

INTERNATIONAL ARBITRATION & DISPUTE RESOLUTION CERTIFICATE

Program details and eligibility requirements for the Certificate in International Arbitration & Dispute Resolution can be found on the Georgetown Law main website (<https://www.law.georgetown.edu/academics/certificates-of-specialization/international-arbitration-dispute-resolution/>).

Below are descriptions for courses currently or previously offered for the Certificate in International Arbitration & Dispute Resolution.

For the current list of course offerings, refer to the Curriculum Guide (https://curriculum.law.georgetown.edu/course-search/?program=program_90). To find the list, locate *Courses in a Graduate Program* under the Curriculum Guide *Search Options* menu and select *International Arbitration & Dispute Resolution Certificate*.

Search LL.M International Arbitration and Dispute Resolution Certificate Courses (https://curriculum.law.georgetown.edu/course-search/?program=program_90)

LAW 2073 v00 Advanced International Commercial Arbitration (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 2073 v00>)

LL.M Course (cross-listed) | 3 credit hours

This course will provide an indepth study of specific topics in international commercial arbitration from both a theoretical and practical perspective. Topics to be considered will include:

1. the arbitration agreement - the separability doctrine, choice of law, parties to the agreement (including non-signatory issues), competence-competence, enforcement of the agreement and other types of national court intervention;
2. complex arbitrations - multiparty and multicontract issues, joinder of parties, consolidation of cases, parallel proceedings;
3. the arbitral tribunal - selection of arbitrators, duties of arbitrators, independence and impartiality issues, challenges of arbitrators;
4. the arbitral proceedings - bifurcation, interim measures, evidentiary rules, the conduct of hearings; and
5. the arbitral award - drafting of awards, enforcement and setting aside of awards, the 1958 New York Convention on the Recognition and Enforcement of Awards.

The course will refer to arbitration rules, case law, statutes and international conventions.

Prerequisite: International Commercial Arbitration, Introduction to International Commercial Arbitration, or permission of the instructor.

Mutually Excluded Courses: This course is mutually exclusive with the other spring course by this same name (LAWG/J 888).

Note: Please note, the date for the final class session will be announced at the start of the semester.

LAW 3018 v00 Advocacy in International Arbitration (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3018 v00>)

LL.M. Course | 2 credit hours

Students in this small seminar will receive individualized instruction in oral and written advocacy in advanced topics in international arbitration. The scope of instruction will include both procedural and substantive topics. The principle underlying the course is that students will learn by doing.

Enrollment will be based only on professor permission; students should not rank this course in the pre-registration process. Permission will be principally based on the results of a moot court try-out competition.

Recommended: Prior enrollment in an introductory course in international arbitration

Note: Note: This course is only open to LL.M. students. Students must seek professor permission to enroll.

LAW 885 v01 Advocacy in International Arbitration (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 885 v01>)

LL.M Seminar | 2 credit hours

In this course, we discuss, model, and offer students opportunities to practice the skills used by advocates in international arbitration.

Overview

One of the questions that we often receive is: "What is it really like to practice law in your field?" In this class, we endeavor to illustrate, by guiding students incrementally through a mock arbitration. Week by week, the fictional matter will move forward, and (with the help of class sessions that will prepare you for the exercise), you will tackle different aspects and various stages of advocacy – beginning at the “pitch” phase and then progressing toward a hearing.

As the semester unfolds, you will practice, *inter alia*, reading into a case, evaluating priorities, working for (and with) clients, crafting short written arguments, gathering witness testimony, and delivering oral arguments.

Learning Objectives

As explained in more detail in our syllabus, this course has four principal goals:

- to enhance your general understanding of advocacy;
- to help strengthen your lawyering instincts and skills;
- to teach you the basics of the type of international arbitration underlying our mock case; and
- to enable those interested to enter the job market with a mini portfolio of arbitration work product.

Recommended: An introductory course or some experience in International Arbitration; International Law I: Introduction to International Law.

LAW 3051 v00 Arbitration in Latin America ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3051 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203051%20v00))

LL.M Seminar (cross-listed) | 2 credit hours

Countries of the so called "Latin America" have seen a substantial increase in disputes submitted to arbitration. The last decade has seen, on the one hand, amendments in the arbitration laws of the region and, on the other, an increase in both commercial disputes and investor State claims under bilateral investment treaties and free trade agreements. But what is "Latin America"? Is there a Latin American arbitration? Is there a common approach to arbitration by the different countries in the region? Have the countries in the region simply adopted international standards and rules, or is there a Latin American contribution to the development of arbitration? Is there a Latin American way of conducting arbitration or rather an increasing adoption of practices and rules more akin to common law traditions? How can lawyers trained in the common-law tradition work in arbitrations subject to the laws of Latin American countries and located in Latin American venues? What have been the effects of the so-called "constitutionalization" of arbitration? Is there a uniform approach of Latin American countries to arbitration under investment treaties? Is there a trend to expand the relevance of local law in investment claims and to insist in the Calvo doctrine? Do human rights or rights of indigenous communities play a role in investment disputes? Where is the debate as to whether the existing investment treaties and the arbitration rules reflect the dominant interests of capital-exporting nations? What have been the defense strategies of Latin American states?

The mere definition of what is Latin America presents a challenge to both lawyers and historicists. This course will explore, with a brief introduction as to the historical differences and common grounds between the countries in the region, the responses to the different questions that arise in a region where the approach to arbitration swings from the magic solution to reduce work overload in courts to a public enemy that should be eliminated.

Prerequisite: Prior or concurrent enrollment in an introductory international arbitration course.

Note: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal.

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.

LAW 3175 v00 Arbitration Practice in China ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3175 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203175%20v00))

LL.M. Seminar (cross-listed) | 1 credit hour

This course provides an in-depth analysis of the arbitration system in China, juxtaposed with international arbitration practices. Students will explore the historical development, legal framework, and procedural intricacies of Chinese arbitration, alongside a comparative study of international arbitration norms and practices. The course will cover key topics such as the structure and function of major arbitration institutions in China, China's Arbitration Law, the enforcement of arbitral awards, and the role of Chinese courts in arbitration and other issues.

Learning Outcomes:

1. Comprehend the arbitration practice and the arbitration rules of leading arbitration institutions in China and internationally.
2. Comprehend China's Arbitration Law and its ongoing amendments.
3. Gain proficiency in the procedural aspects of joinder, multiple parties, multiple contracts, and consolidation, etc. regarding the arbitration conducted under China International Economic and Trade Arbitration Commission (CIETAC), Shenzhen Court of International Arbitration (SCIA), and Shanghai International Arbitration Center (SHIAC), which play significant roles in the arbitration landscape in China.
4. Understand the differences between various institutional arbitration rules and ad hoc arbitration.
5. Analyze the process for the recognition and enforcement of arbitral awards pursuant to the international conventions like the New York Convention within China; identify the grounds for challenging and setting aside arbitral awards under Chinese law.
6. Analyze the key international conventions, treaties, and model laws that regulate arbitration proceedings.
7. Know the international arbitration practice.

Recommended: A prior course in International Arbitration. Students should have some knowledge about international arbitration.

Note: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal.

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.

LAW 084 v04 Conflict of Laws (Private International Law) (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 084 v04>)
J.D. Course (cross-listed) | 3 credit hours

In our increasingly globalized world, litigation frequently transcends state or national borders. Transnational litigation implicates the three main topics addressed by the field of Conflict of Laws (also known as Private International Law): Jurisdiction/choice of forum; choice of law; and enforcement of foreign judgments. This course focuses on how U.S. courts resolve these issues (although some attention will be paid to how other countries address them). Special attention will be devoted to the extraterritorial application of U.S. law and to conflict of laws issues that arise in transnational litigation involving Business & Human Rights.

LAW 807 v00 Cross-Border Transactions in Latin America (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 807 v00>)
LL.M. Seminar (cross-listed) | 1 credit hour

The course is designed to give students an overview and practical insight on the legal aspects of doing business with or investing in Latin America. The course will focus on Mexico, but will also address legal issues associated with doing business in Central and South American countries. Topics will be discussed from the perspective of U.S. investors doing business in the region, and will cover the legal implications of cross-border distribution, licensing and joint venture arrangements, acquisitions and direct investments, labor planning and creditor rights.

Recommended: Contracts, Corporations, and International Business Transactions.

Note: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal.

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.

LAW 014 v01 Current Issues in Transnational (Private International) Law Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 014 v01>)

J.D. Seminar (cross-listed) | 2-3 credit hours

This seminar provides an introduction to the increasingly important field of private international law as well as an opportunity to explore in depth specific issues now under active consideration in the various international and regional organizations working on the development, codification and harmonization of private international law. Beyond the “classic” PIL questions of jurisdiction, choice of law, judicial assistance and enforcement of judgments, we will explore such topics as international family law (including international adoption, abduction and enforcement of child support and family maintenance), alternative dispute settlement mechanisms (including international mediation and commercial and investment arbitration), as well as the cross-border aspects of such topics as data protection and privacy, bankruptcy/insolvency, secured transactions, securities law, intellectual property, transport of goods by sea, letters of credit, leasing law, consumer protection, and even wills and trusts. You may write your papers in any of these areas (among others). All students will be expected to choose a topic to research, write and present to the class.

