

Educational Institution “Belarus State Economic University”

APPROVED BY

Rector of Educational Institution
Belarus State Economic University”

 A.V. Egorov

30 06 2025

Registration № 6715-25

PROBLEMS OF THE INTERNATIONAL CIVIL PROCESS

The Curriculum of the Educational Institution of Higher education in the academic
discipline for the specialty:
7-06-0421-01 «Jurisprudence»

2025 г.

The Curriculum is based on the educational standard of advanced Higher education OSVO 7-06– 0421-01-2023 "Jurisprudence" (Specialization "Legal support of economic activity"), and the curriculum for the specialty 7-06– 0421-01 "Jurisprudence"

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REVIEWERS:

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RECOMMENDED FOR APPROVAL:

Department of Civil law disciplines of the Educational Institution "Belarus State Economic University "

(Protocol N. _12_ of 28 May 2025)

Methodological Commission on the specialties "Jurisprudence", "Jurisprudence" of the educational institution "Belarusian State University of Economics" (Protocol No. 10 dated 06/05/2025)

Scientific and methodological council of the Educational Institution "Belarus State Economic University"

(Protocol N. 6 of 25 06 2025)

EXPLANATORY NOTE

The purpose and objectives of the academic discipline "Problems of the International Civil Process"

The purpose of this academic discipline is to acquire students' systematic knowledge of theoretical and practical problems of the International civil process; the ability to identify trends in the development of legal regulation in the field of International civil process; mastering the method of comparative law; acquiring the skills of scientific, pedagogical and research work in this field.

Objectives of the academic discipline:

1. gain theoretical knowledge about problems in the field of the International civil procedure law;
2. to deepen knowledge about the International treaties of the Republic of Belarus on the provision of legal assistance and the norms of national civil procedure and business procedural legislation in the field of the International civil procedure;
3. develop skills in analyzing, evaluating, establishing relationships and identifying contradictions in legislation regulating issues of the International civil procedure;
4. develop the ability to conduct comparative characterization of legislation, doctrine and law enforcement practice of foreign countries in the field of international civil procedure;
5. develop skills in applying the acquired theoretical knowledge in the field of the International civil procedure to practical legal situations;
6. develop the ability to conduct a comprehensive analysis and generalization of law enforcement practice in cross-border cases and the ability to use relevant results in professional activities.

Because of studying the academic discipline "Problems of international Civil procedure", the following competence is formed: specialized: to use knowledge and understanding of the specifics of civil procedural legal relations in cross-border civil and economic matters in research, educational and other professional activities

Competence requirements

Requirements for mastering the academic discipline

Mastering the academic discipline "Problems of international civil procedure" should ensure the formation of universal competence:

- to form the social qualities necessary for conscious participation in the socio-political life of the country;
- possess the qualities of citizenship and patriotism;
- analyze the socio-political situation in the country and the world; - determine the socio-political significance of historical events.

Specialized competencies: SK-8.

Be able to demonstrate knowledge and understanding of the specifics of civil procedural legal relations in cross-border civil and economic matters and use them in research, educational and other professional activities / be able to demonstrate knowledge and understanding of the specifics of civil procedural legal relations in cross-border civil and economic matters and use it in scientific, educational and other professional activities.

As the result of mastering the academic discipline, the **student must**

To know:

basic doctrinal positions on the place of the International civil procedure in the legal system and the system of legal sciences; principles of the International civil procedure; the concept of the International jurisdiction and its types, the main theoretical and practical problems of the institute of the International jurisdiction in the civil process of the Republic of Belarus; the legal status of foreigners in civil and economic proceedings; judicial immunity of the state and its diplomatic missions agents, immunity of the International organizations: the main theoretical and practical problems; the concept, types and procedure of relations when handling court orders, execution of orders from judicial authorities of foreign states; the procedure for recognition and resolution of compulsory execution of foreign court decisions on the territory of the Republic of Belarus, as well as the procedure for recognition and enforcement of decisions of courts of the Republic of Belarus in the foreign countries, the use the alternative dispute resolution methods in the framework of the international civil procedure;

Be able to:

- disclose the essence of the categories of the International civil process;
- independently analyze the sources of regulation of the International civil procedure, as well as the practice of their application;
- legally competently and reasonably draw up procedural documents;
- provide qualified opinions and consultations on law enforcement issues of the international civil process;

Possess:

The terminology of the International civil process;

Skills in researching civil case materials and analyzing evidence in the case;

Ability to systematic and comparative analysis of the norms of international civil procedure.

As part of the educational process in this academic discipline, a master's student must acquire not only theoretical and practical knowledge, skills and abilities in his specialty, but also develop his value–personal, spiritual potential, form the qualities of a patriot and a citizen who is ready to actively participate in the economic, industrial, socio-cultural and social life of the country.

