



# International Commercial Arbitration

by

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It is established that litigation before the courts set up by the countries, which lay down the applicable laws therein, is the ordinary and customary way for solving disputes, arising out of or occurring in civil and commercial transactions. However, litigation before the courts is a long and slow course, although it is safe because of the guarantees it provides in securing sound justice. This lengthiness and slowness, though a defect which can be evaded in civil transactions, are impossible to endure or accept in the field of commerce, as they inevitably impede traders' businesses and plans and disrupt the flow of funds, which results in the loss of various opportunities.

For this reason, traders nowadays tend to refrain from filing their disputes before the civil courts and prefer to agree upon referring the same to an arbitrator or an arbitration panel and determining the appropriate venue for the arbitration procedures and the applicable rules therein.

In addition, arbitration basically relies upon the will of the two parties. They choose such persons to conduct the process of arbitration, who are well-known for their impartiality, independence, knowledge and awareness of the nature of the commercial transaction causing the dispute. Also, the two parties to arbitration shall be at liberty to choose the place of arbitration and the rules to be applied to the arbitration procedures and to the subject of dispute.

All the factors mentioned above make the parties to the dispute resort to arbitration in order to settle their disputes in a just and lawful manner; which results in a voluntary, rather than an obligatory, execution of the arbitration award. This makes the relationship and commercial dealing between the disputing parties sustainable and free from any grudges or ruptures.