

**Ministry of Education and Science of Ukraine  
Yaroslav Mudryi National Law University**

**Department of Civil Law № 1**

**PROGRAM  
of the academic discipline  
“International Contract Law”**

**Level of higher education** - second (master's) level

**Degree of higher education** – Master's degree

**Field of knowledge** - 29 «International Relations»

**Speciality** - 293 «International Law»

**Discipline status** - compulsory

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## 1. Introduction

*1.1. The purpose of the discipline is to* form a system of scientific knowledge about contract law in its application to international commercial transactions. The focus is mainly on the general part of the law of international commercial contracts. In this regard, such international sources of law as the Principles of European Contract Law (PECL), the UNIDROIT Principles of International Commercial Contracts (PICC), the Common Frame of Reference (CFR) and some others are studied in detail. The course also offers a brief overview of the most commonly used contracts in international commercial practice, such as the contract for the international sale of goods, the contract for the international carriage of goods and the international financial leasing contract.

***Objectives:***

- to develop a system of theoretical knowledge about the peculiarities of international commercial contracts as compared to contracts existing exclusively within one national legal order;
- to study the procedure for concluding international commercial contracts;
- to learn the requirements for the validity of international commercial contracts and consequences of non-compliance therewith;
- to gain knowledge of the default rules for the proper performance of international commercial contracts;
- determine the consequences of a breach of international commercial contracts.

*1.2. The status of the discipline in the structure of the educational and professional programme:* compulsory.

***1.3. Prerequisites:*** European Union law and its system; Topical problems of scientific research methodology.

***1.4. Co-requisites:*** European private international law; Legal regulation of the EU internal market; WTO law.

***1.5. Post-requisites:*** International intellectual property law; EU corporate law and governance; Notary and notarial acts of consular offices.

1.6. *The subject competencies, which will be formed as a result of mastering the academic discipline:*

SC - 1. Knowledge and understanding of the content, origin, structure and basic principles of the law of international commercial contracts.

SC - 2. Understanding of the essence of *lex mercatoria* and its place among other sources of international trade law.

SC - 3. Ability to find alternative solutions in resolving disputes arising from the conclusion, interpretation and execution of international commercial contracts.

SC - 4. Ability to work in an interdisciplinary field, applying methods of economic analysis to legal problems arising in the field of international contract law.

SC - 5. Knowledge of English terminology in the field of international contract law and the ability to discuss in English applied and theoretical issues of international contract law.

SC - 6. Understanding of the essence of a-national (transnational) law and its role in regulating international commercial transactions.

SC - 7. Ability to identify and use sources of information on the content of the law of international commercial contracts.

SC - 8. Ability to work with sources of transnational law and *lex mercatoria*.

SC - 9. Ability to justify one's own position in a dispute arising from an international commercial contract.

SC - 10. Ability to navigate the main problems of international contract law.

SC - 11. Knowledge of the main latest trends and innovations in the field of legal regulation of international commercial contracts.

SC - 12. Knowledge of the mechanism of internationalisation of contract law in a globalised world economy.

SC - 13. Knowledge of the process of convergence of continental and Anglo-American legal systems in the context of regulation of international commercial contracts.

SC - 14. Ability to interpret and critically evaluate decisions of national courts and international commercial arbitration in cases arising from international commercial contracts.

SC - 15. Knowledge of the mechanisms for assessing the effectiveness of various contractual clauses (clauses) common in international commercial practice.

SC - 16. Knowledge of the mechanism for resolving legal conflicts that may arise in the legal regulation of international commercial contracts.

SC - 17. Knowledge of the basic principles and methods of interpretation of international commercial contracts.

SC - 18. Understanding of the procedure for supplementary interpretation of a treaty and the ability to determine the limits of admissibility of such interpretation.

SC - 19. Ability to determine the full content of the contract by identifying implicit terms.

SC - 20. Knowledge of the basics of legal techniques for drafting international commercial agreements (contracts).

*The explication of general and special competencies is outlined in the subject competence map (Appendix 1)*

*1.3. Learning outcomes for a higher education student:*

LO 1.1. To scientifically substantiate one's own position in a dispute arising from an international commercial contract.

LO 1.2. To apply methods of economic analysis to assess the effectiveness of legal practice.

LO 1.3. To find alternative solutions to disputes arising from international commercial contracts based on scientific analysis.

LO 1.4. To analyse an international agreement (contract) for its validity in general and for the validity of its individual terms.

LO 1.5. To determine the legal effect of pre-contractual documents.

