

Документ подписан простой электронной подписью  
Информация о владельце:  
ФИО: Ястребов Олег Александрович  
Должность: Ректор  
Дата подписания: 02.06.2023 15:17:16  
Уникальный программный ключ:  
ca953a0120d891083f939673078ef1a989dae18a

**Federal State Autonomous Educational Institution for Higher Education  
PEOPLES' FRIENDSHIP UNIVERSITY OF RUSSIA  
named after Patrice Lumumba**

**LAW INSTITUTE**

Educational Division

---

**PROGRAMME OF THE STATE FINAL ASSESSMENT**

**Recommended by the Didactic Council for the Education Field**

**40.04.01 Jurisprudence / Юриспруденция**

(Code and Name of the Field of Education / Specialty)

---

**State Final Assessment are Took Place as Part of the Educational Program of  
Higher Education**

**«INTERNATIONAL PRIVATE LAW»**

(name (profile/specialisation))

---

## 1. GOAL AND OBJECTIVES OF THE STATE FINAL ASSESSMENT

The goal of the State Final Assessment is to determine the compliance of the learning outcomes with the requirements of the Educational Standard of Higher Education of RUDN University for the education field of 40.04.01 Jurisprudence (higher education level - master's degree).

The objectives of the State Final Assessment are:

- checking the quality of teaching a person basic humanitarian knowledge, natural science laws and phenomena necessary in professional activities;
- determination of the level of theoretical and practical readiness of a graduate to perform professional tasks in accordance with the qualification received;
- establishing the degree of a person's desire for self-development, improving their qualifications and skills;
- checking the formation of a graduate's sustainable motivation for professional activity in accordance with the types of tasks of professional activity provided for by the educational standard of higher education;
- assessment of the level of graduates' ability to find organizational and managerial solutions in non-standard situations and readiness to bear responsibility for them;
- ensuring the integration of education and scientific and technical activities, increasing the efficiency of using scientific and technological achievements, reforming the scientific sphere and stimulating innovation;
- ensuring the quality of training of specialists in accordance with the requirements of the educational standard of higher education.

## 2. LEARNING OUTCOMES

A student who does not have academic debts and who has fully completed the curriculum or individual curriculum of the Higher Education Program is allowed to the State Final Assessment.

The graduate should have the following **universal competencies (UC)**:

<b>Code and Competences</b>
UC-1. Able to carry out a critical analysis of problem situations based on a systematic approach, develop an action strategy
UC-2. Able to manage a project at all stages of its life cycle
UC-3. Able to organize and manage the work of the team, developing a team strategy to achieve the goal
UC-4. Able to apply modern communication technologies in the state language of the Russian Federation and foreign language(s) for academic and professional interaction
UC-5. Able to analyze and take into account the diversity of cultures in the process of intercultural interaction
UC-6. Able to determine and implement the priorities of their own activities and ways to improve it based on self-assessment
UC-7. Able to: search for the necessary sources of information and data, perceive, analyze, memorize and transmit information using digital means, as well as using algorithms when working with data received from various sources in order to effectively use the information received to solve problems; evaluate information, its reliability, build

<b>Code and Competences</b>
logical conclusions based on incoming information and data

The graduate should have the following **general professional competencies (GPC)**:

<b>Code and Competences</b>
GPC-1. Able to analyze non-standard situations of law enforcement practice and offer the best options for their solution
GPC-2. Able to independently prepare expert legal opinions and conduct an examination of normative (individual) legal acts
GPC-3. Able to competently interpret legal acts, including in situations where there are gaps and conflicts of law
GPC-4. Able to argue in writing and orally the legal position on the case, including in adversarial processes
GPC-5. Able to independently draw up legal documents and develop drafts of normative (individual) legal acts
GPC-6. Able to ensure compliance with the principles of ethics of a lawyer, including taking measures to prevent corruption and suppress corruption (other) offenses
GPC-7. Able to apply information technologies and use legal databases to solve problems of professional activity, taking into account the requirements of information security

The graduate should have the following **professional competencies (PC)**:

<b>Code and Competences</b>
PC-1. Able to teach legal disciplines at a high theoretical and methodological level in the areas of: vocational training, secondary vocational and higher education, additional education
PC-2. Able to conduct scientific research in the field of law.
PC-3. Able to skillfully apply the norms of substantive and procedural law in specific areas of legal activity
PC-4. Able to provide qualified legal advice in specific areas of legal activity

### **3. PARTS OF THE STATE FINAL ASSESSMENT**

State Final Assessment can be carried out in person and remotely using distance learning technologies of RUDN University

The procedure for passing the State Final Assessment (in full-time format or using distance learning technologies) is regulated by the relevant local regulatory act of RUDN University

State Final Assessment includes:

- State exam;
- Defense of the Graduation Thesis.

