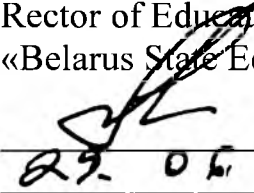


Educational Institution  
«Belarus State Economic University»

APPROVED BY  
Rector of Educational Institution  
«Belarus State Economic University»

  
\_\_\_\_\_  
29.06.2021 V. Shutsilin  
Registration № 4848-21

**INSTITUTIONAL LAW UNION STATE, THE EAEU AND THE CIS**  
The Curriculum of the Educational Institution of Higher education in the academic  
discipline for the speciality  
1-24 80 01 «Jurisprudence»

The curriculum is based on the educational standard of higher education of the second stage in the specialty 1-24 80 01 "Jurisprudence", approved by the decree of the Ministry of Education of the Republic of Belarus from No., the curriculum of the educational institution "Belarusian State University of Economics" in the specialty 1-24 80 01 "Jurisprudence" of the profile "Legal support of economic activity" from No.

**COMPILED BY:**

N. I. Rudovich, Deputy Dean of the Faculty of Law, Candidate of Legal Sciences, Associate Professor.

**REVIEWERS:**

T. V. Telyatitskaya, Head of the Department of International Economic Law of the Educational Institution "Belarusian State University of Economics", Candidate of Law, Associate Professor;

E. N. Mazanik, Associate Professor of the Department of Constitutional and International Law of the educational institution "Academy of the Ministry of Internal Affairs of the Republic of Belarus", Candidate of Law, Associate Professor.

**RECOMMENDED FOR APPROVAL:**

Department of Civil Law Disciplines of the Educational Institution "Belarusian State University of Economics "(protocol no. from g.).

Scientific and Methodological Council of the Educational Institution "Belarusian State University of Economics "

(Protocol no. 5 of 22.06 2021);

## EXPLANATORY NOTE

Goals and objectives of the academic discipline "Institutional Law of the Union State, the EAEU and the CIS" of the module "International Legal Cooperation" is an academic discipline that studies the international legal foundations for the creation and functioning of international organizations in the post – Soviet space.

The educational objectives are to teach the students of the Master's program the legal foundations of the creation of international organizations.

### **The tasks are:**

- study of the basic concepts and categories, the most important institutions, the principles of modern law of international organizations;

- study and assimilation of the fundamental international legal acts regulating the interaction of states within the framework of international organizations in the regional context;

- formation of scientific ideas about the mechanisms of interaction between states within the framework of international organizations of the post-Soviet space;

- formation of skills to work with international legal acts, acts of international organizations, and develop an understanding of their place in the system of national law, influence on the development of national legislation of the Republic of Belarus;

- development of the ability to logically express and justify one's point of view on international legal issues, and to freely use special terminology.

### **The place of the academic discipline in the system of specialist training, relations with other academic disciplines.**

The academic discipline "Institutional law of the Union State, the EAEU and the CIS" of the module "International legal cooperation" belongs to the state component of the curriculum of the educational institution "Belarusian State University of Economics" in the specialty 1-24 80 01 "Jurisprudence".

To master the content of the academic discipline, you need knowledge of the academic disciplines "Constitutional Law", "International law", "General Theory of Law".

### **Requirements for the development of the academic discipline**

The academic discipline "Institutional law of the Union State, the EAEU and the CIS" of the module "International Legal Cooperation" is aimed at the formation of the following competencies:

CC-1. Be able to identify and analyze problems, patterns and trends in the development of legal science, apply in scientific and practical research the main methods of scientific knowledge (analysis, comparison, systematization,

abstraction, modeling, data validation, decision-making, etc.), in independent research activities, generate and implement innovative ideas.

CC-2. Have a high level of professional legal awareness, legal thinking and legal culture, be able to develop and improve their intellectual and general cultural level, build a trajectory of professional development and career.

CC-3. Be able to use fundamental legal knowledge for analysis, verification, and assessment of the completeness of objective reality in the course of professional activity, if necessary, to fill in and synthesize missing information, to work in conditions of uncertainty, risks, and incompleteness of information.