The discipline "Problems of international civil process" belongs to the module of choice 1 "Actual problems of International civil procedure and national labor law".

To study the academic discipline "Problems of international civil process", it is necessary to master the disciplines "Implementation of international treaties in the national legal system", "Institutional law of the Union State, the EAEU and the CIS", "Private International Law", "Civil procedure", "Economic procedure".

The form of education is full-time.

According to the university's curriculum, the following academic disciplines are allocated: the total number of academic hours is 90, classroom hours are 38, of which lectures are 18 hours, and seminars are 20 hours.

The distribution of classroom time by courses and semesters: 2 semesters – lectures of 18 hours, seminars – 20 hours. The independent work of the master's student is 52 hours.

The labor intensity is 3 cu. The form of intermediate certification is an exam.

COURSE CONTENT

TOPIC 1. CONCEPT, SUBJECT AND SYSTEM OF INTERNATIONAL CIVIL PROCEDURAL LAW

Contemporary problems of the concept and subject matter of international civil procedural law. Concept of international civil process as part of the system of private international law. Procedural concept of international civil procedural law. Concept of international civil process as part of the system of public international law. Methods of regulating the international civil process.

Foreign element in procedural relations: concept, types, main problems. System of international civil procedural law.

TOPIC 2. SOURCES OF INTERNATIONAL CIVIL PROCEDURAL LAW

System of sources of international civil procedural law. National legislation as a source of international procedural law. Cross-sectoral codification of international civil procedural law. Problems of unification of norms of the international civil procedure in the Republic of Belarus.

International treaty as a source of international civil procedural law. The role of international agreements in regulating court procedure. Universal international treaties. Regional international treaties. Bilateral international treaties on the legal assistance. Relationship between international and domestic law.

Concept and types of ancillary sources of international civil procedural law and its main characteristics. The concept of soft law (international commercial law). Court practice as a source of international civil procedural law. Doctrine as the source of international of international civil procedural law.

TOPIC 3. PRINCIPLES OF THE INTERNATIONAL CIVIL PROCEDURE

The principle of the "law of the court" as a fundamental principle of international civil procedure: concept and essence. Application of foreign procedural law in civil cases complicated by a foreign element. The problem of the distinction between rules of procedure and rules of substantive law, the methods and criteria used in solving it. Refusal to apply a foreign procedural form: grounds and consequences. Exceptions to the principle of the law of the court in national and international law.

General and special principles of the international civil process. Principle of priority of treaties. The principle of procedural equality of foreign citizens, stateless persons and foreign legal entities with citizens and legal entities of the Republic of Belarus. The principle of respect for the jurisdiction of foreign courts and other law enforcement agencies The principle of reciprocity. The principle of international courtesy (*comitas gentium*). Principles of the 2004 cross-border civil procedure (ALI/UNIDROIT).

TOPIC 4. INTERNATIONAL JURISDICTION: EXISTING ISSUES

The concept of international jurisdiction and its differences from the concepts of jurisdiction in civil and economic procedural law in the Republic of Belarus.

International jurisdiction in the domestic legislation of the Republic of Belarus. Criteria of international jurisdiction and their classification. The difference between the criteria of international jurisdiction and collisional links in private international law. The concept of the dual function of territorial jurisdiction.

Rules of international jurisdiction in international treaties of the Republic of Belarus. "Direct" and "indirect" international jurisdiction.

Agreements on international jurisdiction: concept and qualification. Prorogation and derogation effect of the jurisdiction agreement. Law applicable to international jurisdiction agreements. Conditions of validity of the agreement on international jurisdiction. Conclusion of an agreement on international jurisdiction and its form. Execution of the agreement on international jurisdiction.

Exclusive international jurisdiction: the concept and main problems of legal regulation.

Conflicts of international jurisdiction. Problem forum shopping.

The cross-border consequence of the commencement of legal proceedings (*lis alibi pendens*) and the decision on the dispute that has entered into force (*res judicata*). The principle of invariability of jurisdiction after the initiation of proceedings (*perpetuatio jurisdictionis*).

International jurisdiction in foreign law. Regulation of international jurisdiction at the discretion of the court on the basis of the concept of a convenient or inconvenient place of trial (*forum convenience*, *forum non convenience*).

TOPIC 5. PROCEDURAL STATUS OF FOREIGN PERSONS IN THE CIVILISTIC PROCESS OF THE REPUBLIC OF BELARUS

The concept and types of foreign persons in international civil procedure. Principle of the national regime. The right to equal access to justice. Legal capacity of participants in international civil procedure. Personal law as a procedural conflict of laws rule. Recognition of foreign limitations in legal capacity.

