



ARBITRATION AND EU LAW

April - May 2022

Scientific Responsible: Prof. Martino Zulberti

Professors: Prof. Martino Zulberti, Prof. Jana Planavova-Latanowicz

No. Hours: 20

Maximum number of students: 30

CFU: 3 CFU as “other activities” (art. 10, par. 5 lett. d. DM 270/2004). For students enrolled in **REL**: 3 CFU in the framework of the 9 “free choice” credits.

Access: the workshop is open to students enrolled in BA in **IPLE** and in MA in **REL**.

Teaching objectives: the aim of the workshop is to provide an overview of the relation between international arbitration and EU law, identifying the debated issues on this topic faced by case-law of the Court of Justice of European Union. Students will gain knowledge of the fundamentals of arbitration law and of the main juridical questions on the relation between arbitration and EU law.

Teaching methods: Frontal lessons. During the course relevant judgments of the Court of Justice of European Union will be delivered and discussed with the students. All the didactic material will be indicated at lesson and will be available on the Ariel page of the course.

Organisation of the course: after an introduction to arbitration law and to investment arbitration, as a way to solve disputes without recurring to state justice, lessons will focus on the possibility to arbitrate disputes governed by EU law, on the applicability of EU law by arbitrators, on the question whether it is consistent with EU law for an intra-EU bilateral investment treaty to provide an arbitration clause. The workshop will deal with the other debated issues as well, namely if arbitrators can refer a question of interpretation of EU laws to the Court of Justice of European Union and how the application of EU law by arbitrators can be controlled by state judges. Some of the lectures will be held by Prof. Jana Planavova-Latanowicz (University of Warsaw – Centre for Europe), who is Erasmus visiting Professor at Department of International, Legal, Historical and Political Studies. She acted as arbitrator on numerous occasions and will be able to bring her practical experience into the course.

Lectures will be held in presence. Students may also access the class remotely via Microsoft Teams with the following code: hbw2bxk

Final assessment:

Attendance (in presence or via Microsoft Teams) of 80% of the lessons and completion of a multiple-choice test at the end of the workshop on the material delivered during the course.

Final mark: approved/ not approved

Programme:

1. **26 April 2022**, h 16.30-19.30, Room 26: *Introduction to Arbitration Law*
2. **27 Aprile 2022**, h 16.30-19.30, Room 21: *Introduction to Investment Arbitration*
3. **2 May 2022**, h 16.30-19.30, Room 10: *Arbitrability and EU Law*
4. **3 May 2022**, h 16.30-18.30, Room 26: *EU law and Arbitration*
5. **4 May 2022**, h 16.30-19.30, Room 21: *Investment Arbitration and EU*
6. **10 May 2022**, h 16.30-19.30, Room 26: *Arbitration and referral to CJEU*
7. **11 May 2022**, h 16.30-19.30, Room 26: *Control of the award and EU law*

Subscription: students interested in attending the workshop can write to **an email by 25 April 2022** at the following address: martino.zulberti@unimi.it