**SYLLABUS**

**Fall semester 2023-2024 academic year**

**Educational program «8D04201 - International Law», 1st year**

**88584 - Actual problems of the diplomatic and consular law**

**Seminar questions**

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| **Week** | **Topics and tasks**  |
| 1 | To define the the concept, system, sources of diplomatic and consular law. Differentiation of views on the concept of public international lawThe concept, system and sources of diplomatic law1. the concept, legal nature and features of modern diplomatic law 2. correlation of diplomacy, foreign policy and international law3. sources of diplomatic law: concept, types, nature of duality 4. legislation of the Republic of Kazakhstan on Diplomatic law1. 5. Vienna universal Convention on Diplomatic Relations of 1961 as a source
 |
| 2 | To expand and discuss the historical stages of diplomatic law, to establish the stages of their developmentDiplomatic service as part of the civil service1.the basics of diplomacy. People's diplomacy2. concept, types of External Relations bodies of the Republic of Kazakhstan3. foreign policy activities of the President, Parliament, Government of the Republic of Kazakhstan1. 4. procedure for passing diplomatic service in the Republic of Kazakhstan
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| 3 | Analysis of the law «on Diplomatic Service of the Republic of Kazakhstan»History of diplomatic law1. historical significance and role of the Vienna protocol of 1815 in the development of diplomatic law2. formation of diplomatic law as a branch of international law1. 3.the emergence of Embassy law. Diplomacy in the history of Kazakhstan
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| 4 | To determine the legal status and system of external Chinese bodies of the Republic of Kazakhstan to recognize their typesExternal relations bodies1. the concept of bodies of External Relations, 2. internal external relations bodies1. 3. bodies of External Relations of foreign states
 |
| 5 | To define the composition and functions of the diplomatic missionComposition and functions of the diplomatic mission1.diplomatic missions of the Republic of Kazakhstan. Concept, types, legal status 2. functions of diplomatic missions3. procedure for rotation of diplomatic workers of the Republic of Kazakhstan1. 4.system of diplomatic classes and ranks in the Republic of Kazakhstan. The concept, types, procedure for granting and grounds for promotion, deprivation or reduction
 |
| 6 | To identify the concept of timing of the beginning and end of the diplomatic mission, their differentiationBeginning and end of the diplomatic mission1. grounds for the suppression of the diplomatic mission2. appointment of the head of the diplomatic mission of the Republic of Kazakhstan: the procedure for requesting agremandu, appointment to the post3. visit of the head of the diplomatic mission of the Republic of Kazakhstan to the host country: preparation for taking office, presentation of credentials1. 4. grounds for the completion of the diplomatic mission
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| 7 | To determine the immunities and privileges of the diplomatic mission, its employees, recognize their features, distinguish them from each otherImmunities and privileges of the diplomatic mission and its employees1. diplomatic privileges and immunities2. immunities and privileges of diplomatic missions3. personal immunities and privileges of diplomatic workers and their family members1. 4. duties of the personnel of the diplomatic mission in relation to the host state
 |
| 8 | To determine the status of diplomatic law of special missionsDiplomatic law of special missions1. conditions for the start of a special mission2. advantages and immunities of Special Missions1. 3. conditions for the completion of a special mission
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| 9 | To make the analysis of sources of Consular lawThe concept and sources of consular law1. concept, legal nature and features of the concept of Consular law 2. sources of Consular law: concept, types1. 3. content of the Vienna Convention on Consular Relations of 1963
 |
| 10 | To define the procedure for establishing and implementing Consular RelationsProcedure for establishing and implementing Consular Relations1. consuls of the Republic of Kazakhstan as diplomatic workers 2. grounds for the beginning and end of the consular mission3. consular agent and consular exequature |
| 11 | To expand the determination of the legal status, composition and modern status of consular institutions, the ability to give examplesLegal status, composition and functions of consular institutions1. concept and legal status of the Consular Office2. functions of the Consular Office3. Composition and legal text of employees of the Consular Office4. immunities and privileges of the Consular Office and its employees |
| 12 | To determine the legal status of a freelance consulLegal status of a freelance consuler1. the concept of a permanent Consul2. Legal Regulation of the activities of a freelance Consul1. 3. legal text of a freelance Consul
 |
| 13 | To analyze the reasoning of diplomatic law of international organizationsDiplomatic law of international organizations1. the concept of diplomatic law of international organizations2. procedure for the appointment of a permanent representative office and its head in international organizations3. procedure for appointing observers in international organizations4. benefits and immunities of international organizations |
| 14 | To determine the issue of diplomatic etiquette and protocolIssues of diplomatic etiquette and protocol1. History of the formation and development of diplomatic etiquette and protocol2. Legal Regulation of diplomatic etiquette and protocol3. implementation of diplomatic etiquette and protocol on official and informal business trips |
| 15 | To consider the Diplomat and Consul: conducting a comparative legal examinationIssues of diplomatic etiquette and protocol1. History of the formation and development of diplomatic etiquette and protocol2. Legal Regulation of diplomatic etiquette and protocol1. 3. implementation of diplomatic etiquette and protocol on official and informal business trips
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**References**

