Aristotle University of Thessaloniki

Faculty of Law

Bachelor of Laws (LL.B.)

Course Syllabus

1. Course Information

- **Title:** Private International Law and International Business Transactions
- **Code:** LLB31
- **ECTS:** 6
- **Hours per week:** 4
- **Academic Year:** 4th
- **Teaching Period:** Fall
- **Mode of Delivery:** Face-to-Face
- **Language of Instruction/Assessment:** English
- **Course Type:** Mandatory

2. Course Description

The main objective of this course is to provide an in-depth study of Private International Law (also known as Conflict of Laws), with a particular focus on its application to international business transactions. Private international law addresses legal issues arising in private relations that involve an element of internationality (foreign element), meaning they are connected to more than one legal system—for example, a service contract between a Colombian and a French company, or a marriage between a Spanish national and a Greek national. The course aims to demonstrate how the four key legal challenges in cross-border private disputes are resolved.

1. Determining the applicable law,
2. Identifying the competent court or forum,
3. Establishing the conditions for recognition and enforcement of foreign judgments and arbitral awards, and
4. Addressing the recognition and enforcement of acts or decisions of foreign public authorities.

Students will examine how these issues manifest across key areas such as international contracts**,** torts**,** family law (e.g., divorce and custody), property**,** and corporate law. The course also examines the impact of international treaties (such as the Hague Conventions), EU regulations (if relevant), and developments in comparative private international law. A significant emphasis is placed on the legal complexities of international business transactions, where multiple legal sources often intersect. Students will gain insight into both the substantive law and the dispute resolution mechanisms relevant to international trade. The course will also cover topics such as the legal regulation of business entities, international shipping, and emerging digital transaction models, including block-chain, smart contracts, and issues related to digital markets, to ensure a comprehensive understanding of the subject. Through the study of hypothetical scenarios, students will develop the analytical skills and legal competencies necessary to navigate cross-border legal challenges in a globalized commercial environment.

3. Keywords

Private international law, conflict of laws, element of internationality, foreign element, connecting factors, habitual residence, nationality, domicile, applicable law, international litigation, conflict of law rules, substantive rules of private international law, overriding mandatory rules, method of recognition, characterization (classification), preliminary questions, renvoi, international uniform law, lex mercatoria

4. Learning Outcomes

Upon successful completion of this course, students will be able to:

1. Remembering key legal principles and foundational legal concepts prevalent in the determination of the applicable law and the determination of the competent court in an international context such as the principle of proximity, party autonomy, characterization, public policy; identify relevant statutory provisions from EU Law and international law applicable to specific legal issues.

2. Understanding the interrelationship between national and international legal orders. Describe the relationship between legal norms emanating from different sources (EU law, international law, national law). Interpret legal texts using appropriate methods of interpretation (teleological, grammatical, historical interpretation, autonomous interpretation).

3. Applying legal rules and doctrines to hypothetical factual scenarios and cases. Use appropriate legal terminology and citation conventions in written and oral communication. Demonstrate knowledge of procedural steps in common legal processes (e.g. identifying the applicable law to a relation with elements of internationality, determining the competent court in an international context).

4. Analysing and distinguish between competing legal arguments and identify underlying assumptions.

5. Evaluating and critically assess the effectiveness of legal rules or doctrines in achieving their stated objectives. Generating strategic legal advice tailored to specific client needs or factual contexts in international contexts.

5. General Skills to Be Acquired

- Apply knowledge in practice
- Retrieve, analyse, and synthesise data and information
- Adapt to new situations
- Make decisions
- Work in an international context
- Work in an interdisciplinary team
- Generate new research ideas
- Appreciate diversity and multiculturalism
- Be critical and self-critical
- Advance free, creative, and causative thinking

6. Course Content (Topics)

1. Introduction; definition and nature of private international law; Sources of private international law; Methods of Resolution of the problem of Applicable law;

2. Classification; international Public Policy

3. Preliminary Questions; *fraude à la loi* (*Fraus legis*); forum shopping

4. Renvoi ; time factor in private international law; discovery and application of foreign law

5. Law Applicable to contracts: Rome I Regulation

6. Law Applicable to non-contractual obligations: Rome II Regulation

7. Law Applicable to family law issues (maintenance obligations, parental responsibility, matrimonial property issues)

8. Law applicable to succession issues

9. International Jurisdiction in civil and commercial maters

10. Law Applicable to legal entities

11. International Commercial Arbitration

12. International transport law

13. Legal and regulatory frameworks governing key components of the digital economy, such as decentralized technologies (e.g. blockchain), automated transactions (e.g. smart contracts), and platform regulation (e.g. DMA, DSA).

7. Teaching Methods

- Lectures.
- Case law workshops.
- Student presentations and structured debate.
- Guided reading and legal reasoning exercises.

8. Assessment Methods

Method	Weight	Description
Final Written Exam	70%	Essay-type and case-based questions
Mid-Term Assignment/Presentation	20%	Individual or group-based
Participation and Engagement	10%	Constructive attendance, preparedness, contribution

Note: A minimum final exam score of 50% is required to pass.

