

# MASTER OF SCIENCE IN WEALTH MANAGEMENT

## MAÎTRISE UNIVERSITAIRE EN GESTION DE PATRIMOINE

### INTERNATIONAL COMMERCIAL ARBITRATION (5085)

Prof. Gabrielle KAUFMANN-KOHLER

6 ECTS

Semester: Autumn

Teaching language: English

#### Description

Nowadays arbitration is the settlement method of choice for disputes arising in international commerce. Switzerland is one of the most used arbitration places worldwide. This course reviews all issues raised in international arbitration proceedings following the chronology of the arbitral process. It starts with distinguishing arbitration from other dispute resolution mechanisms, stressing its specific features and why parties choose arbitration over other methods, and outlining the often multinational or transnational legal framework of arbitration. It then examines the arbitration agreement, the constitution of the tribunal, the fundamental principles of procedures governing before the arbitrators, the law applied by the arbitral tribunal to resolve the dispute, the content of the award, and finally focuses on the remedies available against an arbitral award, be it at the annulment or the enforcement stage. The course mixes theoretical and practical aspects, the theory being illustrated with examples drawn from the extensive practical experience of the teacher. While the course primarily aims at Swiss international arbitration law, it is meant to convey a general understanding of this method of dispute settlement from a transnational perspective, highlighting common features of the evolution of the law and practice of international arbitration worldwide.