

OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.04.01 Jurisprudence


« International Private Law»


Discipline	<i>Current Issues of International Private Law</i>
Volume	6 Credits (216 hours)
Discipline Overview	
Topical guide	Overview of topics
Introduction in IPL	The Notion and Objectives of Private International Law International Private Law in the Legal System The Role of Private International Law in Contemporary Society
The evolution of conflict regulation in private international law	Unification in the sphere of ipp (international treaties) Harmonization of national legislation in the sphere of ipp (model acts) Analysis of legal regulation in the field of ipp in different countries - development trends Development of sources of ipp in the european union Prerequisites for the denationalization of regulation in the field of private law. Non-state regulation in the ipp (principles, recommendations, general conditions ...). Principles, definitions and model rules of european private law draft common frame of reference (dcfr) Modern lex mercatoria. The theory of transnational ipp. Construction <i>contrat sans loi</i> .
Role of international organizations in creating sources of IPL (International Treaties)	UNCITRAL HCCH UNIDROIT OHADA WIPO
Role of international organizations in creating sources of IPL (Lex mercatoria)	UNIDROIT ICC IBA
Limitations of choice of law – mandatory rules , public policy	Mandatory rules - practice in different countries Public policy - practice in different countries
Scope and effect of the immunity principles in international private and bussiness law	State immunity: the united nations convention and its effect The law of restrictive immunity Legal response to immunity defense in commercial and business transaction State-owned enterprises

	Case <i>hulley enterprises, yukos universal и veteran petroleum v rf</i> – interim measures in some countries
International investment law	Mechanisms of investor protection on the example of international treaties and laws of some states The admission of foreign investors to exploration and development of mineral resources in foreign countries in the light of modern ipp (concession agreements)
Economic sanctions and retortions	Economic sanctions: objectives and ways of establishing the example of individual countries (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) 1946 and 1990 - the united nations with regard to the dprk, south africa, portugal, rhodesia and iraq 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) Economic sanctions as force majeure in trade relations (on the example of individual judicial and arbitral awards)
Domicile Concept in International Private Law	Problems of determining the domicile of individuals. Conflict norms based on the principle of domicile in the law of different countries Personal law of a legal entity in the law of the countries of the European Union
Consumer protection	Consumers and the Net. Definition of jurisdiction and applicable law in consumer protection disputes in cross-border trade
International private law in family matters	The problems of recognition of a marriage concluded in a foreign country dissolution of marriage Parental responsibility Maintenance obligation Civil order of protection matrimonial property regime
International private law in successions matters	Conflicts of laws rules in matters of succession (on the example of different countries) Integration processes in the eu law of succession The basel convention on the introduction of the will registration system (1972) 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 The hague convention concerning the international administration of the property of deceased persons (1973) The hague convention on the law to be applied to the inheritance of immovable property (1989), The hague convention on the law applicable to inheritance by death (1989) The 1993 cis convention Inheritance of escheat property of a foreign citizen

Intellectual property	Protection of authors' rights - international agreements Problems of protection of industrial property International agreements Analysis of some cases
Corporations	Law applicable to companies Recognition of foreign entities
Transnational corporations (tnes)	Regulation of transnational corporations' activities Tripartite Principles concerning Multinational Enterprises and Social Policy International bankruptcy
Law of obligations	The law applicable to contractual and non-contractual obligations and obtaining the information on foreign law Cisg
ADR	The law applicable to international mediation contracts International arbitration

Author:

Professor of
Civil Law and Procedure and International private law Department  V.V. Bezbakh

Associate Professor of
Civil Law and Procedure and International private law Department  E.V. Sitkareva

Head of Department

 E.E. Frolova

OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.04.01 Jurisprudence

«International Private Law»

Discipline	Introduction to International private law: Theoretical and Historical Aspect
Volume	4 Credits (144 hours)
Discipline Overview	
Topical guide	Overview of topics
Introduction to international private law	<p>The scientific debate about what constitutes private international law [hereinafter IPuBL] and in the framework of a legal system: international or domestic should be codified.</p> <p>The role of the conceptual apparatus of the law in the attainment of its fundamental theoretical problems.</p> <p>The institute of international law [an authoritative international organization located in paris] of the necessity of study each IPuBL who wants to become a lawyer.</p> <p>Un demands to the states of the world on the development of the procedures and set of rules governing private-law relations of an international character, as an essential condition for building peaceful and sustainable relations worldwide.</p> <p>The scope of international private law as the living environment in which there are diverse relationships, to resolve that unable different set of rules, but the rules of international private law.</p> <p>Tasks [tasks] to be solved in modern IPL the international civil turnover.</p> <p>The purpose of the law and its impact on the ongoing processes of social, economic, cultural and humanitarian character.</p>
The conceptual apparatus of the law. "crisis" IPL. IPL as legal phenomenon. The term "international" in the name of the IPuBL.	<p>The crisis of the law and its reflection in the views of scientists.</p> <p>Signs of a crisis of icp is signs of growth.</p> <p>Self-denial of the nature of IPuBL supporters positivismo view on the right.</p> <p>The fallacy of the data to IPL formal-logical description of the relations that they regulate.</p> <p>IPL as legal phenomenon.</p> <p>The term "international" in the name of the IPuBL.</p>
The conceptual apparatus of the law [continued]:	<p>The concept of "public" and "private" in the law and rejection of the "public" began in the soviet period.</p> <p>The dispute between the supporters of private-legal</p>

<p>the notion of "private" in private international law</p>	<p>and publicly - legal method of regulation of civil [economic] circulation in russia. Inherent law of the unity of its goals, purpose and function in the regulation of social relations as a justification of the errors of his division into "public" and "private" paul, gaius, ulpianus and paninian on the study of "private law" and "public law" while preserving its unity in the regulation of public life in ancient rome.</p>
<p>The system of the IPubL course. Recommended reading</p>	<p>Place of IPL in the process of training highly qualified lawyers. The need for a preliminary study of the general theory of law , civil and commercial law, family and procedural. System course international private law: general part, special part, international civil litigation</p>
<p>The subject and method of private law</p>	<p>The requirements imposed on those forms of social relations that are the subject of international private law: the existence of a single social entity and a shared control method</p>
<p>Identification of the "foreign element" in the relationship of international private-pravovogo character</p>	<p>External signs of relationship are the subject of international private law and revealing it, international private law entity. The understanding of "foreign element" in the relationship of international private law character as a result of comparing a specific element of a relationship to a particular legal system belonging to the other elements of this relationship to the relevant legal systems.</p>
<p>The regulatory structure of the international private law and its sources</p>	<p>Regulatory structure as the core of any discussion on the law. The definition of the normative structure of the law in modern educational literature. The most common mistakes. The errors of determination of the law in the legal encyclopedic dictionary, 1987. The fallacy of the limitations of the normative part of the IPL only conflict of law rules. The true meaning of the conflict of laws rules and its legal definition. The distinction in the framework of international private law of public relations of the property and personal non-property character. The behaviour of agents as the object of legal relations</p>
<p>Legal aspects of the theory of transformation of international law into the domestic law of the country</p>	<p>The notion of transformation of international law into the domestic law of the country: two approaches to the same problem. Professor m. M. Boguslavsky, n. In. Mironov, n. T. Usenko on the theory of transformation</p>
<p>Basic principles [principles] of international private law. Conflict bases [start] IPL</p>	<p>The value of the works of a. N. Makarova [1888-1973] "the basic principles of private international law" for the development of international private law during the soviet period.</p>

	<p>The theory of law on the principles of how the initial regulatory leadership began defining the general orientation of the legal regulation of social relations. 6 basic principles [guidelines], which is based IPL. A general idea of the conflict of laws, and they [conflicts]. A legal conflict as a fundamental category of private law.</p> <p>Two main causes of collisions in the international private law: the presence of foreign elements on the one hand, and difference of the same issues in the domestic law of states on the other.</p> <p>The conflicts rule as a rule of conduct. Reference nature of the conflict of laws rules and the problems arising in this regard.</p> <p>Unilateral and bilateral conflict rules. Their discretionary and mandatory.</p> <p>The legal nature of the conflict rules and their function: regulatory, reference and discriminating</p>
<p>Conflict of laws rules</p>	<p>The concept of bindings bilateral conflict of laws rules.</p> <p>Binding as a result of the evolution of private international custom.</p> <p>Binding as the original form of regulation mezhduslovnnyh relations.</p> <p>Binding as an indicator of social relations, the regulation of which is aimed conflicts rule.</p> <p>Identify bindings using one or the other institution of international private law: the right of ownership, the obligation of the injury, adoption, custody, etc.</p> <p>The most common formulas of attachment [anchor] IPuBL: <i>lex personalis</i>, <i>lex nationalis</i>, <i>lex domicilii</i>, <i>lex societatis</i>, <i>lex reisitae</i>, <i>lex loci actus [contractus]</i>, <i>lex loci solutionis</i>, <i>lex loci celebrationis</i>, the <i>lex loci delicti commissi</i>, <i>lex fori</i>, the law with the contract is most closely connected</p>
<p>The splitting of binding conflict of law rules. Hidden conflicts. The problem of qualification in international private law</p>	<p>Cases of splitting connecting factor in the proceedings in the court [bankruptcy court] on the merits.</p> <p>The possibility of splitting the bindings described in the law [part 1 of article 1224 of the civil code] or international agreement [part 1 of article 4 of the rome convention on the law applicable to contractual obligations 1980.]</p> <p>The parties ' agreement on the splitting of the connecting factors.</p> <p>Part 4 of article 1210 of the civil code of the permission to select a binding to the contract as a whole and for its separate parts.</p> <p>Binding contract [contract] that contains elements of various contracts [part 5 of article 1211 of the civil code].</p> <p>The concept of hidden [latent] conflicts: <i>ci dua</i></p>

	<p>faciunt idem non est idem. The most common examples of hidden conflicts.</p> <p>The concept of qualification in international private law. Two stages of qualification when considering the case in court.</p> <p>The primary stage of qualification according to lex fori. Secondary stage qualification according to the lex causae.</p> <p>Autonomous qualification as an attempt to remove the contradiction between qualification according to lex fori and the lex causae.</p> <p>Qualification under the russian law [, article 1187 of the civil code]</p>
<p>Reference, backward reference, the further reference</p>	<p>The concept of references, backward references, references to law of a third state [for further reference].</p> <p>Reference as a mechanism for finding and application of the competent law and order.</p> <p>V. E. Muravenko, v. L. Tolstykh, m. M. Boguslavsky, on the reverse and further reference.</p> <p>The austrian law on private international law about sending, feedback and future reference.</p> <p>Exceptional renvoi [exceptiv renvoi] to the law of hungary, vietnam, spain, iran, romania, japan.</p> <p>Exclude the application of conflict rules in the law of the country which sends the original referral [renvoi negative] in the legislation of brazil, egypt, spain, peru</p>
<p>Limitation of actions conflict of laws rules: the ordre public</p>	<p>The genesis of the idea of the limits of his own conflict of laws rules in roman law and article 6 of the french civil code 1804r. The origin of the term public policy [ordre public].</p> <p>4 types of public policy.</p> <p>The sources of rules of public policy: legislation, customs, [switzerland, norway] international agreements [contracts], judicial precedent doctrine.</p> <p>The balance between politics and law in the ordre public. Three rules of public order.</p> <p>The legal system of the norms protecting the public order of the country [germany, russia]</p> <p>the legal and political system of norms protecting the public order of the country [france, italy].</p> <p>The political system of the norms of public order [britain, us]</p>
<p>Limitation of actions conflict of laws rules [continued]: the experience of russia, the mandatory rules of law</p>	<p>The legal system public policy in modern russia the article 1193rк of the russian federation as a blanket norm [norm principle]. Guarding the public order.</p> <p>An example of a special rule of public policy clause in article 169 of the russian civil code: invalidity of a transaction made with a purpose contrary to principles of law and morality.</p> <p>St. 167 of the family code , paragraph 2 of part 3 of</p>

	<p>article 239 and clause 1 of part 2 of article 256 of the apc, article 21 of the law "on foreign investments in the russian federation" of 09.07.1999 g. P. 5, article 412, article 414, paragraph 2 of part 3 of article 421, paragraph 2.h.1 417 civil procedure code of the russian federation on the protection of the public order.</p>
<p>The basic principles of international private law [continued]: national treatment, most-favored-nation</p>	<p>Three groups of rights granted to foreign citizens and persons without citizenship in russia: in the personal sphere, in civil and political, economic, social and cultural sphere. Protection of these rights and freedoms in the russian federation. The provisions of article 45 of the constitution. Mfn. Articles about the clauses on most-favoured-nation developed and recommended to states in their contracts among themselves by the international law commission of the united nations. The removal of border trade, free trade areas, customs unions and unions in accordance with the principles of wto mfn treatment.</p>
<p>The basic principles of international private law [continued]: reciprocity in international private law</p>	<p>The concept and importance of reciprocity. Reciprocity as one of the main principles of state regulation of foreign trade activities of russia: article 4 of federal law no. 164-fz of 08.12.2003 "on the basic state regulation of foreign trade activities" sources of law containing a provision on reciprocity. Reciprocity as a background against which the traits of other norms and principles, multiplying the wealth of international private law relations. The presentation of reciprocity and its examples. The concept of material reciprocity and its examples. Reciprocity as a principle of the russian private international law [article 1189 of the civil code]</p>
<p>Nature rules of private international law</p>	<p>Practical and scientific need to determine the nature of norms of international private law. Arguments in favor of the international nature of the norms of international private law. There is general international law, which is divided into public and private, at the international administrative and international criminal law, etc. Industry. The real source of the international private law are international treaties and international customs. In them we must look for the nature of the norms of international private law. The fact of the application of the rules of a foreign state in that state is not a purely internal matter of the state. The conflict of private interests may lead and leads to international legal conflict. The arguments in favor of the civil law nature of the norms of international private law</p>

<p>IPL as an integrated cross-system education body of law</p>	<p>Disputes about the system accessories of the law in russian and foreign science. The concept of presistemnomu IPuBL put forward by a. N. Makarov and was designed by r. A. Mullerson. Criticism of the theory of transformation. "system" as a phenomenon a reality and as a theoretical construct. The concept of international private law contained in the works of b. I. Koltsov:IPL as a multidimensional socio-regulatory phenomenon. The question of whether international private law branch of law, and if yes then what systems: domestic or international are set correctly from the point of view of logic, however, it concerns such phenomena which in the framework of formal logic can not fit. IPL as an antinomy, where the thesis and antithesis randomizeme. Impact on IPL dialectically interacting underlying factors of world economy and economy of a single state. This interaction gives rise to such coherent, internal consistent, but do not fit into the usual framework of understanding of the law phenomenon, as IPL.</p>
----------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Author:

Professor of
Civil Law and Procedure and International private law
Department



M.N. Kuznetsov

Head of Department



E.E. Frolova

OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.04.01 Jurisprudence

« **International Private Law** »

Discipline	International Commercial Arbitration and other ADR
Volume	3 Credits (108 hours)
Discipline Overview	
Topical guide	Overview of topics
Alternative methods of resolving of the commercial disputes and evolution of alternative methods of resolving disputes.	Alternative methods of resolving commercial disputes in Europe, Asia, Africa and Latin America. The term and concept of alternative ways of resolving commercial disputes. Alternative ways of resolving commercial disputes. The principles of the international commercial arbitration. The evolution of alternative methods of resolving disputes in Europe, Asia, Africa and Latin America
Sources of legal regulation of international commercial arbitration.	Sources of legal regulation of international commercial arbitration. International conventions and other international instruments governing international commercial arbitration. Unification and harmonization of sources of legal regulation of the international commercial arbitration. General characteristics of national sources of legal regulation of the international commercial arbitration. Role of Lex Mercatoria for the International Commercial Arbitration.
Types of the international commercial arbitration institutions and their competence.	Types of the international commercial arbitration institutions and their competence. Institutional international commercial arbitration and adhoc arbitration. Competence and functions of the international commercial arbitration institutions. Arbitration agreement and arbitration clause.
General Provisions of international commercial arbitration.	General Provisions of international commercial arbitration. The competence-competence doctrine. Formation of the arbitration panel and its features. Arbitrability of the international disputes by the international commercial arbitration institutions. Features of determining the applicable law under the international arbitration procedures. Evidences and burden of evidences under the international arbitration procedures. Security measures in international commercial arbitration.

	An arbitration award and its structure. Arbitration fees.
International commercial arbitration in Europe and Asia.	International commercial arbitration in Europe and Asia. Mediation and reconciliation in European law. The major centers of international commercial arbitration in Europe and Asia. National sources of legal regulation of the international commercial arbitration.
International commercial arbitration in Africa and Latin America.	The Procedure of International commercial arbitration in Africa and Latin America. The order of appeal in international commercial arbitration. The arbitration agreement and formation of arbitration tribunals. The passing of judgments and the requirements. National sources of legal regulation of the ICA.
Recognition and Enforcement of Arbitral Awards.	Recognition and Enforcement of Arbitral Awards. The procedure of the recognition and the enforcement of arbitral awards in accordance with the New York convention of 1958 on the Recognition and Enforcement of Foreign Arbitral Awards. The competence-competence doctrine and the enforcement of arbitral awards. Accession of Europe, Asian, African and Latin American countries to the New York Convention of 1958 On the Recognition and Enforcement of Foreign Arbitral Awards. The procedure for recognition of foreign arbitral awards. Enforcement of Foreign Arbitral Awards.
Challenging and overturning of awards in Europe, Asia, Africa and Latin America.	Challenging and overturning of awards in Europe, Asia, Africa and Latin America. Procedure for challenging the decisions of international commercial arbitration. Overturning of decisions of international commercial arbitration.
Introduction of information technologies in international commercial arbitration.	Introduction of information technologies in international commercial arbitration. Online proceedings in international commercial arbitration. Legal aid and access to justice in international relations.

Author:

Assistant teacher

Civil Law and Procedure and International private law
Department



I.Chumachenko

Head of Department



E.E.Frolova

Peoples' Friendship University of Russia

Law Institute

OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.04.01 Jurisprudence

**SPECIALIZATION "INTERNATIONAL PRIVATE LAW",
GRADUATE DEGREE MASTER OF LAWS (LLM)**

Discipline	LAW OF TORTS
Volume	2 Credits (72 hours)
Discipline Overview	
Topical guide	Overview of topics
Unit 1 Nature and Scope of Torts Seminar 1 Main definitions (1):	- Negligence and Non-Intentional Tort An overview of the law of negligence, including theoretical and historical perspectives and the place of negligence in tort law and private law Liability for psychiatric injury Liability for pure economic loss Liability for omissions
Unit 1 Nature and Scope of Torts Seminar 2 main definitions (2):	-Abnormally dangerous activities & products liability v. car accident compensation cases and damages to the environment, - Defective Products
Unit 2 Cross-cultural level of tort law (case of Russia, China, Vietnam, India, Brazil, South Africa, Jordan, etc.). Seminars 3-9	Seminars 3-9 under the scheme: 1) statement of the problem: nature and scope of conflicts, 2) sources of law, 3) the fundamental principle/connecting factor (e.g., <i>lex loci delicti commissi</i>), 4) exceptions to the fundamental principle/connecting factor, 5) the scope of application of the Statute of the tort liabilities, 6) <i>renvoi</i> , 7) procedural issues of the tort claims, 8) 2018 case developments.
Unit 3 International dimension of tort law (Conventions) Seminars 10-13	Principal topics include: The crux of the issue, examples, cases, Legal framework, sources of law (Conventions) and their main provisions and approaches, Connecting factors used on case of international torts.

**Unit 4 Supranational level of tort law
(examples of EU (Europa), ASEAN (South-
East Asia), MERCOSUR (Latin America),
SCO (Supranational conventions & Treaties)
Seminars 14-17**

Author: Professor of
Civil Law and Procedure and
International Private law Department



K.M. Belikova

Head of Department



E.E. Frolova

Peoples' Friendship University of Russia

Law Institute

OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.04.01 Jurisprudence

« **International Private Law** »

Discipline	Cross-border transactions: legal and practical aspects
Volume	3 Credits (108 hours)
Discipline Overview	
Topical guide	Overview of topics
Introduction to english law on contracts	Drafting agreements
Pre-transaction stage	Negotiations Memorandum of understanding/letters of intent confidentiality
Cross-border acquisition: legal and practical aspects	Due diligence, Share purchase agreement, Corporate issues, Completion and post completion actions, representation and warranties; Indemnities, Governing law
International joint ventures: goals to achieve	In and out mechanics, Corporate governance, Deadlock resolution, Disputes
Debt financing agreements	Practical aspects to focus on when representing a borrower/lender

Author:

Assistant of Professor
Civil Law and Procedure and International private law
Department



S.I. Kovalev

Head of Department



E.E. Frolova

OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.04.01 Jurisprudence

« International Private Law»

Discipline	Protection of Intellectual Property Rights
Volume	2 Credits (72 hours)
Discipline Overview	
Topical guide	Overview of topics
Protection of ip rights. General overview	<ol style="list-style-type: none">1. Intellectual property: definition and types.2. Intellectual property in civil turnover.3. Meaning and types of ip rights.4. Main characteristics of russian ip legislation, its development trends.5. International collaboration in the field of ip protection.6. Main ip remedies (general comparative analysis).
Protection of ip rights through civil procedure	<ol style="list-style-type: none">1. Jurisdiction of ip disputes.2. Prejudicial settling of ip disputes.3. Possible claims against ip infringers.4. Preliminary injunction in ip disputes.5. Distinctive characteristics of court proceedings related to ip disputes.6. Expert examination in ip disputes.7. Enforcing of court decisions related to ip disputes.
Protection of ip rights in the internet. Domain name disputes	<ol style="list-style-type: none">1. Internet: definition and history.2. Use of ip objects in the internet.3. Domain name system. Registration of domain names.4. Unfair registration and use of domain names.5. United disputes resolution policy and its applicability.6. Russian court practice related to the domain name disputes.7. Copyright infringements in the internet and their prosecution.
Protection against unfair competition	<ol style="list-style-type: none">1. Antimonopoly bodies and its role in protection of ip rights.2. Unfair competition related to registration and use of results of intellectual activity and meanings of individualization.3. Infringement of ip rights in advertising.4. Comparative advertising and limits of its use.

	5. Umbrella advertising.
Protection of ip rights through administrative and criminal proceedings	<ol style="list-style-type: none"> 1. Administrative liability for the ip infringements. 2. Distinctive characteristics of administrative proceedings against ip infringement. 3. Criminal liability for the ip infringements. 4. Distinctive characteristics of criminal proceedings against ip infringement.
Protection of ip rights with customs assistance	<ol style="list-style-type: none"> 1. Customs register of ip objects. 2. Entering of ip objects into the customs register. 3. Customs suspension of allegedly counterfeit goods. 4. Parallel import. Russian and foreign law related to parallel import. 5. Customs union between belarus, kazakhstan and russia. 6. Unified customs ip register.
Legal and economical ip evaluation. Ip due diligence	<ol style="list-style-type: none"> 1. Ip due diligence: definition and purposes. 2. Main stages of ip due diligence stages, crucial points of research. 3. Main particulars of ip due diligence related to different ip rights. 4. Economical appraisal of ip rights. 5. Different approaches to economical appraisal of ip rights.
Grounds and procedures for contesting ip rights	<ol style="list-style-type: none"> 1. Grounds and procedures for contesting of trademarks. 2. Grounds and procedures for contesting patent rights. 3. Disputes about copyright. 4. Unfair squatting of ip rights and its prosecution.