9. A. Ethics

Students are reminded that all submitted work must comply with the University's academic integrity policy. Plagiarism or unauthorised collaboration will result in disciplinary measures.

B. Course Policies

- Attendance is strongly encouraged.
- All assignments must be submitted on time via the designated platform.
- Special accommodations will be made for students with documented learning or health needs in accordance with university policy.

10. Use of Information and Communication Technologies (ICT)

- **Use in Teaching:** (e.g. digital slides, audiovisual aids, interactive tools like Mentimeter)
- **Use in Communication:** (e.g. E-learning platform, Zoom/Google Meet for office hours)
- **Digital Resources:** (e.g. online legal databases, podcasts, video lectures)

11. Bibliography

- Books/E-books

August, R. (2004). International business law: Text, cases, and readings (4th ed.). Prentice Hall.

Brand, R. A. (2000). Fundamentals of international business transactions. Kluwer Law International.

Borg-Barther, J. (et. al) (Ed.). (2024). *"From Theory to Practice in Private International Law Gedächtnisschrift for Professor Jonathan Fitchen"* (e-book*) :: Library Catalog*. Bloomsbury Publishing.
https://search.lib.auth.gr/Record/1170425?sid=50101289

Calster, G. van. (2024). European private international law (4th ed.). Hart Publishing.

Calster, G. van. (2024). *European private international law commercial litigation in the EU /* (e-book). Hart Publishing, an imprint of Bloomsbury Publishing,.

Carr, I., & Stone, P. (2018). International trade law. Routledge.

Chow, D. C. K., & Schoenbaum, T. J. (2023). International business transactions: Problems, cases, and materials (4th ed.). Wolters Kluwer.

Chow, D. C. K. ., & Schoenbaum, T. J. . (2023). *International business transactions problems, cases, and materials* (e-book) / (Fifth edition.). Aspen Publishing,.

Dickinson, A., & Lein, E. (2015). Brussels I Regulation (2nd ed.). Oxford University Press.

Dicey, A. V., Morris, J. H. C., & Collins, L. (2017). Dicey, Morris & Collins on the conflict of laws (15th ed.). Sweet & Maxwell.

Fentiman, R. (2010). International commercial litigation. Oxford University Press.

Ferrari, F., & Fernández Arroyo, D. P. (2019). Private international law: A comparative approach. Edward Elgar Publishing.

Ferrari, F., & Arroyo, D. P. F. (2019). *Private international law (Contemporary challenges and continuing relevance) (e-book)*. Edward Elgar .
https://search.lib.auth.gr/Record/1129397?sid=50101314

Hartley, T. (2015). International commercial litigation: Text, cases and materials on private international law. Cambridge University Press.

Kramer, X. E., & Carballo Piñeiro, L. (2024). International civil litigation in Europe and relations with third states. Edward Elgar Publishing.

- Databases

Westlaw UK Academic	**https://law.auth.gr/en/subscription-to-electronic-databases-2/**
HeinOnline Academic Core and Kluwer Law International Journal Library	**https://law.auth.gr/en/subscription-to-electronic-databases-2/**
Beck-online PREMIUM	**https://law.auth.gr/en/subscription-to-electronic-databases-2/**
O.U.P Oxford Public International Law	**https://law.auth.gr/en/subscription-to-electronic-databases-2/**
O.U.P Max Planck Encyclopedia of Comparative Constitutional Law	**https://law.auth.gr/en/subscription-to-electronic-databases-2/**
Dalloz.fr	**https://law.auth.gr/en/subscription-to-electronic-databases-2/**
JURIS Zusatzmodul Hochschulen, BGB Staudinger Online	**https://law.auth.gr/en/subscription-to-electronic-databases-2/**
Kluwer Law Online (30 journals)	**https://law.auth.gr/en/subscription-to-electronic-databases-2/**
IAReporter. Investment Arbitration Report	**https://law.auth.gr/en/subscription-to-electronic-databases-2/**
Cambridge Core (Law)	**https://www.cambridge.org/core/browse-subjects/law**
EBSCO	**https://research.ebsco.com/c/quc7ji/search/advanced/filters?autocorrect=y&isDashboardExpanded=true**
ProQuest Central	**https://www.proquest.com/central/topicpaths/AbiGlobal_business/0?accountid=8359#0**
Springer link	**https://link.springer.com/**

Taylor & Francis e-books	**https://www.taylorfrancis.com/search?subject=SCLW**
Taylor & Francis e-journals	**https://www.tandfonline.com/subjects/law**
The Making of Modern Law: Legal Treatises 1800-1926 (Gale)	**https://go.gale.com/ps/start.do?p=MOML&u=arist&cookieConsent=true&analyticsOptout=false&aty=ip**
Wiley online Library	**https://onlinelibrary.wiley.com/action/showPublications?startPage=&ConceptID=85**