



Arbitration Landscape in Qatar

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The Legislative Reform

Recent years have seen a significant development in the body of arbitration law in Qatar. In accordance with Emiri Decree No. 29 of 2003, Qatar officially endorsed the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (commonly known as the New York Convention) in March 2003 without making any reservations under Article I(3). Qatar, being a signatory, is legally obligated to adhere to the rules outlined in the New York Convention.

Furthermore, Qatar implemented a new arbitration law (Law No. 2 of 2017) on 16 February 2017 founded largely upon the UNCITRAL Model Law, which established the legal framework for arbitration in civil and commercial matters ("Qatar Arbitration Law"). It takes precedence over Articles 190 to 210 of the Code of Civil and Commercial Procedure and any law that contradicts its provisions.

Qatar Arbitration Law has a wide-ranging scope that encompasses virtually all commercial matters. Additionally, it stipulates that for administrative contracts, the consent of the Prime Minister (or their authorised representative) is necessary prior to the parties reaching a settlement through arbitration to resolve their disputes.

Qatar Arbitration Law provides instructions on determining the classification of an arbitration as 'international': (i) when the primary location of business for the involved parties is situated in distinct countries; (ii) in cases where the location of arbitration, the location where a significant portion of the obligation is fulfilled, or the location most closely associated with the subject matter is situated outside the jurisdiction where the parties' main business operations are conducted; (iii) in the event that the dispute pertains to multiple countries; or (iv) if the designated arbitration institution's headquarters is situated either domestically or internationally.

In order for arbitration agreements to be considered legally binding under Qatar Arbitration Law, they must be documented in written form. This encompasses a legally binding contract between the involved parties that includes a provision for arbitration, a digital document, or any other written communication that makes reference to an agreement to resolve disputes through arbitration. It is also possible for parties to mutually acknowledge the presence of an arbitration agreement in their legal submissions.

The selection of arbitrators must be made exclusively from a roster of certified arbitrators maintained by the Ministry of Justice in Qatar. Any individual can be designated as an arbitrator, subject to meeting certain criteria. These criteria include being of legal age and possessing a reputable standing. Additionally, the individual must not have any criminal convictions, particularly those related to dishonesty or immorality. The principle of Kompetenz-kompetenz is recognised by Qatar Arbitration Law, giving the tribunal the competence to rule under its own jurisdiction.

Qatar Arbitration Law grants authority to adjudicate disputes that arise within the territory of Qatar as well as those occurring outside of its borders. The arbitral tribunal possesses the authority to issue preliminary orders, such as those aimed at safeguarding assets and evidence, as well as preventing actions that could cause harm or bias. In the event that the tribunal is unable to execute the aforementioned legal actions, the domestic courts will provide assistance to the tribunal by granting authorization for said actions.

A court can refuse to recognise an arbitral award if any of these conditions are met: (i) the terms of the arbitration agreement are found to be invalid; (ii) one of the parties was not properly notified of the proceedings or was unable to attend the hearing; (iii) the award covers issues that were not covered by the arbitration agreement; or (iv) the formation of the arbitral body was not properly notified of the proceedings.



Domestic Arbitration Institutions

In 2006, the establishment of the inaugural commercial arbitration centre in the State of Qatar was initiated following a resolution by the Board of Directors of the Qatar Chamber of Commerce and Industry under the name of the Qatar International Centre for Conciliation and Arbitration (QICCA). The primary objective behind this decision was to create an efficient and expeditious mechanism for resolving commercial or financial disputes involving domestic companies, as well as disputes between domestic companies and their international counterparts. This technique represents an alternative method for resolving conflicts, offering an informal legal structure outside of state courts. It aims to efficiently settle commercial and civil disputes between national or international parties, resulting in savings of effort, money, and time.

Additionally, Qatar possesses a distinct quasi-common law jurisdiction. The Qatar Financial Centre (QFC) was formed in 2005 as a financial-free zone. It is overseen by the QFC Authority, which functions as a regulatory entity responsible for governing the operations of enterprises operating within the QFC.

The Qatar Financial Centre (QFC) has implemented its own legislation, known as the QFC Arbitration Law, which draws inspiration from the UNCITRAL Model Law on International Commercial Arbitration. The circulation of a draft amendment to the QFC Arbitration Law occurred in 2015, although its adoption has not been realised as of the publication date. The Qatar International Court and Dispute Resolution Centre (QICDRC) is responsible for handling civil and commercial disputes that arise from contracts made under QFC legislation and businesses established within the QFC.

On the other hand, the Qatar International Centre for Conciliation and Arbitration (QICCA), established in 2006 under Qatar's Chamber of Commerce and Industry, provides a framework of institutional rules for domestic and international commercial arbitration.