LO 1.6. To identify possible risks when drafting an international agreement and conduct a preliminary assessment of the reliability of the counterparty.

LO 1.7. To know the basics of legal techniques for drafting international commercial agreements (contracts).

LO 1.8. To interpret and critically evaluate the decisions of national courts and international commercial arbitration tribunals in cases arising from international commercial contracts.

LO 1.9. To demonstrate knowledge and understanding of the content, origin, structure and basic principles of the law of international commercial contracts.

LO 1.10. To demonstrate understanding of the essence of a-national (transnational) law and its role in regulating international commercial transactions.

LO 1.11. To demonstrate understanding of the essence of *lex mercatoria* and its place among other sources of international trade law.

LO 2.1. To work with sources of transnational law and *lex mercatoria*.

LO 2.2 To determine the law applicable to an international commercial agreement (contract) on the basis of conflict of laws rules.

LO 2.3 To evaluate the effectiveness of various contractual clauses (clauses) common in international commercial practice.

LO 2.4. To apply the basic principles and methods of interpretation of international commercial contracts.

LO 2.5. To use the method of supplementary interpretation of a contract and determine the limits of admissibility of such interpretation.

LO 2.6 To determine the full meaning of a contract by identifying implied terms.

LO 2.7. To identify and analyse the latest trends and innovations in the legal regulation of international commercial contracts.

LO 2.8. To demonstrate knowledge of the process of convergence of continental and Anglo-American legal systems in the context of regulation of international commercial contracts.

*The explication of the learning outcomes of discipline and the learning outcomes of speciality and specialization is determined in the map of learning outcomes, formulated in terms of competencies (Appendix 2)*

### *1.3. Modules of the programme of the discipline.*

**Module 1:** General part of international contract law

**Module 2:** Special part of International Contract Law

The programme of a discipline is a set of modules, their specific sequence, which contributes to the acquisition of certain competencies necessary to achieve specific learning outcomes. Each module has a certain logical completeness in relation to the required outcomes of the educational and professional programme as a whole. Topics are not defined within the module.

The modular principle of building a discipline programme provides flexibility in the content of the discipline, which is reflected in the possibility of its differentiation and integration. The continuity of the meaningful and logical transition between the modules of the discipline programme,

as well as the increase of new knowledge, are made possible by the application of the principle of the "didactic spiral".

The number of academic units (didactic volume) of the content of the discipline should correspond to the structure of the discipline and the actual study time of students.

The didactic scope of the discipline is determined by the developer in an expert manner with a focus on the subject area of the discipline, as well as on competencies and learning outcomes.

Quantitative and qualitative indicators of the implementation of the programme of the discipline within the didactic structure are determined in the taxonomy of the discipline.

*The explication of the modules of the competence-oriented programme of the academic discipline is defined in the matrix of connections between the modules of the academic discipline, learning outcomes and subject competencies (Appendix 3).*

## 2. Description of the discipline (educational units)

Course	Level of education, field of study, speciality, specialisation	Didactic structure and number of hours
Number of ECTS credits: 5,0 Number of modules* : 2 Total number of hours: 150 Weekly hours: 4	Level of education - second (master's) degree  Field of knowledge - 29 "International relations"  Speciality - 293 "International Law"	<b>Module 1</b> Lectures: 9 Seminars: 8 Independent work: 70 <b>Module 2</b> Lectures: 4 Seminars: 4 Independent work: 30  <b>Types of assessment:</b> current assessment; final assessment (exam)

## 3. Content of the programme of the discipline

Module 1: General part of international contract law

*Sources of international trade law. The concept of Lex Mercatoria.* The concept of international trade law. Sources of international trade law: (a) international treaties (conventions); (b) national law; (c) a-national (transnational) law: (i) codified

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\* recommended: no more than 2-3 modules for a discipline studied in one semester; no more than 4-6 modules for a discipline studied in two semesters.



commercial customs; (ii) general principles of law and uncodified commercial customs; (iii) court and arbitration practice; (iv) standardised, model contracts; (v) soft law; (vi) legal doctrine. The concept of *Lex Mercatoria* and its place among the sources of international trade law. Basic principles of international trade law.

*Formation of a contract in international commercial practice.* The concept of a contract. "Contract" as a polysemantic term. Distinctive features of international commercial contracts. Offer and acceptance as a paradigmatic way of concluding a contract. Offer: (a) definition of the offer; (b) determination of the time during which the offer is valid: (i) the point of commencement of the offer validity period, (ii) withdrawal, cancellation and rejection of the offer. Acceptance: (a) definition of acceptance; (b) time for acceptance; (c) delayed acceptance. Pre-contractual liability. Negotiations in bad faith. Specific problems related to the use of standard forms when concluding contracts. Representation in international commercial contracts.

