

МИНИСТЕРСТВО ОБРАЗОВАНИЯ И НАУКИ РОССИЙСКОЙ ФЕДЕРАЦИИ  
МОСКОВСКИЙ ГОСУДАРСТВЕННЫЙ ЮРИДИЧЕСКИЙ УНИВЕРСИТЕТ  
ИМЕНИ О. Е. КУТАФИНА (МГЮА)

# МЕЖДУНАРОДНОЕ ПРАВО

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Учебно-методическим объединением  
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Российской Федерации в качестве учебника  
для студентов высших учебных заведений,  
обучающихся по специальности и направлению  
подготовки «Юриспруденция»



# Mezhdunarodnoe Chastnoe Pravo

**W. E. Butler**



## **Mezhdunarodnoe Chastnoe Pravo:**

**Private International Law in Russia** Anton Asoskov, Daria Levina, Milana Karayanidi, 2024-06-27 This book provides the first comprehensive introduction to Russian private international law PIL for the foreign lawyer The book carefully examines the applicable conflict of law and jurisdictional rules on the basis of the relevant statutory provisions case law and doctrinal writings developed in Russia for the purposes of dealing with cross border commercial issues It covers topics that will be of particular interest to comparative scholars for instance the sources of PIL in Russia including international conventions and treaties party autonomy and the choice of law by the parties determination of applicable law in the absence of choice by the parties public policy exceptions and overriding mandatory provisions and many more These and other topics serve as an entry point to the hybrid system of law that Russian PIL is modelled on European law but characterised by its Soviet past

**Private International Law: The Soviet Approach**, 2024-12-02 The Soviet Union and International Cooperation in Legal Matters George Ginsburgs, 1991-11-01 The present title is the second in a three volume set addressed to the general theme of The Soviet Union and International Cooperation in Legal Matters This project will concentrate essentially on the post World War II repertory with some reference to pre 1945 antecedents in order to put the picture in a clearer perspective The preceding volume published in 1988 treated the Soviet Union's record in the field of commercial arbitration and the last one in this three volume set is scheduled to consider its related practices in the domain of criminal law In Part II the author analyzes the ensemble of rules observed between states whereby the legal organs of one will procure for the legal organs of the other procedural services designed to facilitate performance by the recipient party of its mission to administer justice

**The Emancipation of Soviet Law** Ferdinand J.M. Feldbrugge, 2023-08-28 The political economic and social reforms resulting from Gorbachev's perestroika have become more radical and comprehensive throughout the years Increasingly in their implementation a central role has been accorded to law The construction of a viable democratic system the establishment of an economy in which market factors are decisive the readmittance of a pluralistic civil society all of them presuppose in the eyes of the present Soviet leadership the creation of a reliable legal foundation Legislative activity in the Soviet Union during the past few years has therefore been hectic At the same time while law was being used as an instrument of change the character of Soviet law itself was deeply affected From being the obedient servant of a totalitarian master law is becoming the core element of a new order in which its supremacy is accepted as the starting point for redesigning all the major sectors of social life In this volume a number of leading Western experts consider the practical effect of this emancipatory process on the most important branches of Soviet law and investigate its philosophical dimensions

**Russian Electricity and Energy Investment Law** Anatole Boute, 2015-08-11 Electricity supply plays a strategic role for Russia's economic development and for social peace As a main consumer of natural gas electricity is also of central importance for the efficient management of Russia's energy resource basis Today however the electricity sector is in an

obsolete condition Investments are needed in the modernization of the infrastructure This book analyzes the liberalization and privatization program that Russia is implementing to attract private investments in this modernization process Taking a comparative approach this analysis critically assesses Russian electricity law in the light of the European liberalization experience Given the strategic importance of electricity investors face significant risks of government intervention This book identifies these regulatory risks and examines investment protection mechanisms under Russia s national and international investment obligations