Our Practice in Arbitration

Over the course of its twenty-year history, Al Sulaiti Law has built a reputation as one of Qatar's most prominent and reputable firms. As a result of our broad range of experience, our clients benefit from not only the geographical and substantive diversity of our work but also the broad range of industries we serve. Providing a wide range of services, from

simple legal services to more complex, multijurisdictional matters, we are dedicated to protecting and serving the interests of our clients. Our industry expertise includes, but is not limited to: Domestic and International Arbitration, Civil Litigation, Criminal Litigation, ADR, Construction, Energy, Corporate, Intellectual Property, Sports, Media and Telecommunications, Employment, Banking and Finance and Tax. We handle a range of high-value and complex disputes representing high-end and prominent clients, one of our primary objectives is to resolve our clients' disputes in a timely and efficient manner with as little disruption to their business as possible. In addition to the benefits and cost efficiency of our services, we provide tailored advice to meet the requirements and challenges of each of our clients. We ensure that the right team is involved to offer reliable insights and advice.

Our firm understands that the importance of a good relationship based on trust cannot be overstated for a successful outcome.

Our diverse, multilingual, multicultural, and qualified lawyers are able to bridge linguistic and cultural differences between clients and their legal needs. The team consists of lawyers and consultants from Qatar, Egypt, France, Italy, and the United Kingdom. We offer our services in French, English, Arabic, and Italian and are therefore able to provide a level of service that exceeds local expectations. Our business involves becoming intimately familiar with the markets, industries, and organisations of our clients. This level of knowledge and understanding enables us to work through a solution-oriented approach, and we strive to provide excellent customer service. Due to our highly experienced, innovative team of attorneys who adhere to the highest standards of professional integrity, we are able to provide the highest level of legal services.

Al Sulaiti Law has a well-deserved reputation for handling large, complex, high-value litigation disputes and international arbitrations, and we are known in the litigation and arbitration circles as a true specialist and a formidable opponent. Our dispute resolution practice is truly global. Over the past few years, we have advised on major disputes located in the State of Qatar, the UK, Europe, the Middle East, and Turkey. Our client base spans many geographical regions worldwide, including the USA. We regularly advise on and represent clients in arbitrations conducted under the major institutional rules, including QICCA, ICC, LCIA DIAC, and UNCITRAL.



Known experts and acknowledged leaders in the use of alternative dispute resolution. In the past decade, the firm has been involved in hundreds of commercial mediations, including multiparty, multimillion-dollar, and multiday negotiations.

We have used expert determination, early neutral evaluation, and project mediation to avoid and resolve disputes. We have a reputation for innovation, and we always explore options for settlement. In the majority of cases, we manage to resolve disputes satisfactorily without formal proceedings. We have substantial experience with mediation, not just when acting for parties but also as mediators.

Dispute resolution experts with a reputation that stems from our innovative approach to avoiding and resolving disputes satisfactorily without the need to begin formal proceedings. We act decisively to achieve the best possible results for our clients, whatever the size or nature of the dispute. Our expertise in dispute avoidance and alternative methods of dispute resolution is also a valuable risk management tool with which we apply imaginative and strategic thinking.

Our expertise in dispute avoidance and alternative methods of dispute resolution is also a valuable risk management tools with which we apply imaginative and strategic thinking. Frequently addressed issues include contract interpretation, claims for extension of time, disruption, loss and expense, price escalation, certification and payment issues, defect claims, design liability and termination.

We have dealt with Dispute Adjudication Board proceedings throughout the world, particularly those found in the FIDIC standard form.



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ABOUT US

A Qatari law firm with a regional reach and a global outlook

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Al Sulaiti Law Firm prides itself on having one of the largest litigation and dispute resolution departments in Qatar. Our industry expertise includes but is not limited to: Civil Litigation, Criminal Litigation, ADR, Construction, Energy, Corporate, Intellectual Property, Sports, Media and Telecommunications, Employment, Banking and Finance and Tax. We handle a range of high-value and complex disputes representing high end and prominent clients, one of our primary objectives is to resolve our clients' disputes in a timely and efficient manner with as little disruption to their business as possible. In addition to the benefits and cost efficiency of our services, we provide tailored advice to meet the requirements and challenges of each of our clients. We ensure that the right team is involved to offer reliable insights and advice. Our firm understands that the importance of a good relationship based on trust cannot be overstated for a successful outcome.

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OUR VALUES

Maintain a high standard of excellence in providing high quality client service.

Invest in the development of long-term, trusting relationships with colleagues as well as clients.

Keep integrity, professionalism, cooperate as a team, and uphold the reputation of the firm.

Respect the rule of law, one another, support one another, and embrace diversity.



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