

Course Name : E Drejta e Arbitrazhit							
Course Code	Course Type	Regular Semester	Lecture (hours/week)	Seminar (hours/week)	Lab. (hours/week)	Credits	ECTS
LAW 517	N/A	Fall	3.00	0.00	0.00	3.00	5.00
Lecturer		Gentjan Skara, PhD					
Assistant							
Course language		Albanian					
Course level		Program i Integruar					
Description		The course “Arbitration Law” plays an important role in the formation of lawyers who are focused on the international aspect of judicial and arbitration proceedings. The course is designed to address the most important topics in this broad field. Initially, the course will provide a general explanation of the concepts used, focusing further on the definitions and scope of judicial and arbitration proceedings. Further, the course will cover all types of procedures applied in International Arbitration Courts. In addition, the course will deal with the drafting of the arbitration agreement, the applicable law and the recognition of foreign decisions in national courts. The course will also provide specific knowledge on analyzing the nature and effects of the arbitration agreement, addressing issues such as determination, challenge and dismissal, as well as the obligations and rights of arbitrators, disputing parties and arbitration institutions. The course will also focus on the recently adopted law on arbitration by the Parliament of Albania.					
Objectives		This course aims to: - Introduce students to the concepts of international arbitration and international judicial procedures. - Introduce students to the method of drafting an arbitration contract and the terms used therein. - Provide students with knowledge in determining the applicable law in cases of resolving a conflict through arbitration procedures and explain the recognition and enforcement of foreign decisions in the country. - Examine the arbitration agreement from an arbitration law and practice perspective, shedding light on different jurisdictions in Africa, Asia, Europe and South America. - Explain the importance of implementing international arbitration procedures. - Explain the procedures followed in International Arbitration Courts such as the International Chamber of Commerce, in Hong Kong, London, etc. - Develop students' critical thinking in analyzing international arbitration cases. - To introduce students to some of the concrete cases of Albanian companies in International Arbitration Courts.					
Core Concepts		1. Arbitration 2. Arbitration Agreement 3 Arbitar 4. Award					
Course Outline							
Week	Topic						
1	Introduction to international arbitration. This week explains the syllabus and general concepts of international arbitration. Students will also be introduced to other topics that will be covered in this course.						
2	International Arbitration Agreements: Legal Framework, Formation and Validity of International Arbitration Agreements. This week provides a general overview of the international arbitration agreements. It explains the legal framework of international agreements. Moreover, the lessons focus on the formation and validity of international arbitration agreements. Born, chapter 2 and 3						
3	This lecture focuses on the interpretation of international arbitration agreements. During the lectures, the different styles used in the interpretation of arbitration agreements between parties will be addressed. Also, concerns that arise during the interpretation of agreements will be discussed with students by referring to specific cases. Born, Chapter 4						

4	International Arbitral Proceedings: Legal Framework This class addresses the procedural conduct of international arbitrations. It first outlines the basic objectives of the international arbitral process, in particular as compared with and distinguished from litigation in national courts. Born, Chapter 6
5	Selection and Removal of Arbitrators in International Arbitration This lecture will focus on the selection and removal of arbitrators in international arbitration. The lecture will discuss the criteria for the selection and removal of arbitrators. Born, Chapter 7
6	Procedural Issues in International Arbitration This lecture will address several procedural aspects of international arbitration. Students will be introduced to these aspects by referring to various cases Chapter 8
7	Disclosure and Evidence-Taking in International Arbitration This lesson discusses disclosure and evidence taking in international arbitration. Document disclosure in international arbitration is a tool available to the parties for obtaining factual evidence so as to prove disputed allegations. As a fact-finding tool, document disclosure can accelerate the resolution of factual issues that are crucial to the case. chapter 9
8	Mid term exam
9	Confidentiality and Transparency in International Arbitration In this week, students will become familiar with confidentiality and transparency in international arbitrations. Confidentiality is the duty not to disclose information to third parties and, in the context of international arbitration, may extend to the parties, arbitrators, witnesses, experts or members of the arbitral institution. Confidentiality is often described as one of the key reasons for users' trust in international arbitration, as it is a means of preserving the reputation and relationships of the parties, as well as limiting public disclosure of sensitive business transactions. chapter 10
10	Legal Representatives and Professional Responsibility in International Arbitration In this week, students will become familiar with the legal representatives and professional responsibility in international arbitration. Students will refer to several international institutional rules and guidelines as there are no uniform rules. Born, chapter 14
11	International Arbitral Awards: legal framework and annulment In this week, students will be introduced to the arbitral award. Arbitral awards are final and binding. In certain circumstances, however, they can be challenged or annulled through judicial proceedings. The annulment of arbitral awards refers to the legal process by which a court sets aside or nullifies an arbitration award that has been issued by an arbitral tribunal. Born, Chapter 15 and 16
12	Recognition and Enforcement of International Arbitral Awards This week focuses on recognition and enforcement of International Arbitral awards. Students will become familiar with the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York, 1958). Born chapter 17
13	Investor-State and State-to-State Arbitration In this week, students will become familiar with investor-state dispute settlement. investor-state dispute settlement is a set of rules through which states (sovereign nations) can be sued by foreign investors for certain state actions affecting the foreign direct investments (FDI) of that invest Born, chapter 18
14	Arbitration Law in Albania In this week, students will be introduced to Law 52/2023 "On Arbitration in the Republic of Albania". This law aims to create a legal framework for the organization and development of arbitration procedures, as well as guaranteeing the organization of the development of arbitration procedures in a professional, qualitative, efficient and effective manner. Law 52/2023 "On Arbitration in the Republic of Albania".
15	Cases relating to Arbitration in Albania
16	Final Exam

Prerequisites	The student must attend the course at a minimum rate of 75%.		
Literature	• Gary B. Born, International Arbitration Law and Practice, Wolter Kluwer 2021 • F.Tafaj Kola, Alternative Dispute Resolutions, Tiranë-Dea Print 2015		
References	• Konventa e ICSID. “ Për mbrojtjen e investitorëve të huaj” • Ligji per Arbitrazhin		
Course Outcome			
1	Students will be able to understand the problems arising from international relations.		
2	Students will have sufficient knowledge in the field of arbitration.		
3	Students will learn about the types of procedures in different international jurisdictions.		
4	Students will be introduced to the specifics of Albanian law on arbitration procedures.		
5	Students will be prepared to draft arbitration agreements for various subjects.		
6	Students will be practically trained in analyzing concrete issues of Albanian companies in arbitration.		
Course Evaluation			
In-term Studies		Quantity	Percentage
Midterms		1	40
Quizzes		0	0
Projects		0	0
Term Projects		0	0
Laboratory		0	0
Class Participation		0	0
Total in-term evaluation percent			40
Final exam percent			60
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	3	48
Study hours outside the classroom (Preparation, Practice, etc.)	14	4	56
Duties	0	0	0
Midterms	1	10	10
Final Exam	1	15	15
Other	0	0	0
Total Work Load			129
Total Work Load / 25 (hours)			5.16
ECTS			5.00