



CIMA ADR Knowledge and Skills Competency Guide for Associate Level Professionals



Our ADR Knowledge and Skills Competency Guide for Associate Level Professionals provides a modular overview covering arbitration, mediation, and adjudication, and supports our Competency Framework ensuring that practitioners gain comprehensive theoretical and practical expertise.

Module I: Introduction to ADR and Arbitration

Learning Objectives:

- Understand the differences between public and private dispute resolution.
- Identify the contractual basis of arbitration, mediation, and adjudication.
- Recognize the key rules and principles that underpin arbitration.

Topics Covered:

- Characteristics of Public vs. Private Dispute Resolution
- Confidentiality vs. Open Justice
- Enforceability of Decisions
- Flexibility and Party Autonomy

Assessment Methods:

- Online Quiz
- Short Written Assignment on ADR Systems

Module 2: Legal Frameworks in Arbitration and ADR

- **Learning Objectives:**
 - Understand key international and national legal frameworks governing arbitration and ADR.
 - Identify the legal principles that underpin arbitral awards and enforceability.
 - Recognize jurisdictional differences in arbitration laws and procedures.
- **Topics Covered:**
 1. Overview of the UNCITRAL Model Law on Arbitration
 2. The New York Convention on the Recognition and Enforcement of Arbitral Awards
 3. National Arbitration Acts and Their Applicability
 4. Investor-State Dispute Settlement (ISDS) Mechanisms
- **Assessment Methods:**
 - Case Studies on Arbitration Law Application
 - Comparative Analysis of National Arbitration Laws

Module 3: Arbitration Process & Procedure

- **Learning Objectives:**
 - Identify core procedural steps in arbitration.
 - Recognize the importance of procedural fairness in arbitration.
- **Topics Covered:**
 1. Core Terminology and Basic Procedural Steps
 2. Statement of Claim and Defense
 3. Importance of Procedure in Creating a Binding Award
 4. Arbitration Hearing and Award Issuance
- **Assessment Methods:**
 - Mock Arbitration Exercise
 - Written Scenario-Based Exam

Module 4: Roles of Arbitrators, Mediators, and Adjudicators

- **Learning Objectives:**
 - Differentiate between adjudicative and non-adjudicative processes.
 - Recognize the features and responsibilities of ADR professionals.
- **Topics Covered:**
 1. Difference Between Adjudicative and Non-Adjudicative Processes
 2. Key Features of Arbitration, Mediation, and Adjudication
 3. Typical Responsibilities of Arbitrators, Mediators, and Adjudicators
 4. Party Autonomy and Due Process Considerations
- **Assessment Methods:**
 - Group work on ADR Practitioner Roles

Module 5: Ethics, Equality, and Cultural Awareness in ADR

- **Learning Objectives:**
 - Identify key ethical principles and conflict of interest concerns.
 - Understand diversity and cultural considerations in arbitration and mediation.
- **Topics Covered:**
 1. Concept of Conflict of Interest and Disclosure Obligations
 2. Importance of Equality, Diversity, and Inclusion in ADR
 3. Ethical Duties of Arbitrators in Managing Proceedings
 4. Cultural Competency in International Arbitration
- **Assessment Methods:**
 - Case Studies on Ethical Dilemmas
 - Online Quiz on Ethical Standards

Module 6: Communication and Digital Skills for ADR Practitioners

- **Learning Objectives:**
 - Apply digital and communication skills in ADR proceedings.
 - Ensure procedural fairness through clear communication.
- **Topics Covered:**
 1. Effective Legal Writing and Award Drafting
 2. Use of Digital Platforms for Virtual Hearings
 3. Limitations on Arbitrator-Party Interactions
 4. Active Listening and Negotiation Techniques
- **Assessment Methods:**
 - Role-Playing Exercise on Cross-Examination
 - Drafting a Mediation Settlement Agreement

Module 7: Evidence Management & Award Writing

- **Learning Objectives:**
 - Manage evidence and apply core legal principles in arbitration.
 - Develop award writing skills for enforceable decisions.
- **Topics Covered:**
 1. Admissibility of Evidence and Burden of Proof
 2. Drafting an Arbitration Award: Structure and Legal Justification
 3. Procedural Compliance in Award Writing
 4. Enforcement of Arbitral Awards under the New York Convention
- **Assessment Methods:**
 - Award Drafting Workshop
 - Final Written Exam on Award Enforcement

Module 8: International Arbitration & Emerging Trends

- **Learning Objectives:**
 - Understand global arbitration practices and legal variations.
 - Identify emerging issues and trends in ADR.
- **Topics Covered:**
 1. Differences in Arbitration Laws: Common Law vs. Civil Law Approaches
 2. Institutional vs. Ad Hoc Arbitration Practices
 3. Technology and ADR: Blockchain, AI, and Smart Contracts
 4. Investor-State Arbitration and BITs
- **Assessment Methods:**
 - Research Paper on Future of Arbitration in Africa
 - Interactive Webinar on Global ADR Trends

Alignment with CIArb Standards

CIMA's competency framework aligns with CIArb's requirements for Associate-level recognition, ensuring that participants gain the necessary knowledge and skills for professional accreditation. The course covers all core competency areas required by CIArb, including:

- **Understanding ADR Legal Frameworks**
- **Ethical and Procedural Standards**
- **Practical Skills in Award Writing and Case Management**
- **Cross-Jurisdictional Arbitration Knowledge**

Training Methodology CIMA's training programs utilize:

- **Hybrid Learning (Online + In-Person)**
- **Interactive Workshops and Mock Hearings**

- **Case Studies and Role-Playing Exercises**
- **Faculty-Led Mentorship and Peer Reviews**

Conclusion

CIMA's competency-based training ensures that ADR practitioners are equipped with globally recognized arbitration and mediation skills. CIMA provides a structured pathway for professional growth, enhancing the credibility and global recognition of its certification programs. The framework reflects best practices in ADR education, fostering excellence in dispute resolution across various jurisdictions.