

## 1. OVERVIEW

<b>Subject Area</b>	Private International Law
<b>Degree</b>	Bachelor's Degree in Law
<b>School/Faculty</b>	Social Sciences
<b>Year</b>	4th
<b>ECTS</b>	6
<b>Type</b>	Compulsory
<b>Language(s)</b>	Spanish
<b>Delivery Mode</b>	On campus
<b>Semester</b>	First

## 2. INTRODUCTION

This branch of law deals with cases where there is an international or transnational private legal situation, i.e. there is a foreign element to it that means different legal systems are involved, raising the question of who has the competence to deal with the matter. The aim of this subject area is, therefore, to identify these situations, learn the mechanisms that govern conflicting laws and their contingencies, the substantive rules that may affect these cases, the international procedural law involved, national and international rules, and the mechanisms for applying and safeguarding both the substantive and procedural law involved.

## 3. SKILLS AND LEARNING OUTCOMES

The following table shows how the skills developed in the course match up with the intended learning outcomes:

Basic skills (CB, by the acronym in Spanish):

- CB1: Students have demonstrated possession and understanding of knowledge in a study area that builds on general secondary education, and is typically at a level that, while supported by advanced textbooks, also includes aspects that involve knowledge from the forefront of their field of study.
- CB2: Students can apply their knowledge to their work professionally and possess the necessary skills, usually demonstrated by forming and defending opinions, as well as resolving problems within their study area.

- CB3: Students have the ability to gather and interpret relevant information (usually within their study area) to form opinions which include reflecting on relevant social, scientific or ethical matters.
- CB4: Students can communicate information, ideas, problems and solutions to both specialist and non-specialist audiences.
- CB5: Students have developed the learning skills necessary to undertake further study in a much more independent manner.

Cross-curricular skills (CT, as per the Spanish acronym):

- CT05: Interpersonal understanding: Students should be able to actively listen for the purpose of reaching agreements, using an assertive communication style.
- CT06: Flexibility: Students should be able to adapt and work in different and varied situations with different people. This involves assessing and understanding different positions and adapting their own approach according to the situation.
- CT07: Teamwork: Students should be able to actively participate in achieving a common objective by listening, respecting and valuing the ideas and proposals of the other members of their team.
- CT08: Initiative: Students should be able to respond proactively to situations that emerge, proposing solutions or alternatives.

Specific skills (CE, as per the Spanish acronym):

- CE03: Understand and know how to apply the criteria for the hierarchy of legal norms to determine the applicable rules in each case, particularly that of conformity with constitutional rules, principles and values.
- CE04: Interpret legal texts from an interdisciplinary perspective, applying legal principle as well as social, ethical and moral principles and values as tools for analysis.
- CE07: Solve practical cases according to governing law, requiring the prior preparation of material, identification of problematic issues, selection and interpretation of applicable legal norms, and reasoned explanation of subsumption.

Learning outcomes (RA, as per the Spanish acronym):

- RA1: Ability to identify conflicts in private international legal transactions.
- RA2: Knowledge of the different ways of regulating private international law issues.
- RA3: Resolution of conflicts of law between private individuals where there is a foreign element, providing comparative law solutions based on comprehensive knowledge.

- RA4: Carrying out exercises, practice and research to develop the skills needed to apply the law corresponding to a specific case involving more than one legal system.

The following table shows how the skills developed in the course match up with the intended learning outcomes:

Skills	Learning outcomes
CB1, CB2, CT1, CT2, CT4, CE1, CE2	RA1
CB1, CB2, CT1, CT2, CT4, CE1, CE2	RA2
CB3, CB4, CB5, CT1, CT2, CT3, CE2, CE3	RA3
CB3, CB4, CB5, CT1, CT2, CT3, CE2, CE3	RA4
CB1, CB2, CT1, CT2, CT4, CE1, CE2	RA1

## 4. CONTENTS

The subject area is divided into 6 learning units, which are further divided into topics:

1. Unit 1: The purpose and content of private international law: a general perspective.
2. Unit 2: International Civil Procedural Law: Competence, proceedings and enforcement.
3. Unit 3: Knowledge of the different ways of regulating private international law issues: general aspects.
4. Unit 4: Judicial and extrajudicial application of foreign law and resolution of conflicts of laws between individuals where there is a foreign element, providing comparative law solutions based on comprehensive knowledge: practical questions of capacity and family law, parentage and succession.
5. Unit 5: Resolution of conflicts of law between private individuals where there is a foreign element, providing comparative law solutions based on comprehensive knowledge: contractual and non-contractual obligations, international insolvency and ADR.
6. Unit 6: Carrying out exercises, practice and research to develop the skills needed to apply the law corresponding to a specific case involving more than one legal system.

## 5. TEACHING/LEARNING METHODS

The types of teaching/learning methods are as follows:

- Case studies
- Collaborative learning
- Problem-based learning
- Lecture
- Mock scenarios

## 6. LEARNING ACTIVITIES

The types of learning activities, plus the amount of time spent on each activity, are as follows:

**On-campus:**

Learning activity	Number of hours
Lectures	25
Link theoretical and practical content with current legal/social reality.	12.5
Learn and use legal terminology through spoken and written exercises.	50
Activities aimed at raising students' awareness of ethical values and social responsibility.	12.5
Autonomous learning	25
Solve practical case studies that relate to a certain branch of law (real and fictional).	12.5
Development of legal argumentation technique.	12.5
<b>TOTAL</b>	<b>150</b>

## 7. ASSESSMENT

The assessment methods, plus their weighting in the final grade for the course, are as follows:

**On-campus:**

Assessment system	Weighting
Knowledge tests. Theory/practical exam.	50%
Practical exercises	20%
Presentations	15%

Essays and reports and class participation.	15%
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On the Virtual Campus, when you open the subject area, you can see all the details of your assessment activities, including the deadlines and assessment procedures for each activity.

## 8. BIBLIOGRAPHY

La obra de referencia para el seguimiento de la asignatura es:

- Esplugues Mota y otros. *Derecho internacional privado*. Ed. Tirant Lo Blanch, Valencia

A continuación, se indica bibliografía recomendada:

- Alfonso Luis Calvo Caravaca, Javier Carrascosa González, María Asunción Cebrián Salvat, Isabel Lorente Martínez, *Kodex Derecho internacional privado - Quinta edición 2020-: materiales de Derecho internacional privado europeo y español. Legislación y jurisprudencia. - [Fecha de cierre 15 junio 2020] . ISBN 978-84-09-21459-4*
- Alfonso Luis Calvo Caravaca (aut.), Javier Carrascosa González (aut.). *Derecho internacional privado*, Comares, 2017
- Esperanza Castellanos Ruiz, Juliana Rodríguez Rodrigo, Celia M. Caamiña Domínguez, Isabel Antón Juárez, M<sup>º</sup> José Castellanos Ruiz, María Asunción Cebrián Salvat, Isabel Lorente Martínez, María Jesús Sánchez Cano, Yeray Romero Matute; Alfonso Luis Calvo Caravaca (dir.), Javier Carrascosa González (dir.), *Compendio de Derecho internacional privado*, Rapid Centro Color S.L., 2019. ISBN 978-84-09-11415-3

## 9. PLAGIARISM RULES

In line with the disciplinary rules for students of Universidad Europea:

- Plagiarism of all or part of any kind of intellectual work is considered a serious offence.
- Any student who commits the serious offence of plagiarism or cheating to pass an assessment test shall be disqualified from the corresponding exam(s), with the offence and reason for disqualification appearing on their academic record.