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Federal State Autonomous Educational Institution of Higher Education
PEOPLES' FRIENDSHIP UNIVERSITY OF RUSSIA
RUDN University
LAW INSTITUTE

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

COURSE SYLLABUS

CROSS-BORDER TRANSACTIONS LEGAL AND PRACTICAL 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:

INTERNATIONAL PRIVATE LAW
higher education programme profile/specialisation title

1. COURSE GOAL(s)

The goal of the course «Cross-Border Transactions Legal and Practical Aspect» is to develop in student's practical skills of drafting foreign economic contracts (foreign trade agreements).

2. REQUIREMENTS FOR LEARNING OUTCOMES

Mastering the course (module) « Cross-Border Transactions Legal and Practical 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-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	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; 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-2	GPC-2. Independently able to prepare expert legal opinions and carry out examination of normative (individual) legal acts.	GPC-2.1. Knows the rules of preparing expert legal opinions and the rules of of the examination of normative (individual) legal acts; GPC-2.2. Independently able to conduct a legal examination of normative (individual) legal acts; GPC-2.3. Has skills in preparing and drawing up expert legal opinions and conducting expert examinations of normative (individual) legal acts.
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;

Competence code	Competence descriptor	Competence formation indicators (within this course)
		<p>GPC-3.2 Has the skills to interpret legal acts, including in situations where there are gaps and conflicts of law</p> <p>GPC-3.3 Gives qualified explanations on the content and application of the law</p>
GPC-4	GPC-4. Able to argue in writing and orally the legal position on the case, including in adversarial processes	<p>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;</p> <p>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;</p> <p>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.</p>
GPC-5	GPC-5. Able to independently draw up legal documents and develop drafts of normative (individual) legal acts	<p>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;</p> <p>GPC-5.2. Independently draws up legal documents and develops drafts of normative (individual) legal acts</p> <p>GPC-5.3. Possesses skills in drafting legal documents and drafting normative (individual) legal acts in accordance with the profile of his professional activity</p>
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	<p>GPC-7.1. Knows the basic information technologies and legal bases for solving problems in various areas of legal activity;</p> <p>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;</p> <p>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.</p>
PC-3	PC-3. Able to skillfully apply the norms of substantive and procedural law in specific areas of legal activity	<p>PC-3.1. Knows the specifics of legal regulation and law enforcement practice in specific areas of legal activity;</p> <p>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;</p> <p>PC-3.3. Correctly carries out legal qualification, correctly and reasonably applies the norms of substantive and procedural law in professional activities;</p> <p>PC-3.4. Takes a law enforcement decision in the form prescribed by law in compliance with its sectoral affiliation, requirements for the structure,</p>

Competence code	Competence descriptor	Competence formation indicators (within this course)
		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 / Variable Component / Introduction to Private International Law: Theoretical and Historical Aspect / International Commercial Arbitration and Other ADR / Law Applicable to Cross-Border Contractual Obligations /	Private International Law Issues in the Field of Protection of Intellectual Property Rights / 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-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 / Law Applicable to Cross-Border Contractual Obligations /	Private International Law Issues in the Field of Protection of Intellectual Property Rights / 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) /

Competence code	Competence descriptor	Previous courses/modules*	Subsequent courses/modules*
			Academic Practice and Legal Consulting and Scientific Research Internship /
GPC-2	GPC-2. Independently able to prepare expert legal opinions and carry out examination of normative (individual) legal acts.	Comparative Law / Сравнительное правоведение Variable Component / Law Applicable to Cross-Border Contractual Obligations / Право, применимое к трансграничным договорным обязательствам	Private International Law Issues in the Field of Protection of Intellectual Property Rights / Вопросы охраны интеллектуальной собственности в международном частном праве Digital Methods of Disputes between Resolution in Russia and Abroad / Цифровые способы разрешения споров в России и за рубежом World Trade Organisation Law / Право Всемирной торговой организации Civil Procedural Law and Private International Law In The European Union: Issues of Unification / Гражданское процессуальное право и международное частное право в Европейском союзе: вопросы унификации Legal Regulation of Transactions with Foreign Assets / Правовое регулирование операций с иностранными активами Law of International Trade / Право международной торговли Art and Cultural Heritage Law / Правовое регулирование культурных ценностей и сферы искусства Law of International Banking Transactions / Право международных банковских операций Cross-Border Mergers and Acquisitions / Трансграничные сделки слияния и поглощения Cyberspace: Jurisdiction and Dispute Resolution/ Киберпространство: юрисдикция и разрешение споров Private International Law Issues in the Field of Transnational Insolvency / Вопросы трансграничного банкротства

