

# American College Dublin

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## IB304 INTERNATIONAL LAW

<b>Credits:</b>	3 US credits / 6 ECTS credits
<b>Credit level:</b>	Stage two
<b>Prerequisites:</b>	IB208
<b>Mandatory:</b>	Yes
<b>Contact hours:</b>	40
<b>Academic Year:</b>	2015/2016
<b>Semester:</b>	1
<b>Lecturer:</b>	Johnnie McCoy

### MODULE DESCRIPTION

This course is an introduction to legal issues facing the international business(es) and international businessperson(s) in theory and in practise from decided cases so as to enable students to apply the law to their specific area(s) of business. It examines the role of private international law, the law of the European law and public international law in international trade. It requires the study of the terms of international trade agreements and international conventions on world trade.

### INTENDED LEARNING OUTCOMES

1. Have developed a comprehension of the kind of knowledge pertaining to international law.
2. Understand the different theories, concepts and methods of international law.
3. Have developed an understanding of international legal systems and their terminology.
4. Have gained the know-how in the course to identify problems and apply the law in a rational manner in order to assist them to overcome difficulties which may arise in the international business environment and/or to seek specialist legal advice.
5. Have gained the understanding of how the law of one jurisdiction adapts to deal with the law of a different legal system.
6. Have gained the understanding of how international trading organisations have developed customs, practises and laws to deal with cross boarder trade in the absence of one world wide legal order.

### TEACHING METHODS

The class will be a mix of lectures, exercises, presentations, assignments, reading, group discussion, based upon the course in international law and real life case reports from a variety of courts world wide.

## LEARNING OUTCOMES MAP

Learning Outcomes	Content	Delivery	Assessment
1	All sections	Lectures, readings, class exercises and discussions	Class participation, assignment and exam.
2	Section 1	Lectures, readings, class exercises and discussions	Class participation, assignment and exam.
3	Section 2	Lectures, readings, class exercises and discussions	Class participation, assignment and exam.
4	Section 3	Lectures, readings, class exercises and discussions	Class participation, assignment and exam.
5	Section 4	Lectures, readings, class exercises and discussions	Class participation, assignment and exam.
6	Section 5	Lectures, readings, class exercises and discussions	Class participation, assignment and exam.
7	Section 6	Lectures, readings, class exercises and discussions	Class participation, assignment and exam.

## COURSE OUTLINE

## WEIGHTING

1. Introduction to international law and international trade law. 10%  
Public and private law distinguished; sources of international trade law; state jurisdiction; nationality and corporations.
2. Private international law. The applicable law in contract disputes; 20%  
the applicable law in tort disputes; recognition and enforcement of judgments under the Brussels and Lugano conventions; a European private international law.
3. The law of the European Union. The international personality of the EU; 20%  
historical background to treaties; the EU institutions; the legal framework of the EU's external trade policy; free movement of goods; free movement of workers, establishment and supply of services; competition law.
4. International law. Export contracts; the law of the international sale of goods; 20%  
convention on contracts for the international sale of goods; transportation of export goods by land, air and sea; finance and insurance of exports.
5. International trade agreements. GATT; NAFTA; customs law. 10%
6. Dispute settlement international trade law. The EU system; NAFTA, 20%  
International Court of Justice; the GATT system, the WTO system; international commercial arbitration; resolving e-commerce disputes.

## REQUIRED TEXT

White, Fidelma, *Commercial Law*, (2002), Thompson Roundhall.  
D'Arcy, Murray and Cleave, (2000) *Schmitthoff's export trade*, Sweet and Maxwell.  
Shaw, (1997) *International law, fourth edition*, Grotius Publications.  
North and Fawcett, (1999) *Cheshire and North's private international law*, Butterworths.

## SUPPLEMENTARY READING LIST

Hotchkiss, (1994) *International law for business*, McGraw Hill.  
Wyatt and Dashwood, (2000) *European community law*, Sweet and Maxwell.  
Wallace, (1997) *International law – a student introduction*, Sweet and Maxwell.  
Binchy, 1988 *Irish conflicts of law*, Butterworths.  
Forde, (1997) *Commercial law, second edition*, Butterworths.  
Collier and Vaughan, (1999) *The settlement of disputes in international law*, OUP.  
Maher, (1999) *Competition law alignment and reform*, Sweet and Maxwell.

## ASSESSMENT/GRADING

A student's progress will be assessed by Attendance and Participation, a Class test, an Essay and an Exam.

### Assessment will take the form of:

Attendance and participation	10%
Class test	10%
Essay	30%
Final Exam	<u>50%</u>
<b>Total</b>	<b>100%</b>

### Grading

Each component of the course will be assessed separately. Students will be graded according to the attached grading system as outlined in the HETAC Marks and Standards 2009, available at: [http://www.hetac.ie/docs/Assessment\\_and\\_Standards\\_2009.pdf](http://www.hetac.ie/docs/Assessment_and_Standards_2009.pdf) (page 23).

## ATTENDANCE

Class attendance is necessary for the achievement of intended learning outcomes. In the case of illness it is the student's responsibility to telephone the College office to notify the lecturer (see *Academic Policies and Procedures* in the ACD Catalogue and the QA Manual).

## ACADEMIC DISCIPLINE

Refer to the subsection on Academic Discipline in the current ACD Catalogue and the QA Manual.