SYLLABUS

1. Course title:

INTERNATIONAL CIVIL PROCEDURE LAW

2. Code:

3. Cycle of study:

1

4. ECTS credits:

6

5. Type of course:

(●) Mandatory ( ) Elective

6. Prerequisites:

NONE

7. Class restrictions:

NONE

8. Duration / semester:

1 8

9. Weekly contact hours:

9.1. Lectures: 4

9.2. Seminars: 0

9.3. Laboratory/Practice classes: 1

10. Faculty:

FACULTY OF LAW

11. Department/study program:

GENERAL COURSE - LAW

12. Lecturer:

Dr Jasmina Alihodžić, associate professor

13. Lecturer's e-mail:

jasmina.altumbabic@untz.ba

14. Web site:

www.untz.ba

15. Course aims:

Introducing and understanding the essence of personal relations with foreign element;
- Enabling students to analyze and properly implement the provisions of international jurisdiction, recognition and enforcement of foreign court decisions in BH, as well as provisions on international legal aid and rights of foreigners;
- Acquisition of the necessary knowledge and skills that students can apply in solving foreign private law situation.

16. Learning outcomes:

Enabling students to successfully master the subjects that have international characteristics;
- Comparing the institutions of international civil procedure law in BH with the respective institutes of comparative/ national and EU Law;
- Understand the hierarchy of legal sources in the field of international civil procedure law, as well as their successful use in the context of solving practical cases;
- Analysis of national and foreign court decisions in the field of international civil procedure law;
- Case study.

17. Course content:

- The concept and forms of conflict of jurisdictions, the procedure in the presence of a foreign element, sources of international civil procedure law on national level and the EU, unification on the international level;
- International jurisdiction (concept and types of international jurisdiction, the concept of international commercial arbitration, lis pendens rule, regulation in the EU, international regulation);
- International legal assistance (the concept and role of international legal assistance, the principles underlying its provision, regular and special subject of international legal assistance, means of communication, international regulation);
- Recognition and enforcement of foreign court and other decisions (term of ex-territorial effects of foreign decisions, different approaches to the problem and the different rules of recognition in some countries, recognition and enforcement of foreign court decisions in PIL BH, the regulation in the EU, international regulation);
- Recognition and enforcement of foreign arbitral awards (notion of foreign arbitral award, the regime of recognition and enforcement in private international law in BH, international regulation);
- The legal status of foreign nationals (procedural status of foreigners, private rights of foreign nationals in BH, cautio iudicatum solvi).

18. Learning methods:

Lectures: interactive, with the maximum involvement of students in the discussion on all the issues concerned, and practical classes (theoretical and practical character) - Interactive and case study based - examples from legal practice in order to test the performance of students due to the process of previously acquired knowledge.

19. Assessment methods:

In the second half of the semester students are supposed to write colloquium which includes previously treated topics on lectures and exercises. Colloquium consists of 15 questions. Each correct answer scored 1 point, respectively, which means that student at the colloquium can achieve a maximum of 15 points. As part of the pre-exam obligations, students are required to make individual or group seminar paper concerning topics from the contents of the subject. Seminar paper is to be submitted in writing to the teacher for review and evaluation, and then presented orally. In the preparation and presentation of the group seminar paper, all students from the group are to be engaged equally, whose participation is valorized individually. For the finished and presented seminar, student can achieve from 0 to 15 points. Also, for continuous interactive role during the lectures and exercises throughout the semester, the student can achieve from 0 to 10 points.
The final exam is oral.
At the oral exam students answer three questions from the program/content of the course. Oral exam is considered to be passed if a student gives at least partial answers to all three questions. At the oral exam student can achieve 50 points.
In order for the student to pass the exam, he/she must achieve a minimum of 54 cumulative points of which a minimum of 20 points at the final oral exam.

20. Assessment components:

Exam grade is based on the total number of points a student achieves by completing pre-exam requirements and oral exam, according to the quality of the acquired knowledge and skills, contains a maximum of 100 points, and is determined according to the following scale:

Obligations of Student	points
Participation in lectures	5
Participation in exercises	5
Active role during the lectures and exercises	10
Seminar paper	15
colloquium	15
Total pre-exam activities	50
Final Exam	20-50

21. Required reading list:

1. Muminović, E. (2006) Procesno međunarodno privatno pravo. Sarajevo: Pravni fakultet Univerziteta u Sarajevu.
2. Stanivuković, M., Živković, M. (2013) Međunarodno privatno pravo - opšti deo. Beograd: Službeni glasnik.
3. Alihodžić, J. (2012) Razvoj evropskog međunarodnog privatnog prava: pravci reforme zakonodavstva u Bosni i Hercegovini. Tuzla: OFF-SET.
4. Službeni list SFRJ br. 43/1982, 72/1982. Zakon o rješavanju sukoba zakona sa propisima drugih zemalja u određenim odnosima.

22. Web sources:

23. Applicable starting from the academic year:

2016/17

24. Adopted in the Faculty/Academy session: