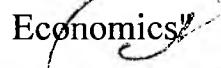


Educational institution
«Belarusian State University of Economics»

APPROVED

by the Director of the educational
institution "Belarusian State University of
Economics"


A. V. Yegorov
"30" 06 2025 UD
Registration number 6743 125 / uch.

**CIVIL AND ECONOMIC JUSTICE IN THE CONTEXT OF COMPARATIVE
LAW**

Educational institution's curriculum
by academic discipline for the specialty
7-06-0421-01 "Jurisprudence "

The curriculum is based on the educational standard of advanced higher education OSVO 7-06-0421-01-2023, the curriculum for the specialty 7-06-04121-01 "Jurisprudence".

COMPILED BY:

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RECOMMENDED FOR APPROVAL:

Department of Theory and History of Law of the educational institution "Belarusian State University of Economics"

(protocol no. 12 of 22.05.2025)

Methodological Commission on the specialty "Law", " Jurisprudence "of the educational institution" Belarusian State University of Economics"

(protocol no. 10 of 05.06.2025)

Scientific and Methodological Council of the educational institution "Belarusian State University of Economics"

(protocol no. 06 of 25.06.2025)

EXPLANATORY NOTE

The training program is aimed at mastering the master's students' knowledge in the field of civil and commercial (arbitration) proceedings; problems in the legal regulation of the judicial procedure for considering civil and economic disputes, in the practice of issuing court decisions, as well as their appeal in the context of comparative law.

The goal is to develop systematic knowledge of the current state of justice in civil and economic cases in the Republic of Belarus and foreign countries among undergraduates.

Achieving this goal involves solving the following **tasks**:

- to form the necessary theoretical basis for undergraduates in the field of civil and commercial (arbitration) processes;
- comprehend the main scientific ideas in this area;
- master the skills of system analysis of specific situations and the ability to find optimal solutions to problems.

As a result of studying the academic discipline "Justice in civil and economic cases in the context of comparative law", the master should have the following competence:

specialized:

use knowledge and understanding of the specifics of justice in civil and economic cases in the context of comparative law in research, educational and other professional activities

As a result of studying the academic discipline "Justice in civil and economic cases in the context of comparative law", the master's student should:

know:

current state and main trends in the development of civil and commercial (arbitration) procedural legislation in the Republic of Belarus and foreign countries;

the practice of applying certain norms of civil and commercial (arbitration) procedural legislation by courts in a comparative legal context;

problems of consideration and resolution of certain categories of civil and economic cases in the Republic of Belarus and foreign countries;

be able to:

analyze regulatory legal acts and apply them to solve practical situations;

characterize the legal status of the court and participants in civil and commercial (arbitration) proceedings;

give qualified opinions and advice on law enforcement issues of civil procedure and commercial (arbitration) procedural law;

have the skill:

application of legal norms in solving specific practical situations;

drafting of judicial and procedural documents.

In the process of training students, *teaching methods are used*: elements of problem-based learning (problem statement, variable presentation, partial search method) implemented in lectures; elements of educational and research activities; communicative (discussion, educational debates, dispute-dialogue and other methods)

and game (business, imitation games) technologies; analysis method specific situations, implemented both in lectures and in practical classes.

В качестве *средств обучения* Multimedia presentations, electronic databases, and a distance learning system are used as teaching tools.

Quality control of training is carried out by performing written control tasks (including test tasks), solving specific practical situations.

The main *methods of educating* students are: methods of forming personal consciousness (the method of persuasion, lecture, polemic, example method); methods of organizing activities and forming the experience of social behavior of the individual (the method of creating educational situations, pedagogical requirements, instruction, illustrations and demonstrations); methods of stimulating and motivating the activity and behavior of the individual (competition, cognitive game discussion, etc.); methods of control, self-control and self-assessment in education (pedagogical observation, testing, etc.).

The academic discipline "Justice in civil and economic cases in the context of comparative law" belongs to the elective module "Comparative Law in the field of protection of economic rights and interests of business entities in modern conditions" of the educational institution component.

As part of the educational process in this discipline, a master's student should acquire not only theoretical and practical knowledge, skills and abilities in the specialty, but also develop their 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 public life of the country.

Form of education: full-time.

In accordance with the university curriculum, the following subjects are assigned to study:

the total number of study hours is 90, classroom – 38, including lectures-18 hours, seminars - 20 hours.

Distribution of classroom time by course and semester:

2nd semester: lectures – 18 hours; seminars - 20 hours.

Independent work – 52 hours.

Labor intensity – 3 z. e.

The intermediate certification form is an exam.

CONTENT OF THE TRAINING MATERIAL

Topic 1. Justice as the main function of the State and law

The essence of justice. Constitutional guarantees of justice. International standards of Justice.

The judicial system in the Republic of Belarus, China and other foreign countries. Competence of judicial authorities.

Key court officials.

The right of citizens to appeal to the court.

Topic 2. Principles of justice in civil and economic cases

The concept, system and significance of the principles of justice in civil and economic cases in the Republic of Belarus, China and other foreign countries. Classification of principles.

Principles of: legality; administration of justice only by the court; equality of citizens before the law and the court; the right to use legal aid; individual and collective consideration of civil cases; independence of judges and their subordination only to the law; transparency of the state language of judicial proceedings; the right to appeal against court decisions and their binding nature; competitiveness and equality of parties; objective truth; dispositivity; respect for human dignity; state and public assistance in protecting citizens' rights; judicial and prosecutorial supervision of the legality of court decisions; verbiety; immediacy; continuity; procedural economy, and others.

Topic 3. Participants in civil and economic justice

General provisions on participants in civil and commercial (arbitration) proceedings in the Republic of Belarus, China and other foreign countries. Rights and obligations of persons participating in the case.

Procedural legal capacity and legal capacity.

Parties to civil and economic litigation. Procedural rights and obligations of the parties.

Representatives in court.

Participation of the prosecutor in civil and commercial (arbitration) proceedings.

Participation in the case of state bodies, local government and self-government bodies, and other bodies in defense of the rights and interests of other persons.

Persons who have no legal interest in the outcome of the case (other participants).

Civil procedural liability.

Topic 4. Organization and provision of proceedings on the case

Procedural facts, procedural and court documents and their form. Details of procedural documents.

Structure of the court order.

Court costs. Costs associated with the consideration of the case. Price of the claim.

Court correspondence.

Subpoenas and court notices.

Procedural deadlines. Calculation of procedural time limits.

Temporarily stopping the process and ending the proceedings without making a decision. Adjournment of the proceedings or adjournment of the proceedings. Suspension and termination of proceedings on the case, leaving the statement of claim (application, complaint) without consideration.

Topic 5. Evidence and proof

General provisions on evidence in civil and economic justice in the Republic of Belarus, China and other foreign countries. Subject of proof. Distribution of the burden of proof, presentation and appeal of evidence. Relevance of evidence. Admissibility of evidence. Grounds for exemption from proof.

Means of evidence in civil and economic proceedings. Explanations of the parties and other persons legally interested in the outcome of the case. Witness statements. Written evidence. Physical evidence. Inspections. Medical examination. Identification. Judicial experiment and other means of proof. The process of proof. Collecting evidence. Subjects of collecting evidence. Resolution of requests for evidentiary actions.

Providing evidence. Court orders. Use of technical means to secure evidence. Verification of evidence. Evaluation of evidence.

Topic 6. Proceedings in the court of first instance

Forms of judicial protection of rights and interests in the Republic of Belarus, China and other foreign countries.

Initiation of proceedings on the case. Filing an application to the court. Initiation of a case.

Preliminary court session. Assignment of the case to trial.

Court proceedings. Purpose of the trial. Court session. Preparatory part of the trial. Opening of the court session. Consideration of the case on its merits. Report of the Chairman. The final part of the trial. Decisions and rulings of the court of First instance. The procedure for issuing and content of the decision of the court of first instance.

