



List of questions for the final exam

I. International commercial law

1. International commercial arbitration

- 1) Sources of arbitration law; Definition and differences between ad hoc and institutional arbitration; Principle of territoriality
- 2) Arbitration agreement; Arbitrability; Relationship between parties, arbitrators and the institution
- 3) Constitution of the tribunal; Initiation of proceedings; Judicial assistance of state courts in the initial phase
- 4) Procedure before the arbitral tribunal; Choice of procedural and substantive law; Taking of evidence; Judicial assistance of state courts during the proceedings
- 5) The arbitral award and its effects; Rules governing the enforcement of domestic and foreign awards
- 6) The setting aside of arbitral awards
- 7) Arbitration and EU law

2. Contract law

- 1) International institutions and harmonization of contract Law
- 2) Soft law instruments (PECL, UNIDROIT Principles, DCFR, CESL – goals, application)
- 3) EU and the harmonization of contract law (arguments for and against, legal base,)
- 4) Concept of contract
- 5) Formation of contracts
- 6) Interpretation of contracts
- 7) The sphere of application of the CISG and general provisions
- 8) Formation of the contract under the CISG
- 9) Obligations of the parties under the CISG
- 10) Breach of contract and exemptions under the CISG
- 11) The buyer's and the seller's remedies for breach of contract under the CISG
- 12) Damages under the provisions of the CISG

3. Multinational Enterprises

- 1) The function of ICSID
- 2) Jurisdiction of ICSID and ICSID tribunals
- 3) Standards of protection of foreign investments under customary international law and treaty law
- 4) Compensation for lawful and unlawful expropriations
- 5) Enforcement and challenge of investment arbitration awards



II. Internal market;

1. The four freedoms

- 1) The importance of the Gebhard case
- 2) Meaning and interpretation of the “cross-border” character
- 3) The different modes of provision of services under EU law
- 4) Freedom to receive services, rights of service recipients
- 5) The definition of services under EU law
- 6) Services Directive: scope and application
- 7) Services Directive: administrative simplification
- 8) Services Directive: authorisations
- 9) Services Directive: freedom to provide services and related derogations
- 10) The definition of worker under EU law
- 11) Rights of workers under Regulation 492/2011 (EC)
- 12) Right of residence of economically inactive persons under Directive 2004/38/EC
- 13) Right of permanent residence
- 14) Definition of family members
- 15) Status and rights of job seekers
- 16) Political rights of EU citizens
- 17) Definition of goods
- 18) Discriminatory and protective taxes
- 19) Measures having equivalent effect to quantitative restrictions
- 20) Exceptions to the principle of free movement of goods
- 21) The concept of mutual recognition and the exceptions to it
- 22) Selling arrangements and the free movement of goods
- 23) Restrictions and prohibitions on use and the free movement of goods
- 24) Notification of draft technical measures under Directive 98/34/EC

2. Competition law

- 1) Aims of EU Competition Law
- 2) Article 101 TFEU: Restrictive Practices. Agreements having an anti-competitive object
- 3) Article 101 TFEU: Restrictive Practices. Agreements having an anti-competitive effect
- 4) Article 102 TFEU: Abuse of Dominant Position. The Definition of Dominance
- 5) Article 102 TFEU: Abuse of Dominant Position. Abuses
- 6) Article 106 TFEU: Services of General Economic Interest
- 7) Competition Law Enforcement by the European Commission
- 8) Competition Law Enforcement by National Competition Authorities and National Courts