

OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.04.01 Jurisprudence /

International Protection of Human Rights/ History and Methodology of Law

<b>Name of the discipline</b>	<b><i>HISTORY AND METHODOLOGY OF LAW</i></b>
<b>Volume of the discipline</b>	<b>2 credits (72 hours)</b>
<b>Discipline Overview</b>	
<b>Name of the discipline's sections (topics)</b>	<b>Overview of the discipline's sections (topics)</b>
<b>1. Law and legal science</b>	<p>Subject and system, aim and tasks of the course "History and methodology of law". Formation of knowledge and research skills in the scope of the course.</p> <p>Law as a normative and regulative system of the society. Typology of legal understanding, its significance in the lawyer's professional activity. Interpretation of legal processes and phenomena from perspective of different types of legal understanding.</p> <p>Legal science as a knowledge system of law. Legal science as a social institute. Legal science as an activity aimed at formatting new knowledge.</p> <p>Methodology of legal science. Scientific approaches and research methods in legal studies. System of methods of legal science. Philosophic-worldview methods and approaches. Methods of formal logic. General scientific research methods. Private scientific research methods. Special-juridical research methods. Legal-technical methods. Methodology of comparative law.</p> <p>Functions of legal science: epistemological, ontological, axiological, heuristic, predictive. Criteria of scientific knowledge.</p>
<b>2. Law as an object of research</b>	<p>Law and legal reality. Variety of existing forms of law. Concept of law, its evolution in the general context of the development of society and state. Nature of law. Variety of approaches to law. Doctrines of natural law. Legal positivism. Etatist approach. Sociological positivism. Integrative jurisprudence. Private, public, corporate-public interests. Role of interests in law-making and law enforcement. Law as a factor of harmonization of relations in the society.</p> <p>Doctrinal, dogmatic and practical jurisprudence as subject areas. Legal doctrine. Legal dogma. Legal practice as a type of social practice. Legal terms, concepts, categories. Legal principles. Legal constructions.</p>
<b>3. History of legal science</b>	<p>Formation, development and contemporary status of legal science. Correlation between history of legal science and history of law and state, between history of legal and political doctrines. Formation and development of law and legal science in the general context of social evolution.</p>

	<p>Introduction of law in the Ancient East. Views on law in the Ancient World. Roman jurisprudence. Legal Science in Medieval Europe. Ascending of scientific knowledge from practical to dogmatic and from dogmatic to doctrinal. Legal science of the New history. Legal science of the contemporary history.</p> <p>Legal science in the general context of modern scientific knowledge. Philosophical conceptions of the development of science. K. Popper's critical rationalism. T. Kuhn's conception of the historical dynamics of science. Paradigms in science. Scientific hypotheses. Relativity of scientific knowledge. Positivistic and neo-positivistic methodology.</p> <p>Problems of the development of Russian legal studies. Russian legal tradition. Achievements of pre-revolutionary domestic legal studies. Presentation of law in the Soviet socialist society. Legal science in post-Soviet society. Contemporary perspectives of the formation and development of scientific knowledge.</p>
<b>4. Legal source study</b>	<p>Identifying the correlation of terms "sources of law" and "sources of legal studies". Development of scientific views of "sources of law" and "sources of legal studies". Legal source study as a scientific direction. "Sources of knowledge of law" beyond the scope of "sources of law".</p> <p>Evolutionary development of sources of law in legal families and legal systems. Features of sources of law in legal families and legal systems. Sources of continental law. Sources of Anglo-American law. National legal and international legal systems.</p>
<b>Topic 5. Contemporary scientific approaches in legal studies</b>	<p>Correlation between scientific approaches and research methods in legal studies. Law and legal science as civilizational and cultural phenomena. Formational approach to the evolution of society and law. Civilizational approach to the evolution of society and law. From the formational approach to the civilizational approach. Contemporary views of civilizations. Sociocultural approach. Culture as a supra-biological program of the social development. Translation of legal experience in society. Legal tradition and innovation. Legal anthropology. Jurisprudence of interests. Synergistic approach. Hermeneutic approach. Utilizing achievements of other scientific fields in legal studies. Legal modeling. Sociological research methods.</p>

