

Ministry of Education and Science of Ukraine

V. N. Karazin Kharkiv National University

Department of Civil and Legal Disciplines

«I APPROVE»

Dean of the Faculty of Law

Vitalii Serohin

2023



WORKING PROGRAM OF EDUCATIONAL DISCIPLINE

INTERNATIONAL COMMERCIAL AGREEMENTS

level of higher education - second (master's)

field of knowledge - 29 International relations

specialty - 293 International Law

educational program - International law

type of discipline - by choice

faculty - law

2023 / 2024 academic year

The program is recommended for approval by the Academic Council of the Faculty of Law

August 31, 2023, protocol No. 1

PROGRAM DEVELOPERS:

Sverdlichenko Valentyna, PhD, Senior Lecturer of the Department of Civil Law Disciplines of the Faculty of Law of Kharkiv National University named after V.N. Karazin.

The program was approved at a meeting of the Department of Civil and Legal Disciplines of the Faculty of Law

Protocol No. 14 of June 26, 2023

Head of Department
of civil law disciplines



Olena USTYMENKO

The program was agreed with the guarantor of the educational and professional program of the second (master's) level of higher education in the specialty 293 International Law

Guarantor of the educational and professional program
second (master's) level of higher education
«International Law»



Oleksandr HAVRYLENKO

The program was approved by the scientific and methodical commission of the Faculty of Law

Minutes of August 31, 2023, No. 1

Head of the scientific and methodical commission
of the Faculty of Law



Hanna ZUBENKO

INTRODUCTION

The program of the study discipline «International Commercial Agreements» is compiled in accordance with the educational and professional training program of the Master of Laws, specialty 293 - International Law.

1. Description of the academic discipline

1.1. The purpose of teaching the academic discipline is to train specialists who have a high level of legal awareness and legal culture, who possess the knowledge and practical skills necessary for their professional activities to solve specific tasks in the field of commercial law, who are able to navigate independently and competently in modern international commercial legal relations, take balanced and justified decisions within their professional competence.

1.2. The main tasks of studying the discipline are the formation of students' relevant competencies.

ZK-1 – knowledge and understanding of the subject field, awareness of the social significance of one's future profession;

ZK-6 – the ability to conduct independent, organize individual and collective scientific research within the acquired specialty, formulate tasks and draw up a research program, select and organize primary and secondary sources, formalize the results of scientific activity, in particular, create high-quality scientific texts that can be published in professional publications;

ZK-7 – the ability to conduct a scientific discussion and dispute, to defend one's views in the most effective, convincing, correct and tactful way, intellectual honesty and the ability to work with criticism;

ZK-10 – skills in using information and communication technologies.

SK-1 the ability to apply the acquired knowledge, skills and abilities in the international field rights in practice, the ability to develop projects of international legal acts of a normative and individual nature;

SK-2 ability to apply international legal acts in various fields legal activity, the ability to implement material and procedural international legal norms in professional activity;

SK-3 ability to ensure compliance with the requirements of international law, international obligations of Ukraine within the scope of performance of their official duties;

SK-4 ability to interpret international legal acts in a qualified manner and to give qualified legal opinions and consultations on international legal issues;

SK-6 the ability to analyze and implement managerial skills in professional activities innovations, ensure compliance with international legal standards in professional activities;

SK-10 determination and persistence in setting professional tasks and ability take responsibility.

1.3. The number of credits is 5

1.4. The total number of hours is 150

1.5. Characteristics of the academic discipline	
By choice	
Full-time education	External form of education
A year of training	
1st	1st
Semester	

2nd	2nd
Lectures	
28 hours	6 hours
Practical, seminar classes	
2 p.m.	4 hours
Laboratory classes	
Independent work	
108 hours	140 hours
Individual tasks	
-	-

1.6. When studying at the master's level, students must achieve the following program learning outcomes:

PRN 1 Assess the nature and character and regulatory potential of international law; demonstrate an understanding of the limits and mechanisms of its legal regulation;

PRN 2 Understands the interaction of international law with the national legislation of states, the procedure for implementing international norms into the legislation of Ukraine;

PRN 3 Can operate with international legal concepts and categories, international legal standards and methods of their implementation in national legislation;

PRN 6 Knows the fields of international law; can name international legal concepts and categories, international legal standards and methods of their implementation in Ukraine;