This course requires a paper and an oral presentation. It is open to J.D. and LL.M. students. For J.D. students who choose the 3 credit “writing seminar” option, the objective will be to research and write analytical papers of publishable quality on discrete topics of current importance in transnational practice. Students will be required to satisfy the WR requirement including (1) selection of a paper topic approved by the professor, (2) submission of an outline, followed by feedback from the professor, (3) submission of a draft paper of at least 6,000 words exclusive of footnotes, followed by feedback from the professor, and (4) submission of a final paper of at least 6,000 words exclusive of footnotes, incorporating the professor’s suggested revisions. The paper must use legal forms of citation, where appropriate.

Learning goals for this course:

Familiarity with substance of “Private International Law”, where it is developed and how; understanding of the relationship between international and domestic law; ability to research effectively in the field; ability to write coherently and present conclusions orally.

Recommended: International Law I.

Note: This course requires a paper. Students must register for the 3 credit section of the course if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the Upperclass Legal Writing Requirement.

LAW 2043 v01 Current Topics in International Investment Arbitration
(<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 2043 v01>)

LL.M Seminar (cross-listed) | 1 credit hour

International investment arbitration is a fast-moving field, with new issues rapidly becoming pivotal to legal practice. This seminar will delve into the cutting-edge topics that promise to make a mark on the field.

For the 2025 edition of the course, these hot topics will include, among others, fundamental reform to the international investment dispute resolution system (ISDS), whether transparency in ISDS proceedings is desirable, the problem of corruption allegations and the role of human rights in investment disputes. The goal of this course is not only to inform students about these emerging issues, but also to give students the analytical tools needed to thrive in a field defined by rapid change.

The course will not rely on a casebook, instead the students will use awards and articles to further its goal of exploring emerging issues. Students are expected to read all the materials and be prepared to engage in active discussion in each class. Twenty-five percent of the grade will be based on class participation, twenty-five percent on participation in formal in-class debates during the last day of class, and fifty percent on a final paper (on an issue of the student's choice) to be submitted at the end of November 2025. As this is a class on questions for which there are few clear answers, there will be no final exam.

Strongly Recommended: It is recommended that students have completed a course in commercial or investment arbitration prior to the seminar, or otherwise have some experience in arbitration.

Note: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal.

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.

LAW 3082 v00 Dispute Settlement in International Trade: A Comparative Examination of WTO, Regional & Bilateral Systems (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3082 v00>)

LL.M Course (cross-listed) | 2 credit hours

This course involves an in-depth look, in a seminar-type setting, at different state-to-state dispute settlement systems in the international trade area. Although the principal focus will be WTO dispute settlement, the course will also examine the new or re-invigorated mechanisms in regional agreements (e.g., RCEP, CPTPP) and bilateral trade agreements of the United States (USMCA, CAFTA) and the EU. In addition to examining the treaty provisions themselves, the course will involve the close reading of arbitral decisions, as a medium to examine real-world systemic issues regarding dispute settlement, such as the function of terms of reference, approaches to treaty interpretation, confidentiality, coherence between different bodies of international law, the role of precedent, standard of review, the scope of appellate review, implementation and compliance, and remedies. At the same time, students will gain familiarity with some of the leading substantive issues in international trade law.

Recommended: Background in international trade law and in public international law generally.

Strongly Recommended: A introductory course in international trade law is strongly recommended.

LAW 3009 v00 Ethics in International Arbitration (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3009 v00>)

LL.M Seminar (cross-listed) | 1 credit hour

This course will consider ethics principles governing the conduct of counsel, arbitrators and expert witnesses in international commercial and investment arbitrations. Topics will include recent developments in the IBA Guidelines on Conflicts of Interest in International Arbitration and the IBA Guidelines on Party Representation in International Arbitration, other soft law instruments such as the ABA/AAA Code of Ethics for Arbitrators in Commercial Disputes, national law regulation of the conduct of arbitrators and counsel in international arbitrations, ethics requirements included in international arbitration rules and ethics requirements for witnesses in international arbitrations, as well as recent ethics-related jurisprudence from ICSID, arbitral institutions and various national courts.

Learning objectives:

This course has the following goals:

- To enable the student to identify fundamental differences between the ethics obligations of principal participants (arbitrators, counsel and witnesses, particularly expert witnesses) in international arbitrations (involving participants from a multiplicity of States and legal systems and a forum intended to be perceived as neutral and thus largely outside the influence of the particular national legal systems of the parties) and the ethics obligations of principal participants in national judicial systems.
- To identify the complex regulatory, choice of law and legal culture problems involved in identifying the sources and content of ethics obligations of participants in international arbitrations in light of the diversity of legal and national cultures involved and to compare and contrast with the sources and content of ethics obligations of participants appearing in national courts.
- To identify possible remedies for breaches by participants in international arbitrations of their ethics obligations (if any) and to compare and contrast with remedies in national courts.

My objective will be to enable students, by the end of the sessions, to be able to:

- describe the subject areas covered (or not covered) by ethics responsibilities for principal participants (arbitrators, counsel and witnesses) in international arbitration
- describe how those areas may differ in sources and content, when compared with national court systems,
- recognize and explain reasons why the ethics responsibilities of participants in international arbitration differ from the ethics responsibilities of similar participants in national court systems
- describe important uncertainties with respect to ethics obligations of those participants, and
- apply that learning to advise clients and counterparties on complying with those responsibilities or, when the nature of those responsibilities are uncertain, how to manage the arbitral process in light of those uncertainties.

Recommended: Prior or concurrent course in International Commercial; or International Investment Arbitration.

Note: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its

LAW 3014 v00 ICSID Arbitration: Jurisdiction and Procedural Aspects (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3014 v00>)

LL.M. Course (cross-listed) | 2 credit hours

This course will provide students with a practical understanding of an International Centre for Settlement of Investment Disputes, ICSID, arbitration proceeding from the moment of the submission of a request for arbitration through the issuance of the award and post-award remedies. ICSID is one of the five organizations of the World Bank Group and the arbitral institution most commonly used for the resolution of international investment disputes. ICSID case law has played a major role in the development of modern international investment law.

After a short introduction on the creation of ICSID and its development, students will receive a basic overview of the modern investment treaty regime. The course will then focus primarily on the jurisdictional thresholds that are at the heart of an ICSID arbitration, including the existence of a dispute arising out of an “investment”, nationality requirements, and consent to arbitration under the ICSID Convention. Special procedures, including summary dismissal of the claim under ICSID Arbitration Rules, provisional measures, intervention of non-disputing parties, such as NGO’s or multilateral organizations in the proceedings, transparency requirements and post-award remedies will also be addressed.

The course may include guest lectures.

Prerequisite: Prior or concurrent enrollment in International Law I.

Recommended: Prior or concurrent enrollment in International Investment Law, Investor-State Dispute Resolution Seminar, Advanced Topics in International Investment Arbitration, Investment Treaty Arbitration, Public International Law and Landmark Judgments of the ICJ, Investor-State Dispute Settlement, Introduction to International Commercial Arbitration, or International Arbitration, if offered during the semester.

LAW 3180 v00 International Arbitration (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3180 v00>)

LL.M. Course (cross-listed) | 2 credit hours

This course aims to familiarize students with international commercial arbitration and will follow the traditional steps of international arbitration proceedings from the registration of the dispute to enforcement and challenges of an award in national courts. This course will not rely solely on US law but, instead, adopt a global approach to international arbitration.

Recommended: International Law I: Introduction to International Law (or the equivalent International Law I); International Business Transactions.

Mutually Excluded Courses: Students may not receive credit for both this course and International Commercial Arbitration, Introduction to Commercial Arbitration, Introduction to International Commercial Arbitration or the J.D. seminar, International Commercial Arbitration Seminar (CTLS course).

LAW 882 v08 International Arbitration ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 882 v08](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20882%20v08))
LL.M. Course (cross-listed) | 2 credit hours

This course aims to familiarize students with international commercial arbitration and will follow the traditional steps of international arbitration proceedings from the registration of the dispute to enforcement and challenges of an award in national courts. This course will not rely solely on US law but, instead, adopt a global approach to international arbitration.

Recommended: International Law I: Introduction to International Law (or the equivalent International Law I); International Business Transactions.

Mutually Excluded Courses: Students may not receive credit for both this course and International Commercial Arbitration, Introduction to Commercial Arbitration, Introduction to International Commercial Arbitration or the J.D. seminar, International Commercial Arbitration Seminar (CTLS course).

LAW 3177 v00 International Arbitration and Human Rights: Past, Present, and Future ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3177 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203177%20v00))
LL.M. Seminar (cross-listed) | 1 credit hour

Traditionally, the law of human rights has received scant regard in the study and practice of international arbitration. Nor have students, scholars, or practitioners of human rights law seen international arbitration as much more than a form of private dispute settlement that is anathema to the principle of an open system of public justice underpinning the rule of law. That position has only been entrenched by the phenomenon of specialization and fragmentation in the study and practice of international law and dispute settlement.

This course offers a different perspective and approach to the subject, at a time when the relationship between the law of human rights and international arbitration is being fundamentally recast, and when international arbitration and human rights are both subject to a populist challenge. The course will address both the substantive and procedural legal issues arising today at the interplay of human rights and international arbitration from the perspective of both legal scholarship and practice. Students will be taken to the key treaties, as well as to decisions of arbitral tribunals, domestic courts, and regional human rights courts. The course will also explore areas of future development, including in the burgeoning areas of ESG and business and human rights.

Recommended: International Arbitration, or International Commercial Arbitration, or Introduction to International Commercial Arbitration, or Current Topics in International Investment Arbitration.

Note: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal.

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.

LAW 3021 v00 International Arbitration and the New York Convention ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3021 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203021%20v00))
LL.M Seminar (cross-listed) | 1 credit hour

The New York Convention of 1958 on the Recognition and Enforcement of Foreign Arbitral Awards is generally considered as the most important legal cornerstone for international business arbitration. It is also acclaimed to be the most successful international convention in international private law. The New York Convention provides for the international enforcement of arbitration agreements and arbitral awards. There are now 156 Contracting States and more than 1,800 court decisions interpreting and applying the Convention. The course will analyze and compare the most important ones of those decisions. It will offer a unique insight in treaty design, statutory enactments, varying court approaches, and the practice of international arbitration. The course materials will be made available at www.newyorkconvention.org.

Recommended: A prior course in International Arbitration.

Note: This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.

LAW 3036 v00 International Arbitration Colloquium ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3036 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203036%20v00))

LL.M Seminar | 4 credits in total credit hours

This is a year-long class restricted to students in the International Arbitration Scholars program. The course counts as one credit in the Fall, and three credits in the Spring (students will be enrolled for both semesters and will receive one grade for the class at the end of the Spring semester. Withdrawals are permitted up to the last day of class of the Fall semester, but withdrawal from the colloquium will also result in withdrawal from the Scholars program.) During the Fall semester, Scholars and faculty will meet for informal meetings to get to know each other and to be introduced to the arbitration community in Washington. Scholars will also meet individually during the Fall semester with Professor Whitesell and/or their faculty advisor to propose their research idea, present an outline and get feedback on the outline.

During the Spring semester, the Colloquium will meet on a weekly basis as a class. Spring classes will be a combination of student presentations, and specific topics presented by invited experts. Over the course of the Spring semester, class members will present their research to the group, with each class member presenting twice during the semester (once during the beginning of the semester to present their projects in the early stages, and once during the later part of the semester to present their near-final papers). The Scholars will also meet during the Spring on an individual basis with their advisors as they work to finalize their paper into publishable quality.

Note: Enrollment is limited to International Arbitration Scholars

LAW 3035 v00 International Arbitration from the Arbitrator's Point of View ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3035 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203035%20v00))

LL.M Seminar (cross-listed) | 1 credit hour

The course deals with "International Arbitration from the Arbitrator's Point of View". It describes the arbitrator's role at each stage of the proceeding, the various relationships that exist and the legal, procedural, practical and even psychological issues that may arise.

The course starts from the proposal and selection of the arbitrator and ends with the notification of the award. Topic covered include: who may be an arbitrator; the first contact and the conflict check; the launching of the proceedings; relations with counsel and the parties' representatives; the relationship among arbitrators; relations with experts; the conduct of the proceedings and, in particular, the hearings; deliberations and the decision; drafting of the award; the relationship with the institution; and the relation with the media.

The course will include both interactive lectures and some practical exercises.

Recommended: Prior or concurrent enrollment in an arbitration course.

Note:

This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.

LAW 3019 v00 International Arbitration in Asia ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3019 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203019%20v00))

LL.M. Course (cross-listed) | 1 credit hour

This course will examine how international disputes are resolved through arbitration in Asia. With the expansion of trade and investment, integration of global markets and the increasing complexity of transactions, international disputes inevitably arise. International arbitration has become the preferred means in Asia by which to resolve cross-border disputes, providing a critical pillar to the stability of international business and financial architecture. The emergence of Singapore, Hong Kong, Seoul and Beijing, among others, as hubs for arbitration offers alternatives to traditional centers such as London, Paris, Geneva or New York. With innovative arbitral institutions such as the Singapore International Arbitration Centre, Hong Kong International Arbitration Centre, China International Trade and Economic Arbitration Commission and Korean Commercial Arbitration Board, a wealth of case law and a mixture of common and civil law jurisdictions, an understanding of the commercial and investment arbitration practice in Asia should help practitioners and students interested in arbitration and Asia.

Main Textbook: *The Developing World of Arbitration: A Comparative Study of Arbitration Reform in the Asia Pacific* (Hart)

Additional Material to be provided.

Prerequisite: International Arbitration, International Commercial Arbitration, or Introduction to International Commercial Arbitration

Note: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal.

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.

LAW 1758 v00 International Arbitration in the Middle East ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1758 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201758%20v00))

J.D. Seminar (cross-listed) | 1 credit hour

Almost a decade has passed since the uprisings of the Arab Spring swept across the Middle East, causing political unrest and economic instability. These waves of upheaval and their aftermath have caused severe disruption to foreign investment inflows and cross-border business transactions, propagating a number of high-profile commercial and investment disputes and rendering arbitration an essential tool for doing business in the region more than ever.

This course will examine the history of arbitration in the Middle East and its evolution from the Islamic era, through the early colonial twentieth century's oil & gas arbitrations, to the modern-day proliferation of commercial and investor-State arbitration cases. The classes will draw upon a wide range of materials including law journal articles, arbitral awards, regional treaties, domestic arbitration laws and court decisions to discuss and provoke debate over core topics in the international arbitration field, such as the impact of Sharia law on the arbitration process; the internationalization of contract-based disputes; the contribution of the Iran-US Tribunal to the development of international investment law; the role of consent to arbitration contained in domestic laws; attribution and State responsibility in the context of the Arab Spring, enforcement of arbitral awards in the region; and the rise of inter-Arab investment arbitration through the investment treaty of the Organization of Islamic Conference.

This course is designed for students, young scholars, and practitioners who are interested in understanding the unique features of arbitration theory and practice in the Middle East, and appreciating the legal and cultural context within which the current arbitration practice in the region has developed. The course will also provide practical insights and commentary on domestic arbitration regimes of selected countries, and arbitration rules and processes of some of the region's arbitral institutions, including CRCICA, DIAC, DIFC-LCIA, ADGM-ICC, BCDR, and SCCA.

Learning Objectives:

Students will:

- Better understand the origins of the concept of arbitration in Islam, and the role that Sharia law plays in today's arbitration process in the Arab world.
- Develop familiarity with the arbitration practice and its evolution in the region through the lens of landmark cases involving Arab States and assess the contribution of these cases to the overall development of the international arbitration field.
- Gain knowledge of the protections and guarantees afforded to investors by regional treaties and domestic investment laws of Arab countries, including dispute resolution clauses that refer to international arbitration.
- Identify some of the legal challenges faced by investors when attempting to enforce a foreign or international arbitral award in the Middle East.
- Develop familiarity with some of the major regional arbitral institutions and their common structures and procedural rules.

Note: Withdrawals are permitted up until the last class for this specific course.

LAW 863 v00 International Business Litigation and Federal Practice (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 863 v00>)

LL.M. Course (cross-listed) | 2 credit hours

The course explores issues common to litigation in U.S. courts arising from cross-border business transactions, including venue, jurisdiction, service of process, choice of law questions, discovery, evidence from abroad, privilege and ethical considerations, and the recognition and enforcement of foreign judgments in U.S. courts. The course covers the resolution of disputes in litigation, as well as in arbitral proceedings, and through regulatory and other internal investigations, and explores issues such as the Foreign Corrupt Practices Act.

Mutually Excluded Courses: Students may not receive credit for both this course and International Civil Litigation (LAWG/J 734); the J.D. course, International Civil Litigation (LAWG/J 013); and Cross Border International Litigation and Conflicts of Law (formerly International Conflict of Laws) (LAWG/J 735).

LAW 1960 v01 International Business Negotiations (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1960 v01>)

J.D. Seminar | 3 credit hours

This course is structured around a semester-long, simulated negotiation exercise in which the students in this class will represent either a US pharmaceutical company (KJH Pharmaceutical Corporation) or an African agricultural production company (Malundian Cassava Corporation). The two companies are interested in working together to exploit a new technology developed by KJH Pharmaceutical that uses the cassava produced by Malundian Cassava Corporation. The form of their collaboration could be a joint venture, a licensing agreement or a long-term supply contract. The negotiations will take place through written exchanges and through live negotiation either in person or via Zoom. Substantive law issues related to the transaction, as well as negotiations strategy and related issues, will be addressed in this class.

