Curricular Unit

Master in L&M 2026/2027

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Introduction

Contracts are an essential tool in any legal system and so is knowledge about this legal instrument. The course covers Public and Private Law contracts, as well as International and European Law. To this end, this curricular unit is structured around three complementary parts, each reflecting a distinct analytical and methodological approach to the study of contracts.

Goals

The course aims to provide the students with the fundamental tools for dealing with contracts, being suitable for anyone who wants to know more about this legal instrument and not only to Law students. Besides introducing the core aspects of Contracts, the course aims to develop research and analytical skills through a pragmatic approach.

Methods

Classes will be conducted in an interactive way, stimulating the dialogue and the in-class work, bearing in mind the need not only for a theoretical approach but also a practical one.

Course Contents

Part I – International Public Procurement
1. UN, WB, GPA (WTC), EU – overview
2. Principles of International Public Procurement
3. Hot topics on International Public Procurement
4. Public-Private Partnerships

Part II – International Private Contracts Law
1. Cross-border trade: main challenges and legal framework. Core features of international commercial transactions and main legal concepts of the digital economy.
2. UNIDROIT Principles and the United Nations Convention on Contracts for the International Sale of Goods (CISG). CISG: principles, structure and sphere of application.
3. CISG in the digital economy: challenges and opportunities. Definition of goods, general provisions and contract formation in digital environment. Obligations of the parties, liability, remedies and damages.

Part III – Third Party Risk Management and Contract Life Cycle
1. Overview of the Third Party Risk Management (TPRM) framework and discussion of the principles of TPRM such as due diligence, third-party risk assessment, remediation and ongoing monitoring. Liaison between compliance with regulations and protection of sensitive data. Dependencies between TPRM, operational resilience and compliance with environmental, social and governance criteria.
2. Contract Life Cycle. Definition and walkthrough: initiation, negotiation, execution, monitoring and closure.
3. Examples and case studies.

Assessment

A) Written exam (24 hours take-home exam): 50%

B) Participation in class and written assignments: 50%

References

Part I:

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BRIDGE, Michael, "Chapter 21: Risk of Loss", in Dimatteo, Larry/Janssen, André/ Magnus, Ulrich/Schulz, Reiner (Ed.), International Sales Law, Contract, Principles & Practice, Beck-Hart-Nomos, 2016.

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