*Validity of contracts.* Sufficiency of an agreement in international commerce as opposed to national rules (regarding form, causation, consideration, etc.). Grounds for invalidity of a contract: (a) lack of legal capacity; (b) defects of will: (i) mistake; (ii) fraud; (iii) threats; (iv) excessive imbalance; (c) illegality. Legal consequences of the contract's invalidity.

*Content of the contract and its interpretation.* The concept of a contractual term. Difference between express and implied terms. Sources of implied terms. Criteria for distinguishing between the obligation to achieve a result and the obligation to use best efforts. René Demogne's approach. Dispositive rules on (a) quality of performance; (b) price; (c) duration of the contract. Conditional contracts: deferral and cancellation clauses. Basic principles of contract interpretation.

*Parties to the contract.* The concepts of debtor and creditor. Multiple debtors: (a) joint and several obligations; (b) separate obligations. Plurality of creditors: (a) separate claims; (b) joint and several claims; (c) joint claims. Alienability and alienation of rights. Transfer of debts. Transfer of contracts and its difference from transfer of rights.

*Performance of the contract.* General rules for performance of a contract: (a) time of performance, advance performance; (b) performance at one time and performance in parts, partial performance; (c) procedure for performance; (d) place of performance. Special rules for performance of monetary obligations. Enforcement requiring the permission of public authorities. Complications: concept and consequences.

*Breach of contract and remedies for breach of contract.* The concept of breach of contract. Forgivable and unforgivable breach. The meaning of fault in contract law. Limitation or exclusion of liability clauses. Force majeure clause. Remedies for breach of contract: (a) performance in kind (including correction of defects and replacement of improper performance); (b) termination; (c) damages; (d) withholding of performance; (e) interest on money. Rules on compatibility of several remedies.

## Module 2: Special Part of International Contract Law

*Contract for the international sale of goods.* The concept of the contract of international sale of goods. Comparison of commercial and consumer contracts of sale. Conclusion of an international sale of goods contract. Seller's obligations and remedies in case of breach of contract by the seller. Buyer's obligations and remedies in case of breach of contract by the buyer. Transfer of risks and transfer of ownership. Incoterms.

*Contracts for the international carriage of goods: general remarks.* The concept of a contract for the international carriage of goods. Types of contracts of international carriage of goods depending on the mode of transport; relevant international conventions. The proper form of concluding a contract for the international carriage of goods. Transport documents. Obligations of the carrier. Carrier's liability: (a) period of liability; (b) grounds for liability; (c) limits of liability. Obligations and liability of the sender.

*International financial leasing agreements.* The concept and essential features of an international financial leasing agreement. Rights and obligations of the lessor. Rights and obligations of the lessee. Responsibility of the supplier.

#### **4. Resource support of the academic discipline**

##### *4.1. Forms of the educational process and types of educational activities:*

- forms of organisation of the educational process: classes; independent work; practical training; examination.
- Types of classes: lectures, seminars, independent work, tutorials.

##### *4.2. Independent work of higher education students*

Independent work is a type of extracurricular educational work aimed at studying the programme material of the course. The content of the independent work is determined by the programme of the discipline "International Contract Law", methodological materials, tasks and instructions of the teacher. During the independent work, the students have to study lecture notes, materials presented in textbooks on international contract law, sources of international and national law of Ukraine and foreign countries, and international and national judicial practice on the topics of the discipline. It is also important to work with scientific and practical commentaries, monographs, scientific articles, and other scientific and educational literature recommended by the teacher. Methodological materials should provide for the possibility of self-control on the part of the student.

Independent work of students on mastering the educational material can be carried out in the scientific library of the University, classrooms, computer classes (laboratories), as well as at home.

Where necessary, this work is carried out in accordance with a pre-drawn up schedule, which guarantees the possibility of individual access to the necessary didactic tools.

Forms of independent work of students are:

- written home tasks;
- mastering theoretical material on the topics of practical classes;
- revision of lecture materials;
- work in information networks;
- studying additional literature;

- case studies;
- essays on highly specialised topics;
- creating a training course portfolio and presenting it;
- writing and presenting essays and reports;
- preparation and publication of scientific articles and abstracts;
- participation in student research and practice conferences;
- compiling a bibliography on the relevant topic;
- summarising court and arbitration practice;
- commenting on sources of international law, as well as the national law of Ukraine and foreign countries;
- writing case studies;
- other forms of work.

