

Module 1 – Law, Practice and Procedure of International Arbitration

Chartered Institute of Arbitrators
Caribbean Branch

September 2020



What is the aim of the course?

The course is aimed at providing candidates with a detailed knowledge of the procedural elements of an international (i.e. non-domestic) arbitration, using legislation based on the United Nations Commission on International Trade Law (UNCITRAL) Model Law, regional arbitration law and the UNCITRAL Arbitration Rules, to enable them to understand and participate in such proceedings.

The course focuses on the legal principles, process, practice and procedure in international commercial arbitration. It is therefore valuable for anyone wishing to understand this topic generally, for example as a party, party representative or witness. It is also an essential requirement for qualification as a Member of CI Arb and for those who aim to practice as an international arbitrator. CI Arb membership provides a world-class qualification demonstrating excellence in ADR. Becoming a Member is a step through our world-renowned training programme to become a CI Arb Fellow.

What is covered within the syllabus?

Through private study and virtual tutorials, candidates will learn and gain knowledge of:

- An Overview of Dispute Resolution Processes
- A History of Arbitration
- The Pillars of International Arbitration
 - The New York Convention, the UNCITRAL Arbitration Rules and the UNCITRAL Model Law
- Choices Available to Parties
- The Arbitration Agreement and Commencement
- Appointing an Arbitral Tribunal
- The Arbitral Tribunal
 - Independence, Impartiality, Jurisdiction, Powers, Duties and Procedural Choices
- Procedures
 - Pleadings, Documents, Evidence, Applications to the Tribunal and the Hearing
- Remedies, Costs, Interest and Currency
- Arbitral Awards
- The Role of the State Court

What are the learning outcomes?

On successful completion of this course, candidates will be able to:

- Define what is meant by the term ‘international arbitration’.
- Identify, explain and apply the legal procedural principles, rules and agreements relevant to the conduct of an international arbitration:
 - The legal framework, including limitations of matters that may be legally arbitrated;
 - The contractual nature of the appointment of an arbitrator;
 - The range and limitations of an arbitrator’s powers and jurisdiction;
 - The rights, duties and responsibilities of a party to an arbitration;
 - The methods of initiating and processing an arbitration;
 - The relevance of the court regarding all stages in an arbitration;
 - The requirements of an enforceable award.
- Evaluate and apply the principles and legal requirements of an international arbitration.
- Evaluate issues and apply the principles of the UNCITRAL Model Law as well as regional arbitration law, appropriately.
- Demonstrate practical skill in carrying out the tasks required in preparing for and progressing an international arbitration.
- Demonstrate skill in controlling an international arbitration, communicating effectively with the parties, applying the UNCITRAL Arbitration Rules and adopting appropriate procedures.

What are the entry requirements?

There are no pre-requisite entry requirements for this course.

English Language Competence – Training and assessment is carried out in English. It is therefore essential that candidates are proficient in both written and spoken English.

To enrol on the course submit the completed Registration and Contact Form to info@ciarbcaribbean.org

Upon successful registration on the course, candidates will receive confirmation that they are provisionally booked on the course, subject to full payment of the course fees.

Upon payment of the fees, candidates will receive joining instructions, course materials and the course schedule by email not later than 16 September 2020.

What is the course fee and what does it include?

The course fee is US\$850.00 (also payable in Eastern Caribbean or Barbados currency). The fee includes registration, study materials, tuition and assessment.

How is the course delivered?

The course is delivered over a period of three months with a combination of private study and virtual tutorials. Private study includes reading course materials and undertaking self-assessment tasks in the candidates’ own time. Virtual tutorials involve the candidates attending a virtual classroom via the Zoom online platform on Saturdays and Sundays.

How will candidates be assessed?

Candidates will be assessed on the basis of home coursework papers which candidates will have 48 hours to complete, within a 5 day window, and to submit their answers online via LearnADR, CI Arb’s online learning platform.

The coursework is split into two parts:

Part I is a case study exercise with a number of questions that the candidates will be required to answer

Part II will consist of five questions, candidates will be required to select and answer three

Candidates must achieve a minimum overall mark of 65% to pass the course.

What is CI Arb's policy on cancellation?

CI Arb reserves the right to cancel the course, or change the dates or content of programmes and the tutors. Candidates will be provided with adequate notice of any cancellation or changes. If CI Arb cancels the course, candidates will be provided with a full refund of any fees paid or the opportunity to transfer their registration to the next course if available.

Should a candidate wish to cancel his or her confirmed registration of a course, notification must be received by email, prior to the start of the course, to info@ciarbcaribbean.org. Cancellation charges will apply.