- GC 3: Ability to manage information
- GC 7: Ability to work in an international context
- GC 8: Critical appraisal skills
- GC 10: Ability to develop autonomous learning skills

Specific Competences

- SC 2 Mastering the main relevant international treaties in the field of international trade, distinguishing between binding instrument and mere recommendations or instruments merely of an interpretive or guiding nature (soft law)
- SC 4 Mastering the main rules of EU law and international law that are relevant to international business development
- SC 6 Accurately identifying the contingent risks arising from the relevant rules and establishing appropriate measures of risk avoidance or minimization



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COURSE SYLLABUS AND CONTENT

| Content |
|--|
| Session 1. Introduction |
| 1. Introduction to international contracts: significance, sources and players. |
| Session 2. International Jurisdiction |
| 1. Introduction. 2. Sources. Regulation Brussels i Bis |
| Session 3. Regulation Brussels i Bis |
| 1. Regulation Brussels i Bis |
| Session 4. Rome I |
| 1. Concept 2. Regulation: INCOTERMS 2010 |
| Session 5. Rome I |
| 1. An explanation of the rules and their application to international sales of goods |
| Session 6. Quizz + Problem solving: RBIBIS + RRI |
| |
| Session 7. CISG |
| 1. Introduction 2. Analysis of part I |
| Session 8. INCOTERMS |



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1. Introduction

2. Analysis of rules

Session 9. CISG + INCOTERMS: Take-Home + Class debate

Session 10. Letters of credit

1. International Payments

2. Letters of credit: UCP 600

Session 11. Carriage of goods

1. International Regulation

2. Sources and types of rules

Session 12. Final exam

TEACHING METHODOLOGY

General methodology of the subject

Contact hours methodology: Activities

This subject is composed by 30 hours of classroom time. Some sessions will be structured as lectures mixed with experiential learning. Other sessions will be devoted to the discussion and resolution of problems. Lectures will address the topic assigned to each session and will request students to read in advance the materials which may be indicated by the professor. Problem sessions will also need to be prepared in advance by students. Participation in class specifically in the problem sessions (but also in the lectures sessions) will be credited towards the final student grade in the proportion mentioned below. Some or all of the problems will need to be handed over to the professor for grading purposes.

Outside class methodology: Activities

Students will be requested to read in advance of each session the assigned materials and prepare the problems to be discussed. Reading, research and written skills will be needed for this purpose



SUMMARY OF STUDENT WORK HOURS

| NUMBER OF CONTACT HOURS | | | | | |
|--------------------------------------|-----------------|--------|------------------------|------------------|-------------------------|
| Lecture | Practical class | Debate | Evaluation: class test | Evaluation: exam | Evaluation: exam review |
| 16 | 8 | 3.5 | 0.5 | 1 | 1 |
| NUMBER OF INDEPENDENT WORK HOURS | | | | | |
| Lecture | Practical class | Debate | Evaluation: class test | Evaluation: exam | Evaluation: exam review |
| 25 | 15 | | | 5 | |
| ECTS CREDITS: 3 (75,00 hours) | | | | | |

GRADE EVALUATION AND CRITERIA

| Evaluation Activities | Indicators | Evaluation weighting |
|--------------------------|--|----------------------|
| Individual work | Written solution to problems mentioned in the syllabus | 25 % |
| Debate | Individual participation in class debates | 5% |
| Evaluation: class test | Mid-term quiz | 10 % |
| Evaluation: exam (final) | Students will be asked to solve short problems covering the syllabus | 50% |
| Attendance | | 10 % |



BIBLIOGRAPHY AND RESOURCES

Basic Bibliography and Resources

TEXT BOOKS

- 1) Michael Bogdan, A Concise Introduction to EU Private International Law, Europa Law Publishing, Groningen (most recent edition)
- 2) Michael Bogdan, EU Private International Law: An ECJ Casebook, 2nd edition, Europa Law Publishing, Groningen 2012
- 3) Jan Ramberg, International Commercial Transactions, Norstedts Juridik-ICC 2011
- 4) Fabio Bortolotti, Drafting and Negotiating International Commercial Contracts. A Practical Guide, ICC, Paris (most recent edition)
- 5) Bernard Bishop, European Union Law for International Business. An Introduction, Cambridge University Press, Cambridge 2009
- 6) Indira Carr, International Trade Law, Routledge, 4rd edition (September 23, 2009)

MATERIALS TO BE USED IN CLASS

- 1) UNIDROIT Principles of International Commercial Contracts (2010 edition)
- 2) United Nations Convention on Contracts for the International Sale of Goods (CISG)
- 3) ICC Official Rules for the Interpretation of Trade Terms (INCOTERMS) (2010 revision or amended 2020 version)
- 4) ICC Uniform Customs and Practice for Documentary Credits (UCP 600) (2007 revision)
- 5) ICC Uniform Rules for Collections (URC 522)
- 6) ICC Uniform Rules for Contract Bonds (URCB)
- 7) ICC Rules for Demand Guarantees (URDG 758)
- 8) Hague-Visby Rules
- 9) Hamburg Rules
- 10) Rotterdam Rules
- 11) B/L Model Form
- 12) Convention on the Contract for the International Carriage of Goods by Road (CMR) (Geneva, 10 May 1956) and 1978 Protocol
- 13) CMR Consignment Note
- 14) Convention concerning International Carriage by Rail as amended by the Vilnius Protocol (COTIF 1999)
- 15) Convention for the Unification of Certain Rules for International Carriage by Air (Montreal 28 May 1999)
- 16) Multimodal Transport Document Model Form
- 17) EU Regulations (RBI, RRI)

SPECIALIZED BOOKS



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- 1) Schlechtriem & Schwenger, Commentary on the UN Convention on the International Sale of Goods (CISG), Oxford University Press, USA, 3rd edition (April 19, 2010)
- 2) Michael Joachim Bonell, An International Restatement of Contract Law: The UNIDROIT Principles of International Commercial Contracts, 3rd edition, Brill (March 27, 2009)
- 3) Peter Ellinger and Dora Neo, The Law and Practice of Documentary Letters of Credit, Hart Publishing (March 30, 2010)
- 4) Roeland I.V.F. Bertrams, Bank Guarantees in International Trade, 3rd revised edition (October 13, 2004)
- 5) John Wilson, Carriage of Goods by Sea, 7th edition, Longman (June 24, 2010)
- 6) Nicholas Gaskell, Regina Asariotis, and Yvonne Batz, Bills of Lading: Law and Contracts, 2nd edition, Informa (2011)
- 6) Malcolm A. Clarke, International Carriage of Goods by Road: CMR, 4th edition, Lloyds List (June 30, 2003)
- 7) Alexander von Ziegler, Stefano Zunarelli, Johan Schelin, The Rotterdam Rules 2008. Commentary to the United Nations Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea, Kluwer Law International (June 25, 2010)
- 8) Marian Hoeks, Multimodal Transport Law: The Law Applicable to Multimodal Contract for the Carriage of Goods, Kluwer Law International (March 17, 2010)

WEBSITES

- 1) www.uncitral.org
- 2) www.unidroit.org
- 3) www.iccwbo.org
- 4) www.ohada.com
- 5) www.oas.org/dil/private_international_law.htm
- 6) www.comitemaritime.org
- 7) www.bimco.org
- 8) www.cisg.law.pace.edu
- 9) www.unilex.info
- 10) www.jus.uio.no/lm/
- 11) www.europa.eu
- 12) www.curia.europa.eu