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OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.04.01 Jurisprudence All programs

<b>Discipline</b>	<b>Foreign Language</b>
<b>Volume</b>	<b>6 Credits (216 hours)</b>
<b>Discipline Overview</b>	
<b>Topical guide</b>	<b>Overview of topics</b>
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:



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PEOPLES' FRIENDSHIP UNIVERSITY OF RUSSIA

Law Institute

COURSE DESCRIPTION

Master Program 40.04.01 Jurisprudence

Course title	<b>Philosophy of Law</b>
Course volume	2 credits (72 ac. hours)
Course contents	
Course topics	Content of course topics
<b>TOPIC 1. LEGAL PHILOSOPHY IN THE SYSTEM OF SOCIAL SCIENCES.</b>	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.
<b>TOPIC 2. GNOSEOLOGY OF LAW AND TYPOLOGY OF CONCEPTS OF LAW.</b>	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.
<b>TOPIC 3. LEGAL POSITIVISM.</b>	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.
<b>TOPIC 4. NATURAL LAW SCHOOL.</b>	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).
<b>TOPIC 5. THE LIBERTARIAN CONCEPT OF LAW.</b>	Natural-legal background of libertarian concept of law by V.S. Nersesyants. Law as an expression of formal equality, freedom and justice.
<b>TOPIC 6. UNDERSTANDING OF LAW IN DOMESTIC LEGAL SCIENCE</b>	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 (posmodernist) concepts of law (A.V. Polyakov, I. L. Chestnov) Integrative (synthetic) understanding of law (V.G. Grafsky, O. Martyshin).
<b>TOPIC 7. LAW AND OTHER SOCIAL REGULATION SYSTEMS</b>	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.
<b>TOPIC 8. HUMAN RIGHTS AND FREEDOMS</b>	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.
<b>TOPIC 9. PUBLIC POLITICAL POWER AND WAYS TO IDENTIFY IT AS A STATE (CONCEPT OF THE STATE)</b>	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 legit 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.
<b>TOPIC 10. STATE AND LAW</b>	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.
<b>TOPIC 11. STATE AND CIVIL SOCIETY</b>	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.
<b>TOPIC 12. TYPOLOGY OF LAW AND STATE</b>	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.

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## PEOPLES' FRIENDSHIP UNIVERSITY OF RUSSIA

Law Institute

## COURSE DESCRIPTION

Master Program 40.04.01 Jurisprudence

Course title	<b>Comparative law</b>
Course volume	2 credits (72 ac. hours)
Course contents	
Course topics	Content of course topics
<b>Topic 1. Nature of comparative law.</b>	The concept of comparative law. Comparative law: method or science. Aims and objectives of comparative law.
<b>Topic 2. Legal picture of the world (legal geography).</b>	General legal trends of development. Global world imperatives. National-state differences in law.
<b>Topic 3. Objects of comparative law.</b>	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.
<b>Topic 4. Methodology of comparative law.</b>	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
<b>Topic 5. Levels of comparative law.</b>	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.
<b>Topic 6. Comparative law in the conditions of globalization.</b>	The concept of globalization. Problems of the truth of European values, as universal. Legal pluralism.
<b>Topic 7. The objectives of comparative law in solving the problems of the European legal space.</b>	Levels of analysis of the European legal space: legal family, Legal state. Concretization of European standards in the field of human rights.
<b>Topic 8. Erasing the boundaries between the Romano-Germanic and Anglo-Saxon legal systems.</b>	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.
<b>Theme 9. The role of comparative legal researches in the process of unification of law.</b>	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.

