

COURSE OUTLINE

1. Data about the study programme

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| 1.1 Higher education institution | TRANSILVANIA UNIVERSITY OF BRAȘOV |
| 1.2 Faculty | LAW |
| 1.3 Department | LAW |
| 1.4 Field of study ¹⁾ | LAW MASTER |
| 1.5 Study level ²⁾ | MASTER |
| 1.6 Study programme/ Qualification | LAW AND DIPLOMACY OF SUSTAINABLE DEVELOPMENT (in english)/ MASTER in LAW AND DIPLOMACY OF SUSTAINABLE DEVELOPMENT (in english) |

2. Data about the course

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| 2.1 Name of course | | | INTERNATIONAL ARBITRATION (ARBINT1) | | | | | |
| 2.2 Course convenor | | | Associate Professor PhD Codruț Nicolae SAVU | | | | | |
| 2.3 Seminar/ laboratory/ project convenor | | | Associate Professor PhD Codruț Nicolae SAVU | | | | | |
| 2.4 Study year | 1 | 2.5 Semester | 1 | 2.6 Evaluation type | E | 2.7 Course status | Content ³⁾ | DAP |
| | | | | | | | Attendance type ⁴⁾ | DI |

3. Total estimated time (hours of teaching activities per semester)

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|---|-----|---------------------------|----|----------------------------------|-------|
| 3.1 Number of hours per week | 3 | out of which: 3.2 lecture | 2 | 3.3 seminar/-laboratory/-project | 1 |
| 3.4 Total number of hours in the curriculum | 42 | out of which: 3.5 lecture | 28 | 3.6 seminar/-laboratory/-project | 14 |
| Time allocation | | | | | hours |
| Study of textbooks, course support, bibliography and notes | | | | | 28 |
| Additional documentation in libraries, specialized electronic platforms, and field research | | | | | 56 |
| Preparation of seminars/ laboratories/ projects, homework, papers, portfolios, and essays | | | | | 68 |
| Tutorial | | | | | 2 |
| Examinations | | | | | 2 |
| Other activities..... | | | | | 2 |
| 3.7 Total number of hours of student activity | 158 | | | | |
| 3.8 Total number per semester | 200 | | | | |
| 3.9 Number of credits ⁵⁾ | 8 | | | | |

4. Prerequisites (if applicable)

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| 4.1 curriculum-related | • |
| 4.2 competences-related | • use of general legal concepts, applicable legislation, as well as relevant case law and doctrine |

5. Conditions (if applicable)

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| 5.1 for course development | • classroom equipped with blackboard/video projector |
| 5.2 for seminar/ laboratory/ project development | • access to course material and legislation and case law • classroom equipped with blackboard/video projector |

