

Course Description for Internationell kommersiell tvistelösning / International Commercial Dispute Resolution Course code: JU922A

General information about the course

Content and objectives

The overall objective of the course is to provide an overview of international regulation regarding the various forms of commercial dispute resolution, with particular focus on certain areas and certain types of dispute resolution. The course covers both theoretical and practical aspects of dispute resolution, conflicts of interest, the difficulties in implementation, the links to the national legal system, the relationship between legal rules and set goals, and the importance of international legal principles and concepts. The course includes a specific attention to the interaction between various dispute resolution processes, as well as to the role that institutions, organizations and other governmental and non-state actors play in the development and application of commercial dispute resolution.

Learning objectives

Knowledge and understanding

Upon completion of the course, students are expected to be able to:

- demonstrate in-depth knowledge of international commercial dispute resolution in various forms and in various types of disputes

Skills and abilities

Upon completion of the course, students are expected to be able to:

- demonstrate an in-depth ability to master the methods of information retrieval which are required in order to work as a lawyer within international commercial dispute resolution and procedural law
- demonstrate an in-depth ability to interpret and apply the legal rules and principles used within international commercial dispute resolution and international procedural law in commercial contexts
- acquire the skills necessary to identify and analyse a relevant legal issue, both in written and oral form, and put forward arguments regarding the applicability and significance of the relevant rights,
- demonstrate an in-depth ability to place the legally defined rights in a practical historical context and relate legal arguments to these perspectives.

Judgement and approach

Upon completion of the course, students are expected to be able to:

- demonstrate in-depth ability to assess and evaluate commercial disputes from a **legal** perspective

Pedagogical approach

Instruction consists of lectures and seminars, including mock mediation and arbitration exercises. Additionally, visits are organized with authorities within the field of international dispute resolution in order to deepen the knowledge of the students. The course's pedagogy builds upon problem-based exercises which are based on both theoretical and practical problems. The language of examination is English.

More about the course structure

Written and oral exercises

The course is structured around the following topics: (i) negotiation and mediation; (ii) arbitration; (iii) specialized arbitration; and (iv) international litigation.

Mandatory course elements

Active attendance is mandatory for all seminars. Active attendance means that the student has prepared the assignments and is ready to participate in those discussions. Only participation in the group a student is registered in counts as attendance, unless a change of groups has been granted in advance.

The course director may, however, grant a general exemption from the attendance requirement in accordance with the regulations for examinations adopted by the Education Committee of the Faculty of Law. This general exemption does not extend however to mandatory seminars held in English. The attendance requirement is specified in the course description. An exemption can also be granted if the student has a lawful excuse, in which case the student is to complete a pedagogically equivalent assignment as defined by the course directory as compensation for the absence.

International and comparative elements of the course

Instruction in international arbitration and comparative methodology, and in legal scholarship is given throughout the course. The course is built around exchanging views and learning about different laws and approaches to legal problems.

Interaction with the surrounding society

The course contains elements of interaction with the dispute resolution community. It also takes a comprehensive approach to dispute resolution processes, addressing societal interests in commercial dispute resolution.

How the course relates to other courses as a whole

The course lays the groundwork and prepares students for deepening their knowledge in the subsequent courses which are part of the programme.

Requirements regarding participation in the course

Registration

A **Swedish student** who intends to participate in the course must be registered by the second day of the course at the latest.

Exchange students register on the course through their university account in Ladok at the beginning of their exchange, the week before the semester starts.

Re-registration

Re-registration on the course is done by the course administrator.

De-registration

If for some reason, a student does not intend to take the course, they must de-register within three weeks after the start of the course (known as "early withdrawal period"). This is done through the student's university account in Ladok. This is of great importance to guarantee a place in a group the next time the student applies for the course. The early withdrawal period is calculated from the Monday of the week the course starts and three weeks ahead. The last day is always a Sunday.

Please note that de-registrations may have consequences for the right to receive student grants, including Erasmus grants. Please, contact CSN for more information if you are a Swedish student, or the Office of International Affairs if you are an international master student or an exchange student.

Study instructions

Textbooks

The course literature is approved by the head of department. For information on the course literature, please refer to the course website and the course description. The current reading list will be made available at least two months before the course starts.

Other materials

Lists of articles, legal texts, cases and other materials are distributed as seminar or lecture materials during the course.

Preparations for teaching

For each seminar a seminar document is provided in advance. The students are expected to read the mandatory reading and prepare for the discussion/activity provided in the document.

Lectures do not usually require preparation in advance.

