

International Commercial Arbitration (B001764)

Course size *(nominal values; actual values may depend on programme)*

Credits 4.0 **Study time 120 h**

Course offerings and teaching methods in academic year 2026-2027

A (semester 2)	English	Gent	
B (semester 1)	English	Gent	lecture

Lecturers in academic year 2026-2027

Piers, Maud RE21 lecturer-in-charge

Offered in the following programmes in 2026-2027

	crdts	offering
Master of Science in Teaching in Social Sciences(main subject Laws)	4	B
Master of Laws in Laws	4	B
Master of Laws in International and European Law(main subject Comparative Law and Transnational Dispute Resolution)	4	B
Master of Laws in International and European Law(main subject International Business Law)	4	B
Master of Laws in International and European Law(main subject International and Human Rights Law)	4	B
Master of Laws in International and European Law(main subject International and National Legal Orders)	4	B
Exchange Programme in Law	4	B

Teaching languages

English

Keywords

Arbitration , International commercial law

Position of the course

Students already have a basic notion of what arbitration entails. Most of them got an introduction to the concept of arbitration in some of their other law classes. However, oftentimes this was only a basic introduction. This course aims at having the students acquire a higher level of expertise regarding international arbitration. A successful student will acquire thorough knowledge of the operation and the challenges of international arbitration and this from a broad comparative law perspective.

Contents

In this class, students learn about the law of international commercial arbitration. This includes a study of the law that applies to the arbitration agreement and the arbitration proceedings, as well as the law that governs the court proceedings concerning the annulment, recognition or enforcement of an arbitral award. To gain insight into the law of international commercial arbitration, reference will be made to the arbitration laws of several national legal systems, to the uniform law provided in the UNCITRAL Model Law, to arbitration regulations of the most prominent arbitration institutions (eg. the ICC Court of Arbitration) as well as soft law instruments and instruments of *lex mercatoria* (Unidroit, IBA). This class also focuses on the arbitration practice, amongst other by organizing a visit to the ICC Court of Arbitration where a practical introduction will be given to the inner workings of ICC arbitration. Students will acquire the skills necessary to make practical choices about the arbitration procedure in light of the political and economic context in which the seat of arbitration is or must be situated. The

students also become acquainted with different methods of ADR and with investment arbitration.

Initial competences

The students must have sufficient knowledge of the English language. They also must have acquired some prerequisite knowledge on the legal aspects of international trade, such as regarding private international law or international commercial transactions.

Final competences

- 1 Know and apply the requirements for drafting a valid arbitration agreement and properly assess and understand the course of an arbitration procedure
- 2 Understand and have insight into the international arbitration practice
- 3 Draft and evaluate documents used in international commercial arbitration and make strategic decisions in this regard
- 4 Form an opinion about topical issues in arbitration and defend this opinion in writing
- 5 Understand and assess the different approaches in the arbitration practice and law of different countries
- 6 Acknowledge and compare the benefits of one particular legal system over another for the parties involved in international commercial arbitration
- 7 Understand and explain the development of transnational law.

Conditions for credit contract

Access to this course unit via a credit contract is unrestricted: the student takes into consideration the conditions mentioned in 'Starting Competences'

Conditions for exam contract

This course unit cannot be taken via an exam contract

Teaching methods

Seminar, Excursion, Lecture, Independent work

Extra information on the teaching methods

This class is taught by studying the law in action. Practical examples and real-life cases must illustrate how the arbitration law is applied in practice. The professor guides the students through the most important stages of the arbitration procedure and points out the different issues that counsel as well as arbitrators encounter in international arbitration. Students must prepare for each class and they are expected to participate in the discussions.

The students will have one week to engage in and earn grades for a small group discussion that happens on an online forum. They will be asked to take a stance with regard to minimum 3 and maximum 5 statements and to engage with the responses of their fellow participants. The discussions on these fora present an opportunity for collaborative learning and stimulates critical reflection and self-study. Therefore, the posts should be short and not exceed 200 words.

Students are required to participate in a study trip organised by the programme to the ICC Court of Arbitration in Paris. There, they are immersed for one and a half days in a practical case, through which they gain an inside understanding of the ICC Arbitration Rules.

Study material

Type: Reader

Name: International Commercial Arbitration Reader

Indicative price: Free or paid by faculty

Optional: no

Language : English

Number of Pages : 1000

Available on Ufora : Yes

Online Available : Yes

Available in the Library : No

Available through Student Association : No

Additional information: The reader contains texts that are intended to help students prepare for the lessons and also includes the relevant regulations that will be used during the class and the exam.

Type: Excursion

Name: Study Trip to ICC Court of Arbitration Paris

Indicative price: € 150

Optional: no

Additional information: The cost for LL.M. students is covered by their tuition fees and is therefore EUR 0. The other students receive a EUR 50 contribution from the International Relations Office, so carry about 100 EUR themselves

References

See course material and see the addenda of international treaties and arbitration rules of some of the major arbitration institutions.

Course content-related study coaching

The professor will be available to provide guidance and answer questions.

Assessment moments

end-of-term and continuous assessment

Examination methods in case of periodic assessment during the first examination period

Oral assessment

Examination methods in case of periodic assessment during the second examination period

Oral assessment

Examination methods in case of permanent assessment

Participation

Possibilities of retake in case of permanent assessment

examination during the second examination period is possible

Extra information on the examination methods

Oral exam consists of a combination of knowledge questions and solving a case and is aimed at assessing the students' understanding of the law and practice of arbitration

Continuous assessment, that is: active participation in at least 3 and maximum 5 online discussion fora

Retake continuous assessment: submission of 1500 words paper taking position with regard to a topical issue

Calculation of the examination mark

The evaluation of their contribution to the discussion fora accounts for 25% of the grade. The oral exam accounts for 75% of the grade.