The applicant chooses the types of independent work according to his/her own interests and agrees with the teacher, who ensures the organisation, control and assessment of the quality of the relevant work.

The educational material that, according to the work programme, should be mastered by students in the course of independent work is assessed during the current assessment together with the educational material that should be studied during the seminars.

#### *4.3. Educational technologies and teaching methods*

- educational technologies: problem-based learning, the "flipped classroom" method of contextual learning, student-centred learning, audio-visual technologies, scientific discussions, interactive technologies, IT technologies, game-based learning, etc;

- Teaching methods: a combination of verbal, visual and practical methods, problem-based teaching, press conferences, business games, brainstorming sessions, modelling of professional situations, case studies, discussion method, round table, etc.

#### *4.4. Forms of pedagogical control, means and criteria of assessment of learning outcomes*

The forms of control of students' knowledge are current and final assessments. The current assessment of student's knowledge includes:

- assessment of the quality of students' mastering of the programme material of the discipline in seminars using the following means: oral, written or express tests, solving practical problems or tasks, participation in the development of a case, defence of an essay or report on the topics chosen by the student. The current assessment is aimed at checking the student's level of mastering the target material. During a seminar, a student can receive a grade on a four-point scale (0, 3, 4, 5);
- assessment of student's mastery of the programme material of the discipline, which is carried out at the end of the modules in the form of colloquia.

During the semester, students are required to complete independent written work. The maximum grade for this work is 10 points.

The form of the final assessment of knowledge of higher education students in the discipline is an exam. The minimum grade for the results of the current assessment and independent work, with which the student is allowed to take the exam, is 25 points.

Distribution of points between forms of the educational process and types of control measures:

Current assessment					Final assessment (exam)
Module 1		Module 2		Independent work of students	
n/a	Colloquium	n/a	Colloquium		
max 10	max 5	max 10	max 5	max 10	max 60

*Criteria for assessing learning outcomes:*

Type of assessment	Number of points	Criteria (for each assessment)
Current assessment in a seminar	Max 5	Excellent mastery of the subject material, with some minor deficiencies.

	4	Good understanding of the topic, but some mistakes.
	3	Satisfactory level of mastery of the material, a significant number of errors.
	Min 0	Unsatisfactory level of learning.
Colloquium	Max 5	The results of the material processing are high, with a small number of minor errors.
	3	Satisfactory level of mastery of the material, a significant number of errors.
	Min 0	Unsatisfactory level of learning.
Independent work of students	Max 10	The work is designed in accordance with the requirements of the department. The paper contains references to sources and own conclusions, there are no methodological errors. The defence demonstrates in-depth knowledge of the topic, as well as the validity of conclusions, positions, classifications, etc.
	7	The work is designed in accordance with the requirements of the department. The paper contains references to sources, the author's conclusions, and methodological errors are minor. During the defence, sufficient knowledge of the topic is demonstrated, as well as the validity of conclusions, positions, classifications, etc.
	5	The work is executed in accordance with the requirements of the department but with minor errors. The paper contains references to sources, the author's own conclusions as well as methodological and substantive errors. During the defence, sufficient knowledge of the topic is demonstrated, but there are problems with the argumentation of certain concepts and judgements in the work, and the proof of the conclusions.
	3	The work is executed with errors and violations of the departmental requirements for the form of work. The work contains methodological and substantive errors, and the number of sources used to substantiate the research and conclusions is insufficient. During the defence, there are difficulties in disclosing the content of the topic, presenting arguments regarding certain provisions of the work, and proving the validity and proof of the conclusions.
	Min 0	The paper is not properly formatted, does not cite sources, and contains methodological errors. During the defence, the author of the work cannot demonstrate knowledge of the chosen topic, provide arguments for the concepts and analyse the information. The work is performed in violation of the requirements of academic integrity.

