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**Federal State Autonomous Educational Institution of Higher Education  
PEOPLES' FRIENDSHIP UNIVERSITY OF RUSSIA  
NAMED AFTER PATRICE LUMUMBA**

**LAW INSTITUTE**

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educational division (faculty/institute/academy) as higher education programme developer

**COURSE SYLLABUS**

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**LAW APPLICABLE TO CROSS-BORDER CONTRACTUAL OBLIGATIONS**

course title

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

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**40.04.01 JURISPRUDENCE**

field of studies / speciality code and title

**The course instruction is implemented within the professional education programme of higher education:**

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**PRIVATE INTERNATIONAL LAW**

higher education programme profile/specialisation title

## 1. COURSE GOAL(S)

The goal of the course “*Law Applicable to Cross-Border Contractual Obligations*” is to develop advanced, practice-oriented competencies in determining and applying the law governing cross-border contractual relations, with a focus on risk allocation, pre-contractual mechanisms, and financial structuring of international transactions within Private International Law.

The objectives of the course are:

1. To define the concept and classification of cross-border transactions and contracts, including the distinction between transactions with a foreign element and foreign economic transactions.
2. To identify the criteria under which a civil law transaction acquires an international character and analyze its legal implications.
3. To examine the specific features of legal regulation of foreign economic contracts and their distinction from purely domestic transactions.
4. To assess the role of international law and transnational regulatory frameworks in governing cross-border contractual obligations.
5. To develop the ability to identify, assess, and mitigate legal risks in international contracts, including sanctions-related risks.
6. To analyze the legal nature and practical function of force majeure, representations, and warranties in cross-border transactions.
7. To evaluate the legal consequences of breach of representations and warranties in international contractual practice.
8. To study pre-contractual risk management mechanisms, including due diligence and economic, operational, and currency risk assessment.
9. To develop structured approaches to drafting international commercial contracts, including risk allocation through contractual clauses and insurance instruments.
10. To examine the legal framework and structure of international financial transactions, including international settlements and trade finance instruments.
11. To analyze the operation and legal regulation of letters of credit, documentary collections, and related instruments under international rules and practices.
12. To assess the impact of digitalization and emerging technologies on financial obligations and contractual performance in cross-border transactions.
13. To examine conflict-of-laws rules applicable to digital assets and their circulation in international commerce.
14. To evaluate the impact of sanctions regimes on the performance and enforceability of international contractual obligations.
15. To develop practical skills in structuring, analyzing, and managing cross-border contractual relationships through the integrated application of conflict-of-laws rules and international commercial practices.

## 2. REQUIREMENTS FOR LEARNING OUTCOMES

Mastering the course (module) «Law Applicable to Cross-Border Contractual Obligations» intends to train and guide students to achieve the development of following competences (competences in part):

*Table 2.1. List of competences that students acquire through the course study*

<b>Competence code</b>	<b>Competence descriptor</b>	<b>Competence formation indicators (within this course)</b>
UC-7	UC-7. Able to: search for the necessary sources of information and data, perceive, analyze, memorize and transmit information using digital means,	UC-7.1. Searches for the necessary sources of information and data, perceives, analyzes, memorizes and transmits information using digital means, as well as using algorithms when working with data received from various