Author:

Professor
Civil Law and Procedure and International private law
Department



M.N. Kuznetsov

Assistant of Professor
Civil Law and Procedure and International private law
Department



E.V. Sitkareva

Head of Department



E.E. Frolova

OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.04.01 Jurisprudence

« International Private Law »

Discipline	Insurance Law
Volume	4 Credits (144 hours)
Discipline Overview	
Topical guide	Overview of topics
The general provisions of insurance.	The purposes and tasks of insurance in Russia and foreign countries. The history of development of insurance law. The main definition in insurance law. The classification of insurance.
The legal basis of insurance law.	The legal sources of insurance law in Russia and foreign countries. Subject and system of insurance law. State supervision of insurance activities.
The insurance contract.	The concept of an insurance contract under Russian law and in foreign legislation. The content and features of the insurance contract. Conditions and procedure for the conclusion of the insurance contract. The insurance policy.
The legal regulation of private insurance	The features of personal insurance and essential conditions. The concept and the main types of life insurance. Life insurance. Pension insurance. Accident insurance. Health insurance.
The legal regulation of property insurance.	The concept and basic of property insurance. The terms and conditions of insurance contracts. Insurance of transport (land, sea, air). The housing and buildings insurance. Cargo insurance. Agricultural insurance.
The regulation of liability insurance.	The concept of civil liability. The legal subjects of liability insurance. Objects of insurance and responsibility. The liability insurance of vehicle owners. The civil liability insurance of organizations operating hazardous facilities. Professional liability insurance. Personal liability insurance. The contract liability insurance.
The business risks insurance.	The concept of the enterprise risk. Classification of business risks. Comprehensive insurance protection. The financial risks insurance. The banking risks insurance. The Individuals' Deposits insurance. Insurance of foreign economic activity.
The legal regulation of reinsurance.	The concept and methods of reinsurance. Facultative reinsurance. Contractual reinsurance. Proportional reinsurance. Disproportionate reinsurance. Financial reinsurance. Legal regulation of reinsurance transactions. Associations, unions and insurance pools.

Author:

Associate Professor of
Civil law and Procedure and
International private law
Department



E.P.Rusakova

Head of Department



E.E.Frolova

Peoples' Friendship University of Russia

Law Institute

OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.04.01 Jurisprudence

SPECIALIZATION "INTERNATIONAL PRIVATE LAW", GRADUATE DEGREE MASTER OF LAWS (LLM)

Discipline	COMPETITION LAW AND CONSUMER PROTECTION
Volume	4 Credits (144 hours)
Discipline Overview	
Topical guide	Overview of topics
Unit1 Competition and consumer protection: basic categorical apparatus and general approaches	<p>Seminar 1 Basic categorical apparatus and general approaches of legislation on competition and consumer protection</p> <p>Preconditions of genesis of legal mechanisms of competition protection within the framework of foreign states. Basic categorical apparatus, doctrines and concepts creating theoretical basis underlying governmental intervention of commerce, relevant state policy and actions of national governmental bodies responsible for the enforcement of the legislation in the field of competition and consumer protection. Consumers in the context of antitrust: establishment of a uniform space of protection: myth or reality?</p>
Unit2 Legal framework of the competition protection in Russia	<p>Seminar 2 History and contemporaneity of the competition protection in the light of sources of law</p> <p>General characteristics and history of legal protection of the competition environment and regulation of monopoly. Sources of law in this regard (of jurisdiction, applicable law, and decree enforcement) of Russia. Principles of the "antitrust" (procompetitive) law.</p> <p>Seminar 3 Main directions of counteraction against anticompetitive behavior in Russia</p> <p>Priority areas of the FAS's activities and the most significant achievements. Core restrictive business practices fixed by the current normative sources of law of the Russian Federation in the field of competition protection: misleading or deceptive conduct, unfair sales techniques, pricing and selling strategies and collusions, concerted practices, abuse of market power, unfair competition, control of "economic concentrations"; competition restrictions made by the public administration.</p>

	<p>Seminar 4 Legal framework of the participation of Russia in foreign-economic activity: the case of competition protection. Consumer protection</p> <p>“Antitrust” aspects of legal regulation and control of the external economic relations with the participation of the Russian Federation arising when a case is containing foreign elements. Restrictions of the rights of foreign investors on investments into the business corporations and trade partnership of a strategic importance for ensuring defense and safety of the state.</p> <p>Preconditions of consumer protection. Substantial and procedural aspects of protection of consumers’ rights in Russia.</p>
<p>Unit 3 Legal framework of the competition and consumer protection and counter-action against unfair business practices within the European Union</p>	<p>Seminar 5 General approaches of European legislation and legal order to counteraction against core anticompetitive market strategies (I)</p> <p>Preconditions of genesis of laws on competition protection within the European Union: examples of German, France, etc. Concept and general characteristics of sources of competition law within the European Union. Concept and different types of unfair business practices in EU competition law: “horizontal” and “vertical” restrictions of trade, concerted practices, deceptive conducts and collusions, unfair sales techniques, pricing and selling strategies. Methods and ways of revealing and counteraction against these market strategies.</p> <p>Seminar 6 General approaches of European legislation and legal order to counteraction against leading anticompetitive market strategies (II)</p> <p>Criteria of establishment of a dominant market position fixed by European legal order and prohibition of abuse of market power. Anticompetitive mergers and acquisitions and market structure control realized by the responsible governmental bodies (e.g. Directorate-General Competition of the European Commission). EU regulations’ provision on restriction (control) of “concentration” of enterprises’ market power (joint dominance, etc.). Measures of the prevention and control of abuses of a dominant position in the market.</p> <p>Seminar 7 Consumer protection within the European Union</p> <p>Preconditions of consumer protection in the EU. Substantial and procedural aspects of protection of consumers’ rights in EU countries. Harmonization of the relations in the sphere of consumer rights’ protection: general provisions and principles reflected by the EU directives and regulations in the field of consumer protection.</p> <p>Seminar 8 Ratio of provisions of the national EU countries’ antitrust laws and antimonopoly provisions of the competition law of the European Union</p>

<p>Unit 4 The comparative and legal review of the legislation on protection of the competition in the North (USA and Canada)</p>	<p>Seminar 9 General approaches of North American legislations and legal orders to counteraction against leading anticompetitive market strategies (I)</p> <p>General characteristics of sources of law and history of legal protection of competition environment in the North America (the experience of USA and Canada). Different types of unfair business practices restricted in USA and Canada as inconvenient with the sound competition (collusions, price discriminations, etc.) and defences provided by the relevant laws with regard to certain market practices (e.g. creation of an associations of SMEs, etc.).</p> <p>Seminar 10 General approaches of North American legislation and legal order to counteraction against leading anticompetitive market strategies (II)</p> <p>Criteria of establishment of a dominant market position fixed by North American legal order and prohibition of abuse of market power. Anticompetitive M&As and market structure control realized by the responsible governmental bodies. Protective measures regarding transformations of legal persons by means of mergers and acquisitions.</p> <p>Seminar 11 Ratio of provisions of the national North American countries' antitrust laws and antimonopoly provisions of the competition law of the regional integration unions (e.g. NAFTA etc.).</p> <p>Ratio of provisions of the national North American countries' antitrust laws and antimonopoly provisions of the competition law of the regional integration unions (e.g. NAFTA etc.).</p> <p>Seminar 12 Consumer protection in North America: the experience of USA and Canada</p> <p>Preconditions of consumer protection. Substantial and procedural aspects of protection of consumers' rights in USA and Canada. Harmonization of the relations in the sphere of consumer rights' protection: general provisions and principles reflected by the legal acts of regional integration unions (e.g. NAFTA).</p>

<p>Unit5 The comparative and legal review of the legislation on protection of the competition in the Latin America (Argentine, Brazil, Venezuela, Colombia, Peru, Uruguay, Paraguay, Chile)</p>	<p>Seminar 13 General approaches of Latin American legislations and legal orders to counteraction against leading anticompetitive market strategies (I)</p> <p>General characteristics of sources of law and history of legal protection of competition environment in the Latin America (the experience of Argentine, Brazil, Venezuela, Colombia, Peru, Uruguay, Paraguay, Chile). Different types of unfair business practices restricted in USA and Canada as inconvenient with the sound competition (collusions, price discriminations, etc.) and defences provided by the relevant laws with regard to certain market practices (e.g. creation of an associations of SMEs, etc.).</p> <p>Seminar 14 General approaches of Latin American legislation and legal order to counteraction against leading anticompetitive market strategies (II)</p> <p>Criteria of establishment of a dominant market position fixed by Latin American legal order and prohibition of abuse of market power. Anticompetitive mergers and acquisitions and market structure control realized by the responsible governmental bodies. Protective measures regarding transformations of legal persons by means of mergers and acquisitions.</p> <p>Seminar 15 Ratio of provisions of the national Latin American countries' antitrust laws and antimonopoly provisions of the competition law of the regional integration unions (e.g. MERCOSUR etc.)</p> <p>Ratio of provisions of the national Latin American countries' antitrust laws and antimonopoly provisions of the competition law of the regional integration unions (e.g. MERCOSUR etc.).</p> <p>Seminar 16 Consumer protection in Latin America</p> <p>Preconditions of consumer protection. Substantial and procedural aspects of protection of consumers' rights in Latin America. Harmonization of the relations in the sphere of consumer rights' protection: general provisions and principles reflected by the legal acts of regional integration unions (e.g. MERCOSUR, etc.).</p>

<p>Unit 6 The comparative and legal review of the legislation on protection of the competition in the Asia (China and India) and Africa (South Africa)</p>	<p>Seminar 17 General approaches of Asian (China and India) and African (South Africa) legislation and legal order to counteraction against leading anticompetitive market strategies</p> <p>Concept and general characteristics of sources of competition law within the legal orders of China, India and South Africa. Concept and different types of unfair business practices in the aforementioned legal orders' antitrust laws: "horizontal" and "vertical" restrictions of trade, concerted practices, deceptive conducts and collusions, unfair sales techniques, pricing and selling strategies. Methods and ways of revealing and counteraction against these market strategies.</p> <p>Criteria of establishment of a dominant market position fixed by Asian (China and India) and African (South Africa) legal orders and prohibition of abuse of market power. Anticompetitive M&As and market structure control realized by the responsible governmental bodies. General provision on restriction (control) of "concentration" of enterprises' market power. Measures of the prevention and control of abuses of a dominant position in the market.</p> <p>BRICS cooperation: ratio of provisions of antitrust laws of these states in the light of their interaction within the BRICS.</p> <p>Seminar 18 Consumer protection in Asia (the experience of China and India) and Africa (the experience of South Africa)</p> <p>Preconditions of consumer protection. Substantial and procedural aspects of protection of consumers' rights in China, India and South Africa. Ratio of provisions of laws on consumer protection of these states in the light of their interaction within the BRICS.</p>

Author: Professor of
Civil Law and Procedure and
International Private law Department



K.M. Belikova

Head of Department



E.E. Frolova

OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.04.01 Jurisprudence «International Private Law»

Discipline	Contracts law
Volume	4 Credits (144 hours)
Discipline Overview	
Topical guide	Overview of topics
Foreign economic transactions.	The concept of foreign trade. Features of legal regulation of foreign economic transactions. Form of foreign economic transactions. Types of foreign economic transactions. Procedure for concluding foreign economic transactions. Contents of foreign economic transactions. Execution. Improper execution. Responsibility for violation of foreign economic transactions.
The contract of sale as an external economic transaction	The concept of the contract of international sale. Varieties of the contract of sale. Form and order of imprisonment. Content. Rights and obligations of the parties to the contract of sale. The order of execution of the contract of sale. The basic terms of the contract - FAS, FOB, CIF, DAF, etc. Responsibility for the violation of the contract of sale.
International contract of carriage as an external economic transaction.	The concept of transport relations in foreign economic activity. Form and order of imprisonment. Content. Rights and obligations of the parties to the contract. The order of execution of the contract. Responsibility for breach of contract. International sea transport, air, rail, road transport.
Insurance contract in foreign economic activity	The concept of insurance and its types in foreign economic relations. Contents of the insurance contract. The subinsurance institutions of the insurance contract: the insured amount, insurance risk, insurance interest, insurance case, insurance compensation, insurance premium. Contract of insurance. Types and forms of the insurance contract

Legal regulation of contractual relations in foreign economic activity	Use of the contract of the contract in foreign economic relations, a circle of relations regulated by contracts of the contract. Kinds of contracts of the contract. Form and order of imprisonment. Content. Rights and obligations of the parties to the contract. The order of execution of the contract. Responsibility for breach of contract.
Settlement and credit relations in foreign economic activity	The order and forms of settlements between participants in foreign economic relations. Documentary collections and letters of credit. "Uniform Rules and Customs for Documentary Credits" and "Uniform Rules for Collection", developed by the International Chamber of Commerce. Bill and check in foreign economic calculations.
Resolution of foreign economic disputes.	Methods of resolving foreign economic disputes. Judicial resolution of disputes (issues of jurisdiction). Alternative ways of resolving disputes (arbitration, negotiations, mediation, etc.). International commercial arbitration.

