

**MINISTRY OF SCIENCE AND HIGHER EDUCATION OF THE RUSSIAN
FEDERATION
PEOPLES' FRIENDSHIP UNIVERSITY OF RUSSIA
LAW INSTITUTE
DEPARTMENT OF CIVIL LAW AND PROCEDURE AND
INTERNATIONAL PRIVATE LAW**

**CIVIL PROCEDURAL LAW AND PRIVATE INTERNATIONAL LAW IN THE
EUROPEAN UNION: ISSUES OF UNIFICATION**

RECOMMENDED FOR TRAINING:

40.04.01 JURISPRUDENCE

DIRECTIVITY OF THE PROGRAM (PROFILE)

INTERNATIONAL PRIVATE LAW

QUALIFICATION (DEGREE) OF THE GRADUATE:

MASTER

MOSCOW

1. COURSE GOALS AND OBJECTIVES

The main purpose is to provide students with comprehensive knowledge about the history of the unification and harmonization of law in the field of civil procedure and private international law in the member states of the European Union; to consider specific mechanisms and methods of such unification and harmonization, specific examples of such unification, as well as emerging problems and prospects for the development of unification and harmonization in the countries of the European Union.

The main objectives of the course are: to consider ways unification and harmonization civil procedure and private international law in the European Union («soft law» and «hard law»), to examine main sources of unified European Union law in the field of dispute resolution: a) conventions; b) individual articles of European Union treaties; c) European Union regulations and directives on the unification of legal proceedings in the field of civil, commercial, family, patent, bankruptcy, private international law, arbitration, mediation and other alternative dispute resolution (ADR); to analyze rules and standards on access to justice and cooperation between European Union member States.

2. COURSE IN ACADEMIC PROGRAMME STRUCTURE

The course belongs to the part formed by the participant in the educational relations of Block 1 of the curriculum. Table 1 shows the previous and subsequent courses aimed at the formation of the course's competencies in accordance with the competency matrix.

Previous and Subsequent courses

Table No. 1

№	Competences	Previous courses	Subsequent courses
<i>General professional competences</i>			
1.	GPC-3,	Comparative Law Research; History and Methodology of Law; Current Issues of International Private Law	Private International Law on Non-Contractual Obligations; Cross-border transactions: legal and practical aspect; Private International Law Issues in the field of Protection of Intellectual Property Rights
2.	GPC-7	Comparative Law Research; History and Methodology of Law; Current Issues of International Private Law	Private International Law on Non-Contractual Obligations; Cross-border transactions: legal and practical aspect; Private International Law Issues in the field of Protection of Intellectual Property Rights
<i>Professional competences</i>			
3.	PC-1	Current Issues of International Private Law; International Commercial Arbitration and other ADR	Private International Law on Non-Contractual Obligations; Cross-border transactions: legal and practical aspect; Private International Law Issues in the field of Protection of Intellectual Property Rights
4.	PC-2	International Commercial Arbitration and other ADR	Private International Law on Non-Contractual Obligations; Cross-border transactions: legal and practical aspect; Private International Law Issues in the field of Protection of Intellectual Property Rights

3. COMPETENCE REQUIREMENTS ON THE COURSE COMPLETION

On completion of the course the student will acquire the following general professional competences (GPC) and professional competences (PC). As a result he or she:

General professional competences

- is able to competently interpret legal acts, including in situations where there are gaps and conflicts law (GPC-3);
- is able to apply information technologies and use legal databases to solve problems of professional activity, taking into account the requirements of information security (GPC-7).

Professional competences

- is able to skillfully apply normative legal acts in specific areas of legal activity, to implement the norms of substantive and procedural law in professional activities (PC-1);
- is able to provide qualified legal opinions and advice in specific areas of legal activity within the profile of the educational program (PC-2).

As an outcome of the course the student:

knows:

- history unification and harmonization civil procedure and private international law in the European Union countries;
- specific mechanisms and methods of unification and harmonization civil procedure and private international law in the European Union;
- main sources of unified European Union law in the field of dispute resolution: a) conventions; b) individual articles of European Union treaties; c) European Union regulations and directives.

can:

- operate the basic categorical apparatus of jurisprudence;
- determine applicable law and other regulations applicable to a cross-border relation;

masters:

- researching through the scope of regulations applicable to cross-border relations.