**Russian Approaches to International Law** Lauri Mälksoo,2015-03-06 This book addresses a simple question how do Russians understand international law Is it the same understanding as in the West or is it in some ways different and if so why It answers these questions by drawing on from three different yet closely interconnected perspectives history theory and recent state practice The work uses comparative international law as starting point and argues that in order to understand post Soviet Russia s state and scholarly approaches to international law one should take into account the history of ideas in Russia To an extent Russian understandings of international law differ from what is considered the mainstream in the West One specific feature of this book is that it goes inside the language of international law as it is spoken and discussed in post Soviet Russia especially the scholarly literature in the Russian language and relates this literature to the history of international law as discipline in Russia Recent state practice such as the annexation of Crimea in 2014 Russia s record in the UN Security Council the jurisprudence of the European Court of Human Rights prominent cases in investor state arbitration and the creation of the Eurasian Economic Union are laid out and discussed in the context of increasingly popular civilizational ideas the claim that Russia is a unique civilization and therefore not part of the West The implications of this claim for the future of international law its universality and regionalism are discussed

**Rethinking Judicial Jurisdiction in Private International Law** Milana Karayanidi,2020-02-20 This book explores the theory and practice of judicial jurisdiction within the field of private international law It offers a revised look at values justifying the power of courts to hear and decide cross border disputes and demonstrates that a re conceptualisation of jurisdiction is needed Rather than deriving from territorial power of states jurisdiction in civil and commercial cross border matters ought to be driven by party autonomy This autonomy can be limited by certain considerations of equality and critical state sovereign interests The book applies this normative view to the existing rules of jurisdiction in the European Union and the Russian Federation These regimes are chosen due to their unique positions towards values in private international law and contrasting societal norms that generate and accommodate these values Notwithstanding disparate cultural and political ideas these regimes reveal a surprising level of consistency when it comes to enforcement of party autonomy There is nevertheless room for improvement The book demonstrates to scholars policy makers and lawmakers that jurisdiction should be re centred around the interests of private actors and proposes ways to improve the current rules

International Encyclopedia of Comparative Law , National Reports - U Viktor Knapp,2020-10-26 No detailed description available for

National Reports U **MEZHDUNARODNOE CHASTNOE PRAVO. I.S. PERETERSKII, S.B. KRYLOV, 1959** **Labour Law in Russia** Anthony Forsyth, Elena Radevich, 2014-11-10 Russias transition towards a market economy in the early 1990s called for new approaches to the regulation of employment relations in the post Soviet period in order to strike a balance between employers interests and employees rights in changed conditions The adoption of the Labour Code of the Russian Federation LC RF in 2001 contributed to solving the issue only partly as in reality it was passed as a compromise between different political forces and consists of both provisions which can be implemented in the new context of the market economy and restrictions inherited from the planned economy The recent and ever changing socio economic conditions and the increasing complexity of the employer employee relationship which is a result of both globalization and technological progress required the further development of Russian employment legislation This resulted in substantial amendments being made to the original LC RF in 2006 with the majority of its provisions being profoundly revised Nevertheless a thorough analysis of the changes currently under way shows that many aspects concerning employment relations have still not been addressed sufficiently The papers collected in the present volume of the ADAPT Labour Studies Book Series consider the recent developments of the legal regulation of employment relations as well as some closely related aspects from a historical and comparative perspective in order to provide some insights into these issues and to examine current challenges **The Operation of International Law in the Russian Legal System** Sergey Yu. Marochkin, 2018-12-24 This book addresses the increased role and standing of international law in the Russian legal system through analysis of judicial practice since the adoption of the Russian Constitution in 1993 The issue of interaction and hierarchy between international and domestic law within the Russian Federation is studied combining theoretical legal and institutional elements Sergey Marochkin explores how methods for incorporating and implementing international law or reasons for failing to do so have changed over time influenced by internal and global policy The final sections of the book are the most illustrative examining how the rule of law remains subordinate to the rule of politics both at the domestic and global level **The Soviet Union and international cooperation in legal matters. 3. Criminal law** George Ginsburgs, William B. Simons, 1988 The present title is the last in a three volume set addressing the umbrella theme of The Soviet Union and International Cooperation in Legal Matters The preceding installments treated the Soviet Union s record in the field of commercial arbitration and civil law respectively With the U S S R dead use of the term Soviet Union may call for some justification In this instance the desire to preserve stylistic continuity plays a role in the choice Furthermore the bulk of the monograph really does deal with the Soviet Union s track record in this domain on the assumption that much of its repertory in this theatre will be salvaged through the machinery of state succession in fairly intact or recognizable shape and affect the deployment of future modes of management of these affairs en route to stripping the old inventory of its socialist attributes and updating the core package In that sense the volume marks the end of a Soviet branch of international law and the dawn of a new discipline of research in the local brand

