

## MODULE DESCRIPTOR

### Module Title

International Commercial Dispute Resolution

Reference	LLM586	Version	2
Created	July 2023	SCQF Level	SCQF 11
Approved	June 2016	SCQF Points	15
Amended	July 2023	ECTS Points	7.5

### Aims of Module

To undertake comparative study of several key issues of Commercial Dispute Resolution. To facilitate deep understanding and to develop analytical skills in the area of International Commercial Dispute Resolution, with an emphasis on commercial arbitration.

### Learning Outcomes for Module

On completion of this module, students are expected to be able to:

- 1 Demonstrate an in depth comparative understanding of key themes and issues in commercial dispute resolution.
- 2 Analyse key issues in commercial dispute resolution.
- 3 Advise on commercial dispute resolution issues in respect of various nations around the world and on the resolution of international commercial disputes.

### Indicative Module Content

The module will revolve around important 'themes' of commercial dispute resolution. The classes will undertake comparative study on the following broad areas. Examples, case studies and module content will be drawn from various jurisdictions around the world. 1. Comparative analysis of Public resolution of disputes including: International Private Law matters such as jurisdiction, service, choice of law, forum shopping, recognition and enforceability; Adversarial v inquisitorial systems of justice; Aspects of international civil procedure. 2. Types of Alternative Dispute Resolution such as Med-Arb; Mediation; Conciliation; Mini-trial; comparative analysis of ADR methods in commercial contracts. 3. International Commercial Arbitration including: An International Survey; UNCITRAL model law - especially, interim orders from a court and comparison with English Arbitration Act 1996; Institutional Rules - e.g. International Chambers of Commerce, World Intellectual Property Organisation, ICSID (Investment disputes).

### Module Delivery

Intensive workshops in traditional mode and interactive materials in on line mode.

**Indicative Student Workload**

	Full Time	Part Time
Contact Hours	36	36
Non-Contact Hours	114	114
Placement/Work-Based Learning Experience [Notional] Hours	N/A	N/A
TOTAL	150	150
<i>Actual Placement hours for professional, statutory or regulatory body</i>		

**ASSESSMENT PLAN**

If a major/minor model is used and box is ticked, % weightings below are indicative only.

**Component 1**

Type:	Examination	Weighting:	100%	Outcomes Assessed:	1, 2, 3
Description:	Examination (100% weighting)				

**MODULE PERFORMANCE DESCRIPTOR****Explanatory Text**

Component 1 comprises 100% of the module grade. To pass the module, a D grade is required.

Module Grade	Minimum Requirements to achieve Module Grade:
<b>A</b>	A
<b>B</b>	B
<b>C</b>	C
<b>D</b>	D
<b>E</b>	E
<b>F</b>	F
<b>NS</b>	Non-submission of work by published deadline or non-attendance for examination

**Module Requirements**

Prerequisites for Module	None.
Corequisites for module	None.
Precluded Modules	None.

**INDICATIVE BIBLIOGRAPHY**

- 1 BLACKABY, N. et al., 2022. *Redfern and Hunter on international arbitration - student version*. 7th ed. Oxford: Oxford University Press. *ebook*
- 2 SUTTON, J.D., GILL, J., et al. 2023. *Russell on Arbitration*. 25th ed. London: Sweet and Maxwell.
- 3 BORN, G. 2021. *International Commercial Arbitration* 3rd ed., Kluwer Law International.
- 4 MOSES, M. L., 2017. *The principles and practice of international commercial arbitration*. 3rd ed., Cambridge: Cambridge University Press. *ebook*
- 5 BINDER, P., 2019. *International Commercial Arbitration and Mediation in UNCITRAL Model Law Jurisdictions* (Kluwer Law International).