

The SAIICA consists of two separate three semester hour courses (*Seminar in Comparative Law [International Commercial Arbitration]* and *Seminar in European International Commercial Arbitration*) conducted in Linz, Austria, but including formal visits and instruction at educationally relevant sites in Vienna, Budapest, Venice, Salzburg and Dubrovnik. The Seminars are:

### **Seminar in Comparative Law (International Commercial Arbitration)**

This Seminar addresses the basic principles relevant to commercial arbitration as a dispute resolution device in international commerce within the context of different national legal orders, including a consideration of the history and origins of arbitration in the resolution of international trade and commercial disputes; the relation of international commercial arbitration and the national and international legal order; the arbitration agreement, with special emphasis on the arbitral clause as it relates to the scope of arbitrability; the arbitral process prior to award, inclusive of a review of the procedural rules of major international arbitral institutions; the authority of arbitrators in the arbitral process; special procedural issues in the conduct of international commercial arbitration such as pre-award attachment; provisional remedies; discovery; and judicial intervention in international commercial arbitration; and the arbitral award and its enforcement, with emphasis on national law and international agreements supporting the recognition and enforcement of international commercial arbitral agreements and awards, especially the United Nations Convention and national legislation adopted to implement it.

### **Seminar in European International Commercial Arbitration**

This seminar serves as an introduction to legal concepts, doctrines and principles bearing on the current status of international commercial arbitration as a dispute resolution mechanism alternative to litigation in central and Eastern European court systems. Course objectives include exposure of the student to the basic features of Central and Eastern European systems of international commercial arbitration and to an examination of the legal framework of international commercial arbitration in Central and Eastern Europe, including its regulation through conventions and treaties, national legal regimes, and elements of local practice in selected Central and Eastern European nations. Arbitral rules of selected Central and Eastern European commercial arbitration agencies are addressed in the seminar. The seminar is conducted at predetermined venues in Europe and it includes field visits and site excursions to major arbitral institutions on the European continent. These visits are an integral feature of the seminar and provide the student with first hand knowledge regarding the agencies concerned.

The Program relates to the socio-legal environment of its host nation, the Republic of Austria, through its incorporation of Austrian and other Central European models of extrajudicial civil dispute resolution and commercial arbitration as educational platforms of instruction in alternative dispute resolution in a continental, civil law context. In addition, the Program's emphasis on its academic objectives (international commercial arbitration generally) patently includes an international and comparative focus. Neither of the courses offered through the Program -- a three semester hour *Seminar in Comparative Law (International Commercial Arbitration)* and a three semester hour *Seminar on European International Commercial Arbitration* -- will focus exclusively on American Law, and each will offer the student access to substantial international and comparative

dimensions of their respective focuses of inquiry.