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Arbitration and Dispute Resolution

Why Attend

- Effective dispute resolution helps minimize the costs and adverse effects to relationships that often arise from commercial disputes. If informal negotiation fails to resolve a dispute, mediation or arbitration can often be the next best option in order to avoid litigation in court. This course will give participants an insight into dispute resolution from the perspective of a lawyer. Participants will gain an in-depth understanding of the main differences between the various dispute resolution techniques with a particular focus on arbitration, in order to reduce the likelihood of disputes leading to court cases.

Course Methodology

- In this interactive training course participants will frequently work in pairs as well as in larger groups to complete exercises as well as regional and international case studies.

Course Objectives

By the end of the course, participants will be able to:

- Identify the right course of action to resolve a legal dispute
- Reduce the possibility of disputes leading to legal action
- Apply national and international legal requirements for dispute resolution
- Employ arbitration knowledge to negotiate terms
- Use case law to achieve a favorable outcome for their organization

Target Audience

- This course is suitable for professionals within all industries who are involved in contract management and resolving disputes including, but not limited to, project managers, contract managers, procurement managers, supply chain managers, contractors, architects, developers and engineers. This course would also highly benefit in-house council and legal advisors new to the region who require the fundamentals of dispute resolution in the GCC.

Target Competencies

- Litigation
- Arbitration
- Mediation
- Negotiation
- GCC Dispute Resolution Frameworks

Fundamentals of dispute resolution

- Overview of the dispute resolution process
- Methods of dispute resolution including:
 - Litigation
 - Arbitration
 - Collaborative law
 - Mediation
 - Conciliation
 - Negotiation
 - Facilitation
- Introduction to international High Court litigation processes
- Path of a claim
- Pre-action matters
- Court documents
- Case management
- Disclosure
- During the trial
- Judgement

Dispute resolution in the GCC

- The Alternative Dispute Resolution (ADR) system
- Early neutral evaluation
- Negotiation
- Conciliation
- Mediation
- Arbitration
- Importance of Alternative Dispute Resolution

Law systems

- Civil law system
- Codification
- Subgroups

Common law system

- Court decisions
- Statutes

International arbitration

- Introduction to international arbitration
- Institutional versus 'ad hoc' arbitration
- Introduction to mediation: The process and its principles

Arbitration in the GCC

- Drafting international arbitration clauses
- The arbitration award and its enforcement
- Recent international arbitration case law
- Advantages and disadvantages of:
 - Arbitration
 - Litigation
 - Mediation

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