

Commercial Arbitration and Mediation

Moroğlu Arseven offers comprehensive risk-assessments, strategy development, negotiation support and representation, to support clients through all stages of resolving arbitrated and mediated disputes. These disputes include a wide variety of subjects, including commercial or industry-specific disagreements. Conflicts often involve complex issues, high values, counterclaims, or jurisdictional disagreements. We also support clients during settlement processes, or post-arbitration services, such as enforcement of arbitral awards or executing multi-stage settlements.

The firm supports clients to structure and participate in tailored arbitration and mediation processes, including insight on practical aspects of strategy and timing. Our overarching goal is always to enable our clients to reach a timely, cost-efficient and sustainable resolution, with as little business disruption as possible.

We work closely with clients to understand the role and benefits of both arbitration and mediation for their dispute. Our experience with a range of dispute resolution processes and settlement options mean clients receive a full range of possible solutions and advice. Our close consultation aims to support clients to make informed and appropriate decisions, considering their industry, business-type, as well as market dynamics and broader business factors. These capabilities and approach often allow our clients to achieve the best commercial or strategic outcome, without undertaking lengthy and costly traditional litigation proceedings.

Moroğlu Arseven has represented a range of viewpoints during arbitration and mediation, often involving complicated commercial arrangements or requiring delicate strategic approaches. The firm's support spans the full dispute life-cycle, stretching from preparation stages, locating assets, interim remedies, arranging litigation funding, selecting arbitrators or mediators, dealing with expert witnesses, through to enforcing or resisting awards.

Moroğlu Arseven has substantial experience leading and working with legal teams which are spread around the world, to provide seamless multi-jurisdictional support.

Moroğlu Arseven's dispute specialists often work closely with other practice areas, to draft tailored dispute resolution clauses and establish robust mediation and arbitration procedures. We integrate such mechanisms into key documents for mergers, acquisitions, joint ventures, partnerships and commercial agreements, as well as other potentially contentious contracts or transactions. These mechanisms are particularly important for projects in the construction, engineering and infrastructure sectors, where arbitration is a commonly used dispute resolution technique.

The firm's dispute specialists have experience with both civil law and common law systems, enabling flexibility to support clients regardless of the arbitration rules selected to govern a procedure, as well as conduct comparative exercises to determine the best forum for clients.

Lawyers are familiar with a range of common international arbitral procedures, rules and forums, including:

- International Chamber of Commerce (ICC).
- United Nations Commission on International Trade Law (UNCITRAL).
- International Centre for Dispute Resolution (ICDR).
- London Court of International Arbitration (LCIA).
- Swiss Arbitration Association (ASA).
- Istanbul Arbitration Centre (ISTAC).

- Court of Arbitration for Sport (CAS).
- Basketball Arbitral Tribunal (BAT).

Related Practices

- Investment Arbitration and Treaty Protection
- Corporate and Commercial Litigation
- M&A and Shareholder Disputes
- Real Estate and Construction
- Commercial Contracts
- Public Procurement and Government Contracts
- Insolvency and Restructuring
- Insurance Litigation
- Product Liability and Consumer Protection
- Unfair Trade Practices