



محكمة قطر الدولية
ومركز تسوية المنازعات
QATAR INTERNATIONAL COURT
AND DISPUTE RESOLUTION CENTRE

Guidance on Permission to Appeal

1. A decision of the First Instance Circuit of the Court will usually be final. However, if there are substantial grounds for considering that a judgment or decision has been made in error, and there is a significant risk that it will result in serious injustice, the Appellate Division can give permission to appeal (article 35 of the Regulations and Procedural Rules of the Court; the “**Rules**”).
2. An application for permission to appeal – which is to include the Appeal Notice form that can be found on the QICDRC website – must be filed with the Registry within 60 days of the date of the judgment, decision or determination in relation to which the party wishes to appeal. The Appeal Notice must set out – in full – the grounds of appeal (article 35.3 of the Rules).
3. Upon receipt of an Appeal Notice, the Appellate Division may be of the view that the Court will be assisted by a response from the Respondent and therefore direct that a response be provided. If the Court does not direct a response, it will determine the application on the materials before it.
4. If the Court directs a response from the Respondent, on receipt of the Respondent’s response the Court will consider whether:
 - a. To determine the permission application on the basis of the written materials before it without a hearing. The Court will either grant or refuse permission.
 - b. To order a hearing to determine the permission application at which the Court will decide whether to grant or refuse permission.
 - c. To Order a hearing to determine the permission application and, if permission is granted, to determine the appeal at the same hearing.
5. Ordinarily, if the Court determines that an oral hearing is necessary to determine the permission application, it will order that, if permission is granted, it will determine the appeal at the same hearing. In such a case, the Appellant should be prepared to argue its grounds of appeal in full, and the Respondent should be prepared fully to resist those grounds of appeal.

6. There are strict rules governing (i) the admission of evidence on appeal which was not called before the First Instance Circuit, and (ii) the making of arguments that were not made before the First Instance Circuit: the Appellate Division will not routinely give permission for (i) and (ii), above.
7. The Appellate Division shall be able to make any decision or order that could have been made by the First Instance Circuit of the Court (article 35.7 of the Rules).

Key provisions: Articles 9, 10 and 35 of the Rules.

**Qatar International Court
April 2023**