Exam	Max 60	<ol style="list-style-type: none"> <li>1. Comprehensive, systematic and in-depth knowledge of the material provided by the programme of the discipline, including orientation in the main scientific doctrines and concepts of the discipline.</li> <li>2. Mastering the main and additional literature recommended by the department.</li> <li>3. Ability to independently replenish knowledge in the discipline and use the acquired knowledge in practical work.</li> </ol>
	55	<ol style="list-style-type: none"> <li>1. Full knowledge of the material provided by the programme of the discipline.</li> <li>2. Mastering the main literature and getting acquainted with additional literature recommended by the department.</li> <li>3. Ability to independently replenish knowledge in the discipline, understanding their importance for practical work.</li> </ol>
	50	<ol style="list-style-type: none"> <li>1. Sufficiently complete knowledge of the material provided for in the discipline's programme, with no significant inaccuracies in the answer.</li> <li>2. Mastering the basic literature recommended by the department.</li> <li>3. Ability to independently replenish knowledge in the discipline, understanding their importance for practical work.</li> </ol>
	45	<ol style="list-style-type: none"> <li>1. Knowledge of the basic material provided by the programme of the discipline in an amount sufficient for further study and future work in the profession.</li> <li>2. Mastering the basic literature recommended by the department.</li> <li>3. Errors and significant inaccuracies in the answer during the exam which can be eliminated by a student himself/herself or with the help of a teacher.</li> </ol>
	40	<ol style="list-style-type: none"> <li>1. Knowledge of the basic material provided by the programme of the discipline to the extent sufficient for further study and future work in the profession.</li> <li>2. Familiarity with the main literature recommended by the department.</li> <li>3. Errors in the answer during the exam the most significant of which can be eliminated with the help of a teacher.</li> </ol>
	35	<ol style="list-style-type: none"> <li>1. Gaps in knowledge of certain parts of the basic material of the programme of the discipline.</li> <li>2. Errors in the answer during the exam.</li> </ol>
	0	<ol style="list-style-type: none"> <li>1. Lack of knowledge of a significant part of the basic material of the programme of the discipline.</li> <li>2. Inability to continue studying or performing professional activities without taking a repeat course in this discipline.</li> </ol>

*4.5. Educational, methodical and informational*

*support of the academic discipline*

Normative and legal acts

1. Common European Sales Law. The Commission's proposal for a regulation (COM(2011) 635 final). URL: <https://www.beuc.eu/sites/default/files/publications/2012-00202-01-e.pdf> (accessed 15.06.2022).
2. Convention on Agency in the International Sale of Goods (Geneva, 17 February 1983). URL: <https://www.unidroit.org/wp-content/uploads/2021/06/agency-convention1983.pdf> (accessed 15.06.2022).
3. Convention relating to a Uniform Law on the Formation of Contracts for the International Sale of Goods (The Hague, 1 July 1964). URL: <https://www.unidroit.org/english/conventions/1964ulfc/convention-formation-contracts-international-sale-goods1964.pdf> (accessed 15.06.2022).
4. Draft Common Frame of Reference. URL: <https://sakig.pl/wp-content/uploads/2019/01/dfcr.pdf> (accessed 15.06.2022).
5. Model Clauses for Use by Parties to the UNIDROIT Principles of International Commercial Contracts. URL: <https://www.unidroit.org/instruments/commercial-contracts/upicc-model-clauses/> (accessed 15.06.2022).
6. Principles of European Contract Law. URL: [https://www.trans-lex.org/400200/\\_pecl/](https://www.trans-lex.org/400200/_pecl/) (accessed 15.06.2022).
7. UN Convention on Contracts for the International Sale of Goods. URL: [https://uncitral.un.org/sites/uncitral.un.org/files/media-documents/uncitral/en/19-09951\\_e\\_ebook.pdf](https://uncitral.un.org/sites/uncitral.un.org/files/media-documents/uncitral/en/19-09951_e_ebook.pdf) (accessed 15.06.2022).
8. UNIDROIT Model Law on Leasing. URL: <https://www.unidroit.org/instruments/leasing/model-law/> (accessed 15.06.2022).



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12. United Nations Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea (New York, 2008) (Rotterdam Rules). URL: [https://zakon.rada.gov.ua/laws/show/995\\_k30#Text](https://zakon.rada.gov.ua/laws/show/995_k30#Text) (accessed 15.06.2022).
13. UN Convention on the Use of Electronic Communications in International Contracts (New York, 2005). URL: [https://www.un.org/ru/documents/decl\\_conv/conventions/elect\\_com.shtml](https://www.un.org/ru/documents/decl_conv/conventions/elect_com.shtml) (accessed 15.06.2022).
14. UN Convention on the Assignment of Receivables in International Trade (New York, 2001). URL: [https://www.un.org/ru/documents/decl\\_conv/conventions/pdf/debit.pdf](https://www.un.org/ru/documents/decl_conv/conventions/pdf/debit.pdf) (accessed 15.06.2022).
15. UN Convention on the Carriage of Goods by Sea, 1978 (Hamburg Rules). URL: [https://zakon.rada.gov.ua/laws/show/995\\_391#Text](https://zakon.rada.gov.ua/laws/show/995_391#Text) (accessed 15.06.2022).
16. Convention on the Contract for the International Carriage of Goods by Road (Geneva, 19 May 1956) (CMR). URL: [https://zakon.rada.gov.ua/laws/show/995\\_234#Text](https://zakon.rada.gov.ua/laws/show/995_234#Text) (accessed 15.06.2022).
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21. On private international law: Law of Ukraine No. 2709-IV of 23.06.2005. URL: <https://zakon.rada.gov.ua/laws/show/2709-15#Text> (accessed 15.06.2022).

