

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 hulley enterprises, yukos universal и veteran petroleum v rf– 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 (tncs)	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

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OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.03.01 Jurisprudence **"International Private Law"**

Discipline	Family Law
Volume	2 Credits (72 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.</p> <p>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>
Personal and property rights and duties of parents and children.	<p>The basis of emergence of family legal relations between parents and children. Establishment of origin of the child from mother.</p> <p>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.</p> <p>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).</p> <p>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.</p> <p>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.</p> <p>Parental legal relationship. Equal rights and duties of parents.</p> <p>Implementation of the parental rights by minor and incapacitated parents.</p> <p>Content of the parental rights and obligations for education and education of children; on protection of the rights and the interests of children.</p> <p>Settlement of disputes between parents concerning education and education of children.</p> <p>Implementation of the parental rights by the parent living separately from the child.</p> <p>Responsibility of parents for education of children. Protection of the parental rights.</p> <p>Responsibility of parents for inadequate implementation of the parental rights.</p> <p>Deprivation of the parental rights: bases, order and legal consequences.</p> <p>Restoration in the parental rights.</p> <p>Restriction of the parental rights: bases, order and legal consequences.</p> <p>Cancellation of restriction of the parental rights.</p> <p>Confiscation of the child at parents: basis, order and legal consequences.</p> <p>Legal relationship between other family members.</p>
Alimentary obligations of family members	<p>Alimentary obligations of family members.</p> <p>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.</p> <p>Order of payment and collecting alimony by a court decision.</p> <p>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>
Forms of education of children without parental support	<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>
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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).

The acceptance of inheritance and the refusal of it	<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.</p> <p>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>
Division of hereditary property and order of its protection	<p>The section of inheritance between successors at inheritance under the law, the factors influencing this process.</p> <p>Rules of the section of inheritance under the will. The provisions important at the same time.</p> <p>Features of the section of the hereditary property which is in common ownership of several successors.</p> <p>Order of the section of inheritance in the presence among successors of minor, incapacitated citizens and the worried spouse.</p> <p>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.</p> <p>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.</p> <p>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>
Registration of the rights to inheritance	<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.</p> <p>The appeal the successor of actions of the notary when receiving refusal of him in issue of the certificate on the right for inheritance.</p> <p>Place of issue of the certificate on the right for inheritance. The persons having the right to grant certificates on the right for inheritance.</p> <p>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.</p> <p>Features of issue of the certificate on the right for inheritance to the worried spouse.</p> <p>The legal consequences arising at the actual acceptance by the successor of hereditary property.</p>
Features of inheritance of separate types of property	<p>The types of property having features of inheritance. Rights of the testator of such property.</p> <p>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>

	<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.</p>
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OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.04.01 Jurisprudence

« International Private Law »

Discipline	<i>Insurance Law</i>
Volume	3 Credits (108 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.

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АННОТАЦИЯ УЧЕБНОЙ ДИСЦИПЛИНЫ

Образовательная программа

40.04.01 Юриспруденция «Международное частное право»

(наименование образовательной программы (профиль, специализация))

