



COURSE UNIT DESCRIPTION

Course unit title	Code
EUROPEAN PRIVATE LAW	

Lecturer(s)	Department(s)
Coordinator: lect. dr. Stasys Drazdauskas Other(s): lect. Victor Terekhov	Private Law Department, Faculty of Law, Vilnius University Saulėtekio av. 9, Building 1, LT-10222, Vilnius, Room 311, tel. (85)2366170; e-mail: ptkatedra@tf.vu.lt

Study cycle	Type of the course unit
Second	Compulsory

Mode of delivery	Course unit delivery period	Language (s) of instruction
Face-to-face	2 nd semester (spring)	English/ Russian

Requirements for students	
Pre-requisites: Knowledge of legal theory, general introduction to civil law, law of obligations, EU legal system	Co-requisites (where they are): -

Number of credits allocated	Total student's workload	Contact hours	Self-study hours
6	160	36	124

Purpose of the course unit: programme competences to be developed		
The course unit aims at gaining the profound knowledge about the level of harmonisation of private law in Europe by equipping students with advanced understanding of initiatives and projects related to harmonisation of general norms and individual European private law institutions. Students will develop abilities to analyse and interpret EU institutional legislation, soft-law projects, as well as case-law and to apply legal competencies in professional activities in European context.		
Learning outcomes of the course unit	Teaching and learning methods	Assessment methods
- Students will be able to explain and interpret the problematics of the theory of private law and will develop critical approach towards interaction between private law and EU law;	Lectures, seminars, individual work	Answering to questions (multiple choice or open ended), solutions to practical situations
- Students will be able to describe legal nature, methodology and substance of harmonisation initiatives and projects of private law; - Students will be able to assess challenges and obstacles faced by private law in Europe and provide innovative strategies for solutions.	Lectures, seminars, individual work	Answering to questions (multiple choice or open ended), solutions to practical situations
- Students will be able independently analyse and evaluate the problematics of legal regulation of individual institutes of contract law, i.e. they will be able to identify the problematic aspects determining the content of the proposed rules for harmonization of contract law, particularly in soft-law instruments (<i>Common Frame of Reference, the Principles of European Contract Law, the Proposal for a Regulation on a Common European Sales Law, and in the UNIDROIT Principles of International Commercial Contracts</i>), as well as in legal acts (<i>EU Directives and Regulations of the United Nations Convention on Contracts for the International Sale of Goods</i>).	Lectures, seminars, individual work	Answering to questions (multiple choice or open ended), solutions to practical situations
- Students will be able to systemically analyse and make ethic evaluation of case law in support of their legal decisions.	Lectures, seminars, individual work	Answering to questions (multiple choice or open ended), solutions to practical situations
- Students will be able to analyse complex practical situations as regards contractual legal relations, identify problematic issues, qualify legal relations, apply appropriate legal norms, and rely on case-law for argumentation of judgments and qualified legal	Lectures, seminars, individual work	Answering to questions (multiple choice or open ended), solutions to practical situations

advice in specific situations.		
- Students will analyse the essence, problems and the content of the on-going reforms of the EU legal regulation of consumer contracts.	Lectures, seminars, individual work	Answering to questions (multiple choice or open ended), solutions to practical situations
- Students will be able to enhance acquired knowledge and abilities independently, <i>inter alia</i> , to use legal information data bases and other sources, to select relevant theoretical and practical material, and to substantiate their own conclusions by the achievements of jurisprudence.	Lectures, seminars, individual work	Answering to questions (multiple choice or open ended), solutions to practical situations