### *Literature*

#### *Basic literature:*

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2. Карнаух, Б. Іноземна валюта в позиковому зобов'язанні. *Проблеми законності*. 2019. Вип. 144. С. 18-32.
3. Карнаух, Б. П. Глуначення договору: короткий нарис із наднаціональної і транснаціональної точок зору. *Проблеми законності*. 2016. Вип. 135. - С. 39-51.
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5. Таш'ян Р.І. Доктрина «culpa in contrahendo» в ученні про недійсність правочинів. *Підприємництво, господарство і право*. 2021 р. № 1. С. 36-40.

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3. <http://www.uncitral.org/uncitral/index.html>
4. <http://www.unilex.info/>
5. <https://www.hcch.net/>
6. <https://www.trans-lex.org/>
7. <http://eur-lex.europa.eu/homepage.html>

#### SEEMC

Standardized electronic educational and methodological complex "International Contract Law". URL: <https://neik.nlu.edu.ua/moodle/course/view.php?id=794>.

### Map of subject competencies in the discipline

Code and name of competencies by speciality and/or specialisation	Code and name of competencies in the discipline
<b>GC - general (universal) competencies (select competencies according to the content of the discipline)</b>	<b>SC - subject competencies in the discipline</b>
GC 1. Ability to think critically, analyze and synthesize.	SC - 14. Ability to interpret and critically evaluate decisions of national courts and international commercial arbitration in cases arising from international commercial contracts. SC - 15. Knowledge of the mechanisms for assessing the effectiveness of various contractual clauses (clauses) common in international commercial practice.
GC 2. The ability to identify and solve problems arising in the professional sphere, to formulate and ask questions for their further solution.	SC - 10. Ability to navigate the main problems of international contract law. SC - 16. Knowledge of the mechanism for resolving legal conflicts that may arise in the legal regulation of international commercial contracts.
GC 4. Ability to generate new ideas (creativity).	SC - 18. Understanding of the procedure for supplementary interpretation of a treaty and the ability to determine the limits of admissibility of such interpretation. SC - 19. Ability to determine the full content of the contract by identifying implicit terms. SC - 20. Knowledge of the basics of legal techniques for drafting international commercial agreements (contracts).
GC 6. Ability to work effectively in an intercultural environment, including developing and managing international projects.	SC - 5. Knowledge of English terminology in the field of international contract law and the ability to discuss in English applied and theoretical issues of international contract law. SC - 13. Knowledge of the process of convergence of continental and Anglo-American legal systems in the context of regulation of international commercial contracts.
GC 7. Ability to conduct research at an appropriate level.	SC - 4. Ability to work in an interdisciplinary field, applying methods of economic analysis to legal problems arising in the field of international contract law.
GC 8. Ability to learn and master modern knowledge with a high degree of autonomy.	SC - 7. Ability to identify and use sources of information on the content of the law of international commercial contracts. SC - 8. Ability to work with sources of transnational law and <i>lex mercatoria</i> .
GC 9. The ability to solve problems of an innovative nature and to find alternative	SC - 3. Ability to find alternative solutions in resolving disputes arising from the conclusion,