4. THE COURSE WORKLOAD AND ACADEMIC ACTIVITIES

Total workload – 3 credits, 108 hours

Academic Activities	Total Workload	Semester/module			
		I		II	
		1	2	3	4
Sessions	32				32
Including:					
<i>Lectures</i>					
<i>Seminars/Tutorials/Workshops</i>	32				32
<i>Laboratory work</i>					
Individual learning	76				76
Total Workload - Academic Hours:	108				108
Credits	3				3

5. COURSE CONTENT AND SEQUENCING

5.1 Course Units (Topics)

Nº	Topics	Course Units
1.	TOPIC 1. HISTORY AND BASIC LEGAL ACTS IN THE FIELD OF UNIFICATION OF CIVIL PROCEDURAL AND INTERNATIONAL PRIVATE LAW IN THE EUROPEAN UNION	1. The history of the unification of civil procedural law and private international law in the European Union 2. Methods of unification of the civil procedural law and private international law of the European Union 3. Basic legal acts in the field of unification of civil procedural law and private international law in the European Union

		<ol style="list-style-type: none"> 4. International Conventions on the Unification of Civil Procedure Law and Private International Law of the European Union 5. 5. European Union Treaties on the Unification of Civil Procedure Law and Private International Law
2.	TOPIC 2. REGULATIONS AND DIRECTIVES ON THE UNIFICATION OF CIVIL PROCEDURE AND PRIVATE INTERNATIONAL LAW IN THE EUROPEAN UNION	<ol style="list-style-type: none"> 1. Regulations and directives of the European Union on the unification of legal proceedings in the field of civil, commercial, family, patent law and bankruptcy 2. Regulations of the European Union in the field of international civil procedure 3. Regulations of the European Union in the field of private international law 4. Directive of the European Union in the field of international civil procedure and international private law
3.	TOPIC 3. UNIFICATION OF STANDARDS ON ACCESS TO JUSTICE AND COOPERATION BETWEEN MEMBER STATES OF THE EUROPEAN UNION IN THE FIELD OF CIVIL PROCEEDINGS	<ol style="list-style-type: none"> 1. Minimum common standards of legal aid 2. Service of judicial and extrajudicial documents 3. Transfer of evidence in civil and commercial matters 4. Free circulation of acts of civil status of individuals in the countries of the European Union 5. The system of interconnection of business registers – BRIS
4.	TOPIC 4. THE EUROPEAN E-JUSTICE SYSTEM	<ol style="list-style-type: none"> 1. Plan for development of e-Justice in the European Union 2. European e-Justice portal e-Justice Communication via Online Date Exchange (e-Codex) 3. European judicial Network (EJN) 4. Consideration and resolution of civil cases in the court with the help of the Internet (Automatic processing) 5. Videoconferencing
5.	TOPIC 5. THE UNIFICATION OF THE RULES IN APPLICABLE LAW	<ol style="list-style-type: none"> 1. Law Applicable to Contractual Obligations 2. Law Applicable to Non-Contractual Obligations 3. Law Applicable to Inheritance Issues 4. Law applicable to divorce and separation of spouses
6.	TOPIC 6. RECOGNITION AND ENFORCEMENT OF JUDGMENTS IN EUROPEAN UNION COUNTRIES	<ol style="list-style-type: none"> 1. General provisions in the field of recognition and enforcement of judgments in the countries of the European Union 2. Jurisdictional issues 3. The main provisions on the recognition and enforcement of judgments 4. Recognition and enforcement of judgments in family matters and parental responsibility cases 5. Recognition and Enforcement of Judgments in maintenance obligations 6. Recognition and Enforcement of Judgments in cases with a small price to suit 7. European Payment Order 8. Common European writ of indisputable requirements
7.	TOPIC 7. ARBITRATION, MEDIATION AND OTHER ALTERNATIVE DISPUTE RESOLUTION METHODS	<ol style="list-style-type: none"> 1. Legal Regulation of Arbitration in the European Union 2. Anti-security interim measures in defense of an arbitration clause: European law approaches 3. Mediation and other alternative dispute resolution (ADR) 4. Alternative dispute resolution with consumers (ADR for consumer disputes) and online dispute resolution with consumers (ODR for consumer disputes)

