

Implementation of the Foreign Arbitration Award in Light of the International Arbitration Rules

Gouda Ibrahim Mohammed Elnour

Faculty of Law, Gezira University, Sudan

Joda45456@gmail.com

Abstract

The importance of this research can be described as a lawsuit to adopt arbitration and highlight its advantages for what is possesses being compared to the traditional judiciary function in the general jurisdiction, whether inside or outside the country, at the level of international law or international relations. Thus, the aim of the research is to: Identify the concepts of international arbitration rules, highlighting the concept of implementing foreign arbitration, shedding light on the rules of international arbitration and the possibility of its implementation in light of the rules of international arbitration. The researcher followed the comparative analytical descriptive historical method. The research reached up to many results, among which are the following: the arbitration contract was derived from the Sudanese Civil Procedures Act of 1891, and it differs from all contracts, which prompted the legislator to single it out a special law known as the Sudanese Arbitration Law of 2016. The principle in settling disputes arising from these contracts is arbitration and resorting to the judiciary is the exception. Hence, the interest in arbitration has increased in various countries, including the Arab countries, whether in the field of legislation, establishing arbitration centers, or holding seminars and conferences related to it. Countries recognize arbitration provisions more than state judiciary provisions, because arbitration is the choice of the parties, and there are many judicial systems or Quasi-judicial that resembles arbitration in some aspects and differs from it in others such as judiciary, conciliation, agency and experience. The research recommends the following: Working to facilitate procedures and complications in the procedures for resorting to litigation in order to reduce expenses, and to encourage the uniform application of the texts of laws in addition to increasing interest in training arbitration judges, lawyers and state officials on international commercial arbitration issues, to enable users of the set of case law based on the UNCITRAL rules The researcher recommends that all segments of society receive theoretical and practical training in order to train all groups of arbitration so that their meetings are completed by solving the problems of their legal culture and speech.

Keywords: Commercial arbitration, arbitration award, execution of foreign arbitration.