Department of Law

Stockholm University

Syllabus

Advanced International Arbitration 15**.0 ECTS credits**

Course code: JU678M
Determined by: Revised by the head of the Department of Law (Part) , 2024-04-23
Valid from: Spring semester 2025 (2025-01-20)
Level within study programme: Advanced level
Subject group: JU1 Law and jurisprudence
Main field: International Commercial Arbitration

The division of the course into parts	Advanced International Arbitration, 15.0 University credits (optional)

1. Prerequisites and special admittance requirements

Students must have completed the compulsory requirements for the course International Commercial Arbitration Law.

2. Course content

The course is the second course on the master's program in international commercial arbitration law and aims to provide a deepened and broadened knowledge in the subject area, both materially, theoretically and methodologically.

For admission, the student must have completed the compulsory requirements for the course International Commercial Arbitration Law.

The course is preparatory for research and aims to convey an in-depth understanding of jurisprudential methods and theories, as well as of complex problems, research and development work and trends within international arbitration law. Based on the introductory compulsory course in the master's program, this course entails a deepening in both material and methodological terms, as well as broadening in new and dynamic areas, including insights into new research trends in international arbitration law.

The content of the course consists of an in-depth scientific study regarding such legal rules and legal principles, which are relevant in international commercial arbitration law. Within the framework of the course, arbitration within the framework of international investment disputes, as well as relevant issues with regard to states and state-owned companies as parties to arbitration, will be addressed. The course also deals with new and sometimes controversial legal developments (such as international ethical rules, third-party funding, management of public interests in arbitration, class actions and multi-party processes) that require a critical analysis and a balance between the interests of society and the private parties. The course also deals with the academic debate on the theoretical basis of international arbitration law, which in turn affects both

the scientific and the practical aspects of international commercial arbitration law.

In the course, students handle advanced and complex problems in international arbitration based on a research perspective and with the application of adequate jurisprudential methods. By studying complex and controversial problems from a scientific and critical perspective, students develop their ability to plan and conduct their own research.

In teaching, special emphasis is placed on methodological approaches. Teaching in international arbitration method and scientific rigor is ensured throughout the course. The course also includes guest lectures with the aim of conveying knowledge and insights into current problems, trends and research development in international arbitration at a high scientific level. Within this framework, researchers/guest lectures are invited to present new and ongoing research. Particular focus is placed partly on topics that are the subject of current debate in arbitration doctrine, partly on questions that are connected to the students' chosen topics for degree work.

The course further aims to develop the student's perspective on the law, from a traditional legal application perspective to a researcher's perspective. The aim is to help the student develop into an independent and critically analyzing researcher with a good understanding of scientific methods within international arbitration law. The student must further strengthen his ability to identify and formulate research questions, to reason, structure, analyze and reflect on the research subject, as well as to develop his knowledge of legal methods and theory.

During the course, the student must write a memorandum in which research questions must be identified and the methodology must be described. In accordance with the increased difficulty of the advanced course, the requirements for methodological awareness and scientific meticulousness are raised in step with the more advanced methodological skills. The student must develop both his capacity to ensure well-reasoned delimitations and the ability to identify the need for additional information and knowledge in order to show insight into the possibilities and limitations of science.

The course will also develop the students' awareness of the complexity of the research, as well as the student's ability to make assessments with regard to scientific, ethical and societal aspects of various problems and possible solutions.

3. Learning outcomes

Knowledge and Understanding

After successful completion of the course, the student is expected to be able to:

- demonstrate in-depth knowledge and understanding of international arbitration law and insight into current research and development work, and
- demonstrate in-depth knowledge and understanding of international arbitration theory and method.

Skills and Abilities

After completing the course, the student is expected to be able to:

- demonstrate a deepened ability to integrate knowledge and handle complex issues and situations in international commercial arbitration even with limited information,
- demonstrate a deepened ability to independently identify and formulate arbitration law issues,
- demonstrate a deepened ability to critically analyze and assess various arguments and complex issues within the arbitration law scientific debate and within the ongoing legal development within international arbitration law,
- show enhanced ability to independently plan and implement with adequate methods qualified tasks within given time frames, and
- show advanced ability to clearly explain and discuss their conclusions orally and in writing and the knowledge

and arguments that underlie them in dialogue with different groups.

Judgement and Approach
After completing the course, the student is expected to be able to:
- demonstrate the ability to independently and critically assess arbitration issues and evaluate solutions to advanced and complex problems with regard to relevant scientific, societal and ethical aspects,
- demonstrate awareness of ethical aspects of research and development work , and
- show insight into the possibilities and limitations of science.

4. Teaching

Teaching mainly consists of lectures, including lectures with guest lecturers, and seminars. The detailed forms of teaching are set out in the course description.

The language of teaching is English.

5. Forms of examination

The course's learning outcomes are examined through:
- active attendance at the mandatory seminars,
- oral presentation,
- - writing a memorandum, and
- - take-home exam

Late submission of a written memorandum will be graded, but will automatically result in points being deducted.

Active participation in the seminars is mandatory. Active attendance means that the student has prepared the assignments and is ready to participate in discussions about them. Students must participate in the assigned group and it counts as attendance, unless a change of group has been granted in advance. The course director may grant an exemption from the attendance requirement if the student has a lawful excuse, in which case the student should complete an extra assignment as compensation for their absence.

Assessment criteria regarding memoranda:
- problem formulation,
- factual knowledge,
- analysis and argumentation,
- language,
- formal requirements
- ability to carry out the work within specified time frames

Assessment criteria regarding oral presentation:
- topic
- knowledge of facts,
- critical perspective,
- oral skills,
- references, e.g.
- PowerPoint presentation, as well as
- ability to carry out the work within given time frames.

Grades for the course are set after a balance of the memoranda, the oral presentation and the take-home exam. All course requirements must be met in order to pass the course. The course description shows the maximum score for each grade-based examination component, as well as the minimum score for each component that must

be achieved in order to pass the course. Course grades are determined based on a combination of the student's performance in each of the different elements of the course. Allowed aids for the exam and grading criteria are specified in the course description.

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 grading system uses a criterion-referenced scale of seven grades with passing grades of A (Excellent), B (Very good), C (Good), D (Satisfactory), or E (Sufficient). Failing grades are Fx (Insufficient) or F (Entirely insufficient).

A student with a certificate of special pedagogical support issued by Stockholm University has the right to alternative/accommodated forms of examination in accordance with the certificate.

6. Miscellaneous

Completed course requirements are valid for two years. This also applies to students who drop the course during the early course withdrawal period.

The course requirements in effect at the time of the student's first registration on the course may be completed within two years. After two years, the course requirements included in the most recently revised syllabus will apply.

Entry into force

These provisions are effective from 20 January 2024.

Course literature

Course literature is approved by the Head of the department. For information on course literature, do refer to the course website and the course description. A current bibliography must be available no later than two months before the start of the course.