

The Hebrew University of Jerusalem

Syllabus

Foundations of International Arbitration Law and Practice - 62216

Last update 07-01-2024

HU Credits: 1

Degree/Cycle: 1st degree (Bachelor)

Responsible Department: Law

Academic year: 0

Semester: 2nd Semester

Teaching Languages: English

Campus: Mt. Scopus

Course/Module Coordinator: David Joseph

Coordinator Email: djoseph@essexcourt.net

Coordinator Office Hours:

Teaching Staff:

Dr. David Joseph

Course/Module description:

Well over half of the world's international commercial disputes are now resolved through arbitration. Enforcement of arbitration awards in Israel and abroad is primarily through the New York Convention – perhaps the most successful international commercial instrument of all time. Israel was one of the founder signatories to the New York Convention. Study of the central principles has become necessary for all law students. The techniques used in international arbitration have now also become normative for the resolution of many other types of dispute; from consumer and public law to disputes between states and under international treaty. Arbitration law reaches right across the whole reach of dispute resolution.

Course/Module aims:

The course is designed to be suitable for LLM and undergraduates. It requires no prior knowledge from other modules and fits in well with any interest in international law and practice. The course gives an introduction to law and practice of international commercial arbitration through a series of easy to follow lectures and some opportunity to develop practical skills. It requires no prior knowledge from other modules.

Learning outcomes - On successful completion of this module, students should be able to:

Student will learn and should know:

- 1.What is arbitration, what are the requirements of an arbitration agreement. The central advantages of arbitration and how it differs to court process.
- 2.Different types of arbitration from private agreement to international treaty.
- 3.What are different laws that are involved in arbitration dispute resolution.
- 4.The nature of an arbitration agreement and how it is enforced through the Model Law and sometimes by injunction.
- 5.The essential procedures in and features of a typical international arbitration. and how the ICC, LCIA and other institutions operate.
- 6.Challenges to the arbitrators' jurisdiction.
- 7.Enforcement of the Award, the New York Convention

Attendance requirements(%):

Teaching arrangement and method of instruction: Students will learn through a series of five well sign posted lectures. There will be proper time set aside for discussion and questions as well.

There will also be a short exam of two written questions covering topics discussed in the course of the lectures.

We will also undertake a short evidence-based assignment in the course of the lectures in order to broaden understanding

Course/Module Content:

The course content is split up into three broad topics:

I.The nature of arbitration, an arbitration agreement.

II.The governing procedures and features

III.Enforcement and challenges to an Award

Required Reading:

Not more than 100 pages from two textbooks

1.Joseph QC, Jurisdiction and Arbitration Agreements and their Enforcement

2.Redfern & Hunter on International Arbitration Student Version (Oxford) 6th Ed 2015

Additional Reading Material:

Grading Scheme:

Essay / Project / Final Assignment / Home Exam / Referat 100 %

Additional information:

Not applicable