Author:

Teacher of
Civil Law and Procedure and
International private law Department

S.P. Posokhov

Head of Department

E.E. Frolova

OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.03.01 Jurisprudence **"International Private Law"**

Discipline	Inheritance Law
Volume	3 Credits (108 hours)
Discipline Overview	
Topical guide	Overview of topics
General provisions of inheritance law	Concept and features of inheritance. Inheritance bases. Concept "law of succession" of subjective and objective sense. Subject, principles, method of the law of succession. Concept of hereditary legal relationship and their structure. Subjects of hereditary legal relationship. Bases of emergence, change and termination of hereditary legal relationship. History of emergence and development of the law of succession. The hereditary legislation of the Russian Federation at the present stage. Sources of the law of succession, their ratio and short characteristic.
Inheritance under the will	Will: concept, forms, order of signing and certificate. Restriction on the certificate of the will. Necessary successors. Commission of the closed will. The will in force majeure. The wills equated to notarially certified, an order of their certificate. Order of the certificate of the will in cash in credit institutions. Subappointment of the successor (hereditary substitution). Testamentary refusal (legate) and testamentary assignment. Performance of the will. Order of change and cancellation of the will.
Inheritance under the law	Concept and the principles of inheritance under the law. Difference of inheritance under the law from inheritance under the will. Basic provisions of inheritance under the law. Concept of relationship and property. Straight line and sideline of relationship. Number of turns of successors under the law and the list of the successors called for inheritance in each of them. The testator's dependents, a concept and conditions of their calling to inheritance. Size of a hereditary share of the successor dependent. Disability. An order of calling of disabled dependents to inheritance, the size of their hereditary share. Inheritance by the right of representation. Hereditary transmission. Inheritance of property by the state (vacant property).

<p>The acceptance of inheritance and the refusal of it</p>	<p>Concept, features and value of acceptance of inheritance as subjective civil law. Order and terms of acceptance of inheritance. An application form about acceptance of inheritance. Legal consequences of acceptance of inheritance. Certainty and universality of acceptance of inheritance. Actual acceptance of inheritance. Refusal of inheritance. Bans on refusal of inheritance. Contents of the declaration of abandonment of inheritance. Legal consequences of refusal of the successor of inheritance.</p>
<p>Division of hereditary property and order of its protection</p>	<p>The section of inheritance between successors at inheritance under the law, the factors influencing this process. Rules of the section of inheritance under the will. The provisions important at the same time. Features of the section of the hereditary property which is in common ownership of several successors. Order of the section of inheritance in the presence among successors of minor, incapacitated citizens and the worried spouse. Features of the section of property in the presence at one of successors of the preferential right to the indivisible thing which is a part of inheritance. Protection of hereditary property. The bases for taking measures to protection of hereditary property. The subjects which are carrying out taking measures to protection of hereditary property. Term of protection of hereditary property. The measures taken for protection of hereditary property. Organization of the inventory of hereditary property. The persons participating in her drawing up. Order of execution of the act of the inventory of hereditary property, his contents and form.</p>
<p>Registration of the rights to inheritance</p>	<p>Certificate on the right for inheritance, his form, contents, types, registration order. Order and dates of receipt of the certificate on the right for inheritance and condition of his delivery. The appeal the successor of actions of the notary when receiving refusal of him in issue of the certificate on the right for inheritance. Place of issue of the certificate on the right for inheritance. The persons having the right to grant certificates on the right for inheritance. Proofs of relevancy of the citizen to a circle of successors of the specific testator. Proofs of existence of hereditary property and accessory to his specific testator. Features of issue of the certificate on the right for inheritance to the worried spouse. The legal consequences arising at the actual acceptance by the successor of hereditary property.</p>
<p>Features of inheritance of separate types of property</p>	<p>The types of property having features of inheritance. Rights of the testator of such property. Features of inheritance: the privatized premises, the enterprises, things having a limited turn, the land plots unpaid to the testator of sums of money as means of livelihood and under the contract of insurance, the property provided to the testator by the state or</p>

	municipal unit on favorable terms, the state awards, honourable and memorable I am familiar, separate types of the rights, in particular, connected with participation of the testator in the commercial organizations, shares (deposits) in the commercial organizations of the rights connected with participation of the testator in consumer cooperative, property of the member of peasant farm, copyright, patent rights on an invention, useful model and an industrial sample.
--	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Author:

Associate Professor
Civil Law and Procedure and
International Private Law Department



N.V. Badaeva

Head of Department



E.E. Frolova

OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.04.01 Jurisprudence

« **International Private Law** »

Discipline	Law of International Banking Transactions
Volume	3 Credits (108 hours)
Discipline Overview	
Topical guide	Overview of topics
Regulation of the international banking transactions and its sources	Banking organizations and International banking transactions. Regulation of Lending business. Regulation of the International Payment Services. Electronic Funds Transfer. Cross border financial services and consumers protection. Regional regulatory authorities for international banking transactions.
Banks and Lending organizations as the participants of the international banking transactions	International monetary fund, World bank, European bank on the reconstruction and development, Euroasian bank and other international banking organizations,
Payment services as the international banking transactions.	Cheques as the main payment source for the international banking transactions; Inkasso transactions and their regulations. Banks duties as the service provider; Execution of payment orders. Regulation and legal status of the international electronic payment systems.
International trade financing instruments	Guarantees and Indemnity, Warrantee Guarantees, Counter-Guarantees, Stand by Letters of credit. UCP600, URDG 758 and their role in the international trade relations. Superguarantee and syndicating guarantee as future instruments of the international trade. Role of SWIFT for future trade financing instruments.
International lending transactions	Loans with foreign element and applicable law to it. LMA and RLMA and their role for the international lending transactions. Syndicated loans as the most popular type of the international lending transaction,
Collateral under the international lending transactions	Foreign collateral and its features. Applicable law for collateral under the international lending transactions. Pledge and mortgage under in common law and continental law. Plot and cristalized charge of property.

	Right of lien by the Lendor of the property of borrower in different jurisdictions.
Islamic finance	Main principles of the Islamic financing. Main types of the transactions under the Islamic financing (deposit, lending operations). Implementation of the Islamic financing elements in the traditional finance countries. Islamic Finance Transactions and English law and other jurisdictions.
Introduction of information technologies in international banking transactions	Blockchain technology and international banking transactions. Cryptocurrencies and digital asset – their role for future banking transactions. Bigdata regulation and application for banking transactions.

Author:

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



I.N. Chumachenko

Head of Department



E.E. Frolova

OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.04.01 Jurisprudence


« International Private Law »

Discipline	Law of international trade
Volume	4 Credits (144 hours)
Discipline Overview	
Topical guide	Overview of topics
Introduction to Law of International Trade. Sources of Regulation Applicable to Cross-Border Commercial Transactions	Scope of law of international trade. Sources of law of international trade: international conventions, national law, commercial practices and other forms of "soft law". Consequences of choice of law. Harmonization of law of international trade. Role of the United Nations and the International Chamber of Commerce in formation of law of international trade. Modern <i>lex mercatoria</i> .
Cross-Border Commercial Transaction	Features of cross-border commercial transactions. Principles applicable to a cross-border commercial transaction: freedom of contract, good faith, equality of parties to the contract and mutual benefit, reasonableness of a party to the contract. Requirements as to: (i) form, (ii) formation, (iii) execution and (iv) contents of cross-border commercial transactions. Methods of interpretation of provisions of cross-border commercial transactions.
International Sale of Goods	Formation of a contract on international sale of goods (" ISG Contract "). Distribution of rights and obligations in the ISG Contract. Place of performance and payment. Delivery date and methods of its determination. Quality and conformity of goods. Passing of risk. Breach of the ISG Contract. Avoidance of the ISG Contract. Remedies available to the seller, the buyer and / or both parties as a result of a breach and / or avoidance of the ISG Contract. Pre-defined commercial terms of the ISG Contract. Application of INCOTERMS 2010.
International Carriage of Goods	Overview of sources and principal features of regulation of international carriage of goods: (i) by sea, (ii) by rail, (iii) road and (iv) by air. International bill of lading
International E-Commerce	Notion of e-commerce and e-transaction. Legal risks connected with conclusion of transactions by electronic means. Regulations applicable to cross-


	border e-commerce, including UNCITRAL Model Law On Electronic Commerce (1996).
Distribution Agreements. Agency	International agency. Regulations applicable to international agency agreements, including UNIDROIT Convention on Agency in the International Sale of Goods (1983), the ICC Model Commercial Agency Contract (pub. No. 496), etc. Regulations applicable to international distribution agreements, including the ICC Model Distributorship Contract, The ICC Model Distributorship Contract Sole Importer-Distributor, the Guide to Drafting International Distributorship Agreements (pub. No. 441 (E))
Payment Methods	Principal payment methods: cash in advance, open account, bills of exchange, documentary bills, documentary credits. Principal features of the UN Convention on International Bills of Exchange and International Promissory Notes 1988. Regulation of documentary credits, including UNCITRAL Model Law On International Credit Transfers 1992 (including corresponding regulations in the EU), Uniform Customs and Practice for Documentary Credits (UCP 600). Regulation of demand guarantees, including UN Convention on Independent Guarantees and Stand-By Letters of Credit 1995
Dispute Resolution in International Commerce	Mechanisms of resolution of disputes arising out of cross-border commercial transactions. Jurisdiction of national courts. International arbitration. Principal arbitration institutions

Author:

Assistant of Professor

Civil Law and Procedure and International private law Department  E.V. Sitkareva

Assistant teacher

Civil Law and Procedure and International private law Department  I.N. Chumachenko

Head of Department



E.E. Frolova

OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.04.01 Jurisprudence «International Private Law»

Discipline	CISG and International Commercial Arbitration (Model MOOT)
Volume	4 Credits (144 hours)
Discipline Overview	
<i>Introduction to the course</i>	Introduction to international arbitration as method of dispute resolution. Forms of arbitration. Regulatory framework for arbitration. Myths about international arbitration.
<i>Arbitration agreement</i>	Form and other requirements to arbitration agreement. Autonomy of arbitration agreements. Applicable law. Valid, effective and enforceable arbitration agreements.
<i>Initiating arbitration</i>	Seat of arbitration. Language of arbitration. Multiparty and multi-contract arbitration. Practical task: Request for Arbitration / Response to Request for Arbitration
<i>Jurisdictional issues. Applicable law</i>	Applicable law. Procedure to resolve jurisdictional issues. Practical task: Objections to jurisdiction of the [name of arbitral institution] / Response to Objections to jurisdiction of the [name of arbitral institution]
<i>Formation of arbitral tribunal</i>	Procedure for formation of arbitral tribunal. Impartiality and independence of arbitrators. Qualifications of arbitrators. Statement of availability. Challenges to arbitrators. Practical task: Challenge to an arbitrator / arbitral tribunal
<i>Procedural issues</i>	Terms of reference and procedural orders. Timetable for proceedings. Confidentiality. Security on costs. Other procedural matters. Practical task: Preparation to and participation in a procedural hearing
<i>Position on the merits</i>	Discussion of positions of the parties on the merits. Practical task: Statement of claim / statement of defense
<i>Evidence in international arbitration</i>	Rules on taking evidence. Production of documents. Redfern schedule. E-disclosure. Fact

	witnesses. Expert witnesses: party-appointed and tribunal appointed. Site inspections. Practical tasks: (i) witness statements, (ii) requests for production of documents
<i>Interim measures</i>	Tribunal's powers to grant interim measures. Enforcement of Tribunal's order / award on interim measures. Provisional measures ordered by courts in support of arbitration. Practical task: Application for interim measures / response to application for interim measures
<i>Preparation to the hearing</i>	Practical task: Preparation to and participation in the pre-hearing conference
<i>Evidentiary hearing</i>	Practical task: Preparation to and participation in the evidentiary hearing
<i>Expedited Procedures. Third Party Funding</i>	Expedited arbitral procedures. Emergency arbitrators. Issues of third party funding.
<i>Post-hearing submissions and closing arguments</i>	Practical task: Preparation of post-hearing briefs
<i>Award. Recognition and enforcement of the award</i>	Types of award. Time limits for making the award. Types of reliefs to be ordered. Challenges to the award. Recognition and enforcement of the award. Practical task: Application for recognition and enforcement of the award in Russia

Author:

Assistant Professor
Civil Law and Procedure and
International private law Department



I.N. Chumachenko

Head of Department



E.E. Frolova

OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.04.01 Jurisprudence «International Private Law»

Discipline	Mergers and Acquisitions
Volume	4 Credits (144 hours)
Discipline Overview	
Topical guide	Overview of topics
Introduction to the course	Introduction to Business Acquisitions. Overview of Different Acquisition Methods. Main terms which are under for M&A transactions. Historical overview of the developments of issues related to the regulation of M&A transactions.
Sources and principles of the M&A transactions	Legal sources of the M&A transactions under the Russian, English and the U.S. Law. Main principles of the M&A transactions
The Mechanics of Structuring of merger and acquisition transactions	Stages of M&A transactions; CP and CS under the M& A transactions; anti-takeover actions; Roles of the participants of M&A transactions.
Non-Disclosure/Confidentiality and Exclusivity Agreements under the merger and acquisition transactions	NDA and its role during an M&A transaction. Differences between Exclusivity and Investment Agreements and their role for the realization of the M&A transaction. Termshhit at the stage of the negotiations.
The Role and forms of Due diligence for the merger and acquisition transactions	Term and role of Due diligence procedure for future M&A transaction. Types of the due diligence procedures. Participants of the due diligence regulation. Consequences of the Due Diligence for an M&A transaction.
Documents which are necessary for merger and acquisition transactions	Share purchase and shareholder agreement and their role for the shareholders protection under M&A transaction. Investment agreement during an M&A transaction. Other documents which are necessary for M&A transactions.
Main conditions of the merger agreements	Structuring of the merger agreement. Definitions, Covenants, Representation and Warranties, Enforcement Clause, Third Parties rights clause, Default interest, Indemnity Clause.