The purpose of the course is to provide students with an opportunity (i) to gain an introduction to transactional law and experience the sequential development of a business transaction over an extended negotiation, (ii) to study the business and legal issues and strategies that impact the negotiation, (iii) to gain insight into the dynamics of negotiating and structuring international business transactions, (iv) to learn about the role that lawyers and law play in these negotiations, (v) to give students experience in drafting communications, and (vi) to provide negotiating experience in a context that replicates actual legal practice with an opposing party.

The thrust of this course is class participation and active involvement in the negotiations process. Students are expected to spend time outside of class, working in teams, to prepare for class discussions involving the written exchanges as well as preparing for the live negotiations. Class discussions will focus on the strategy for, and progress of, the negotiations, as well as the substantive legal, business and policy matters that impact on the negotiations. Grades will be based on participation in the exercises, students' diaries, and a final paper.

Recommended: Prior or concurrent enrollment in Corporations.

Mutually Excluded Courses: Students may receive credit for this course and the graduate course International Negotiations Seminar (LAWJ/G-958). Students may NOT receive credit for this course and the J.D. course International Negotiations Seminar (LAWJ/G-240) or the graduate course International Negotiations (LAWJ/G-3029).

Note: This course is open to J.D. and LL.M. students.

Students may not withdraw from this class after the add/drop period ends without the permission of the professor. Due to the sequencing in this class, the class does not cancel even if Georgetown Law is closed. In the event of a weather closing, this class will be held via Zoom.

LAW 240 v01 International Business Negotiations ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 240 v01](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20240%20v01))

J.D. Seminar | 3 credit hours

This course is structured around a semester-long, simulated negotiation exercise in which the students in this class will represent a US pharmaceutical company (KJH Pharmaceutical Corporation) and the students in a similar class, at the University of Dundee in Scotland, will represent an African agricultural production company (Malundian Cassava Corporation). The two companies are interested in working together to exploit a new technology developed by KJH Pharmaceutical that uses the cassava produced by Malundian Cassava Corporation. The form of their collaboration could be a joint venture, a licensing agreement or a long term supply contract. The negotiations will take place through written exchanges and through live negotiation via videoconference. Substantive law issues related to the transaction, as well as negotiations strategy and related issues, will be addressed in this class.

The purpose of the course is to provide students with an opportunity (i) to gain an introduction to transactional law and experience the sequential development of a business transaction over an extended negotiation, (ii) to study the business and legal issues and strategies that impact the negotiation, (iii) to gain insight into the dynamics of negotiating and structuring international business transactions, (iv) to learn about the role that lawyers and law play in these negotiations, (v) to give students experience in drafting communications, and (vi) to provide negotiating experience in a context that replicates actual legal practice with an unfamiliar opposing party (here, the students at Dundee).

The thrust of this course is class participation and active involvement in the negotiations process. Students are expected to spend time outside of class, working in teams, to prepare for class discussions involving the written exchanges as well as preparing for the live negotiations. Class discussions will focus on the strategy for, and progress of, the negotiations, as well as the substantive legal, business and policy matters that impact on the negotiations. Grades will be based on participation in the exercises, students' diaries, and a final paper.

Recommended: Prior or concurrent enrollment in Corporations.

Mutually Excluded Courses: Students may receive credit for this course and the graduate course International Negotiations Seminar (LAWJ/G-958). Students may NOT receive credit for this course and the J.D. course International Negotiations Seminar (LAWJ/G-240) or the graduate course International Negotiations (LAWJ/G-3029).

Note: This course is open to J.D. and LL.M. students.

Students may not withdraw from this class after the add/drop period ends without the permission of the professor. Due to the coordination with the class in Dundee, Scotland, this class does not cancel even if Georgetown Law is closed. In the event of a weather closing, this class will be held via Zoom.

LAW 240 v02 International Business Negotiations ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 240 v02](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20240%20v02))

J.D. Seminar | 3 credit hours

This course is structured around a semester-long, simulated negotiation exercise in which the students in this class will represent a US pharmaceutical company (KJH Pharmaceutical Corporation) and the students in a similar class, at SMU Dedman School of Law (SMU), will represent an African agricultural production company (Malundian Cassava Corporation). The two companies are interested in working together to exploit a new technology developed by KJH Pharmaceutical that uses the cassava produced by Malundian Cassava Corporation. The form of their collaboration could be a joint venture, a licensing agreement or a long-term supply contract. The negotiations will be conducted through written exchanges and via five (5) negotiation sessions, via videoconference. Substantive law issues related to the transaction, as well as negotiations strategy and related issues, will be addressed in this class.

The course aims to provide students with an introduction to transactional law and facilitate an opportunity for them to: (i) experience the sequential development of a business transaction over an extended negotiation, (ii) study the business and legal issues and strategies that impact the negotiation, (iii) obtain insight into the dynamics of negotiating and structuring international business transactions, (iv) learn about the roles that lawyers and law play in these negotiations, (v) gain experience in drafting communications, and (vi) engage in a negotiating experience in a context that replicates actual legal practice with an unfamiliar opposing party (here, the students at SMU).

The thrust of this course is class participation and active involvement in the negotiation process. Students are expected to spend time outside of class, working in teams, to prepare for class discussions involving the written exchanges as well as preparing for the live negotiations. Class discussions will focus on the strategy for, and progress of, the negotiations, as well as the substantive legal, business and policy matters that impact on the negotiations. Grades will be based on participation in the exercises, students' diaries, and a final paper.

Recommended: Prior or concurrent enrollment in Corporations and Contracts.

Mutually Excluded Courses: Students may receive credit for this course and the graduate course International Negotiations Seminar (LAWJ/G-958). Students may NOT receive credit for this course and the J.D. course International Negotiations Seminar (LAWJ/G-240) or the graduate course International Negotiations (LAWJ/G-3029).

LAW 3148 v00 International Business Negotiations (Negotiating International Technology Licenses, International Joint-Venture Contracts and Foreign Investment Contracts) (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3148 v00>)

LL.M Seminar | 2 credit hours

As firms from developed countries expand overseas, there is a growing demand for lawyers able to negotiate three types of contracts of increasing importance worldwide: Technology license contracts, contracts governing international joint-ventures, and contracts governing investment by firms in countries other than their own, in particular in developing countries.

The purpose of this experiential course is to make it possible for LL.M. students to acquire the practical knowledge and to hone the skills needed to serve effectively in teams negotiating such contracts.

To this end, the course will be structured around three simulated negotiations of increasing difficulty:

-A simulated negotiation focused on the international licensing of a patented new medical technology.

Note: The licensing of technology is an increasingly important dimension of international joint-ventures and of foreign investments.

-A simulated negotiation focused on the formation of an international joint-venture to produce and commercialize green hydrogen based upon a new technology.

-A simulated negotiation focused on an investment by a firm from a developed country, into an oil-rich developing country, to make it possible to transform gas currently flared, a major source of pollution, into non-polluting products of significant commercial value.

Note: The parties intend for this investment to take the form of a Public Private Partnership (PPP).

Each simulated negotiation will be based upon a case study created by the Professor, drawing upon his professional experience.

For each simulated negotiation, the class will be divided into two teams that will negotiate with each other.

In order for the two teams to be of similar strength and competence, the students, when registering for the course, will fill out the attached questionnaire (<https://docs.google.com/forms/d/e/1FAIpQLScecjje5LWoaOCRLiz8jT8kU0UJzVTTFwgMK-O-oqrYU0kAQ/viewform/?usp=header>) about their prior experience with negotiations and with business transactions. These questionnaires will be used by the Professor to propose to the class the composition of each team.

During the simulated negotiations, each student will serve at least twice as negotiator for her/his team, engaging the other team on specific issues. After each simulated negotiation, each student will draft a memorandum of understanding summarizing what the parties agreed upon.

Learning Objectives:

By the end of the course, the students:

1. Will have gained an understanding of: a) the main issues that arise in the negotiation of each type of contract mentioned above (technology license; international joint venture; foreign direct investment), and b) the usual contractual ways to address such issues.
1. Will have honed three main types of skills: a) analysis skills required to design contracts that help both parties in a negotiation reach key

LAW 876 v04 International Business Transactions (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 876 v04>)

LL.M. Course (cross-listed) | 3 credit hours

This three credit course is an introductory survey of legal issues that arise in connection with international business transactions. Subjects covered include: (1) laws and treaties involved in cross-border business transactions; (2) core international business transactions, including international sales and letters of credit, non-establishment (agency, distribution, contract manufacturing, franchising, licensing) and establishment (branch, subsidiary, joint venture) forms of doing business, equity and debt/project finance transactions, and mergers and acquisitions; (3) fundamental legal concepts such as choice of law, choice of forum, jurisdiction, investment protection (expropriation), anti-corruption and competition regulation, and dispute resolution, focusing on litigation and arbitration, (4) the transfer and protection of intellectual property, and (5) corporate social responsibility.