Topic 7. Proceedings for the review of court decisions and other acts

The essence and significance of proceedings for the review of court decisions in the Republic of Belarus, China and other foreign countries.

Appeal and review of court decisions that have not entered into legal force.

Review of court decisions that have entered into legal force.

Review of court decisions based on newly discovered circumstances.

Topic 8. Proceedings related to the execution of court decisions, other decisions and acts. Enforcement proceedings

Activities of courts related to the execution of court decisions, other decisions and acts in the Republic of Belarus, the People's Republic of China and other foreign countries. Reversal of execution of a court order. Taking measures to ensure the execution of the enforcement document. Release of property from seizure. Participants in enforcement proceedings. Initiation, suspension, termination, or termination of enforcement proceedings. Performing executive actions. Foreclosure on the debtor's funds and other property. Foreclosure on wages and income equated to them. Execution of an enforcement document that is not related to the collection of funds. Expenses related to the execution of the enforcement document. Distribution of funds collected from the debtor. Appeal (protest) against decisions, actions (inaction) of bailiffs.

Topic 9. Non-judicial forms of protection of civil and economic rights

Alternative dispute resolution methods in the Republic of Belarus, China and other foreign countries.

Alternative forms of resolving legal conflicts: negotiation; mediation; arbitration; collaborative law.

History of the development of alternative dispute resolution.

Negotiations as an alternative way to resolve legal conflicts.

Arbitration Court (arbitration) as an alternative resolution method.

Mediation as an alternative method of conflict resolution.

Settlement agreement.

EDUCATIONAL AND METHODICAL MAP OF THE ACADEMIC DISCIPLINE
"Civil and economic justice in the context of comparative law"
Full-time advanced higher education program

Section number, topics	Section name, topics	Number of classroom hours						Literature	Forms of knowledge control
		Lectures	Practical classes	Seminar classes	Laboratory classes	Lectures	Practical classes		
1	2	3	4	5	6	7	8	9	11
Topic 1	Justice as the main function of the state and law	2		2				[1-6, 9, 14]	Preparation of research papers on topic 1
Topic 2	Principles of justice in civil and economic cases	2		2				[1-6, 9, 14]	Preparation of research papers on topic 2
Topic 3	Participants of justice in civil and economic cases	2		2				[1-6, 9, 14]	"Round table" to discuss the problems of topic 3
Topic 4	Organization and management ensuring the proceedings in the case	2		2				[1-6, 9, 14]	Discussion on the peculiarities of using logical methods of

									scientific research in jurisprudence
Topic 5	Evidence and proof	2		2				[1-6, 9, 12, 14]	Preparation of research papers on topic 5
Topic 6	Proceedings in the court of first instance	2		2				[1-6, 9, 12, 14]	Preparation of research papers on topic 6
Topic 7	Proceedings for the review of court decisions and other acts	2		2				[1-4, 10, 13]	"Round table" to discuss the problems of topic 7
Topic 8	Proceedings related to the execution of court orders, other decisions and acts. Enforcement proceedings			4				[1-4, 11]	Preparation of research papers on topic 8
Topic 9	Non-judicial forms of protection of civil and economic rights	2		2				[1-4, 7, 8]	Preparation of research papers on topic 9
	Total hours:	18		20					Exam

INFORMATIONAL AND METHODOLOGICAL PART

literature

Main page:

1. Bodakova O. V. Civil and economic process: General part: manual / O. V. Bodakova. - 3rd ed., type. - Minsk: Akad. upr. pri Presidente Rep. Belarus, 2021. – 230 p.
2. Bodakova O. V. Khozyaistvennyj protsess: posobie [Economic process: a manual]. and pererab. Minsk: Academy of Management under the President of the Republic of Belarus. Belarus, 2021. – 305 p.
3. Civil procedure. General part: Textbook / T. A. Belova [et al.]; under the general editorship of T. A. Belova, I. N. Kolyadko. Minsk : BSU Research Center, 2020, 379 p.
4. Taranova, T. S. Civil and economic process: textbook.-method. manual / T. S. Taranova, D. G. Tsygankov. Minsk : BSEU Publ., 2020, 115 p. (in Russian)

