Training Course on International Litigation and Arbitration

Professional Development Training Course Outline

Category	Development	**Duration**	10 Days
Base Fee	$3,000 USD	**Delivery Mode**	Online / On-site Hybrid

Course Introduction

In today's interconnected world, businesses and individuals increasingly engage in cross-border transactions and relationships, inevitably leading to complex legal disputes with international dimensions. Mastering the intricacies of **international litigation** and **international arbitration** is no longer a niche skill but a fundamental necessity for legal professionals and business leaders operating on a global scale. This comprehensive training course provides participants with the essential knowledge and practical skills to effectively navigate the complex landscape of resolving disputes across borders. From understanding the nuances of jurisdiction and applicable law in international courts to mastering the techniques of drafting enforceable **arbitration agreements** and conducting efficient **international arbitration proceedings**, this program equips you with the tools to protect your interests and achieve favorable outcomes in a globalized legal environment. You will gain deep insights into the key principles, procedures, and strategic considerations involved in both contentious and consensual methods of **cross-border dispute resolution**, ultimately enhancing your ability to manage risk and resolve conflicts effectively in the international arena.

This intensive training program delves into the critical aspects of **transnational dispute resolution**, offering a robust understanding of the advantages and disadvantages of both litigation and arbitration in an international context. Participants will explore the complexities of **enforcing foreign judgments** and the intricacies of the **New York Convention** on the Recognition and Enforcement of Foreign Arbitral Awards. Through practical case studies and interactive exercises, you will develop proficiency in drafting effective dispute resolution clauses, selecting appropriate forums, and managing the procedural and evidentiary challenges inherent in **multi-jurisdictional disputes**. By focusing on current trends and best practices in **international commercial arbitration** and **cross-border litigation**, this course empowers you to become a confident and competent practitioner in this dynamic and crucial field.

Programme Curriculum

Training Course on International Litigation and Arbitration

Introduction

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Course Duration

10 days

Course Objectives

1. Understand the fundamental principles of **international jurisdiction** and the rules governing proceedings in national courts involving foreign parties.
2. Analyze the key differences between **international litigation** and **international arbitration** and determine the most appropriate dispute resolution mechanism for specific situations.
3. Master the art of drafting effective and enforceable **international arbitration clauses** to ensure efficient and predictable dispute resolution.
4. Gain a comprehensive understanding of the procedural rules and best practices in conducting **international commercial arbitration**.
5. Explore the principles and application of the **New York Convention** on the Recognition and Enforcement of Foreign Arbitral Awards.
6. Develop strategies for the effective **enforcement of foreign judgments** in different jurisdictions.
7. Identify and navigate the challenges of **cross-border evidence gathering** and discovery in international disputes.
8. Understand the role and function of various **international arbitration institutions** and their rules (e.g., ICC, LCIA, SIAC).

9. Learn to manage the complexities of **multi-party and multi-contract arbitration**.
10. Analyze the impact of **public policy and mandatory rules** on international litigation and arbitration.
11. Develop effective negotiation and mediation skills in the context of **international dispute settlement**.
12. Understand the ethical considerations and best practices for practitioners in **international dispute resolution**.
13. Stay abreast of the latest trends and developments in **investment treaty arbitration** and its implications.

Organizational Benefits

- **Reduced Legal Risk:** Equipping in-house counsel and business leaders with the knowledge to proactively manage and resolve international disputes minimizes potential financial and reputational damage.
- **Enhanced Negotiation Skills:** Understanding the nuances of international dispute resolution strengthens negotiation strategies in cross-border transactions and dispute settlement.
- **Improved Contract Drafting:** Participants will gain the ability to draft more robust and effective dispute resolution clauses, reducing the likelihood of costly and protracted litigation.
- **Efficient Dispute Resolution:** Knowledge of arbitration and mediation can lead to faster and more cost-effective resolution of international commercial disputes.
- **Global Competitiveness:** A strong understanding of international legal frameworks enhances an organization's ability to operate confidently and successfully in global markets.

Target Participants

This training course is designed for:

1. Legal professionals
2. Business executives and managers
3. Contract managers and procurement specialists
4. Dispute resolution practitioners and consultants
5. Academics and researchers in international law
6. Government officials and policymakers
7. Professionals in international finance and banking
8. Anyone seeking a comprehensive understanding of international litigation and arbitration

Course Outline

Module 1: Introduction to International Dispute Resolution

- Overview of cross-border disputes and their significance
- Distinction between litigation and arbitration in an international context
- Alternative Dispute Resolution (ADR) mechanisms in international practice
- Key principles of international legal frameworks governing dispute resolution
- Challenges and opportunities in resolving international disputes

Module 2: International Jurisdiction and Choice of Forum

- Principles of territorial, personal, and subject matter jurisdiction
- Forum selection clauses and their enforceability
- Lis pendens and parallel proceedings in international litigation
- The doctrine of forum non convenients

- Jurisdictional issues in specific types of international disputes

Module 3: Drafting Effective International Arbitration Agreements

- Essential elements of a valid and enforceable arbitration clause
- Types of arbitration clauses (ad hoc vs. institutional)
- Defining the scope of the arbitration agreement
- Governing law of the arbitration agreement and the substantive contract
- Common pitfalls and best practices in drafting arbitration clauses

Module 4: Conducting International Commercial Arbitration Proceedings

- Initiating arbitration: notice of arbitration and response
- Selection and appointment of arbitrators
- Rules of procedure in international arbitration (e.g., UNCITRAL Model Law)
- Conducting hearings and managing evidence
- Interim measures and conservatory relief in arbitration

Module 5: The New York Convention and Enforcement of Arbitral Awards

- Overview and key provisions of the New York Convention
- Recognition and enforcement of foreign arbitral awards
- Grounds for refusing recognition and enforcement under the Convention
- Practical considerations for enforcing arbitral awards globally
- Recent developments and case law related to the New York Convention

Module 6: Enforcement of Foreign Judgments

- Principles of comity and reciprocity in the enforcement of foreign judgments
- Bilateral and multilateral treaties on the enforcement of judgments
- Challenges and procedures for enforcing judgments in different legal systems
- Defenses to the enforcement of foreign judgments
- Strategies for maximizing the enforceability of judgments internationally

Module 7: Cross-Border Evidence Gathering and Discovery

- Challenges of obtaining evidence in international disputes
- The Hague Evidence Convention and its application
- Common law and civil law approaches to discovery
- Strategies for effective cross-border evidence gathering
- Dealing with issues of privilege and confidentiality in international contexts

Module 8: International Arbitration Institutions and Rules

- Overview and comparison of major international arbitration institutions (ICC, LCIA, SIAC, ICDR, etc.)
- Analysis of the procedural rules of different institutions
- Factors to consider when choosing an arbitral institution
- Administered vs. ad hoc arbitration
- Recent developments and trends in institutional arbitration

Module 9: Multi-Party and Multi-Contract Arbitration

- Challenges of arbitrating disputes involving multiple parties and contracts

- Consolidation and joinder of parties in arbitration
- Managing complex procedural issues in multi-party arbitrations
- Drafting arbitration clauses for multi-party and multi-contract situations
- Case studies in multi-party and multi-contract arbitration

Module 10: Public Policy and Mandatory Rules in International Dispute Resolution

- The role of public policy in refusing enforcement of foreign judgments and arbitral awards
- Mandatory rules of national law and their impact on international disputes
- Balancing party autonomy with public interest considerations
- Case studies on the application of public policy and mandatory rules
- Recent debates and developments in this area

Module 11: Negotiation and Mediation in International Dispute Settlement

- Strategies and techniques for effective international negotiation
- The role of culture and communication in cross-border negotiations
- Principles and processes of international mediation
- Drafting settlement agreements in international disputes
- The interplay between negotiation, mediation, and arbitration/litigation

Module 12: Investment Treaty Arbitration

- Introduction to investor-state dispute settlement (ISDS)
- Key provisions of bilateral investment treaties (BITs) and multilateral treaties
- Procedural aspects of investment treaty arbitration (e.g., ICSID Rules)
- Substantive protections afforded to investors under investment treaties
- Current trends and controversies in investment treaty arbitration

Module 13: Ethical Considerations in International Dispute Resolution

- Professional conduct and ethical obligations for practitioners
- Conflicts of interest in international arbitration and litigation
- Issues of confidentiality and privilege in cross-border disputes
- Best practices for ethical representation in international cases
- Sanctions and remedies for unethical conduct

Module 14: Current Trends and Future of International Dispute Resolution

- The impact of technology on international dispute resolution (e.g., virtual hearings, AI)
- Developments in third-party funding in international arbitration
- The increasing role of state courts in supervising arbitration
- Trends in transparency and accountability in international dispute resolution
- Future challenges and opportunities in the field

Module 15: Case Studies and Practical Application

- Analysis of landmark cases in international litigation and arbitration
- Practical exercises in drafting arbitration clauses and submissions
- Simulations of key stages in arbitration proceedings
- Group discussions on strategic decision-making in international disputes
- Developing practical skills for managing international disputes effectively

Training Methodology

This course will employ a blended learning approach incorporating:

- Interactive lectures and presentations
- Case studies and real-world examples
- Group discussions and collaborative exercises
- Simulations of arbitration proceedings
- Practical drafting workshops

Register as a group from 3 participants for a Discount

Send us an email: info@fineskilltrainingcenter.org **or call** *+254769199797*

Certification

Upon successful completion of this training, participants will be issued with a globally- recognized certificate.

Tailor-Made Course

We also offer tailor-made courses based on your needs.

Key Notes

a. The participant must be conversant with English.

b. Upon completion of training the participant will be issued with an Authorized Training Certificate

c. Course duration is flexible and the contents can be modified to fit any number of days.

d. The course fee includes facilitation training materials, 2 coffee breaks, buffet lunch and A Certificate upon successful completion of Training.

e. One-year post-training support Consultation and Coaching provided after the course.

f. Payment should be done at least a week before commence of the training, to Fineskill Training Center account, as indicated in the invoice so as to enable us prepare better for you.

Upcoming Scheduled Sessions

Start Date	End Date	Location	Price
23 Nov 2026	04 Dec 2026	Online	$2,000

Start Date	End Date	Location	Price
23 Nov 2026	04 Dec 2026	Physical	$3,000
23 Nov 2026	04 Dec 2026	Physical	$6,000
23 Nov 2026	04 Dec 2026	Physical	$6,000
23 Nov 2026	04 Dec 2026	Physical	$12,000
23 Nov 2026	04 Dec 2026	Physical	$9,000
23 Nov 2026	04 Dec 2026	Physical	$12,000
23 Nov 2026	04 Dec 2026	Physical	$12,000

Ready to enroll or request a customized program? Book online or contact us:

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