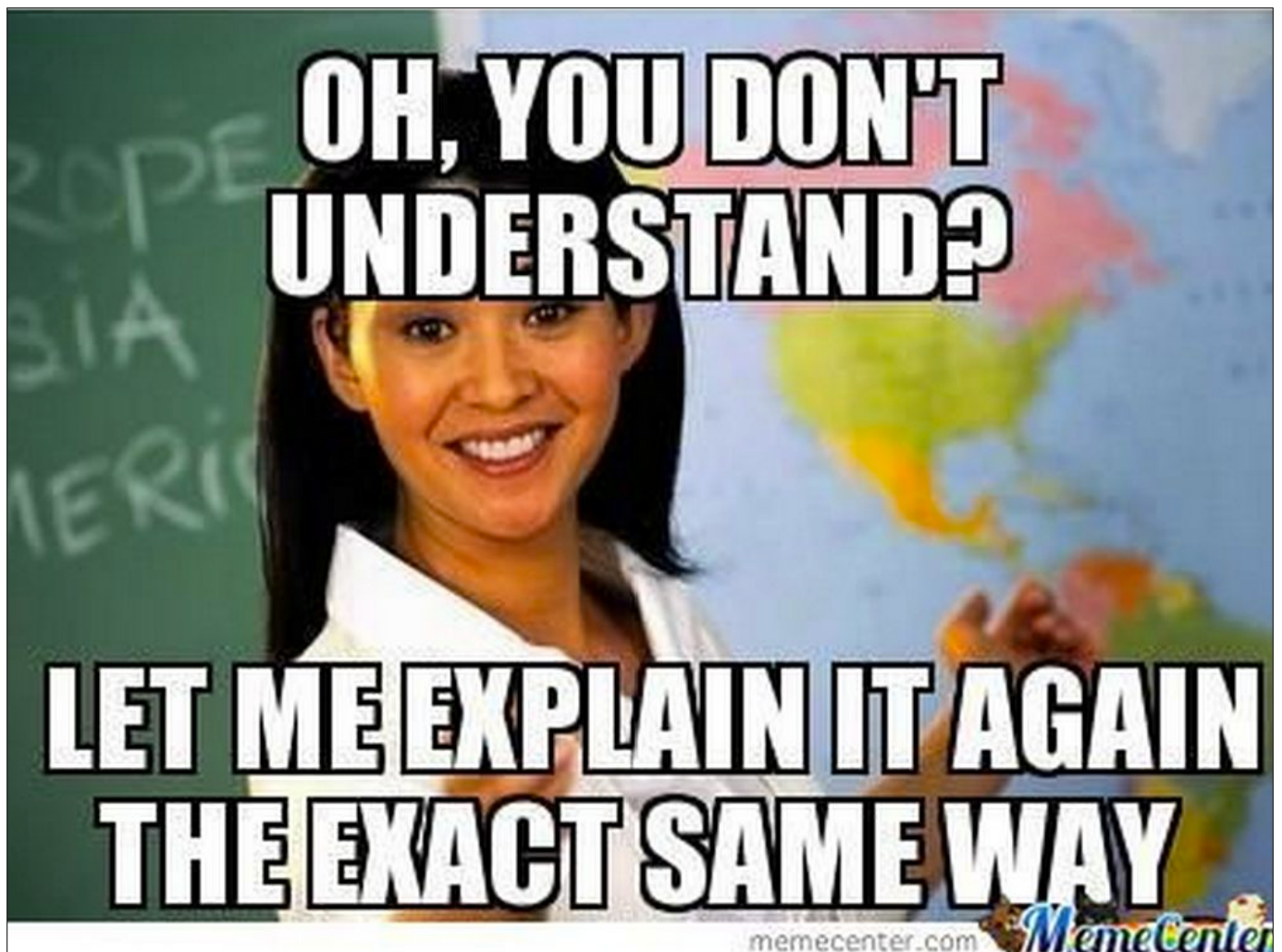


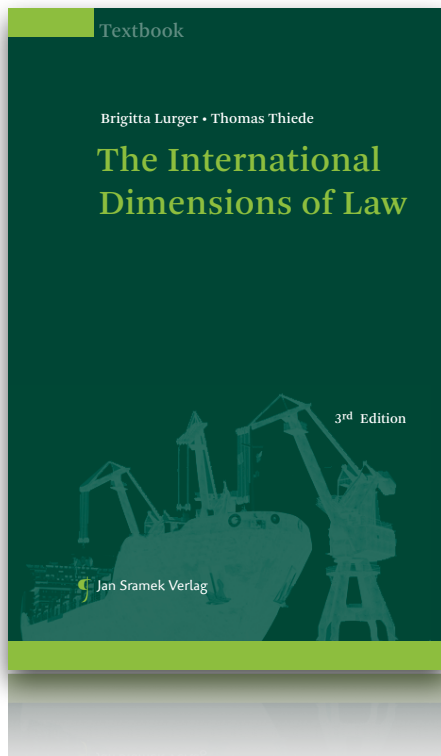
- * Berlin
- Greifswald (D)
- Bergen (Nor)
- Innsbruck (A)
- Vienna (A)
- Graz (A)
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- primary research interests are in Comparative Law, the Conflict of Laws, Tort Law and Anti-Trust Law.
- no 'Professor'; Mr. (Dr.) Thiede (in this room '**Tom**')
- all questions in the lecture, after the lecture or via **mail@thomasthiede.info**



