

LSE INTERNATIONAL COMMERCIAL LITIGATION & ARBITRATION

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.

Session: Two

Assessment*: One examination and one essay

Prerequisites

Introduction to legal methods or equivalent.

Programme structure

Jurisdiction of English courts in commercial cases
Jurisdiction courts in EU countries in civil and commercial matters ('Brussels I')
Complex commercial litigation
Enforcement of foreign judgments in commercial matters in EU and English law
The law applicable to commercial contracts
Jurisdictional agreements
Nature and sources of international arbitration
Drafting and enforcing arbitration agreement
Arbitral procedure and support by state courts
The law applicable to the merits in international arbitration
Challenge, recognition and enforcement of award
The role of public policy in international arbitration
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.

Course outcomes

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.

Reading materials

Hartley, International Commercial Litigation, (3rd edition, CUP, 2020)

Moses, The Principles and Practice of International Commercial Arbitration, (3rd edition, CUP, 2017)