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**Federal State Autonomous Educational Institution of Higher Education
PEOPLES' FRIENDSHIP UNIVERSITY OF RUSSIA
named after Patrice Lumumba**

LAW INSTITUTE

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

COURSE SYLLABUS

**INTRODUCTION TO PRIVATE INTERNATIONAL LAW: THEORETICAL
AND HISTORICAL ASPECT**

course title

Recommended by the Didactic Council for the Education Field of:

40.04.01 JURISPRUDENCE

field of studies / speciality code and title

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

PRIVATE INTERNATIONAL LAW

higher education programme profile/specialisation title

1. COURSE GOAL(s)

The goal of the course “Introduction to Private International Law: Theoretical and Historical Aspect” is to provide students with a comprehensive and structured understanding of Private International Law, focusing on its conceptual foundations, system of sources, conflict-of-laws mechanisms, and the fundamental principles governing the application of foreign law in cross-border private relations.

The objectives of the course are:

1. To define the concept, scope, and systemic role of Private International Law within the broader legal framework.
2. To develop a conceptual apparatus of Private International Law, including its subject matter, participants, and regulatory structure.
3. To identify the nature and classification of conflicts arising in Private International Law (conflict of laws, conflict of jurisdictions, conflict of qualifications).
4. To analyze the methods of regulation in Private International Law, including the conflict-of-laws method and the substantive method, and their functional differences.
5. To examine the structure of Private International Law, including conflict-of-laws rules, substantive rules, and procedural elements.
6. To characterize the system of sources of Private International Law, including national legislation, international treaties, international custom, *lex mercatoria*, judicial precedent, and legal doctrine.
7. To assess the role of international organizations in the formation and development of the sources of Private International Law.
8. To study the concept, functions, and structure of conflict-of-laws rules, including the classification of connecting factors.
9. To distinguish between interpersonal, intertemporal, and interlocal conflicts and analyze their legal implications.
10. To develop the ability to determine the applicable law using key connecting factors (domicile, habitual residence, nationality, place of contracting, place of performance).
11. To establish the methodology for ascertaining the content of foreign law and its application by domestic courts.
12. To evaluate the legal consequences of incorrect determination of foreign law.
13. To analyze key doctrines of Private International Law, including qualification (characterization), *renvoi* (reverse reference and reference to a third law), and reciprocity.
14. To examine the limits on the application of foreign law, including the public policy (*ordre public*) exception and the doctrine of circumvention of law.
15. To develop practical skills in resolving cross-border legal issues through the application of Private International Law rules and principles.

2. REQUIREMENTS FOR LEARNING OUTCOMES

Mastering the course (module) «Introduction to Private International Law: Theoretical and Historical Aspect» 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

Competence code	Competence descriptor	Competence formation indicators (within this course)
UC-1	UC-1. Able to carry out a critical analysis of problem situations based on a systematic approach, develop an action strategy	UC-1.1. Analyzes the problem situation as a system, identifying its components and the links between them;

Competence code	Competence descriptor	Competence formation indicators (within this course)
		<p>UC-1.2. Identifies gaps in the information needed to solve the problem situation, and designs processes to eliminate them;</p> <p>UC-1.3. Critically evaluates the reliability of information sources, works with conflicting information from different sources;</p> <p>UC-1.4. Develops and substantively argues a strategy for solving a problem situation based on a systematic and interdisciplinary approach, sets out an assessment of the prospects and risks of implementing this strategy;</p> <p>UC-1.5. Uses logical and methodological tools for a critical assessment of modern concepts of a philosophical and social nature in his subject area</p>
UC-5	UC-5. Able to analyze and take into account the diversity of cultures in the process of intercultural interaction	<p>UC-5.1. Analyzes the most important ideological and value systems formed in the course of historical development; substantiates the relevance of their use in social and professional interaction;</p> <p>UC-5.2. Builds social professional interaction, taking into account the characteristics of the main forms of scientific and religious consciousness, business and general culture of representatives of other ethnic groups and confessions, various social groups;</p> <p>UC-5.3. Ensures the creation of a non-discriminatory environment for interaction when performing professional tasks</p>
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	<p>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 sources in order to effectively use the information received to solve problems;</p> <p>UC-7.2. Evaluates information, its reliability, builds logical conclusions based on incoming information and data</p>
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

Competence code	Competence descriptor	Competence formation indicators (within this course)
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-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-2	PC-2. Able to conduct scientific research in the field of law.	PC-2.1. Knows the procedure and rules for the content and technical design and presentation of the results of various types of research work in various branches of law; PC-2.2. Able to correctly conduct and formalize the results of scientific research in various branches of law; PC-2.3. Possesses the skills to conduct scientific research in various branches of law
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