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OUTLINE OF ACADEMIC DISCIPLINE

Educational program

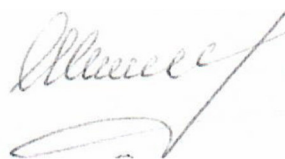
40.04.01 Jurisprudence

« International Private Law»

<b>Discipline</b>	<i>Civil Procedural Law and Private International Law In The European Union: Issues of Unification</i>
<b>Volume</b>	<b>3 Credits (108 hours)</b>
<b>Discipline Overview</b>	
<b>Topical guide</b>	<b>Overview of topics</b>
Ways to unify civil procedure and private international law in the European Union. The main directions of unification.	Ways to unify civil procedure law and private international law in the European Union: "soft law" and "hard law". Activities of the working group on the development of the code of Civil procedure for the member States of the European Union, headed by Marcel Storm (1987). Unification of rules of applicable law.
Main sources of unified EU law in the field of dispute resolution	a) conventions; b) individual articles of EU treaties; c) EU regulations and directives on the unification of legal proceedings in the field of civil, commercial, family, patent, bankruptcy and private international law.
Mutual recognition and enforcement of judgments of EU member States	Unification of rules on access to justice and cooperation between EU member States; unification in the field of arbitration, mediation and other alternative dispute resolution (ADR)

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OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.04.01 Jurisprudence

« International Private Law»

<b>Discipline</b>	<b><i>Cross-Border Mergers and Acquisitions</i></b>
<b>Volume</b>	<b>4 Credits (144 hours)</b>
<b>Discipline Overview</b>	
<b>Topical guide</b>	<b>Overview of topics</b>
<i>Introduction to the course</i>	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.
<i>Sources and principles of the M&amp;A transactions</i>	Legal sources of the M&A transactions under the Russian, English and the U.S. Law. Main principles of the M&A transactions
<i>The Mechanics of Structuring of merger and acquisition transactions</i>	Stages of M&A transactions; CP and CS under the M& A transactions; anti-takeover actions; Roles of the participants of M&A transactions.
<i>Non-Disclosure/Confidentiality and Exclusivity Agreements under the merger and acquisition transactions</i>	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. Termshit at the stage of the negotiations.
<i>The Role and forms of Due diligence for the merger and acquisition transactions</i>	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.
<i>Documents which are necessary for merger and acquisition transactions</i>	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.
<i>Main conditions of the merger agreements</i>	Structuring of the merger agreement. Definitions, Covenants, Representation and Warranties, Enforcement Clause, Third Parties rights clause, Default interest, Indemnity Clause.
<i>Corporate actions (formalities) during merger and acquisition transactions</i>	Shareholders and directors (executives) approvals during an M&A transaction. Majority and minority rights during the corporate actions. Anti-takeover Mechanisms.
<i>Successor Liability during an M&amp;A</i>	Scope and forms of Successor Liability.

<i>transaction</i>	Indemnification institution.
<i>Venture investments and M&amp;A transactions</i>	Term and legal nature of the venture investments. Stage of the venture investments. Regulation of the venture investments.

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**OUTLINE OF ACADEMIC DISCIPLINE**

**Educational program**

40.04.01 Jurisprudence

« **International Private Law** »

<b>Discipline</b>	<b>Cross-border transactions: legal and practical aspects</b>
<b>Volume</b>	<b>3 Credits (108 hours)</b>
<b>Discipline Overview</b>	
<b>Topical guide</b>	<b>Overview of topics</b>
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

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OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.04.01 Jurisprudence

« International Private Law»

<b>Discipline</b>	<b><i>Current Issues of International Private Law</i></b>
<b>Volume</b>	<b>6 Credits (216 hours)</b>
<b>Discipline Overview</b>	
<b>Topical guide</b>	<b>Overview of topics</b>
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 hully 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**

40.04.01 Jurisprudence

« **International Private Law** »

<b>Discipline</b>	<b>International Commercial Arbitration and other ADR</b>
<b>Volume</b>	<b>3 Credits (108 hours)</b>
<b>Discipline Overview</b>	
<b>Topical guide</b>	<b>Overview of topics</b>
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.