6. Specific competences and learning outcomes

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| Professional competences | <p>Cp1. in-depth knowledge of an area of specialization and within it of the theoretical, methodological and practical developments specific to the program, appropriate use of specific language in communication with different professional environments</p> <p>L.O.1.1 to have in-depth knowledge of the specific concepts and institutions of ARBINT1;</p> <p>L.O. 1.2 to describe the concepts, theories and methodologies used in the ARBINT1;</p> <p>L.O.1.3 define and classify the theories, paradigms and principles used in the ARBINT1;</p> <p>L.O.1.4 to identify the legal norms in the European legal system and the main international legal instruments in the ARBINT1;</p> <p>L.O.1.5 to define concepts and to analyze in depth these concepts, as well as the methods and theories used in the interpretation and comparison of institutions in European and international law;</p> <p>L.O.1.6 to identify sources of information in the field of law (legislation, doctrine and jurisprudence), applicable to a legal issue, including the use of legal databases</p> <p>Cp2 using specialized knowledge to explain and interpret new situations in broader contexts associated with the field</p> <p>L.O.2.1 to use specialized legal language to explain and interpret specific concepts and theories of the ARBINT1;</p> <p>L.O.2.2 to use concepts and theories from the legal field to explain and interpret European and international legal texts (legal norms);</p> <p>L.O.2.3 to explain and interpret European and international legal norms by using the knowledge acquired in the ARBINT1;</p> <p>L.O.2.4 to interpret the relationship between ARBINT1 institutions and those specific to other states by using comparative and interpretative methods;</p> <p>L.O.2.5 to explain and interpret the sources of information in the ARBINT1 (legislation, doctrine and case law), relating to a specific legal issue;</p> <p>L.O.2.6 to explain and interpret how the legal phenomenon intersects with factual situations (how a factual situation acquires legal significance)</p> <p>Cp3 integrated use of the conceptual and methodological apparatus, in incompletely defined situations, to solve new theoretical and practical problems</p> <p>L.O.3.1 to use specialized legal language in developing specific arguments in the ARBINT1;</p> <p>L.O.3.2 to apply the theories, principles and concepts of ARBINT1 in a given context;</p> <p>L.O.3.3 to identify the legal provisions in European and international legislation specific to the ARBINT1, applicable in a given context;</p> <p>L.O.3.4 to make correlations and comparisons between institutions of the European legal system and that of international law in a given context, using specific ARBINT1 methods and techniques;</p> <p>L.O.3.5 to select the legal information necessary to solve a concrete problem in the in-depth research of the ARBINT1;</p> <p>L.O.3.6 to resolve the ARBINT1 issue raised by a factual situation</p> <p>Cp4 the nuanced and pertinent use of evaluation criteria and methods to formulate value judgments and substantiate constructive decisions</p> <p>L.O.4.1 to use specialized legal language to evaluate the concepts, theories and methods enshrined in the ARBINT1;</p> <p>L.O.4.2 to analyze preliminary data, interpret them, make classifications and conceptual delimitations specific to ARBINT1;</p> <p>L.O.4.3 to realize the legal study and distinguish between relevant and irrelevant provisions that have an impact on resolving specific ARBINT1 situations;</p> <p>L.O.4.4 to interpret and evaluate the specific methods that can be used to determine the relationship between ARBINT1 institutions at European and international level;</p> <p>L.O.4.5 to critically evaluate texts from legislation, doctrine and jurisprudence, relating to a specific ARBINT1 issue;</p> <p>L.O.4.6 to make the correct and reasoned selection between several solutions that can be given to a specific factual situation ARBINT1</p> <p>Cp5 developing professional and/or research projects using innovatively a wide range of quantitative and qualitative methods</p> <p>L.O.5.1 to use specialized legal language in the development of professional projects specific to ARBINT1;</p> <p>L.O.5.2 to develop professional projects using specific theories, principles and methods of ARBINT1;</p> <p>L.O.5.3 to develop professional projects using the European and international legislation in force specific to the ARBINT1;</p> <p>L.O.5.4 to develop professional projects using methods of comparing European and international legislation ARBINT1;</p> <p>L.O.5.5 to develop professional projects using legislation, doctrine and jurisprudence in the field of ARBINT1;</p> <p>L.O.5.6 to develop a study and/or professional project starting from the legal framework of a specific factual situation ARBINT1</p> <p>Cp6 responsible and autonomous exercise of the duties specific to the legal professions</p> <p>L.O.6.1 to perform complex professional tasks, under conditions of autonomy and professional independence;</p> <p>L.O.6.2 to assume roles/functions of leading the activity of professional groups or institutions;</p> <p>L.O.6.3 to control and manage their learning process, diagnosis of training needs, reflective analysis of their own professional activity</p> |
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| Transversal competences | <p>Ct1 autonomy and responsibility for performing professional tasks in teamwork conditions, limited autonomy, distribution of tasks and responsibilities and qualified assistance in achieving objectives</p> <p>L.O.1.1 to acquire the ability to work independently, with only minimal guidance, to obtain the bibliographic, jurisprudential or legislative information necessary to carry out a specific task associated with one of the legal fields;</p> <p>L.O. 1.2 to have the ability to identify their own learning sources and resources;</p> <p>L.O.1.3 to have the ability to reflect on the progress made in the learning process;</p> <p>L.O.1.4 to learn the principles, norms and values specific to "a job well done", namely the strategies of rigorous, efficient and responsible work, punctuality and personal responsibility for the result, based on the principles, norms and values of the code of professional ethics</p> <p>Ct2 social interaction, which involves familiarization with the roles and responsibilities assumed in working conditions in organizations and/or institutions: graduates must have the ability</p> <p>L.O.2.1 to correctly use the language and terminology specific to the legal field, so that they can communicate and interact with other people within teams focused on achieving common tasks;</p> <p>L.O. 2.2 to debate the contents of monographs, courses, textbooks, case studies, etc. in the legal field, demonstrating the ability to understand and transmit the respective contents;</p> <p>L.O.2.3 to present arguments before an audience made up of people with different levels of training and education, so that, through the legal language used, they can be understood by other categories of people;</p> <p>L.O.2.4 to demonstrate teamwork skills both through curricular activities, such as participating in joint projects, and through extra-curricular activities;</p> <p>L.O.2.5 to demonstrate the assimilation of group relationship techniques, empathic interpersonal communication skills and the assumption of specific roles within teamwork</p> <p>Ct3 awareness of the need for continuous professional and scientific training and efficient use of resources and techniques for continuous professional and personal development throughout life</p> <p>L.O.3.1 to acquire and use effective learning methods and techniques;</p> <p>L.O. 3.2 to develop permanent and conscious self-control skills regarding motivations for learning, in relation to their own professional and personal development goals;</p> <p>L.O.3.3 to make distinctions between data, information and knowledge and to apply techniques for managing them;</p> <p>L.O.3.4 to be aware of the extrinsic and intrinsic motivations of continuous learning</p> |
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7. Course objectives (resulting from the specific competences to be acquired)