### **4. STATE EXAM PROGRAM**

The state exam is held in two stages:

The first stage is an assessment of the level of general theoretical training of a graduate in the form of computer testing using the tools available in the RUDN Electronic Information and Educational Environment;

The second stage is an assessment of the special theoretical and practical preparation of a graduate for future professional activity in the form of an oral answer to questions and solving situational problems (cases).

To prepare students for the State exam, the Head of the Educational Program of Higher Education (no later than one calendar month before the start) is obliged to familiarize the graduate students with this state final assessment program, an exhaustive list of theoretical questions included in the state exam, examples of professional situational tasks (cases) that will need to be solved in the process of passing the assessment test, as well as with the procedure for conducting each of the stages of the State Exam and the methodology for evaluating its results (with assessment materials).

Before the State Examinations, students are required to be consulted on the issues and tasks included in the State Exam program (pre-examination consultation).

### **The procedure for organizing and conducting computer testing as part of the State Exam:**

1) Computer testing is an integral part of the State Exam and solves the problem of identifying the general theoretical preparation of a graduate in academic disciplines (modules) of the Educational Program of Higher Education, which is part of the State Exam;

2) Exam questions and test tasks must be developed no later than March 01 of the year of computer testing;

3) The test may include from 30 to 60 tasks covering the content of academic disciplines (modules) that are part of the State Exam;

4) The test part of the State Exam is held in accordance with the approved schedule. The schedule is communicated to graduate students no later than one month before the test.

5) The student is given at least 60 minutes to answer all test items;

Each answer is accompanied by information about its correctness or incorrectness. At the end of the test, the computer program or the examiner informs the student of the points he has scored and the grade he has received;

6) A student who scores less than 50 points is considered to have received a "fail" - an "unsatisfactory" grade and is not allowed to the second stage of the state exam, as well as to further tests as part of the State Final Assessment.

### **The procedure for organizing and conducting the second stage of the State Exam:**

1) Students who have successfully passed the first stage of the State exam are admitted to the second stage of the State Examination;

2) The second stage of the State Exam is held in accordance with the approved schedule. The schedule is communicated to graduate students no later than one month before the State Exam;

3) The second stage of the State Examination is conducted orally by tickets;

4) The examination ticket consists of one theoretical question and a situational task (case);

5) Students who appear at the scheduled time for the State Examination receive an examination ticket and take a place in the audience indicated by the secretary of the examination committee;

- 6) The student has 90 minutes to prepare for the oral answer;
- 7) During the exam, the student is prohibited from:
  - Talking, getting up and moving around in the classroom without the permission of the secretary of the examination committee;
  - Use a mobile phone and other means of remote communication, electronic notebooks, computer equipment, as well as any other technical and electronic means of storing and storing information, reference books and materials of any kind.

In case of violation of these rules, the student, by decision of the examination committee, may be removed from the exam, which is recorded in the protocol and an unsatisfactory mark is given;

8) During the exam, the student can use the reference and other materials provided by the examiners that are necessary to solve the situational problem (case).

9) After the answer of the last examinee, the commission proceeds to discussion in a closed session.

The results of passing the exam by students are announced publicly immediately after the completion of the discussion by the examination committee, and on the same day they are posted on the information stand of the BUP or PMO.

Evaluation of the results of passing the GE is carried out in accordance with the methodology set forth in the evaluation materials presented in the Appendix to this GIA program.

### **Topics of the state exam:**

Topic 1. International Private Law in the Legal System

1. The Notion and Objectives of Private International Law
2. The Role of Private International Law in Contemporary Society

Topic 2. The evolution of conflict regulation in private international law

1. Unification in the sphere of IPL (International Treaties)
2. Harmonization of national legislation in the sphere of IPL (model acts)
3. Analysis of legal regulation in the field of IPL in different countries - development trends
4. Development of sources of IPL in the European Union
5. Prerequisites for the denationalization of regulation in the field of private law.
6. Non-state regulation in the IPL (principles, recommendations, general conditions ...).
7. Principles, Definitions and Model Rules of European Private Law Draft Common Frame of Reference (DCFR)
8. Modern *lex mercatoria*.
9. The theory of transnational IPL.
10. Construction *contrat sans loi*.