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OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.04.01 Jurisprudence

«International Private Law»

<b>Discipline</b>	<b>Introduction to International private law: Theoretical and Historical Aspect</b>
<b>Volume</b>	<b>4 Credits (144 hours)</b>
<b>Discipline Overview</b>	
<b>Topical guide</b>	<b>Overview of topics</b>
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>
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] IPuL: lex personalis, lex nationalis, lex domicilii, lex societatis, lex reisiae, 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 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>
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OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.04.01 Jurisprudence

« International Private Law»

<b>Discipline</b>	<b><i>Law Applicable to Cross-border Contractual Obligations</i></b>
<b>Volume</b>	<b>4 Credits (144 hours)</b>
<b>Discipline Overview</b>	
<b>Topical guide</b>	<b>Overview of topics</b>
<i>Introduction to Contract Law</i>	Sources of <i>Contracts Law</i> , national law, commercial practices and other forms of "soft law". Harmonization of <i>Contract Law. lex mercatoria.</i>
<i>International Sale of Goods</i>	Formation of a contract on international sale of goods (" <b>ISG Contract</b> "). 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.
<i>International Carriage of Goods</i>	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.
<i>International E-Commerce</i>	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).
<i>Distribution Agreements. Agency</i>	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)).
<i>Payments</i>	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.
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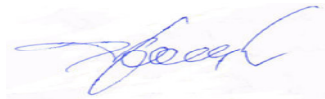
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« **International Private Law** »

<b>Discipline</b>	<b>Law of International Banking Transactions</b>
<b>Volume</b>	<b>3 Credits (108 hours)</b>
<b>Discipline Overview</b>	
<b>Topical guide</b>	<b>Overview of topics</b>
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.

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<b>Discipline</b>	<b>Law of international trade</b>
<b>Volume</b>	<b>4 Credits (144 hours)</b>
<b>Discipline Overview</b>	
<b>Topical guide</b>	<b>Overview of topics</b>
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 lex mercatoria.
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 (" <b>ISG Contract</b> "). 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
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	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

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OUTLINE OF ACADEMIC DISCIPLINE

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“INTERNATIONAL PRIVATE LAW

<b>Discipline</b>	<b>Private International Law Issues in the field of Competition law and consumer protection</b>
<b>Volume</b>	<b>4 Credits (144 hours)</b>
<b>Discipline Overview</b>	
<b>Topical guide</b>	<b>Overview of topics</b>
Unit1 Competition and consumer protection: basic categorical apparatus and general approaches	<p style="text-align: center;"><b>Seminar 1 Basic categorical apparatus and general approaches of legislation on competition and consumer protection</b></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 style="text-align: center;"><b>Seminar 2 History and contemporaneity of the competition protection in the light of sources of law</b></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 style="text-align: center;"><b>Seminar 3 Main directions of counteraction against anticompetitive behavior in Russia</b></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 style="text-align: center;"><b>Seminar 4 Legal framework of the participation of Russia in foreign-economic activity:</b></p>

	<p><b>the case of competition protection. Consumer protection</b></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><b>Seminar 5 General approaches of European legislation and legal order to counteraction against core anticompetitive market strategies (I)</b></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><b>Seminar 6 General approaches of European legislation and legal order to counteraction against leading anticompetitive market strategies (II)</b></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><b>Seminar 7 Consumer protection within the European Union</b></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><b>Seminar 8 Ratio of provisions of the national EU countries’ antitrust laws and antimonopoly</b></p>

	<p><b>provisions of the competition law of the European Union</b></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><b>Seminar 9 General approaches of North American legislations and legal orders to counteraction against leading anticompetitive market strategies (I)</b></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><b>Seminar 10 General approaches of North American legislation and legal order to counteraction against leading anticompetitive market strategies (II)</b></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&amp;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><b>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.).</b></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><b>Seminar 12 Consumer protection in North America: the experience of USA and Canada</b></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</p>