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5.2. Course Units and Academic Activities

No	Course Units (Topics)	Lectures	Seminars/ Workshops	Individual learning	Total Workload
1.	Topic 1. History and basic legal acts in the field of unification of civil procedural and international private law in the European Union		4	12	16
2.	Topic 2. Regulations and directives on the unification of civil procedure and private international law in the European Union		4	12	16
3.	Topic 3. Unification of standards on access to justice and cooperation between member states of the European Union in the field of civil proceedings		4	12	16
4.	Topic 4. The European e-justice system		4	10	14
5.	Topic 5. The unification of the rules in applicable law		6	10	16
6.	Topic 6. Recognition and enforcement of judgments in European Union countries		6	10	16
7.	Topic 7. Arbitration, mediation and other alternative dispute resolution methods		4	10	14
	TOTAL		32	76	108

6. LABORATORY WORKS (if given)

7. PRACTICAL LESSONS (SEMINARS) (if given)

No	Seminars Units (Topics) Number	Practical lessons (seminars)	Total Workload
1.	Topic 1	History and basic legal acts in the field of unification of civil procedural and international private law in the European Union	4
2.	Topic 2	Regulations and directives on the unification of civil procedure and private international law in the European Union	6
3.	Topic 3	Unification of standards on access to justice and cooperation between member states of the European Union in the field of civil proceedings	4
4.	Topic 4	The European e-justice system	4
5.	Topic 5	The unification of the rules in applicable law	4
6.	Topic 6	Recognition and enforcement of judgments in European Union countries	4
7.	Topic 7	Arbitration, mediation and other alternative dispute resolution methods	4

8. TECHNICAL SUPPORT REQUIREMENTS

- a) Software: Microsoft Windows, Microsoft Office, Adobe Reader
- b) Database, directory and search engine: Oxford Open, Elsevier
- c) Auditorium for lectures and seminars, specialized auditorium (courtroom) for organizing model court sessions, premises for students' independent work. Multimedia projector, screen, audio system, laptop. Courtroom, co-working space, classes for foreign language study, computer classes.

9. SOURCES FOR COURSE STUDIES

a) Main literature

1. Ermakova E.P. Unification of civil procedure law and private international law in the European Union. Tutorial. M., Ed. RUDN, 2014.
2. European Private International Law. Second Edition Geert van Calster OXFORD AND PORTLAND, ORE-GON 2016

b) Additional literature

1. Ermakova E.P., Sitkareva E.V. European Union law: procedure for resolving private law disputes. Date of issue: 2016

10. COURSE STUDIES RECOMMENDATIONS

Lectures. Oral systematic and coherent presentation of the material by section discipline. Lectures are held with the support of multimedia and audiovisual and presentation.

Seminars. The form of training workshops in which students with the assistance of a teacher discussing the reports, reports, essays and other forms of independent work. Seminars are held in the following forms: discussion of lecture material and questions for practical training, analysis and discussion of scientific papers, a list which is contained in this program, and performance with an analytical report on them.

Methodological model of the learning process. In seminars, the following techniques and methods: survey, discussion, interactive.

Independent work. In a broad sense, the independent work of master should be understood as the set of all self-employment in the absence of trained teachers and in contact with him in the classroom and beyond (including during the training sessions). Here and also include working with primary sources: note taking, oral presentation with an analysis of the source.

Forms of control. Under the two forms of control means in the form of certification testing, writing essays.

11. ASSESSMENT TOOL-KIT

Materials for assessing the level of mastering the educational material of the discipline (evaluation materials), including BRS, questions on the topics of the course, test and control tasks, as well as requirements and examples of their implementation, topics of reports / abstracts / term papers are developed in full and are available for students on the discipline page at telecommunication educational and information system of RUDN University.

Trainers:

Associate Professor of the Department of
Civil Law and Procedure and
Private International Law



Elena P. Ermakova

Assistant-Professor of the Department of
Civil Law and Procedure and
Private International Law



Sergei Sh. Shakirov

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



Evgenia E. Frolova