PRN 7 Understands the specifics of the formation of domestic international legal doctrine; teaching about international relations, international communication, forms of knowledge and substantiation of generally recognized principles and norms of international law in the context of Ukraine's integration into the international and European community;

PRN 8 To conduct a comparative legal analysis of individual legal institutions of different legal systems, taking into account the relationship between the legal system of Ukraine and the legal systems of the Council of Europe and the European Union;

PRN 9 Understands the legal and political significance of international law for the national legal system; the system of international law, methods and content of legal regulation in various fields of international law;

PRN 12 Ready to participate in the work of concluding international agreements, preparing conclusions on their legal validity;

PRN 14 Possesses the skills of oral and written business communication, conducting scientific research on international legal topics, posing problems in the field of professional activity and finding an algorithm for their solution;

PRN 16 Able to provide a legal assessment of international events and acts; resolve international legal disputes; provide legal support for foreign policy activities;

PRN 18 Collect, integrate analysis and summarize materials from various sources, including scientific and professional literature, databases, digital, statistical, test and other, and check them for reliability using modern research methods.

2. Thematic plan of the educational discipline

Section I. General characteristics and types of international commercial agreements.

Topic 1. The essence of international commercial agreements.

International commercial transactions and international commercial agreements. Concepts, types, aspects and functions. Types and content of international commercial agreements. The essence of the main stages of preparation of international commercial agreements. Principles of international commercial contracts.

Topic 2. Legal unification of international commercial activity.

UN Convention on Contracts for the International Sale of Goods. Convention on limitation of action in the international purchase and sale of goods. Principles of international commercial contracts. General sales conditions. International trade terms (INCOTERMS-2020). Typical force majeure clause.

Topic 3. International purchase and sale of goods.

International buying and selling: essence, meaning, current state in Ukraine. Normative and legal regulation of the international purchase and sale of goods. Concepts and signs of the contract of international purchase and sale of goods. Preparation for the conclusion of the contract of international purchase and sale of goods and its conclusion.

Topic 4. General characteristics of international trade in services.

Concepts and features of international trade in services. Classification of services in international trade. Methods of delivery of services and mechanisms for implementation of agreements on international trade in services. Regulation of international trade in services. The main trends in the development of the world services market.

Topic 5. Contracts of international transportation and related relations.

General characteristics of commercial relations in the field of international transportation (transport services). Classification of international transportation. Sources of legal regulation of international transportation. The law applicable to contracts of international transportation. Sea transportation. Transportation by air transport. Transportation by rail. Transportation by road transport.

Topic 6. International investment agreements.

International investment agreements: history and development. Concepts and types of international investment agreements. Multilateral investment agreements. Regional investment agreements. Bilateral investment agreements. Sources of international legal regulation of investment relations in Ukraine.

Topic 7. Intermediary activity in international commercial turnover.

The essence of mediation and its role in international trade. The main types and types of intermediaries. Types of international intermediary operations. Trading operations and their functions. Problems of attitude and development of trade and intermediary activities in Ukraine.

Topic 8. International commercial agreements with rights to intellectual property objects.

The international market of intellectual property: concept and economic role. Main international agreements in the field of intellectual property. The role of bilateral trade agreements in securing intellectual property rights. Commercialization of intellectual property objects: content, principles and main methods. Franchising. International leasing.

Topic 9. Insurance in international trade.

General characteristics of the insurance market. The insurance market in 2022. Trends of 2023. Insurance: concept and classification. Insurance contract.

Section II. General characteristics and types of international financial relations.

Topic 10. Legal regulation of international financial relations.

General characteristics of international financial relations and sources of their legal regulation. Legal regulation of banking activity. Legal regulation of the securities market and

international currency relations. The essence and features of international trade settlements.

Topic 11. Antimonopoly regulation of international economic relations.

History of formation and formation of competition legislation (foreign experience). Foreign experience of state management of economic competitiveness. International legal regulation of control over compliance with legislation on the protection of economic competition. Adaptation of the competition legislation of Ukraine to the law of the European Union at the current stage of the European integration process.

