

Abstract

This study has dealt with the role of the court in arbitration in accordance with the Palestinian Arbitration law number (3) for the year 2000, This subject matter has become almost a main basis for the settlement of disputes and differences outside the framework of the official court ruling. Probably the significance of this subject matter emanates from the incessant Endeavour exerted by individuals , institutions and groups to recourse to this means to settle disputes mainly because of the characteristics it has. These characteristics are in their entirety in the interest of individuals and groups, particularly at the international level as has this study revealed.

The role of the court is looked at as supervisory , auxiliary and assistant to the board of arbitration in all stages of the arbitration process, which has led the dominance between court ruling and arbitration and which in turn has guaranteed as result the efficiency of the arbitration system.

This dissertation took as its basis a comparative , analytical study based on the Palestinian law of Arbitration number 3 for the year 2000 embracing some relevant competent Arab laws and international conventions.

This study has tackled the role of court in the arbitration process via dividing it into two main chapters, each of which comprised three themes. These were also divided to cover all the points in which the court would intervene on the arbitration process –in addition- to all problems and inadequacies pertaining to them, it has been obvious that the court has a role in most of the stages of the arbitration process from the beginning to the end. In fact, and despite the relative recency of the Palestinian law of arbitration, there are several aspects of inadequacy and weakness which have encompassed the legislation of the exceptions pertaining to the role of the court in arbitration. These aspects have also resulted in judiciary

problems for which this study has attempted to suggest legal and practical solutions that might assist those working in the field in general in case they are confronted by these exceptions that have not been mentioned or treated by the Palestinian legislator.

In light of the above aspects of inadequacy and weakness , this study came up with a number of conclusions and recommendations which have been mentioned in the concluding part of this study.