UNIVERSIDAD DE MURCIA

1. Identification

1.1. About the course

Academic Term	2026/2027
Degree	GRADO EN DERECHO
Course	INTERNATIONAL BUSINESS LAW
Code	7114
Year	CUARTO
Course type	OPTATIVA
Number of groups	1
ECTS	3.0
Estimation of workload	75.0
Timeline	2º Cuatrimestre
Languages	English

1.2. Teaching staff

CEBRIAN SALVAT, MARIA ASUNCION

Professor: **MENCIÓN ESTUD_JUR_INTER**

Group coordination: **MENCIÓN ESTUD_JUR_INTER**

Course coordinator

Category
PROFESOR CONTRATADO DOCTOR TIPO A (DEI)

Area
DERECHO INTERNACIONAL PRIVADO

Department
DERECHO FINANCIERO, INTERNACIONAL Y PROCESAL

Email / Personal web page / Online tutoring sessions
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Phone number and office hours

CARRASCOSA GONZALEZ, JAVIER

Professor: **MENCIÓN ESTUD_JUR_INTER**

Group coordination:

Category
CATEDRATICOS DE UNIVERSIDAD

Area
DERECHO INTERNACIONAL PRIVADO

Department
DERECHO FINANCIERO, INTERNACIONAL Y PROCESAL

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Phone number and office hours

Duration:	Day:	Hours:	Place:
A	Viernes	09:00-15:00	868883061, Facultad de Derecho B1.3.022

Remarks:
Debe acordarse la hora concreta con el profesor

Duration:	Day:	Hours:	Place:
A	Martes	09:00-15:00	868883061, Facultad de Derecho B1.3.022

Remarks:
Debe acordarse la hora concreta con el profesor

Duration:	Day:	Hours:	Place:
A	Miércoles	09:00-15:00	868883061, Facultad de Derecho B1.3.022

Remarks:
Debe acordarse la hora concreta con el profesor

2. Presentation

1. Twenty-first century globalization is the most complete expression of the principle of market expansion. It consists of extending as far as possible the space in which individuals can exchange services, resources, and subjective rights and goods with the greatest freedom. More space means more exchange. More exchange means greater well-being. The world is becoming a gigantic but unique market, a space without internal borders, and that is precisely what globalization is. The world is a market: one world, one market. Globalization is the highest stage of the internationalization of human life. Globalization has caused international trade to increase to extraordinary and previously unknown levels. Today, international economic relations have an impact on the entire planet. The success of globalization is due to the triumph of theories that argue that free international trade has positive consequences. In contrast, experts in the field today consider protectionism to be an obsolete, outdated, and outdated thesis that harms everyone, every country, and every person. As a result of the global victory of globalization, people are increasingly and rapidly becoming merchants and consumers without a country, “stateless beings.”

2. International trade is a reality that is present at all times and throughout the world. To be effective and efficient, it requires a law to regulate it. There is no “world state” that produces a “world law” valid in all states. Nor is there a corporate organization of

single courts for the whole world. There is no “world jurisdiction.” Consequently, the performance of the functions of law is much more complicated when it is necessary to regulate “international” trade, that is, when it is necessary to regulate situations and relations between private individuals whose effects and elements are not confined to a single State. Indeed, in the absence of a world law and a world jurisdiction, individuals have no certainty that there is a legal system and courts of justice to ensure the exchange of goods and services between subjects of different States.

3. A world divided into sovereign States, each with “its own” courts and each with “its own law,” constitutes a limit or brake on the possibilities of exchange between individuals. States exist and “national” legal systems exist, and both constitute an enormous obstacle to international exchange between individuals. Indeed, given the existence of almost 200 states in the world, individuals located in different states need to know, before exchanging goods and services between themselves, which state law governs their exchange and before which specific state courts they can, if necessary, bring legal action.

4. It is therefore necessary to have a “law of international business,” a set of rules governing the international exchange of resources, products, and services.

