Program: Master Academic Studies –

Course title: INTERNATIONAL CIVIL PROCEDURE LAW

Teachers: prof. dr Aleksandar Jakšić, prof. dr Vladimir Pavić

Course status: optional for International Business Law sub-module

Number of ECTS: 10

Requirements: /

Aims of the course: Acquiring in depth knowledge in International Civil Procedure with the emphasis on resolution of international commercial disputes. Aim of this course is to develop better skills for application of Law on International Civil Procedure as a result of ability of a student to critically analyze Serbian and comparative law.

Course result: Candidate should obtain wide knowledge in this area and be able to identify advantages and disadvantages of resolution of commercial disputes before the state courts.

Course content:
I Introduction to International Civil Procedure Law
II The Lex fori principle
III Jurisdiction
IV Requirements for establishing jurisdiction
V Determining the Proper Forum: Forum selection clauses, forum non conveniens.
VI The impact of general Public international law on International civil procedure
VII The impact of the ECHR on the international civil procedure
VIII Access to the court
IX Foreign Sovereign Immunity: the “restrictive theory;” the UN State Immunities Convention; definition of “foreign state,” “agency and instrumentality,” and “organ;” the commercial activities torts and terrorism exceptions.
X Service of process including the Hague Conventions
XI Production of Evidence: Issues in transnational discovery; subpoenas, letters rogatory, the Hague Evidence Convention.
XII Problems of duplicative proceedings in different fora (lis alibi pendens)
XIII Perpetuatio fori and perpetuatio jurisdictionis
XIV Recognition and enforcement of foreign judgments
XV Recognition and enforcement of foreign judgements in the law of EU member states


Number of lectures – active classes
Theoretical classes: 15
Practical classes:

Instruction method: lectures, consultations, seminar papers.

Grading system (maximum number of points 100)

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