solutions in professional activities.	interpretation and execution of international commercial contracts. SC - 11. Knowledge of the main latest trends and innovations in the field of legal regulation of international commercial contracts.
GC 12. The ability to formulate a personal opinion and present it with evidence.	SC - 9. Ability to justify one's own position in a dispute arising from an international commercial contract. SC - 17. Knowledge of the basic principles and methods of interpretation of international commercial contracts.
GC 15. The ability to understand the specifics of the subject area and professional activity, to make well-founded, balanced decisions and to be aware of their ethical consequences.	SC - 1. Knowledge and understanding of the content, origin, structure and basic principles of the law of international commercial contracts. SC - 2. Understanding of the essence of <i>lex mercatoria</i> and its place among other sources of international trade law. SC - 6. Understanding of the essence of a-national (transnational) law and its role in regulating international commercial transactions. SC - 12. Knowledge of the mechanism of internationalisation of contract law in a globalised world economy.
<b>SpC - special competencies (select competencies according to the content of the discipline)</b>	
SpC 1. The ability to critically analyze the problems and patterns of the functioning and development of international relations, to determine the trends in the development of world politics, to assess the impact of global political processes on national legal, political and economic systems.	SC - 4. Ability to work in an interdisciplinary field, applying methods of economic analysis to legal problems arising in the field of international contract law. SC - 10. Ability to navigate the main problems of international contract law.
SpC 2. The ability to communicate freely in a foreign language, both orally and in writing, in the professional sphere.	SC - 5. Knowledge of English terminology in the field of international contract law and the ability to discuss in English applied and theoretical issues of international contract law. SC - 7. Ability to identify and use sources of information on the content of the law of international commercial contracts.
SpC 4. The ability to comprehensively use highly specialized knowledge in specific areas of regulation of international public law, international private law, and European law to solve applied problems.	SC - 3. Ability to find alternative solutions in resolving disputes arising from the conclusion, interpretation and execution of international commercial contracts. SC - 14. Ability to interpret and critically evaluate decisions of national courts and international commercial arbitration in cases arising from international commercial contracts. SC - 15. Knowledge of the mechanisms for assessing the effectiveness of various contractual

	<p>clauses (clauses) common in international commercial practice.</p> <p>SC - 17. Knowledge of the basic principles and methods of interpretation of international commercial contracts.</p>
<p>SpC 5. The ability to effectively ensure the adaptation of Ukrainian legislation to EU law in law-making, law-interpreting and law-enforcing contexts, to provide legal support to European integration and Euro-Atlantic processes in various spheres of social relations.</p>	<p>SC - 12. Knowledge of the mechanism of internationalisation of contract law in a globalised world economy.</p>
<p>SpC 7. Ability to represent the interests of Ukraine or individuals and legal entities in international judicial institutions, arbitrations, national courts of foreign countries.</p>	<p>SC - 9. Ability to justify one's own position in a dispute arising from an international commercial contract.</p> <p>SC - 16. Knowledge of the mechanism for resolving legal conflicts that may arise in the legal regulation of international commercial contracts.</p> <p>SC - 18. Understanding of the procedure for supplementary interpretation of a treaty and the ability to determine the limits of admissibility of such interpretation.</p>
<p>SpC 11. The ability to ensure the implementation of international legal standards in certain areas of national legislation.</p>	<p>SC - 6. Understanding of the essence of a-national (transnational) law and its role in regulating international commercial transactions.</p> <p>SC - 8. Ability to work with sources of transnational law and <i>lex mercatoria</i>.</p>
<p>SpC 13. Ability to formulate proposals for improvement and establishment of synergy between international and national law-making and law-enforcement processes.</p>	<p>SC - 4. Ability to work in an interdisciplinary field, applying methods of economic analysis to legal problems arising in the field of international contract law.</p> <p>SC - 12. Knowledge of the mechanism of internationalisation of contract law in a globalised world economy.</p> <p>SC - 13. Knowledge of the process of convergence of continental and Anglo-American legal systems in the context of regulation of international commercial contracts.</p>
<p>SpC 16. Ability to work with international documentation (treaties, acts of international organizations and bodies, etc.), determine their legal nature, draft projects and accompanying documentation in Ukrainian and foreign languages.</p>	<p>SC - 1. Knowledge and understanding of the content, origin, structure and basic principles of the law of international commercial contracts.</p> <p>SC - 2. Understanding of the essence of <i>lex mercatoria</i> and its place among other sources of international trade law.</p> <p>SC - 19. Ability to determine the full content of the contract by identifying implicit terms.</p> <p>SC - 20. Knowledge of the basics of legal techniques for drafting international commercial agreements (contracts).</p>

<p>SpC 18. The ability to forecast trends in the development of international law (public/private), European Union law and their impact on the development of national legal systems.</p>	<p>SC - 11. Knowledge of the main latest trends and innovations in the field of legal regulation of international commercial contracts. SC - 13. Knowledge of the process of convergence of continental and Anglo-American legal systems in the context of regulation of international commercial contracts.</p>
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### Map of learning outcomes formulated in terms of competencies