5. This course provides students with the elements, techniques, and methodological tools to understand and correctly apply the law governing international business. Students will not only be able to study the regulations governing all areas of international trade law, as can be seen in the description of the contents. They will also study legal claims, international contract forms, and requests for the enforcement of foreign judgments on matters of a pecuniary nature.

6. The content offered in this course is governed by rules created at the domestic level (laws, decrees, etc.) and also by rules generated at the international level (international agreements, EU regulations, etc.). This gives international trade law a “uniform” or “tending towards internationality.” International business law has certain rules that are the same as those governing international trade law in other countries. The problems and issues of international trade are the same in all corners of the globe, and, with a few very specific exceptions, social and cultural peculiarities are of little importance in this sector. It is therefore easy to draw up “uniform” rules of international trade law that can be adopted by a large number of States. International trade law is an “evolving system” that is moving slowly but surely towards the international unification of its rules. This has nothing to do with a supposed “international codification of international trade law,” a phenomenon that does not exist.

7. The course presents international business law as a sector of each State's legal system that is made up of two large groups of legal rules of different natures and with different purposes: (a) “Rules of public economic law,” which regulate and enforce State policies in the international economic sphere; (b) “Rules of private international law,” which regulate the rights and obligations of private individuals involved in international economic exchanges. This concept provides a comprehensive legal overview of international trade. This comprehensive overview is more practical than a partial overview that only considers aspects of private law or those relating to public law. In any case, it should be borne in mind that “rules of public economic law” are rules of public law. They must be interpreted and applied in accordance with the interpretative criteria of administrative law. On the contrary, the rules of private international law, whether “conflict rules” or “substantive rules,” are rules of private law that must be applied and interpreted in accordance with the hermeneutic criteria of private law.

8. The proposed course is focused, presented, and developed through the resolution by students of real practical cases of international business law.

9. This proposed course covers two types of content. First, a series of elements, topics, and issues that are not explored or taught in other courses in the Law Degree, such as the regulation of imports and exports, the legal regime for international trade in dual-use technology, securities in cross-border economic transactions, and export credit insurance. Secondly, it includes a series of topics that represent a further development of some topics that are only taught in a general and approximate manner in the Law Degree, such as international insolvency, private international arbitration, and specific cases of non-contractual civil liability, such as liability arising from antitrust acts in international markets.

10.Under no circumstances is a topic covered in the Law Degree taught in a symmetrical and parallel manner in this course. In this course, topics related to international trade are explored in a dogmatic and practical depth that cannot be achieved in the Law Degree.

3. Conditions of access to the course

3.1. Incompatibilities

There are no records

3.2. Requirements

There are no records

3.3. Recommendations

There are no records

4. Contents

4.1. Theoretical contents

Theme 1: LEGAL REGULATION OF INTERNATIONAL TRADE AND INTERNATIONAL BUSINESS.

I. The exchange of goods and resources. The market. General aspects.

II. International trade. Causes and benefits.

III. Protectionism. Negative consequences.

IV. Globalisation. The world market.

V. The law governing international trade.

VI. International institutions driving and regulating international trade.

VII. Customs law.

VIII. Importation of goods. Legal regime.

IX. Export of goods. Legal regime.

X. Exchange control. Legal regime.

XI. Foreign investment. Legal regime.

XII. Measures to promote Spanish investment abroad and exports.

Theme 2: INTERNATIONAL JURISDICTION AND INTERNATIONAL BUSINESS LAW. REGULATION 1215/2012 "BRUSSELS I-BIS" OF 12 DECEMBER 2012.

I. The Brussels I-bis Regulation of 12 December 2012. General aspects.

II. Scope of the Brussels I-bis Regulation.

III. International jurisdiction in the Brussels I-bis Regulation.

IV. Exclusive forums of international jurisdiction.

V. Submission Forum.

VI. Forum of the defendant's domicile.

VII. Special subject-specific forums.

VIII. Forums for procedural links.

IX. Forums for interim and precautionary measures.

X. Implementing rules in the Brussels I-bis Regulation.

XI. International private arbitration and the Brussels I-bis Regulation.

XII. The Lugano II Convention of 30 October 2007 and the Brussels Convention of 27 September 1968.

Theme 3: INTERNATIONAL COMPANIES AND OTHER LEGAL PERSONS

I. Capital companies in international trade. Introduction.

II. International jurisdiction in the area of legal persons and companies.

III. Law applicable to capital companies.

IV. Scope of application of the *lex societatis*.

V. Specific types of companies.

VI. International merger of companies.

VII. International takeover of companies.

VIII. International transfer of registered office.

X. Diplomatic protection of companies. The "Barcelona Traction" case.

Theme 4: INTERNATIONAL CONTRACTS I

I. The international contract and the global market economy.

II. International jurisdiction and international contracts.

III. Law applicable to international contracts.

IV. Matters regulated by the *Lex Contractus*.

V. International contract and police laws.

VI. Form of the contract. Applicable law.

VII. Contractual capacity.

VIII. Law applicable to other questions relating to international contracts.

IX. Law applicable to the contract and international commercial arbitration.

Theme 5: INTERNATIONAL CONTRACTS II: CONTRACTS IN PARTICULAR

I. International transport contract.

II. Donations.

III. Representation.

IV. Contracts specific to international trade.

Theme 6: INTERNATIONAL INSURANCE CONTRACT

I. International insurance contract. Preliminary concepts.

II. International insurance and reinsurance contracts. International jurisdiction.

III. International insurance and reinsurance contracts. Applicable law.

Theme 7: INTERNATIONAL CONSUMER CONTRACTS

I. Introduction. Private international law and consumers.

II. International jurisdiction and consumer contracts.

III. Law applicable to international consumer contracts.

Theme 8: INTERNATIONAL LABOUR CONTRACT.

I. Introduction. The international movement of workers.

II. International jurisdiction and labour disputes.

III. Law applicable to the international employment contract.

IV. Scope of the law regulating international employment contracts.

V. Temporary postings of workers.

VI. Particular issues of the international employment contract.

Theme 9: RIGHTS IN REM

I. Rights in rem in international trade. General aspects.

II. International jurisdiction and rights in rem.

III. Law applicable to rights in rem.

IV. Scope of the law applicable to rights in rem.

V. Confiscations, nationalisations and expropriations in private international law.

VI. Mortgage market and conflict of laws.

Theme 10: INTELLECTUAL AND INDUSTRIAL PROPERTY

I. Ownership of incorporeal property and private international law.

II. International jurisdiction and rights over incorporeal property.

III. Law applicable to ownership of incorporeal property.

IV. Exploitation of intangible rights on a global scale.

Theme 11: NON-CONTRACTUAL OBLIGATIONS

I. Non-contractual obligations. Basic aspects.

II. International jurisdiction and non-contractual liability.

III. Law applicable to non-contractual obligations. General aspects.

Theme 12: FREE CIRCULATION OF JUDICIAL AND EXTRAJUDICIAL DECISIONS IN THE FIELD OF PROPERTY. THE BRUSSELS I-BIS REGULATION.

I. Brussels I-bis Regulation. General features.

II. Relations between the Brussels I-bis Regulation and other international instruments.

III. Conditions for recognition and *exequatur* in the Brussels I-bis Regulation.

IV. Effects of decisions given in other Member States. General technical mechanisms.

V. Enforcement of provisional and protective measures in the Brussels I-bis Regulation.

VI. Enforcement of authentic instruments.

VII. Extraterritorial effects of court settlements.

VIII. Rules of Spanish procedural law for the application of the Brussels I-bis Regulation.

IX. Brussels Convention of 1968 and the Lugano II Convention of 2007.

Theme 13: SECURITIES

I. Securities in the international economy.

II. Law applicable to securities.

III. International jurisdiction and exchange actions.

IV. Law applicable to securities.

V. Enforcement in Spain of bills of exchange, promissory notes and cheques issued abroad.

VI. Law applicable to transactions carried out on securities markets.

VII. Law applicable to the shares of limited liability companies.

VIII. Law applicable to the financing securities of capital companies.

IX. Law applicable to securities. The bill of lading.

Theme 14: INTERNATIONAL INSOLVENCY

I. Bankruptcy law: procedural and substantive purpose.

II. International insolvency law.

III. Regulation (EU) 2015/848 of 20 May 2015 on insolvency proceedings.

IV. International insolvency and insolvency law. Royal Legislative Decree 1/2020, of 5 May.

Theme 15: INTERNATIONAL COMMERCIAL ARBITRATION

I. International private arbitration. General aspects.

II. The arbitration agreement and international private arbitration.

III. The procedure in international private arbitration.

IV. Effects in Spain of foreign arbitration awards.

4.2. Practical contents

- **Practical activity 1: Practical lessons**

  In practical lessons, practical scenarios provided by the teaching staff and related to the course syllabus will be solved.

5. Training activities

Training Activity	Methodology	Hours	In-person
AF1: Exposición teórica / Clase magistral		39.0	100.0
AF2: Tutoría ECTS o trabajos dirigidos		3.0	100.0
AF3: Prácticas		18.0	100.0
AF4: Trabajo autónomo del/ de la estudiante		90.0	0.0
	Total	150.00	

6. Course schedule

https://www.um.es/web/estudios/grados/derecho/2026-27#horarios

7. Assessment systems

Identifier	Name of the assessment tool	Assessment criteria	Weighting
SE1	Pruebas o exámenes (escritas u orales): pruebas objetivas, test, de desarrollo, de respuesta corta, de ejecución de tareas, de escala de actitudes, etc¿ realizadas por los estudiantes para mostrar los conocimientos teóricos y/o prácticos adquiridos.	Written test in which students answer one of two questions chosen from those proposed by the teacher. Students may use all the materials used to prepare for the course during the test.	50.0
SE2	Actividades prácticas, trabajos y otros procedimientos de observación del trabajo del estudiante (registros de asistencia y participación).	Assessment of work carried out during the lessons, student contributions and presentations.	50.0

8. Exam dates

https://www.um.es/web/estudios/grados/derecho/2026-27#examenes

9. Learning outcomes

- RA01 (): Conocer y comprender los elementos, estructura, recursos, interpretación y aplicación del ordenamiento jurídico e interpretar las fuentes y los conceptos jurídicos fundamentales de cada uno de los distintos órdenes jurídicos.
- RA02 (): Conocer y comprender los mecanismos y procedimientos de resolución de los conflictos jurídicos, así como la posición jurídica de las personas en sus relaciones con la Administración y en general con los poderes públicos.
- RA03 (): Conocer y saber aplicar los criterios de prelación de las fuentes para determinar las normas aplicables en cada caso, y en especial el de la conformidad con las reglas, los principios y los valores constitucionales.
- RA04 (): Interpretar textos jurídicos desde una perspectiva interdisciplinar utilizando los principios jurídicos y los valores y principios sociales, éticos y deontológicos como herramientas de análisis.
- RA05 (): Pronunciarse con una argumentación jurídica convincente sobre una cuestión teórica relativa a las diversas materias jurídicas.
- RA06 (): Resolver casos prácticos conforme al Derecho positivo vigente, lo que implica la elaboración previa de material, la identificación de cuestiones problemáticas, la selección e interpretación del dato de Derecho positivo aplicable y la exposición argumentada de la subsunción.
- RA07 (): Manejar con destreza y precisión el lenguaje jurídico y la terminología propia de las distintas ramas del derecho. Redactar de forma ordenada y comprensible documentos jurídicos. Comunicar oralmente y por escrito ideas, argumentaciones y razonamientos jurídicos usando los registros adecuados en cada contexto.
- RA08 (): Utilizar las tecnologías de la información y las comunicaciones para la búsqueda y obtención de información jurídica (bases de datos de legislación, jurisprudencia, bibliografía, etc.), así como herramientas de trabajo y comunicación.
- RA09 (): Describir de forma razonada los fundamentos históricos, económicos, políticos y filosóficos del ordenamiento jurídico español.
- RA10 (): Conocer y comprender el funcionamiento de las organizaciones internacionales y, en especial, de la Unión Europea, sus instituciones, las distintas normas jurídicas que producen y su valor normativo e influencia en el ordenamiento jurídico interno.
- RA11 (): Conocer los valores y principios que se deducen del marco constitucional y de los tratados internacionales, con especial atención al principio de igualdad y no discriminación, a la inclusión de colectivos vulnerables y a la protección del medioambiente.
- RA12 (): Conocer las técnicas de comunicación oral y escrita en el ámbito jurídico, en un idioma extranjero ofertado en el Grado.
- RA15 (): Conocer y comprender el régimen jurídico de las instituciones y de las relaciones jurídicas públicas y privadas.
- RA16 (): Identificar las principales similitudes y diferencias entre el ordenamiento jurídico español y los de otros estados.
- RA21 (): Conocer y comprender los principios rectores y conceptos fundamentales del Derecho privado.
- RA23 (): Conocer y comprender la relación obligatoria en cuanto mecanismo básico para el intercambio de bienes y servicios y para el resarcimiento y reparación del daño.
- RA24 (): Conocer y comprender los mecanismos y herramientas jurídicas relacionadas con la propiedad y explotación de los bienes, materiales e inmateriales.

