



Syllabus

Alternative dispute resolution

Higher education degree – master
Field of knowledge – 29 International relations
Specialty – 293 International law
Educational and Professional Program - International Law

Study year – 1 Semestr – 1

Number of credits : 5, Language of study: english

Head of the course:

Assoc. prof. of the Department of International Law and Migration Policy, PhD, Assoc. prof.
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Description of the discipline

The purpose of studying the discipline is for students to acquire knowledge about the theoretical and practical foundations of conflict resolution through the use of alternative methods of dispute resolution. Learn to identify and analyze conflicts that can be resolved out of court; to form practical skills in the application of individual models of alternative dispute resolution, in particular, skills in conducting the mediation procedure.

Upon completion of the «Alternative dispute resolution» discipline, students must identify, analyze, and propose ways to resolve multifaceted problems of international and national legal content; produce new ideas for solving practical tasks in the field of professional legal activity; provide legal representation of the client in national courts, international commercial arbitrations, state authorities and local governments; demonstrate communication skills with representatives of various types of legal activity at the national and international levels, as well as organize and conduct negotiations.

Course structure

Hours (lec. /pract.)	Topic	Learning outcomes	Control measures
4 / 2	1. General characteristics of alternative dispute resolution methods. The importance and place of alternative dispute resolution methods in the human rights protection mechanism.	Understand the importance and place of alternative methods of dispute resolution in the human rights protection mechanism	Tests, questions, cases
4 / 2	2. Concept and causes of conflict in modern society. Typology of conflict.	To study the concepts and causes of conflict in modern society.	Tests, questions, cases
4 / 2	3. International standards of alternative dispute resolution.	Understand international standards of alternative dispute resolution.	Tests, questions, cases
4 / 2	4. Arbitration proceedings in the legal dispute resolution system. Concept and essence of arbitration proceedings.	Know the concept and essence of arbitration proceedings.	Tests, questions, cases
4 / 2	5. Purpose and general principles of restorative justice.	Understand the purpose and general principles of restorative justice.	Tests, questions, cases
6 / 2	6. Mediation as a method of alternative dispute resolution. Mediation as a type of mediation.	To single out mediation as a method of alternative dispute resolution	Tests, questions, cases
4 / 2	7. Mediation in various spheres of social life.	Know and understand the mediation procedure in various spheres of social life.	Tests, questions, cases

Recommended sources

1. Blankley, K. M., Votruba, A. M., Bartz, L. M., & PytlikZillig, L. M. (2020). ADR Is Not a Household Term: Considering the Ethical and Practical Consequences of the Public's Lack of Understanding of Mediation and Arbitration. *Neb. L. Rev.*, 99, 797 p.
2. De Brabandere E. *International procedure in interstate litigation and arbitration : a comparative approach*. Cambridge, UK Cambridge, United Kingdom ; New York, NY : Cambridge University Press, 2021.
3. Dunna G.T. *Conciliation and Mediation in India*. Alphen aan den Rijn: Wolters Kluwer Law International, 2022.
4. Faulkes Z. *Resolving authorship disputes by mediation and arbitration*. *Research Integrity and Peer Review*. 3.1 (2020): P.1-7.
5. Goldberg, S. B., Sander, F. E., Rogers, N. H., & Cole, S. R. (2020). *Dispute resolution: Negotiation, mediation, arbitration, and other processes*. Aspen Publishing. 660 p.
6. Kaplan N., Bao C. So, *now you are an arbitrator: the arbitrator's toolkit*. Alphen aan den Rijn : Wolters Kluwer Law International, 2022.
7. Rapatsa, M. (2018). *The Commission for Conciliation, Mediation and Arbitration and Alternative Dispute Resolution in Labour Relations in South Africa: An Appraisal of Efficacy and Challenges*. *Juridical Trib.*, 8, 202 p.
8. Sela A. (2018). *Can computers be fair: how automated and human-powered online dispute resolution affect procedural justice in mediation and arbitration*. *Ohio St. J. on Disp. Resol.*, 33, 91 p.
9. Susskind L., Tilleman W., Parra-Herrera N. *Judicial dispute resolution (JDR): new roles for judges in ensuring justice*. London, UK; New York, NY, USA: Anthem Press, 2023.
10. Ubilava A. *Mediation as a Mandatory Pre-condition to Arbitration : Alternative Dispute Resolution in Investor-State Dispute Settlement*. Leiden; Boston: Brill, 2023.
11. Zeller, B., & Trakman, L. (2019). *Mediation and arbitration: the process of enforcement*. *Uniform Law Review*, 24(2), P. 449-466.
12. Zhao Y. *Mediation and alternative dispute resolution in modern China*. Singapore : Springer, 2022.

Evaluation policy

- Policy on deadlines and rescheduling: Rescheduling of modules takes place with the permission of the dean's office if there are good reasons (for example, sick leave).
- Academic Integrity Policy: Copying during tests and exams is prohibited (including using mobile devices).
- Attendance Policy: Attendance is a mandatory component of assessment. For objective reasons (for example, illness, international internship, and other reasons), training can take place online with the permission of the university administration.

Evaluation

The final score (on a 100-point scale) from the internship is determined as a weighted average

value, depending on the specific weight of each component:

Credit module 1	Credit module 2	Credit module 3	Credit module 4	Total
20	20	20	40	100%
Oral survey during classes (1-3 topics) - 10 points per topic - max. 30 points Modular control work - max. 70 points	Oral survey during classes (4-7 topics) - 10 points per topic - max. 40 points Modular control work - max. 60 points	Preparation of CPIT - max. 40 points. Protection of CPIT - max. 40 points Participation in trainings - max. 20 points	Theoretical questions (2 questions) - 30 points each, max. 60 points Case (1 case) - max. 35 points	

Student evaluation scale:

ECTS	Marks	Content
A	90-100	excellent
B	85-89	good
C	75-84	good
D	65-74	satisfactorily
E	60-64	enough
FX	35-59	unsatisfactory with the possibility of reassembly
F	1-34	unsatisfactory with a mandatory repeat course