



Universitat de Lleida

DEGREE CURRICULUM

# PRIVATE INTERNATIONAL LAW

Coordination: FONTANELLAS MORELL, JOSEP MARIA

Academic year 2023-24

Subject's general information

<b>Subject name</b>	PRIVATE INTERNATIONAL LAW			
<b>Code</b>	101824			
<b>Semester</b>	1st Q(SEMESTER) CONTINUED EVALUATION			
<b>Typology</b>	<b>Degree</b>	<b>Course</b>	<b>Character</b>	<b>Modality</b>
	Bachelor's Degree in Law	4	COMPULSORY	Attendance-based
	Double bachelor's degree: Degree in Law and Degree in Business Administration and Management	5	COMPULSORY	Attendance-based
<b>Course number of credits (ECTS)</b>	7.5			
<b>Type of activity, credits, and groups</b>	<b>Activity type</b>	PRAULA		TEORIA
	<b>Number of credits</b>	3		4.5
	<b>Number of groups</b>	4		3
<b>Coordination</b>	FONTANELLAS MORELL, JOSEP MARIA			
<b>Department</b>	LAW			
<b>Important information on data processing</b>	Consult <a href="#">this link</a> for more information.			
<b>Language</b>	Català			

Teaching staff	E-mail addresses	Credits taught by teacher	Office and hour of attention
FONTANELLAS MORELL, JOSEP MARIA	josepmaria.fontanellas@udl.cat	1,5	
FONTANELLAS MORELL, JOSEP MARIA	josepmaria.fontanellas@udl.cat	18	
PALAU RUBIO, JÚLIA	julia.palau@udl.cat	7,5	

## Subject's extra information

The recommendations are: regular attendance at classes, both theoretical and practical, the daily monitoring of the subject matter of repassos that described in each session of continuous consultation and recommended legislative materials, if necessary supplementary reading manuals of the subject, the conduct of the case studies common to consolidate and better understand the knowledge acquired in lectures. Finally, if in doubt, be used during the course of any of the hours of tutorials provided.

### The course as part of the academic plan

The subject of private international law is given at the end of law studies due to its complexity. This is because, firstly, students receive highly specialized skills that are brand new and on the other hand, have to use much of the knowledge gained during the race. In particular, there are three disciplines, civil law, commercial law and litigation, continually emerging theoretical explanations and analysis of case studies. Since it is impossible to tell the teacher returns basics of these disciplines and others: constitutional law, international law, gives them for granted, which requires students to refresh their knowledge often already achieved in courses above. The complexity of the subject, which can be enjoyed from the first day, however, has its reward: the end of the course, students will have a much more complete picture of the legal system as a whole.

## Learning objectives

Veure apartat competències

## Competences

University of Lleida strategic competences

Degree-specific competences

- Ability to form a reasoned legal decision

Goals

- Analyze the various parts, and argumentative disposition, a judgment relating to private international law, to see how it was built and how they articulated the issues of law and private international law.

- Ability to perceive and assimilate the unitary nature of the legal system and its necessary transdisciplinary vision

## Goals

- Having a unified vision of the contents of private international law, made by the sectors of jurisdiction international law applicable in situations of trafficking and private external reconeixment and execution of foreign decisions.
- Ability to assess upon the possible answers to a legal problem, in various contexts, and design strategies which lead to different solutions

## Goals

- Identify legal relationships with alien elements that constitute the object of private international law
- Show knowledge of the characteristics, conceptual schedules, institutions and procedures of the judicial system

## Goals

- Identify legal relationships with alien elements, which are the subject of private international law.
- Understand the main concepts of private international law and institutions.

## Degree-transversal competences

- Ability to adequately manage information (Instrumental ability)

## Goals

- Able to read and understand a sentence with problems arising from private international traffic, knowing what issues are distinguished by law and which are private international law.
- Ability to analyse and synthesize (Instrumental ability)

## Subject contents

### I. INTRODUCTION AND POWER

Unit 1: The assumptions, the object and the nature of private international law

Unit 2: Content and size of private international law

Unit 3: The system of sources of private international law (I)

Unit 4: The system of sources of private international law (II)

Unit 5: The characteristics of current private international law

### II.-JUDICIAL AND EXTRA-JUDICIAL SETTLEMENT OF DIFFERENCES

Unit 6: Coordination of standards and deconcepates

Unit 7: The international jurisdiction

Unit 8: The process with foreign element

Unit 9: The International Judicial Assistance

Unit 10: Recognition dedecisions foreign

Unit 11: Arbitration and ADR

### **III. - TECHNICAL REGULATIONS**

Unit 12: Regulatory techniques: the direct technique

Unit 13: Regulatory techniques: the indirect technique

Unit 14: Problems of implementation

Unit 15: The interregional law

### **IV.-PERSON FAMILY AND INHERITANCE**

Unit 16: The individual

Unit 17: Celebration and effects of marriage

Unit 18: Annulment, separation and divorce

Unit 19: Foliation

Unit 20: International protection of people

Unit 21: Food among relatives

Unit 22: The Succession due demort

Unit 23: The marriage of same-sex and unmarried couples

### **V-PATRIMONIAL RIGHTS**

Unit 24: The companies

Unit 25: International Bankruptcy

Unit 26: International Contracts (I)