of post Soviet international law It seems safe to say though that whatever lies ahead is going to have its roots in the country s contemporary history and understanding these antecedents will make the job of figuring out what to expect next a bit easier The study concentrates essentially on post World War II repertory with some reference to pre 1945 antecedents in order to put the picture in a clearer perspective

**The Soviet Union and International Cooperation in Legal Matters - Part III: Criminal Law** George Ginsburgs,2023-08-28 The present title is the last in a three volume set addressing the umbrella theme of The Soviet Union and International Cooperation in Legal Matters The preceding installments treated the Soviet Union s record in the field of commercial arbitration and civil law respectively With the U S S R dead use of the term Soviet Union may call for some justification In this instance the desire to preserve stylistic continuity plays a role in the choice Furthermore the bulk of the monograph really does deal with the Soviet Union s track record in this domain on the assumption that much of its repertory in this theatre will be salvaged through the machinery of state succession in fairly intact or recognizable shape and affect the deployment of future modes of management of these affairs en route to stripping the old inventory of its socialist attributes and updating the core package In that sense the volume marks the end of a Soviet branch of international law and the dawn of a new discipline of research in the local brand of post Soviet international law It seems safe to say though that whatever lies ahead is going to have its roots in the country s contemporary history and understanding these antecedents will make the job of figuring out what to expect next a bit easier The study concentrates essentially on post World War II repertory with some reference to pre 1945 antecedents in order to put the picture in a clearer perspective

**Public Policy in Soviet Private International Law** André Garnefsky,2013-11-21 This study is based on original Russian sources due attention being paid to some authoritative views advanced by foreign lawyers Leaving aside the essentials of the work in the hope that they will speak for themselves I should like to make some preliminary remarks regarding the linguistic and other formal aspects First of all it should be noted that many of the Soviet laws have already been translated into English either in the USSR itself or in Western countries This fact is fully reflected in the bibliographical survey at the end of this study Some laws have been translated both in the Soviet Union and abroad as for instance the Fundamentals of Soviet Civil Legislation In such a case I have used the translation made in the USSR even though linguistically it may be inferior to the translation made in the West The author has translated only those legal provisions of which no English translation was available For transliteration I have used the system of the Library of Congress of the USA without its diacritical marks Further a word should be said about the references in the notes They are very brief and consist of the surnames of the authors concerned and if necessary an additional element e g

**The Non-Use of Force in International Law** W. E. Butler,2023-11-27

**Shaping the Economic Space in Russia** Stefanie Harter,Gerald Easter,2018-04-27 This title was first published in 2000 As the El tsin era has now drawn to a close numerous questions remain unanswered regarding the course of Russia s post Communist traditions El tsin s exit from the presidential stage

provides an opportunity to assess the achievements of Russia's multi-faceted reforms to explain the factors that have most shaped the reform process and to identify the trends that are likely to continue under a presidential successor. This volume embodies such an effort. Its contents are the product of a conference held in May 1999 at the Federal Institute for East European and International Studies in Cologne, Germany. The institute convened an international group of scholars representing a variety of academic approaches to the study of transition economies in general and Russia in particular. The title of this volume has been taken from the overarching theme of the conference. The goal was to determine the extent to which pre-existing structures and norms of economic and political life have been fundamentally altered by the El'tsin administration's reform campaigns and how these factors themselves have influenced the reform process. *Russia, Europe, and the Rule of Law* Ferdinand J.M. Feldbrugge, 2007-03-31

During the last two decades, Russia has gone through a process of radical political and socio-economic transformation. The legal system has reflected the various stages of this process and has also been a major agent in moving it forward. The country is at a crossroads now. External observers are sharply divided in evaluating the performance and intentions of the Russian leadership. Russia itself is involved in finding out where it stands. What sort of federation does it want to be? How will it define its relationship to Europe and to its former sister republics? The answers to such questions fundamentally affect the future shape of Russian law. At the same time, existing legal structures may predetermine the course Russia will take. **UKRAINE IS MODERN. SCIENTIFIC STUDIES OF THE PAST AND PRESENT** Boiko Y., Bogatchuk S., Levchuk K., Belkin I., Manhora V., Manhora T., Durach O., Makarov Z., 2023-02-09

The collective monograph is devoted to the study of trends in the development of modern Ukrainian society. The research uses an interdisciplinary approach which allows analyzing various aspects of the development of social processes in Ukraine and obtaining socially significant scientific results. The subject of Yuri Boyko's scientific interests are various manifestations of life activities of the population of Forest Steppe Ukraine in the 19th century: demographic, social, economic, cultural. In the proposed research, the author's attention is focused on the structure of the social organism, the dynamics of changes, regional features of the social organization of the population for the first time in domestic historiography, the issues of social topology, the construction of the social landscapes of the Right Bank and Left Bank, components of the Forest Steppe Ukraine, the place of Ukrainian provinces in the social space of the European part of the Russian Empire are specifically considered. 1850s-1860s. Svitlana Bogatchuk pays attention to the study of the life path of the founder of Ukrainian ethnographic science, the Ukrainian Pavlo Chubynskyi. It should be noted that in 1869-1872, under his leadership, ethnographic expeditions were conducted on the territory of Dnieper Ukraine based on the materials of which seven volumes of the Proceedings of the Ethnographic and Statistical Expedition were published, which became a significant phenomenon in the cultural life of the Ukrainian people, convincingly showing the world their originality: Ukrainian national spiritual culture. In 1872, the South-Western Branch of the Imperial Russian Geographical Society was opened in Kyiv, in the formation of which Pavlo Chubynsky

played a decisive role. The main task of the society was to collect and process and distribute geographical, ethnographic and statistical information. Kostyantyn Levchuk's research is aimed at studying the process of activity of non-governmental organizations of commodity producers of Ukraine in the context of reforming economic relations. Trade union organizations as the most representative public organizations of workers had to prove to the power structures their position, their vision regarding the ways out of the crisis and further social development. Public organizations operating in the spheres of economy include associations of entrepreneurs, farmers, tenants, employers and private owners. They are the result of self-organization of commodity producers which contributes to increased structuring and self-regulation of the economy. Unlike trade unions, public associations of entrepreneurs faced other tasks which consisted in the formation of corporate interests and awareness of the need to develop their own consistent and comprehensive economic policy. Ihor Belkin's chapter is devoted to trends in the development of educational services under today's conditions. The author pays attention to the dynamics of changes in the educational process under the influence of market relations. Attention is drawn to the key positions of each of the participants in the educational process. The legislative framework of education is analyzed. The content of the final result of the educational process is revealed. Comparative characteristics of the leading higher education institutions of Ukraine and their competitiveness are given. The key trends in the development of the provision of educational services abroad are characterized. In the context of the education market, the position of the main participants in this space is revealed in detail. At the end of his chapter, the author offers a set of analytical conclusions and proposals. Volodymyr Manhora's scientific research is aimed at forming knowledge about the state when teaching the history of Ukraine. The historical methodological aspect of the research has been developed which shows the dynamics of changes in the content of knowledge about the state and the methods of their assimilation in the learning process. According to the author, this is related to the appropriate conditions for the existence of historical and legal education in a specific historical period of the development of society, the development of methodical science and the accumulation of teaching experience. Only on the basis of the analysis of the historical and methodological aspect of this problem, modern achievements of methodical science and teaching practice, it is possible to scientifically justify and experimentally verify the effective method of forming knowledge about the state. Investigating the problem of the formation of the institution of inheritance in Ukraine and the peculiarities of the implementation of inheritance cases in the conditions of martial law, Tamir Manhor examines the controversial aspects of the legal regulation of the relevant legal relations. The introduction of martial law in Ukraine undoubtedly affected all spheres of social relations, including inheritance. In this period, questions that previously had only theoretical importance become urgent. In particular, the war and the temporary occupation of certain territories of Ukraine by the enemy significantly affect the exercise of rights by individuals in the field of inheritance law. It is first of all about significant obstacles in the realization of the right to receive inheritance. Because of this, the state must effectively and timely respond to such challenges in order to protect the rights and



