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| Program: Master Academic Studies – | | | |
| Course title: INTERNATIONAL COMMERCIAL (TRADE) LAW | | | |
| Teachers: Prof. Dr. Nebojsa Jovanovic, Assist. Prof. Dr. Milena Đorđević, LL.M., Assist. Prof. Dr. Marko Jovanović, LL.M. | | | |
| Course status: Mandatory for International Business Law stream | | | |
| Number of ECTS: 20 | | | |
| Requirements: / | | | |
| Aims of the course: The aim of the course is to provide students with in depth understanding of International Commercial/Trade law and to prepare them for application of the acquired knowledge in their future work. The course is designed so to enable students to understand the international business in its totality: from the rules enacted by the state in order to regulate the transactions of the international economic circulation to the rules that arise from the transaction itself, including the rules of dispute resolution. | | | |
| Course result: The course should provide students with enhanced knowledge on the rules of international trade (with a special emphasis on international trade in goods) as well as on the basic mechanisms of international trade dispute settlement. Such concept allows to critically analyse the international trade relations not only from theoretical but also from practical standpoint. | | | |
| Course content: I. INTRODUCTION TO INTERNATIONAL BUSINESS LAW - concept, subject-matter, method, Relations with other branches of law, The importance of IBL , historical development, legal sources, unification and harmonization, <i>Lex mercatoria</i> . II.FOREIGN TRADE LAW - basic institutes of customs law, non-tariff barriers, import export types, trade remedies (antidumping, countervailing, safeguards), economic integrations, World Trade Organization rules and principles, EU foreign trade policy. III. INTERNATIONAL CONTRACTS - COMMERCIAL TRANSACTIONS: uniform law of international sales - the CISG, scope of application, rules of interpretation and gap filling, general rules, conclusion of contracts, obligations of sellers and buyers, non-conformity of goods, legal remedies, exclusion of liability, other rules, limitation period, INCOTERMS, countertrade, franchising contracts, agency contracts, distributorship contracts, FINANCING OF TRADE: letters of credit, bank guarantees, factoring, forfeiting, financial leasing, OTHER CONTRACTS: international construction contracts, e-trade. IV. DISPUTE RESOLUTION | | | |
| Literature: Huber/Mullis, <i>The CISG</i> , Sellier 2007; R. Goode, H. Kronke, E. McKendrick, <i>Transnational Commercial Law – text, cases and materials</i> , Oxford 2007; J. Ramberg, <i>International Commercial Transactions</i> , The Hague 2011; R. Brand, <i>Fundamentals of International Business Transactions</i> , Kluwer Law International, 2005; Murray, <i>Schmitthoff Export Trade: The Law and Practice of International Trade</i> , London 2007; Goode, <i>Commercial Law</i> , London 2004; Bridge, <i>The International Sale of Goods – Law and Practice</i> , Oxford 1999; Jackson, Davey, Sykes, <i>International Economic Relations</i> , West Group, 2013 Van den Bossche, Zdouc, <i>Law and Policy of the World Trade Organization</i> , CUP, 2013 Catherine Barnard, <i>The Substantive Law of the EU – The Four Freedoms</i> , Oxford 2007; L. Gormley, <i>EU Law of Free Movement of Goods and Customs Union</i> , Oxford 2009; Matshushita, Schoenbaum, Mavroids, <i>The World Trade Organization, Law, Practice and Policy</i> , Oxford 2006; Varady, Barcelo, von Mehren, <i>International Commercial Arbitration</i> , West Group, 2005. | | | |
| Number of lectures – active classes 30 | Theoretical classes: | Practical classes : | |
| Instruction method: Lectures, study groups, seminar papers, guest lectures, consultations, power-point presentations, moot court | | | |
| Grading system (maximum number of points 100) | | | |
| Pre-exam obligations | points | Final Exam | points |
| Activities during lectures | 20 | <i>Oral/written exam</i> | 60 |
| Activities during practical classes | | | |
| Tests | | | |
| Seminar classes | 20 | | |