



KAPITAŁ LUDZKI
NARODOWA STRATEGIA SPÓJNOŚCI

Projekt współfinansowany przez
Unię Europejską w ramach
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Społecznego

UNIA EUROPEJSKA
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FUNDUSZ SPOŁECZNY



Course title		ECTS code	
CIELSP501 Dispute Settlement in Commercial Law		10.0.6598	
Name of unit administrating study			
null			
Studies			
faculty	field of study	type	five-year Master's
Faculty of Law and Administration	Law	form	full-time
		specialty	all
		specialization	all
Teaching staff			
dr hab. Tomasz Widlak, profesor uczelni			
Forms of classes, the realization and number of hours		ECTS credits	
Forms of classes		6	
Lecture			
The realization of activities			
classroom instruction, online classes			
Number of hours			
Lecture: 30 hours			
The academic cycle			
2022/2023 summer semester			
Type of course		Language of instruction	
an elective course		english	
Teaching methods		Form and method of assessment and basic criteria for evaluation or examination requirements	
<ul style="list-style-type: none"> - critical incident (case) analysis - group work - seminar lecture - text analysis and discussion 		Final evaluation	
		Examination	
		Assessment methods	
		<ul style="list-style-type: none"> - written exam with open questions - assignment work – project or presentation - written exam (test) - written exam (long written answer/problem solving) - oral exam 	
		The basic criteria for evaluation	
		Grading scale: (A) very good (5.0) - 91% and more, (B) good plus (4.5) - 81% - 90%, (C) good (4.0) - 71% - 80%, (D) satisfactory plus (3.5) - 61% - 70%, (E) satisfactory (3.0) - 51% - 60%, (F) insufficient (2.0) - 50% and less. The percentage determines the percentage of knowledge and skills required for a given assessment. Percentages are rounded up to whole numbers in accordance with the generally applicable rounding rules.	
Method of verifying required learning outcomes			
Required courses and introductory requirements			
A. Formal requirements			
no formal requirements / no limits			
B. Prerequisites			
no initial requirements / no limits			
Aims of education			

The main aim of the course is the formation of the students of a complex approach to the understanding of basics and legal foundations of the legal methods of the dispute settlement in commercial law and its role in international economic relations as well as training of specialists who will be able to do the qualified analytical organizational and research work.

Course contents

The course will cover the following topics:

1. The formation and development of mechanisms for resolving international commercial disputes.
2. Ways to resolve disputes in international business.
3. Alternative ways of settling disputes
4. Dispute resolution in international commerce through negotiations.
5. Facilitation as a type of mediation in the settlement of commercial disputes.
6. Mediation as a type of settlement of commercial disputes.
7. Quasi-judicial and judicial methods of dispute settlement in international commerce.
8. Arbitration as a type of settlement of commercial disputes.
9. Litigation of international commercial disputes.

Bibliography of literature

1. Chase, P.H. TTIP, investor–state dispute settlement and the rule of law. *European View* 14, 217–229 (2015). <https://doi.org/10.1007/s12290-015-0377-z>
2. Syamsudin, M. The Failure of the Court to Protect Consumers: A Review of Consumer Dispute Resolution in Indonesia. *J Consum Policy* 44, 117–130 (2021). <https://doi.org/10.1007/s10603-020-09470-0>
3. Butler, N., Subedi, S. The Future of International Investment Regulation: Towards a World Investment Organisation?. *Neth Int Law Rev* 64, 43–72 (2017). <https://doi.org/10.1007/s40802-017-0082-5>
4. Zeleznikow, J. Using Artificial Intelligence to provide Intelligent Dispute Resolution Support. *Group Decis Negot* 30, 789–812 (2021). <https://doi.org/10.1007/s10726-021-09734-1>
5. Oduntan, G. Access to justice in international courts for indigent states, persons and peoples. *Indian Journal of International Law* 58, 265–325 (2018). <https://doi.org/10.1007/s40901-019-00098-5>
6. *Diplomatic and Judicial Means of Dispute Settlement*. Edited by Laurence Boisson de Chazournes, Marcelo G. Kohen, and Jorge E. Vinuales. Leiden, Boston: Martinus Nijhoff Publishers, 2013. - 337 P.
7. J. G. Merrills, *International Dispute Settlement*, 3rd. ed., Cambridge, University Press, 1998, 354 p.
8. E. R. Robles, “Political & Quasi-Adjudicative Dispute Settlement Models in European Union Free Trade Agreements”, WTO Economic and Research Statistics Division, Staff Working Paper ERSD-2006-09, November 2006. - 38 P.

The learning outcomes (for the field of study and specialization)

KNOWLEDGE

K_WG01

has in-depth and ordered knowledge of the nature of legal sciences, their place in the system of sciences and relations to other sciences

K_WG02

knows the terminology and concepts of law and related fields to an extended degree

K_WG03

has in-depth knowledge about the system of powers in Poland, with particular emphasis on legislative and judicial power

K_WG04

knows the system of Polish law, interrelationships within this system and connections between Polish law and European Union law and international law

K_WG05

has structured knowledge of the types of legal relations and regularities that govern them

K_WG06

has structured knowledge about person as an entity constituting social structures and the principles of their functioning, as well as about person as an entity functioning in these structures

K_WG07

knows methods and tools, including techniques for obtaining data and information, and research methods

Knowledge

Students are supposed to:

Know the basics of international dispute settlement, foundations of conflict regulations in international private law, the system of modern economic relations, and the institutional mechanism of regulation of international economic relations. Be able to analyze and draw legal conclusions from the different areas of international economic cooperation between states and international organizations.

Skills

Students have basic skills in regulations of the process of trade liberalization, application of provisions of international trade agreements, defining the boundaries of national jurisdiction, offer procedural and substantive ways of resolving disputes with a foreign element.

Social competence

Students will develop competencies connected with perceiving and evaluating the most critical problems in the dispute settlement area. They will be encouraged to develop and formulate their own opinions and deepen their knowledge for understanding the situation due to the methodology (for instance, solving cases, writing an essay, resolution of tests etc.)

<p>appropriate for legal sciences and related fields</p> <p>K_WG08 has in-depth knowledge of the sources of Polish law, its changes and the process of its creation</p> <p>K_WG09 has in-depth and ordered knowledge of the processes of change in power systems and its individual organs as well as the consequences of these changes</p> <p>K_WK10 knows and understands the basic concepts and principles in the field of protection of industrial property and copyright and understands the need for proper protection of intellectual property and management of its resources</p> <p>K_WK11 has in-depth knowledge of the principles of creating and developing basic forms of individual entrepreneurship</p> <p>K_WK12 has knowledge of health and safety at work in public administration institutions</p> <p>K_WK13 has in-depth knowledge of the functioning of self-governments of legal professions, knows the rules of exercising the profession of judge and prosecutor, has knowledge about the organization of justice in Poland</p> <p>SKILLS</p> <p>K_UW01 has deepened skills in observing and interpreting social phenomena, analyzes their connections with various areas, branches of law and related sciences</p> <p>K_UW02 is able to use and integrate theoretical knowledge of law and related scientific disciplines to analyze and interpret complex legal problems</p> <p>K_UW03 is able to use complex theoretical approaches to analyze, interpret and design legal strategies; can generate solutions to specific problems related to the law and forecast the course of their solutions and predict the effects of planned activities</p> <p>K_UW04 efficiently uses legal and professional principles and norms in undertaken professional activity</p> <p>K_UW05 can analyze and has the ability to diagnose moral and legal dilemmas in professional work</p> <p>K_UW06 is able to assess the usefulness of typical procedures and good practices for the implementation of complex tasks related to various areas related to law and related fields</p> <p>K_UK07 has developed the ability to understand and analyze social phenomena and to use this analysis in professional work</p> <p>K_UK08 has an in-depth ability to prepare various essays in Polish and in a foreign language related to his work</p> <p>K_UK09 has deepened ability to prepare oral presentations, in Polish and in a foreign language, in the field of law and related sciences</p> <p>K_UK10</p>	
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<p>has language skills in the fields of science and scientific disciplines relevant to the field of study being studied, in accordance with the requirements set for level B2 + of the European Language Description System</p> <p>K_UO11</p> <p>is able to cooperate in a team and is able to coordinate the work of the team in solving legal problems, interpreting legal acts, preparing a written or oral position on</p> <p>K_UU12</p> <p>is able to efficiently acquire knowledge and develop his professional skills using a variety of sources (in native and foreign languages) and modern technologies</p> <p>COMPETENCES</p> <p>K_KK01</p> <p>has deepened awareness of the level of their knowledge and skills, and also understands the need for lifelong learning</p> <p>K_KK02</p> <p>is aware of the need to expand professional competences and qualifications as well as improves skills, is able to independently determine the directions of their own development and education in an extended and in-depth degree</p> <p>K_KO03</p> <p>is ready to actively participate in groups, organizations and institutions carrying out professional activities related to law, at the same time is able to communicate with people who are not specialists in the field of law</p> <p>K_KO04</p> <p>is ready to undertake the preparation of own social projects, taking into account legal, economic and political aspects, including the preparation and implementation of projects co-financed by the European Union</p> <p>K_KR05</p> <p>prepares responsibly for his work, is able to set priorities at work which is properly laid out</p> <p>K_KR06</p> <p>is convinced of the importance of behaving in an ethical and professional manner, acting in accordance with the principles of ethics</p> <p>K_KR07</p> <p>is ready to take on professional challenges, undertakes efforts and is characterized by perseverance in the implementation of individual and team activities in the field of law and related sciences</p>	
<p>Contact</p> <p>http://prawo.ug.edu.pl/pracownik/3151/tomasz_widlak</p>	