interests of subjects as well as ensure the stability of property turnover There is no doubt that war is a significant destabilizing factor in the dynamics of property relations Therefore the task of legal doctrine in this extremely difficult period for the state is to develop effective mechanisms for subjects to exercise their inheritance rights for their further regulatory implementation Olga Durach s chapter examines the history of military courts in Ukraine The main reasons that contributed to the liquidation of military courts have been revealed The basic principles of the organization of the work of military courts in Ukraine have been determined Peculiarities and problematic issues of the administration of justice during the period of martial law have been studied and the reasons for the need to resume the work of military courts have been determined Ways to resolve controversial issues regarding the resumption of military courts in Ukraine are proposed Zorislav Makarov explores traditional forms of philosophical determinism in his creative work Significant attention is paid to the reception and transformation of such ancient and medieval philosophical concepts in the synthetic context of Renaissance determinism such as the physics of Aristotle the history of Titus Livius the mystical pantheism of the Neoplatonists and Nicholas of Cusa the magic and astrology of Hermeticism the theological ontology of Aurelius Augustine and Thomas Aquinas The sequence of overcoming medieval dualism in nomology is established from the humanistic mastering of the potential of transcendent powers in legislation by the Renaissance man due to its limitation by the requirements of social and political expediency to the new substantialization of nature in the form of rational principles of its movement and transformations of natural things The content of the collective monograph corresponds to the direction of scientific work of the Department of History of Ukraine and Philosophy of Vinnytsia National Agrarian University The monograph is the result of the initiative topic Research of trends in socio economic development and consolidation of Ukrainian society in the modern history of Ukraine State registration number 0122U001425 The head of the subject is Professor K I Levchuk The monograph uses historicalgenetic method statistical analysis sociological economic legal and pedagogical methods

**International Encyclopdia of Comparative Law ,**

## Adopting the Track of Phrase: An Emotional Symphony within **Mezhdunarodnoe Chastnoe Pravo**

In a global eaten by displays and the ceaseless chatter of instant interaction, the melodic splendor and mental symphony produced by the prepared word often disappear in to the back ground, eclipsed by the relentless sound and disturbances that permeate our lives. However, situated within the pages of **Mezhdunarodnoe Chastnoe Pravo** a charming literary prize brimming with raw thoughts, lies an immersive symphony waiting to be embraced. Crafted by an elegant musician of language, that interesting masterpiece conducts viewers on a mental trip, well unraveling the hidden melodies and profound influence resonating within each carefully constructed phrase. Within the depths of the emotional evaluation, we will discover the book is key harmonies, analyze their enthralling writing style, and surrender ourselves to the profound resonance that echoes in the depths of readers souls.

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