# Transnational law

## Prof. Pietro Franzina, Prof. Theodore Christakis

***COURSE AIMS AND INTENDED LEARNING OUTCOMES***

The course is concerned with the way in which States, international organisations and private regulators deal with the regulation of actions and events that transcend national frontiers. The course consists of a general introduction followed by two modules which focus, respectively, on artificial intelligence and cross-border commercial transactions. Students who complete the course are expected to be able to understand the legal, political and practical significance of the different kinds of law-making involved in the regulation of phenomena that develop across national borders.

***COURSE CONTENT***

The general introduction, by Professor Franzina, will present the legal challenges posed by the mobility of persons, undertakings, data and assets across borders, the entities involved in the regulation of the phenomena associated with such mobility, and the tools employed for this purpose. The First Module, taught by Professor Christakis, aims to provide students with a basic knowledge of some major issues concerning data protection law and regulation of artificial intelligence. The module will discuss the draft Regulation on AI proposed by the European Commission in April 2021, regulation of facial recognition in Europe and a selection of other very topical issues in international and European data protection Law. The Second Module, taught by Professor Franzina, will deal with: (a) international sales (in particular, the 1980 UN Convention on Contracts for the International Sale of Goods, and the Incoterms); (b) agency and distribution; (c) bank payment undertakings (in particular, the UCP 600 and the URDG 758); (d) international interests in mobile equipment.

***READING LIST[[1]](#footnote-1)***

R. Goode, H. Kronke, E. McKendrick, *Transnational Commercial Law – Texts, Cases and Materials* (2nd ed.), Oxford University Press, 2015 (chapters 1-8, 10-11, 14). Additional readings will be indicated prior to the beginning of the course

***TEACHING METHOD***

With the exception of the general introduction, the course involves a combination of traditional lectures and active, student-centred, learning, mainly in the form of case studies. Guest lecturers – with an academic and/or a practical background – will join the class on various occasions.

***ASSESSMENT METHOD AND CRITERIA***

Students are examined orally. The purpose of the exam is to assess the student’s ability to identify and properly address such legal issues as may arise in real-life scenarios where trasnantional phenomena are involved. In assessing the students, the following will be especially taken into consideration: (a) whether the student correctly identifies the rules that govern the issues considered; (b) whether the student understands the social and political implications of the issues themselves; (c) whether the student provides a reasoned and clearly presented explanation of impact of the relevant rules on the case examined; (c) the degree of familiarity of the student with the main judicial and scholarly authorities regarding the topics under consideration.

***NOTES AND PREREQUISITES***

A proper understanding of transnational law presupposes a knowledge of EU law and, ideally, a knowledge of both public and private international law. As the course is taught entirely in English, and largely builds on the interaction between the professors and the students, students are expected to have a good command of the English language (a B2 level, according to the Common European Framework of Reference, or CEFR, is normally sufficient).

*In case the current Covid-19 health emergency does not allow frontal teaching, remote teaching will be carried out following procedures that will be promptly notified to students.*

*Place and time of consultation hours*

Consultation hours during the class terms are indicated on Professor Franzina’s webpage (https://docenti.unicatt.it/ppd2/it/docenti/59200/pietro-franzina). Consultation hours of Professor’s Christakis will be made known at the beginning of the course.

1. I testi indicati nella bibliografia sono acquistabili presso le librerie di Ateneo; è possibile acquistarli anche presso altri rivenditori. [↑](#footnote-ref-1)