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-1	UC-1. Able to carry out a critical analysis of problem situations based on a systematic approach, develop an action strategy	Philosophy of Law	Current Issues of Private International Law / Research Work / Academic Practice and Legal Consulting and Scientific Research Internship /
UC-5	UC-5. Able to analyze and take into account the diversity of cultures in the process of intercultural interaction		Comparative Law Research / Current Issues of Private International Law / Educational Internship (Teaching)
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 / International Commercial Arbitration and Other ADR / Law Applicable to Cross-Border Contractual Obligations / 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 / World Trade Organisation Law / Civil Procedural Law and Private International Law in The European Union: Issues of Unification / Legal Regulation of Transactions with Foreign Assets / Law of International Trade /

Competence code	Competence descriptor	Previous courses/modules*	Subsequent courses/modules*
			Art and Cultural Heritage Law / Law of International Banking Transactions / Cross-Border Mergers and Acquisitions / Cyberspace: Jurisdiction and Dispute Resolution/ Private International Law Issues in the Field of Transnational Insolvency / Notarial System / Private International Law Issues in the Field of Insurance Law / Research Work / Educational Internship (Teaching) / 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 / International Commercial Arbitration and Other ADR / Law Applicable to Cross-Border Contractual Obligations / 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 / World Trade Organisation Law / Civil Procedural Law and Private International Law in The European Union: Issues of Unification / Legal Regulation of Transactions with Foreign Assets / Law of International Trade / Art and Cultural Heritage Law /

Competence code	Competence descriptor	Previous courses/modules*	Subsequent courses/modules*
			Law of International Banking Transactions / Cross-Border Mergers and Acquisitions / Cyberspace: Jurisdiction and Dispute Resolution/ Private International Law Issues in the Field of Transnational Insolvency / Notarial System / Private International Law Issues in the Field of Insurance Law / Variable Component / Educational Internship (Teaching) / 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 / International Commercial Arbitration and Other ADR / Law Applicable to Cross-Border Contractual Obligations / 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 / World Trade Organisation Law / Civil Procedural Law and Private International Law in The European Union: Issues of Unification / Legal Regulation of Transactions with Foreign Assets / Law of International Trade / Art and Cultural Heritage Law /

Competence code	Competence descriptor	Previous courses/modules*	Subsequent courses/modules*
			Law of International Banking Transactions / Cross-Border Mergers and Acquisitions / Cyberspace: Jurisdiction and Dispute Resolution/ Private International Law Issues in the Field of Transnational Insolvency / Notarial System / Private International Law Issues in the Field of Insurance Law / Variable Component / 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	International Commercial Arbitration and Other ADR / Law Applicable to Cross-Border Contractual Obligations / 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 / World Trade Organisation Law / Civil Procedural Law and Private International Law in The European Union: Issues of Unification / Legal Regulation of Transactions with Foreign Assets / Law of International Trade / Art and Cultural Heritage Law / Law of International Banking Transactions / Cross-Border Mergers and Acquisitions / Cyberspace: Jurisdiction and Dispute Resolution/

Competence code	Competence descriptor	Previous courses/modules*	Subsequent courses/modules*
			Private International Law Issues in the Field of Transnational Insolvency / Notarial System / Private International Law Issues in the Field of Insurance Law / Research Work / Educational Internship (Teaching) / Academic Practice and Legal Consulting and
PC-2	PC-2. Able to conduct scientific research in the field of law.	History and Methodology of Legal Science /	Current Issues of Private International Law / Research Work
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 / International Commercial Arbitration and Other ADR / Law Applicable to Cross-Border Contractual Obligations / 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 / World Trade Organisation Law / Civil Procedural Law and Private International Law in The European Union: Issues of Unification / Legal Regulation of Transactions with Foreign Assets / Law of International Trade / Art and Cultural Heritage Law / Law of International Banking Transactions / Cross-Border Mergers and Acquisitions / Cyberspace: Jurisdiction and Dispute Resolution/

Competence code	Competence descriptor	Previous courses/modules*	Subsequent courses/modules*
			Private International Law Issues in the Field of Transnational Insolvency / Notarial System / Private International Law Issues in the Field of Insurance Law / 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 4 credits (144 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>	36	36			
including:					
Lectures (LC)	18	18			
Lab work (LW)					
Seminars (workshops/tutorials) (S)	18	18			
<i>Self-studies</i>	104	104			
<i>Evaluation and assessment (exam/passing/failing grade)</i>	2	2			
Course workload	academic hours	144	144		
	credits	4	4		

5. COURSE CONTENTS

Table 5.1. Course contents and academic activities types

Course module title	Course module contents (topics)	Academic activities types
1. Introduction in Private International Law	<ul style="list-style-type: none"> – Concept and theoretical approaches to Private International Law – Subject matter and scope of regulation in Private International Law – Subjects of Private International Law (natural persons, legal entities, states, international organizations) 	LC S

