

Bachelor degree course International Management Studies in the Baltic Sea Region (BMS)  
Description of the module valid as of WS 2022/2023

<b>Modul-Nr./ Module Code</b>	<b>BMSB5300</b>
<b>Modulbezeichnung / Module title</b>	<b>International Commercial Law and Dispute Resolution</b>
Semester / Trimester	6 <sup>th</sup>
Dauer des Moduls / Duration of the module	1 semester
Art des Moduls (Pflicht, Wahl, etc.) / Module type (Compulsory, Elective etc.)	Major (Elective)
Ggfs. Lehrveranstaltungen des Moduls / if applicable: sub-module	-
Häufigkeit des Angebots des Moduls / The module is offered	Annually (summer semester)
Zugangsvoraussetzungen / Prerequisites for attending	Recommended: Successful completion of BMSB1400 Basics of Business Law   BMSB2000 International Law
Verwendbarkeit des Moduls für andere Module und Studiengänge / Applicability of the module for other modules and degree courses	Other internationally orientated business, law or finance related degree programs
Modulverantwortliche/r / Lecturer in charge	Prof. Dr. iur. Christian Piroutek, LL.M.
Name der/des Hochschullehrer/s / Name of the lecturer	Prof. Dr. iur. Christian Piroutek, LL.M.
Lehrsprache / Language of instruction	English
Zahl der zugeteilten ECTS-Punkte / Number of ECTS credits	5
Gesamtworkload und ihre Zusammensetzung / Workload and its composition	150 h (118 h self-study; 32 h contact time)
SWS / Contact hours per week	2
Art der Prüfung / Assessment methods	Written examination (2 hours)
Gewichtung der Note in der Gesamtnote / Weight in final grade	4 %
Qualifikationsziele des Moduls / Learning outcomes of the module	<p><b>Knowledge and understanding</b> Students gain essential knowledge and understanding of the law and practice relating to conducting cross-border business in general and sales contracts in particular. In addition, students learn how to avoid and solve commercial disputes that may arise in this regard.</p> <p>After completing the course, students are in particular familiar with the basics of international private law (e.g. determining the applicable law to the contract), the United Nations Convention on Contracts for the International Sale of Goods ("<b>CISG</b>") and the UNIDROIT principles for commercial contracts.</p> <p>Furthermore, students obtain a strong conceptual understanding of the distinct systems of dispute resolution in the</p>

	<p>context of international commercial business activities, in particular mediation, arbitration or court litigation, with a focus on international commercial arbitration.</p> <p><u>Applying knowledge and understanding</u> Students are capable of applying their knowledge and understanding of commercial law and dispute resolution in case studies and group discussions on specific legal issues.</p> <p><u>Making judgments</u> Students are capable of using comparative legal materials and identifying, analysing and form their own opinions on legal implications in the context of cross border business and the main legal authorities that apply in this regard</p> <p><u>Communication</u> Students are enabled to communicate arguments and conclusions using basic legal methodology and core legal concepts by being actively involved in Q&amp;A's, group exercises and discussions.</p> <p><u>Learning skills</u> Students are enabled to understand and apply basic legal concepts and authorities by using legal methodology in the context of international commercial law and dispute resolution. To this end, they get acquainted with (digital) tools for legal research and are able to independently identify and use the primary and secondary legal sources that apply in this regard.</p>
<p>Inhalte des Moduls / Syllabus</p>	<p>Nature and sources of international commercial law – Distinction between common law and civil law jurisdictions – Key risks associated with international trade and the challenges for international commercial law – Determination of the applicable law — Background, application and scope of the UNIDROIT principles and the CISG – Key provisions of the CISG including a comparison to national laws and regulations</p>

	<p>Comparison of different dispute resolution methods in the context of international commercial contracts, i.e. mediation, arbitration and litigation – Nature and sources of international commercial arbitration – The arbitration agreement – Powers and duties of the arbitral tribunal – Conduct of the arbitration – UNCITRAL and ICC Arbitration Rules – recognition and enforcement of arbitral awards – Key provisions of the New York Convention</p>
<p>Lehr- und Lernmethoden des Moduls / Teaching methods of the module</p>	<p>The module is taught by a mixture of lectures and interactive sessions focusing on case studies including Q&amp;A's, group exercises (e.g. mock trials) and discussions.</p>
<p>Besonderes / Special features</p>	
<p>Literatur / Literature</p>	<p><i>Schwenzer, Fountoulakis, Dimsey</i>, International Sales Law: A Guide to the CISG, 3<sup>rd</sup> edn, Hart (2019)</p> <p><i>Twigg-Flesner</i>, Foundations of International Commercial Law, Routledge (2021)</p> <p><i>Blackaby, Partasides, Redfern</i>, Redfern and Hunter on International Arbitration, 6<sup>th</sup> edn, OUP (2015)</p> <p><i>Born</i>, International Arbitration: Law and Practice, 3<sup>rd</sup> edn, Kluwer (2021)</p> <p>As well as academic papers, and other relevant articles</p>