Competence code	Competence descriptor	Competence formation indicators (within this course)
	as well as using algorithms when working with data received from various sources in order to effectively use the information received to solve problems; evaluate information, its reliability, build logical conclusions based on incoming information and data	sources in order to effectively use the information received to solve problems; UC-7.2. Evaluates information, its reliability, builds logical conclusions based on incoming information and data.
GPC-1	GPC-1. Able to analyze non-standard situations of law enforcement practice and offer the best options for their solution	GPC-1.1. Possesses general and special knowledge to identify and resolve non-standard situations (situations in which uniform approaches to the application of the law have not been formed) in law enforcement practice; GPC-1.2. Analyzes non-standard situations in law enforcement practice, including identifying legal and other causes and/or conditions for their occurrence; GPC-1.3. Develops optimal options for solving non-standard situations of law enforcement practice, taking into account possible legal consequences and draws up these decisions in the form prescribed by law
GPC-3	GPC-3. Able to competently interpret legal acts, including in situations where there are gaps and conflicts of law	GPC-3.1. Knows the essence and specifics of the ways and methods of interpreting legal acts, ways to eliminate gaps and conflicts in law; GPC-3.2 Has the skills to interpret legal acts, including in situations where there are gaps and conflicts of law GPC-3.3 Gives qualified explanations on the content and application of the law
GPC-4	GPC-4. Able to argue in writing and orally the legal position on the case, including in adversarial processes	GPC-4.1. Knows the content of basic and specific legal concepts, terms and definitions, is able to use them to build an oral and written position on a specific legal problem; GPC-4.2. Able to argue in writing and orally the legal position on the case, including taking into account the principle of adversarial proceedings; GPC-4.3. Possesses the skills of drafting legal documents on the case and the skills of public speaking with the argumentation of the position for the professional conduct of polemics in the trial
GPC-5	GPC-5. Able to independently draw up legal documents and develop drafts of normative (individual) legal acts	GPC-5.1. Possesses general and specific legal knowledge necessary for the preparation of legal documents for various purposes and the development of draft normative (individual) legal acts; GPC-5.2. Independently draws up legal documents and develops drafts of normative (individual) legal acts

Competence code	Competence descriptor	Competence formation indicators (within this course)
		GPC-5.3. Possesses skills in drafting legal documents and drafting normative (individual) legal acts in accordance with the profile of his professional activity
GPC-7	GPC-7. Able to apply information technologies and use legal databases to solve problems of professional activity, taking into account the requirements of information security	GPC-7.1. Knows the basic information technologies and legal bases for solving problems in various areas of legal activity; GPC-7.2. Applies information technologies and uses legal databases to solve the problems of professional activity, taking into account the requirements of information security; GPC-7.3. Owns the skills of information service and data processing to solve the problems of professional activity, taking into account the requirements of information security
PC-3	PC-3. Able to skillfully apply the norms of substantive and procedural law in specific areas of legal activity	PC-3.1. Knows the specifics of legal regulation and law enforcement practice in specific areas of legal activity; PC-3.2. Correctly establishes legal facts, as well as facts and circumstances of legal significance, carries out their comprehensive analysis, taking into account the specifics of the evidence process in specific areas of legal activity; PC-3.3. Correctly carries out legal qualification, correctly and reasonably applies the norms of substantive and procedural law in professional activities; PC-3.4. Takes a law enforcement decision in the form prescribed by law in compliance with its sectoral affiliation, requirements for the structure, procedure for adoption and competence of the subject of law enforcement
PC-4	PC-4. Able to provide qualified legal advice in specific areas of legal activity	PC-4.1. Knows the specifics and methodology of consulting in specific areas of legal activity; PC-4.2. Provides qualified advice in specific areas of legal activity; PC-4.3. Possesses the skills of legal consulting in specific areas of legal activity

### 3. COURSE IN HIGHER EDUCATION PROGRAMME STRUCTURE

The course refers to the variable component of (B1) block of the higher educational programme curriculum.

Within the higher education programme students also master other (modules) and / or internships that contribute to the achievement of the expected learning outcomes as results of the course study.

*Table 3.1. The list of the higher education programme components/disciplines that contribute to the achievement of the expected learning outcomes as the course study results*

