



NATIONAL LAW UNIVERSITY AND JUDICIAL ACADEMY, ASSAM

PROGRAMME: LL.M.

DETAILS OF COURSE OFFERED

EVEN SEMESTER – ACADEMIC YEAR 2022-23

SL. No	COURSE CODE	COURSE TITLE	L	T	P	CR	CH
1.	2.1 IL OP-II	INTERNATIONAL DISPUTE SETTLEMENT LAW	2			2	2

- A. CODE AND TITLE OF THE COURSE: 2.1 IL OP-II INTERNATIONAL
DISPUTE SETTLEMENT LAW**
- B. COURSE CREDIT: 2 (TOTAL MARKS 100)**
- C. MEDIUM OF INSTRUCTION: ENGLISH**
- D. COURSE COMPILED BY: DR. GITANJALI GHOSH**
- E. COURSE INSTRUCTOR: DR. GITANJALI GHOSH**

1. OBJECTIVE OF STUDY

The objectives of the course are as follows:

- To familiarize students with the dynamics of disputes under international law
- To impart detailed knowledge on pacific, coercive, legal and judicial means for settlement of disputes
- To explain the role of United Nations and regional arrangement in peaceful settlement of disputes
- To analyse the dispute settlement mechanism under the regime governing the space, trade and investment

2. COURSE LEARNING OUTCOME

At the completion of the course, it is expected that the students shall:

- Comprehend the subject matter of the course
- Be able to analyze contemporary international dispute settlement problems in the light of the concepts learnt
- Be able to articulate their ideas on the subject matter of the course and produce at least one research paper of publishable quality
- Desire to take up international law for further studies

3. DETAILED STRUCTURE OF THE COURSE

Module 1

Fundamentals of Settlement of Disputes

Understanding International Disputes

Legal and Political Disputes

Means of Settlement of Disputes – Peaceful, Coercive and Institutional

Principles of Settlement of Disputes

Peaceful Settlement of Disputes- Diplomatic Means of Settlement of Disputes

Negotiation

Good Offices

Mediation

Inquiry

Module 2

Peaceful Settlement of Disputes- Judicial Means of Settlement of Disputes

Arbitration

Permanent Court of Arbitration

Permanent Court of International Justice

International Court of Justice

Coercive Settlement of Disputes

Retortion
Reprisals
Embargo
Pacific Blockade
Intervention

Module 3

Institutional Settlement of Disputes- Procedure under the Charter of the United Nations

Role of Security Council
Role of General Assembly
Role of Secretary General
Role of Peace-keeping operations

Institutional Settlement of Disputes- Procedure under Regional agencies or arrangements

Arab League
Organization of Islamic Cooperation
Organization of American States
African Union
Council of Europe
Association of Southeast Asian Nations

Module 4

General Agreement on Tariffs and Trade (GATT)

Articles XXII and XXIII

World Trade Organization (WTO)

Understanding on Rules and Procedures Governing the Settlement of Disputes
Consultation
Good Offices, Conciliation and Mediation
Panel Phase
Appellate Body Review
Remedies
Arbitration

International Centre for Settlement of Investment Disputes (ICSID)

Investor-State Dispute Settlement
ICSID's connection with the World Bank
Convention on the Settlement of Investment Disputes between States and Nationals of Other States

Administrative and Financial Regulations

Rules of Procedure for the Institution of Conciliation and Arbitration Proceedings (Institution Rules)

Rules of Procedure for Conciliation Proceedings (Conciliation Rules)

Rules of Procedure for Arbitration Proceedings (Arbitration Rules)

Dispute resolution under Space Law

Cosmos 954 Incident

The Outer Space Treaty

The 1972 Liability Convention

International Inter-governmental Organizations and Bilateral Agreements

The 1998 ILA Draft Convention

PCA Outer Space Optional Rules

4. PRESCRIBED READINGS

- J.G. MERRILLS, INTERNATIONAL DISPUTE SETTLEMENT (Cambridge University Press 2011).
- BENEDETTO CONFORTI, THE LAW AND PRACTICE OF THE UNITED NATIONS (3d ed. Martinus Nijhoff Publishers 2005).
- AUTAR KRISHEN KAUL, GUIDE TO THE WTO AND GATT (3d ed. Satyam Law International 2012).
- FABIO TRONCHETTI, FUNDAMENTALS OF SPACE LAW AND POLICY (Springer 2013).
- DUNCAN FRENCH et al (eds), INTERNATIONAL LAW AND DISPUTE SETTLEMENT (Hart Publishing 2010).