# GUIDELINES FOR CONDUCTING seminars

# Educational tasks for seminars

#### Theme 1. IEL in the international economic system

***Issues for discussion***

1. The international economic system, its components and subsystems.

2. Conceptof International Economic Relations (IER). "Operators"of IER.

1. Conceptand subject of theIEL. The ratio ofIELand International law.
2. Various concepts ofIEL.
3. Ratio between concepts of "international system", "international regulatorysystem", "international law", "International Economic Law", "International Relations", "International Economic Relations", "international division of labor" and others.
4. The history ofthe origin anddevelopment of theIEL.
5. Theconcept of a globallegal system.
6. The public interestinIEL.
7. The French concept ofIEL.

\*Literature: 11, 36, 72, 170, 209, 215.
Carro, D., P.ZhyuyarInternational Economic Law/Trans.with France.- M .:MO, 2002.
A. KovalevRussian ScientificConcept of InternationalEconomic Law(IEL) //MoscowJournal of International Law. \*\* - 2002.- №4.
LukashukI.I.Globalization,state, law, twenty-first century. - M .:Spark, 2000.
International law/ Ed.VIKuznetsova.- M.,2001. - P.594-610.

**Theme 2. Subjects of IEL and operators of IER**

***Issues for discussion***

1. Member States as subjects of IEL.Economic Rights and Duties of States.

2. State bodies governing foreign economic activity (FEA).

3. State monopoly in the field of foreign trade.

4. Ratio between concepts of "sovereignty" and "immunity", "jurisdiction".

5. Succession of States in respect of State property and debts.

6. International organizations as subjects of IEL .Specificity of international economic organizations.

7. The role of the UN in international economic system. UN regionaleconomiccommissions.

8. Natural and legal persons in IER, their status.

9. Multinational enterprises in IER, their status.

10. Free economic zones, their legal regime.

*References: 145, 160, 188.*

-Basik V.P.The legal regimes of citizens and foreigners in Russia and in the world // Law and Politics. - 2003. - № 4. - S. 30-43.

-Blischenko I.P., Doria G. economic sovereignty of the state - M .: People's Friendship University, 2001.

-Kuvshinov E.S. State regulation of foreign trade activities in the Russian Federation (legal aspects). - M., 1998.

-Mihaylenko K.E. Russia's participation in international agreements on international legal assistance // State and law. - 2003. - № 5.

-Ushakov N.A. Jurisdictional immunities of States and their property. - M .: Nauka: IGPAN 1993.

**Theme 3. System and sources of IEL**

***Issues for discussion***

1. The ratio of IEL with domestic law.

2. Institutions / subsector of IEL, their content.

3. Bilateral agreements in IEL, their classification.

4. Analysis of the bilateral agreement - the student's choice.

5. Multilateral Treaties in IEL.

6. Lomé Convention.

7. The text of the GATT; the most important articles of the GATT.

8. The package of agreements of the WTO system: an analysis of any agreement - the student's choice.

9. The Charter of Economic Rights and Duties of States.

10. The French doctrine of the sources of IEL.

References:204, 206.
Bulletin of international agreements.
DernbergR.L.International taxation.- M.;Budapest, 1997.
A. Kovalev.International economic lawandinternationallegal regulation ofeconomic activityat the present stage.- M .:Foreign Ministry, 1998.

**Theme 4. The principles of IEL**

***Issues for discussion***

1. The economic content of the general principles of the IL.

2. Composition of the special (branch) principles of IEL.

3. The principle of reciprocity as a method of IER.

4. The principle of mutual benefit in the IEL.

5. The principle of most favored nation (PMFN), its mechanism of action.

6. Exceptionstothe PMFN.

7. The principle of economic non-discrimination.

8. The principle of national treatment.

9. Recognition of the "market economy"; its role, value, legal registration.

10. Fairness of the existing system of IER.

References: 174.

-Ushakov N.A. MFN status in interstate-governmental relations. - M., 1995.

-Shumilov V.M. The principle of most-favored-nation IER // the Soviet state and Law. - 1987. - № 2.

-Sauvignon E. La clause de la nation la plus favorisee. - Grenoble, 1972.