Procedural rights and obligations of foreign citizens and legal persons, stateless persons. Representation in the court of these entities. Legal status of foreign representatives. Participation of a foreign lawyer in the civilistic process of the Republic of Belarus. Consular representation of foreign persons in the courts of the Republic of Belarus.

Institute of Judicial Bail in the Law of Foreign States (*cautio judicatum solvi*). General rules on the exemption of foreign persons from court costs in the 1954 Hague Convention on Civil Procedure.

TOPIC 6. LEGAL POSITION OF FOREIGN STATE, INTERNATIONAL ORGANIZATIONS AND THEIR REPRESENTATIVES IN THE CIVILISTIC PROCESS OF THE REPUBLIC OF BELARUS.

The procedural status of the State as a participant in civil and economic court procedure. Sovereignty of the State. The general principle of law: an equal over an equal has no power - an equal over an equal has no jurisdiction.

Theories of state immunity. Doctrine of absolute immunity of the State. Doctrine of functional immunity of the State. The position of foreign State in the procedural legislation of the Republic of Belarus.

The UN Convention on Jurisdictional Immunities of States and Their Property of 2004 and the European (Brussels) Convention of the Council of Europe on State Immunity of 1972 as the main normative sources for the practical implementation of the theory of functional immunity.

The concept of "contractual, diplomatic" waiver of immunity.

Diplomatic immunity and waiver of immunity of members of diplomatic missions and international organizations.

TOPIC 7. OBTAINING EVIDENCE ABROAD

The concept of "obtaining evidence." Procedure for obtaining evidence abroad in accordance with international treaties of the Republic of Belarus.

Rules for the use in court procedure of the document drawn up in a foreign language. Legalization of foreign documents. Exemption from legalization.

The problem of the qualification of rules of evidentiary law in resolving the disputes on the merits on the basis of foreign law. Conflict-of-laws issues in evidentiary law.

TOPIC 8. DELIVERY OF COURT DOCUMENTS IN CROSS-BORDER CASES

The concept and purpose of the delivery of court documents. Possible ways to deliver foreign judicial documents.

Sources of legal regulation of the procedure for the delivery of documents. Delivery of a foreign judicial document in the absence of an international agreement. Delivery of judicial documents in accordance with the provisions of international agreements.

TOPIC 9. RECOGNITION AND ENFORCEMENT OF FOREIGN JUDGEMENTS

The concept and essence of recognition and execution of foreign court decisions. Legal consequences of recognition of a foreign judgment. Theoretical problems of recognition and enforcement of acts of foreign courts. Basic concepts underlying the recognition and enforcement of foreign judgments.

Systems of implementation of foreign court decisions.

Domestic regulation of the recognition and enforcement of foreign judicial acts in the Republic of Belarus.

Types of international treaties on the recognition and enforcement of foreign judgments. Problems of the relationship between domestic and international legal sources.

Conditions for recognition and execution of decisions of foreign courts in the Republic of Belarus. Categories of judicial acts subject to recognition and execution in the Republic of Belarus. Limits of verification of a foreign judgment. Grounds for refusing to recognize and enforce foreign judgments.

Procedure for recognition and execution of decisions of foreign courts in the Republic of Belarus.

Enforcement of decisions of courts of general jurisdiction outside the Republic of Belarus. Foreign experience of recognition and enforcement of foreign decisions.

TOPIC 10. ALTERNATIVE WAYS OF SETTling INTERNATIONAL COMMERCIAL DISPUTES

Alternative ways of settling international commercial disputes: concept, types, meaning. Negotiations between the parties. Claim proceedings. Settlement agreement. Mediation as an alternative way to resolve international commercial disputes.

Conciliation procedure in the economic process of the Republic of Belarus.

General concept of international commercial arbitration. Forms of international commercial arbitration. Arbitration agreement. Principles of international commercial arbitration. Arbitrators and other subjects of arbitration. Evidence in international commercial arbitration. Arbitration Award. Appeal against Arbitration Award. Enforcement of the Arbitration Award.

Development of alternative dispute resolution methods in the Republic of Belarus and abroad.

THE DISCIPLINE-DESIGNED THEMATIC CURRICULUM “PROBLEMS OF THE INTERNATIONAL CIVIL PROCESS”

Full-Time Mode of the In-depth Higher Education

No. of Unit, Topics	Title of Unit, Topic	The number of study hours							References	Knowledge control
		Lectures	Practical classes	Seminars	Lab classes	The number of hours for the independent study **				
						Lectures	Seminars	Lab classes		
1	2	3	4	5	6	7	8	9	11	12
1 term										
Topic 1	CONCEPT, SUBJECT AND SYSTEM OF INTERNATIONAL CIVIL PROCEDURAL LAW	2							[1], [2], [3], [4], [5]	An express survey. Detailed review of topics, certain issues, concepts
	CONCEPT, SUBJECT AND SYSTEM OF INTERNATIONAL CIVIL PROCEDURAL LAW			2					[[1], [2], [3], [4], [5]	A survey, an abstract in the form of a presentation. Preparation for the interim assessment
Topic 2	SOURCES OF INTERNATIONAL CIVIL PROCEDURAL LAW	2							[1], [21], [24], [26], [27], [28], [29], [32]	An express survey. Preparation for revision tasks
	SOURCES OF INTERNATIONAL CIVIL PROCEDURAL LAW			2					[1], [21], [24], [26], [27], [28], [29], [32]	A survey at a seminar session, test.