- RA26 (): Conocer y comprender el régimen jurídico de la empresa y el empresario (social e individual) y los instrumentos jurídicos necesarios para el desarrollo de su actividad.
- RA27 (): Conocer las reglas de conducta de los empresarios y profesionales en el mercado y los sistemas de protección jurídica de la innovación en el ámbito industrial y comercial.
- RA28 (): Conocer el tratamiento de las situaciones de crisis patrimonial y financiera.

10. Bibliography

Basic bibliography

- A.-L. CALVO CARAVACA / J. CARRASCOSA GONZÁLEZ, Tratado de Derecho internacional privado, segunda edición (tres tomos) València, 2022 (4696 páginas) ISBN 9788411473668.

Further reading

There are no records

11. Remarks

SPECIAL EDUCATIONAL NEEDS

Those students with disabilities or special educational needs may contact the Service of Attention to Diversity and Volunteering (ADYV - https://www.um.es/adyv) to receive guidance on better use of their training process and, where appropriate, the adoption of measures of equalization and improvement for inclusion, under the Rectoral Resolution R-358/2016. The treatment of information about this student body, in compliance with the LOPD, is strictly confidential.

ASSESSMENT

In the assessment process, Article 135.1(v) of the Statutes of the University of Murcia, Article 8.6 of the Student Assessment Regulations (REVA), and Instruction SG 18/2026 issued by the Secretary General of the University of Murcia, which interprets these provisions, shall apply. The instruction is available at the following link: https://sede.um.es/sede/documento/normativa/instruccion-del-secretario-general-sg-18-2026-sobre-la-interpretacion-y-aplicacion-del-art-135-1-v-estatutos-umu/24199.pdf

Students are also reminded that Article 22.1 of the Student Assessment Regulations (REVA) provides that "any student who engages in fraudulent conduct, including the improper misrepresentation of identity or authorship, or who is in possession of means or instruments that facilitate such conduct, shall receive a grade of zero in the assessment process and may, where appropriate, be subject to disciplinary sanctions following the initiation of disciplinary proceedings."

REMARKS FROM THE TEACHING STAFF

This course is closely related to SDG 16.

In accordance with Article 135.1.v) of the Statutes of the University of Murcia, students are entitled to sit the final assessment for the module and may achieve the maximum overall mark (100%) in that assessment, provided there are justified reasons for not having followed the continuous assessment system set out in the course handbook (attendance and participation records).

It is also established that students who do not pass the final examination in the first sitting are entitled to request that their continuous assessment mark be carried over to the second sitting.