	<p>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><b>Seminar 13 General approaches of Latin American legislations and legal orders to counteraction against leading anticompetitive market strategies (I)</b></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><b>Seminar 14 General approaches of Latin American legislation and legal order to counteraction against leading anticompetitive market strategies (II)</b></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><b>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.)</b></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><b>Seminar 16 Consumer protection in Latin America</b></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</p>



	<p>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><b>Seminar 17 General approaches of Asian (China and India) and African (South Africa) legislation and legal order to counteraction against leading anticompetitive market strategies</b></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&amp;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><b>Seminar 18 Consumer protection in Asia (the experience of China and India) and Africa (the experience of South Africa)</b></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>

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40.04.01 Jurisprudence

« International Private Law»

<b>Discipline</b>	<b>Private International Law in the field of Insurance law</b>
<b>Volume</b>	<b>4 Credits (144 hours)</b>
<b>Discipline Overview</b>	
<b>Topical guide</b>	<b>Overview of topics</b>
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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OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.04.01 Jurisprudence

« International Private Law»

<b>Discipline</b>	<i>Private International Law Issues in the field of Family law</i>
<b>Volume</b>	<b>3 Credits (108 hours)</b>
<b>Discipline Overview</b>	
<b>Topical guide</b>	<b>Overview of topics</b>
Concept and subject of family law. Family legal relationship.	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. Concept of the Russian family law. Family law as branch I am right. The relations regulated by family law. Method of regulation of family legal relations, his peculiar features. Main beginnings (principles) of the Russian family law. Functions of family law. System of family law and her basic elements.
Family legislation.	Concept and types of sources of the Russian family law. Constitution of the Russian Federation, constitution of the republics, charters of edges, areas, districts and federal cities as sources of family law.
Legal regulation of marriage.	Concept of marriage on family law. Conditions of marriage. Bases and order of decrease in age of consent. Circumstances. interfering marriage.
Marriage termination.	Concept and bases of the termination of marriage. Legal consequences of the termination of marriage.
Personal and property legal relationship between spouses.	Bases of emergence of the rights and duties of spouses. Classification of the rights and duties of spouses.
Personal and property rights and duties of parents and children.	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.

Alimentary obligations of family members.	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.
Forms of education of children without parental support.	Protection of the rights and interests of children without parental support: identification and accounting of children, forms of child placement.

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OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.04.01 Jurisprudence

« International Private Law»

<b>Discipline</b>	<i>Private International Law Issues in the field of Inheritance law</i>
<b>Volume</b>	<b>3 Credits (108 hours)</b>
<b>Discipline Overview</b>	
<b>Topical guide</b>	<b>Overview of topics</b>
General provisions of inheritance law.	Introduction to Inheritance Law. Overview of Different types of Inheritance. Historical overview of the developments of issues related to the regulation of Inheritance procedure. Legal sources of the Inheritance Law.
Inheritance according to the will.	Regulation of Inheritance procedure according to the Will, Main principles and specificities of the Inheritance according to the will.
Inheritance according to the law.	Regulation of Inheritance procedure according to the law, Main principles and specificities of the Inheritance according to the law.
The acceptance of inheritance and the refusal of it.	Regulation of the acceptance procedure and the refusal from the inheritance. Time-limits for the acceptance/refusal from the inheritance.
Division of hereditary property and order of its protection.	Patterns and specificities of the hereditary property division. Ranks of inheritance. Consequences of the Division of the hereditary property. Statutory measures for the protection of the hereditary property.
Registration of the rights to inheritance.	Regulation of the registration procedure of the rights to inheritance.
Features of inheritance of separate types of property	Main features, structure of inheritance for the separate types of property.
Inheritance according to the will and to the law in foreign countries.	Regulation of the inheritance according to the English, French and German Law. The role of the consulates under the protection of the heritance property in foreign countries

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OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.04.01 Jurisprudence

« International Private Law»

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

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

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OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.04.01 Jurisprudence

« International Private Law»

<b>Discipline</b>	<i>Private International Law Issues in the field of Transnational insolvency</i>
<b>Volume</b>	<b>3 Credits (108 hours)</b>
<b>Discipline Overview</b>	
<b>Topical guide</b>	<b>Overview of topics</b>
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).