										Preparation for the interim assessment
Topic 3	PRINCIPLES OF THE INTERNATIONAL CIVIL PROCEDURE	2							[3], [4], [5], [6], [10], [11], [12], [13], [14], [15], [16], [17], [18], [20], [21], [22], [23], [26], [31], [36], [37]	An express survey. Preparation for the seminar session, including preparation of thematic reports
	PRINCIPLES OF THE INTERNATIONAL CIVIL PROCEDURE			2					[3], [4], [5], [6], [10], [11], [12], [13], [14], [15], [16], [17], [18], [20], [21], [22], [23], [26], [31], [36], [37]	Seminar session survey, report, revision task. Preparation for the interim assessment
Topic 4	INTERNATIONAL JURISDICTION: EXISTING ISSUES	2							[1], [11], [12], [13], [14], [15]	An express survey. Preparation for the seminar, including preparation of research papers, essays
	INTERNATIONAL JURISDICTION: EXISTING ISSUES			2					[1], [11], [12], [13], [14], [15]	Quiz, an abstract (essay). Preparation for the interim assessment
Topic 5	PROCEDURAL STATUS OF FOREIGN PERSONS IN THE CIVILISTIC PROCESS OF THE REPUBLIC OF BELARUS	2							[1], [4], [5], [6], [21], [7], [25], [26], [29], [31], [35], [36], [37]	An express survey. Working with educational, reference, analytical and other literature and

										materials
	PROCEDURAL STATUS OF FOREIGN PERSONS IN THE CIVILISTIC PROCESS OF THE REPUBLIC OF BELARUS			2					[1], [4], [5], [6], [21], [7], [25], [26], [29], [31], [35], [36], [37]	A survey at a seminar session, a test. Preparation for the interim assessment
Topic 6	LEGAL POSITION OF FOREIGN STATE, INTERNATIONAL ORGANIZATIONS AND THEIR REPRESENTATIVES IN THE CIVILISTIC PROCESS OF THE REPUBLIC OF BELARUS	2							[1], [2], [4], [16], [20], [23], [33], [36]	An express survey. Preparation for the seminar session, including preparation of presentations
	LEGAL POSITION OF FOREIGN STATE, INTERNATIONAL ORGANIZATIONS AND THEIR REPRESENTATIVES IN THE CIVILISTIC PROCESS OF THE REPUBLIC OF BELARUS			2					[1], [2], [4], [16], [20], [23], [33], [36]	A survey at a seminar session. Presentation of the court case. Preparation for the interim assessment
Topic 7	OBTAINING EVIDENCE ABROAD	2							[1], [7], [8], [9], [14], [25], [16], [22]	Presentation of materials for the seminar session.
	OBTAINING EVIDENCE ABROAD				2				[1], [7], [8], [9], [14], [25], [16], [22]	A survey at a seminar session. Presentation of the abstract
Topic 8	DELIVERY OF COURT DOCUMENTS IN CROSS-BORDER CASES	1							[1], [6], [13], [15], [14]	Presentation of materials for the seminar session.
	DELIVERY OF COURT DOCUMENTS IN CROSS-BORDER CASES				2				[1], [6], [13], [15], [14]	A survey at a seminar session. Presentation of the abstract
Topic 9	RECOGNITION AND ENFORCEMENT OF FOREIGN JUDGEMENTS	2							[1], [3], [4], [11], [14], [15], [17]	Presentation of materials for the seminar session
	RECOGNITION AND ENFORCEMENT OF				2				[1], [3], [4], [11],	A survey at a seminar

	FOREIGN JUDGEMENTS								[14], [15], [17]	session. Tasks
Topic 10	ALTERNATIVE WAYS OF SETTling INTERNATIONAL COMMERCIAL DISPUTES	1							[1], [3], [4], [11], [14], [15], [17] [9], [10], [11], [14], [15]	Presentation of materials for the seminar session
	ALTERNATIVE WAYS OF SETTling INTERNATIONAL COMMERCIAL DISPUTES				2				[1], [3], [4], [11], [14], [15], [17] [9], [10], [11], [14], [15],	A survey at a seminar session. Control test
Total 1 th term			18		20					
Total			18		20					

