

INTERNATIONAL LAW / LITIGATION

This is a listing of selected courses which focus on international litigation.

Search International Law Litigation Courses (https://curriculum.law.georgetown.edu/course-search/?cluster=cluster_56)

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

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

This course blends mock arbitration experiences with class discussion of techniques, strategy, and ethics in international arbitration proceedings. Students directly participate in a series of practical exercises based upon a series of international arbitration fact patterns, which will entail their role-playing as advocates, cross-examiners, and arbitrators. The course emphasizes advocacy in connection with jurisdictional and procedural issues, selecting and challenging arbitrators, and other scenarios that often arise in international arbitration.

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

Note: Note: Students participate in in-class advocacy exercises and are graded on those exercises and productive class participation. Students may not withdraw from this class after the add/drop period ends without the permission of the professor.

LAW 3175 v00 Arbitration Practice in China (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3175 v00>)

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: 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 790 v09 Criminal Law Across Borders ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 790 v09](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20790%20v09))
J.D. Course | 3 credit hours

"Criminal law across borders" studies two bodies of law. One is domestic (national) criminal law applied to crimes committed outside national territory. The other is crimes under international law: war crimes, crimes against humanity, genocide, and aggression. These are the "core crimes" tried by courts like the Nuremberg Tribunal, the tribunals for Rwanda, Sierra Leone, and former Yugoslavia, and the International Criminal Court (ICC). Along with the substantive law on these issues, we examine procedural law on topics such as jurisdiction and immunity from prosecution. As a 1L course, it will introduce basic doctrines of criminal law and international law. The course will also examine the problems confronting international criminal justice today, including the political backlash against holding leaders accountable for core crimes. The aim is to introduce students to basic doctrines of international criminal law, as well as doctrines concerning the extraterritorial application of U.S. criminal law. The course combines law, policy, and history.

Please note that we will read about and discuss some difficult issues in this course, including genocide, torture, sexual violence, and legal issues in current ongoing armed conflicts, including the Russia-Ukraine war and Israel's conflicts with Hamas and Hezbollah.

Mutually Excluded Courses: Students may not receive credit for both this course and the graduate course or the JD course, International Criminal Law.

Note: This course is a first-year elective. First-year day students select an elective offered in the spring.

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 790 v01 International Criminal Law ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 790 v01](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20790%20v01))
LL.M. Course (cross-listed) | 2 credit hours

Examines selected issues involving the application of criminal law to international activities and across national boundaries. The course covers both the procedural aspects of international cooperation in criminal matters (including extradition, cross-border investigations, mutual legal assistance, and recognition of foreign penal judgments) as well as the developing substantive international law (e.g., war crimes, crimes against humanity, genocide, cybercrime, and trafficking in drugs, people and firearms). Particular attention is paid to the question of jurisdiction over criminal activities at the international level, in the context of activities such as money laundering, organized crime, and computer crime, including the reach of Constitutional protections to investigations and law enforcement activities overseas. Addresses the structure, jurisdiction, and jurisprudence of the ad hoc criminal tribunals for the former Yugoslavia and Rwanda and the statute and rules of evidence and procedure of the International Criminal Court.

Recommended: Criminal Law, Conflict of Laws: Choice of Law (or the equivalent Conflict of Laws: Choice of Law (International Focus)); International Law I: Introduction to International Law.

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. course with the same title; the J.D. first year elective, Criminal Law Across Borders; or the J.D. seminar International Criminal Law Seminar: Tribunals and Crimes; or the J.D. course International Humanitarian Law; or the J.D. course International Criminal Courts.

LAW 790 v10 International Criminal Law ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 790 v10](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20790%20v10))
J.D. Course (cross-listed) | 3 credit hours

This course studies two bodies of law, both concerned with “criminal law across borders.” One is domestic (national) criminal law applied to crimes committed outside national territory. The other is crimes under international law: war crimes, crimes against humanity, genocide, and aggression. These are the “core crimes” tried by courts like the Nuremberg Tribunal, the tribunals for Rwanda, Sierra Leone, and former Yugoslavia, and the International Criminal Court (ICC). The Russian invasion of Ukraine, the ICC’s indictment of President Putin, and many states’ proposal to establish an international tribunal for aggression make international criminal law exceptionally salient today.

Along with the substantive law on these issues, we examine the foundational topics of jurisdiction, extradition, and immunity from prosecution. The course will also examine the problems confronting international criminal justice today, including the political backlash against holding leaders accountable for core crimes. The aim of the course is to introduce students to basic doctrines of international criminal law, as well as doctrines concerning the extraterritorial application of U.S. criminal law. It also provides an overview of the work of international criminal tribunals and the challenges they face. The course combines law, policy, and history.

The textbook for the course is *International and Transnational Criminal Law*, 4th edition, by David Luban, Julie O’Sullivan, David P. Stewart, and Neha Jain.

Mutually Excluded Courses: Students may not receive credit for both this course and the perspective elective, Criminal Law Across Borders, or the graduate course, International Criminal Law or International Criminal Law Seminar: Tribunals and Crimes or International Humanitarian Law and International Criminal Courts.

LAW 880 v00 International White Collar Crime ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 880 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20880%20v00))
LL.M. Course | 2 credit hours

This course examines key issues arising from the criminalization of transnational business conduct and attempts to enforce national laws extraterritorially, as well as how to counsel clients to comply with inconsistent or conflicting legal regimes. Topics covered will include: bribery of foreign officials, crime on the internet, economic embargoes and export and reexport controls, securities fraud, money laundering, and price-fixing. Attention will be paid to foreign governmental opposition to U.S. assertions of jurisdiction via “blocking” statutes, secrecy laws, and use of local court injunctions, as well as to mechanisms for resolving jurisdictional conflicts, including international agreements for notification, consultation, mutual legal assistance, “positive comity,” and exchanges of confidential information among enforcement authorities. The course will also focus extensively on compliance and ethics issues and on techniques for dealing with government law enforcement agencies.

Recommended: International Law I: Introduction to International Law (or the equivalent of International Law I, which is a 3 credit course in public international law).

Mutually Excluded Courses: Students may not receive credit for both this course and International Economic Crime and Corruption.

Note: Please note, the two sections of this course have different requirements. Please be sure to register for CRN 13649 if you wish to elect the section with a final exam and CRN 24229 if you wish to elect the section requiring a paper.

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 PCA and then the PCIJ and 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 676 v00 Investor-State Dispute Resolution Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 676 v00>)

LL.M Seminar | 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.

Student who no longer wishes to remain enrolled will not be permitted to drop the class but may request a withdrawal BY PROFESSOR PERMISSION ONLY. This course requires a paper. J.D. Students: this will fulfill the J.D. Upperclass Legal Writing Requirement.