CPC-5. Be able to demonstrate knowledge about the peculiarities of integration law that is being developed within the framework of the Union State, the EAEU, and the CIS, and apply this knowledge in the course of research, education, and other professional activities, taking into account the peculiarities of the national legal system.

**As a result of studying the academic discipline, the student must:**

**know:**

the essence, content and features of the law of international organizations;  
basic definitions;

sources, principles and subjects of the law of international organizations;

actual problems of the law of regional international organizations in the post-Soviet space.

**be able to:**

interpret the provisions of the sources of law of international organizations, correctly and clearly state their judgments;

evaluate the legal status of the subjects of the law of international organizations;

freely navigate in the acts of international organizations, compare them according to their legal force;

determine the significance and place of acts of international organizations in the national legal system;

analyze legal situations by applying the norms of constituent agreements and acts of international organizations;

apply the norms of constituent agreements and acts of international organizations to resolve disputes;

use the acquired skills in solving theoretical and practical issues in the field of international organizations law;

use the knowledge of the law of international organizations in their professional activities.

**possess:**

industry terminology and skills in the interpretation and application of international legal norms and acts of international organizations;

scientific methods (historical, dialectical, comparative legal, formal legal, logical, systematic, analysis, synthesis, modeling, forecasting, etc.);

forms and methods of standard-setting techniques in the field of international organizations law;

the skills of using international norms and acts of international organizations to solve problems in practice;

methods of legal qualification of facts;

political, legal, and ideological value orientations for judging and conducting discussions on topical issues of the law of international organizations;

the necessary amount of knowledge to justify the effectiveness of international cooperation in the criminal law sphere within the framework of international organizations.

**The total number of hours and the number of classroom hours allocated for the study of the academic discipline in accordance with the curriculum of the institution of higher education in the specialty**

To study the academic discipline "Institutional law of the Union State, the EAEU and the CIS" of the module "International legal cooperation" in accordance with the curriculum of the BSEU in the specialty 1-24 80 01 "Jurisprudence", profile "Legal support of economic activity" provides 90 hours, including:

**Full-time form of higher education**

The duration of education is 1 year-the total number of hours-90, classroom hours-36, of which 18 hours-lectures, 18 hours-seminars.

The form of the current certification in the academic discipline: **exam, the number of credits – 3.**

## **CONTENT OF THE TRAINING MATERIAL**

### **Topic 1. The law of international organizations**

The concept of international organizations and their classification. International organization as an organizational and legal form of interstate cooperation. Signs of an international organization. The legal nature of international intergovernmental organizations. The procedure for creating international organizations. International legal personality of international organizations and its specifics.

Functions of modern international organizations. The competence of intergovernmental organizations. Internal and external law of an international organization.

The legal status of participants in international organizations. Membership in the Republic of Belarus in intergovernmental organizations.

### **Topic 2. The legal nature of the Commonwealth of Independent States**

Historical and legal aspects of the creation of the Commonwealth of Independent States. Problems of legal support of the CIS activities.

CIS law and national legislation: problems and ways of harmonization. Features of the mechanism of intra-organizational law-making activity of the CIS. Legal support of the CIS activities. Legal reforms of the CIS.

The international legal status of the CIS. The state and prospects of the CIS development in the modern global space and the role of the Republic of Belarus in strengthening the integration processes of the post-Soviet Commonwealth.

### **Topic 3. Institutional structure of the Commonwealth of Independent States**

The system of bodies of the Commonwealth of Independent States. Types and legal status of CIS bodies. Competence of the CIS authorities. Council of Heads of State of the CIS: composition, formation procedure, powers, decision-making procedure. Acts of the Council of Heads of State of the CIS.

Council of Heads of Government of the CIS: composition, formation procedure, powers, decision-making procedure. Acts of the Council of Heads of Government of the CIS. Activities of the Economic Court of the CIS.

CIS sectoral cooperation bodies in the field of combating crime and their acts: The Coordinating Council of the Prosecutors General of the CIS member States, the Council of the Commanders of the Border Troops of the CIS member States, the Council for Interregional and Cross-Border Cooperation of the CIS member States, the Council of Heads of Migration Authorities of the CIS member States, the Council of Heads of Penitentiary Services of the CIS member States, the Anti – Terrorist Center of the CIS Member States, the Council of Ministers of Internal Affairs of the CIS Member States.