INFORMATION AND METHODOLOGICAL PART

THE LIST OF BASIC LITERATURE

Main:

Training manuals

1. Taranova, T. S. International civil procedure: textbook. manual / T. S. Taranova – Minsk: RIVSH, 2015. – 230 p.

Additional information

1. Artemchik, V.V. Fundamentals of the ideology of the Belarusian state : methodological recommendations for practical classes for students of all specialties of full-time and part-time education / V. V. Artemchik ; Interstate Educational Institution of Higher Education "Belarusian-Russian University". Mogilev : Belarusian-Russian University, 2019. 44 p.
2. The Belarusian way of development (questions and answers) : a handbook / M. G. Zhilinsky [et al.]. Minsk : Academy of Management under the President of the Republic of Belarus, 2017. 184 p.
3. Melnik, V. A. Fundamentals of the ideology of the Belarusian state : textbook / V. A. Melnik – Minsk : Higher School, 2017. 65 p.
4. Getman-Pavlova, I. V. International civil procedure: a textbook for undergraduate and graduate studies / I. V. Getman-Pavlova, A. S. Kasatkina, M. A. Filatova; under the general editorship of I. V. Getman-Pavlova. Moscow: Publishing House Yurait, 2018. 271 p.
5. Drobiazkina, I. V. International civil procedure: problems and prospects / I. V. Drobiazkina. St. Petersburg : Legal Center Press, 2005. 312 p.
6. Zdrok, O. N. Mediation: a manual / O. N. Zdrok. – Minsk : Four Quarters, 2018. – 540 p.
7. International commercial arbitration: a manual / A.I. Anishchenko [et al.]; edited by W. Hellmann, S.A. Balashenko, T.A. Sysuev. Minsk: Publishing House of the BSU Center, 2017. 395 p.
8. Nikolyukin S.V. International civil procedure and international commercial arbitration: textbook / S. V. Nikolyukin. Moscow: JUSTITIA, 2017. 246 p.
9. Osavelyuk, E. A. International civil procedure in the system of Russian law: textbook / E. A. Osavelyuk. – M.: Lan, 2019. – 176 p.
10. Romanova O.N. International civil procedure: a course of lectures for undergraduates of specialty 1-24 81 03 "Legal regulation of foreign economic activity" /O.N. Romanova. Minsk: BSU, 2015. 78 p.
11. Belova T.A., Romanova O.N., International civil procedure: a workshop for undergraduates of specialty 1-24 81 03 "Legal regulation of foreign economic activity" / T. A. Belova, O. N. Romanova. – Minsk: BSU, 2015. – 71 p.

International agreements

1. Convention on Civil Procedure, March 1, 1954, The Hague // ETALON. Legislation of the Republic of Belarus / National Center for Legal Information. Rep. Belarus. – Minsk, 2025.
2. Convention on International Access to Justice, October 25, 1980, The Hague // ETALON. Legislation of the Republic of Belarus / National Center for Legal Information. Rep. Belarus. – Minsk, 2025.
3. European Convention on Foreign Trade Arbitration, April 21, 1961, Geneva // ETALON. Legislation of the Republic of Belarus / National Center for Legal Information. Rep. Belarus. – Minsk, 2025.
4. Vienna Convention on Diplomatic Relations, April 18, 1961, Vienna // ETALON. Legislation of the Republic of Belarus / National Center for Legal Information. Rep. Belarus. – Minsk, 2025.
5. Vienna Convention on Consular Relations, April 24, 1963, Vienna // ETALON. Legislation of the Republic of Belarus / National Center for Legal Information. Rep. Belarus. – Minsk, 2025.
6. Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil and Commercial Matters, November 15, 1965, The Hague // ETALON. Legislation of the Republic of Belarus / National Center for Legal Information. Rep. Belarus. – Minsk, 2025.
7. Convention on the Taking of Evidence Abroad in Civil or Commercial Matters, March 18, 1970, The Hague // ETALON. Legislation of the Republic of Belarus / National Center for Legal Information. Rep. Belarus. – Minsk, 2025.
8. Convention abolishing the requirements for the legalization of foreign official documents, October 5, 1961, The Hague // ETALON. Legislation of the Republic of Belarus / National Center for Legal Information. Rep. Belarus. – Minsk, 2025.
9. Convention on the Contract for the International Carriage of Goods (CMR), May 19, 1956, Geneva // ETALON. Legislation of the Republic of Belarus / National Center for Legal Information. Rep. Belarus. – Minsk, 2025.
10. Convention for the Unification of Certain Rules concerning International Air Transport, October 12, 1929, Warsaw // ETALON. Legislation of the Republic of Belarus / National Center for Legal Information. Rep. Belarus. – Minsk, 2025.
11. Convention on the Recognition and Enforcement of Foreign Arbitral Awards, June 10, 1958, New York // ETALON. Legislation of the Republic of Belarus / National Center for Legal Information. Rep. Belarus. – Minsk, 2025.
12. Convention on the International Procedure for the Recovery of Child Support and Other Forms of Family Support, November 23, 2007, The Hague // ETALON. Legislation of the Republic of Belarus / National Center for Legal Information. Rep. Belarus. – Minsk, 2025.