Topic 3. Role of international organizations in creating sources of IPL

1. UNCITRAL
2. HCCH
3. UNIDROIT
4. OHADA

5. WIPO
6. UNIDROIT
7. ICC
8. IBA

Topic 4. Limitations of choice of law – mandatory rules , public policy

1. Mandatory rules - practice in different countries
2. Public policy - practice in different countries

Topic 5. Scope and effect of the immunity principles in international private and business law

1. Mechanisms of investor protection on the example of international treaties and laws of some states
2. State Immunity: The United Nations Convention and its effect
3. The law of restrictive immunity
4. Legal response to immunity defense in commercial and business transaction
5. State-owned enterprises
6. Case *Hulley Enterprises, Yukos Universal и Veteran Petroleum v RF*– interim measures in some countries

Topic 6. Economic sanctions and retortions

1. Economic sanctions: objectives and ways of establishing the example of individual countries
2. (1921 against Yugoslavia, in 1925 against Greece, 1932-1935 against Bolivia-Paraguay, and the UK sanctions against Italy in 1935 - 1936 in response to the capture of Abyssinia)
3. 1946 and 1990 - The United Nations with regard to the DPRK, South Africa, Portugal, Rhodesia and Iraq
4. In the 1950's. - 15 cases of imposing sanctions, in the 1960s. - 20 cases, in the 1970s. - 37, in the 1980s. - 23 and more than 50 cases in the 1990's. (mainly the USA)
5. Economic sanctions as force majeure in trade relations (on the example of individual judicial and arbitral awards)

Topic 7. Domicile Concept in International Private Law

1. Problems of determining the domicile of individuals. Conflict norms based on the principle of domicile in the law of different countries
2. Personal law of a legal entity in the law of the countries of the European Union

Topic 8. Consumer protection in IPL

1. Consumers and the Net.
2. Definition of jurisdiction and applicable law in consumer protection disputes in cross-border trade

Topic 9. International private law in family matters

1. The problems of recognition of a marriage concluded in a foreign country
2. Dissolution of marriage
3. Parental responsibility

4. Maintenance obligation
5. Civil order of protection Matrimonial property regime

Topic 10. International private law in successions matters

1. Conflicts of laws rules in matters of succession (on the example of different countries)
2. Integration processes in the EU law of succession
3. The Basel Convention on the Introduction of the Will Registration System (1972)
4. The Washington Convention on a Uniform Law on the Form of an International Will (1973) includes the Model Law on the Form of an International Will
5. The Hague Convention Concerning the International Administration of the Property of Deceased Persons (1973)
6. The Hague Convention on the Law to be Applied to the Inheritance of Immovable Property (1989),
7. The Hague Convention on the Law Applicable to Inheritance by Death (1989)
8. The 1993 CIS Convention
9. Inheritance of escheat property of a foreign citizen

Topic 11. Intellectual property in IPL

1. Protection of authors' rights - international agreements
2. Problems of protection of industrial property - International agreements

Topic 12. Corporations in IPL

1. Law applicable to companies
2. Recognition of foreign entities

Topic 13. Transnational corporations (TNCS)

1. Regulation of transnational corporations' activities
2. Tripartite Principles concerning Multinational Enterprises and Social Policy

Topic 14. Cross-border insolvency

1. Theories of cross-border insolvency
2. UNCITRAL Model Law on Cross-Border Insolvency
3. EC Regulation on Insolvency Proceedings 2000
4. Corporate rehabilitation regimes.

Topic 15. Law applicable to obligations

1. The law applicable to contractual and non-contractual obligations and obtaining the information on foreign law

Topic 16. International trade

2. Modern legal mechanisms of regulation of cross-border trade
3. Sources of law of international trade: international conventions, national law, commercial practices and other forms of "soft law".
4. Consequences of choice of law.