**Theme 5. Settlement of disputes in IEL *Issues for discussion***

1. The settlement of international economic disputes in the WTO system.

2. Understanding on Rules and Procedures Governing the Settlement of Disputes in the WTO.

3. Settlement of commercial disputes in the EEC / EU.

4. Settlement of commercial disputes within the CIS.

5. Other mechanisms for resolving interstate economic disputes.

6. Dispute resolution in the field of private law of IER.

**References**: 48, 161, 179.

Shumilov V.M. Dispute settlement in international economic law (procedural aspects) // Foreign Economic Bulletin. - 2002. - № 4.

**Theme 6. International legal responsibility in the IEL**

1. Offences and the responsibility of States in the IEL. Formsofliability.

2. The question of the historical responsibility of developed countries for the consequences of colonialism in developing countries.

3. The nationalization of foreign property and international legal responsibility.

4. The economic sanctions in IEL.

Shumilov V.M. Dispute settlement in international economic law (procedural aspects) // Foreign Economic Bulletin. - 2002. - № 4.

**Theme 7. International Financial Law**

***Issues for discussion***

1. The international financial system and its components.

2. Multilateral system of legal regulation of the balance of payments. Jamaica (Kingston) multilateral monetary system.

3. International Financial Law (IFL), its subject, system. The ratio of IFL with IL, domestic law.

4. Regulation of international payment and settlement operations.

5. Regulation of international currency transactions.

6. Regulation of international lending operations. Paris Club of creditors. London Club of creditors.

7. The Bank for International Settlements (BIS), its status, functions.

8. Review of the international financial institutions.

9. The system and Law of the IMF. Supranational features of competences of IMF .

10. Agreement on IMF (IMF Articles of Agreement), its content.

11. The system of the World Bank.

12. Russia in international financial system. Russia and the IMF, IBRD.

13. European Monetary System, the monetary union.

14. The international promissory law.

**References:**

Bobin M.V. Inter-state financial and economic organization of Europe: legal aspects of the establishment and operation. - M .: Alex-CM, 2001.

Werner F. Ebke. International Monetary Law. - M., 1996.

Vishnevsky A.A. Banking: A short course of lectures. - M .: Statute, 2002.

Vishnevsky A.A. Banking Law of the European Union: Proc. allowance. - M .: Statute, 2002.

Kuznetsov V.S. International Monetary Fund and the world economy. - M .: Rosspen, 2001.

Levin L.A. The legal status of the International Monetary Fund and the World Bank. - M., 1996.

Lisowski V.I. International trade and finance. - M., 1974.

Moiseev A.A. International credit and financial organizations.Legal aspects of activity. - M., 2003.

Pellet A. Evolution of the international monetary system (1944-1998 gg.) // Foreign Economic Bulletin. - 2000. - № 6.

Heifetz B. Results of the restructuring of foreign debt to Russia // World Economy and International Relations. - 2003. - № 8. - S. 78-88.

Shamsiev M.G. International para-organizations (clubs) and debts of Russia // State and law. - 1999. - № 9.

**Theme 8. International Investment Law**

***Issues for discussion***

1. The international investment system and its components.

2. Direct and portfolio investment: definition, examples.

3. The concept of international investment law its object, the system control methods.

4. Sources of international investment law.

5. Principles of international investment law.

6. Access regulation of foreign investment; legal regime.

7. The protection of investments; legal regime.

8. Investment Guarantee; legal regime.

9. The Multilateral Investment Guarantee Agency (MIGA).

10. Agreement on Trade-Related Investment Measures (TRIMS).

11. "Diagonal" investment agreements (state contracts).

12. The domestic legal regime of foreign investments in the country - the student's choice (including Russia).

References:

Bogatyrev A.G. Investment Law. - M., 1992.

Kondratyev, V.B., V.G.Varnavskiy Concessions: world experience and Russian. - M .: IMEMO, 2003.

Kudashkin V.V. State policy in the sphere of military-technical cooperation of Russia with foreign countries: legal aspects. - M .: Poligrafiks 2000.

Labin D.K. Multilateral Agreement on Investment (MAI) as a step towards the creation of international legal regulation of capital movements // State and law. - 1998. - № 5. - S. 85-92.

Collegiate Y.I. National treatment and most favored nation treatment to foreign investors in the Russian legislation // Law and Economics. - № 2, 2001.

Chebanov S. International regulation of foreign direct investment: trends and problems // World Economy and International Relations. - 2001. - № 12.

**Topic 9. International Trade Law and**

**the international trading system**

***Issues for discussion***

1. The evolution of international trade law.

2. International Trade Law: the subject, system.

3. The international trading system and its components. The existing legal order the international trading system.

4. Principles of International Commercial Law.

5. The principles of reciprocity and mutual benefit in international trade law.

6. Bilateral trade agreements and their contents.

7. The Havana Charter dated 1948; development history, its content.

8. The method of multilateral regulation in the international trading system.

9. Multilateral Trade Negotiations (MTN) under the GATT, their contents and results.

10. Formation of the GATT as an international organization. The strategy of the GATT.

11. International commodity agreements.

12. Regulation of certain commodity markets.

13. The role of UNCTAD in the international trading system.

**References:** 9, 13, 207.

Belyaev A.E. Principles of international law: the state policy in sphere of circulation of diamonds // Law and Politics. - 2000. - № 1.

Bobylov Y.A. International trade in fish PRODUCT TO-tion in WTO // Foreign Economic Bulletin. - 2000. - № 9.

Foreign trade at the turn of the century / Ed. S.I.Dolgov. - M .: Economics, 2001.

Eliseev E.V. Russia on the world market of nuclear technologies // Externally-economic newsletter. - 2001. - № 7.

Kudashkin V.V. International legal regulation of military-tehniches someone cooperation between the Russian Federation and foreign states // State and law. - 2003. - № 3.

Kulisher I.M. Major issues of international trade policy.

4th ed. - M .; Chelyabinsk, 2002.

Legal regulation of foreign economic activity / Ed. AS Komarov. - M .: deans, 2001.

Russia and the international trading system / Ed. E. Vanduzer, SF Suta-Rina, VI Kapustin. - SPb .: Petropolis, 2000.

Shumilov V.M. World Trade Organization (WTO) and international law // The international public and private law. - 2003. - № 1 (5).

Voisson de Chazournes L. Les contre-mesuresdans les relatioseconomiquesinternationales. - Pedone, 1992.

Qureshi A.H. The World Trade Organisation: implementing international trade norms. - N.Y., 1996.

**Theme 10. Law of international economic integration**

***Issues for discussion***

1. The concept of economic integration.

2. Organizational and legal forms of integration associations of states.

3. The ratio of the internal integration of legal regimes and PMFN.

4. The law of EU: rules relating to economic integration.

5. The EFTA.

6. The integration processes in the CIS.

7. EurAsEC.

8. NAFTA.

9. Integrated associations inAsia.

10. Integrated associations in Latin America.

11. The Council for Mutual Economic Assistance (CMEA): the history of the development, the cessation of activity.

*References:*

Zahmatov N. Central European Free Trade Agreement // Foreign Trade. - 1997. - № 1-3.

Kuznetsov VI CMEA and the "Common Market". - M., 1978.

Moiseyev EG International legal bases of cooperation between CIS countries. - M., 1997.

Rogov VV The Free Trade Area: Experience in Latin America // Foreign Economic Bulletin. - 1999. - № 7.

Russia's role in international integration processes. Notes from the Symposium of Moscow scientists and practitioners // Journal of Russian law. - 2003. - № 7. - pp 142-153.

Voulouis J. Droit institutionel de l`UnionEuropeenne. - Paris, 1997.

Sartou L. Communauteseuropeenes. - Paris, 1986.

Eisemann P.M. L`integration du droit international et communautairedansl`ordrejuridique national. - Kluwer, 1996.

Isaac G. Droit communautaire general. - Paris, 1996.

**Theme 11. System and law of WTO**

***Issues for discussion***

1. The history of the WTO. The concept of "WTO law", its features.

2. Subject differentiation of the legal regime in the international trading system according to WTO rules.

3. The WTO as an international organization. Organizational structure and functions of the WTO. Characteristic features of the WTO.