Corporate actions (formalities) during merger and acquisition transactions	Shareholders and directors (executives) approvals during an M&A transaction. Majority and minority rights during the corporate actions. Anti-takeover Mechanisms.
Successor Liability during an M&A transaction	Scope and forms of Successor Liability. Indemnification institution.
Venture investments and M&A transactions	Term and legal nature of the venture investments. Stage of the venture investments. Regulation of the venture investments.

Author:

Assistant Professor
Civil Law and Procedure and
International private law Department



I.N. Chumachenko

Head of Department



E.E. Frolova

Peoples' Friendship University of Russia

Law Institute

OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.03.01 Jurisprudence "International Private Law"

Discipline	Family Law
Volume	3 Credits (108 hours)
Discipline Overview	
Topical guide	Overview of topics
Concept and subject of family law. Family legal relationship	<p>Historical forms of marriage and family. History of formation and development of family law of Russia. Constitutional fundamentals of family law. Forms of the state help to family.</p> <p>Concept of the Russian family law. Family law as branch I am right. The relations regulated by family law.</p> <p>Method of regulation of family legal relations, his peculiar features.</p> <p>Main beginnings (principles) of the Russian family law.</p> <p>Functions of family law.</p> <p>System of family law and her basic elements.</p> <p>Concept and types of family legal relationship, their features</p> <p>Concept of family and its structure. Elements of family legal relationship.</p> <p>Subjects, objects of family legal relationship. Legal capacity and capacity in family law.</p> <p>Maintenance of family legal relations: concept, essence and types of the subjective family rights and subjective family and legal duties.</p> <p>Bases of emergence, change and termination of family legal relationship.</p> <p>Relationship and property, their legal value and role.</p> <p>Implementation of the family rights and fulfillment of duties. Limits of the subjective rights and limits of their realization. Legal consequences of implementation of the family rights in a contradiction with their appointment, abuses of the family rights.</p> <p>Protection of the family rights: forms and ways.</p> <p>Concept of terms of family law and order of their calculation. Terms of limitation period in the family relations.</p>
Family legislation	<p>Concept and types of sources of the Russian family law.</p> <p>Constitution of the Russian Federation, constitution of the republics, charters of edges, areas, districts and federal cities as sources of family law. Federal constitutional laws in the system of sources of family law.</p> <p>Acts of the Russian Federation, republics, regions, areas, districts and federal cities as sources of family law.</p> <p>Family code of Russia: value and the place in the system of sources of family law.</p> <p>Decrees of the Russian President, presidents of the republics, the resolution of heads of administrations of edges, areas, districts and federal cities as a part of Russia as sources of family law.</p> <p>Regulations of the Government of the Russian Federation, government of the republics, edges, areas, districts and federal cities which are a part of</p>

	<p>the Russian Federation, and their bodies in the system of sources of family law. Regulations of local bodies of authority and management (self-government) as sources of family law.</p> <p>Operation of the legislation on marriage and family in time, space and around persons. The application bases to the family relations of the civil legislation and rules of international law. The conditions of application of the family legislation and the civil legislation by analogy.</p>
Legal regulation of marriage	<p>Concept of marriage on family law. Conditions of marriage. Bases and order of decrease in age of consent. Circumstances. interfering marriage. State registration of marriage and its legal value. Order of the state registration of marriage and its value.</p> <p>Legal problems of the actual marriage relations.</p> <p>Invalidity of marriage. Bases of recognition of marriage by invalid. Order and legal consequences of recognition of marriage by invalid. The circumstances eliminating invalidity of marriage.</p> <p>Protection of the rights of the conscientious spouse and also minor spouse in invalid marriage.</p>
Marriage termination	<p>Concept and bases of the termination of marriage. The termination of marriage owing to the death of one of spouses or the announcement his dead. Time of the termination of marriage in connection with death or the announcement of one of spouses the dead. The legal fate of the stopped marriage in case of an appearance or detection of the place of stay of the spouse declared the dead.</p> <p>The termination of marriage by his cancellation.</p> <p>Divorce in bodies of civil registration; bases and order of a divorce. The moment of the termination of marriage at his cancellation in bodies of civil registration.</p> <p>Divorce in court: bases and order of a divorce. The questions resolved in divorce proceedings. The moment of the termination of marriage at a divorce in court.</p> <p>Legal consequences of the termination of marriage.</p>
Personal and property legal relationship between spouses.	<p>Bases of emergence of the rights and duties of spouses. Classification of the rights and duties of spouses.</p> <p>Personal non-property legal relationship of spouses. Equality of the personal rights and duties of spouses. Types of the personal rights and duties of spouses. Surname of spouses, residence, choice of occupations, professions, other personal rights and duties of spouses.</p> <p>Property rights and duties of spouses. Equality of property rights and duties of spouses.</p> <p>Lawful mode of property of spouses. Joint property of spouses.</p> <p>Possession, use and order of the general property of spouses. Property of each of spouses. Recognition of property of each of spouses their joint property.</p> <p>Section of the general property of spouses. Definition of shares of spouses. The property which isn't subject to the section.</p> <p>Contractual mode of property of spouses. Marriage contract: concept, order of his conclusion and cancellation. Moment of entry into force of the marriage contract. Contents of the marriage contract. Period of validity of the marriage contract.</p> <p>Bases and order of change and cancellation of the marriage contract.</p> <p>Change or cancellation of the marriage contract in a judicial proceeding upon the demand of one of spouses. Bases and order of recognition of the</p>

	<p>marriage contract invalid. Guarantees of the rights of creditors at the conclusion, change and cancellation of the marriage contract. Responsibility of spouses according to obligations. Responsibility of spouses on personal obligations. The bases and an order of the address of collecting on the general property of spouses.</p>
<p>Personal and property rights and duties of parents and children.</p>	<p>The basis of emergence of family legal relations between parents and children. Establishment of origin of the child from mother. Establishment of origin of the child from the father. Paternity proof order: voluntary and judicial recognition of paternity. Establishment of the fact of recognition of paternity. Bases and order of entry of parents of the child in the blotter of births. Contest of paternity (motherhood). Order of contest of paternity (motherhood). Personal non-property rights of the child: to live and be brought up in family, to know the parents; right for communication with parents and other relatives; the right to express the opinion; the right addressed to, a middle name and a surname; right for protection of the rights and legitimate interests. Property rights of the child: the right to contents from parents and other family members; property right of the child; the right of the child for the order the property belonging to him. Legal relationship between parents and children concerning the property belonging to them. Separateness of property of parents and children. Parental legal relationship. Equal rights and duties of parents. Implementation of the parental rights by minor and incapacitated parents. Content of the parental rights and obligations for education and education of children; on protection of the rights and the interests of children. Settlement of disputes between parents concerning education and education of children. Implementation of the parental rights by the parent living separately from the child. Responsibility of parents for education of children. Protection of the parental rights. Responsibility of parents for inadequate implementation of the parental rights. Deprivation of the parental rights: bases, order and legal consequences. Restoration in the parental rights. Restriction of the parental rights: bases, order and legal consequences. Cancellation of restriction of the parental rights. Confiscation of the child at parents: basis, order and legal consequences. Legal relationship between other family members.</p>
<p>Alimentary obligations of family members</p>	<p>Alimentary obligations of family members. Concept and ways of payment of alimony. An order of payment of alimony in a voluntary order. Agreements on payment of alimony: subjects, form, order of the conclusion, execution, change and cancellation. Bases and order of recognition of the agreement on payment of alimony invalid. The size, ways and an order of payment of alimony under the agreement on payment of alimony. Indexation of alimony. Order of payment and collecting alimony by a court decision. Responsibility for untimely payment of alimony. The bases and an order of change of the size of alimony established by court and release from their payment.</p>

	<p>The termination of the alimentary obligations established by the agreement of the parties on payment of alimony. The termination of payment of the alimony collected in a judicial proceeding.</p> <p>Types of alimentary obligations in family.</p> <p>Alimentary obligations of parents and children. Obligations of parents for keeping of children. Order and form of providing contents by parents to minor children. Collecting funds for keeping of minor children in a judicial proceeding. Size of alimony. Types of earnings and (or) other income from which deduction of alimony for minor children is made. Collecting and use of alimony for children without parental support. The right for alimony of the disabled, needing the help full age children. Participation of parents in additional expenses on children. Obligation of children for keeping of the disabled, needing the help parents. Collecting alimony for parents in a judicial proceeding. Alimentary obligations between spouses and the former spouses. Forms of mutual material support of spouses. Requirement bases spouse (former spouse) of granting alimony in a judicial proceeding. Size of alimony. Release of the spouse from an obligation for keeping of other spouse or restriction of this duty with term. Alimentary obligations of other family members: between brothers and sisters, the grandfather (grandmother) and grandsons, the actual pupils and their actual tutors, stepsons (stepdaughters) and the stepfather (stepmother). The size of the alimony collected on other family members in a judicial proceeding.</p>
<p>Forms of education of children without parental support</p>	<p>Protection of the rights and interests of children without parental support: identification and accounting of children, forms of child placement.</p> <p>Adoption (adoption).</p> <p>Concept, essence, purposes and value of adoption. Conditions and order of adoption. Protection of secrecy of adoption and consequence of her violation. Legal consequences of adoption.</p> <p>Features of adoption of children by foreign citizens or persons without citizenship: conditions and order of adoption.</p> <p>Bases, order and legal consequences of cancellation of adoption.</p> <p>Termination of adoption of the Russian children foreign.</p> <p>Guardianship and guardianship.</p> <p>Concept and the purposes of guardianship and guardianship over minor children. Conditions and order of establishment of guardianship and guardianship. Tutorship and guardianship authorities, their legal status and functions.</p> <p>Rights and duties of trustees and trustees. The rights of the children who are under guardianship (guardianship). The personal and property relations developing between the trustee and sponsored, the trustee and the ward. Supervision of activity of trustees and trustees.</p> <p>Preliminary guardianship. Guardianship according to the statement of parents.</p> <p>Release of trustees and trustees from execution of the duties by them: concept, order and conditions.</p> <p>Discharge of trustees and trustees from execution of the duties by them: concept, conditions and legal consequences.</p> <p>Termination of guardianship and guardianship.</p>

	<p>Features of guardianship and guardianship over the children who are on full state providing in educational, medical institutions, institutions of social protection of the population.</p> <p>Foster home.</p> <p>Concept of a foster home. Order of the organization of a foster home.</p> <p>Contract on transfer (children) for education to family: concept, parties and form. Contents of the contract on transfer of children to a foster home.</p> <p>The personal and property relations developing between adoptive parents and the brought-up child(children). Control of activity of adoptive parents.</p> <p>The amount of compensation of adoptive parents and privileges provided to a foster home. Payment of funds for keeping of the child foster home: order, size.</p> <p>Bases and conditions of the termination of the relations on education of adopted children.</p> <p>Termination of the contract about transfer of child(children) on education in family, legal consequences.</p>
--	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Author:

Associate Professor
Civil Law and Procedure and
International Private Law Department



N.V. Badaeva

Head of Department



E.E. Frolova

OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.04.01 Jurisprudence «International Private Law»

Discipline	TRANSPORT AGREEMENTS AND CONVENTIONS	
Volume	3 Credits (108 hours)	
Discipline Overview		
Introduction in the field of Transport Agreements and Conventions	<ul style="list-style-type: none">• Vehicles, promoting safety and environmental performance• The transport of dangerous goods (chemicals, explosives)• Global harmonized labelling system for chemicals• The international transport of goods by road (TiR Convention)• Road safety (road signs, road safety, etc.)	
International railway transportation	<p>Rail transport is a means of transferring of passengers and goods on wheeled vehicles running on rails, also known as tracks. It is also commonly referred to as traintransport. In contrast to road transport, where vehicles run on a prepared flat surface, rail vehicles (rolling stock) are directionally guided by the tracks on which they run. Tracks usually consist of steel rails, installed on ties (sleepers) and ballast, on which the rolling stock, usually fitted with metal wheels, moves. Other variations are also possible, such as slab track, where the rails are fastened to a concrete foundation resting on a prepared subsurface.</p>	
International Road Transport	<p>IRU started the TIR System Transports (Internationaux Routiers) in the late 1940s, helping a war-torn Europe to rebuild devastated trade and commercial links.</p> <p>By 1959, the successful system led to the United Nations TIR Convention, still in place today with almost 70 contracting parties – nations and multinational bodies – on four continents, and overseen by the United Nations Economic Commission for Europe (UNECE).</p> <p>With the continued expansion of TIR, and the benefits it has brought across the Eurasian landmass, many countries in Africa, Asia, the Middle East and South America are now joining the system</p>	
International air transportation	<p>Aviation law is the branch of law that concerns flight, air travel, and associated legal and business concerns. Some of its area of concern overlaps that of admiralty lawand, in many cases, aviation law is considered a matter of international law due to the nature of air travel. However, the business aspects of airlines and their regulation also fall under aviation law. In the international realm, the International Civil Aviation Organization (ICAO)</p>	

	<p>provides general rules and mediates international concerns to an extent regarding aviation law. The ICAO is a specialized agency of the United Nations.</p> <p>In the United States and in most European nations, aviation law is considered a federal or state-level concern and is regulated at that level. In the U.S., states cannot govern aviation matters in most cases directly but look to Federal laws and case law for this function instead. For example, a court recently struck down New York's Passenger Bill of Rights law because regulation of aviation is traditionally a federal concern. Aviation law, however, is not in the United States held under the same Federal mandate of jurisdiction as admiralty law; that is, while the United States Constitution provides for the administration of admiralty,^[1] it does not provide such for aviation law. States and municipalities do have some indirect regulation over aviation. For example, zoning laws can require an airport to be located away from residential areas, and airport usage can be restricted to certain times of day. State product-liability law are not preempted by Federal law and in most cases, aviation manufacturers may be held strictly liable for defects in aviation products.</p>
International shipping	<p>Admiralty law or maritime law is a body of law that governs nautical issues and private maritime disputes. Admiralty law consists of both domestic law on maritime activities, and private international law governing the relationships between private parties operating or using ocean-going ships. While each legal jurisdiction usually has its own legislation governing maritime matters, the international nature of the topic and the need for uniformity has, since 1900, led to considerable international maritime law developments, including numerous multilateral treaties.</p> <p>Matters dealt by admiralty law include marine commerce, marine navigation, salvage, maritime pollution, seafarers' rights, and the carriage by sea of both passengers and goods. Admiralty law also covers land-based commercial activities that are maritime in character, such as marine insurance. Some lawyers prefer to reserve the term "admiralty law" for "wet law" (e.g. salvage, collisions, ship arrest, towage, liens, & limitation), and use "maritime law" only for "dry law" (e.g. carriage of goods & people, marine insurance, and the MLC)</p>
Carrier liability insurance	<p>The insured is covered and indemnified against his legal liability for actual and physical loss of or damage to goods or merchandise directly caused by fire and or accident to the vehicle registered under the number stated in the schedule whilst such goods or merchandise are actually transported in the said vehicle on condition that:-</p> <ul style="list-style-type: none"> ○ Fire or accident has arisen on account of negligence of the insured. ○ Such damage or loss has been caused due to negligence or criminal acts of the insured's servants.

	<ul style="list-style-type: none">○ That the vehicle is damaged by fire or explosion or accident.○ That a claim in respect of the motor vehicle thereof is admitted under motor comprehensive insurance policy covering the vehicle. <p>The cover will commence with the loading of cargo on the vehicle and will be in force until unloading of the cargo at the discharging point or expiry of seven days after the first arrival of the vehicle at the destination town which ever may occur first.</p>
--	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Author:

Assistant Professor
Civil Law and Procedure and
International private law Department



A.N. Kirsanov

Head of Department



E.E. Frolova

OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.04.01 Jurisprudence «International Private Law»

Discipline	<i>Transnational insolvency</i>
Volume	3 Credits (108 hours)
Discipline Overview	
Topical guide	Overview of topics
The concept and purposes, subject and method of Insolvency (bankruptcy) law	General characteristics of comparative law. The concept of insolvency (bankruptcy) law as a complex discipline, the subject and method of insolvency (bankruptcy) law. Insolvency (bankruptcy) law in the system of legal branches. Insolvency and bankruptcy. Cash-flow insolvency and non-payment.
The history of the development of the legal institution of insolvency (bankruptcy) in Russia and foreign states	The stages of development of insolvency (bankruptcy) law in different states. The development of the civil and procedural relations, the improvement of the rules regulating insolvency (bankruptcy). Comparative analysis of modern world systems of insolvency (bankruptcy) legislation.
Transnational (cross-border) insolvency (bankruptcy) as an institution of private international law	The concept of transnational (cross-border) insolvency (bankruptcy). Collisions and national-legal regulation of transnational (cross-border) insolvency (bankruptcy). The competence of the jurisdictional authorities.
Normative composition of legal regulation of transnational (cross-border) insolvency (bankruptcy)	International legal cooperation in cases of transnational (cross-border) insolvency (bankruptcy) and the UNCITRAL model law 1997. The European model of transnational (cross-border) insolvency (bankruptcy) (conventions and recommendations). Regulatory acts of the regional international legal coordination in cross-border insolvency (bankruptcy).
Applicable law and determining jurisdiction in transnational (cross-border) insolvency (bankruptcy)	The principles of legal regulation of the transnational (cross-border) insolvency (bankruptcy) proceedings. Applicable law in transnational (cross-border)

	insolvency (bankruptcy). The issues of jurisdiction in cases of transnational (cross-border) insolvency (bankruptcy).
Actual problems of transnational (cross-border) insolvency (bankruptcy): the theoretical and practical aspects	The presumption of incorporation, domicile and definition of centre of main interests of the debtor. The concept of "uniform proceeding" and "parallel territorial proceedings". Acceptance and enforcement of foreign court's decisions on transnational (cross-border) insolvency (bankruptcy).

Author:

Associate Professor
 Civil Law and Procedure and
 International private law Department

 S.V. Odintsov

Head of Department



E.E. Frolova

Федеральное государственное автономное образовательное учреждение
высшего образования «Российский университет дружбы народов»

Юридический институт

АННОТАЦИЯ УЧЕБНОЙ ДИСЦИПЛИНЫ

Образовательная программа
40.04.01 Юриспруденция

Наименование дисциплины	ИСТОРИЯ И МЕТОДОЛОГИЯ ЮРИДИЧЕСКОЙ НАУКИ
Объём дисциплины	2 ЗЕ (72 час.)
Краткое содержание дисциплины	
Название разделов (тем) дисциплины	Краткое содержание разделов (тем) дисциплины:
1. Право и юридическая наука	Предмет и система курса «История и методология юридической науки». Право как нормативная регулятивная система общества. Юридическая наука как система знаний о праве. Юридическая наука как социальный институт. Юридическая наука как деятельность по формированию нового знания. Функции юридической науки. Соотношение юридической науки, образования и практики. Использование в правоведении достижений других областей научного знания.
2. Право как объект исследования	Право и правовая реальность. Представления о праве, их эволюция в общем контексте развития общества и государства. Сущность права. Свойства права. Типология понимания права. Социальные интересы и право. Право как фактор гармонизации отношений в обществе.
3. Юридическая доктрина, догма, практика	Доктринальная, догматическая и практическая юриспруденция. Правовая доктрина. Догма права. Юридическая практика. Нормативное построение права. Юридическая техника. Правовые принципы. Юридические конструкции. Правовые массивы. Правоотношения. Юридическая практика как разновидность социальных практик.
4. История юридической науки	Становление, развитие и современное состояние юридической науки. Тенденции развития юридической науки. Римская юриспруденция. Юридическая наука в Средневековой Европе. Восхождение научного знания от практики к доктринам. Юридическая наука Нового времени. Правовые концепции Нового времени. Юридическая наука Новейшего времени. Юридическая наука в общем контексте современного научного знания.
5. Источники права и правоведения	Источники права, их виды. Источники в правоведении, их виды. Соотношение источников права и правоведения. Нормативные правовые акты. Правовые обычаи. Материалы официального делопроизводства. Судебная и иная правоприменительная практика. Статистические данные. Периодическая печать. Дневники и воспоминания.
6. Научные подходы в правоведении	Соотношение научных подходов и методов исследования. Право и юридическая наука как явления цивилизации и культуры. Социокультурный подход в правоведении. Цивилизационно-культурный подход. Трансляция правового опыта в социуме. Правовые традиции и инновации. Юридическая антропология. Правовое положение человека в обществе. Права и свободы человека. Интересы в праве как методологический контекст.

7. Методы правовых исследований	Понятие метода научного исследования. Классификация методов исследования. Философско-мировоззренческие методы исследований. Методы формальной логики. Общенаучные методы исследований. Системный метод. Структурно-функциональный метод. Моделирования. Синергетика. Герменевтика. Частнонаучные методы исследований. Социологические методы. Статистические методы. Математические методы. Специально-юридические методы. Юридико-догматический метод. Методы сравнительно-правовых исследований (синхронный, диахронный).
8. Алгоритм правового исследования.	Направление исследования. Актуальность темы. Степень научной разработанности проблемы. Поиск информации и источников. Понятийно-категориальный аппарат. Постановка цели и задач исследования. Определение объекта и предмета исследования. Теоретическая, нормативная и эмпирическая база исследования. Методология исследования. Выбор оптимальных методов исследования, их сочетание. Выдвижение научных гипотез, их обоснование, проверка.