Code and name of the research unit by speciality and/or specialisation	ND module	Code and name of the academic discipline
<b>PTO - learning outcomes in the speciality / specialisation (select learning outcomes according to the content of the discipline)</b>		<b>Learning outcomes for the discipline</b>
PTO 1. To analyze multifaceted problems of international and national legal content and propose ways to solve them.	1	LO 1.1. To scientifically substantiate one's own position in a dispute arising from an international commercial contract. LO 1.2. To apply methods of economic analysis to assess the effectiveness of legal practice.
PTO 2. To produce new ideas for solving practical tasks in the field of professional legal activity.	1	LO 1.3. To find alternative solutions to disputes arising from international commercial contracts based on scientific analysis.
PTO 5. To provide legal representation of the client in national courts, international commercial arbitrations, state authorities and local self-government bodies.	1	LO 1.4. To analyse an international agreement (contract) for its validity in general and for the validity of its individual terms. LO - 1.5. To determine the legal effect of pre-contractual documents.
PTO 7. To make informed decisions based on the acquired knowledge of international public, private and EU law and to be aware of their consequences for various subjects of national and international law.	1	LO 1.6. To identify possible risks when drafting an international agreement and conduct a preliminary assessment of the reliability of the counterparty.
PTO 8. To prepare drafts of international treaties and acts of national legislation, to provide proposals for eliminating conflicts between the norms of international law, as well as for bringing the norms of national law into compliance with the norms of international law.	1	LO 1.7. To know the basics of legal techniques for drafting international commercial agreements (contracts).
PTO 10. To provide legal support for the processes of adaptation of various branches of Ukrainian legislation to the law of the European Union.	1	LO 1.8. To interpret and critically evaluate the decisions of national courts and international commercial arbitration tribunals in cases arising from international commercial contracts.

<p>PTO 15. To characterize different legal systems and mechanisms of their interaction; to know the features of the international regulatory system and the place of International Law (public/private) and European Union Law in it.</p>	1	<p>LO 1.9. To demonstrate knowledge and understanding of the content, origin, structure and basic principles of the law of international commercial contracts.</p> <p>LO 1.10. To demonstrate understanding of the essence of a-national (transnational) law and its role in regulating international commercial transactions.</p> <p>LO 1.11. To demonstrate understanding of the essence of <i>lex mercatoria</i> and its place among other sources of international trade law.</p>
<p>PTO 16. To determine the content and legal nature of national normative legal acts, international treaties and other international documents, to identify conflicts between the norms of international treaties, between the norms of an international treaty and acts of national legislation, and propose ways to resolve them.</p>	2	<p>LO 2.1. To work with sources of transnational law and <i>lex mercatoria</i>.</p> <p>LO 2.2 To determine the law applicable to an international commercial agreement (contract) on the basis of conflict of laws rules.</p>
<p>PTO 17. To carry out research on international legal topics, using primary sources and methods of legal interpretation of complex problems arising from this research, justify the conclusions and present the results of the research.</p>	2	<p>LO 2.3 To evaluate the effectiveness of various contractual clauses (clauses) common in international commercial practice.</p> <p>LO 2.4. To apply the basic principles and methods of interpretation of international commercial contracts.</p> <p>LO 2.5. To use the method of supplementary interpretation of a contract and determine the limits of admissibility of such interpretation.</p> <p>LO - 2.6 To determine the full meaning of a contract by identifying implied terms.</p>
<p>PTO 19. To demonstrate knowledge of the evolution, current state and prospects for the development of legal regulation of various spheres of international cooperation, to be aware of the consequences of the convergence of legal systems in the conditions of globalization and regional integration.</p>	2	<p>LO 2.7. To identify and analyse the latest trends and innovations in the legal regulation of international commercial contracts.</p> <p>LO 2.8. To demonstrate knowledge of the process of convergence of continental and Anglo-American legal systems in the context of regulation of international commercial contracts.</p>

## Appendix 3

**Matrix of connections between the modules of the discipline, learning outcomes and subject competencies in the programme of the discipline**

Learning outcomes	<i>Subject competencies</i>																			
	S C -1	S C -2	S C -3	S C -4	S C -5	S C -6	S C -7	S C -8	S C -9	S C -10	S C -11	S C -12	S C -13	S C -14	S C -15	S C -16	S C -17	S C -18	S C -19	S C -20
Module 1																				
LO - 1.1.	X									X										
LO - 1.2.					X							X								
LO - 1.3.						X														
LO 1.4.		X																		
LOS 1.5.							X	X												
LO 1.6.									X											
LO 1.7.																				X
LO 1.8.								X												
LO 1.9.																				X
LO 1.10.				X																
LO 1.11.														X						
Module 2																				
LO - 2.1.														X						
LO - 2.2.			X													X				
LO - 2.3.									X											
LO - 2.4.											X									
LO 2.5.				X																
LO 2.6.															X					

