

ARBITRATION LAW
(Diritto dell'arbitrato interno ed internazionale)
a.a. 2024/2025
6 CFU – 42 hours
6 CFU Prof.ssa M.L. Guarnieri

General Informations

Arbitration law
a.a. 2024/2025
42 hours - 6 CFU
I semester

Professors

Prof. Maria Laura Guarnieri – marialauraguarnieri@unicz.it
Department of Law, Economics and Sociology

Course contents

The course analyses the essential elements of Italian arbitration system, within a national and international framework. It starts from arbitration conventions, followed by the appointment of arbitrators; then the various phases of the arbitration procedure are discussed and commented on. The final part of the course deals with arbitration awards, their review and the recognition and enforcement of foreign award in Italy.

Aim of the course

At the end of the course students will be able to distinguish arbitration and other ADR, to describe arbitration and its procedural aspects; to know the award, the differences between jurisdictional decisions; to know how review awards.

Topics

Definition of Arbitration, debate on the nature of arbitration, arbitration and mediation, arbitration and other ADR; arbitral conventions and arbitrability; arbitral tribunal; arbitral proceeding; arbitral award and its review; recognition and enforcement of foreign award.

Time commitment

130 hours.

Teaching methods

Frontal lessons.

Resources and materials

- Sergio La China, L'arbitrato. Il sistema e l'esperienza, edizione 2011, Giuffrè;
- Carratta, Le riforme del processo civile, Giappichelli, edizione 2023 (solo da pag. 211 a 223).

Support activities

Weekly both Professors will provide tutoring to discuss topics dealt during the course.

Course completion

A guide concerning how to attend lessons is given by art. 8 Regolamento didattico d'Ateneo.

The exams will be taken in oral form according to art. 22, Regolamento didattico d'Ateneo.

“Regolamento didattico d'Ateneo” is here available for consultation:
http://www.unicz.it/pdf/regolamento_didattico_ateneo_dr681.pdf

Evaluation criteria

Evaluation will be expressed according to the following scheme:

Rejected: Serious shortcomings; Significant inaccuracies; Presence of frequent generalizations; Inability to synthesize arguments; References: Insufficient.

18-20: Threshold level knowledge; insufficient ability to analyse and synthesize; References: Barely sufficient.

21-23: Basic knowledge of arguments; the student is able to analyze and synthesize arguments skills; Standard references.

24-26: non-trivial knowledge of the topics; appropriate synthesis and presentation skills; Basic references.

27-29: Appropriate knowledge of the topics; Good synthesis and presentation skills; Thorough knowledge of the main topics.

30-30L: Advanced knowledge of the topics; High synthesis and presentation skills; Detailed knowledge of all topics.