The learning outcomes for this International Business Transactions course include: (1) basic knowledge and understanding of (a) substantive and procedural laws concerning international business transactions, and (b) the role of private and public international law in the conduct of international business; and (2) international legal analysis and reasoning, problem solving, professional skills, and written and oral communication in the context of international business transactions.

Recommended: International Law I: Introduction to International Law; a course in Finance or Securities Regulation, or Corporations.

Mutually Excluded Courses: Students may not receive credit for both this course and International Business Transactions and International Dispute Resolution or the J.D. course, International Business Transactions.

LAW 876 v10 International Business Transactions (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 876 v10>)

LL.M Course | 3 credit hours

An introductory survey course examining transactional and litigation issues faced by international businesses. The goal of this course is to familiarize students with the broad scope of issues affecting international business prior to the students choosing other courses for further specialization and to introduce students to analytical tools used by lawyers who advise on matters related to international business. Emphasis is given to the actual practice of international business law. Topics will include the international sale of goods (including letters of credit), international contract issues, cross-border investment, and international investments including project finance.

Recommended: A prior course in International Law I: Introduction to International Law (or the equivalent International Law I).

Mutually Excluded Courses: Students may not receive credit for both this course and International Business Transactions and Dispute Resolution or the J.D. course, International Business Transactions.

Note:

FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist.

LAW 876 v12 International Business Transactions ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 876 v12](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20876%20v12))
LL.M. Seminar (cross-listed) | 3 credit hours

This course covers a wide range of subjects relating to the legal framework for international commercial transactions. The course begins with an analysis of transactions for a sale of goods and also assess issues that arise with the transport and payment of such goods (including letters of credit and standby letters of credit). We then address non-establishment forms of business and touch upon distributorship issues and intellectual property. We complete the range of transactions by looking at foreign direct investment and joint ventures. We will generally view each of these subjects through the lens of international dispute resolution, although we will occasionally consider transactional issues as well. We finish the course by assessing the various strategic issues that come up in cross-border litigation and arbitration and also by considering the quickly growing area of corporate social responsibility.

Mutually Excluded Courses: Students may not receive credit for both this course and International Business Transactions and Dispute Resolution or the J.D. course, International Business Transactions.

Note: FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist.

LAW 882 v03 International Commercial Arbitration ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 882 v03](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20882%20v03))
J.D. Seminar (cross-listed) | 2 credit hours

This course presents an introduction to international commercial arbitration. It examines the nature of arbitration, the procedures used in international arbitration (both institutional and ad hoc) and the enforcement and setting aside of arbitral awards. The course will also cover drafting arbitration agreements, the law applicable to arbitrations (including the New York Convention, the ICSID Convention and various institutional rules), challenges to arbitration, multi-party arbitrations, jurisdiction, preliminary or interim measures and selection of the arbitral tribunal. The course also provides an introduction to arbitration between investors and states. Grades will be based primarily upon short papers addressing current issues in international arbitration, mock simulations, and a final project.

Mutually Excluded Courses: Students may not receive credit for both this course and the LL.M. seminars International Commercial Arbitration, Introduction to International Commercial Arbitration, or International Arbitration; or the CTLS seminar, International Commercial Arbitration Seminar.

LAW 882 v06 International Commercial Arbitration ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 882 v06](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20882%20v06))
LL.M Course (cross-listed) | 1 credit hour

In today's global economy, parties to cross-border commercial transactions usually choose to resolve their disputes through international arbitration. This course provides students with an understanding of the law and practice of international arbitration from the perspective of United States law. Among other things, the course will consider the alternatives to international arbitration; the international conventions and U.S. arbitration statute; the arbitration agreement; the role of courts and tribunals in determining issues of arbitrability; international arbitration rules; provisional measures; judicial enforcement of arbitration agreements and arbitration awards; and judicial setting aside of arbitration awards.

Mutually Excluded Courses: Students may not receive credit for both this course and International Arbitration, Introduction to Commercial Arbitration or the J.D. seminar, International Commercial Arbitration Seminar (CTLS course).

Note: UPPERCLASS WEEK ONE COURSE. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. The course will have a take-home exam that must be completed during the week of Friday, January 16 - Friday, January 23, 2026.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.

LAW 2053 v00 International Commercial Arbitration in Cross-Cultural Context (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 2053 v00>)

LL.M. Seminar | 1 credit hour

This class looks at international commercial arbitration in cross-cultural context and considers the various ways in which arbitral procedure borrows from the common and civil law traditions. Students will study various practices that are typical in arbitration and that can give rise to particular difficulties when the parties, counsel and/or arbitrators come from different legal traditions.

Among other things, students will engage in hands-on exercises involving interviewing, cross-examination, drafting of witness statements and the like. The goal is to provide students with a deeper understanding of how international commercial arbitration differs from other types of national and international dispute resolution and to provide students with the tools needed to excel in this growing area of law and practice.

After taking this course, students will have an increased ability to:

- appreciate the special nature of international arbitration as compared to other national and international dispute resolution processes;
- draft and revise international arbitration agreements;
- select an appropriate arbitrator in international matters;
- challenge arbitrators in international disputes;
- conduct cross-examination in international arbitral settings; and
- draft and review document requests in international arbitration.

Note: This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety will result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.

LAW 3033 v00 International Commercial Arbitration with a Foreign Sovereign (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3033 v00>)

LL.M. Course (cross-listed) | 2 credit hours

Resolution of disputes between private sector companies and sovereigns arising under international contracts and projects typically are resolved by international commercial arbitration, giving rise to unique challenges, issues, and opportunities.

This class will address the relationship between international arbitration and court litigation, key fora and features that exist in this realm, proper negotiation and mediation techniques, analysis of foreign sovereign immunities, choice law issues, the importance of language and culture in these disputes, interplay with treaty arbitration, issues arising under arbitration clauses, critical trends in case law and arbitral institutions, and enforcement of arbitration awards globally. The course will feature guest speakers, hands-on exercises, use of materials from actual arbitrations, optional field trips to local courts, and a two-class practical moot—all focused on the dynamics and practicalities of dealing with the disputes of sovereigns and private parties.

Recommended: Prior enrollment in a basic course in international arbitration

LAW 3032 v00 International Energy Arbitration ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3032 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203032%20v00))

LL.M Course | 2 credit hours

The course begins with an introduction to international energy arbitration, followed by discussion of the future of the international energy industry as it transforms to meet the imperatives of climate change. The next section concerns the industry's value chains, life cycles, and commercial relationships. An extensive presentation on the legal framework for international energy arbitration covers international laws and norms, national constitutions, national petroleum laws and regulations, and the historical development of upstream host government petroleum contracts and petroleum fiscal systems. To place the subject of host government contracts in its proper setting, the next section describes resource politics and resource cycles and examine the legal status of host government contracts. Segments on contract stabilization and choice of law come next.

Identification of the types of upstream host government disputes sets the stage for discussion of the early international oil and gas arbitration awards, from there to several modern international oil and gas arbitration awards, and finally to contemporary energy disputes with host governments. The course then examines commercial disputes arising out of joint operating agreements, gas contracts, and LNG sales contracts. From LNG the course turns to international mining disputes, providing an introduction to minerals and mining before turning to the Bear Creek case to address, among other things, the social license to operate. It concludes with a discussion of U.S. court enforcement of energy awards relating to projects in Colombia, Mexico, Laos, and India. For those students considering international energy arbitration as a career, the course materials end with the professor's advice on how to build an international energy arbitration practice.

The course provides in-depth knowledge of the main types and key drivers of international energy disputes, including disputes that may arise during the energy transition, and the substantive issues involved in their resolution, not only to aid in understanding the international energy industry, its business relationships and contracts, its broader legal framework, and its disputes, but to build better advocates to represent international energy companies and host governments in these contentious proceedings.

To aid students to learn and retain important facts and features about the international energy industry and its disputes, the course materials contain 20 sets of Key Take-Aways, which appear after each section of materials, except those sections comprising only a few slides.

Recommended: Prior or concurrent enrollment in an introductory international arbitration course would be helpful but not necessary.

Note: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety unless the professor has excused their absence. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal.

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. Students may not withdraw from this class after the add/drop period

LAW 3013 v00 International Investment Law ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3013 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203013%20v00))

LL.M. Course (cross-listed) | 2 credit hours

International investment law consists of those international legal principles that define the obligations of states toward the investments of aliens within their territory. Like all international law, it has developed in response to the concerns of States. The goal of this seminar is to develop in the student a rather full understanding and appreciation of the important principles of international investment law that now prevail and of the issues that are currently the subjects of serious debate. The seminar aims to develop this understanding by studying the historical development of this area of the law and considering the fundamental concerns of States that have driven this development.