3. The structure of the academic discipline

Names of sections and topics	Number of hours											
	Full-time education						External form of education					
	Every-thing	Including					Eve-ry-thing	Including				
		1	w	lab	ind	we d		1	w	lab	ind	wed
Chapter 1. General characteristics and types of international commercial agreements												
Topic 1. The essence of international commercial agreements.	11	2	1			8	10	2	2			20
Topic 2. Legal unification of international commercial activity.	16	4	2			10	10					20
Topic 3. International purchase and sale of goods.	13	2	1			10	12	2				10
Topic 4. General characteristics of international trade in services.	13	2	1			10	12					10
Topic 5. Contracts of international transportation and related relations.	13	2	1			10	12					10
Topic 6. International investment agreements.	13	2	1			10	10					10
Topic 7. Intermediary activity in international commercial turnover.	13	2	1			10	10					10
Topic 8. International commercial agreements with rights to intellectual property objects.	13	2	1			10	10					10
Topic 9. Insurance in international trade.	13	2	1			10	10					10
Together by chapter 1	118	20	10			88	96	4	2			110
Chapter 2. General characteristics and types of international financial relations												
Topic 10. Legal regulation of inter-	16	4	2			10	12	2	2			20

national financial relations.											
Topic 11. Antimonopoly regulation of international economic relations.	16	4	2			10	12				10
Together by chapter 2	32	8	4			20	24	2	2		30
Only hours	150	28	14			108	150	6	4		140

4. Topics of seminar classes (full-time education)

No s/p	Topic name	Number hours
1	The essence of international commercial agreements.	1 (2)
2	Legal unification of international commercial activity.	2
3	International purchase and sale of goods.	1
4	General characteristics of international trade in services.	1
5	Contracts of international transportation and related relations.	1
6	International investment agreements.	1
7	Intermediary activity in international commercial turnover.	1
8	International commercial agreements with rights to intellectual property objects.	1
9	Insurance in international trade.	1
10	Legal regulation of international financial relations.	2 (2)
11	Antimonopoly regulation of international economic relations.	2
	Together	12 (4)

5. Independent work (full-time education)

No s/p	Types, content of independent work	Number hours
1	The essence of international commercial agreements (processing of additional literature on the topic).	8
2	Legal unification of international commercial activity (processing of additional literature on the topic).	10
3	International purchase and sale of goods (processing of additional literature on the topic).	10
4	General characteristics of international trade in services (processing of additional literature on the topic).	10
5	Contracts of international transportation and related relations (processing of additional literature on the topic).	10
6	International investment agreements (processing of additional literature on the topic).	10
7	Intermediary activity in international commercial turnover (processing of additional literature on the topic).	10
8	International commercial agreements with rights to intellectual property objects (processing of additional literature on the topic).	10
9	Insurance in international trade activity (processing of additional literature on the topic).	10
10	Legal regulation of international financial relations (processing of additional literature on the topic).	10
11	Antimonopoly regulation of international economic relations (processing of	10

	additional literature on the topic).	
Together		108

Independent work (correspondence form of study)

No s/p	Types, content of independent work	Number hours
1	The essence of international commercial agreements (processing of additional literature on the topic).	20
2	Legal unification of international commercial activity (processing of additional literature on the topic).	20
3	International purchase and sale of goods (processing of additional literature on the topic).	10
4	General characteristics of international trade in services (processing of additional literature on the topic).	10
5	Contracts of international transportation and related relations (processing of additional literature on the topic).	10
6	International investment agreements (processing of additional literature on the topic).	10
7	Intermediary activity in international commercial turnover (processing of additional literature on the topic).	10
8	International commercial agreements with rights to intellectual property objects (processing of additional literature on the topic).	10
9	Insurance in international trade activity (processing of additional literature on the topic).	10
10	Legal regulation of international financial relations (processing of additional literature on the topic).	20
11	Antimonopoly regulation of international economic relations (processing of additional literature on the topic).	10
Together		140

6. Individual tasks

Not provided by the curriculum.

7. Teaching methods

During classes, three groups of teaching methods are used:

1. verbal, which involve a descriptive disclosure of the educational material, an explanation of the essence of the corresponding phenomenon, concept, process, instruction on the specifics of the application of individual norms, checking the level of independent processing of the educational material, etc.;
2. visual, the essence of which consists in the demonstration of schemes, tables, drawings (if available), presentations;
3. practical, manifested in the formation of abilities and skills of operating legal categories, application of legal norms and use of acquired knowledge during seminar classes.