Examination

Examined moments

Assessment is based on the students' submitted written work and active participation in the seminars. Course grades are determined based on a combination of the performance in each of the different elements of the course. To pass the course all the learning outcomes for the course must be fulfilled. To complete the course the students, need to pass the written exam and receive minimum 50 per cent of overall points.

Students who initially fail the examination are given the opportunity to be assessed a second time. Students who have received a passing grade are not allowed to be assessed again in order to achieve a higher grade. Students who fail the course twice from the same examiner have the right to request a different examiner for their next examination. This, however, does not apply if there are particular reasons that a different examiner cannot be appointed.

The final grade in the course is based on the mocks, the essay and the written home exam. The first mock (report from the mock mediation) amounts to 10%, the second mock – (written and oral performance in the mock arbitration) 20%, the essay 20% and the written home exam 50% of the final grade. Other examined moments are graded with Pass (G) /Fail (U).

If the essay or the home exam are submitted late, points will be deducted (2 points for the essay and 5 points for the home exam).

The language of examination is English.

Active attendance at all seminars is mandatory. Active attendance means that the student shall have prepared the prescribed assignments and be prepared to participate in discussion of the same. The course director may grant a general exemption from the attendance requirement in accordance with the regulations for examinations adopted by the Faculty of Law's education committee. The extent of the attendance requirement is stated in the course description. Exemptions are otherwise solely granted if the student has a lawful excuse. In that case the student will have to complete a pedagogically equivalent assignment as compensation for their absence.

Assessment criteria

Assessment criteria for the essay and the mock arbitrations:

- Factual knowledge: display knowledge and understanding of the subject
- Implementation: ability to apply rules and solve legal problems in the field
- Independence: ability to independently and critically analyze and assess legal issues
- Time: Ability to plan and carry out written work within specified time frames

Assessment criteria regarding the home exam:

- In-depth knowledge and understanding of the subject,
- In-depth ability to identify, formulate, evaluate and critically analyse the legal issues in question,
- Advanced ability to create and evaluate solutions to complex problems,
- Advanced ability to conduct legal research and use of sources,
- Ability to write in a structured and clear manner, using appropriate language,
- Ability to plan and carry out written work within specified time frames.

Exam

Swedish students receive a grade on the learning outcome-based four-grade grading scale AB-U.

Exchange students receive a grade on the learning outcome-based seven-grade grading scale A-F(x).

All students have the right to receive grades according to the grading scale A-F(x). Swedish students who wish to do so must report this to the course coordinator/teaching assistant at the start of the course.

Students with a documented disability who have been issued a certificate of extra pedagogical support from Stockholm University must report this to the course administrator/teaching assistant as soon as possible (see below, "[Studying with a disability](#)").

Permitted aids and other exam regulations

Written home exam:

In the Home exam, all materials are allowed, but the students cannot communicate as the exam is to be completed individually and independently.

Student submissions undergo a plagiarism check. Plagiarism, including self-plagiarism, as well as using AI to write the exam is considered a form of cheating and may result in a report to the disciplinary committee.

Grading criteria on the A-F(x) grading scale

A (Excellent)

Have excellent knowledge and understanding of international commercial dispute resolution, with an excellent overview of the subject's system, detailed terminology, concepts, principles, sources of law, regulatory framework, methods, and current research and development. Have excellent knowledge and understanding of international commercial dispute resolution law, especially as regards to the negotiation, mediation, arbitration, and international litigation legal framework. Have excellent ability to independently identify, formulate, evaluate and critically analyse international commercial dispute resolution issues and create and critically analyse and evaluate solutions to advanced and complex problems, by using appropriate methods and within specified time periods. Have excellent ability to use appropriate methods for legal investigations and detailed assignments related to international commercial dispute resolution within specified time frames and to discuss the results in writing and orally and in dialogue with different groups and regarding ethical and social aspects.

B (Very Good) Have very good knowledge and understanding of international commercial dispute resolution, with an excellent overview of the subject's system, detailed terminology, concepts, principles, sources of law, regulatory framework, methods, and current research and development. Have very good knowledge and understanding of international commercial dispute resolution law, especially as regards to the negotiation, mediation, arbitration, and international litigation legal framework. Have very good ability to independently identify, formulate, evaluate and critically analyse international commercial dispute resolution issues and create and critically analyse and evaluate solutions to advanced and complex problems, by using appropriate methods and within specified time periods. Have very good ability to use appropriate methods for legal investigations and detailed assignments related to international commercial dispute resolution within specified time frames and to discuss the results in writing and orally and in dialogue with different groups and regarding ethical and social aspects.

