XCELERATE TRAINING INSTITUTE

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PUBLIC SECTOR MANAGEMENT

International Best Practices in Commercial Arbitration and Adjudication

DURATION	LANGUAGE	FORMAT
10 days	English	Classroom / Online

Upcoming dates

Dates	Venue	Format	Fee
18 – 29 ????? 2027	Live online	Online (live)	€1?800
26 ????? – 6 ????? 2027	Live online	Online (live)	€1?800
23 ????? – 3 ?????? 2027	Casablanca	Classroom	€7?200

Register or ask a question

Online: x8ti.com/course/international-best-practices-in-commercial-arbitrati…

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International Best Practices in Commercial Arbitration and Adjudication

Introduction

International adjudication has become the cornerstone of the international legal system. The legality of actions is no longer primarily determined by international law principles or state arguments, but by the final decisions of international courts. This shift raises questions about legitimacy and necessitates a re-evaluation of the role of permanent international courts in defining and shaping international adjudication.

Simultaneously, arbitration is rapidly growing as a method for enforcing international law. This trend is evident in both government-to-government and private-public disputes. Arbitration is not merely a historical precursor to formal courts but plays an equally vital role in resolving international conflicts and upholding international law.

To excel in adjudication, one must embody fairness and impartiality. These principles serve as ethical guidelines for adjudicators, regardless of their approach to the process. Effective adjudicators must possess a strong understanding of procedural fairness and impartiality. They must be able to apply these principles flexibly to various situations, rather than relying solely on rigid rules.

This course by Xcelerate Training Institutes aims to inspire a new generation of legal professionals to adopt innovative approaches to conflict resolution. It provides a solid theoretical foundation, interdisciplinary training, and opportunities for practical skill development.

Learning Objectives

Upon completion, participants will be able to:

- Enhance decision-writing skills through mentorship and guided reading.
- Participate in international discussions and webinars.
- Develop practical expertise in the adjudication process.
- Master the creation of comprehensive, enforceable adjudication outcomes.

Training Methodology

This interactive program includes:

- Lectures
- Seminars and presentations
- Group discussions
- Assignments
- Case studies and practical exercises
- Practical sessions
- A research project

The course follows a "Do-Review-Learn-Apply" model.

Benefits for Your Organisation

Organizations benefit from this course by:

- Gaining a comprehensive understanding of adjudication principles and practices in an international context.
- Analyzing case studies and applying successful strategies.
- Utilizing institutional policies to resolve international adjudication disputes.
- Providing employees with valuable learning opportunities.

Benefits for You

Individuals benefit by:

- Developing critical thinking and independent learning skills.
- Understanding the legal and theoretical foundations of international adjudication.
- Explaining the practical aspects of adjudication and arbitration.
- Protecting the organization from potential adjudication disputes.

Who Should Attend

This course is suitable for:

- Private practice lawyers in international law, litigation, civil and criminal litigation, construction law, arbitration, and dispute resolution.
- Professionals in business development, legal departments, and compliance.
- Individuals involved in legal decision-making and those managing legal and compliance teams.

Course Outline

International Commercial Adjudication

- Definition and fundamental principles of international commercial arbitration
- Types of adjudication and dispute resolution mechanisms
- Legal framework, theories, and examples of adjudication
- Developing effective adjudication skills
- Addressing challenges in international arbitration

The Arbitration Agreement

- In-depth understanding of international commercial arbitration
- Appointment of adjudicators and adjudication procedures
- Relationship between adjudication and courts
- Fostering procedural fairness and impartiality

International Commercial Adjudication: Selected Issues

- Complex international legal factors
- Decision-making in adjudication
- Role of adjudication institutions

- Legitimacy of the adjudication process
- Applicable law and challenges faced by adjudicators

Multi-Party and Multi-Contract Adjudication

- Challenges, opportunities, and pitfalls
- Resolving investment and trade disputes
- Provisional measures and emergency adjudicators
- Recognition and enforcement of adjudication awards
- Funding for adjudication and costs, including third-party funding

Investment Treaty Arbitration

- Regulatory and institutional framework
- Overview and history of investor-state dispute settlement (ISDS)
- ICSID jurisdiction, procedures, awards, annulment, and enforcement
- Bilateral investment treaties (BITs) and their key provisions
- International arbitration as a vision for a global society

Investment Arbitration

- BITs, free trade agreements (FTAs), and mega-regionals
- NAFTA, CAFTA, ECT, CETA, TPP, TTIP
- Challenges faced by international courts
- Growth of international arbitration
- Rebuilding international adjudication

Substantive Protection

- Expropriation, fair and equitable treatment, and other government protections
- Most-favored-nation (MFN) and umbrella clauses

Best Practices

- Active adjudication, expert tribunals, time limits
- Establishing a positive environment
- Obtaining consent, questioning witnesses, and addressing unaddressed issues

Dissertation

- Independent research on a specific area of law

Copyright and intellectual property
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Registration Form

International Best Practices in Commercial Arbitration and Adjudication

Preferred dates: ..... Venue or online: .....

Duration: 10 days Language: .....

Please complete and email this form to us, or register online. We confirm your place and send the invoice within one working day.

Delegate information

Full name (Mr / Ms / Dr / Eng): .....

Position: ..... Telephone / mobile: .....

Official email: ..... Personal email: .....

Company information

Company name: .....

Address: .....

City / country: ..... VAT / tax number: .....

Person responsible for training & development

Full name (Mr / Ms / Dr / Eng): .....

Position: ..... Telephone / mobile: .....

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