

Course title	International Arbitration 1 (theory)		
Instructor	James Claxton	Lecture category	Credit(s)
		2nd semester	2

Theme and Objectives

This course introduces students to the practice of international arbitration and advocacy in arbitral proceedings. Students act as lawyers in successive steps in a mock case and thereby gain practical experience with arbitration procedure, written advocacy, and oral advocacy. Prior coursework in international arbitration is useful but not necessary.

By the end of the course, students should have a good understanding both of international arbitration procedure and the work of international arbitration lawyers.

Description and Schedule

There will be 2 lectures a week totalling 15 lectures over the term. Class sessions will be devoted to explaining the fundamentals of international arbitration and to experiential exercises that simulate the daily work of lawyers representing clients in this area.

The following list identifies the main subjects covered in class discussions:

- Planning for disputes in international commercial transactions
- The history of international arbitration
- The political and legal functions of international arbitration
- Support for international arbitration by courts, laws, and rules
- Selecting and designing an arbitral regime
- Choosing and challenging arbitrators
- Effective oral advocacy
- Effective written advocacy
- Collecting and using evidence in arbitral proceedings
- Legal research in international arbitration
- Enforcement of arbitral awards
- Ethics in international arbitration

Students perform the following tasks in a series of role-play exercises:

- Advise a client about dispute resolution alternatives
- Advise a client about arbitral procedure
- Advise a client about the applicable law and the choice of arbitrator
- Cross-examine a witness at a hearing
- Make legal and factual arguments at a hearing

Students will perform the following written tasks:

- Request documents from opposing counsel
- Oppose a request for documents from opposing counsel
- Draft a written brief on legal and factual aspects of a case

Evaluation

The students will be assessed as follows:

Class participation	25%
Advise client on dispute resolution alternatives	10%
Advise client on arbitrator selection and challenge	10%
Advise client on settlement and procedure	10%
Document request and response	5%
Written memorials	20%
Hearing on the merits	10%
Final examination	10%

Information Regarding Preparation, Review and Related Subjects

Office Hour and Contact Information

Contact details and office hours will be announced at the first session.

Message

This course is exceptional for its emphasis on the daily work of lawyers representing clients in international arbitration cases. Students will do what lawyers do over the course of the term: advise clients, choose arbitrators, file requests, file written pleadings, cross-examine witnesses, and plead at a hearing. Leading practitioners in international arbitration will participate in the class, giving students the chance to meet and learn from various experienced counsel. This is a dynamic, interactive course that is intended to improve the students' oral and written advocacy skills while giving them a taste of the practice of international commercial arbitration.

Improvements in Teaching

Textbook

The course textbooks and other materials will be made available to students in electronic format. Students may wish to purchase the the first title (International Commercial Arbitration) for ease of reference. Students should print the course materials used in class exercises.

International Commercial Arbitration: An Asia-Pacific Perspective / Simon Greenberg, Christopher Kee, and Romesh Weeramantry : Cambridge University Press ,2011 ,ISBN:
Art of Advocacy in International Arbitration (2nd ed.) / Doak Bishop and Edward Kehoe : Juris ,2010 ,ISBN:

Reference Materials

Classroom Language

All lectures and exercises will be conducted in English.

Keywords

"international arbitration " ; " international commercial arbitration " ; "investment arbitration"; "international investment arbitration"; "investment law"; " commercial international arbitration " ; " advocacy " ; " arbitral " ; " mock " ; " moot "