Competence code	Competence descriptor	Previous courses/modules*	Subsequent courses/modules*
			в международном частном праве Notarial System / Нотариат Private International Law Issues in the Field of Insurance Law / Вопросы страховых правоотношений в международном частном праве
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 / Law Applicable to Cross-Border Contractual Obligations /	Private International Law Issues in the Field of Protection of Intellectual Property Rights / Private International Law Issues in the Field of Transnational Insolvency / Notarial System / Private International Law Issues in the Field of Insurance Law / Research Work / 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 /	Private International Law Issues in the Field of Protection of Intellectual Property Rights / Private International Law Issues in the Field of Transnational Insolvency / Notarial System / Private International Law Issues in the Field of Insurance Law / 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 / Introduction to Private International Law: Theoretical and Historical Aspect /	Private International Law Issues in the Field of Transnational Insolvency / Notarial System / Private International Law Issues in the Field of Insurance Law / частном праве Research Work / Academic Practice and Legal Consulting and Scientific Research Internship /
GPC-6	GPC-6. Able to ensure compliance with the principles of ethics of a lawyer, including taking measures to prevent corruption and suppress corruption (other) offenses	Philosophy of Law / International Commercial Arbitration and Other ADR /	Notarial System / Educational Internship (Teaching) / Academic Practice and Legal Consulting and Scientific Research Internship /

Competence code	Competence descriptor	Previous courses/modules*	Subsequent courses/modules*
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 / Law Applicable to Cross-Border Contractual Obligations /	Private International Law Issues in the Field of Protection of Intellectual Property Rights / 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 /
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 /	Private International Law Issues in the Field of Protection of Intellectual Property Rights / 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 /
PC-4	PC-4. Able to provide qualified legal advice in specific areas of legal activity	International Commercial Arbitration and Other ADR / Law Applicable to Cross-Border Contractual Obligations /	Private International Law Issues in the Field of Protection of Intellectual Property Rights / 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 3 credits (108 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			
		3/1	3/2	4/3	4/4
Contact academic hours	36	36			
including:					

Type of academic activities		Total academic hours	Semesters/training modules			
			3/1	3/2	4/3	4/4
Lectures (LC)						
Lab work (LW)						
Seminars (workshops/tutorials) (S)		36	36			
<i>Self-studies</i>		34	34			
<i>Evaluation and assessment (exam/passing/failing grade)</i>		2	2			
Course workload	academic hours	108	108			
	credits	3	3			