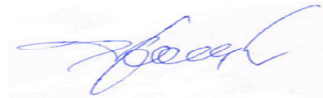
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OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.04.01 Jurisprudence

“INTERNATIONAL PRIVATE LAW”

<b>Discipline</b>	<b>Private International Law on Non-Contractual Obligations</b>
<b>Volume</b>	<b>2 Credits (72 hours)</b>
<b>Discipline Overview</b>	
<b>Topical guide</b>	<b>Overview of topics</b>
<b>Unit 1 Nature and Scope of Torts Seminar 1 Main definitions (1):</b>	<b>- Negligence and Non-Intentional Tort</b> 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
<b>Unit 1 Nature and Scope of Torts Seminar 2 main definitions (2):</b>	<b>-Abnormally dangerous activities &amp; products liability</b> v. car accident compensation cases and damages to the environment, <b>- Defective Products</b>
<b>Unit 2 Cross-cultural level of tort law (case of Russia, China, Vietnam, India, Brazil, South Africa, Jordan, etc.). Seminars 3-9</b>	<b>Seminars 3-9 under the scheme:</b> 1) statement of the problem: nature and scope of conflicts, 2) sources of law, 3) the fundamental principle/connecting factor (e.g., lex loci delicti commissi), 4) exceptions to the fundamental principle/connecting factor, 5) the scope of application of the Statute of the tort liabilities, 6) renvoi, 7) procedural issues of the tort claims, 8) 2018 case developments.
<b>Unit 3 International dimension of tort law (Conventions) Seminars 10-13</b>	<b>Principal topics include:</b> 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.

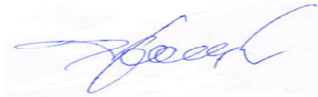
<b>Unit 4 Supranational level of tort law (examples of EU (Europa), ASEAN (South-East Asia), MERCOSUR (Latin America), SCO (Supranational conventions &amp; Treaties) Seminars 14-17</b>	
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OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.04.01 Jurisprudence «International Private Law»

Discipline	TRANSPORT AGREEMENTS AND CONVENTIONS
Volume	3 Credits (108 hours)
<b>Discipline Overview</b>	
Introduction in the field of Transport Agreements and Conventions	<ul style="list-style-type: none"><li>• Vehicles, promoting safety and environmental performance</li><li>• The transport of dangerous goods (chemicals, explosives)</li><li>• Global harmonized labelling system for chemicals</li><li>• The international transport of goods by road (TiR Convention)</li><li>• Road safety (road signs, road safety, etc.)</li></ul>
International railway transportation	<p><b>Rail transport</b> 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><b>Aviation law</b> 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,<sup>[1]</sup> 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 laws 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><b>Admiralty law</b> or <b>maritime law</b> 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, &amp; limitation), and use "maritime law" only for "dry law" (e.g. carriage of goods &amp; 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"> <li>○ Fire or accident has arisen on account of negligence of the insured.</li> <li>○ Such damage or loss has been caused due to negligence or criminal acts of the insured's servants.</li> </ul>

	<ul style="list-style-type: none"><li>○ That the vehicle is damaged by fire or explosion or accident.</li><li>○ That a claim in respect of the motor vehicle thereof is admitted under motor comprehensive insurance policy covering the vehicle.</li></ul> <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>
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OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.04.01 Jurisprudence «International Private Law»

<b>Discipline</b>	CISG and International Commercial Arbitration (Model MOOT)
<b>Volume</b>	<b>4 Credits (144 hours)</b>
<b>Discipline Overview</b>	
<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

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