Additional information:

5. Amartya, Sen. The Idea of Justice / Amartya Sen. – India : Media type Print, 2009. – 304 p.
6. John, Rawls. A Theory of Justice / John Rawls. - Great Britain: Harvard University Press, 1971. - 335 p.
7. Zdrok O. N. Mediation : a manual / O. N. Zdrok. Minsk : Four Quarters Publ., 2018, 375 p. (in Russian)
8. Zdrok O. N. Conciliatory procedures in the civil process: monograph / O. N. Zdrok. Minsk : BSU Publ., 2018, 282 p. (in Russian)
9. Michael, Sandel Justice: What's the Right Thing to Do? Michael Sandel, Moscow: Mann, Ivanov and Ferber, 2013, 352 p..
10. Verification and review of judicial decisions on civil and economic cases in the Republic of Belarus: problems and Prospects: monograph / I. E. Martynenko [et al.]; ed. by T. S. Taranova. Minsk : Kolograd Publ., 2020, 300 p.
11. Tikhinya V. G., Makarova M. Yu. Civil process: answers to exam questions / V. G. Tikhinya, M. Yu. Makarova. – 2nd ed., ispr. - Minsk: Tetralit, 2018. - 240 p.
12. Tikhinya V. G., Volgina N. L. Proofs and proofs in the civil process. Minsk : Pravo i ekonomika Publ., 2019, 124 p. (in Russian)
13. Tikhinya V. G., Volgina N. L. Sudebnye oshibki i sredstva ikh otlicheniya v grazhdanskem protsesse [Judicial errors and means of their elimination in the civil process]. Minsk : Pravo i ekonomika Publ., 2018, 134 p. (in Russian)
14. Hart, H. L. A. The Concept of Law / H.L...A.. Hart. - Great Britain: Oxford University Press, 1961. - 234 p..

List of questions for the exam

1. Methods of judicial protection of civil and economic rights in the Republic of Belarus, China and other foreign countries.
2. Principles of justice in civil and economic cases in the Republic of Belarus, China and other foreign countries.
3. Court: concept, system, competence in the Republic of Belarus, China and other foreign countries.
4. Participants in civil and economic proceedings in the Republic of Belarus, China and other foreign countries.
5. Parties to civil and commercial (arbitration) proceedings, their procedural status. Procedural complicity.
6. Representation in court in the Republic of Belarus, China and other foreign countries.
7. Participation of the prosecutor in court in the Republic of Belarus, China and other foreign countries.
8. State bodies, legal entities and citizens who protect the rights of other persons in civil and commercial (arbitration) proceedings in the Republic of Belarus, China and other foreign countries on their own behalf.
9. Participants in legal proceedings who have no legal interest in the outcome of the case (other participants in the process).
10. Procedural facts, procedural and court documents.
11. Court costs, procedural deadlines and court correspondence.
12. Civil procedural liability.
13. Temporarily stopping the process: types, grounds, and legal consequences.
14. Termination of proceedings without making a decision: types, grounds, legal consequences.
15. Proof and evidence in civil and commercial (arbitration) proceedings in the Republic of Belarus, China and other foreign countries.
16. Means of evidence: legal characteristics.
17. Providing evidence.
18. Collecting, verifying and evaluating evidence.
19. Initiation of proceedings in the Republic of Belarus, China and other foreign countries.
20. Preparation of the case for trial.
21. Judicial proceedings in civil and economic cases in the Republic of Belarus, China and other foreign countries.
22. Settlement agreement on civil and economic affairs in the Republic of Belarus, China and other foreign countries.
23. Appeal and review of court decisions that have not entered into legal force in the Republic of Belarus, China and other foreign countries.
24. Review of court decisions that have entered into legal force in the Republic of Belarus, China and other foreign countries.

25. Review of court decisions on newly discovered circumstances in the Republic of Belarus, China and other foreign countries.

