

Content

Course Code	Course Name	Semester	Theory	Practice	Lab	Credit	ECTS
ÖHDR-353	Assistance, Interference and Supervision of Local Courts in Arbitration	1	3	0	0	3	7

Prerequisites	
Admission Requirements	

Language of Instruction	Turkish
Course Type	Elective
Course Level	Doctoral Degree
Objective	Evaluation of the basic and salient problems of international arbitration involving foreign element as an alternative dispute resolution method compared to state courts.
Content	The basics of international commercial arbitration and the observance of Turkish law on international arbitration with special reference to the international agreements to which Turkey is party.
References	1. Ziya AKINCI: Milletlerarası Tahkim, İstanbul, 2016. 2. Ergin NOMER / Günseli ÖZTEKİN GELGEL / Nuray EKŞİ: Milletlerarası Tahkim Hukuku, İstanbul, 2016. 3. Fouchard/Gaillard/Goldman, Traité de l'Arbitrage Commercial International (Pedone, 1996)

Theory Topics

Week	Weekly Contents
1	"Arbitration" as a term of art
2	Legal documents with respect to arbitration in Turkish law
3	Scope of application of the provisions on arbitration in the Turkish International Arbitration Act and in the Code of Civil Procedure
4	Control over the formal validity of the arbitration agreement
5	Substantial validity of the arbitration agreement / applicable law to the arbitration agreement
6	Control over the arbitrability
7	The principle of competence-competence
8	Control of the courts over the appointment of arbitrators and challenges against arbitrators
9	Evidence collection and provisional measures by domestic courts
10	Annulment procedures
11	Control over an arbitral award in the country of enforcement
12	Is it possible to enforce an arbitral award that is annulled in the seat of arbitration?
13	New York Convention
14	Is it possible to apply to ECtHR against an arbitral award?