Content

Course Code	Course Name	Semester	Theory	Practice	Lab	Credit	ECTS
EHYL-417	General Principles of International Arbitration Law	2	3	0	0	3	6

Prerequisites	
Admission Requirements	

Language of Instruction	Turkish
Course Type	Elective
Course Level	Masters Degree
Objective	The aim of this course is to present the general principles of arbitration, the principal method of resolving international commercial disputes, as a single process extending from the conclusion of the arbitration agreement to the enforcement of the arbitral award. In this context, it is aimed to provide the conceptual framework that lawyers working in different fields will need when drafting arbitration clauses in international commercial contracts and when acting as counsel in arbitral proceedings, and that business people from different sectors will need in order to understand arbitration as a method of dispute resolution.
Content	See weekly topics list
References	Emre Esen, Milletlerarası Tahkim, 1. Bası, Filiz Kitabevi, İstanbul, 2025. Ziya Akıncı, Milletlerarası Tahkim, 7. Bası, Vedat Kitapçılık, İstanbul, 2025. Ergin Nomer/Nuray Ekşi/Günseli Öztekin Gelgel, Milletlerarası Tahkim Hukuku, C. I, 6. Bası, Beta Yayıncılık, İstanbul, 2021. Süheyla Balkar, Milletlerarası Ticari Tahkim ve Etik, İstanbul: Onikilevha Yayıncılık, Birinci Bası, 2022. Cemal Şanlı, Uluslararası Ticari Akitlerin Hazırlanması ve Uyuşmazlıkların Çözüm Yolları, 8. Bası, Beta Yayıncılık, İstanbul, 2023. Süheyla Balkar, Milletlerarası Ticari Tahkimde Hakemlerin Bağımsızlık Yükümlülüğü, On İki Levha Yayıncılık, İstanbul, 2016.

Theory Topics

Week	Weekly Contents
1	The Concept of International Commercial Arbitration, Types of Arbitration and the Place of Arbitration among Alternative Dispute Resolution Methods
2	The Legal Nature of Arbitration, Its Advantages and Disadvantages; the Distinction between Institutional and Ad Hoc Arbitration and the Leading Arbitral Institutions
3	Sources of International Commercial Arbitration: International Conventions, the UNCITRAL Model Law, the International Arbitration Act and the Code of Civil Procedure
4	The Arbitration Agreement I: Formal and Substantive Requirements of Validity
5	The Arbitration Agreement II: Scope, Interpretation, Pathological Arbitration Clauses and the Effect of the Arbitration Agreement on Third Parties
6	Arbitrability, the Effects of the Arbitration Agreement and the Principle of Competence-Competence
7	The Constitution of the Arbitral Tribunal: Selection, Number and Qualifications of Arbitrators
8	The Duty of Independence and Impartiality of Arbitrators and the Challenge of Arbitrators
9	The Law Applicable to the Arbitral Proceedings and the Fundamental Principles Governing the Proceedings (Party Autonomy, Equal Treatment and the Right to Be Heard)
10	The Conduct of the Arbitral Proceedings: Case Management Conference, Procedural Timetable, Exchange of Submissions and Hearings
11	The Taking of Evidence and Proof in Arbitration: Document Production, Witness and Expert Evidence, the IBA Rules and the Prague Rules
12	Interim Measures of Protection: Interim Injunctions, Interim Attachment and the Emergency Arbitrator
13	The Law Applicable to the Merits of the Dispute and the Arbitral Award: Types, Form, Elements and the Costs of the Proceedings

Week	Weekly Contents
14	Recourse against Arbitral Awards and the Enforcement of Domestic and Foreign Arbitral Awards