

Foreign Arbitration and Litigation

Effective International Business in the Oil and Gas Sector

Introduction

Due to their exposure to the legal systems of the nations they choose to conduct business in, cross-border transactions are likely to give rise to unique legal issues. The area of Foreign Arbitration and Litigation has consequently grown more complex. Companies need to know how to handle the complicated legal system and how conducting business internationally affects when, where, and how they can settle legal issues.

Oil and gas law is becoming a more important field for international commercial litigation and arbitration, as a result of the growing market liberalization in recent years leading to a surge in disputed cases. Large-scale oil and gas projects typically give rise to disputes about costs, warranties, contract performance or termination, and environmental issues (e.g., responsibility for oil contamination in the offshore petroleum sector following the Macondo leak).

The purpose of this Course N Carry training program is to give participants a foundation in both conventional common law principles and principles derived from international conventions that are relevant to international commercial litigation. It also aims to address the legal issues raised by the global nature of commercial dispute resolution. A summary of international commercial arbitration as a mechanism for resolving business disputes will also be covered in the training course, with a focus on ways to foresee issues with clauses like jurisdictional, choice-of-law, and arbitration clauses.

- Delegates will have a comprehensive awareness of the complexities of international law and the effects of conducting business globally at the end of the training program.
- This training program on of Foreign Arbitration and Litigation will emphasize:
- Recognizing the laws that regulate international commercial litigation
- Realistic situations in International Commercial Law
- Resolution of disputes in contracts for oil and gas
- The arbitration procedure and the tribunal's jurisdiction
- Arbitration awards: contestation, acceptance, and implementation
- Noteworthy current instances that are pertinent

Objectives

Upon completion of this training program in of Foreign Arbitration and Litigation, you will be able to:

- International Commercial Litigation and Contract Formation
- Issues with law and policy pertaining to international commercial litigation
- Techniques for resolving disputes pertinent to the oil and gas sector
- An Introduction to Arbitration
- Relevant case law and real-world examples for the oil and gas sector

Training Methodology

Presentations by a seasoned worldwide practitioner aim to enlighten and expand the participants' horizons would help them comprehend the subject matter better. The examination and discussion of case studies will take into consideration some of the plausible situations that the participants have come across. We will encourage interactive conversations about issues and potential fixes.

Organizational impacts

The following will help the organization:

- The organization's staff will be knowledgeable in international litigation and arbitration.
- Possessing a thorough comprehension of the essential legal concepts underlying international litigation and arbitration
- Understanding the legal foundation of these agreements
- Having the ability to foresee and address problems and consequences related to international litigation and arbitration
- Developing a plan for risk management strategies to be applied in international litigation and arbitration
- Senior management is aware of their choices for negotiating the terms and conditions of contracts with foreign parties.

Personal Impact

The skills taught in this training program on of Foreign Arbitration and Litigation enable participants to:

- Acquire the necessary competencies to discuss terms in business contracts.

- Utilizing well thought-out international litigation and arbitration techniques, manage production and commercial risks.
- Develop the capacity to create a well-thought-out strategy for international litigation and dispute settlement.
- Determine a contracting approach that satisfies the objectives of the business in light of international litigation and arbitration.
- Acquire the necessary competencies to negotiate better terms via a deeper comprehension of international litigation and arbitration.

Who should attend?

This training course on international litigation and arbitration is intended for professionals who are actively engaged in, or are likely to be involved in, any stage related to conducting business in foreign markets. It is intended for all individuals who require an understanding of the intricate legal landscape that arises from conducting business internationally, as well as how this influences the circumstances surrounding when, where, and how they can settle legal disputes.

Though a wide spectrum of professions can benefit from this Course N Carry training course, the following will be especially noted:

- Middle-Level and Senior Commercial Managers
- Business Attorneys
- Managers of Risk
- Managers of Strategies
- Managers of Operations
- Supervisors of Projects
- Senior Regulators and Government Officials

Course Outline

Day 1

Knowing the Laws That Apply to International Commercial Litigation

- Overview of International Commercial Arbitration and Litigation
- Contract Law and the Legal System
- Essential Components of a Contract That Can Be Lawfully Enforced
- Formation of Contracts
- Interpretation of the Terms of the Contract
- Redress for Violation and Termination

• English Courts' Jurisdiction: Who Can and Cannot Be Sued

- English Courts' Jurisdiction: Basis of Jurisdiction

Day 2

Factual Scenarios and Policy Concerns in International Commercial Litigation

- English Courts' Jurisdiction: Postponing Proceedings
- Anti-suit injunctions and interim measures
- Selection of Law in Tort
- Selecting a Law for a Contract
- Oil and Gas and International Commercial Litigation
- Acknowledgment and Implementation of International Court Decisions

Day 3

Resolution of Conflicts in the Oil and Gas Sector

- Resolution of Conflicts in the Oil and Gas Sector
- The Oil and Gas Industry's Use of Arbitration and Its Structure
- Internationalization of Law Sources and Arbitration
- Applicable Laws for Arbitration
- Acceptance of the Arbitration Process
- Impact of Arbitration Agreements and Arbitration Agreement Violations

Day 4

Tribunal Jurisdiction and the Arbitration Process

- Starting an Arbitration, Choosing Arbitrators, and Authority of Arbitrators
- Authority of the Tribunal
- Proof and Methodology
- Arbitration Confidentiality
- Support from the Courts

Day 5

Arbitration Awards: Contestation, Acknowledgment, and Implementation

- Arbitration Awards: Structure and Information
- Contestation of Arbitration Decisions
- Acknowledgment and Implementation of Arbitration Decisions
- States-to-State Arbitrations
- State Immunity in Arbitration
- Course Wrap-Up