Competence code	Competence descriptor	Previous courses/modules*	Subsequent courses/modules*
UC-7	UC-7. Able to: search for the necessary sources of information and data, perceive, analyze, memorize and transmit information using digital means, as well as using algorithms when working with data received from various sources in order to effectively use the information received to solve problems; evaluate information, its reliability, build logical conclusions based on incoming information and data	Comparative Law Research / Current Issues of Private International Law / Introduction to Private International Law: Theoretical and Historical Aspect / International Commercial Arbitration and Other ADR	Cross-Border Transactions: Legal and Practical Aspect / Private International Law Issues in the Field of Protection of Intellectual Property Rights / Research Work / Educational Internship (Teaching) / Academic Practice and Legal Consulting and Scientific Research Internship
GPC-1	GPC-1. Able to analyze non-standard situations of law enforcement practice and offer the best options for their solution	Philosophy of Law / History and Methodology of Legal Science / Comparative Law Research / Current Issues of Private International Law / International Commercial Arbitration and Other ADR	Cross-Border Transactions: Legal and Practical Aspect / Private International Law Issues in the Field of Protection of Intellectual Property Rights / Research Work / Academic Practice and Legal Consulting and Scientific Research Internship
GPC-3	GPC-3. Able to competently interpret legal acts, including in situations where there are gaps and conflicts of law	Philosophy of Law / Comparative Law Research / Current Issues of Private International Law / International Commercial Arbitration and Other ADR / Международный коммерческий арбитраж и иные альтернативные способы разрешения споров	Cross-Border Transactions: Legal and Practical Aspect / Private International Law Issues in the Field of Protection of Intellectual Property Rights / Research Work / a Academic Practice and Legal Consulting and Scientific Research Internship /
GPC-4	GPC-4. Able to argue in writing and orally the legal position on the case, including in adversarial processes	Philosophy of Law / Current Issues of Private International Law / Introduction to Private International Law: Theoretical and Historical Aspect / International Commercial Arbitration and Other ADR	Cross-Border Transactions: Legal and Practical Aspect / Private International Law Issues in the Field of Protection of Intellectual Property Rights / Digital Methods of Disputes between Resolution in Russia and Abroad / Educational Internship (Teaching) /

Competence code	Competence descriptor	Previous courses/modules*	Subsequent courses/modules*
			Academic Practice and Legal Consulting and Scientific Research Internship
GPC-5	GPC-5. Able to independently draw up legal documents and develop drafts of normative (individual) legal acts	Comparative Law Research / Current Issues of Private International Law / Introduction to Private International Law: Theoretical and Historical Aspect	Cross-Border Transactions: Legal and Practical Aspect / Private International Law Issues in the Field of Protection of Intellectual Property Rights / Digital Methods of Disputes between Resolution in Russia and Abroad / Research Work / Academic Practice and Legal Consulting and Scientific Research Internship
GPC-7	GPC-7. Able to apply information technologies and use legal databases to solve problems of professional activity, taking into account the requirements of information security	History and Methodology of Legal Science / Comparative Law Research / Introduction to Private International Law: Theoretical and Historical Aspect / International Commercial Arbitration and Other ADR	Cross-Border Transactions: Legal and Practical Aspect / Private International Law Issues in the Field of Protection of Intellectual Property Rights / Research Work / Educational Internship (Teaching) / Academic Practice and Legal Consulting and Scientific Research Internship
PC-3	PC-3. Able to skillfully apply the norms of substantive and procedural law in specific areas of legal activity	Current Issues of Private International Law / Introduction to Private International Law: Theoretical and Historical Aspect / International Commercial Arbitration and Other ADR	Cross-Border Transactions: Legal and Practical Aspect / Private International Law Issues in the Field of Protection of Intellectual Property Rights / Academic Practice and Legal Consulting and Scientific Research Internship
PC-4	PC-4. Able to provide qualified legal advice in specific areas of legal activity	International Commercial Arbitration and Other ADR	Cross-Border Transactions: Legal and Practical Aspect / Private International Law Issues in the Field of Protection of Intellectual Property Rights / Academic Practice and Legal Consulting and Scientific Research Internship

\* To be filled in according to the competence matrix of the higher education programme.

#### 4. COURSE WORKLOAD AND ACADEMIC ACTIVITIES

The total workload of the course is 2 credits (72 academic hours)

Table 4.1. Types of academic activities during the periods of higher education programme mastering (**full-time training**) \*

Type of academic activities	Total academic hours	Semesters/training modules			
		1/1	1/2	2/3	2/4
<i>Contact academic hours</i>	32				32
including:					
Lectures (LC)					
Lab work (LW)					
Seminars (workshops/tutorials) (S)	32				32
<i>Self-studies</i>	13				13
<i>Evaluation and assessment (exam/passing/failing grade)</i>	27				27
<b>Course workload</b>	academic hours	<b>72</b>			<b>72</b>
	credits	<b>2</b>			<b>2</b>

\* To be filled in regarding the higher education programme correspondence training mode.