#### **Topic 4. The legal nature of the Union State**

Formation and development of the Belarusian-Russian integration: The Treaty on Friendship, Good-Neighborliness and Cooperation between the Republic of Belarus and the Russian Federation of 21 February 1995, the Treaty on the Formation of the Community of Belarus and Russia of 2 April 1996, the Treaty on the Union of Belarus and Russia of 2 April 1997, the Charter of the Union of Belarus and Russia of 23 May 1997, the Declaration on the Further Unity of Belarus and Russia of 25 December 1998, the Treaty between the Republic of Belarus and the Russian Federation on Equal Rights of Citizens of 25 December 1998.

Constitutional principles of Union construction. Treaty on the Establishment of the Union State of December 8, 1999. The legal nature of the Union State in the context of the constitutional legislation of the member States and generally recognized principles and norms of international law.

Goals, principles, and legal personality of the Union State. Exclusive jurisdiction of the Union State and joint jurisdiction of the Union State and the participating States. Legal framework for cooperation between the Republic of Belarus and the Russian Federation on security, migration, and crime control within the framework of the Union State

The law of the Union State. Constitutional Act of the Union State: prospects for development and adoption. Directions for improving the legal framework of the Union State.

#### **Topic 5. The institutional structure of the Union State**

Supreme State Council of the Union State: composition, formation procedure, powers, decision-making procedure. Acts of the Supreme State Council of the Union State.

Parliament of the Union State: composition, formation procedure, powers, decision-making procedure. Acts of the Parliament of the Union State. The status of parliamentarians. Parliamentary Assembly of the Union of Belarus and Russia. Acts of the Parliamentary Assembly of the Union of Belarus and Russia.

Council of Ministers of the Union State: composition, formation procedure, powers, decision-making procedure. Acts of the Council of Ministers of the Union State.

Court of the Union State: composition, formation procedure, powers, decision-making procedure. Acts of the Court of the Union State.

Accounting Chamber of the Union State: composition, formation procedure, powers, decision-making procedure.

Standing Committee of the Union State: composition, formation procedure, powers, decision-making procedure. State Secretary of the Union State. The legal status of civil servants of the Union State.

Correlation of the acts of the Union State with the acts of the legislation of the member States. Implementation of acts of the Union State. Directions for improving the legal regulation of the activities of the bodies of the Union State.

### **Topic 6. The legal nature of the Eurasian Economic Union**

The legal nature of the EAEU as a subject of scientific discussions. Historical and legal aspects of the creation of the EAEU. The international legal model of the EAEU.

Problems of legal support of the EAEU activities.

EEU law and national legislation: problems and ways of harmonization. Features of the mechanism of intra-organizational law-making activity of the EAEU. Legal support for the activities of the EAEU. Legal reforms of the EAEU.

The international legal status of the EAEU. The state and prospects of the EAEU development and the role of the Republic of Belarus in strengthening the integration processes of the post-Soviet Commonwealth.

Characteristics of the main approaches (the EAEU, which has an international legal personality; the EAEU – an interstate association characterized by elements of supranationality, etc.).

### **Topic 7. Institutional structure of the Eurasian Economic Union**

The system of bodies of the EAEU. Types and legal status of the EAEU bodies. The competence of the EAEU bodies.

Supreme Eurasian Economic Council: composition, formation procedure, powers, decision-making procedure. Acts of the Supreme Eurasian Economic Council.

Eurasian Intergovernmental Council: composition, formation procedure, powers, decision-making procedure. Acts of the Eurasian Intergovernmental Council.

Eurasian Economic Commission: composition, formation procedure, powers, decision-making procedure. Acts of the Eurasian Economic Commission.

The procedure for interaction of the EAEU bodies with the state bodies of the EAEU Member States.