Наименование дисциплины	Страховое право
Объём дисциплины	3 ЗЕ (108 час.)
Краткое содержание дисциплины	
Название разделов (тем) дисциплины	Краткое содержание разделов (тем) дисциплины:
Общие положения о страховании.	Цели и задачи страхования в России и зарубежных странах. История развития страхового права в России. Основные понятия в страховании. Классификация страхования.
Правовые основы страхового права.	Источники страхового права в России и зарубежных странах. Предмет и система страхового права. Государственный надзор за страховой деятельностью.
Договор страхования.	Понятие договора страхования по законодательству РФ и в зарубежных странах. Содержание и особенности договора страхования. Условия и порядок заключения договора страхования. Страховой полис, его содержание и значение.
Правовое регулирование личного страхования.	Особенности договора личного страхования, их существенные условия. Понятие и основные виды личного страхования. Страхование жизни. Пенсионное страхование. Страхование от несчастных случаев. Медицинское страхование.
Правовое регулирование страхования имущества.	Понятие и основные виды. Существенные условия договоров страхования. Страхование транспорта (наземного, морского, воздушного). Страхование жилья и строений. Страхование грузов. Сельскохозяйственное страхование.
Правовое регулирование страхования ответственности.	Понятие гражданской ответственности и особенности ее страхования. Субъекты правоотношений при страховании ответственности. Объекты страхования и объем ответственности. Страхование ответственности владельцев транспортных средств. Страхование гражданской ответственности организаций, эксплуатирующих опасные объекты. Страхование профессиональной ответственности. Страхование персональной ответственности. Страхование ответственности по договору.
Страхование предпринимательских рисков.	Понятие предпринимательского риска. Классификация предпринимательских рисков. Комплексная страховая защита. Страхование финансовых рисков. Страхование

	банковских рисков. Страхование вкладов физических лиц. Страхование внешнеэкономической деятельности.
Правовое регулирование перестрахования.	Понятие и методы перестрахования. Факультативное перестрахование. Договорное перестрахование. Пропорциональное перестрахование. Непропорциональное перестрахование. Финансовое перестрахование. Правовое регулирование операций с перестрахованием. Объединения, союзы и пулы страховщиков.

Разработчики:

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и международного частного права



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OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.04.01 Jurisprudence

« International Private Law»

Discipline	International Commercial Arbitration and other ADR
Volume	4 Credits (144 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 theirs competence.	Types of the international commercial arbitration institutions and theirs 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.

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OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.04.01 Jurisprudence

«International Private Law»

Discipline	Introduction to International private law: Theoretical and Historical Aspect
Volume	6 Credits (216 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>

the notion of "private" in private international law	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.
The system of the IPuBL course. Recommended reading	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
The subject and method of private law	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
Identification of the "foreign element" in the relationship of international private-pravovogo character	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.
The regulatory structure of the international private law and its sources	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
Legal aspects of the theory of transformation of international law into the domestic law of the country	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
Basic principles [principles] of international private law. Conflict bases [start] IPL	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>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>
Conflict of laws rules	<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 mezhduslovnyh 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: lex personalis, lex nationalis, lex domicilii, lex societatis, lex reseat, lex loci actus [contractus], lex loci solutionis, lex loci celebrationis, the lex loci delicti commissi, lex fori, the law with the contract is most closely connected</p>
The splitting of binding conflict of law rules. Hidden conflicts. The problem of qualification in international private law	<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: ci dua</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 for the lex causae.</p> <p>Qualification under the russian law [, article 1187 of the civil code]</p>
Reference, backward reference, the further reference	<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>
Limitation of actions conflict of laws rules: the ordre public	<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>
Limitation of actions conflict of laws rules [continued]: the experience of russia, the mandatory rules of law	<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.</p> <p>Protection of these rights and freedoms in the russian federation. The provisions of article 45 of the constitution.</p> <p>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.</p> <p>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.</p> <p>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"</p> <p>sources of law containing a provision on reciprocity.</p> <p>Reciprocity as a background against which the traits of other norms and principles, multiplying the wealth of international private law relations.</p> <p>The presentation of reciprocity and its examples.</p> <p>The concept of material reciprocity and its examples.</p> <p>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.</p> <p>Arguments in favor of the international nature of the norms of international private law.</p> <p>There is general international law, which is divided into public and private, at the international administrative and international criminal law, etc.</p> <p>Industry.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>The concept of presistemnomu IPubL put forward by a. N. Makarov and was designed by r. A. Mullerson.</p> <p>Criticism of the theory of transformation.</p> <p>"system" as a phenomenon a reality and as a theoretical construct.</p> <p>The concept of international private law contained in the works of b. I. Koltsov:IPL as a multidimensional socio-regulatory phenomenon.</p> <p>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.</p> <p>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.</p> <p>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>
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