C (Good) Have good knowledge and understanding of international commercial dispute resolution, with an excellent overview of the subject's system, detailed terminology, concepts, principles, sources of law, regulatory framework, methods, and current research and development. Have good knowledge and understanding of international commercial dispute resolution law, especially as regards to the negotiation, mediation, arbitration, and international litigation legal framework. Have good ability to independently identify, formulate, evaluate and critically analyse international commercial dispute resolution issues and create and critically analyse and evaluate solutions to advanced and complex problems, by using appropriate methods and within specified time periods. Have good ability to use appropriate methods for legal investigations and detailed assignments related to international commercial dispute resolution within specified time frames and to discuss the results in writing and orally and in dialogue with different groups and regarding ethical and social aspects.

D (Satisfactory) Have satisfactory knowledge and understanding of international commercial dispute resolution, with an excellent overview of the subject's system, detailed terminology, concepts, principles, sources of law, regulatory framework, methods, and current research and development. Have

satisfactory knowledge and understanding of international commercial dispute resolution law, especially as regards to the negotiation, mediation, arbitration, and international litigation legal framework. Have satisfactory ability to independently identify, formulate, evaluate and critically analyse international commercial dispute resolution issues and create and critically analyse and evaluate solutions to advanced and complex problems, by using appropriate methods and within specified time periods. Have satisfactory ability to use appropriate methods for legal investigations and detailed assignments related to international commercial dispute resolution within specified time frames and to discuss the results in writing and orally and in dialogue with different groups and regarding ethical and social aspects.

E (Sufficient) Have sufficient knowledge and understanding of international commercial dispute resolution, with an excellent overview of the subject's system, detailed terminology, concepts, principles, sources of law, regulatory framework, methods, and current research and development. Have sufficient knowledge and understanding of international commercial dispute resolution law, especially as regards to the negotiation, mediation, arbitration, and international litigation legal framework. Have sufficient ability to independently identify, formulate, evaluate and critically analyse international commercial dispute resolution issues and create and critically analyse and evaluate solutions to advanced and complex problems, by using appropriate methods and within specified time periods. Have sufficient ability to use appropriate methods for legal investigations and detailed assignments related to international commercial dispute resolution within specified time frames and to discuss the results in writing and orally and in dialogue with different groups and regarding ethical and social aspects.

Fx (Insufficient) Minor deficiencies exist such that the student does not fulfil all the requirements necessary for a grade of E.

F (Entirely insufficient) Considerable deficiencies exist such that the student does not fulfil all the requirements necessary for a grade of E.

Grading criteria on the AB-U scale

AB – A/B

Ba – C/D

B – E

U – Fx/F

Request for grade review:

Requests for grade reviews are submitted on a special form to the course administrator. The request must be carefully supported.

Studying with a disability

General

Stockholm University offers various forms of extra pedagogical support for people with permanent disabilities. The support offered depends on the individual's situation and is intended to facilitate studies. The goal is for all students to have an opportunity to study on equal terms.

To take advantage of the support offered, students must submit an application to the university's Disability Services (part of the Student Services). To do this, they must log into the system NAIS via a link found on Student Services's web page (Stockholm University > Education > Studying with a disability > how to apply for support) and fill in the online form. To complete the application, a certificate confirming the disability must be attached.

When the application is received, the student will be contacted by the Student Services to book a personal meeting.

Once the student is granted support, they will need to contact their department's contact person and submit the certificate issued by the Student Services. The contact person at the Department of law for Swedish students is Viktoria Pettersson, director of studies, Tel.: 08-16 13 04 or e-mail: viktoria.pettersson@juridicum.su.se. Exchange students must also contact the OIA using the email exchange@juridicum.su.se.

Examination

Note that the course administrator/teaching assistant must be informed of a student's documented disability no later than 3 weeks before each examination in order for the extra pedagogical support to be in place in time. If the information is received later, the department cannot guarantee that the examination can be carried out as desired. Please also note that registration for the exam must be done in the usual manner no later than 10 calendar days before the exam. Also note that in order to receive extra pedagogical support during the entire course (e.g. note-taking assistance) or special extra measures (e.g. dividing up the exam), the course administrator/teaching assistant must be contacted at the latest by at the start of the course.

Student influence and course development

All students are asked to complete an anonymous electronic course evaluation at the end of the course. The course evaluation is of great importance for the quality assurance of the course content and its pedagogical structure. The course is constantly changing and evolving, and the views and ideas expressed in the course evaluation are always carefully considered.