

ELECTRONIC ARBITRATION AGREEMENT

SUAD, MAHAMEED

PhD Student

University of Debrecen

Academic supervisor: Dr. Zsolt Hajnal university professor

Research field: Private International Law / Commercial Law

E-mail: suad.mahameed@outlook.com

We cannot overlook the technical progress made this century, which was not limited to a single science or party. Rather, all walks of life are affected by it. We cannot rule out the completion of legal work, the conclusion of contracts, and the execution of such contracts in certain cases because of technical advancements, as well as the resolution of their conflicts using the same technology for electronic resolution. That is, the procedures are carried out over an electronic network without the parties having to be present in the same place.

The year 2020 was the greatest evidence of the need for humans, especially dealers – from the point of view of law – for international commercial contracts, whose owners cannot be in the same place, to regulate such electronic transactions that are concluded and settle their disputes on the electronic network.

Because of the nature of the Internet, a new type of arbitration has emerged, which differs from traditional dispute resolution mechanisms. This form is completed on a computer screen, in accordance with the nature of electronic commerce, which disregards spatial boundaries. The importance of electronic arbitration extends to what it raises in terms of procedural and substantive legal issues that are directly related to the concept of arbitration itself in its abstract framework, as well as to structures and institutions on the one hand, and judgments on the other hand in their electronic framework.

Although the topic of electronic arbitration in and of itself makes us stand in front of many controversial issues that deserve the uniqueness of studying a research on its own, I want to be satisfied with seeking to achieve one goal of this research, which is to be able to define what the electronic arbitration agreement is as a term and a modern concept, and access to understand the substantive and procedural legal aspects related to it, all of this as a means of resolving electronic commerce disputes.

It can be said that electronic arbitration begins with the first step, as does traditional arbitration with the parties to the disputed legal relationship over their choice as a method for settling the existing dispute between them.

Keywords: Commercial relations / Arbitration / Electronic Arbitration / electronic commerce