



DRT

INT2211

Private International Law I

[30h+18h exercises] 4.5 credits

Teacher(s): Jean-Yves Carlier, Marc Fallon
Language: french
Level: 2nd cycle course

Aims

The objective of the course is to train students in the techniques used for the legal treatment of private relations with an international scope. Emphasis is put on the type of reasoning necessary to solve the cases as well as on the general presentation of techniques used in Belgian law and comparative law.

Main themes

Contents

The course uses the traditional subdivision that distinguishes conflict of nationality, condition of aliens, conflict of jurisdiction and conflict of laws, while emphasising the latter two. The teaching is two-dimensional. On the one hand, the fundamental theoretical elements that must be understood to master positive law are presented, while on the other, the applicable rules are dealt with by sector.

The analysis of the theory of private international law (general part) deals with identification of the rule of conflict of law and with application of foreign law, as well as with international competence and recognition of a foreign judgment (international judicial law). The analysis of applicable rules of private law by sector (special part) deals with personal and family law, as well as family property law.

Method

This is a lecture-type course, presenting a synthesis of determining concepts. The emphasis is on understanding these concepts. The lectures focus on the examination of concrete cases, in two ways. On the one hand, the case law that illustrates theoretical concepts is analysed. On the other hand, use of the case method allows the students to go from theoretical understanding of the concepts to a mastery of the juridical technique.

The examination is consistent with the course method. Considering the broadness of the subject, namely the amount of material used and its degree of difficulty, the focus is on ensuring that students understand the concepts, while giving importance to a knowledge of fundamental rules. To this end, students are allowed to use the documents of their choice when preparing for the examination.

Other credits in programs

DROI22	Deuxième licence en droit	(4.5 credits)	Mandatory
DROI23	Troisième licence en droit	(4.5 credits)	