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| 7.1 General course objective | <ul style="list-style-type: none"> the student will have a thorough knowledge and operate with notions, concepts and categories specific to international arbitration (international arbitration process) and the effects of foreign arbitral awards by identifying the scope of application of normative acts specific to European Union law and international law; the student will develop the ability to identify specific legislation and case law and to assess the (in)congruence of EU law with international arbitration conventions; the student to develop their capacity to analyze how international arbitration resolves disputes related to infrastructure investment, renewable energy, environmental protection and other aspects of the 2030 Agenda. |
| 7.2 Specific objectives | <ul style="list-style-type: none"> the student is able to identify the situations in which an arbitral dispute arising out of a legal relationship, grafted on one or more of the specific Sustainable Development Goals (2030 Agenda for Sustainable Development), is considered international using criteria extracted from specific normative acts; the student is able to identify and explain specific normative sources, sustainable development principles and their interaction with international arbitration; the learner is able to identify and explain the necessity and usefulness of international arbitration for achieving sustainable development objectives; the student is able to analyze the relevant case law of International Courts/International Arbitration Centers in order to understand their reasoning and methods of interpretation; |

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| | <ul style="list-style-type: none"> • develop skills in drafting arbitration clauses; • the student is able to select and correctly apply the basic methods and principles learned in solving practical problems and specific ARBINT1 cases; • the student is able to develop the skills to correctly apply the theoretical knowledge acquired to solve practical problems and specific ARBINT1 cases; • the student to form and develop their ability to analyze and synthesize; • the student should develop the ability to write essays and research projects on topics in the field; |
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8. Content

| 8.1 Course | Teaching methods | Number of hours | Remarks |
|---|--|-----------------|---------|
| Introduction to international arbitration. Overview of international arbitration: definitions, principles, (dis)advantages. Types of arbitration. | Participatory lecture, debate, presentation, problematization, exemplification | 2 | |
| Arbitrability of the dispute | Idem | 2 | |
| Arbitration agreement: concept, form, types. | Idem | 2 | |
| Arbitral Tribunal: appointment and dismissal of arbitrators. Appointment of supra-arbitrator. Acceptance of the task of arbitrator. | Idem | 2 | |
| Incompatibility of arbitrators. Abstention and challenge of arbitrators. Replacement of arbitrators. | Idem | 2 | |
| Liability of arbitrators. | Idem | 2 | |
| Constitution of arbitral tribunal. Terms of arbitration. Time for arbitration. Place of arbitration. Language of arbitration. | Idem | 2 | |
| The arbitral procedure. Referral to the arbitral tribunal: request for arbitration, statement of claim and counterclaim. | Idem | 2 | |
| Jurisdiction of the arbitral tribunal. Provisional and protective measures. | Idem | 2 | |
| Judgment in arbitral proceedings: applicable rules of procedure. | Idem | 2 | |
| Arbitral expenses. Arbitrators' fees | Idem | 2 | |
| Foreign arbitral award: settlement of the dispute, deliberation and delivery; clarification, completion and correction of the award; communication of the award. | Idem | 2 | |
| Effects of foreign arbitral awards: qualification, effectiveness, recognition, recognition, enforcement, evidentiary force. | Idem | 2 | |
| Dissolution of foreign arbitral awards | Idem | 2 | |
| Bibliography Șerban Alexandru Stănescu, Proceduri de arbitraj. Arbitraj intern. Arbitraj internațional; E.A. Oprea, Dreptul comerțului internațional, Ed. Hamangiu, 2023; | | | |