Course module title	Course module contents (topics)	Academic activities types
	<ul style="list-style-type: none"> – Conflicts in Private International Law (conflict of laws, conflict of jurisdictions, conflict of qualifications) – Methods of regulation in Private International Law (conflict-of-law method and substantive method) – Structure of regulation in Private International Law (conflict rules, substantive rules, procedural elements) – The place of Private International Law in the legal system (interaction with domestic law, public international law, and private law) 	
2. Sources of Private International Law	<ul style="list-style-type: none"> – General characteristics and system of sources of Private International Law – National legislation as a source of Private International Law – International treaties as a source of Private International Law – International custom in Private International Law – International commercial law (lex mercatoria) as a source of Private International Law – Judicial precedent in Private International Law – Legal doctrine and its role in the development of Private International Law – Analogy of law and analogy of statute in Private International Law – The role of international organizations in the formation and development of sources of Private International Law 	LC S
3. Conflict of Laws	<ul style="list-style-type: none"> – Concept, characteristics, functions, and structure of conflict-of-laws rules in Private International Law – The concept and classification of conflicts of laws – Interpersonal, intertemporal, and interlocal conflicts in Private International Law – Main types of connecting factors (e.g., domicile, habitual residence, nationality, place of contracting, place of performance) 	LC S
4. Basics of Application of Foreign Law	<ul style="list-style-type: none"> – Establishing the content of foreign law in Private International Law – Consequences of incorrect determination of the content of foreign law – Qualification (characterization) of conflict-of-laws rules – Renvoi: reverse reference and reference to a third law – Reciprocity in conflict-of-laws regulation – Public policy (ordre public) exception – Circumvention (evasion) of law in Private International Law 	LC 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)
Lecture	A lecture hall for lecture-type classes, equipped with a set of specialised furniture; board (screen) and technical means of multimedia presentations	Multimedia projector, laptop, projection screen, stable wireless Internet connection. Software: Office 365 (MS Office, MS Teams), Chrome
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. Software: Office 365 (MS Office, MS Teams), Chrome

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

7. RESOURCES RECOMMENDED FOR COURSE STUDY

Main reading (sources):

1. Calster G. van. *European Private International Law*. – 2nd ed. – Oxford; Portland, Oregon: Hart Publishing, 2016. – 578 p.
2. Cheshire, North & Fawcett: *Private International Law* / edited by P. Torremans, J. J. Fawcett; U. Grušić, C. Heinze, L. Merrett, A. Mills, C. Otero García-Castrillón, Z. S. Tang, K. Trimmings, L. Walker. – 15th ed. – Oxford: Oxford University Press, 2017. – ISBN 978-0-19-967898-3.
3. Garimella S. R., Jolly S. (eds.). *Private International Law: South Asian States' Practice*. – Singapore: Springer Nature Singapore Pte Ltd., 2017. – 457 p.
4. Tu G. *Private International Law in China*. — Singapore: Springer Science+Business Media Singapore, 2016. – 193 p.

Additional (optional) reading (sources):

1. Collier J.G. Approaches to the problem of characterisation // Abridged from: Conflict of Laws.
2. Collier J.G. Choice of law rules // Abridged from: Conflict of Laws.
3. Dicey, Morris & Collins. *The Conflict of Laws*. – 15th ed. – London: Sweet & Maxwell, 2012.
4. Dickinson A., Lindsay R., Loonam J. *State Immunity and State-Owned Enterprises*. – London: Clifford Chance LLP, 2008.
5. Enron Corporation and Ponderosa Assets, L.P. v. Argentine Republic (ICSID Case No. ARB/01/3): Award of 22 May 2007.

6. Epstein H.B., Keyes T.A. California courts may not apply New York choice-of-law clauses // New York Law Journal.
7. Hussein Nuaman Soufraki v. United Arab Emirates (ICSID Case No. ARB/02/7): Award.
8. Ioan Micula, Viorel Micula and others v. Romania (ICSID Case No. ARB/05/20): Award.
9. Lew J.D.M., Mistelis L.A., Kröll S.M. Comparative international commercial arbitration. – The Hague: Kluwer Law International, 2003. – Chapter 17: Determination of applicable law.
10. Mills A. Connecting public and private international law // French D., McCall-Smith K., Ruiz Abou-Nigm V. (eds.). Linkages and Boundaries in Private and Public International Law. – Oxford: Hart Publishing, 2018.
11. Mistelis L. General principles of law and transnational rules in international arbitration: an English perspective // World Arbitration and Mediation Review. – 2011. – Vol. 5, No. 2. – P. 201–230.
12. Morentin Y.M. Failure to prove foreign law in U.S. courts // Arizona Journal of International and Comparative Law. – 1988. – Vol. 5.
13. Mustill M. The new lex mercatoria: the first twenty-five years // Arbitration International. – 1988. – Vol. 4, No. 2.
14. Tokios Tokelès v. Ukraine (ICSID Case No. ARB/02/18): Decision on jurisdiction.
15. Tokios Tokelès v. Ukraine (ICSID Case No. ARB/02/18): Dissenting opinion.

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
 - 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:

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position, department

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