## 5. COURSE CONTENTS

Table 5.1. Course contents and academic activities types

Course module title	Course module contents (topics)	Academic activities types
<b>1. Introduction in Cross-border Contractual Obligations</b>	<ul style="list-style-type: none"> <li>– Concept and classification of transactions and contracts in cross-border legal relations within Private International Law</li> <li>– Transaction with a foreign element versus foreign economic transaction: definitions and distinctions</li> <li>– Types of transactions in domestic and international legal contexts</li> <li>– Criteria for determining whether a transaction is international or cross-border</li> <li>– Specific features of legal regulation of foreign economic transactions (contracts)</li> <li>– Conditions under which a civil law transaction acquires an international character</li> <li>– Key differences between domestic transactions and foreign economic transactions</li> <li>– Distinctive characteristics of the legal regime governing foreign economic transactions</li> <li>– The role of international law in the regulation of foreign economic transactions</li> </ul>	S
<b>2. Risk Prevention in Foreign Economic Contracts</b>	<ul style="list-style-type: none"> <li>– Risk management in foreign economic contracts within Private International Law</li> <li>– Impact of decisions of the United Nations Security Council on foreign economic transactions</li> <li>– Types and legal nature of sanctions affecting cross-border contractual relations</li> </ul>	S

Course module title	Course module contents (topics)	Academic activities types
	<ul style="list-style-type: none"> <li>- Force majeure in international contracts as a mechanism for minimizing losses and liability</li> <li>- Representations and warranties in foreign economic contracts: legal nature and functions</li> <li>- Consequences of breach of representations and warranties in cross-border transactions</li> </ul>	
<p style="text-align: center;"><b>3. Special Pre-contractual Mechanisms</b></p>	<ul style="list-style-type: none"> <li>- Pre-contractual risk management mechanisms in cross-border transactions within Private International Law</li> <li>- Due diligence in foreign economic transactions: scope, stages, and legal significance</li> <li>- Economic risk management in international contracting</li> <li>- Operational risks in cross-border transactions and methods of mitigation</li> <li>- Currency risk management in international contracts</li> <li>- Structured approach to drafting international sales contracts (key stages and checklist)</li> <li>- The role of insurance in contract drafting and risk allocation</li> <li>- Political risk insurance in cross-border transactions and its legal implications</li> </ul>	S
<p style="text-align: center;"><b>4. Certain Types of Cross-border Contracts and Peculiarities of Their Regulation International Settlements</b></p>	<ul style="list-style-type: none"> <li>- Specific types of cross-border contracts and their regulation within Private International Law</li> <li>- International financial lease agreements: concept, structure, and legal regulation</li> <li>- International settlements in the framework of International Chamber of Commerce instruments and their relationship to international commercial contracts</li> <li>- Legal regulation of international settlements in Private International Law: key features and challenges</li> <li>- Currency risk insurance in international financial transactions</li> <li>- Documentary collection (inkasso) in international trade: mechanisms and legal framework</li> <li>- Letters of credit in international transactions: structure, functions, and legal regulation</li> <li>- Document examination standards in international settlements (uniform rules and practices)</li> <li>- The impact of digitalization on financial obligations in cross-border transactions</li> <li>- Conflict-of-laws rules applicable to digital assets and their circulation</li> <li>- The impact of sanctions regimes on international settlements</li> <li>- Dispute resolution under documentary instruments: the DOCDEX procedure and its role in international trade finance</li> </ul>	S

\* - to be filled in only for full -time training: LC - lectures; LW - lab work; S - seminars.

