

| Course Name : International Litigation and Arbitration |                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                      |                      |                   |         |      |
|--------------------------------------------------------|----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|----------------------|-------------------|---------|------|
| Course Code                                            | Course Type                            | Regular Semester                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Lecture (hours/week) | Seminar (hours/week) | Lab. (hours/week) | Credits | ECTS |
| LAW 523                                                | B                                      | Fall                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 3.00                 | 1.00                 | 0.00              | 3.50    | 6.00 |
|                                                        |                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                      |                      |                   |         |      |
| Lecturer                                               |                                        | Saimir Shatku, PhD                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                      |                      |                   |         |      |
| Assistant                                              |                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                      |                      |                   |         |      |
| Course language                                        |                                        | Albanian                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                      |                      |                   |         |      |
| Course level                                           |                                        | Master                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                      |                      |                   |         |      |
| Description                                            |                                        | The aim of the course is to examine the formation, nature and the effect of the arbitrators's contract, addressing topics such as the appointment, challenge, removal and duties and right of arbitrators, disputing parties and arbitration institutions. To do this we are going to utilize a semi-autonomous theory of the juridical nature of international arbitration and a contractual theory of the legal nature of these relationship. Also we are going to exam the institution's contract with the disputing parties and its effect on the arbitrator'contract under institutional rules in various jurisdictions to give a global view of the issues examined in it. We have the intention to exam moreover the arbitrator's contract from a global perspective of arbitrarily law and practice with insights from various jurisdictions in Africa, Asia, Europe, North and South America. |                      |                      |                   |         |      |
| Objectives                                             |                                        | The focus of this course is going to be centered on the formation of the arbitrator's contract and the terms of this contract and the institution's contract. The primary question of the consequences of the breaches of the terms of these contracts and its impact on the exclusion or limitation of liability of arbitrators and institutions is also analysed with the conclusion that since these transactions are contractual and the terms can be categorized as in any normal contract, then normal contractual remedies can be applied to the breaches of these terms.                                                                                                                                                                                                                                                                                                                       |                      |                      |                   |         |      |
| Core Concepts                                          |                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                      |                      |                   |         |      |
| Course Outline                                         |                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                      |                      |                   |         |      |
| Week                                                   | Topic                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                      |                      |                   |         |      |
| 1                                                      | Arbitration agreement                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                      |                      |                   |         |      |
| 2                                                      | Juridical and relationship theories    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                      |                      |                   |         |      |
| 3                                                      | The jurisdictional theory              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                      |                      |                   |         |      |
| 4                                                      | The contractual theory                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                      |                      |                   |         |      |
| 5                                                      | Mixed or hybrid theory                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                      |                      |                   |         |      |
| 6                                                      | Parties to the arbitrator's contract   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                      |                      |                   |         |      |
| 7                                                      | Formation of the arbitrator's contract |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                      |                      |                   |         |      |
| 8                                                      | Midterm Exam                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                      |                      |                   |         |      |
| 9                                                      | Remedies                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                      |                      |                   |         |      |
| 10                                                     | Termination of the contracts           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                      |                      |                   |         |      |
| 11                                                     | Arbitration procedure of Albania       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                      |                      |                   |         |      |
| 12                                                     | Arbitration cases in Albania           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                      |                      |                   |         |      |
| 13                                                     | "Sky Petroleum"                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                      |                      |                   |         |      |
| 14                                                     | "Burimi Srl" & "Eagle Games sh.a."     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                      |                      |                   |         |      |

|                                                                          |                                                                                                                          |                                                                                                                                                                                                                                                         |                  |               |
|--------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|---------------|
| 15                                                                       | “CEZ” shpërndarje.                                                                                                       |                                                                                                                                                                                                                                                         |                  |               |
| 16                                                                       | Final Exam                                                                                                               |                                                                                                                                                                                                                                                         |                  |               |
| Prerequisites                                                            |                                                                                                                          | The student must attend the course at a minimum rate of 75%.                                                                                                                                                                                            |                  |               |
| Literature                                                               |                                                                                                                          | <ul style="list-style-type: none"><li>• James Fawcett and Janeen Carruthers,</li><li>• Russell J Weintraub,</li></ul>                                                                                                                                   |                  |               |
| References                                                               |                                                                                                                          | <ul style="list-style-type: none"><li>• Gary B Born,</li><li>• Albanian Civil Procedure Code 1994</li><li>• Brussels Convention / Brussels 1 Regulation 2001</li><li>• Rome Convention / Rome 1 Regulation 2008</li><li>• New York Convention</li></ul> |                  |               |
| Course Outcome                                                           |                                                                                                                          |                                                                                                                                                                                                                                                         |                  |               |
| 1                                                                        | The capacity and the ability to examine the problems that derive from international commercial relations.                |                                                                                                                                                                                                                                                         |                  |               |