| C.P. Buglea, D. Petrache, Dreptul comerțului internațional, Ed. Ch. Beck, 2024; I. Macovei, Tratat de drept internațional privat, Ed. Hamangiu, 2017. | | | |
|---|---|-----------------|---------|
| 8.2 Seminar/laboratory/project | Teaching-learning methods | Number of hours | Remarks |
| Introduction to international arbitration. Overview of international arbitration: definitions, principles, (dis)advantages. Types of arbitration. | Debate, presentation, problematization, exemplification, case study | 1 | |
| Arbitration agreement: concept, form, types. | Idem | 1 | |
| Arbitral Tribunal: appointment and dismissal of arbitrators. Appointment of supra-arbitrator. Acceptance of the task of arbitrator. | Idem | 1 | |
| Incompatibility of arbitrators. Abstention and challenge of arbitrators. Replacement of arbitrators. | Idem | 1 | |
| Liability of arbitrators. | Idem | 1 | |
| Constitution of arbitral tribunal. Terms of arbitration. Time for arbitration. Place of arbitration. Language of arbitration. | Idem | 1 | |
| The arbitral procedure. Referral to the arbitral tribunal: request for arbitration, statement of claim and counterclaim. | Idem | 1 | |
| Jurisdiction of the arbitral tribunal. Provisional and protective measures. | Idem | 1 | |
| Jurisdiction of the arbitral tribunal. Provisional and protective measures. | Idem | 1 | |
| Judgment in arbitral proceedings: applicable rules of procedure. | Idem | 1 | |
| Arbitral expenses. Arbitrators' fees | Idem | 1 | |
| Foreign arbitral award: settlement of the dispute, deliberation and delivery; clarification, completion and correction of the award; communication of the award. | Idem | 1 | |
| Effects of foreign arbitral awards: qualification, effectiveness, recognition, recognition, enforcement, evidentiary force. | Idem | 1 | |
| Dissolution of foreign arbitral awards | Idem | 1 | |
| Bibliography Șerban Alexandru Stănescu, Proceduri de arbitraj. Arbitraj intern. Arbitraj internațional; E.A. Oprea, Dreptul comerțului internațional, Ed. Hamangiu, 2023; C.P. Buglea, D. Petrache, Dreptul comerțului internațional, Ed. Ch. Beck, 2024; I. Macovei, Tratat de drept internațional privat, Ed. Hamangiu, 2017. | | | |

9. Correlation of course content with the demands of the labour market (epistemic communities, professional associations, potential employers in the field of study)

By learning the theoretical concepts and approaching the practical aspects included in the discipline "INTERNATIONAL ARBITRATION", students acquire a consistent knowledge necessary for the deepening of specific notions, concepts

and principles. The course respects the content offered by specialized programs in other European countries. The course exists in the curriculum of universities and faculties in Romania.

10. Evaluation

| Activity type | 10.1 Evaluation criteria | 10.2 Evaluation methods | 10.3 Percentage of the final grade |
|---|---|---|------------------------------------|
| 10.4 Course | Correctness and completeness of knowledge | Oral assessment during the exam session | 100% |
| | Logical coherence, degree of assimilation of specialized language | Active participation in classes | |
| 10.5 Seminar/ laboratory/ project | The ability to operate with the acquired knowledge | Oral assessment during the semester | |
| | The ability to apply in practice | Active participation at the seminars | |
| 10.6 Minimal performance standard | | | |
| <ul style="list-style-type: none"> to prove minimal mastery of the subject; the oral presentation must not contain serious errors; minimal activity during the semester. | | | |

This course outline was certified in the Department Board meeting on 06/02/2025 and approved in the Faculty Board meeting on 06/02/2025

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|---|---|
| Associate Profesor PhD Roxana MATEFI | Lecturer PhD Oana ȘARAMET |
| Dean | Head of Department |
| Associate Professor PhD Codruț Nicolae SAVU | Associate Professor PhD Codruț Nicolae SAVU |
| Course holder | Holder of seminar/ laboratory/ project |

Note:

- 1) Field of study – select one of the following options: Bachelor / Master / Doctorat (to be filled in according to the forceful classification list for study programmes);
- 2) Study level – choose from among: Bachelor / Master / Doctorat;
- 3) Course status (content) – for the Bachelor level, select one of the following options: FC (fundamental course) / DC (course in the study domain)/ SC (speciality course)/ CC (complementary course); for the Master level, select one of the following options: PC (proficiency course)/ SC (synthesis course)/ AC (advanced course);
- 4) Course status (attendance type) – select one of the following options: CPC (compulsory course)/ EC (elective course)/ NCPC (non-compulsory course);
- 5) One credit is the equivalent of 25 study hours (teaching activities and individual study).