

Academic Year: ( 2024 / 2025 )

Review date: 28-05-2024

Department assigned to the subject: Private Law Department

Coordinating teacher: ARROYO VENDRELL, TATIANA

Type: Master Final Project ECTS Credits : 8.0

Year : 1 Semester : 0

**REQUIREMENTS (SUBJECTS THAT ARE ASSUMED TO BE KNOWN)**

Bachelor's Degree Studies.

**DESCRIPTION OF CONTENTS: PROGRAMME**

A-MOOT COURT (path Dispute resolution)

In order to obtain the Master's degree in International Law, students must complete the Master's Final Project that, in the path of Dispute Resolution, will consist of participation in MOOT COURT (TFM Moot or TFM Award).

A very practical methodology that will allow students to acquire the necessary skills and abilities, both substantive and procedural for the transnational practice of the Bar is articulated as Master's Final Project. It also takes advantage of the background and experience of the Carlos III University of Madrid in this type of international competitions, since the UC3M has not only been a pioneer in the participation of this type of competitions since 1998, but it is also organizer of an International Moot, the Moot Madrid, having achieved important international successes. Thus, the Carlos III University of Madrid was ABSOLUTE VICTOR at the Frédéric Eisemann Award prevailing team in orals. On that occasion, the Carlos III University achieved the first place in the most prestigious category of the competition against 203 Universities from around the world.

The TFM Moot consists of participation in a moot. The Moot Courts are international legal competitions where students must test their written and oral skills. This is a simulation of international arbitration or international litigation where students will develop the full defense of their client's interests both from the side of the plaintiff and from the side of the defendant, usually at least four times compared to other teams and courts of law. three referees or judges.

Students must perform a process of prior selection by the coaches to determine their incorporation to the TFM in the corresponding modality. The participation in the competition does not grant the right to be a speaker during the oral phase of the competition, being left to the decision of the coaches. The cost of registration in the competition will be assumed by the MAI, plus an economic bag that will cover all or part of the trip and accommodation of each student who participates in the oral phase.

Among the Moot courts in which students could potentially participate, subjecting participation to a selection process, to the criteria of the master's organization and the preference of the students, are:

1.- Willem C Vis International Commercial Arbitration Moot (Vis Moot). English language.

2.- Investment Arbitration Moot (FIA, FDI or Investment Arbitration Competition).

Investment Arbitration Moot (FIA Moot): English language. Under the rules of the competition Master students need prior approval of the organization to participate so the selection process is open only to students of the Master who are recent graduates without previous work experience.

FDI Moot: English language

Investment arbitration competition: Spanish language

3.- Moot Madrid: Spanish language.

4. International Moot of Negotiation and Civil and Commercial Mediation. Spanish Language. In

accordance with the rules of the competition, students can not have more than 25 years in any case.

5.- International Maritime Law Arbitration Moot Court. English language.

The Moot teams will be mixed as a rule, that is, they will be formed by undergraduate and master students and their number varies between 2-6 students. The defense of the TFM will always be individual.

The arbitration proceedings are not exhausted with the preparation of the writs of claim and defense, nor with the defense during the hearings, but it culminates with the Award, the decision adopted by the arbitrator or arbitral tribunal. In order to promote a comprehensive training of future international lawyers, the TFM Award modality is also offered, consisting of the elaboration of the most relevant moot Award of Commercial Law and arbitration, as well as its defense before a court.

The modality of TFM Award is foreseen (exclusively) for the Moots mentioned above: Moot Madrid (Spanish language); Willem Vis International Commercial Arbitration Moot (Moot Vis, English language), Moot Maritime (English language) and FIA Moot or FDI Moot (English language).

In the modality TFM Award, for the elaboration of the award, the student will have a writing of demand and another one of answer of the edition in course of the indicated competitions. The wording of the award and its defense will be made in English, except in the case of Moot Madrid, which will be in Spanish. The students of TFM Laudo del Moot Madrid have the possibility, if they so wish (voluntarily), to participate in the award for the Best Award of the Moot Madrid, according to the bases of said competition.

The Award can be made either individually or by teams formed by a maximum of 2 students, although the defense will always be individual. The teams will not be mixed and, therefore, only MAI students can participate. The TFM Award schedule is established at the end of the oral phase of the respective Moot Court and will end with the delivery date of the award in September.

#### B.- Business Transaction Lab (BTL) or Case studies (transaction path)

The BTL is an initiative consisting of the development of a transnational operation in which the students must structure the various businesses that compose it, study the legal difficulties derived from the local ordinances of the various jurisdictions involved, negotiate and defend the position of the respective parties, and seek creative solutions to protect those interests. It is especially suitable for the transactional intensification module.