26. Activities of courts related to the execution of court decisions, other decisions and acts in the Republic of Belarus, the People's Republic of China and other foreign countries.

27. Negotiations as an alternative way to resolve legal conflicts in the Republic of Belarus, China and other foreign countries.

28. Arbitration Court (arbitration) as an alternative resolution method.

29. Mediation as an alternative method of conflict resolution in the Republic of Belarus, China and other foreign countries.

30. Claim proceedings in the Republic of Belarus, China and other foreign countries.

Sample list of abstract topics

1. Comparative analysis of civil and economic justice systems in different countries.
2. The role of judicial precedents in civil cases: the experience of the United States and Great Britain.
3. Mechanisms of judicial protection of consumer rights: a comparative approach.
4. Comparative analysis of commercial dispute resolution mechanisms in international practice.
5. Alternative dispute resolution methods: mediation and arbitration in different jurisdictions.
6. Justice in the field of intellectual property: a comparative analysis.
7. Comparison of bankruptcy procedures in different countries.
8. The role of courts and judges in civil justice: a comparison of different legal systems.
9. The impact of cultural factors on civil and economic justice.
10. State guarantees of justice in civil and economic cases: international practice.
11. Comparative analysis of judicial systems: continental and Anglo-Saxon law.
12. Justice and access to rights: barriers and solutions in different countries.
13. Ethics and responsibility of judges in civil and economic justice: International standards.
14. The role of technology in civil and economic justice.
15. Comparative law and justice in the context of globalization.
16. The impact of international treaties on national judicial systems.
17. Inheritance justice: a comparative analysis of practices.
18. Comparison of criminal and civil justice: intersections and differences.
19. Justice in the sphere of ecology and sustainable development: international experience.
20. Ways to protect shareholders' rights in various jurisdictions.
21. Classification of civil and economic cases in different legal systems.
22. Actual problems of justice in economic cases in the context of crisis.
23. Comparison of judicial procedures in civil and economic cases: simplicity and complexity.
24. The role of a lawyer in civil and arbitration proceedings: comparison of professional standards.

Organization of independent work of undergraduates

An important stage in mastering the knowledge of the academic discipline "Justice in civil and economic cases in the context of comparative law" is the independent work of undergraduates.

A full-time student is assigned 52 hours of independent work.

The main directions of independent work of a master's student are:

- initially, a detailed introduction to the curriculum of the academic discipline;
- familiarization with the list of recommended literature on the academic 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;
- study and expansion of the teacher's lecture material through special literature, consultations;
- preparation for seminars on specially developed plans with the study of basic and additional literature;
- preparation for the implementation of diagnostic forms of control (abstract defense, test papers, etc.);
- preparing for the exam.

Quality control of knowledge acquisition

Diagnostics of the quality of knowledge acquisition is carried out within the framework of current and intermediate certification.

Мероприятия *Ongoing* monitoring activities are carried out during the semester and include the following forms of monitoring:

- preparation of research papers;
- discussions;
- round tables.

The current assessment in the academic discipline 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 by a mark in points on a ten-point scale and are reflected in the statement of the current assessment in the academic discipline.

Requirements for students passing the intermediate certification.

Students are admitted to the intermediate certification in the academic discipline, provided that they successfully pass the current certification (implementation of current control measures) in the academic discipline provided for in the current semester by this curriculum.

Intermediate certification is conducted in the form of an exam.

Methodology for forming a mark in an academic discipline

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

**PROTOCOL FOR APPROVING THE CURRICULUM
WITH OTHER ACADEMIC DISCIPLINES OF THE SPECIALTY**

Name of the training program disciplines, with which approval required	Title departments	Offers about changes in the curriculum content higher education institutions education in the academic discipline	Decision made by the department that developed the curriculum (with the date and number of the protocol)
Civil procedure	Civil law disciplines	There are no comments or suggestions <i>✓</i>	<i>N/12</i> <i>12.05.2025</i>
Business process	Civil law disciplines	There are no comments, or suggestions <i>✓</i>	<i>N/12</i> <i>12.05.2025</i>