8. Control methods

Entrance control is carried out before studying the course in order to determine the level of preparation of students in the disciplines that provide the basis for this course. Such control is carried out at the first lesson on tasks corresponding to the programs of preliminary training.

Current control is carried out during classroom classes during the semester. It can take place in the form of an oral survey or written control at seminar classes or lectures, a colloquium, student presentations when discussing issues at seminar classes, computer testing, etc. Current control includes writing a control paper in the middle of the semester and preparing an individual task (abstract) at the end of the semester.

The final semester control is conducted in the form of a credit. A student is admitted to the semester supervision provided that he completes all types of work provided for in the curriculum for the semester in this discipline.

Credit questions from the discipline «International commercial agreements»:

1. International commercial transactions and international commercial agreements.
2. Concepts and types of international commercial agreements.
3. Parties and functions of international commercial agreements.
4. Types and content of international commercial agreements.
5. The essence of the main stages of preparation of international commercial agreements.
6. Explain the concepts of offer and acceptance when concluding international commercial agreements.
7. The procedure for concluding an international commercial contract.
8. Trade customs: concept, essence and general rules of use.
9. Principles of international commercial contracts.
10. UN Convention on Contracts for the International Sale of Goods.
11. Convention on limitation of action in the international purchase and sale of goods.
12. Principles of international commercial contracts.
13. General sales conditions.
14. International trade terms (INCOTERMS-2020).
15. Typical force majeure clause.
16. International buying and selling: essence, meaning, current state in Ukraine.
17. Normative and legal regulation of the international purchase and sale of goods.
18. Concepts and signs of the contract of international purchase and sale of goods.
19. Preparation for the conclusion of the contract of international purchase and sale of goods and its conclusion.
20. Concepts and features of international trade in services.
21. Classification of services in international trade.
22. Methods of delivery of services and mechanisms for implementation of agreements on international trade in services.
23. Regulation of international trade in services.
24. The main trends in the development of the world services market.
25. General characteristics of commercial relations in the field of international transportation (transport services).
26. Classification of international transportation.
27. Sources of legal regulation of international transportation.
28. The law applicable to contracts of international transportation.
29. Sea transportation.
30. Transportation by air transport.
31. Transportation by rail.
32. Transportation by road transport.
33. International investment agreements: history and development.
34. Concepts and types of international investment agreements.
35. Multilateral investment agreements.
36. Regional investment agreements.

37. Bilateral investment agreements.
38. Sources of international legal regulation of investment relations in Ukraine.
39. The essence of mediation and its role in international trade.
40. The main types and types of intermediaries.
41. Types of international intermediary operations.
42. Trading operations and their functions.
43. Problems of attitude and development of trade and intermediary activities in Ukraine.
44. The international market of intellectual property: concept and economic role.
45. Main international agreements in the field of intellectual property.
46. The role of bilateral trade agreements in securing intellectual property rights.
47. Commercialization of intellectual property objects: content, principles and main methods.
48. Franchising.
49. International leasing.
50. General characteristics of the insurance market.
51. Insurance: concept and classification.
52. Insurance contract.
53. General characteristics of international financial relations and sources of their legal regulation.
54. Legal regulation of banking activity.
55. Legal regulation of the securities market and international currency relations.
56. The essence and features of international trade settlements.
57. History of formation and formation of competition legislation (foreign experience).
58. Foreign experience of state management of economic competitiveness.
59. International legal regulation of control over compliance with legislation on the protection of economic competition.
60. Adaptation of the competition legislation of Ukraine to the law of the European Union at the current stage of the European integration process.

9. Points calculation scheme

Full-time education

Current control, independent work							Together	Re- medi- al work	Sum
Chapter 1			Chapter 2						
T1-T2	T3-T4	T5	T6-T7	T8-T9	T10-T11	Control work	60	40	100
6	6	6	6	6	6	24			

External form of education

Current control, independent work			Together	Remedial work	Sum
Chapter 1	Chapter 2				
T1-T5	T6-T11	Control work	60	40	100
18	18	24			

Criteria for evaluating the level of success in a seminar session

Full-time education.

Current control is carried out, in particular, in the form of surveys/written tasks at seminars and practical classes on a 6-point grading scale.

