

INTERNATIONAL COMMERCIAL LITIGATION AND ARBITRATION (LL203)

Course duration: 54 hours lecture and class time (Over three weeks)

LSE Teaching Department: Department of Law

Lead Faculty: Dr Jacco Bomhoff, Dr Ugljesa Grusic and Mr Manuel Penades

Pre-requisites: Introduction to legal methods or equivalent

Content:

This course offers a concise introduction to the legal challenges relating to the international dimension of litigating commercial disputes, both before state courts and in arbitration. London being one of the most important centres for commercial litigation and arbitration in the world, the course focuses on the relevant English and European Union law, invoking experiences from other jurisdictions where useful. Special attention will be given to the means of anticipating problems in contractual stipulations such as jurisdictional clauses, choice-of-law clauses and arbitration clauses.

Materials:

Both parts of the course will primarily rely on the reading and discussion of leading English, European and some foreign cases and the relevant legislation and rules posted online. Basic reading will be from Hartley, *International Commercial Litigation* (CUP 2009) and Moses, *Principles and Practice of International Commercial Arbitration* (2nd edn, CUP 2012).

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Week 1

Part I – International Commercial Litigation

- 1 Introduction to jurisdiction of courts in commercial matters under Brussels I
- 2 Jurisdiction of English courts in extra-European commercial cases
- 3 Complex commercial litigation
- 4 Enforcement of foreign judgments in commercial matters
- 5 The law applicable to commercial contracts

Week 2

- 6 Jurisdictional Agreements

Part II – International Commercial Arbitration

- 7 Nature and sources of international arbitration
- 8 Drafting and enforcing arbitration agreement
- 9 Arbitral procedure and support by state courts

Week 3

- 10 The law applicable to the merits in international arbitration
- 11 Challenge, recognition and enforcement of award
- 12 The role of public policy in international arbitration

Part III – Revision and Exam

- 13 Revision (optional)
- 14 Exam (optional)

Credit Transfer: If you are hoping to earn credit by taking this course, please ensure that you confirm it is eligible for credit transfer well in advance of the start date. Please discuss this directly with your home institution or Study Abroad Advisor.

As a guide, our LSE Summer School courses are typically eligible for three credits within the US system and 7.5 ECTS in Europe. Different institutions and countries can, and will, vary. You will receive a digital transcript and a printed certificate following your successful completion of the course in order to make arrangements for transfer of credit.

If you have any queries, please direct them to summer.school@lse.ac.uk