Textbook



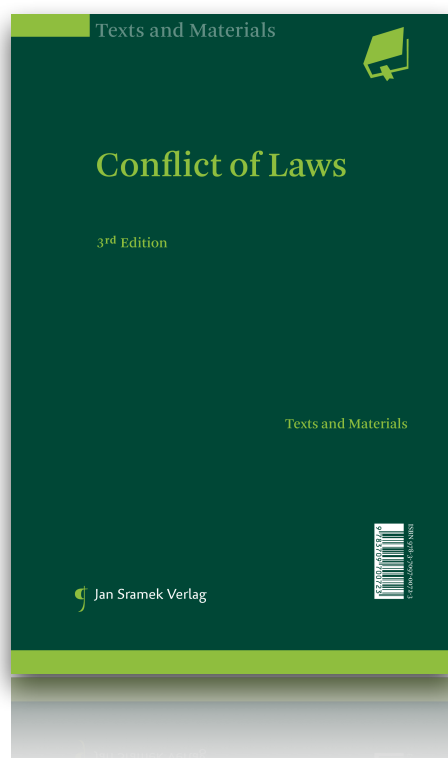
Brigitta Lurger/Thomas Thiede
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Slides?

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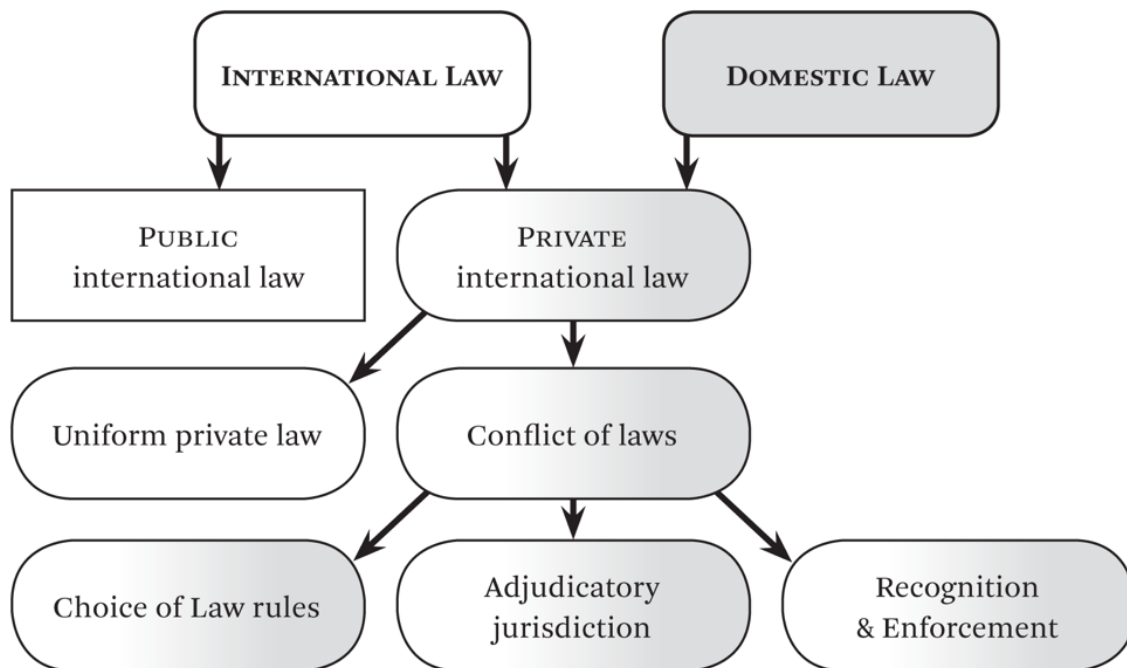
Passphrase: “Rabel”



Chapter 1 | Lesson 1

Introduction

Public International Law | Private International Law
Domestic Law | European Law | Comparative Law



= International Law

= Domestic Law

= Rules focusing on the relations of individuals, corporations or other private entities

= Rules dealing with the conduct of states and international organizations

Introduction

- **International Law** and **Domestic Law**
- International law:
 - relations of **states & international organizations**
 - the **cross-border relations** of private persons
 - both **public** and **private international law**
- **Domestic law:**
 - *everything else*
 - conduct or status of individuals, corporations, 'private' entities
 - **within each state**

Public International Law

- activities of state governments
- relations to other state governments
- activities of international organizations

Public International Law | Sources

- **Treaties:** agreement between two (bilateral) or among several states (multilateral) reached by the executive branches of the governments (eg President), often with legislative branch's (eg Parliament) support/ratification
- **International organizations** are established by treaties among states: If the states provide so in the respective treaty, the decisions of organs of international organizations may also be sources of binding public int'l law
- **Customary law (Gewohnheitsrecht):** evolving from the longlasting observation of a certain (non-binding) rule by a great number of states



Public International Law I Enforcement

- **legislator and subject to the legislation identical**
- weakness: **no rule enforcement**
- **International Court of Justice** (The Hague, NL) – limited field of competence
- **United Nations – Security Council** – only sanctioning
- **European Court of Human Rights** – only ECHR

Private international law

- **Conflict of Laws** and **Uniform Private Law**
- Conflict of Laws:
 - *wider meaning* – all the rules pertaining to cross border relations between private individuals, corporations or other private entities including
 - choice of law (applicable law),
 - international jurisdiction (competent court)
 - recognition and enforcement of judgments abroad
 - uniform private law
 - *narrower meaning* – **choice-of-law** (applicable law)

Private International Law | Sources

- **choice-of-law, jurisdiction, recognition and enforcement**
 - domestic rules (IPRG)
 - EU regulations (European law, eg Rome I Regulation)
 - treaties (international law, Rome Convention)
- **uniform private law**
 - treaties and European law sources