Разработчик:

заведующая кафедрой

истории права и государства РУДН



М.В. Немыгина

Заведующая кафедрой

истории права и государства РУДН



М.В. Немыгина

OUTLINE OF ACADEMIC DISCIPLINE

Educational program
40.04.01 Jurisprudence

Discipline	<i>HISTORY AND METHODOLOGY OF LEGAL STUDIES</i>
Volume	2 credits (72 hours)
Discipline Overview	
Name of topic	Topic overview
Topic 1. Law and legal studies	Subject and system of the course «History and methodology of legal studies». Law as a regulative system of the society. Legal studies as a knowledge system of law. Legal studies as a social institute. «History and methodology of legal studies», and its correlation with «Theory of State and Law», «History of State and Law», «Philosophy of Law», «History of Political and Legal Doctrines», sectoral legal studies. Methodological basis of legal studies. Methodology of sectoral legal studies. Scientific knowledge of law and legal research skills, their correlation. Ways of mastering scientific knowledge and concepts of law. Possibilities of mastering the legal research skills. Lawyer research skills, their types. Lawyer-researcher skills as a type of lawyer professional skills. Methodological perspective of correlation between legal studies, education and practice. Use of other sciences' achievements in legal studies.
Topic 2. Law as an object of research	Law and legal reality. Variety of existing forms of law. Nature of law. Features of law. Variety of approaches to studying the law. Typology of legal understanding. Legal positivism and etatism. Natural legal conceptions of legal studies. Sociological positivism. Integrative jurisprudence. Social interests, its value in the law-making and law enforcement processes. Legal status of a person in the society. Private, public and corporate-public interests. Law as a factor of harmonization of interests in the society. Interpretation of legal processes and phenomena from perspective of different types of legal understanding. Functions of legal studies: ontological, gnosiological, heuristic, prognostic and etc. Criteria of scientific knowledge. The objective one and subjective one in law. Subjects of legal understanding. Moral basis of law. Axiological characteristics of law. Instrumental characteristics of law.
Topic 3. Legal doctrine, dogma, practice	Doctrinal, dogmatic and practical jurisprudence as subjective areas of legal studies. Legal doctrine. Legal dogma. Rule of law. Legal relations. Legal principles. Legal constructions. Juridical practice as a type of social practices. Legal studies and law-making process. Legal studies and law enforcement.
Topic 4. History of legal studies	Science as a civilizational and sociocultural phenomenon. History of legal studies, its correlation with history of law and state, history of legal and political doctrines. Foundation and development of law in general context of social evolution. Foundation and development of law as a phenomenon. Foundation and development of legal studies as a knowledge system and social institute. Correlation between evolutions of law and legal studies. Law of the Ancient East. Law of the Antiquity. Roman jurisprudence. Legal studies in Medieval Europe. Ascending of legal knowledge from practice to doctrines. Legal conceptions of the new

	era. Legal studies of the new and contemporary history. Legal studies in general context of the modern scientific knowledge. Philosophical conceptions of development of the science. A. Comte's positivism. K. Popper's critical positivism. I. Lakatos's conception of researching programmes. T. Kuhn's conception of historical dynamics of the science. Scientific hypotheses. Paradigms in the science. Relativity of scientific knowledge. Positivistic and neo-positivistic methodology.
Topic 5. Sources of law and legal studies	Development of scientific conceptions of legal sources. Development of a legal problem according to scientific conceptions of legal sources. Legal sources and its types. Sources of legal studies and its types. Sources of law and legal studies, its correlation. Regulatory legal act. Legal customs. Materials of the official paperwork. Judicial and other law enforcement practice. Statistic data. Printed media. Diaries and memoirs of public officials and famous legal scientists.
Topic 6. Scientific approaches in the legal research	Law and legal science as phenomena of civilization and culture. Correlation between scientific approaches and research methods. Formational and civilizational approaches to the evolution of society and law. Modern conceptions of culture. Culture as an over-biological program of the society. Sociocultural approach in legal studies. Legal traditions and innovations. Translation of legal experience in the society. Legal anthropology. Legal status of a person in the society. Interests in as a methodological approach.
Topic 7. Methods of legal research	Definition of a research method. Classification of research methods. Philosophical methods. Dialectics. Metaphysics. Methods of formal logic. Analysis and synthesis. Induction and deduction. General scientific methods. System method. Structural-functional method. Synergetics. Hermeneutics. Sociological methods. Statistic method. Special juridical research methods. Formal dogmatic method. Methods of comparative legal research (synchronic, diachronic).
Topic 8. Algorithm of a legal research	Actualization of a legal problem. Choosing field and topic of the research, defining its actuality. Searching for the information and sources necessary for the research. Defining scientific status of the problem. Deciding the scientific problem on the different stages of development of the society and scientific knowledge. Constructing conceptual and categorical framework. Setting aims and tasks of the research. Defining object and subject of the research. Proving problem areas of the research. Theoretical, regulative and empirical base of the research. Defining the methodology of the research. Choosing optimal research methods. Combining research methods in framework of the research. Postulating scientific hypotheses, its proving and verifying. Resources of the research. Approbation of the research. Proving scientific novelty of the research. Checking correctness of author's conception. Foot-notes and references in scientific work as demonstration of the researcher's cultural level.

Author:

Head of Department
of History of Law and State

M.V. Nemytina

Head of Department

of History of Law and State

M.V. Nemytina

Юридический институт

АННОТАЦИЯ УЧЕБНОЙ ДИСЦИПЛИНЫ

Образовательная программа

40.04.01 Юриспруденция

Все профили

Наименование дисциплины	Иностранный язык
Объём дисциплины	6 ЗЕ (216 час.)
Краткое содержание дисциплины	
Название разделов (тем) дисциплины	Краткое содержание разделов (тем) дисциплины:
1.Правовая система и типы права 2.Источники права. Нормы права 3.Виды юридических профессий 4.Система судов, документы в суде 5.Документы в суде 6.Гражданское право и судопроизводство 7.Уголовное право и судопроизводство 8.Судебные иски 9.Судебное разбирательство 10.Структура юридической фирмы 11.Корпоративное управление 12.Капитализация компаний 13.Акционеры 14.Приобретение компании 15.Контракты 16.Типы контрактов 17.Право собственности 18. Интеллектуальная собственность 19.Антимонопольное законодательство 20.Трудовое право	1-20. Отработка отраслевой терминологии по теме; отработка синтаксических конструкций (типы словосочетаний и предложений), типы высказываний, типы внутритекстовых связей, логика академического изложения материала, специфика аргументации профессионально-институционального дискурса в правовой сфере. Системно-структурная организация текстов различных жанров (устная и письменная речь, монолог, диалог, полилог, нормативно-правовые, правоустанавливающие документы, переписка и работа с клиентами/представителями корпоративной среды, аналитические и отчетные документы в рамках заявленной те мы)

Разработчик

Доцент кафедры
иностранных языков
юридического института

Р.Г. Горбатенко

Заведующий кафедрой

иностранных языков
юридического института

А.А. Атабекова

OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.04.01 Jurisprudence All programs

Discipline	Foreign Language
Volume	6 Credits (216 hours)
Discipline Overview	
Topical guide	Overview of topics
1. Legal system and Types of law 2. Source of law. Rule of law 3. Types of legal professions. 4. The court system, documents in court. 5. Courts' Document procedure. 6. Civil law and legal proceedings. 7. Criminal law and procedure. 8. Lawsuits. 9. Trial 10. The law firm's structure. 11. Corporate governance 12. Company capitalization. 13. Shareholders 14. Company acquisition. 15. Contracts. 16. Type of contract. 17. Property ownership rights. 18. Intellectual property. 19. Anti-trust legislation. 20. Labour law.	1-20. Enhancement of specialized terminology/vocabulary on the topic; practical training of syntactic structures (types of phrases and sentences), types of statements, types of intra-connections, logically set academic presentation of learning material, specific nature of discourse argumentation of professional institutional background in legal field. System-structural organization of texts of various genres (oral and written speeches, monologue, dialogue, polylogue, statutory instruments, title documents, correspondence and care procedures with clients/representatives of the corporate environment, analytical and reporting documents within the framework of the designated topic).

Author:



R.G. Gorbatenko

Head of Department



A.A. Atabekova

Федеральное государственное автономное образовательное учреждение высшего
образования
РОССИЙСКИЙ УНИВЕРСИТЕТ ДРУЖБЫ НАРОДОВ

Юридический институт

АННОТАЦИЯ УЧЕБНОЙ ДИСЦИПЛИНЫ

Образовательная программа
магистратура, направление подготовки 40.04.01 юриспруденция

Наименование дисциплины	Философия права
Объём дисциплины	2 зачетные единицы (72 ак. часа)
Краткое содержание дисциплины	
Название разделов дисциплины	Краткое содержание разделов дисциплины
ТЕМА 1. ФИЛОСОФИЯ ПРАВА В СИСТЕМЕ ОБЩЕСТВЕННЫХ НАУК	Специфика философского познания окружающей действительности. Абстрактность, умозрительность и всеобщность философского знания. Философия и метафизика. Объект и предмет философии права. Метод философского познания права. Гносеология права; онтология права; аксиология права.
ТЕМА 2. ГНОСЕОЛОГИЯ ПРАВА И ТИПОЛОГИЯ ПРАВОПОНИМАНИЯ	Разнообразие методологии научного познания. Метафизическое и эмпирическое знание. Науки эмпирические и теоретические; дескриптивные (аналитические) и прескриптивные (нормативные). Философский позитивизм, его основные требования и постулаты. Принцип верификации.
ТЕМА 3. ЮРИДИЧЕСКИЙ ПОЗИТИВИЗМ	Классический легистский (этикетский, законнический) позитивизм (Т. Гоббс, И. Бентам, Дж. Остин, Г.Ф. Шершеневич). Социологический позитивизм. Право как факт социальной жизни. Психологические концепции права (антропологический позитивизм). Легистский неопозитивизм (нормативизм) Г. Кельзена и Г. Харта.
ТЕМА 4. ЕСТЕСТВЕННО-ПРАВОВАЯ ШКОЛА (ЮСНАТУРАЛИЗМ)	Классические концепции естественного права; их общая характеристика и виды (теологическое (томизм и протестантизм) и светское направления). Идеология естественных и неотчуждаемых прав человека. «Возрожденное» естественное право. Естественное право как идея, принцип права. Юснатурализм как этическое правописание. Концепция права В.С. Соловьева (право как минимум нравственности). Концепция права Р. Дворкина. Непоследовательность естественно-правовых концепций (А.О. Яценко, Р.З. Лившиц).
ТЕМА 5. ЛИБЕРТАРНАЯ КОНЦЕПЦИЯ ПРАВА	Естественно-правовые предпосылки либертарной концепции права В.С. Нерсесянца. Право как выражение формального равенства, свободы и справедливости.
Тема 6. ПОНИМАНИЕ ПРАВА В ОТЕЧЕСТВЕННОЙ ЮРИДИЧЕСКОЙ НАУКЕ	Многообразие теоретико-философских объяснений права в российской дореволюционной науке. Правописание советского периода. Исторические периоды формирования и развития социалистической теории государства и права. Правописание постсоветской эпохи. Доминирующие представления в современной российской теории права. Умеренный («мягкий») позитивизм (М.И. Байтин, М.Н. Марченко). Неклассические (посмодернистские) концепции права (А.В. Поляков, И.Л. Честнов) Интегративное (синтетическое) понимание права (В.Г. Графский, О.В. Мартышин).
ТЕМА 7. ПРАВО И ДРУГИЕ СИСТЕМЫ СОЦИАЛЬНОЙ РЕГУЛЯЦИИ	Понятие, признаки и способы обеспечения социальных норм. Виды социальных норм: обычаи (традиции); моральные (нравственные) нормы; религиозные нормы; правовые нормы; политические нормы; корпоративные нормы.

ТЕМА 8. ПРАВА И СВОБОДЫ ЧЕЛОВЕКА	<p>Учение о правах человека в контексте различных типов правопонимания.</p> <p>Позитивистские (легистские и социологические) концепции прав человека.</p> <p>Непозитивистские концепции прав и свобод человека. Идеология естественных и неотчуждаемых прав человека.</p> <p>Система прав и свобод человека. Основания систематизации прав человека и разнообразие классификаций.</p> <p>«Поколения» прав человека.</p> <p>Способы защиты прав и свобод человека: парламентский, административный, прокурорский, судебный (квзисудебный).</p> <p>Международно-правовая защита прав и свобод человека. Самозащита прав и свобод.</p>
ТЕМА 9. ПУБЛИЧНАЯ ПОЛИТИЧЕСКАЯ ВЛАСТЬ И СПОСОБЫ ЕЕ ИДЕНТИФИКАЦИИ В КАЧЕСТВЕ ГОСУДАРСТВА (ПОНЯТИЯ ГОСУДАРСТВА)	<p>Феномен государства и уровни его интерпретации: государство как публично-властная ассоциация; государство как организация, осуществляющая публичную политическую власть; государство как система публично-властных отношений.</p> <p>Элементы государства: население; территория; власть.</p> <p>Социологическое понятие государства.</p> <p>Легистское понятие государства (Г. Кельзен).</p> <p>Юридическое понятие государства. Государство как правовая форма организации публичной политической власти. Государство и деспотия.</p>
ТЕМА 10. ГОСУДАРСТВО И ПРАВО	<p>Соотношение государства и права в контексте различных типов правопонимания.</p> <p>Правовое государство как государство законности. Самоограничение государства посредством закона.</p> <p>Принцип разделения властей.</p> <p>Модели правового государства. Либеральное правовое государство. Социальное правовое государство. Полицейское государство.</p>
ТЕМА 11. ГОСУДАРСТВО И ГРАЖДАНСКОЕ ОБЩЕСТВО	<p>Понятие и структура гражданского общества.</p> <p>Механизмы саморегуляции гражданского общества: свободный рынок; демократия (политическое представительство); независимое правосудие. Государство как институция гражданского общества.</p> <p>Пределы государственного вмешательства в сферу гражданского общества. Модели соотношения государства и гражданского общества: либерализм и этатизм.</p>
ТЕМА 12. ТИПОЛОГИЯ ПРАВА И ГОСУДАРСТВА	<p>Формационный подход к типологии права и государства (К. Маркс, Ф. Энгельс).</p> <p>Цивилизационный подход к типологии права и государства (Н.Я. Давилевский, О. Шпенглер, А.Дж. Тойнби).</p> <p>Юридический подход к типологии права и государства.</p> <p>Либертарно-юридический подход к типологии права и государства (В.С. Нерсесянц).</p> <p>Морфологический подход к типологии государства: античные (Платон, Аристотель) и современные варианты. «Правильные» и «неправильные» формы государства.</p> <p>Морфологический подход к типологии права. Правовые семьи.</p>