4. Characterization and analysis of the agreement of a package of agreements of the WTO - the student's choice.

5. Legislation of Russia and WTO law.

6. Trade Policy Review Mechanism of the WTO.

7. Regulation of the sphere of intellectual property rights. The TRIPS Agreement, its content.

8. WTO multilateral agreements with a limited number of participants.

**References:** 9, 10, 38, 67, 166, 213.

Foreign trade at the turn of the century / Ed. S.I.Dolgov. - M .: Economics, 2001.

Dumoulin I.I. International trade in services. - M .: ETTA, 2001.

Ershov A.D. International Customs relations - SPb., 2000.

Kulisher I.M. Major issues of international trade policy,

4th ed. - M .; Chelyabinsk, 2002.

The main provisions of the Agreement on Subsidies and Countervailing Measures WTO // Foreign Economic Bulletin. - 2001. - № 8.

Legal regulation of foreign economic activity / Ed. AS Komarov. - M .: deans, 2001.

Russia and the international trading system / Ed. E. Vanduzer, SF Su¬tyrina, V.I. Kapustin. - SPb .: Petropolis, 2000.

Shepenko R.A. Antidumping process. - M .: Case, 2002.

Voisson de Chazournes L. Les contre-mesuresdans les relatioseconomiquesinternationales. - Pedone, 1992.

Naray Peter.Russia and the World Trade Organisation. - N. Y., 2001.

Qureshi A.H. The World Trade Organisation: implementing international trade norms. - N. Y., 1996.

**Theme 12. Institutes of tariff and non-tariff regulatory measures**

**in the international trading system**

***Issues for discussion***

1. Tariff regulation in the international trading system.

2. Legislation of Russia on tariff regulation.

3. Customs' valuation of goods as a control measure.

4. The product line as a possible barrier in international trading system.

5. Quantitative restrictions on international trade.

6. Voluntary export restraints.

7. Antidumping process according to WTO Law, its stages.

8. Antidumping process under the laws of Russia.

9. Review of non-tariff regulatory measures in the international trading system.

10. Taxes as non-tariff barriers.

11. Technical barriers to international trade system. Agreement on Technical Barriers.

12. Sanitary and phytosanitary standards as non-tariff measures.

13. Customs formalities as a barrier to international trade.

14. Protective measures, their content, practical application.

**References:** 1, 9, 10, 173.

Kyoto Convention as an international legal instrument in customs Customs // statements. - 2000. - № 1.

Shepenko R.A. "Antidumping process. - M .: Case, 2002.

Shumilov V.M. Antidumping process under the laws of Russia and WTO Law Lawyer // - international affairs. - 2004. - № 4.

**Theme 13. International legal regulation of trade in services**

***Issues for discussion***

1. The General Agreement on Trade in Services (GATS), its content.

2. Typesandclassificationservices.

3. Barriers to international trade in services.

4. Methods of delivery of services.

5. General and specific commitments under the GATS.

6. The regulation of international trade in transport services.

7. Regulation of International Trade in Services of communication and telecommunication.

8. The regulation of international trade in financial services.

9. Regulation of International Trade in Services in the field of tourism.

10. Regulation of International Trade in Services (trade sector - the student's choice).

**References**: 10, 28, 35, 71, 155.

Bendikov M. Frolov, E. Khrustalev Russian space program in the global space market // World Economy and International Relations. - 2000. - № 4.

Dumoulin I.I. International trade in services. - M .: Economics, 2003.

**Theme 14-15. Other institutions/subsector of IEL**

***Issues for discussion***

1. The law of international economic assistance its object system, sources, features.

2. The subjects of the law of international economic assistance.

3. International organizations providing international economic assistance.

4. The international legal order in the labor market (labor force).

5. International Migration Law, its object, system, sources, features.

6. The role of the ILO in the international migration system.

7. Domestic law and treatment of foreigners in the national labor markets.

8. The migration regime in Russia.

9. The migration regime in the country - the student's choice.

#### References:

#### Asriyan B.A. International legal regulation of foreign labor (for example, standard-setting activities of the ILO and the UN) // The international public and private law. - 2003. - № 1.

#### Bekyashev D.K. International legal regulation of seafarers: Dis. ...Cand.jurid. Sciences. - M .: Moscow State Law Academy, 2001.

#### Shumilov V.M. International economic law: In 2 vols. - M .: Dean, 2002. - T. 2.