### **Topic 8. Dispute settlement within the framework of the Eurasian Economic Union**

The legal status of the Court of the Eurasian Economic Union. The competence of the Court of the Eurasian Economic Union. Comparative legal analysis of the competence of the Court of the Customs Union and the Court of the Eurasian Economic Union. Procedure for consideration of disputes in the Court of the Eurasian Economic Union. The practice of dispute resolution in the Court of the Eurasian Economic Union. Other ways to resolve disputes within the framework of the Eurasian Economic Union.



## EDUCATIONAL AND METHODOLOGICAL MAP OF THE ACADEMIC DISCIPLINE

### "Institutional law of the Union State, the EAEU and the CIS

"module" International legal cooperation "in the specialty 1-24 80 01  
"Jurisprudence" in the specialization " Legal support of economic activity» ((the  
term of education is 1 year)

Topic number	Title of the section, topic; list of issues under study	Number of classroom hours		managed independent work	Forms of knowledge control
		lectures	workshop sessions		
<b>1</b>	<b>The law of international organizations.</b>	<b>4</b>	<b>4</b>		
	1. The concept of international organizations and their classification. 2. The legal nature of international intergovernmental and non-governmental organizations. 3. Functions of modern international organizations. The competence of intergovernmental organizations. 4. Membership in the Republic of Belarus in intergovernmental organizations.	4	4		Written or oral survey, testing.
<b>2</b>	<b>Legal nature of the Commonwealth of Independent States (CIS).</b>	<b>2</b>	<b>2</b>		
	1. Historical and legal aspects of the creation of the CIS. 2. CIS law and national legislation: problems and ways of harmonization. 3. Legal support of the CIS activities. 4. The international legal status of the CIS. 5. The role of the Republic of Belarus in strengthening the integration processes of the post-Soviet Commonwealth.	2	2		Written or oral survey, testing.
<b>3</b>	<b>The institutional structure of the CIS.</b>	<b>2</b>	<b>2</b>		

Topic number	Title of the section, topic; list of issues under study	Number of classroom hours		managed independent work	Forms of knowledge control
		lectures	workshop sessions		
	<p>1. The system of CIS bodies. Types and legal status of CIS bodies.</p> <p>2. The competence of the CIS bodies: the Council of Heads of State of the CIS; the Council of Heads of Government of the CIS; the Economic Court of the CIS.</p> <p>3. CIS branch cooperation bodies.</p>	2	2		Written or oral survey, testing.
4	<b>The legal nature of the Union State.</b>	2	4		
	<p>1. Union building in the context of national and international law.</p> <p>2. Constitutional principles of Union construction. Treaty on the Establishment of the Union State of December 8, 1999.</p> <p>3. The legal nature of the Union State. Goals, principles, and legal personality of the Union State.</p> <p>4. The law of the Union State. Directions for improving the legal framework of the Union State.</p>	2	4		Written or oral survey, testing.
5	<b>Institutional structure of the Union State.</b>	2	4		
	<p>1. Supreme State Council of the Union State: composition, formation procedure, powers, decision-making procedure.</p> <p>2. The Parliament of the Union State: composition, formation procedure, powers, decision-making procedure.</p> <p>3. Council of Ministers of the Union State: composition, formation procedure, powers, decision-making procedure.</p> <p>4. The Court of the Union State: composition, formation procedure, powers, decision-making procedure.</p> <p>5. Accounting Chamber of the Union State: composition, formation procedure, powers, decision-making procedure.</p> <p>6. Standing Committee of the Union State: composition, formation procedure, powers, decision-making procedure.</p> <p>7. The legal status of civil servants of the Union State.</p>	2	4		Written or oral survey, testing.

