



COMILLAS

UNIVERSIDAD PONTIFICIA

ICAI

ICADE

CIHS

GUÍA DOCENTE

2024 - 2025

FICHA TÉCNICA DE LA ASIGNATURA

Datos de la asignatura	
Nombre completo	Contratos internacionales en la UE / International Contracts in the EU
Código	E900001223
Cuatrimestre	Semestral
Créditos	3,0 ECTS
Carácter	Obligatoria
Responsable	Eduardo Álvarez Armas
Descriptor	eaarmas@comillas.edu

Datos del profesorado

DATOS ESPECÍFICOS DE LA ASIGNATURA

Contextualización de la asignatura

Competencias - Objetivos

Resultados de Aprendizaje

SPECIFIC DATA ON THE SUBJECT

None.

Framework of the subject

Pre-requisites

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 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 will be made from a EU 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.

BLOQUES TEMÁTICOS Y CONTENIDOS

Contenidos – Bloques Temáticos

COURSE SYLLABUS AND CONTENT

Content



Session 1. Introduction

1. Introduction to international contracts: Basics of Private International Law / Conflict of Laws as applied to international contracting

Session 2. Sales of goods(I)

1. CISG (I)

Session 3. Sales of goods(II)

1. CISG (II)

Session 4. Sales of goods(III)

1. "Lex Mercatoria"
2. Incoterms

Session 5. International Jurisdiction in depth

1. Regulation Brussels I Bis

Session 6. Choice of law in depth

1. Regulation Rome I

Session 7. Further issues on international jurisdiction and law applicable to contracts

1. Hague Convention 2005
2. Hague Principles on Choice of Law in International Commercial Contracts

Session 8. Evaluation: group problem

Session 9. International Recognition and enforcement of decisions

1. Regulation Brussels I Bis



2. Hague Convention 2019
3. Understanding the relationship with international commercial arbitration

Session 10. Carriage of goods and passengers

1. International Regulation
2. Sources and types of rules

Session 11. Letters of credit

1. International Payments
2. Letters of credit: UCP600

Session 12. Final exam

METODOLOGÍA DOCENTE

Aspectos metodológicos generales de la asignatura

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. Students are expected 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) will be credited towards the final student grade in the proportion mentioned below.

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.

RESUMEN HORAS DE TRABAJO DEL ALUMNO



NUMBER OF CONTACT HOURS					
Lecture	Practical class	Debate	Evaluation: group problem	Evaluation: exam	Evaluation: exam r
15	8	3	2	2	
NUMBER OF INDEPENDENT WORK HOURS					
Lecture	Practical class	Debate	Evaluation: group problem	Evaluation: exam	Evaluation: exam r
25	15			5	
ECTS CREDITS: 3 (75,00 hours)					

EVALUACIÓN Y CRITERIOS DE CALIFICACIÓN

Calificaciones

GRADE EVALUATION AND CRITERIA

Evaluation Activities	Indicators	Evaluation weighting
Debate	Individual participation in class debates	5%
Evaluation: group problem	Problem question to be solved in teams	35 %
Evaluation: exam (final)	Students will be asked to solve one or several problems covering the syllabus	50%
Attendance		10 %



BIBLIOGRAFÍA Y RECURSOS

Bibliografía Básica

Basic Bibliography and Resources

TEXT BOOKS

- 1) Geert Van Calster, European private international law: commercial litigation in the EU, 3rd edition, Bloomsbury Publishing 2021.
- 2) Indira Carr, International Trade Law, 6th edition, Routledge 2018.
- 3) Michael Bogdan and Marta Pertegás Sender, A Concise Introduction to EU Private International Law, Europa Law Publishing (most recent edition).
- 4) Michael Bogdan, EU Private International Law: An ECJ Casebook, 2nd edition, Europa Law Publishing 2012.
- 5) Jan Ramberg, International Commercial Transactions, 4th edition, Norstedts Juridik-ICC 2012.
- 6) Fabio Bortolotti, Drafting and Negotiating International Commercial Contracts. A Practical Guide, ICC, Paris (most recent edition).

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

2023 - 2024 COURSE

DESCRIPTIONS

- 1) Schlechtriem & Schwenzer, 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



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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.ulo.no/lm/ 11) www.europa.eu

12) www.curia.europa.eu