Разработчик
 Доцент кафедры
 теории права и государства,
 канд. юрид. наук Н.В. Варламова

Заведующий кафедрой
 теории права и государства,
 д-р юрид. наук., профессор,
 заслуженный юрист Российской Федерации



А.А. Кляшас

PEOPLES' FRIENDSHIP UNIVERSITY OF RUSSIA

Law Institute

COURSE DESCRIPTION

Master Program 40.04.01 Jurisprudence

Course title	Philosophy of Law
Course volume	2 credits (72 ac. hours)
Course contents	
Course topics	Content of course topics
TOPIC 1. LEGAL PHILOSOPHY IN THE SYSTEM OF SOCIAL SCIENCES.	The specifics of philosophical epistemology of reality. Abstractness, speculativeness and universality of philosophical knowledge. Philosophy and metaphysics. The object and subject of the philosophy of law. Cognitive methods of philosophy of law. Epistemology of law; ontology of law; axiology of law.
TOPIC 2. GNOSEOLOGY OF LAW AND TYPOLOGY OF CONCEPTS OF LAW.	A variety of methodologies of scientific cognition. Metaphysical and empirical knowledge. Empirical and theoretical sciences; descriptive (analytical) and prescriptive (normative) sciences. Philosophical positivism, its basic requirements and postulates. The principle of verification.
TOPIC 3. LEGAL POSITIVISM.	Classical legal (etatism, legism) positivism (T. Hobbs, I. Bentham, J. Austin, G. F. Shershenevich). Sociological positivism. Law as a fact of social life. Psychological concepts of law (anthropological positivism). Legal neopositivism (normativism) by G. Kelsen and G. Hart.
TOPIC 4. NATURAL LAW SCHOOL.	Classical concepts of natural law; their general characteristics and types (theological (Thomism and Protestantism) and secular theories). The ideology of natural and inalienable human rights. "Revived" natural law. Natural law as an idea and as a principle of law. Jus Naturalism as an ethical theory of law. V.S. Solovyov's theory of law (law as minimum of morality). The concept of law by R. Dvorkin. Inconsistency of natural law theories (A.O. Yashchenko, R.Z. Livshits).
TOPIC 5. THE LIBERTARIAN CONCEPT OF LAW.	Natural-legal background of libertarian concept of law by V.S. Nersesyants. Law as an expression of formal equality, freedom and justice.
TOPIC 6. UNDERSTANDING OF LAW IN DOMESTIC LEGAL SCIENCE.	Pluralism of theoretical and philosophical explanations of law in Russian pre-revolutionary science. Legal concepts of the Soviet period. Historical periods of the formation and development of the socialist theory of state and law. Legal understanding of the post-Soviet era. Dominant concepts of law in the modern Russian theory of law. Moderate ("soft") positivism (M. I. Baytin, M. N. Marchenko). Non-classical (postmodernist) concepts of law (A.V. Polyakov, I. L. Chestnov) Integrative (synthetic) understanding of law (V.G. Grafsky, O. Martyshin).
TOPIC 7. LAW AND OTHER SOCIAL REGULATION SYSTEMS	The concept, features and methods of ensuring social norms. Types of social norms: customs (traditions); moral norms; religious norms; legal norms; political norms; corporate norms.
TOPIC 8. HUMAN RIGHTS AND FREEDOMS	The doctrine of human rights in the context of various types of understanding of law. Positivist (legistic and sociological) concepts of human rights. Non-positivistic concepts of human rights and freedoms. The ideology of natural and inalienable human rights. The system of human rights and freedoms. Criterion for systematization of human rights and a variety of classifications. "Generations" of human rights.

	Methods to protect human rights and freedoms: parliamentary, administrative, prosecutorial, judicial (quasi-judicial). International protection of human rights and freedoms. Self-defense of rights and freedoms.
TOPIC 9. PUBLIC POLITICAL POWER AND WAYS TO IDENTIFY IT AS A STATE (CONCEPT OF THE STATE)	The phenomenon of the state and the levels of its interpretation: the state as a public-imperious association; the state as an organization exercising public political power; state as a system of public power relations. Elements of the state: population; territory; power. Sociological concept of the state. The legist concept of the state (G. Kelsen). The legal concept of the state. The state as a legal form of organization of public political power. State and despotism.
TOPIC 10. STATE AND LAW	Correlation of state and law in the context of different paradigms of legal thinking. The doctrine of legal state. State self-restriction through law. The principle of separation of powers. Model of legal state. Liberal legal state. Social legal state. Police legal state.
TOPIC 11. STATE AND CIVIL SOCIETY	The concept and structure of civil society. Mechanisms of civil society self-regulation: free market; democracy (political representation); independent justice. The state as an institution of civil society. The limits of state intervention in the sphere of civil society. Models of correlation of state and civil society: liberalism and etatism.
TOPIC 12. TYPOLOGY OF LAW AND STATE	Formational approach to the typology of law and state (K. Marx, F. Engels). Civilizational approach to the typology of law and state (N.Ya. Danilevsky, O. Spengler, A.J. Toynbee). Legal approach to the typology of law and state. Libertarian-legal approach to the typology of law and state (V.S. Nersesyants). Morphological approach to the typology of state: antique (Plato, Aristotle) and modern versions. "Right" and "wrong" forms of state. Morphological approach to the typology of law. Legal families.

Course author

Associate professor
of the Department theory of law and state,
candidate of legal sciences

N.V. Varlamova

Head of the Department

of theory of law and state,
doctor of legal sciences, professor,
Honored Lawyer of the Russian Federation

A.A. Klishas

АННОТАЦИЯ УЧЕБНОЙ ДИСЦИПЛИНЫ

Образовательная программа
магистратура, направление подготовки 40.04.01 юриспруденция

Наименование дисциплины	Сравнительное правоведение
Объём дисциплины	2 зачетные единицы (72 ак. часа)
Краткое содержание дисциплины	
Название разделов дисциплины	Краткое содержание разделов дисциплины
Тема 1. Природа сравнительного правоведения.	Понятие сравнительного правоведения. Сравнительное правоведение: метод или наука. Сравнительное право и сравнительное правоведение. Цели и задачи сравнительного правоведения.
Тема 2. Правовая картина мира (правовая география).	Общие правовые тенденции развития. Глобальные мировые императивы. Национально-государственные различия в праве.
Тема 3. Объекты сравнительного правоведения.	Правовая действительность как объект сравнительного правоведения. Правовые системы государств как структурно-организованный нормативный массив. Национальное законодательство. Законы и правовые акты. Юрилическая темника.
Тема 4. Методология сравнительного правоведения.	Основные категории и понятия сравнительного правоведения. Диахронное и синхронное сравнение. Внутреннее и внешнее сравнение. Сравнение на микроуровне и макроуровне. Нормативное и функциональное сравнение. Проблемы классификаций правовых семей
Тема 5. Уровни сравнительного правоведения.	Теория всемирного права. Правовые семьи как группы и сообщества, обусловленные общими историческими корнями, структурно-функциональными и стилевыми особенностями права. Процессы формирования новых групп и сообществ национальных правовых систем. Право международного сообщества. Влияние международного права на правовое пространство мира и национальные правовые системы.
Тема 6. Сравнительное правоведение в условиях глобализации.	Понятие глобализации. Проблемы истинности европейских ценностей, как универсальных. Правовой плюрализм.
Тема 7. Задачи сравнительного правоведения в решении проблем европейского правового пространства.	Уровни анализа европейского правового пространства: правовая семья, правовое государство. Конкретизация общеевропейских стандартов в области прав человека.
Тема 8. Стирание граней между романо-германской и англо-саксонской правовыми системами.	Относительный характер классификаций национальных правовых систем. Взаимопроникновение традиционных источников права (нормативно-правовой акт, судебный прецедент).

	Снижение актуальности вопросов деление права на публичное и частное, материальное и процессуальное. Сближение в вопросах систематизации и кодификации права, методах юридического образования.
Тема 9. Роль сравнительно-правовых исследований в процессе унификации права.	Механизмы сближения национальных правовых систем. Коллизионные нормы. Рецепция права: технологии, объемы. Гармонизация законодательства. Использование процедур независимого арбитража. Юридические средства сближения законодательств. Модельные законодательные акты. Модельный закон (понятие, субъекты принятия, характер, содержание). Унификация правовых норм. Международно-правовая помощь.
Тема 10. Научная и практическая значимость сравнительного правоведения.	Обогащение национальной юридической науки в результате использования сравнительно-правовых исследований.

Разработчик

Доцент кафедры
теории права и государства,
канд. юрид. наук

Н.Г. Павлова

Заведующий кафедрой
теории права и государства,
д-р юрид. наук, профессор,
заслуженный юрист Российской Федерации

А.А. Клишас

PEOPLES' FRIENDSHIP UNIVERSITY OF RUSSIA

Law Institute

COURSE DESCRIPTION

Master Program 40.04.01 Jurisprudence

Course title	Comparative law
Course volume	2 credits (72 ac. hours)
Course contents	
Course topics	Content of course topics
Topic 1. Nature of comparative law.	The concept of comparative law. Comparative law: method or science. Aims and objectives of comparative law.
Topic 2. Legal picture of the world (legal geography).	General legal trends of development. Global world imperatives. National-state differences in law.
Topic 3. Objects of comparative law.	Legal reality as an object of comparative law. Legal systems of states as a structurally organized regulatory array. National legislation. Laws and legal acts. Legal technology.
Topic 4. Methodology of comparative law.	The main categories and concepts of comparative law. Diachronic and synchronous comparison. Internal and external comparison. Comparison at the micro and macro levels. Regulatory and functional comparison. Problems of classifications of legal families
Topic 5. Levels of comparative law.	The theory of universal law. Legal families as groups and communities, due to common historical roots, structural-functional and stylistic features of law. The formation of new groups and communities of national legal systems. International community law. The impact of international law on the legal space of the world and national legal systems.
Topic 6. Comparative law in the conditions of globalization.	The concept of globalization. Problems of the truth of European values, as universal. Legal pluralism.
Topic 7. The objectives of comparative law in solving the problems of the European legal space.	Levels of analysis of the European legal space: legal family, Legal state. Concretization of European standards in the field of human rights.
Topic 8. Erasing the boundaries between the Romano-Germanic and Anglo-Saxon legal systems.	The relative nature of classifications of national legal systems. The interpenetration of traditional sources of law (legal act, judicial precedent). Reducing the relevance of issues dedicated to division of the law to public and private, material and procedural. Rapprochement in matters of systematization and codification of law, methods of legal education.
Theme 9. The role of comparative legal researches in the process of unification of law.	Mechanisms of convergence of national legal systems. Conflict norms. Reception of law: technology, volumes. Harmonization of legislation. Use of independent arbitration procedures. Legal means of convergence of laws. Model legislation. Model acts (concept, subjects of adoption, nature, content). Unification of legal norms. International legal assistance.

Topic 10. Scientific and practical importance of comparative law.

Enrichment of the national legal science as a result of the use of comparative legal research.

Course author

Associate professor of the Department
theory of law and state,
candidate of legal sciences



N.G. Pavlova

Head of the Department

of theory of law and state,
doctor of legal sciences, professor,
Honored Lawyer of the Russian Federation



A.A. Klishas