Topic number	Title of the section, topic; list of issues under study	Number of classroom hours		managed independent work	Forms of knowledge control
		lectures	workshop sessions		
6	<b>The legal nature of the Eurasian Economic Union.</b>	2	2		
	1. The legal nature of the EAEU as a subject of scientific discussion. 2. Historical and legal aspects of the creation of the EAEU. 3. EEU law and national legislation: problems and ways of harmonization. 4. The international legal status of the EAEU. 5. The role of the Republic of Belarus in strengthening the integration processes of the post-Soviet Commonwealth.	2	2		Written or oral survey, testing.
7	<b>Institutional structure of the Eurasian Economic Union.</b>	2	2		
	1. The system of bodies of the EAEU. Types and legal status of the EAEU bodies. 2. The Supreme Eurasian Economic Council: composition, formation procedure, powers, decision-making procedure. 3. The Eurasian Intergovernmental Council: composition, formation procedure, powers, decision-making procedure. 4. Eurasian Economic Commission: composition, formation procedure, powers, decision-making procedure. 5. The procedure for interaction of the EAEU bodies with the state bodies of the EAEU Member States.	2	2		Written or oral survey, testing.
8	<b>Settlement of disputes within the framework of the Eurasian Economic Union.</b>	2	2		
	1. The legal status of the EAEU Court. The competence of the EAEU Court. 2. The procedure for consideration of disputes in the Court of the EAEU. 3. Other ways of resolving disputes within the framework of the Eurasian Economic Union.	2	2		Written or oral survey, testing.
	<b>Total</b>	<b>18</b>	<b>18</b>		
	<b>The form of the current certification in the 2nd semester</b>				Exam (oral)

	<b>Topic number</b>	
<b>Total number by academic discipline</b>	<b>Title of the section, topic; list of issues under study</b>	
<b>18</b>	<b>workshop sessions</b>	<b>managed independent work</b>
	<b>Forms of knowledge control</b>	

## INFORMATION AND METHODOLOGICAL PART

### Basic literature

1. Tikhinya, V. G. Integration processes of modern Belarus: monograph / V. G. Tikhinya. - Minsk: Law and Economics, 2021. - 102 p.
2. Bekyashev, K. A. International legal bases of creation and functioning of the Eurasian Economic Union: monograph / [et al.]; ed. by E. G. Moiseev. M.: Prospect, 2014 – - 170 p.
3. Kashkin, S. Yu. Fundamentals of legal regulation of integration processes in the post-Soviet space: monograph / S. Yu. Kashkin [et al.]; edited by S. Yu. Kashkin. - M.: Norma, 2013. - 223 p.
4. Kashkin, S. Yu., Chetverikov A. O. Fundamentals of integration law: textbook. manual / S. Yu. Kashkin, A. O. Chetverikov. - M.: Prospect, 2014 – - 224 p.
5. The law of the Union State of Belarus and Russia. Textbook in 2 t. t. 1. - M.: Prospect, 2018. - 356 p.
6. Law of the Union State of Belarus and Russia. Textbook in 2 t. t. 2. - Moscow: Prospekt, 2018 – - 368 p.

### Additional literature

1. Gabov, A.V. Legal problems of the formation of interstate associations (on the example of the free trade zone and the Customs Union of the EurAsEC): monograph /, A. A. Kashirkina, V. Yu. Lukyanova [et al. V. Yu. Lukyanova, Moscow: Ankil, 2012, 336 p.
2. Dolgopolova, O. I. Organizational and legal foundations of the creation of the Union State: author's abstract. on the screen. learned. step. cand. jurid. sciences : 12.00.02 / Dolgopolova Olga Ivanovna; Belarusian State University. - Minsk, 2003. -20 p.
3. Kashkin, S. Yu. Integration law in the modern world: comparative legal research: monograph / S. Yu. Kashkin [et al.
4. Kozik, A. L. International legal regulation of the integration processes of Belarus and Russia: monograph / A. L. Kozik; Mezhdunar. in-t trud. and social relations. - Minsk: MITSO, 2007 – - 175 p.
5. Myasnikovich, M. V. The Union State : creation and prospects of sustainable development / M. V. Myasnikovich. - Minsk: Nauch. - research. econ. in-t M-va economics Rep. Belarus, 2006 – - 279 p.
6. Legal problems of the creation and activity of the Union State / M. V. Myasnikovich [et al.]; scientific ed.: V. I. Semenov, V. I. Shabailov; Nats. Academy of Sciences of Belarus, Institute of State and Law. - Minsk : Belorusskaya nauka, 2006. - 214 p.

