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

LAW APPLICABLE TO CROSS-BORDER CONTRACTUAL OBLIGATIONS

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

2024

1. COURSE GOAL(s)

The goal of the course «Law Applicable to Cross-Border Contractual Obligations» is:

1) to enhance students' knowledge of legal regime applicable to international business transactions, including sources of regulation applicable to transactions.
2) to gain in-depth understanding of cross-border commercial contracts, their principal features and principals involved in their drafting and implementation as well as resolution of disputes arising thereof.

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

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-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

Competence code	Competence descriptor	Competence formation indicators (within this course)
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 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;

Competence code	Competence descriptor	Competence formation indicators (within this course)
		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	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 /

Compet ence code	Competence descriptor	Previous courses/modules*	Subsequent courses/modules*
		и иные альтернативные способы разрешения споров	
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) / 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 /

Compet ence code	Competence descriptor	Previous courses/modules*	Subsequent courses/modules*
			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
Contact academic hours		*32*				*32*
including:						
Lectures (LC)						
Lab work (LW)						
Seminars (workshops/tutorials) (S)		32				32
Self-studies		*13*				*13*
Evaluation and assessment (exam/passing/failing grade)		*27*				*27*
Course workload	academic hours	**72**				**72**
	credits	**2**				**2**

Table 4.2. Types of academic activities during the periods of higher education programme mastering (part-time training) *

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

* To be filled in regarding the higher education programme part-time training mode.

*Table 4.3. Types of academic activities during the periods of higher education programme mastering (**correspondence training**) **

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

* 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
1 Semester 2 module		
1. Introduction in Cross-border Contractual Obligations	1. Main categories: «transactions» and «contracts» 2. Transaction with a foreign element VS «foreign economic transaction» 3. Types of transactions 4. Which transactions are international, cross-border? 5. Specifics of legal regulation of foreign economic transactions (contracts) 6. In what circumstances does a civil law transaction become international in nature? 7. Key differences between an «internal» transaction and a foreign trade transaction 8. Distinctive features of the legal regulation of foreign economic transactions 9. The role of international law in the regulation of foreign economic transactions	S
2. Contract response to external challenges	1. UN Security Council decisions and foreign economic transactions 2. Types of sanctions 3. Force majeure as a way to minimize property losses 4. Consequences of a breach of the assurance of circumstances (representations and warranties)	S
3. International Carriage of Goods	Overview of sources and principal features of regulation of international carriage of goods by: 1. sea 2. rail	S

Course module title	Course module contents (topics)	Academic activities types
1 Semester 2 module		
	3. road 4. air. International bill of lading	
4. International E-Commerce	1. Notion of e-commerce and e-transaction 2. Legal risks connected with conclusion of transactions by electronic means 3. Regulations applicable to cross-border e-commerce, including UNCITRAL Model Law On Electronic Commerce (1996)	S
5. Distribution Agreements. Agency	1. International agency 2. 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. 3. 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.	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 projector, laptop, projection screen, stable wireless Internet connection.

Type of academic activities	Classroom equipment	Specialised educational / laboratory equipment, software, and materials for course study (if necessary)
	multimedia presentations.	Software: Office 365 (MS Office, MS Teams), Chrome
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. 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. 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.
- United National Commission on International Trade Law (UNCITRAL): http://www.uncitral.org/uncitral/en/index.html;
- International Institute For The Unification of Private Law (UNIDROIT): http://www.unidroit.org/dynasite.cfm;
- Introduction to the Principles of European Contract Law, with further bibliographic references: http://www.cisg.law.pace.edu/cisg/text/peclintro.html
- Joint network on European Private Law, with further links: http://www.copecl.org.

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 _____.
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:

Assistant of the Department of _____ _____ _____

Civil Law and Procedure and Private International Law		Alisa M. Berman
position, department	signature	name and surname

Associate Professor of the Department of Civil Law and Procedure and Private International Law		Elena P. Ermakova
position, department	signature	name and surname

HEAD OF EDUCATIONAL DEPARTMENT:

Head of the Department of Civil Law and Procedure and Private International Law, Full Professor		Evgenia E. Frolova
name of department	signature	name and surname

HEAD
OF HIGHER EDUCATION PROGRAMME:

Head of the Department of Civil Law and Procedure and Private International Law, Full Professor		Evgenia E. Frolova
position, department	signature	name and surname