

International and comparative private litigation

UGRA_017185

Departments	Department of International, European Union and Comparative Law
Teaching Languages	English
ECTS	6
Teacher responsible	Lara de Sousa Amorim - lara.desousa@esade.edu

Description

Short description

Globalisation has transformed commercial relationships by increasingly introducing international elements, which in turn has affected the nature of litigation. Despite the current wave of protectionism, which could seem as moving in the opposite direction, we believe that the international elements of the disputes and the intertwining of different rules will increase in the future. This course is based on this understanding.

Familiarity with the different key procedural and substantive principles and rules of various legal cultures and jurisdictions is essential for devising effective litigation strategies in the context of international disputes and, ultimately, for succeeding in international business.

The course examines the complex landscape of cross-border litigation, including jurisdictional issues, choice of law, enforcement of judgments and alternative dispute resolution mechanisms. Students will develop the practical skills required to navigate the challenges of litigating disputes with international elements.

Content

#	Topic
1	Private International Law. General notions
2	Alternative dispute resolution mechanisms
3	International cooperation mechanisms
4	Comparative approach to other legal traditions
5	Advocacy

#	Topic
6	International contracts and remedies
7	Tort claims with cross-border elements
8	Multi-jurisdictional cases. Follow-on actions in competition law
9	Multi-jurisdictional cases. Product liability

Assessment

Tool	Assessment tool	Category	Weight %
Individual or team exercises	Class participation	Ordinary round	35.00%
Group project	Group Assignment	Ordinary round	35.00%
Written and/or oral exams	Final exam	Retake and ordinary round	30.00%

PROGRAMS

113-Law Exchange Program (Undergraduates: Law)
113 Year 1 (Optative)

DD05-Double Degree Program (exchange) (Undergraduates: Law)
DD05 Year 1 (Optative)

GBD20-Double Degree in Business Administration and Law (Undergraduates: Law)
GBD20 Year 5 (Optative)
GBD20 Year 1 (Optative)

GDL20-Double Degree in Law and Global Governance, Economics and Legal Order (Undergraduates: Law)
GDL20 Year 1 (Optative)
GDL20 Year 5 (Optative)

GED20-Bachelor in Law (Undergraduates: Law)
GED20 Year 1 (Optative)
GED20 Year 4 (Optative)