

COURSE DESCRIPTION

Academic year: 2026/2027	
University: Comenius University Bratislava	
Faculty: Faculty of Law	
Course ID: PraF.KOP/ENm17-3116/26	Course title: Alternative Dispute Resolution
Educational activities: Type of activities: lecture / seminar Number of hours: per week: 1 / 2 per level/semester: 13 / 26 Form of the course: on-site learning	
Number of credits: 3	
Recommended semester: 3.	
Educational level: II.	
Prerequisites:	
Course requirements: Continuous assessment: 40% (home written assignments and presentations on selected topics) Final assessment: 60% (oral exam – case analysis) Classification scale: A/1 = 91 – 100 %; B/1,5 = 81 – 90 %; C/2 = 73 – 80 %; D/2,5 = 66 – 72 %; E/3 = 60 – 65 %; FX = 0 – 59 %. During the exam, the student can use all available sources of information, mostly the unpublished legislation, commentaries, case law, legal literature and legal information systems. Scale of assessment (preliminary/final): 40/60	
Learning outcomes: Knowledge: Upon completing the course, the student can explain the nature and significance of alternative dispute resolution (ADR) methods in both national and international contexts and to characterize the basic principles and legal framework of negotiation, mediation, and arbitration. The student understands the legal and procedural aspects of arbitration as an important out-of-court method of dispute resolution and can explain its application in resolving commercial disputes in an international environment. The student is familiar with legal issues related to arbitration, particularly the drafting of arbitration clauses, the selection and appointment of arbitrators, the course of arbitral proceedings, as well as the annulment and enforcement of arbitral awards. Abilities: The student also understands the basic theoretical and legal foundations of international investment law and can explain the specific features of different types of international investment arbitration, including the key procedural aspects of international investment arbitral proceedings. Based on the acquired knowledge, the student can identify appropriate alternative dispute resolution methods depending on the nature of a particular dispute, analyse their advantages and limitations in relation to court proceedings, and apply the basic principles of negotiation and mediation in conflict resolution. Responsibility and independence: The student can work independently with relevant legal regulations and academic literature, analyse legal issues related to arbitration and international investment arbitration, and formulate qualified legal opinions on dispute resolution in both national and international contexts, while considering the legal, procedural, and ethical aspects of individual dispute resolution mechanisms.	

Class syllabus:

1. Alternative methods of dispute resolution
2. Negotiation
3. Mediation
4. Basic concepts and legal bases of arbitration, forms of arbitration, ad hoc arbitration and institutional arbitration
5. The law governing arbitration; the law applicable to the merits of the dispute
6. Appointment, objection and removal/resignation of arbitrators, independence and impartiality of arbitrators
7. Arbitration proceedings and role of national courts; meaning of the place of the arbitration, arbitration award: form, content, type and service, cancellation and review of arbitration award
8. Ways of dealing with international investment disputes and forms of international investment arbitration proceedings
9. Conditions for resolving an investment dispute in the form of international investment arbitration (ratione personae), consent to international investment arbitrage
10. Most-favored-nation clause, umbrella clause and jurisdiction
11. Damages, interim measures and costs in international investment arbitration
12. Revocation, review of arbitration awards
13. Enforcement of arbitration awards

Recommended literature:

Julian D. M. Lew, Loukas A. Mistelis, Dr Stefan Kroll: Comparative International Commercial Arbitration, Kluwer Law International, 2003, ISBN 9789041115683

Philippe Fouchard, Emmanuel Gaillard, Berthold Goldman, John F. Savage on International Commercial Arbitration, Kluwer Law International, 1999 -

R. Dolzer, C. Schreuer: Principles of International Investment Law, 2nd edition, Oxford University Press, 2012, ISBN 0199651809

C. McLachlan QC, L. Shore, M. Weiniger, and L. Mistelis: International Investment Arbitration: Substantive Principles, Oxford University Press, 2007, ISBN: 0199557519

C. Schreuer, A. Malintoppi, A. Reinisch, A. Sinclair: The ICSID Convention: A Commentary 2nd Ed., Cambridge University Press, 2009, ISBN: 0521885590

G. van Harten: Investment Treaty Arbitration and Public Law, Oxford Monographs in International Law, 2008

Languages necessary to complete the course:

English

Notes:**Past grade distribution**

Total number of evaluated students: 0

A	ABS	B	C	D	E	FX
0,0	0,0	0,0	0,0	0,0	0,0	0,0

Lecturers: Mgr. Marek Ivančo, PhD., Mgr. Sandra Meňhartová, PhD., prof. JUDr. Alexandra Löwy, PhD.

Last change: 19.03.2026

Approved by: