

Module I – Law, Practice and Procedure of International Arbitration

April to July 2023



2023 VIRTUAL TRAINING PROGRAMME COURSE INFORMATION SHEET

What is the aim of the course?

The course is aimed at providing the 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, and the skills needed to enable them to fully understand and competently participate in such proceedings.

The course focuses on the legal principles, process, practice and procedure in international arbitration. It is therefore valuable for anyone wishing to understand this topic generally, for example, as a party representative, counsel or witness. It is an essential requirement for qualification as a Member of the Chartered Institute of Arbitrators (Ciarb) and for those who aim to practice as international arbitrators. Ciarb membership provides a world-class qualification demonstrating excellence in ADR. Becoming a Member is a step through Ciarb's world-renowned training programme to become a Fellow.

What is covered within the syllabus?

Through private study and virtual lectures and 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 academic or experience entry requirements for this course other than English language competence since training and assessment are carried out in English. It is therefore essential that candidates are proficient in both written and spoken English.

What is the enrolment process?

To enrol on the course, submit the completed Registration Form to the Course Administrator at info@ciarbcaribbean.org **NO LATER THAN 31 MARCH 2023**. 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 fee, and instructions on how to pay the fee by wire transfer to the Ciarb Caribbean Branch London Bank Account. **Wire transfer is the only method of payment.**

Upon payment of the fee, registration will be confirmed. Candidates will receive joining instructions, course materials and the course schedule by email but not earlier than the above closing date for registration.

What is the course fee and what does it include?

The course fee is US\$800.00 or its equivalent in GB£ at the time of invoicing. The fee includes registration, study materials, access to virtual classrooms, tuition and assessment. Ciarb Associate and Student members are entitled to a 10% discount.

How is the course delivered?

The course is delivered over a period of three months with a combination of private study and virtual lectures and tutorials. Private study includes reading course materials and undertaking self-assessment tasks in the candidates' own time. Virtual lectures and tutorials involve the candidates attending thirteen half-day virtual classrooms via the Zoom online platform on every Saturday between 15 April and 8 July 2023 starting at 9:00 am (Eastern Caribbean Time).

After each lecture a password-protected recording of the lecture will be placed on the Branch's website for the candidates' use.

How will candidates be assessed?

Candidates will be assessed on the basis of a post-course written assignment which consists of 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 will have 48 hours to complete this assignment within a 5-day window period starting 13 July 2023 and to submit their answers online via LearnADR, Ciarb's online learning platform. Prior to the start date of the assessment period candidates will receive an email with their username and password. Candidates must achieve a minimum overall mark of 65% to pass the course. Results are made available to candidates normally twelve weeks from the deadline date of the submission of the assignment but may be delayed.

On successful completion, candidates will be awarded an Advanced Certificate, will be eligible to apply for Member grade membership of Ciarb and take advantage of a range of educational and professional benefits and may progress onto the Module 2 course in International Arbitration.

What is Ciarb's policy on cancellation?

Ciarb reserves the right to cancel the course or change the tutors or the dates or the content of the programme. Candidates will be provided with adequate notice of any cancellation or changes. If Ciarb 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.