7. Problems of creation and activity of the Union State: legal aspects / Permanent Commission of the Union State; ed.: M. V. Myasnikovich [et al.]. - Minsk : Belorusskaya nauka, 2007. - 458 p.
8. The Union State : development and prospects / The Standing Committee of the Union State ; [edited by O. V. Proleskovsky, A. N. Kulichkova]. - Minsk: Information and Analytical Center under the Administration of the President of the Republic of Belarus, 2008. - 64 p.
9. The Union State of Belarus and Russia. From community to building a unified state. Monograph; edited by G. A. Rapota, R. A. Kurbanov. - M., 2018 -- 667 p.
10. Tolochko, O. N. International economic law and the implementation of its norms in the national legal system : (on the example of the Republic of Belarus): autoref. dis. ... doc. jurid. sciences': 12.00.10 / O. N. Tolochko. - St. Petersburg: SSU, 2013. - 45 p.

#### **Regulatory legal acts**

1. Charter of the Commonwealth of Independent States [Electronic resource]: [adopted in Minsk on 22.01.1993] // ConsultantPlus. Belarus / LLC "YurSpektr", National Center for Legal Information. Rep. Belarus. - Minsk, 2021.
2. The treaty on the creation of the Union State [Electronic resource]: [signed in Moscow on 08.12.1999] // ConsultantPlus. Belarus / LLC "YurSpektr", National Center for Legal Information. Rep. Belarus. - Minsk, 2021.
3. Agreement on friendship, good-neighborliness and cooperation between the Republic of Belarus and the Russian Federation [Electronic resource]: [signed in Moscow on 21.02.1995] // ConsultantPlus. Belarus / LLC "YurSpektr", National Center for Legal Information. Rep. Belarus. - Minsk, 2021.
4. The Treaty on the Eurasian Economic Union (together with Appendices 1-33) [Electronic resource]: [signed in Astana on 29.05.2014, ed. from 11.04.2017] // ConsultantPlus. Belarus / LLC "YurSpektr", National Center for Legal Information. Rep. Belarus. - Minsk, 2021.
5. The agreement on the Union of Belarus and Russia [Electronic resource]: [signed in Moscow on 02.04.1997] // ConsultantPlus. Belarus / LLC "YurSpektr", National Center for Legal Information. Rep. Belarus. - Minsk, 2021.
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7. The agreement between the Republic of Belarus and the Russian Federation on equal rights of citizens [Electronic resource]: [signed in Moscow on 25.12.1998] // ConsultantPlus. Belarus / LLC "YurSpektr", National Center for Legal Information. Rep. Belarus. - Minsk, 2021.

8. Agreement on the Customs Code of the Eurasian Economic Union [Electronic resource]: [signed in Moscow on 11.04.2017] // ConsultantPlus. Russia / CJSC "Consultant Plus" – - M., 2021.

9. On the Unified customs and tariff regulation of the Eurasian Economic Union [Electronic resource]: decision of the Customs Union Commission, November 27, 2009, No. 130: in the ed. from 14.06.2018 // ConsultantPlus. Russia / CJSC "Consultant Plus". - M., 2021.

10. Charter of the Union of Belarus and Russia [Electronic resource]: [signed in Moscow on 23.05.1997] // ConsultantPlus. Belarus / LLC "YurSpektr", National Center for Legal Information. Rep. Belarus. - Minsk, 2021.

### **Methodological recommendations for the organization and implementation of independent work on the academic discipline**

The number of academic hours allocated for independent work on the academic discipline "Institutional law of the Union State, the EAEU and the CIS" of the module "International legal cooperation" in accordance with the curriculum of the BSEU is 90 hours. The procedure for organizing independent work on the academic discipline "Institutional Law of the Union State, the EAEU and the CIS" is contained in the methodological recommendations for the study of the academic discipline.

#### **List of used diagnostic tools for learning outcomes**

To diagnose students' competencies, the following oral and written forms are used:

oral survey;

written survey;

testing;

the exam is in oral form.

#### **Criteria for evaluating the results of educational activities**

The criteria recommended by the Ministry of Education of the Republic of Belarus are used to evaluate students' academic achievements.