We will begin by considering, as a normative matter, what a state's responsibility toward private property should be and then review the legal principles espoused by the United States and other Western countries at the beginning of the last century, when there were few independent countries interested in challenging these views. We then will consider the development of dissent from this Western consensus in Latin America and in the newly independent states of Asia and Africa that emerged following the Second World War. Our consideration of this period of discord will be followed by discussion of the so-called "Washington consensus" that developed in the 80s and 90s, some parts of which are reflected in the thousands of bilateral investment treaties that have been concluded, largely in the last 30 years. We then will focus on those investment treaties, and the many arbitral awards that have interpreted them, to identify (1) key principles of investment law on which a broad consensus has emerged and (2) difficulties that arise in applying those principles to particular situations. Finally, the seminar will consider the relationship between international investment law and efforts by states – jointly or separately – to promote environmental protection, labor rights, and investments that serve the long-term interests of the population of the host state. We will discuss whether these goals can be pursued effectively under the principles on which a consensus now exists, whether these principles need to change, or whether some additional principles need to evolve. We will end by discussing some of the policy issues now being debated that relate to the desirability of investor-state dispute-settlement procedures and to the contents of international investment agreements, including two now being negotiated, the Transatlantic Trade and Investment Partnership (TTIP) and the Trans-Pacific Partnership (TPP)

Recommended: An introductory international law course.

Note: A student will be permitted to drop a course that meets for the first time after the add/drop period, without a transcript notation, if a student submits a written request to the Office of the Registrar prior to the start of the second class meeting. Withdrawals are permitted up until the last class for this specific course.

LAW 3046 v00 International Investment Law and Arbitration in Practice: Past, Present, and Future (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3046 v00>)

LL.M. Seminar (cross-listed) | 2 credit hours

Foreign investments today enjoy international legal protection through a global network of more than 3,000 investment treaties. Many of these treaties offer recourse to international arbitration to investors whose investments have been subject to interference in the state hosting the investment. Public interest in investment treaty arbitration is growing and both developed and developing countries have begun to revisit their treaties. Investment treaty arbitrations often focus on the interface between domestic and international law, and turn on how to balance the rights of private investors against the wider public interest.

Over the last two decades, international investment law has become one of the most dynamic areas of international law. Public attention has focused on the Transatlantic Trade and Investment Partnership, NAFTA, and the Trans-Pacific Partnership Agreement. In the wake of a rapid increase in the number of investment disputes, including those arising out of Argentina's 2001 financial crisis, Germany's exit from nuclear power, the expropriation of Yukos shareholders and Australia's plain tobacco packaging legislation, awareness of investment treaties and their robust investor-state dispute resolution mechanism, has grown. The legitimacy and fairness of decision-making by investment tribunals have come under scrutiny.

This seminar addresses the substantive and procedural legal issues arising in investment law and arbitration today, principally – but not exclusively – from the perspective of practice. We will consider the ambit and substance of the protections afforded to foreign investors through treaties, including investment chapters of free trade agreements, while focussing on the specific legal and practical issues that can arise for claimant investors, respondent states, arbitrators and third parties during the course of a case. We will learn about the institutions and rules that govern investor state arbitration, we will consider the theoretical and policy background that underpins the governing framework, and we will scrutinize the relationship between investment treaty law and other areas of international law, public law, and human rights law

Note: Students may not withdraw from this class after the add/drop period ends without the permission of the professor.

LAW 1913 v00 International Investment Law: Theory and Practice (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1913 v00>)

J.D. Seminar (cross-listed) | 2 credit hours

International investment law is a unique area of international law in which an individual investor can sometimes hold a State accountable for breach of an international law obligation undertaken by the State towards investors in an international treaty. Investor-state dispute settlement is at once practical – tribunals must resolve the concrete disputes and requests for relief before them – and the subject of passionate theoretical debates.

Since the 1960s, and especially since 1990, States have negotiated over 3,000 treaties containing protections for foreign investors, including bilateral and multilateral investment treaties (BITs and MITs) and trade treaties with investment provisions (TIPs). State consent to arbitration of disputes with foreign investors under such treaties has given rise to a rich, varied, and contested jurisprudence – and regular calls for change and reform.

This seminar will examine the historical emergence and evolution of international investment law, the treaties concluded to encourage and regulate foreign investment, the case law of international arbitral tribunals and commentary thereon, and the procedures followed in the arbitration of international investment disputes. The seminar aims to enable students to develop an understanding of the key jurisdictional, substantive, and procedural issues in international investment law and to engage them in the controversies surrounding them.

Strongly Recommended: Recommended: Prior or concurrent enrollment in International Law I

LAW 2061 v00 International Litigation and International Arbitration: A Practitioner's Approach (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 2061 v00>)

LL.M Course | 2 credit hours

This survey course introduces students to the mechanisms used to resolve cross-border commercial disputes—international litigation and international arbitration—from the perspective of a practitioner. Among the topics examined are (1) the legal and practical advantages and disadvantages of litigation and arbitration, (2) the international legal framework for international arbitration and litigation (including key treaties), (3) key elements of international arbitration agreements (including the negotiation of those agreements), (4) key principles regarding the enforcement of international arbitral awards, (5) basic conflicts of laws principles in international arbitration and litigation, (6) principles and tactics involved in litigating and arbitrating against foreign sovereigns and their instrumentalities, (7) the jurisdiction of U.S. courts over foreign defendants in cross-border cases, (8) the enforcement of U.S. judgments in other national courts, (9) the practice and strategic use of parallel international litigation and arbitration proceedings, and (10) unique features of civil and common law in the resolution of international commercial disputes.

LAW 3029 v00 International Negotiations (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3029 v00>)

LL.M Seminar (cross-listed) | 2 credit hours

The International Negotiation course will focus on the methods and objectives for successfully engaging in international negotiations. This course will include in-depth reviews and class discussions of negotiations conducted by governments, the private sector, non-governmental organizations, as well as international institutions. The course will provide important insight into the necessary preparations and research necessary to conduct international negotiations as well as a better understanding of the complexities and nuance of actual negotiations. The course will provide students an opportunity to review and dissect previous negotiations and prepare and conduct negotiations based on their understanding of what works and what does not. Discussions will focus on the most important aspects of negotiations – mutual understanding of the expected outcome, in-depth review of the expected positions of the parties, how to accurately understand the extent of any leverage and how to assess a successful outcome. Cultural, linguistic and other possible impediments to a successful negotiation will also be explored to provide students a full understanding of all that goes in to a successful negotiation.

Recommended: Prior enrollment in International Law, Conflicts.**Strongly Recommended:** Legal writing.**Mutually Excluded Courses:** Students may not receive credit for this course and the International Negotiations Seminar.**LAW 240 v00 International Negotiations Seminar** (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 240 v00>)

J.D. Seminar (cross-listed) | 2 credit hours

This seminar seeks to develop skills and knowledge to participate in negotiations and in particular international business negotiations. Approximately a third of course time is devoted to the negotiating process and analysis of negotiation principles and dynamics. Another third is spent on the cultural, practical, legal and strategic elements of international business transactions. The balance is spent on a series of "mock" negotiations. Students, individually and in groups, experiment with different negotiating techniques and fact situations of increasing complexity. The course requirement is principally satisfied through preparation of a comprehensive negotiated agreement and follow-up memorandum. Heavy emphasis is placed on class participation, including the negotiations. The final negotiating problem requires substantial team work with others, including strategy, analysis, and preparation. Negotiations are carried on both inside and outside normal class time.

Recommended: Contracts.**Mutually Excluded Courses:** Students may not receive credit for this course and the International Negotiations Seminar (LAWJ/G-958) or International Negotiations (LAWJ/G-3029) in the graduate program, or International Business Negotiations.**Note:** FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist.

Students may not withdraw from this class after the add/drop period ends without the permission of the professor.

LAW 958 v00 International Negotiations Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 958 v00>)

LL.M Seminar (cross-listed) | 2 credit hours

After introductory lectures on negotiation theory and practice, the seminar students will be divided into teams for a series of simulated negotiations covering government-to-government, government-private and transnational private negotiations. Student performance in these negotiations and class discussions will comprise most of the course grade; no research paper or examination is required.

Mutually Excluded Courses: Students may receive credit for this course and International Business Negotiations. Students may NOT receive credit for both this course and International Negotiations or the J.D. course, International Negotiations Seminar.**Note:** FIRST-CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist.**LAW 1799 v00 International Trade and Investment Law** (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1799 v00>)

J.D. Course (cross-listed) | 3 credit hours

This three-credit course introduces students to the legal and policy aspects of international trade and investment law, two pillars of international economic law that have developed dispute settlement systems. These two areas of law affect a broad array of national legislation, regulation, and administrative practice, as well as other areas of international law and policy, such as development, human rights, climate change, and other environmental issues. Both trade law and investment law have raised anxieties regarding their linkages, effects, and overlaps with non-economic issues. The United States, European Union, China, and many other countries have actively engaged in litigation and new negotiations in both fields of law. In international trade law, governments bring legal claims against each other for breaches of obligations, while private lawyers work with private commercial interests behind the scenes and often directly on behalf of governments. International investment law, in contrast, provides direct rights to private foreign investors to bring claims against governments. These disputes are proliferating and sometimes overlap with international trade law claims. In the past, the U.S. always sought protection for its investors in developing countries, but with shifts in the global economy, the U.S. increasingly became subject to such suits by foreign investors. This course will introduce students to both of these areas of international law practice.

LAW 244 v05 International Trade Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 244 v05>)
J.D. Course (cross-listed) | 3 credit hours

Economic interdependence between countries and across production chains has grown exponentially. Yet, today, economic globalization is under attack. In this context, existing rules on international trade, and negotiating fora to potentially change those rules, are key. This course focuses on the rules and institutions established under the World Trade Organization (WTO) as well as selected regional trade agreements. What are the benefits and risks of trade liberalization from legal, economic and political perspectives? How can trade liberalization go hand in hand with pursuing public policy goals such as protecting the environment or labour standards ("non-trade concerns"), job creation or promoting the economic development of poor countries? The course will offer an in-depth, practical knowledge of substantive WTO law drawing heavily on case law from dispute settlement practice. It will address the basic principles of trade in goods and trade in services as well as more specific WTO agreements on, for example, health measures, subsidies, trade remedies and intellectual property rights. The course will also focus on the unique WTO mechanism for the settlement of trade disputes, and especially on how it balances trade liberalization with non-trade concerns as well as how it copes with increasing trade tensions between OECD countries and emerging economies like Brazil, China, India and Russia.

Mutually Excluded Courses: Students may not receive credit for both this course and International Trade and the WTO or World Trade Organization: Law, Policy and Dispute Settlement; or the graduate course, International Trade Law and Regulation.

Note: There are no prerequisites for this course.

This course will meet 2 times per week in the weeks of August 30 - September 17 and October 11- October 29. In addition, there will be three classes taught remotely on October 7, November 11 and November 16.

LAW 966 v01 International Trade Law & Regulation (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 966 v01>)
LL.M Course (cross-listed) | 2-3 credit hours

Examines international trade laws and regulations and World Trade Organization agreements affecting international trade, and the relationship of the General Agreement on Tariffs and Trade 1994 and other international agreements to U.S. law and practice. Considers, in detail, tariffs and trade policy, the U.S. antidumping, countervailing duty, safeguards (Section 201) laws and regulations and the WTO agreements that establish multinational standards applicable to the use of those remedies. Examines the WTO agreements on services, intellectual property, and technical barriers to trade. Examines the statutory remedies, particularly Section 301, that are available to address foreign restrictions on U.S. exports of goods, capital, services, and intellectual property. Analyzes the U.S.-China "trade war" and resulting tariffs and agreements. Evaluates the role of Congress, the U.S. Trade Representative, and other U.S. agencies in setting trade policy and overseeing administration of the trade laws. Analyzes the WTO procedures for dispute resolution and key WTO panel and Appellate Body decisions. Reviews free trade agreements, including the U.S.-Mexico-Canada Agreement, as well as bilateral investment treaties. The course includes a weekly discussion of current events affecting international trade law and regulation.

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. course, International Trade or World Trade Organization: Law, Policy and Dispute Settlement.

Note: The 3-credit section of this course meets the "List A" requirement for the WTO certificate program.

The two-credit class requires a final exam; the three-credit class requires a paper. J.D. students must register for the three-credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement for JD students. The paper requirements of the two-credit section will not fulfill the Upperclass Legal Writing Requirement for JD students.

LAW 3136 v00 Interstate (State-to-State) Dispute Resolution (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3136 v00>)

LL.M Seminar (cross-listed) | 2 credit hours

Modern interstate dispute resolution finds its basis in a string of ad hoc arbitrations and claims commissions from the 18th, 19th, and early 20th centuries. The United States was an early adopter of arbitration as a means of resolving interstate disputes, first agreeing with the United Kingdom in 1794 in the Jay Treaty to resolve certain disputes remaining from the Revolutionary War.

In the first part of the 20th century, there was an effort to formalize such disputes, first through the Permanent Court of Arbitration (PCA) and then the Permanent Court of International Justice (PCIJ) and International Court of Justice (ICJ). In the latter half of the 20th century and into the 21st century, there was a rapid increase in formal mechanisms or courts to hear state-to-state disputes, including the WTO and ITLOS mechanisms, other specialized courts, and a host of regional courts and tribunals. Ad hoc arbitration and claims commissions continue to be used to resolve disputes as well.

This course will tackle state-to-state disputes from a legal, historical and comparative perspective, tracking the development of interstate dispute resolution over time and across institutions. In addition, the course will serve as a primer for practice in interstate dispute resolution, including at the ICJ, and within a state's foreign ministry. We will tackle such practical topics as jurisdictional objections, provisional measures, advisory opinions, and claims commissions. The goal of the course is to be able to practice in the field and approach interstate disputes from legal and policy angles.

In so doing, the course will ask the following questions:

- Why have states agreed to submit their disputes to arbitration or other dispute resolution mechanisms?
- What were the international relations factors that permitted the use of such mechanisms?
- How successful are such means in resolving disputes between states? What sorts of disputes can be resolved through arbitration or similar mechanisms?
- How does interstate dispute resolution work in practice?
- What are common procedures for such disputes?
- How do international courts develop international law?
- What are the prospects for interstate dispute resolution going forward?

LAW 2047 v00 Introduction to International Commercial Arbitration (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 2047 v00>)

LL.M. Course (cross-listed) | 3 credit hours

This course will introduce the basic concepts of international commercial arbitration from both a theoretical and practical perspective. It will provide a general overview of the subject, and subsequently focus on issues including the agreement to arbitrate, the constitution and duties of the arbitral tribunal, the conduct of the proceedings and the arbitral award. The course will refer to the ICC Rules of Arbitration in discussing many of the practical aspects of these issues.

Mutually Excluded Courses: Students may not receive credit for both this course and International Commercial Arbitration or International Arbitration (LAWG-882 or LAWJ-882), or the J.D. seminar, International Commercial Arbitration Seminar (CTLS course).

Note: Please note, the date for the final class session will be announced at the start of the semester.

LAW 2055 v00 Investment Treaty Arbitration, Public International Law, and Landmark Judgments of the ICJ (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 2055 v00>)

LL.M. Course | 2 credit hours

This seminar will lay out the basic principles of international investment treaty arbitration by analyzing and studying the underlying principles of public international law as well as landmark decisions of the Permanent Court of International Justice and the International Court of Justice (ICJ) that influence Investor-State arbitration. The curriculum and calendar of the seminar will follow the procedural structure of a proceeding at the International Centre for Settlement of Investment Disputes (ICSID) – i.e., first covering registration of a request for arbitration under articles 25 and 36 of the ICSID Convention, then discussing preliminary objections under Rule 41(5) of the ICSID Rules of Arbitration, provisional measures, objections to jurisdiction, merits, and ending with quantum.

The objective of the seminar is to provide students interested in investment treaty arbitration and/or public international law with a solid understanding of the principles and judgments of the ICJ and other relevant public international law instruments, including the International Law Commission's 2001 Articles on State Responsibility, which together form the basis for the rules and principles that guide investment treaty arbitration.

Recommended: International Law I: Introduction to International Law (or the equivalent International Law I); Litigation Practice in International Arbitration; or Investor-State Dispute Settlement.

LAW 676 v00 Investor-State Dispute Resolution Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 676 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20676%20v00))
LL.M Seminar (cross-listed) | 3 credit hours

The subject of investor-state disputes and their resolution lies at the cutting edge of international law, and is a major factor in the development of the global economic system in years to come. Study of this form of arbitration provides insight into the evolving shape of customary international law, the conflict between capital-importing and capital-exporting states, and the status of individuals in the international legal order. This seminar will provide students with a firm grounding in the history, present practice, and future implications of arbitration between foreign investors and host states, sanctioned by multilateral and bilateral investment treaties. Topics that will be covered in this course are the history of the treatment of aliens and investments under international law; an overview of the most important international treaties that give investors a right to arbitration of claims; the most important elements of procedure that characterize investor-state arbitration, including tribunal composition, jurisdiction, evidence, award and challenge or annulment; substantive law of investment arbitration, the standards that apply when a tribunal determines whether a breach of the treaty has occurred; and the future development of investor-state arbitration including the challenges of globalization and other stresses, the clash of capital-importing and capital-exporting countries, environmental protection and free trade, restrictions on state sovereignty, the construction of an international investment jurisprudence, the limits on arbitrability, and the expansion of multilateral investment protections worldwide. Active participation in discussion of the course materials is required.

Prerequisite: International Law I.

Recommended: International Commercial Arbitration.

Note: For the Spring section: FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist.

Students may not withdraw from this class after the add/drop period ends without the permission of the professor. This course requires a paper. J.D. Students: this will fulfill the J.D. Upperclass Legal Writing Requirement.

LAW 1179 v01 Modern Litigation Theory and Practice Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1179 v01](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201179%20v01))

J.D. Seminar | 2 credit hours

This seminar focuses on modern issues related to litigation and dispute resolution as well as the role of private enforcement in our overall system of divided government. In particular, the seminar will dedicate discussion to the doctrinal and litigation history that produced our present litigation landscape, questions of policy and theory that cut across class actions and other litigation alternatives, and questions regarding the role of private enforcement, the judiciary, and the rule of law in our system of government.

The seminar will integrate guest speakers that include some of the leading practitioners, judges, and scholars in the country.

This seminar is intended for students who wish to pursue advanced, in-depth study of our system of litigation and private enforcement. Civil Procedure (or Legal Process and Society), torts, and contracts are pre-requisites.

Students will give oral presentations.

Prerequisite: Civil Procedure (or Legal Process and Society), Contracts and Torts.

LAW 1482 v01 Negotiations and Mediation Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1482 v01](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201482%20v01))

J.D. Seminar (cross-listed) | 3 credit hours

All lawyers, irrespective of their specialty, must negotiate. This intensive, interactive seminar will explore the theoretical and practical aspects of negotiating and mediating transactions and disputes in our legal system. The goal is to improve students' understanding of negotiation and mediation as well as their ability to negotiate effectively.

Students will learn to negotiate by studying the negotiation theory, concepts and principles, and by participating in simulations and exercises from a variety of practice areas. The simulations are designed to familiarize students with the negotiating and mediation processes, sensitize them to their own negotiating behaviors, teach them how to use a mediator in aid of their negotiations, and raise a number of ethical and practical questions.

Through in-class negotiation exercises, students will develop and sharpen skills in the areas of listening, asking questions, creative thinking, and persuasive communication. Class lectures and discussions will focus on such topics as the difference between competitive and integrative bargaining, the psychological and ethical dimensions of negotiations, and the importance of context in choosing negotiation strategies. Students will be videotaped while conducting at least one of their negotiations, followed by instructor evaluation and feedback.

Grades are based on the quality of student participation, several short "think pieces" and journal entries based on in-class experience, readings and lectures, and a final 10-15 page paper.

The Workshop is intensive (9:00 a.m. - 4:30 p.m. for six sessions spread over two weekends). Full attendance and participation is required at all six sessions.

Learning Objectives:

- Familiarization with negotiation and mediation theory, concepts and principles.
- Deepening of behaviors, processes and mindsets required for effective negotiation and mediation.
- Sharpening skills in the areas of listening, asking questions, creative thinking, and persuasive communication.
- Engaging in reflective practice.
- Awareness of the role that assumptions, differences (e.g., culture, gender) and psychology play in shaping negotiation/conflict dynamics.

Mutually Excluded Courses: Students may not receive credit for both this seminar and the Negotiations Seminar, Negotiations Seminar (LLM), Negotiations Seminar (LLM - Week One), Mediation Seminar, or Mediation Advocacy Seminar.

Note: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal.

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs.

LAW 317 v14 Negotiations Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 317 v14](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20317%20v14))

J.D. Seminar (cross-listed) | 3 credit hours

This intensive, interactive seminar is designed to teach both the theory and practice of negotiation. The goal is to improve students' understanding of negotiation as well as their ability to negotiate effectively. Students will spend much of their time participating in negotiation exercises and simulations from a variety of practice areas. Through the in-class negotiation exercises, debriefings, and lectures, students will develop and sharpen skills in the areas of listening, asking questions, creative thinking, and persuasive communication. Class lectures and discussions will focus on such topics as the difference between competitive and integrative bargaining, the psychological and ethical dimensions of negotiations, and the importance of planning and choosing negotiation strategies.

The seminar will meet for five sessions spread over two weekends. Attendance at all sessions is mandatory. Between weekend sessions, students will negotiate with a classmate and write a short reflection paper about the experience. In addition, a final paper (10-15 pages) is required, in which students should demonstrate that they have learned the concepts, principles, and theories from lectures, readings, and exercises.

Grades will be based on:

- Participation in class (30%)
- Midterm reflection paper (20%)
- Final paper (10-15 pages) (50%).

Learning Objectives:

- Gain knowledge about negotiation theory, including the differences between competitive bargaining and integrative bargaining.
- Know how to prepare to conduct an effective negotiation.
- Feel more comfortable negotiating and become more effective negotiators.
- Develop and sharpen skills in the areas of listening, asking questions, creative thinking, and persuasive communication.
- Engage in effective problem solving with respect to the simulated exercises, whether alone or in teams.
- Identify and appreciate ethical considerations related to negotiations.
- Engage in self-reflection and peer critique, including applying lessons learned in exercises to future performances and providing constructive criticism to classmates.

Recommended: Torts, Contracts, and Civil Procedure. Students with no formal negotiation training are encouraged to enroll.

Mutually Excluded Courses: Students may not receive credit for both this course and the Negotiations and Mediation Seminar.

Note: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal.

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.

LAW 2075 v01 Negotiations Seminar (LLM - Week One) ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 2075 v01](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%2075%20v01))

LL.M Seminar | 3 credit hours

This interactive seminar is designed to teach both the theory and practice of negotiation. The goal is to improve students' understanding of negotiation as well as their ability to negotiate effectively. Students will spend much of their time participating in negotiation exercises and simulations from a variety of practice areas. Through the in-class negotiation exercises, debriefings, and lectures, students will develop and sharpen skills in the areas of listening, asking questions, creative thinking, and persuasive communication. Class lectures and discussions will focus on such topics as the difference between competitive and integrative bargaining, the ethical dimensions of negotiations, the importance of reputations, and the value in planning and choosing negotiation strategies.

The seminar will meet during Week One (Wednesday - Sunday). The class sessions are designed to provide an environment that is conducive for all students to experiment with different negotiation skills and behaviors. Students are not graded on the outcomes or results of negotiations, but on commitment to the materials and exercises.

Mutually Excluded Courses: Students may not receive credit for both this course and the Negotiations and Mediation Seminar; the Negotiations Seminar; or Negotiation and Mediation in Public Interest Law Settings or Negotiations and Drafting Seminar or Contracts: Structure and Negotiations.

Note: UPPERCLASS WEEK ONE COURSE.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety will result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from OGIP by emailing them at lawgradprog@georgetown.edu. Withdrawals are permitted up until the last class for this specific course. There is a course materials fee for this course, which covers outside vendor materials purchased on behalf of all enrolled students (these materials are distributed as part of the course's in-class assignments and exercises). This fee is posted to your student account in August (for Fall courses) or December (for Spring courses), or as soon as you are enrolled in the course, whichever is later. Students who drop the course will be refunded the amount. Students approved to withdraw will not be refunded. This course is graded pass-fail and is only open to foreign-educated LL.M. students (i.e., those students who do not have a U.S. J.D. degree).

LAW 2075 v00 Negotiations Seminar (LLM) ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 2075 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%2075%20v00))

LL.M. Seminar | 3 credit hours

This interactive seminar is designed to teach both the theory and practice of negotiation. The goal is to improve students' understanding of negotiation as well as their ability to negotiate effectively. Students will spend much of their time participating in negotiation exercises and simulations from a variety of practice areas. Through the in-class negotiation exercises, debriefings, and lectures, students will develop and sharpen skills in the areas of listening, asking questions, creative thinking, and persuasive communication. Class lectures and discussions will focus on such topics as the difference between competitive and integrative bargaining, the ethical dimensions of negotiations, the importance of reputations, and the value in planning and choosing negotiation strategies.

Mutually Excluded Courses: Students may not receive credit for both this course and the Negotiations and Mediation Seminar; the Negotiations Seminar; or Negotiation and Mediation in Public Interest Law Settings or Negotiations and Drafting Seminar or Contracts: Structure and Negotiations.

Note: This course is only open to foreign-educated LL.M. students (i.e., those students who do not have a U.S. J.D. degree) and is graded on a pass/fail basis.

LAW 3049 v00 Sovereign States and the Permanent Court of Arbitration ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3049 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203049%20v00))

LL.M. Course (cross-listed) | 1 credit hour

While arbitration is most often thought of as an alternative to litigation in national courts, arbitration between sovereign states developed as an alternative to war. This course examines the use of arbitration to resolve the most complex and politically sensitive disputes between governments.

Drawing heavily on the experience of the Permanent Court of Arbitration, students will learn the reasons for the renaissance of this form of dispute settlement and how it differs from more conventional forms of arbitration and from international courts with pre-appointed judges. Students will evaluate arbitration's effectiveness in a series of recent high-profile cases. The course will include video clips of hearings and interactive exercises.

Note: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal.

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.

LAW 872 v00 World Trade Organization: Agreements, Negotiations & Disputes ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 872 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20872%20v00))

LL.M. Course (cross-listed) | 2 credit hours

The course analyzes the World Trade Organization (WTO) and its agreements, including the General Agreement on Tariffs and Trade (GATT), and the substance and status of negotiations to amend the agreements. It concentrates on the coverage of the agreements, based on their text and interpretive guidance from key dispute settlement decisions. The course also reviews the relevant economic, policy and legal aspects of the international trading system.