**Main literature**

1. Blishchenko I.P. Diplomatic law (textbook), Moscow, 1990.

2. Durdenevsky V.N. Diplomatic and consular law (textbook), Moscow, 1972.

3. Sandrovsky K.K. Diplomatic law (textbook), Kiev, 1981.

4. Sandrovsky K.K. Law of Foreign Relations (textbook), Kiev, 1986.

5. Mashev D. Diplomatic and consular law (textbook), Sverdlovsk, 1986.

6. Sarsembayev M.A. Consular law and consular service (Textbook), Almaty, Daneker, 2000

7. Sarsembayev M.A. Diplomatic and consular law (textbook), Almaty, Daneker 1999.

8. Sarsembayev M.A. International Law (textbook), Almaty, 1996.

9. Felthem R.J. The diplomat's desk book/ Translated from the English by V.E. Ulakhovich.-Mn.: OOO «New Knowledge», 2000.

**Additional literature**

1. Kulzhabayeva Zh.O. Halykaralyk zharia kukyk . Almaty, 2003.

2. Course of International Law, volume 4, M., 1994.

3. International Law (textbook edited by Professor G.I. Tunkin), M., 1994.

4. International Law (Textbook edited by Professors Y.M. Kolosov, V.I. Kuznetsov), M., 1994,1995, 1998.

5 Ignatenko G. International Law (textbook), M., 1995.

6. Lukashuk I.I. International law (general and special parts), M., 1996.

 7. Zakharova L.M., Konovalova A.A. Fundamentals of diplomatic and consular service, Minsk, BSEU, 2001.

**Methodological recommendations**

How to prepare for a lecture?

Before the lecture, it is advisable to familiarize yourself with the plan or theses of this lecture in order to get an idea of the material that will be presented in it. This will allow you to master the theoretical material more deeply and work more productively during the lecture.

At the same time, it is better to study and copy and write down in advance the terms and personnel used around a specific topic (articles containing biographical information about a particular person in definitions, dictionaries, anthologies). It is also advisable to independently select the necessary ones from the list of recommended literature or consult with the teacher and preview the chapter of the book (textbook, manual, reference book) in accordance with the topic. The better the student is prepared for the lesson, the more interesting and effective the lecture will be.

It is very rational that the lecture was held in the form of a question and answer. It is quite possible that the lesson will be effective if you familiarize yourself with the content of the course you are studying in advance. Also, such training helps to understand the subject more deeply and benefit from it.

You can also take an active part in preparing lectures, making short reports in the lesson, supplementing the information provided by the lecturer with additional interesting material.

How to prepare for the seminar?

1.Prepare for each seminar lesson.

2.systematic and planned preparation allows you to collect the necessary information for the exam.

3.start preparing for the seminar by familiarizing yourself with the lesson plan and the necessary basic and additional literature. To prepare, you need to use a summary of the lesson, a textbook and specially selected literature. Mark in which literary source you can find answers to the questions posed. Then read it carefully and copy and write down the necessary information.

4.Prepare Your Questions.

5.complex and contradictory issues can be understood by asking the teacher, so write them down and formulate your questions.

6.it is very useful to prepare together with fellow students and fellow students.

7.do not be obsessed with speaking the language of a lecture or monograph.

8.the main thing is to know and correctly use the scientific and conceptual apparatus and be able to freely present the material with figurative examples.

9.do not limit yourself to studying the main literary sources in the list of recommended literature. Using additional literature, you can broaden your horizons, comprehensively and deeply understand the problem you are studying, and get acquainted with different approaches to it.

Forms of conducting seminar classes

The student's participation in the seminar session is a prerequisite for the curriculum. The main goal of the seminar is to develop creative thinking development, overcoming cognitive difficulties, the formation of a scientific worldview and the transformation of knowledge into an individual approach. A comprehensive and in-depth analysis of the questions of the seminar teaches students to think independently and logically, to debate, and students to work seriously in the process of working with literature.

Plan of seminar classes of the department based on the preparation of students for the seminar. It is necessary to familiarize in a timely manner with the list of available literature on each topic and plans for seminar classes.

It is necessary for all participants of the seminar to exchange their opinions on this topic. Therefore, students should have notes on the topic and prepare for the seminar on this topic.

The form of choosing a seminar will depend on various factors: the amount of hours of the discipline, the number of students in the group, the correlation of the topics of the courses, etc.

In preparation for the seminar lesson, the teacher should note that the most basic goal of the seminar lesson is to focus on improving the level of independent work of students.

In seminar training, the power of self-confidence develops, the ability to achieve their goals increases with confidence.

So, seminar classes are aimed at Timely elimination of students ' mistakes in self-preparation and ensure that they do not repeat mistakes and approach the topics responsibly. Qualitative observations at the seminar improve the quality of independent work of students and prepare them for creative discussions on subsequent classes.