Content: breakdown of the topics	Contact hours						Self-study: hours and assignments		
	Lectures	Consultations	Seminars	Practical sessions	Laboratory activities	Internship/work placement	Contact hours	Self-study hours	Assignments
1. Private Law Theory and the EU	2		1				3	8	Analysis of relevant legal doctrine and legal acts, preparation for discussion
2. Historic Development of the Private Law in Europe	2		-				2	4	Analysis of relevant legal doctrine and legal acts
3. Private Law Harmonization Projects in Europe and in the World	2		-				2	12	Analysis of relevant legal doctrine and legal acts
4. Contract Law Harmonization Sources	2		1				3	8	Analysis of relevant legal doctrine and legal acts; preparation for discussion
5. Contract Law Principles	2		1				3	6	Analysis of relevant legal doctrine and legal acts, preparation for discussion; problem solution
6. Conclusion of Contracts. Representation	2		1				3	8	Analysis of legal acts and case-law; problem solution
7. Fundamentals of Contract Invalidity	2		2				4	10	Analysis of legal acts and case-law, preparation for discussion; problem solution
8. Interpretation and Content of Contracts	2		1				3	8	Analysis of legal acts and case-law; problem solution
9. Contract Performance and Legal Consequences for Non-performance	4		4				8	18	Analysis of legal acts and case-law, preparation for discussion; problem solution
10. Legal Regulation of Consumer Contracts in the European Union	4		1				5	12	Analysis of legal acts and case-law, preparation for discussion; problem solution
								30	Preparation for the examination
Total	24		12				36	124	

Assessment strategy	Weight, percentage	Assessment period	Assessment criteria
Examination	70	At the end of the course	30 questions (multiple choice or open ended) to be answered and analysis of a practical situation in writing. The answers to the questions and the solution of the practical situation must reflect the profound knowledge acquired during the semester, the understanding and assessment of the problematics of the private law developed during the course, as well as new competencies gained.
Intermediary examination	30	During the semester	10 questions (multiple choice or open ended) to be answered and analysis of a practical situation in writing. The answers to the questions and the solution of the practical situation must reflect the profound knowledge acquired during the semester, the understanding and assessment of the problematics of the private law developed during the course, as well as new competencies gained.

Author	Year of publication	Title	Issue of periodical or volume of publication	Publishing place and house or web link
Compulsory reading				
ED. BY VON BAR, CHRISTIAN; CLIVE, ERIC, AND SCHULTE-NÖLKE, HANS.	2009	Principles, Definitions and Model Rules of European Private Law Draft Common Frame of Reference (DCFR). Full edition.	Volume 1.	Dissen: Sellier. Outline edition available at: http://ec.europa.eu/justice/contract/files/european-private-law_en.pdf
MICHAELS, R., JANSEN, N.	2006	Private Law Beyond the State? Europeanization, Globalization, Privatization.	Vol. 54, No. 4	American Journal of Comparative Law. http://ssrn.com/abstract=956948
ZIMMERMANN, REINHARD	1994-1995	Civil Code and Civil Law - The "Europeanization" or Private Law Within European Community and the Re-emergence of European Legal Science	Vol 1.	Colum. J. Eur. L
LANDO, OLE	1997	Why Codify the European Law Of Contract?	Vol. 5.	European Review of Private Law
LEGRAND, PIERRE	1997	Against a European Civil Code		Modern Law Review Limited
HESELINK, MARTIJN W.	2008	The Common Frame of Reference as a Source of European Private Law	Vo. 83, No. 4.	Tulane Law Review http://ssrn.com/abstract=1270563
EIDENMUELLER, HORST G. M., FAUST, FLORIAN, GRIGOLEIT, HANS CHRISTOPH, WAGNER, GERHARD, ZIMMERMANN, REINHARD AND JANSEN, NILS	2008	The Common Frame of References for European Private Law - Policy Choices and Codification Problems		Oxford Journal of Legal Studies N.N., Forthcoming http://ssrn.com/abstract=1269270
ED. BY BEALE, HUGH, TALLON, DENIS, VOGENAUER, STEFAN, RUTGERS, JACOBIE, AND FAUVARQUE-COSSON, BÉNÉDICTE	2010	Cases, Materials and Text on Contract Law		Oxford and Portland: Hart Publishing
Recommended reading				
ED. BY LANDO, OLE, AND BEALE, HUGH	2000	Principles of European Contract Law	Parts I & II combined	The Hague: Kluwer Law International Outline: http://goo.gl/thAKh
ZIMMERMANN, REINHARD	1991-1992	Roman-Dutch Jurisprudence and Its Contribution to European Private Law	Vol. 66.	Tulane Law Review
DUNCAN, KENNEDY	2002	The Political Stakes in "Merely Technical" Issues of Contract Law	Vol. 10	European Review of Private Law