Topic 17. Cross-border payments

1. Letters of Credit

2. Collection
3. Bank guarantee
4. Bills

Topic 18. International civil procedure

1. Universal conventions in the sphere of international civil procedure
2. Harmonization in the field of international civil procedure in the European Union
3. The UNIDROIT principles of international civil procedure
4. Anti-suit injunctions

Topic 19. The Law Applicable to International Mediation Contracts

1. Main Features of International Mediation Contracts
2. Internationality of mediation contracts
3. The Law Applicable to International Mediation Contracts

Topic 20. International Arbitration

1. Introduction to international arbitration as method of dispute resolution.
2. Regulatory framework for arbitration.
3. Forms of arbitration.
4. Applicable law.
5. Valid, effective and enforceable arbitration agreements
6. Multiparty and multi-contract arbitration
7. Impartiality and independence of arbitrators
8. Rules on taking evidence.
9. *Interim measures*
10. *Third party funding*
11. Challenges to the award. Recognition and enforcement of the award

## **5. REQUIREMENTS AND PROCEDURE FOR THE DEFENSE OF THE GRADUATION THESIS.**

Graduation Thesis is a work done by a student (several students together), demonstrating the level of preparedness of a graduate for independent professional activity.

The list of topics of Graduation Thesis is brought to the attention of graduate students no later than 6 months before the start date of the State Final Assessment.

The student has the right to independently choose the topics of the Graduation Thesis

A student who has passed the State Exam is allowed to defend the Graduation Thesis.

The Graduation Thesis may be admitted to defense under the following conditions:

- fully completed and signed by the graduate (graduates) who completed it;
- signed by the head, consultant (if any), head of the graduating department;
- passed the procedure of external review (mandatory for Master's and Specialist programs);
- passing the test for the amount of borrowing (in the Anti-Plagiarism system).

The review of the supervisor on the work of the graduate is necessarily attached to the Graduation Thesis



In order to identify and timely eliminate shortcomings in the structure, content and design of the Graduation Thesis, no later than 14 days before the date of its defense, a rehearsal of the defense of students of their work (pre-defense) is carried out in the presence of the head and other teachers of the department.

The defense of the Graduation Thesis is carried out at an open meeting of the State Examination Commission.

The defense is carried out in the form of an oral report with a mandatory multimedia (graphic) presentation reflecting the main content of the Graduation Thesis.

At the end of the report, the defenders give oral answers to the questions raised by the members of the State Examination Commission.

The stages of implementation of the of the Graduation Thesis, the requirements for the structure, volume, content and design, as well as the list of mandatory and recommended documents submitted for defense are indicated in the relevant guidelines.

## 6. CLASSROOM EQUIPMENT AND TECHNOLOGY SUPPORT REQUIREMENTS

*Table 6.1. Classroom Equipment and Technology Support Requirements*

<b>Classroom for Academic Activity Type</b>	<b>Classroom Equipment</b>	<b>Specialized hardware and software (if necessary)</b>
For the test part of the State Exam	Computer classroom for academic activity, group and individual consultations, evaluation and assessment, equipped with a set of specialized furniture; a set of devices including portable multimedia projector, 30 personal computers, projection screen, stable wireless Internet connection.	Multimedia projector, laptop, projection screen, stable wireless Internet connection. Software: Office 365 (MS Office, MS Teams), Chrome
For the oral part of the State Exam	Classroom for seminars, group and individual consultations, evaluation and assessment, equipped with a set of specialized furniture; a set of devices including portable multimedia projector, laptop, projection screen, stable wireless Internet connection.	Multimedia projector, laptop, projection screen, stable wireless Internet connection. Software: Office 365 (MS Office, MS Teams), Chrome
For the defense of the graduation thesis	Classroom for seminars, group and individual consultations, evaluation and assessment, equipped with a set of specialized furniture; a set of devices including portable multimedia projector, laptop, projection screen, stable wireless Internet connection.	Multimedia projector, laptop, projection screen, stable wireless Internet connection. Software: Office 365 (MS Office, MS Teams), Chrome
Self-studies Classroom	Classroom for Self-studies, equipped with a set of specialized furniture; a set of devices including portable multimedia projector, laptop, projection screen, stable wireless Internet connection.	Multimedia projector, laptop, projection screen, stable wireless Internet connection. Software: Office 365 (MS Office, MS Teams), Chrome

## 7. RECOMMENDED SOURCES FOR STATE FINAL ASSESMENT

### *Main reading (sources):*

1. Cheshire, North & Fawcett (2017) Private international law. Oxford University Press, Oxford
2. Bogdan M (2011) Private international law as component of the law of the forum: general course on private international law. Recueil des Cours