Forms of the workshop:

 Q & A seminar;

- conducting a comprehensive conversation according to the plan given to the student earlier in the day;

- oral reports of students, followed by discussion of it;

- discussion of written abstracts;

- theoretical conference;

 seminar discussion;

- reading with an explanation of the original;

 and so on.

At the University, special seminars are held, mainly in Higher courses. This is the highest form of the seminar, where students carry out simple research work during abstracts and reports. With the final speech of the teacher, the seminar ends.

Theoretical seminar

 The seminar is divided into three types according to its own characteristics, purpose , and task:

The theoretical seminar is necessary at the subsequent stage of the first stage of training according to the order of training.

In a theoretical seminar, different methods and techniques can be used, and all students can use specific concepts and constructions several students are given a topic to prepare for discussion on one topic together or individually. Individual students are given a task about interesting public problems that cause confusion to a specific article.

Seminars, like lectures, belong to the theoretical form of classes. Students deepen and strengthen the knowledge gained through lectures and independent work at seminars, test and determine their beliefs, learn terminology, thereby learn to read freely, defend their point of view

Seminar-discussion

The seminar-debate is a public debate on topics that the scientific society needs. During the debate, you should listen to the opinion of your colleague or opponent. It is necessary to understand and listen to the position he holds, the system of arguments he proposes. If the argument presented by him causes distrust, it is necessary to be able to explain and prove your own opinion in front of the participants.

To conduct the debate, students must have theoretical training. Such a seminar can realize its purpose if most students have their own views on controversial questions. It can be held as a round table, where each student voiced his position, and the teacher or listeners concluded. The seminar-discussion can be held with elements of a business game. To do this, two or three widespread views on the issues under discussion are discussed, the audience is divided into supporters or opponents. The divided groups adhere to their specific arguments, positions, arguments. It is possible to select experts from among students, the organization and participation of AR is considered. He oversees the course of the seminar. During the seminar, the teacher sets problems, forms tasks, and issues literature. So, the teacher finishes the seminar, summarizes, gives an assessment of interesting moments and well-answered listeners.

A good course of the seminar depends on the student's readiness for preliminary discussion, independent work. The final seminar is aimed at summarizing individual topics. If during the course the student showed good knowledge, his assessment was considered. It is necessary to prepare the student for it in advance. Such an event will increase the student's interest in independent work. The task and purpose of the seminar classes are the development of independent thinking, increasing the creative activity of students, increasing the student's interest in research work, the correct use of reference literature.

It is advisable for students to know and observe the basic disciplines of scientific dissociation:

- Fight for the real cause until you settle for the trivial.

- Count the idea, not the person.

 Respect the point of view of the person with whom you argue.

- Before expressing your point of view, mark as accurately as possible the point of view that you will respond to.

 And whoever you argue with, do not dominate him.

* Try to find out the truth, rather than show your knowledge and eloquence.
* Admit your guilt, and in case of defeat, just stop the other.

 Abstract and discussion of reports

The most common form is listening and discussing students ' oral reports. Students receive questions or topics of the message in advance, prepare them in the original and summarize the conclusion independently. When a student speaks, the group must listen carefully to him, then ask him a question, complement, and clarify the speech, politely point out the semantic, logical or speech flaws of the speaker, which is very necessary for the future teacher.

Another important condition for the effectiveness of the seminar is a state of confidence, in which the student argues ideas without fear of making a mistake. The abstract consists of an introduction, a main part, and a conclusion. According to the topic, a plan of the abstract is drawn up, at the end of which a list of used literature is given. In the introduction, the student formulates the reasons for choosing the relevance of the topic. Tells about the purpose, objectives of the work, what research methods were used. The main part analyzes and reports literature, textbooks related to the given topic, explains their suggestions and opinions with illustrations with specific materials. In the final part, a conclusion is drawn to the work, and conclusions are thoroughly formulated depending on the tasks set in the introduction. The abstract must be of a creative nature.

 At the end of the abstract, used literature is given. The literature is presented in alphabetical order with full compliance with bibliographic standards. The abstract is designed to independently identify with students any major problems of the studied discipline, to get acquainted with various concepts and scientific approaches to a particular problem.

The abstract is necessarily prepared based on several literary sources. It indicates the main concept of the problem, The opinions of specialists, references to sources, a list of scientific literature used.

The choice of the topic of the abstract is carried out by students independently. After choosing a topic and consulting with the subject teacher, the student draws up a list of books, scientific articles, and reference books on the topic. The presence of normative legal acts, law enforcement and other documents related to the subject is necessarily determined. The abstract plan should reflect the internal integrity of the topic being disclosed. The structure of the abstract consists of a brief introduction, pages 2-3 of the main part, a conclusion and a list of sources used. In the introduction (pages 1-1,5), the relevance of the topic, the purpose and task of the work are substantiated. The main part analyzes the state of the problem, its trends, scientific concepts and views, the sources, and materials of practice in the document, reflects the main concepts and conditions.