6 points are assigned under the following conditions:

- the student works actively during the entire practical session;
- gives a complete, correct, consistent, coherent, well-founded statement of the issue, accompanied by correct examples from doctrinal sources and a reference to current legislation;
- everything that is taught should indicate a deep understanding and orientation in the phenomena and processes being studied;
- correct comprehensive answers to the teacher's additional questions.

5 points are assigned under the following conditions:

- the student works actively during the practical session;
- gives a correct, complete description of the content of the textbook and the material presented by the teacher, but answers additional control questions, which the teacher asks to clarify the depth of understanding and the ability to navigate phenomena and processes, only with some help from the teacher or colleagues;
- insufficiently comprehensive answers to the teacher's additional questions.

4 points are given under the following conditions:

- the student makes significant mistakes or completely misses the material and partially corrects these mistakes only after the instruction of the teacher;
- the student shows ignorance of a significant part of the educational material, explains it illogically and uncertainly, there are pauses and interruptions in the answer, he cannot explain the problem, although he understands it;
- does not present the material sufficiently coherently and consistently.

3 points are given under the following conditions:

- the student behaves passively during class, responds only when called upon by the teacher;
- in general demonstrates knowledge of the main educational material under consideration, but makes mistakes during the answer and becomes aware of them only after the instruction of the teacher;
- he does not give answers to questions immediately, but only after some straining of his memory, and the answers are unclear;
- is not able to deduce the relationship with other problems of the studied discipline without the help of the teacher.

2-1 points are given under the following conditions:

- the student makes gross mistakes when presenting the material and does not correct these mistakes even when the teacher points them out;
- reveals a lack of understanding of the educational material and, as a result, a complete lack of skills both in the analysis of phenomena and in the subsequent performance of practical tasks.

0 points placed under the following conditions:

- the student refuses to answer the seminar class; expresses his unpreparedness for the seminar class.

External form of education.

Current control is carried out, in particular, in the form of surveys/written tasks at seminars and practical classes on an 18-point grading scale.

18-15 points are given under the following conditions:

- the student works actively during the entire practical session;
- gives a complete, correct, consistent, coherent, well-founded statement of the issue, accompanied by correct examples from doctrinal sources and a reference to current legislation;

- everything that is taught should indicate a deep understanding and orientation in the phenomena and processes being studied;
 - correct comprehensive answers to the teacher's additional questions.
- 14-11 points are given under the following conditions:
- the student works actively during the practical session;
 - gives a correct, complete description of the content of the textbook and the material presented by the teacher, but answers additional control questions, which the teacher asks to clarify the depth of understanding and the ability to navigate phenomena and processes, only with some help from the teacher or colleagues;
 - insufficiently comprehensive answers to the teacher's additional questions.
- 10-7 points are given under the following conditions:
- the student behaves passively during class, responds only when called upon by the teacher;
 - in general demonstrates knowledge of the main educational material under consideration, but makes mistakes during the answer and becomes aware of them only after the instruction of the teacher;
 - he does not give answers to questions immediately, but only after some straining of his memory, and the answers are unclear;
 - is not able to deduce the relationship with other problems of the studied discipline without the help of the teacher.
- 6-3 points are given under the following conditions:
- the student makes significant mistakes or completely misses the material and partially corrects these mistakes only after the instruction of the teacher;
 - the student shows ignorance of a significant part of the educational material, explains it illogically and uncertainly, there are pauses and interruptions in the answer, he cannot explain the problem, although he understands it;
 - does not present the material sufficiently coherently and consistently.
- 2-1 points are given under the following conditions:
- the student makes gross mistakes when presenting the material and does not correct these mistakes even when the teacher points them out;
 - reveals a lack of understanding of the educational material and, as a result, a complete lack of skills both in the analysis of phenomena and in the subsequent performance of practical tasks.
- 0 points placed under the following conditions:
- the student refuses to answer the seminar class; expresses his unpreparedness for the seminar class.

Evaluation criteria of test papers and the number of points

Control work is carried out in the form of test tasks.

For full-time and part-time students, the control work provided for by the curriculum is conducted in the form of tests (the sum of points for each correct answer (24 answers) is 1 point, the maximum number of points is 24);

Credit assessment criteria (full-time and part-time study)

Assessment is carried out in the form of test tasks. The total number of test tasks is 40, in which 1 correct answer is valued at 1 point.

Total - the maximum number of points for the credit - 40 points.

The maximum number of points that a student (full-time and part-time) can earn while studying an academic discipline is 100 points.

Rating scale

The sum of points for all types of training activities during the semester	Evaluation on a national scale
90–100	counted
70-89	counted
50-69	counted
1-49	not counted

10. Recommended literature

Basic literature

1. International commercial agreements / O. Yu. Dyminska, O. R. Kibenko, I. Yu. Kirvel, etc. ; under the editorship U. Helman, S. O. Balashenko, V. I. Nagnibedy. Khmelnytskyi: Khmelnytskyi University of Management and Law, 2015. 524 p.
2. International private law: General part: subchapter. / edited by A. S. Dovgert and V. I. Kisil. Kyiv: Alerta, 2012. 376 p.
3. International private law: Special part: textbook/under the editorship of A. S. Dovgert and V. I. Kisil. Kyiv: Alerta, 2013. 400 p.
4. International trade law: study. manual / O.M. Malsky, A. M. Yagolnyk. Kyiv: Znannia, 2005. 595 p.
5. International commercial agreements and settlements: regulatory and legal regulation. Education manual / Edited by Yu. G. Kozak, N. S. Logvinova, Kyiv: Center for Educational Literature, 2010. 648 p.
6. Krylova N. V. Management of international trade operations: Teaching. manual Kyiv: MAUP, 2006. 232 p.
7. Vikhrov O. P. Legal regulation of economic relations in certain spheres and branches of the economy. Kyiv: Yurinkom Inter, 2017. 448 p.
8. Dakhno I., Alieva-Baranovska V. International economic law: textbook. Kyiv: Center for Educational Literature, 2019. 368 p.
9. Foreign economic operations and contracts: training. manual for students higher education closing Kyiv: Center for Educational Literature, 2004. 608 p.
10. Kozlovskiy, V. O. Conclusion of foreign economic agreements and contracts: training. manual Vinnytsia: VNTU, 2009. 166 p.

Supporting literature

1. Belyaeva A. P. The principle of freedom of contract in the legal regulation of foreign economic contracts: Abstract Diss. Ph.D. law Sciences: 12.00.01 / Nat. Academician of Law of Ukraine named after I. Wise. Kharkiv, 2005. 20 p.
2. Foreign economic agreement (contract) of purchase and sale: legal regulation: monograph. Vinnytsia: VNTU, 2013. 247 p.
3. Boyarska Z.I. International commercial law. Kyiv, 2020. 124 p.
4. Gelich A.O., Gelich Yu.O. Comparative legal characteristics of EU and Ukrainian legislation on anti-competitive concerted actions. Air and Space Law: Legal Bulletin. Scientific works of the National Aviation University. 2007. No. 3 (4). P. 53-56.
5. Kozyk V. V. Foreign economic operations and contracts. Education manual / V. V.

Kozyk, L. A. Pankova, Y. S. Krpyak, O. Yu. Grigoriev, A. O. Bosak. 2nd edition Kyiv: Center for Educational Literature, 2004. 608 p.

6. International settlements and currency transactions: Training. manual / O. I. Bereslavska, O. M. Nakonechnyi, M. G. Pyasetska, etc.; In general ed. M. I. Savluka. Kyiv: KNEU, 2020. 392 p.

7. Tsygankova T. M. International trade: Teaching method. self-help manual studied disc. T.M. Tsygankova, L.P. Petrashko, T.V. Kalchenko. Kyiv: KNEU, 2003. 256 p.

11. Links to information resources on the Internet, video lectures, other methodical support

1. The official web portal of the Verkhovna Rada of Ukraine. <http://portal.rada.gov.ua/>
2. Official online representation of the President of Ukraine. <http://www.president.gov.ua/>
3. The only web portal of executive authorities of Ukraine. <http://www.kmu.gov.ua/>
4. The official web portal of the judicial authorities of Ukraine. <http://court.gov.ua/>
5. Official website of the Constitutional Court of Ukraine. <http://www.ccu.gov.ua/>
6. Official website of the Commissioner for Human Rights of the Verkhovna Rada of Ukraine. <https://ombudsman.gov.ua/>