### *Additional (optional) reading (sources):*

1. Bonomi A (1999) Mandatory rules in private international law: the quest for uniformity of decisions in a global environment. Yearb Private Int Law 1:215–247
2. Chong A (2012) Transnational public policy in civil and commercial matters. LQR 128:88–113
3. Clarkson CMV, Hill J (2011) The conflict of laws. Oxford University Press, Oxford
4. Dicey AV, Morris JHC, Collins LA (2012) The conflict of laws. Sweet & Maxwell, London
5. Kegel G (1994) Introduction, international encyclopedia of comparative law, vol III. Mohr, Tübingen
6. Kuipers JJ (2012) EU law and private international law: the interrelationship in contractual obligations. Martinus Nijhoff Publishers, Leiden
7. Meeusen J (2007) Instrumentalisation of private international law in the European Union: towards a European conflicts revolution? Eur J Mig Law 9:287–305 Mills A (2008) The dimensions of public policy in private international l
8. Siehr K (2005) General problems of private international law in modern codifications—de lege lata and—de lege europea ferenda. Yearb Private Int Law 7:17–61

### *Legal acts:*

1. Конвенция об отмене требования легализации иностранных публичных документов (Конвенция об апостиле) ([http://www.hcch.net/index\\_en.php?act=conventions.text&cid=41](http://www.hcch.net/index_en.php?act=conventions.text&cid=41)), заключена в Гааге 5 октября 1961 года,
2. Конвенция о передаче за границу судебных и внесудебных документов по гражданским или коммерческим делам ([http://www.hcch.net/index\\_en.php?act=conventions.text&cid=17](http://www.hcch.net/index_en.php?act=conventions.text&cid=17)), заключена в Гааге 15 ноября 1965 года;
3. Конвенция о сборе доказательств за рубежом по гражданским или коммерческим делам ([http://www.hcch.net/index\\_en.php?act=conventions.text&cid=82](http://www.hcch.net/index_en.php?act=conventions.text&cid=82)), заключена в Гааге 18 марта 1970 года;
4. Конвенция Организации Объединенных Наций о договорах международной купли-продажи товаров ([http://www.uncitral.org/uncitral/en/uncitral\\_texts/sale\\_goods/1980CISG.html](http://www.uncitral.org/uncitral/en/uncitral_texts/sale_goods/1980CISG.html)),
5. Конвенция об исковой давности в международной купле-продаже товаров ([http://www.uncitral.org/uncitral/en/uncitral\\_texts/sale\\_goods/](http://www.uncitral.org/uncitral/en/uncitral_texts/sale_goods/)

6. "Нью-Йоркская" конвенция 1958 года о признании и приведении в исполнение иностранных арбитражных решений ([http://www.uncitral.org/uncitral/en/uncitral\\_texts/arbitration/](http://www.uncitral.org/uncitral/en/uncitral_texts/arbitration/))

*Internet-(based) sources:*

1. Electronic libraries with access for RUDN students
  - RUDN Electronic library system <http://lib.rudn.ru/MegaPro/Web>
  - Electronic library system «University Library online» <http://www.biblioclub.ru>
  - Electronic Library «URAIT» <http://www.biblio-online.ru>
  - Electronic library system «Student. Consultant» [www.studentlibrary.ru](http://www.studentlibrary.ru)
  - Electronic library system «Lan» <http://e.lanbook.com/>
  - Electronic library system "Troitskiy most"

2. Databases and search engines:

- Electronic Legal and Regulatory Documentation Fund <http://docs.cntd.ru/>
- Search system Yandex <https://www.yandex.ru/>
- Search system Google <https://www.google.ru/>
- SCOPUS <http://www.elsevierscience.ru/products/scopus/>

1. Guidelines for the implementation and execution of Graduation thesis

2. The procedure for checking Graduation thesis for the amount of borrowing in the "Anti-plagiarism" system.

3. The procedure for conducting the State Final Assessment using distance learning technologies, incl. graduate identification procedure.

\* - Learning toolkits for self-studies in the RUDN Learning materials for self-studies on the relevant Final State Assessment pages in TUIS

## **8. ASSESSMENT AND EVALUATION TOOLKIT**

Assessment and Grading Criteria are presented in the Appendix to this Programme of the State Final Assessment

### **HEAD OF THE DEPARTMENT**

Head of the Department of  
Civil Law and Procedure and  
Private International Law,  
Full Professor

Evgenia E. Frolova

---

Position, Name of the Department

---

Signature

---

Full name