ARBITRATION AND DISPUTE RESOLUTION



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Introduction

Commercial relationships end in disagreement more often than anyone plans for, and the route chosen to resolve that disagreement determines the cost, the timeline, and whether the relationship survives. Arbitration and dispute resolution give parties a structured alternative to court, but only when the clause is well drafted and the procedure is properly managed. This Arbitration and Dispute Resolution Training Course gives legal counsel, contracts managers, and commercial professionals a complete working method for resolving disputes efficiently. Participants learn dispute prevention, arbitration procedure, evidence management, negotiation and mediation, and award enforcement.

Arbitration and Dispute Resolution Course Objectives

- Apply dispute prevention techniques in contract drafting and administration.
- Interpret arbitration agreements, seat, and institutional rules.
- Apply procedural frameworks: ICC, LCIA, DIAC, SIAC, and UNCITRAL rules.
- Prepare requests, responses, and procedural submissions.
- Apply arbitrator appointment, challenge, and tribunal constitution.
- Manage document production, witness evidence, and hearings.
- Apply negotiation, mediation, and settlement structuring.
- Apply award enforcement under the New York Convention.
- Apply disputes in construction, supply, and international trade contexts.
- Measure performance with recovery rate, dispute cost, and time to resolution.

Course Methodology

- Facilitated sessions built on real arbitration clauses, submissions, and award extracts.
- Case workshops on jurisdiction challenges, enforcement disputes, and procedural failures.
- Clause drafting, submission, and evidence strategy exercises with live files.

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- Mock arbitration and mediation practice labs.
- Group exercise on a dispute resolution strategy with a resolution plan.

Who Should Take This Course

- In-house counsel and litigation advisors.
- Contracts managers and claims specialists.
- Commercial and procurement professionals.
- Project and construction claims staff.
- Compliance and trade professionals.
- Government contract and dispute officers.

Arbitration and Dispute Resolution Course Outlines

Day 1: Dispute Prevention and Clause Design

- Common causes of commercial and contractual disputes.
- Distribution of risk and dispute-prone clauses.
- Drafting arbitration agreements: seat, rules, and language.
- Tiered clauses: negotiation, mediation, and arbitration.
- Notice requirements, time bars, and condition precedents.
- Governing law and jurisdiction selection.
- Record keeping and contemporaneous documentation.

Day 2: Arbitration Framework and Procedure

- Institutional rules: ICC, LCIA, DIAC, SIAC, and UNCITRAL.
- Ad hoc versus institutional arbitration.

- Request for arbitration and response requirements.
- Arbitrator selection, qualifications, and conflicts.
- Challenges and tribunal constitution practice.
- Procedural orders and case management conferences.
- Interim measures and emergency arbitrator provisions.

Day 3: Evidence, Hearings, and Awards

- Pleadings, statements of case, and amendments.
- Document production and privilege considerations.
- Fact witness statements and cross-examination.
- Expert evidence: delay, technical, and quantum.
- Hearing conduct and closing submissions.
- Award types: partial, interim, and final.
- Costs, interest, and allocation decisions.

Day 4: Negotiation, Mediation, and Settlement

- Interest-based negotiation for dispute settlement.
- BATNA, WATNA, and settlement range analysis.
- Mediation process and mediator selection.
- Settlement agreement drafting and enforceability.
- Consent awards and record of settlement.
- Managing settlement authority and mandates.
- Preserving the legal position during negotiations.

Day 5: Enforcement, Challenges, and Performance

- The New York Convention and recognition of awards.
- Grounds for setting aside and resisting enforcement.
- Sovereign and state entity enforcement considerations.
- Enforcement practice: assets, jurisdiction, and timing.
- Alternative routes: litigation and expert determination.
- KPIs: recovery rate, dispute cost, and time to resolution.
- Building a dispute management and prevention roadmap.

Conclusion

By successfully completing the Arbitration and Dispute Resolution Training Course, participants will have acquired a thorough working knowledge of dispute prevention and clause design, arbitration framework and procedure, evidence and hearing management, negotiation, mediation, and settlement, and award enforcement and performance measurement. They will leave able to draft dispute clauses that function under pressure, run an arbitration with proper procedure and evidence, and enforce or resist an award with a clear legal route. Gentex Training Center delivers this programme with arbitration, contracts, and claims practitioners working on live disputes.

FAQs for the Arbitration and Dispute Resolution course

Q1 What is the "Arbitration and Dispute Resolution" course about?

It is a five-day programme on preventing commercial disputes and resolving them through negotiation, mediation, and arbitration. It covers dispute prevention and clause design, arbitration framework and procedure, evidence and hearings, negotiation and settlement, and award enforcement.

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Q2 What are the key benefits of the "Arbitration and Dispute Resolution" course?

Participants draft dispute clauses that function when tested, run proceedings with proper notices and evidence instead of losing on procedure, and choose between negotiation, mediation, and arbitration on cost and recovery grounds. They also enforce or resist awards with a clear route.

Q3 What skills will I gain from the "Arbitration and Dispute Resolution" course?

You will gain dispute prevention and arbitration clause drafting, arbitration procedure and tribunal management, evidence, hearing, and award management, and negotiation, mediation, settlement, and enforcement management.

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Q4 What tools, methods, or standards are covered in the "Arbitration and Dispute Resolution" course?

The course works with dispute risk analysis and dispute-prone clause identification, arbitration agreement drafting covering seat, rules and language, tiered dispute clauses covering negotiation, mediation and arbitration, notice requirements, time bars and condition precedents, governing law and jurisdiction selection, contemporaneous record keeping, the institutional rules of the ICC, LCIA, DIAC, SIAC and UNCITRAL, ad hoc versus institutional arbitration, request for arbitration and response requirements, arbitrator selection, qualifications and conflicts, challenges and tribunal constitution, procedural orders and case management conferences, interim measures and emergency arbitrator provisions, pleadings and statements of case, document production and privilege, fact witness statements and cross-examination, delay, technical and quantum expert evidence, hearing conduct and closing submissions, award types covering partial, interim and final, costs and interest allocation, interest-based negotiation, BATNA, WATNA and settlement range analysis, mediation process and mediator selection, settlement agreement drafting and enforceability, consent awards and record of settlement, settlement authority management, the New York Convention and recognition of awards, grounds for setting aside and resisting enforcement, sovereign entity enforcement considerations, enforcement practice covering assets, jurisdiction and timing, expert determination as an alternative, and KPIs covering recovery rate, dispute cost and time to resolution.

Q5 How is the "Arbitration and Dispute Resolution" course applied in real-world practice?

Teams apply it when drafting an arbitration clause for a cross-border supply contract, responding to a request for arbitration before a deadline, selecting a tribunal under ICC rules, preparing witness and expert evidence for a hearing, negotiating a settlement before the hearing opens, and enforcing an award in a foreign jurisdiction.