##### 1.- BTL with Latin American extension

The project has already been successfully undertaken by several teachers from the Carlos III University of Madrid, and will be integrated in an organized and structured manner in the proposed Master's program. For example, it could be the elaboration of a project to acquire various interests in the energy sector, in several jurisdictions, including hydroelectric and wind power.

##### 2.- BTL with European countries

In this case, the Case Study would consist of the development of a series of transnational operations whose subject matter would be Securities Market Law. Over a period of several months, students should perform the tasks for the achievement of securities placement transactions privately, as well as among the public.

##### 3.- BTL study with Asian countries

In this case, the Case Study would consist of one or several operations involving the taking of financial and real estate assets by two multinational groups.

#### C.- Research work

As a special possibility, and evaluating case by case, you can contemplate the possibility of completing a Master's Thesis in a research mode.

For these purposes, students may participate in the so-called "Challenge. In this third option for the Final Master's Project, the student will be able to develop a research project on a topic proposed by an NGO, or another institution of civil society, and agreed upon with the Master. It will be a relevant issue for the activity of the NGO or institution, in which it needs technical-legal basis to develop its activity, lobby or expand social awareness. The student will work under the supervision of an academic or professional tutor, linked to the Carlos III University of Madrid and / or the NGO or institution. The work will be done in English, although the characteristics of the problem analyzed, and the target audience of the report may require its development in Spanish. The development will be adjusted according to the schedule agreed with the NGO or institution.

The Final Master's Project will be defended in public and individual session before a Court designated by

the University.

## LEARNING ACTIVITIES AND METHODOLOGY

### TEACHING ACTIVITIES BY MATTER

AF2	Practice/Case
AF3	Lecture-plus-practice
AF6	Group work
AF7	Students¿ individual work

Activity code	Nº Total hours	Nº Presential hours	% Presential students
AF2	24	24	100%
AF3	16	16	100%
AF6	72	24	33%
AF7	88	0	0%
TOTAL COURSE	200	64	32%

### TEACHING METHODOLOGIES BY MATTER

MD2: Critical reading of the texts recommended by the course¿s professor: press articles, reports, manuals and/or academic articles, for their discussion in class, or to expand and consolidate the lessons of the course.

MD3: Resolution of cases, problems, etc, provided by the professor, individually or in group.

MD4: Exposition and discussion in class, moderated by the professor, on topics regarding the contents of the course, as well as practical cases.

MD5: Making of Works and reports individually or in group.

TUTORING: Students will have access to tutorials with the person responsible for coordinating the subject. With the tutoring it is intended to organize the teaching and learning processes that are based on the interaction between the student and the teacher in order to: (i) Guide the autonomous and group work of the students (ii) Deepen in different aspects of the subject (iii) Guide the academic and comprehensive training of the student. The tutorials will take place at the time and under the conditions determined by the teacher in Aula Global.

Specific rules Master´s Thesis:

<https://e-archivo.uc3m.es/handle/10016/29326>

## ASSESSMENT SYSTEM

### EVALUATION SYSTEMS BY MATTER

SE2 Individual or group Works done during the course

SE4 Presentation and public discussion of End of Studies Project

Evaluation systems	Minimum weigh (%)	Maximum weigh (%)
SE2	0%	50%
SE4	50%	100%

The University uses the Turnitin Feedback Studio program within the SIGMA for the delivery of student work. This program compares the originality of the work delivered by each student with millions of electronic resources and detects those parts of the text that are copied and pasted. If the student has correctly made the appointment and the bibliographic reference of the documents he uses as a source, Turnitin will not mark it as plagiarism.

## BASIC BIBLIOGRAPHY

- S.Kröll/ L.A.Mistelis/ P.Perales Viscasillas/ V.Rogers (Editors) International Arbitration and International Commercial Law: Synergy, Convergence and Evolution. Liber Amicorum Eric Bergsten. Part III, Legal Education, , Kluwer Law International, 2011
- VVAA The Vis Book, A Participant's Guide to the Willem C. Vis International Commercial Arbitration Moot, , Juris Publishing, Inc.,, 2008

#### ADDITIONAL BIBLIOGRAPHY

- Pilar Perales Viscasillas/David Ramos Muñoz Alternative Dispute Resolution and Career Education: Mooting its Way Through The Study Plans, , Spain Arbitration Review. Revista del Club Español del Arbitraje., 2008, nº2, pp.67-73
- null The Complete but Unofficial Guide to the Willem C. Vis International Commercial Arbitration Moot. , C.H.Beck-Hart-Nomos, 2013

#### BASIC ELECTRONIC RESOURCES

- . Willem C Vis International Commercial Arbitration Moot. : <https://vismoot.pace.edu/>
- . Investment Arbitration Moot (FDI). : <http://www.fdimoot.org/>
- . MOOTS Carlos III: <http://www.cisgspanish.com>
- Kluwer . Arbitration: <http://https://wklrus-td.wistia.com/medias/gh0jt3g2h1>