5. COURSE CONTENTS

Table 5.1. Course contents and academic activities types

Course module title	Course module contents (topics)	Academic activities types
1. Introduction	1. The value of the contract as a tool for mediating civil transactions. 2. Foreign economic (foreign trade) activity as a special area of civil transactions. 3. Criteria for the classification of transactions as foreign economic (foreign trade). 4. Definition of the subject of the course, its content and objectives. 5. Peculiarities of contract drafting: Russian (continental) approach and Anglo-American approach.	S
2. Sources of legal regulation of foreign economic (foreign trade) transactions	1. International legal sources. 2. International contracts (multilateral, bilateral), 3. Usage. 4. National legislation of the Russian Federation. 5. Civil code of the Russian Federation (civil law; general and special parts). 6. Civil code of the Russian Federation (rules of private international law). 7. Special legislation (Federal law "On bases of state regulation of foreign trade activity" No. 164-FZ).	S
3. Preparation for the conclusion of foreign trade transactions	1. Definition of the objectives and challenges of the represented party at the conclusion of foreign trade transactions. 2. Definition of the subject composition of foreign trade transactions. 3. Approval of the procedure for interaction of the parties at the conclusion of foreign trade transactions. 4. Verification of the legal status of the parties. 5. Verification of the authorities of the persons signing the contract. 6. Verification of the rights of the parties concerning the subject matter of the contract.	S
4. Drafting foreign trade transactions	1. Definition of the subject matter of the contract. 2. Definition of the legal nature of the concluded contract. 3. Determination of the applicable law. 4. Drafting of the contract. Use of standard forms. Language of the contract. 5. Analysis of the draft of the contract submitted by the other party. Comments, additions.	S
5. Structure of the foreign trade contract	1. Obligation of a certain structure of the contract and its individual elements at the conclusion of foreign trade transactions. 2. Elements of the internal contracts concluded between the subjects of the Russian Federation used at concluding foreign economic transactions.	S

Course module title	Course module contents (topics)	Academic activities types
	3.Elements of contracts characteristic primarily for foreign trade transactions.	
6. Peculiarities of the content and technical requirements for the conclusion of foreign trade contracts	1.Choice of language used in drafting a foreign trade contract. 2.Collection and description of actual data to be included in a foreign economic contract. 3.Execution of a foreign economic contract.	S
7. Peculiarities of drafting of certain types of foreign economic contracts	1.Foreign economic contract of sale (supply). 2.Foreign economic contract of work and labor. 3.Contract of opening of the letter of credit. 4.Leasing agreement.	S
8. Peculiarities of conclusion of certain types of foreign economic contracts (continued)	1.Facility agreement. 2.Pledge agreement. 3.Guarantees and sureties. 4.Agency agreement.	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
Lab work	A classroom for laboratory work, individual consultations, current and mid-term assessment; equipped with a set of specialised furniture and machinery.	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

Type of academic activities	Classroom equipment	Specialised educational / laboratory equipment, software, and materials for course study (if necessary)
Computer Lab	A classroom for conducting classes, group and individual consultations, current and mid-term assessment, equipped with personal computers (in the amount of 30 pcs), a 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
Self-studies	A classroom for independent work of students (can be used for seminars and consultations), equipped with a set of specialised furniture and computers with access to the electronic information and educational environment	Multimedia projector, laptop, projection screen, stable wireless Internet connection. Software: Office 365 (MS Office, MS Teams), Chrome
Courtroom	A classroom for court hearing simulation equipped with a set of specialized furniture; a set of devices including portable multimedia projector, laptop, projection screen, stable wireless Internet connection.	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. Garimella S. R., Jolly S. Private International Law: South-Asian States' Practice. – Springer, 2017. URL: <https://rd.springer.com/content/pdf/10.1007%2F978-981-10-3458-9.pdf>
2. Kiestra L. R. The impact of the European Convention on the Human Rights on Private International Law. – Springer, 2014. URL: <https://rd.springer.com/content/pdf/10.1007%2F978-94-6265-032-9.pdf>

Additional (optional) reading (sources):

1. 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>
2. Twigg-Flesner C. A Cross-Border-Only Regulation for Consumer Transactions in the EU. - Springer, 2012. URL: <https://rd.springer.com/content/pdf/10.1007%2F978-1-4614-2047-7.pdf>
3. Bosters T. Collective Redress and Private International Law in the EU. – T.M.C. Asser Press, 2017. URL: <https://rd.springer.com/content/pdf/10.1007%2F978-94-6265-186-9.pdf>

Internet sources:

1. 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/>
- EL "Trinity Bridge"
- 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/](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 _____.
4.

* 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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Sergei I. Kovalev

position, department

signature

name and surname

HEAD OF EDUCATIONAL DEPARTMENT:

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