**International Arbitration**

*(Prof. Annalisa Ciampi)*

*Subject matter and purpose of the course*

The course is aimed at providing an in-depth analysis of arbitration as a dispute settlement mechanism between States (inter-states arbitration), between private parties (commercial arbitration) as well as between States and private parties (investment arbitration). Specific attention will be devoted to the advantages of arbitration, such as its flexibility, its expeditiousness, the confidentiality aspect, freedom to designate the arbitrators and easier circulation of arbitral awards compared to diplomatic processes, international tribunals and decisions rendered by state courts, as the case may be.

*Program*

The course is structured into three parts. I *Inter-States Arbitration*. In this context, through the study of the case of the *South China Sea* Arbitration between the Philippens and China, the course will deal with the advantages and limits of arbitration *vis-à-vis* the diplomatic means of dispute settlement and resort to international courts and tribunals. II. *International Commercial Arbitration*. This part will focus on general issues, including the distinction between administered and *ad hoc* arbitration, the sources of international arbitration, the arbitration agreement, the arbitral proceeding, the laws applicable to the arbitration, the arbitral award and its recognition and enforcement. III *Investment Arbitration*. The course concentrates on the standards for protection of foreign investment and the specificities and advantages of arbitration under the Convention on the Settlement of Investment Disputes between States and Nationals of Other States (ICSID Convention) as well as under the EU proposed International Court System (ICS).

The course is taught entirely in English. The teaching method combines lectures, case-studies and group discussion. Every year, the course benefits from the participation of guest lecturers coming from prestigious foreign universities and with a strong academic and/or professional background.

This year, our international guests are Prof. Mohamed Sameh Amr, Director of the International Law Department, Faculty of Law, of Cairo University (Egypt) and Member of ICSID Panel of Arbitrators; and Prof. Yannick Radi from Leuven University (Belgium).

*Bibliography*

Attending students shall prepare on their notes and the other materials indicated during the course and made available through the e-learning platform. Students who did not attend the course shall prepare on: Dolzer, Schreuer, *Principles of International Investment Law*, 2 ed., Oxford University Press, 2012, only **Chapters I, III and X (pp. 1-27; 44-78 and 232-312).**

*Exam*

The examination shall be in English for both attending students (modalities to be agreed upon during the course) and non attending students (3 written questions and an oral interview).