

Improving rule of law and administration of justice through alternative dispute resolution in the Middle East and North Africa: Case study of Qatar

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This research project explores the implementation of alternative dispute resolution (ADR) programs within the broader rule of law program context. A case study is presented using field research and primary sources of one well-developed ADR country, Qatar. In particular, Qatar showcases how arbitration and mediation are being used as positive means of resolving legal disputes and working towards better administration of justice. ADR has been introduced as a method that offers newly-developed mechanisms and alternatives that greatly assist judges, barristers and legal experts in expediting legal cases, finding creative legal ways to solve court issues and facilitate the unclogging of institutional bottlenecks that usually characterize the Arab legal systems. As such, Qatar's example may have the potential to serve as a template for other MENA countries that are embarking on their own rule of law reforms, since it is perceived as model nation in the region (in terms of spearheading the adoption of ADR laws).

However, ADR laws in the region as a whole, remain relatively undeveloped despite the existence of a supportive legal framework. My research would analyze the current legislative framework of ADR within MENA countries, with a focus on Qatar - given ADR advancements there, particularly the dispute settlement procedure and administration of justice. The research presents an important opportunity to consider the impact of ADR law on expanding access to justice, reducing burdens on court systems, introducing greater flexibility and creativity to the dispute resolution process, and opening avenues for conciliatory resolutions. Through the country case studies, this research seeks to place within the context of rule of law development, the use of ADR to increase access to justice and extend more widely the protections and benefits of the rule of law for advancing administration of justice by complementing the work of the formal justice system. Its essence is that it gives an in-depth look on the current ADR development challenges facing the Arab region and its future development as a means to resolve legal disputes, in accordance with national and traditional standards.