13. Convention on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters, January 22, 1993, Minsk // ETALON. Legislation of the Republic of Belarus / National Center for Legal Information. Rep. Belarus. – Minsk, 2025.

14. Convention on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters, October 7, 2002, Chisinau // ETALON. Legislation of the Republic of Belarus / National Center for Legal Information. Rep. Belarus. – Minsk, 2025.15.

Agreement of the Governments of the member States of the Commonwealth of Independent States on the procedure for resolving disputes related to business activities, March 20, 1992, Kiev // ETALON. Legislation of the Republic of Belarus / National Center for Legal Information. Rep. Belarus. – Minsk, 2025.

16. Agreement on mutual recognition of the rights to compensation for damage caused to employees by injury, occupational disease or other damage to health related to the performance of their work duties, September 9, 1994, Moscow // ETALON. Legislation of the Republic of Belarus / National Center for Legal Information. Rep. Belarus. – Minsk, 2025.

17. Agreement between the Republic of Belarus and the Russian Federation on the procedure for the mutual enforcement of court orders in cases of alimony recovery, March 3, 2015, Moscow // ETALON. Legislation of the Republic of Belarus / National Center for Legal Information. Rep. Belarus. – Minsk, 2025.

18. Agreement between the Republic of Belarus and the People's Republic of China on Legal Assistance in Civil and Criminal Matters, January 11, 1993, Beijing // ETALON. Legislation of the Republic of Belarus / National Center for Legal Information. Rep. Belarus. – Minsk, 2025.

19. Agreement between the Republic of Belarus and the Republic of Lithuania on Legal assistance and legal relations in Civil, family and criminal matters, October 20, 1992, Vilnius // ETALON. Legislation of the Republic of Belarus / National Center for Legal Information. Rep. Belarus. – Minsk, 2025.20.

Agreement between the Republic of Belarus and the Republic of Poland on legal assistance and legal relations in civil, family, labor and criminal matters, October 26, 1994, Minsk // ETALON. Legislation of the Republic of Belarus / National Center for Legal Information. Rep. Belarus. – Minsk, 2025.

21. The Agreement of the Republic of Belarus and the Republic of Latvia on legal assistance and legal relations in civil, family and criminal matters, February 21, 1994, Minsk // ETALON. Legislation of the Republic of Belarus / National Center for Legal Information. Rep. Belarus. – Minsk, 2025.

22. Treaty between the Union of Soviet Socialist Republics and the Czechoslovak Socialist Republic on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters, August 12, 1982, Moscow // ETALON. Legislation of the Republic of Belarus / National Center for Legal Information. Rep. Belarus. – Minsk, 2025.
23. Treaty between the Union of Soviet Socialist Republics and the Hungarian People's Republic on Legal Assistance in Civil, Family and Criminal Matters, July 15, 1958, Budapest // THE STANDARD. Legislation of the Republic of Belarus / National Center for Legal Information. Rep. Belarus. – Minsk, 2025.
24. Treaty between the Union of Soviet Socialist Republics and the Republic of Cuba on Legal Assistance in Civil, Family and Criminal Matters, November 28, 1984, Havana // ETALON. Legislation of the Republic of Belarus / National Center for Legal Information. Rep. Belarus. – Minsk, 2025.
25. Convention between the Union of Soviet Socialist Republics and the Italian Republic on Legal Assistance in Civil Matters, January 25, 1979, Rome // ETALON. Legislation of the Republic of Belarus / National Center for Legal Information. Rep. Belarus. – Minsk, 2025.26.
- Agreement between the Republic of Belarus and the Socialist Republic of Vietnam on Legal Assistance and Legal Relations in Civil, Family, Labor and Criminal Matters, September 14. 2000, Minsk // ETALON. Legislation of the Republic of Belarus / National Center for Legal Information. Rep. Belarus. – Minsk, 2025.
27. The Agreement between the Republic of Belarus and the Republic of Bulgaria on legal assistance in civil matters, February 21, 2007, Minsk // ETALON. Legislation of the Republic of Belarus / National Center for Legal Information. Rep. Belarus. – Minsk, 20215.
28. Agreement between the Republic of Belarus and the Islamic Republic of Iran on Legal assistance in civil and criminal matters, November 7, 2006, Tehran // ETALON. Legislation of the Republic of Belarus / National Center for Legal Information. Rep. Belarus. – Minsk, 2025.
29. Agreement between the Republic of Belarus and the Syrian Arab Republic on Legal Assistance in Civil and Criminal Matters, September 23. 2008 // ETALON. Legislation of the Republic of Belarus / National Center for Legal Information. Rep. Belarus. – Minsk, 2025.30.
- Agreement between the Republic of Belarus and the Republic of Turkey on legal assistance in civil, economic and criminal matters, March 13, 2012, Ankara // ETALON. Legislation of the Republic of Belarus / National Center for Legal Information. Rep. Belarus. – Minsk, 2025.

Internet Sources:

<https://rm.coe.int/digest-2018-parts-i-ii-iii-iv-en/1680939f80>: Digest of case law of the European Committee of Social Rights in respect of the European Social Charter application by the CE member states

<https://www.hcch.net/en/instruments/conventions>

<https://www.newyorkconvention.org/english>

<https://www.unidroit.org/instruments/civil-procedure/ali-unidroit-principles>

<https://www.singaporeconvention.org/convention/text>

**LIST OF EXAM QUESTIONS
FOR THE EXAM
PROBLEMS OF THE INTERNATIONAL CIVIL PROCEDURE**

1. The concept and subject of the international civil procedure: modern problems.
2. Foreign element in the procedural relations
3. Methods of regulation the international civil procedure.
4. System of sources of the international civil procedure.
5. Universal international treaties as sources of the international civil procedure.
6. Regional international treaties as sources of the international civil procedure.
7. Bilateral international treaties on legal assistance as sources of the international civil procedure.
8. National legislation as a source of the international civil procedure.
9. Concept and types of additional sources of the international civil procedure.
10. Principles of the international civil procedure.
11. Principle of priority of treaties.
12. The principle of the "law of the court" as the fundamental principle of international civil procedure: concept and its essence.
13. The principle of procedural equality of foreign citizens, stateless persons and foreign legal entities with citizens and legal entities of the Republic of Belarus.
14. The principle of respect for the jurisdiction of foreign courts and other law enforcement agencies
15. The principle of reciprocity in the international civil procedure.
16. The concept of international jurisdiction and its differences from the concepts of the jurisdiction in civil and economic procedural law.
17. International jurisdiction in the national legislation of the Republic of Belarus.
18. Criteria of international jurisdiction and their classification.
19. Agreements on international jurisdiction: concept and qualification.
20. Prorogation and derogation agreement: effect of the jurisdiction
21. Exclusive international jurisdiction: the concept and main problems of legal regulation.
22. Conflicts of international jurisdiction. Problem forum shopping.
23. The cross-border consequence of the commencement of legal proceedings (*lis alibi pendens*) and the decision on the dispute that has entered into force (*res judicata*).
24. The principle of the invariability of jurisdiction after the initiation of proceedings (*perpetuatio jurisdictionis*).
25. The right of foreign persons to judicial protection in civil and economic proceedings. Principle of the national regime.

26. Procedural rights and obligations of foreign citizens and legal persons, stateless persons.
27. Representation in the court of foreign citizens and legal persons, stateless persons.
28. Diplomatic immunity of members of diplomatic missions
29. The procedural status of the State as a participant in civil and economic proceedings.
30. Theories of State immunity.
31. Immunity of the international organizations.
32. Procedure for obtaining evidence according with the Convention on obtaining evidence abroad in civil or commercial matters, concluded at The Hague on March 18, 1970.
33. Procedure for obtaining evidence abroad in accordance with the international treaties of the Republic of Belarus.
34. Legalization of foreign documents, which use as evidence in court.
35. Exemption from legalization of foreign documents, which may be used as evidence in court.
36. The concept and purpose of the delivery of court documents.
37. Possible ways to deliver the foreign court documents.
38. The delivering of the foreign court documents according with the Convention on the service abroad of judicial and non-judicial documents in civil and commercial matters, adopted on November 15, 1965
39. The concept and essence of recognition and execution of foreign court decisions.
40. Legal consequences of recognition of a foreign judgment.
41. Systems of implementation of foreign court decisions.
42. National regulation of the recognition and enforcement of foreign judicial acts in the Republic of Belarus.
43. Conditions for recognition and execution of decisions of foreign courts in the Republic of Belarus.
44. Procedure for recognition and execution of decisions of foreign courts in the Republic of Belarus.
45. Enforcement of decisions of courts of general jurisdiction outside the Republic of Belarus.
46. Alternative ways of settling international commercial disputes: concept, types, meaning.
47. Negotiation and mediation as ways of settling international commercial disputes
48. International commercial arbitration (concept, arbitration agreements: concept and conditions of their validity).

