CONCEPT

Arbitration and Dispute Resolution in Saudi Arabia: SCCA Rules, Arbitration Law and Enforcement

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Technical depth: Conceptual · **Practical mode:** Case study

Introduction

Commercial disputes in Saudi Arabia consume management time, tie up cash and damage relationships, and many cost more than they need to because of earlier decisions: a defective clause, the wrong seat, no escalation route short of proceedings. With the SCCA Arbitration Rules 2023, the SCCA Mediation Rules 2026 and a draft new Saudi Arbitration Law, the options are changing. This Core Concept course gives executives the understanding needed to set dispute resolution policy, direct counsel and decide when to arbitrate, mediate, settle or enforce. Participants produce a Dispute Resolution Strategy and clause policy for their contract portfolio.

Course Objectives

- Evaluate the dispute resolution options under a Saudi-related contract and select the forum that fits its value, relationship and enforcement needs
- Direct the drafting of SCCA arbitration and tiered dispute resolution clauses that are valid under the Saudi Arbitration Law, workable and enforceable
- Oversee an SCCA arbitration from request to award, taking informed decisions on tribunal, procedure, evidence, cost and settlement
- Judge the enforceability of domestic and foreign awards before the Saudi enforcement courts and under the New York Convention, and anticipate annulment challenges
- Integrate dispute risk into contract governance, financial provisioning and board reporting
- Approve a Dispute Resolution Strategy and clause policy for the organisation's contract portfolio

Target Audience

- Executives and general counsel accountable for the organisation's legal and dispute exposure
- Board and committee members overseeing major contracts, claims and litigation risk
- Heads of contracts, procurement and commercial functions who approve dispute resolution clauses
- Project and programme directors responsible for major capital or outsourcing contracts
- Chief financial and risk officers who provision for and report on contingent liabilities
- Heads of legal affairs in Saudi public bodies and state-owned companies

Course Outline

Day 1: The Dispute Resolution Landscape in Saudi Arabia

- Dispute Resolution Spectrum: Negotiation, Mediation, Adjudication, Arbitration and Saudi Court Litigation
- Saudi Arbitration Law Royal Decree M/34 of 1433H Compared With the UNCITRAL Model Law
- Draft New Saudi Arbitration Law 2025 Consultation: Key Proposed Changes
- Seat, Governing Law Under the Civil Transactions Law and Institution Decision Matrix
- Dispute Exposure Heat Map and Arbitration Approval Rules for Government Counterparties

Day 2: SCCA Rules and International Instruments

- SCCA Arbitration Rules 2023 and the SCCA Court Compared With ICC 2026 and UNCITRAL 2021 Rules
- SCCA Emergency Arbitrator, Expedited Procedure and Small Claims Procedures up to SAR 200,000
- New York Convention 1958 and Saudi Arabia's 1994 Accession With the Reciprocity Reservation
- IBA Guidelines on Conflicts of Interest in International Arbitration 2024
- SCCA Mediation Rules 2026 and the Singapore Convention on Mediation

Day 3: Overseeing an SCCA Arbitration

- Model SCCA Arbitration and Multi-Tier Clause Review
- Tribunal Constitution: Arbitrator Selection Criteria and Challenge Procedure
- Procedural Timetable and Case Management Conference Decisions
- Document Production and Witness Evidence Under the IBA Rules on the Taking of Evidence 2020
- Arbitration Budget, SCCA Cost Schedule Allocation and Third-Party Funding Decisions

Day 4: Challenges, Enforcement and Dispute Avoidance

- Jurisdictional Objections and Arbitrability Tests Under Saudi Law
- Annulment Action Before the Saudi Court of Appeal and Article 34 of the UNCITRAL Model Law
- Enforcement Through Saudi Enforcement Courts and Refusal Grounds Under Article V of the New York Convention
- Dispute Boards Under the ICC Dispute Board Rules for Long-Term Contracts
- Settlement Decision Analysis Using Expected Value and a Litigation Risk Tree

Day 5: Case Work and the Dispute Resolution Strategy

- Construction Joint Venture Case Study: Multi-Party SCCA Arbitration and Consolidation
- Long-Term Supply Agreement Case Study: Clause Defect and Enforcement Obstacles
- Dispute Resolution Clause Policy for an Own Contract Portfolio
- Dispute Resolution Strategy Drafting
- Executive Panel Review and Strategy Defence

Skills You Will Gain

- Forum Selection
- Arbitration Clause Oversight
- Arbitral Procedure Governance
- Award Enforceability Assessment
- Dispute Cost Management
- Settlement Strategy
- Dispute Risk Oversight
- Conflict of Interest Screening

Why Attend This Course

- Return to work with a Dispute Resolution Strategy and clause policy for the organisation's contracts, already challenged by peers
- Question counsel and experts with confidence on forum, SCCA procedure, cost and settlement choices
- Recognise clause defects and enforcement obstacles in Saudi Arabia before a dispute makes them expensive
- Compare dispute experience with executives from other sectors and countries

Conclusion

The outcome of a commercial dispute is shaped as much by earlier executive decisions on clauses, forum and escalation as by the arguments made at a hearing. This course moves from the Saudi Arbitration Law and its proposed reform, through the SCCA Rules and the international instruments beside them, to the oversight of an arbitration and the challenges, enforcement risks and avoidance tools that determine what an award is worth. The final day turns that understanding into a Dispute Resolution Strategy and clause policy for the board and legal function.