MERCURY

Arbitration Process and Practice: From Initiation to Final Resolution

12 – 16 September 2027
Kuala Lumpur (Malaysia)



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Arbitration Process and Practice: From Initiation to Final Resolution

Ref: 16277_1013688 **Date:** 12 – 16 September 2027 **Location:** Kuala Lumpur (Malaysia) **Fees:** 4600 Euro

Introduction:

Arbitration is an essential alternative dispute resolution mechanism that offers an efficient and binding method to resolve commercial and civil conflicts outside traditional court litigation. This Arbitration Process and Practice: From Initiation to Final Resolution course covers the entire arbitration journey, beginning from the initiation of the arbitration process through to the final award and enforcement. Participants will gain practical insights into drafting arbitration agreements, selecting arbitrators, conducting hearings, and managing post-award procedures.

Understanding these processes ensures timely and cost-effective dispute resolution, promoting business continuity and legal certainty. This Arbitration Process and Practice: From Initiation to Final Resolution training course also explores the role of international arbitration rules and institutional frameworks that govern the practice globally. By mastering these arbitration techniques, professionals will navigate complex disputes in various industries. It builds both theoretical knowledge and practical skills applicable in real-world arbitration cases.

Targeted Groups:

This Arbitration Process and Practice: From Initiation to Final Resolution targets professionals seeking specialized knowledge and skills:

- Legal advisors and in-house counsel handle dispute resolution.
- Contract managers and procurement specialists are involved in drafting agreements.
- Business executives and managers oversee international contracts.
- Arbitrators and mediators are aiming to enhance their procedural expertise.
- Compliance officers ensure organizational adherence to dispute mechanisms.
- Project managers are involved in risk management and conflict resolution.
- Consultants and advisors in the commercial and construction sectors.
- Law students and graduates preparing for careers in arbitration and litigation.

Course Objectives:

Participants will achieve the following objectives by the Arbitration Process and Practice: From Initiation to Final Resolution course completion:

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- Understand the fundamentals and strategic importance of arbitration.
- Analyze arbitration clauses and draft effective agreements.
- Identify appropriate arbitration institutions and rules for different cases.
- Develop skills to select and appoint arbitrators professionally.
- Conduct arbitration hearings following procedural fairness.
- Evaluate evidence and prepare effective submissions for arbitration.
- Interpret arbitration awards and comprehend enforcement mechanisms.
- Apply best practices for managing multi-jurisdictional arbitration cases.
- Enhance decision-making skills for resolving disputes efficiently.
- Cultivate professional ethics and confidentiality in arbitration practice.

Targeted Competencies:

Participants will gain the following competencies during the Arbitration Process and Practice: From Initiation to Final Resolution program:

- Ability to initiate and manage arbitration proceedings confidently.
- Competence in drafting precise arbitration clauses in contracts.
- Skills in arbitrator selection and coordination of tribunal functions.
- Expertise in handling procedural and evidentiary matters effectively.
- Proficiency in interpreting international arbitration rules and laws.
- The capacity to draft arbitration submissions and responses accurately.
- Knowledge of award drafting, recognition, and enforcement strategies.
- Competency in conflict analysis and resolution planning.
- Strengthened communication and negotiation skills within arbitration contexts.

Course Content:

Unit 1: Introduction to Arbitration and Dispute Resolution:

- Definition and nature of arbitration as an alternative dispute resolution method.
- Advantages and limitations compared to litigation and mediation.
- Legal framework supporting arbitration domestic and international laws.
- Types of arbitration: ad hoc and institutional arbitration.
- Overview of major arbitration institutions and their rules ICC, LCIA, UNCITRAL.
- Arbitration agreements and their enforceability.
- Key terminology and principles in arbitration practice.

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Unit 2: Arbitration Agreement and Commencement of Arbitration:

- Essential elements of an effective arbitration clause.
- Drafting arbitration agreements to avoid future disputes.
- Conditions for valid arbitration agreements.
- Initiating arbitration: notice of arbitration and procedural steps.
- Role and powers of the arbitral tribunal at initiation.
- Jurisdictional challenges and arbitrability issues.
- Time limits and procedural timelines for the commencement of arbitration.

Unit 3: Appointment and Role of Arbitrators:

- Criteria for arbitrator selection and appointment procedures.
- Types of arbitrators: sole, panel, and emergency arbitrators.
- Conflict of interest and impartiality considerations.
- Arbitrators' duties and ethical obligations.
- Challenges to arbitrators and removal procedures.
- Powers of arbitrators to manage proceedings and issue interim measures.
- Communication between the parties and the tribunal during arbitration.

Unit 4: Arbitration Proceedings and Evidence:

- Structuring arbitration hearings and procedural orders.
- Submission of statements of claim and defense.
- Gathering and presenting evidence in arbitration.
- Examination and cross-examination of witnesses and experts.
- Use of expert evidence and reports.
- Managing confidentiality and document production requests.
- Hearing management techniques and procedural fairness.

Unit 5: Arbitration Award and Enforcement:

- Drafting arbitration awards: types and essential components.
- Grounds for setting aside or challenging awards.
- Recognition and enforcement under the New York Convention.
- Enforcement procedures in different jurisdictions.
- Costs, fees, and allocation in arbitration.
- Post-award remedies and settlement possibilities.
- Practical tips for effective arbitration case closure.

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Final Insights & Key Takeaways:

Arbitration offers a practical and flexible alternative to traditional court litigation, suited for diverse dispute types. Mastery of the arbitration process from initiation to resolution is essential for legal and business professionals managing cross-border and commercial conflicts. Effective arbitration practice requires a blend of procedural knowledge, strategic planning, and ethical considerations. This course equips participants to confidently navigate and lead arbitration cases toward successful and enforceable outcomes.