## 6. CLASSROOM EQUIPMENT AND TECHNOLOGY SUPPORT REQUIREMENTS

Table 6.1. Classroom equipment and technology support requirements

Type of academic activities	Classroom equipment	Specialised educational / laboratory equipment, software, and materials for course study (if necessary)
Seminars	A classroom for conducting seminars, group and individual consultations, current and mid-term assessment; equipped with a set of specialised furniture and technical means for multimedia presentations	Multimedia projector, laptop, projection screen, stable wireless Internet connection

\* The premises for students' self-studies are subject to MANDATORY mention

## 7. RESOURCES RECOMMENDED FOR COURSE STUDY

*Main reading (sources):*

1. Heidemann M. Methodology of Uniform Contract Law: The UNIDROIT Principles in the International Legal Doctrine and Practice. – Springer, 2007. URL: <https://rd.springer.com/content/pdf/10.1007%2F978-3-540-44462-6.pdf>
2. Heidemann M., Lee J. The future of the commercial contract in Scholarship and Law Reform. – Springer, 2018. URL: <https://rd.springer.com/content/pdf/10.1007%2F978-3-319-95969-6.pdf>

*Additional (optional) reading (sources):*

1. Andrews N. Arbitration and Contract Law: Common Law Perspectives. – Springer, 2016. URL: <https://rd.springer.com/content/pdf/10.1007%2F978-3-319-27144-6.pdf>
2. Heidemann M. Does International Trade Need a Doctrine of Transnational Law? – Springer, 2012. URL: <https://rd.springer.com/content/pdf/10.1007%2F978-3-642-27500-5.pdf>
3. Kouladis N. Principles of Law Relating to International Trade. – Springer, 2006. URL: <https://rd.springer.com/content/pdf/10.1007%2F0-387-30699-4.pdf>

*Internet sources:*

1. Electronic libraries (EL) of RUDN University and other institutions, to which university students have access on the basis of concluded agreements:
  - RUDN Electronic Library System (RUDN ELS): <http://lib.rudn.ru/MegaPro/Web>
  - EL "University Library Online": <http://www.biblioclub.ru>
  - EL "Yurayt": <http://www.biblio-online.ru>
  - EL "Student Consultant": [www.studentlibrary.ru](http://www.studentlibrary.ru)
  - EL "Lan": <http://e.lanbook.com/>
  - The European e-Justice Portal: <https://e-justice.europa.eu/home>
2. Databases and search engines:
  - electronic foundation of legal and normative-technical documentation: <http://docs.cntd.ru/>
  - Yandex search engine: <https://www.yandex.ru/>
  - Google search engine: <https://www.google.ru/>
  - Scopus abstract database: <http://www.elsevierscience.ru/products/scopus/>

*Training toolkit for self- studies to master the course* \*:

1. The set of lectures on the course \_\_\_\_\_
2. The laboratory workshop (if any) on the course \_\_\_\_\_
3. The guidelines for writing a course paper / project (if any) on the course \_\_\_\_\_.

\* The training toolkit for self- studies to master the course is placed on the course page in the university telecommunication training and information system under the set procedure.

## **8. ASSESSMENT TOOLKIT AND GRADING SYSTEM\* FOR EVALUATION OF STUDENTS' COMPETENCES LEVEL UPON COURSE COMPLETION**

The assessment toolkit and the grading system\* to evaluate the competences formation level (competences in part) upon the course study completion are specified in the Appendix to the course syllabus.

\* The assessment toolkit and the grading system are formed on the basis of the requirements of the relevant local normative act of RUDN University (regulations / order).

### **DEVELOPERS:**

Senior Lecturer  
of the Department of Civil Law  
and Procedure and

\_\_\_\_\_

position, department

\_\_\_\_\_

signature

Alisa M. Berman  
\_\_\_\_\_

name and surname

### **HEAD OF EDUCATIONAL DEPARTMENT:**

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

\_\_\_\_\_

position, department

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Evgenia E. Frolova  
\_\_\_\_\_

name and surname

### **HEAD OF HIGHER EDUCATION PROGRAMME:**

Head of the Department of  
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Full Professor

\_\_\_\_\_

position, department

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\_\_\_\_\_

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