| 2                                                                        | Knowledge of the procedure for resolving disputes between parties, the case law of international courts of arbitration.. |                                                                                                                                                                                                                                                         |                  |               |
| 3                                                                        | Recognition and enforcement of foreign arbitral awards in domestic jurisdiction.                                         |                                                                                                                                                                                                                                                         |                  |               |
| Course Evaluation                                                        |                                                                                                                          |                                                                                                                                                                                                                                                         |                  |               |
| In-term Studies                                                          |                                                                                                                          | Quantity                                                                                                                                                                                                                                                | Percentage       |               |
| Midterms                                                                 |                                                                                                                          | 1                                                                                                                                                                                                                                                       | 50               |               |
| Quizzes                                                                  |                                                                                                                          | 0                                                                                                                                                                                                                                                       | 0                |               |
| Projects                                                                 |                                                                                                                          | 0                                                                                                                                                                                                                                                       | 0                |               |
| Term Projects                                                            |                                                                                                                          | 0                                                                                                                                                                                                                                                       | 0                |               |
| Laboratory                                                               |                                                                                                                          | 0                                                                                                                                                                                                                                                       | 0                |               |
| Class Participation                                                      |                                                                                                                          | 0                                                                                                                                                                                                                                                       | 0                |               |
| Total in-term evaluation percent                                         |                                                                                                                          |                                                                                                                                                                                                                                                         | 50               |               |
| Final exam percent                                                       |                                                                                                                          |                                                                                                                                                                                                                                                         | 50               |               |
| Total                                                                    |                                                                                                                          |                                                                                                                                                                                                                                                         | 100              |               |
| ECTS Workload (Based on Student Workload)                                |                                                                                                                          |                                                                                                                                                                                                                                                         |                  |               |
| Activities                                                               |                                                                                                                          | Quantity                                                                                                                                                                                                                                                | Duration (hours) | Total (hours) |
| Course duration (Including the exam week: 16x Total hours of the course) |                                                                                                                          | 16                                                                                                                                                                                                                                                      | 4                | 64            |
| Study hours outside the classroom (Preparation, Practice, etc.)          |                                                                                                                          | 14                                                                                                                                                                                                                                                      | 3                | 42            |
| Duties                                                                   |                                                                                                                          | 0                                                                                                                                                                                                                                                       | 10               | 0             |
| Midterms                                                                 |                                                                                                                          | 1                                                                                                                                                                                                                                                       | 15               | 15            |
| Final Exam                                                               |                                                                                                                          | 1                                                                                                                                                                                                                                                       | 20               | 20            |
| Other                                                                    |                                                                                                                          | 0                                                                                                                                                                                                                                                       | 0                | 0             |
| Total Work Load                                                          |                                                                                                                          |                                                                                                                                                                                                                                                         |                  | 141           |
| Total Work Load / 25 (hours)                                             |                                                                                                                          |                                                                                                                                                                                                                                                         |                  | 5.64          |
| ECTS                                                                     |                                                                                                                          |                                                                                                                                                                                                                                                         |                  | 6.00          |