Unit 27: International Contracts (II)

Unit 28: The obligations (I)

Unit 29: The obligations (II)

Unit 30: The real rights

## **Bibliography**

## 1.- Legislative material

BORRÁS RODRÍGUEZ, A./BOUZA VIDAL, N./GARCIMARTÍN ALFÉREZ, F. J./GONZÁLEZ CAMPOS, J. D./VIRGÓS SORIANO, M.: *Legislación básica de Derecho internacional privado*, 22a edició, Madrid (Tecnos), 2012.

## 2.- Bibliography in Spanish

ABARCA JUNCO P. (direcció): *Derecho internacional privado*, vol. I, amb la col·laboració de J. D. GONZÁLEZ CAMPOS, M. GUZMÁN ZAPATER, P. P. MIRALLES SANGRO i E. PÉREZ VERA, 6a edició, Madrid (Coxe), 2008; vol. II, amb la col·laboració de M. GÓMEZ JENE, M. GUZMÁN ZAPATER, P. P. MIRALLES SANGRO i E. PÉREZ VERA, 4a edició, Madrid (Coxe), 2010.

CALVO CARAVACA, A. L./CARRASCOSA GONZÁLEZ, J.: *Derecho internacional privado*, vol. I, 13a edició, Granada (Comares), 2012; vol. II, amb la col·laboració de P. BLANCO-MORALES LIMONES, M. ESLAVA RODRÍGUEZ i E. CASTELLANOS RUIZ, 13a edició, Granada (Comares), 2012.

ESPLUGUES MOTA, C./IGLESIAS BUHIGUES, J. L.: *Derecho internacional privado*, 5a edició, València (Tirant Lo Blanch), 2011.

FERNÁNDEZ ROZAS, J. C./SÁNCHEZ LORENZO, S.: *Derecho internacional privado*, 6a edició, Cizur Menor (Civitas), 2011.

GARCIMARTÍN ALFÉREZ, F. J.: *Derecho internacional privado*, Cizur Menor (Civitas), 2012.

VIRGÓS SORIANO, M./GARCIMARTÍN ALFÉREZ, F. J.: *Derecho procesal civil internacional. Litigación internacional*, 2a edició, Cizur Menor (Civitas), 2007.

## 3.- Bibliography in other languages

AUDIT, B.: *Droit international privé*, 6a edició, Paris, 2010.

BALLARINO, T.: *Manuale breve di diritto internazionale privato*, 3a edició, Padova, 2008.

BATIFFOL, H./LAGARDE, P.: *Droit international privé*, vol. I, 8a edició, Paris, 1993; vol. II, 7a edició, Paris, 1983.

BORRÁS, A.: «Les ordres plurilégislatifs dans le droit international privé actuel», *Recueil des cours de l'Académie de droit international*, tom 249 (1994-V), pp. 145-368.

BORRÁS, A.: «Le droit international privé communautaire: réalités, problèmes et perspectives d'avenir», *Recueil des cours de l'Académie de droit international*, tom 317 (2005), pp. 313-536.

BUCHER, A./BONOMI, A.: *Droit international privé*, 2a edició, Bâle, 2004.

CHESHIRE, G./NORTH, P. M./FAWCETT, J. J.: *Private International Law*, 14a edició, London, 2008.

KEGEL, G./SCHURIG, K.: *Internationales Privatrecht*, 9a edició, München, 2004.

KROPHOLLER, J.: *Internationales Privatrecht*, 6a edició, Tübingen, 2006.

LOUSSOUARN, Y./BOUREL, P./VAREILLES-SOMMIÈRES, P.: *Droit international privé*, 9a edició, Paris, 2007.

MAYER, P./HEUZÉ, V.: *Droit international privé*, 10a edició, Paris, 2010.

MOSCONI, F./CAMPIGLIO, C.: *Diritto internazionale privato e processuale*, vol. I: *Parte generale e contratti*, 5a edició, Torino, 2010; vol. II: *Parte speciale*, 3a edició, Torino, 2011.

HAY, P./BORCHERS, P. J./SYMEONIDES, S. C.: *Conflict of Laws*, 5a edició, St. Paul (Minnesota), 2010.