Themes of report

1. Concept and subject matter of international civil procedural law.
2. The concept of international jurisdiction, its types
3. Subject of international civil procedure
4. Sources of international civil procedural law.
5. Agreements on international jurisdiction: concept and classification.
6. Bilateral treaties in international civil procedure
7. Multilateral Conventions in international civil procedure
8. Prorogation and derogation agreement
9. Exclusive international jurisdiction.
10. Principles of the international civil procedure (general characteristic)
11. Principle of the "law of the court" as a fundamental principle of international civil procedure: concept and its essence.
12. The principle of procedural equality of foreign citizens, stateless persons and foreign legal entities with citizens and legal entities in the People's Republic of China.
13. The principle of reciprocity
14. Exclusive international jurisdiction.
15. Procedural rights and obligations of foreign citizens and legal persons, stateless persons in the People's Republic of China
16. Representation in the court of foreign persons.
17. Consular representation of foreign persons in courts
18. The procedural capacity of person in International civil procedure.
19. Immunity of the foreign State in court
20. Immunity of the international organization in court
21. The procedural status of the international organization in civil and economic proceedings.
22. Features of obtaining the evidence abroad in civil procedure in the People's Republic of China
23. The concept and purpose of the delivery of court documents.
24. Conditions and procedure for recognition and execution of foreign decisions in the People's Republic of China.
25. Systems of implementation of foreign court decisions.
26. Foreign experience of recognition and underlying the recognition and enforcement and execution of foreign judgments.
27. Conditions and procedure for recognition of the international mediation agreements
28. Enforcement of the Arbitration Award
29. Arbitration agreement
30. The basis for the refusal to execute the Court orders (Letter rogatory) according with the Convention on the delivery abroad of judicial and extrajudicial documents in civil and commercial cases (Hague 15.11.1965)
31. Appeal against the Arbitration Award.

Organization of independent work of Students

Independent work of undergraduates is an important stage for obtaining competencies in an academic discipline.

52 hours are allocated for the independent work of a full-time student. The content of students' independent work includes all the topics of the discipline from the section "Content of educational material".

When studying an academic discipline, the following forms of independent work are used:

- initial detailed familiarization with the curriculum of the discipline;
- familiarization with the list of recommended literature on the discipline as a whole and its sections, its availability in the library and other available sources; study of the necessary literature on the topic, selection of additional literature;
- the study and expansion of the lecturer's lecture material through special literature, consultations;
- preparation for seminars according to specially developed plans with the study of basic and additional literature;
- preparation for performing diagnostic forms of control (abstract, oral surveys, essays, etc.);
- preparation for passing the intermediate certification.

Quality control of knowledge acquisition

Diagnostics of the quality of knowledge acquisition is carried out as part of ongoing monitoring and interim certification.

Current control activities are carried out during the semester and include the following forms of control:

Control work;
Test tasks;
Express survey in the classroom;
Survey; Report;
Private lessons;
Study assignment;
Self-monitoring questions;
Problem solving;
other forms

The current academic assessment is conducted three times a semester.

The results of the current assessment for the semester, obtained during the activities of the current assessment, are evaluated with a mark in points on a ten-point scale and are reflected in the statement of the current assessment of the academic discipline.

Requirements for the student during the intermediate certification. Students are allowed to take an intermediate certification in an academic discipline on condition of successful completion of the current certification (implementation of ongoing control measures) in the academic discipline provided for in the current semester by this curriculum.

The intermediate certification is conducted in the form of an exam.

The methodology of forming marks for academic discipline

In accordance with the Regulations on the rating system for assessing knowledge, skills and abilities of BSEU students

**ПРОТОКОЛ СОГЛАСОВАНИЯ УЧЕБНОЙ ПРОГРАММЫ
С ДРУГИМИ ДИСЦИПЛИНАМИ СПЕЦИАЛЬНОСТИ**

Название дисциплины, с которой требуется согласование	Название кафедры	Предложения об изменениях в содержании учебной программы по изучаемой учебной дисциплине	Решение, принятое кафедрой разработавшей учебную программу (с указанием даты и номера протокола)
Философия и методология науки	Кафедра философии	Не имеется	

**ДОПОЛНЕНИЯ И ИЗМЕНЕНИЯ К УЧЕБНОЙ ПРОГРАММЕ ПО
ИЗУЧАЕМОЙ УЧЕБНОЙ ДИСЦИПЛИНЕ**

на ____ / ____ учебный год

№ п/п	Дополнения и изменения	Основание

Учебная программа пересмотрена и одобрена на заседании кафедры
_____ (протокол № ____ от _____ 202__ г.)

Заведующий кафедрой

УТВЕРЖДАЮ

Декан факультета
