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AAA Handbook on Commercial Arbitration 2010-09-01
American Arbitration Association Assembled from *Dispute Resolution Journal* - the flagship publication of the American Arbitration Association - the chapters in the Handbook have all, where necessary, been revised and updated prior to publication. The book is succinct, comprehensive and a practical introduction to the use of arbitration and ADR, written by leading practitioners and scholars. The Handbook begins with an exploration of drafting commercial arbitration clauses and provides advice on selecting the right arbitrator for any given commercial arbitration dispute. It supplies practitioners with guidelines for use in their arbitration practice and covers such topics as evidence and discovery, arbitral subpoena powers, procedural and interim orders. It also offers guidance on witness preparation, expert testimony, and cross-examination. There are chapters that specifically address the arbitration of large complex cases, healthcare disputes, and entertainment industry disputes. Arbitrators are provided with recommendations regarding professional conduct and responsibility. Arbitral awards and remedies are covered extensively and arbitrators are provided

with practical approaches and information on drafting awards, punitive damages, the finality of awards and, post-decision debriefing. Lastly, this book discusses commercial arbitration as it relates to the legal system. The chapters were selected from an extensive body of writings and, in the main, represent world-class assessments of arbitration and ADR practice. All the major facets of the field are addressed and provide the reader with comprehensive and accurate information, lucid evaluations, and an indication of future developments. They not only acquaint, but also ground the reader in the field.

New Horizons in International Commercial Arbitration and Beyond 2005-01-01 A. J. van den Berg ICCA's Congress Series No. 12, reflecting the contributions of numerous renown arbitration experts to the 2004 ICCA Beijing Conference, commences with an overview of the current international arbitration regime in China and Hong Kong, noting both the progress that has been achieved and the work that remains to be done there. The remainder of the volume comprises two sets of papers on contemporary substantive and procedural issues in international commercial arbitration. The first set contains in-depth reports on the topical subjects of arbitration of foreign investment disputes, the granting of provisional or interim measures with respect to arbitration and the enforceability of awards, supplemented by commentary

from the point of view of various specializations and regions. The second, also using the format of reports and commentary, addresses modalities of conciliation and settlement in relation to arbitration, including various non-binding (ADR) processes, issues (drafting step clauses and confidentiality) in integrated dispute resolution systems, which may combine conciliation and arbitration, and the role of arbitrators as settlement facilitators.

Third-Party Funding in International Arbitration

2016-04-24 Lisa Bench Nieuwveld Since the first edition of this invaluable book in 2012, third-party funding has become more mainstream in international arbitration practice. However, since even the existence of a third-party funding agreement in a dispute is often kept secret, it can be difficult to glean the specifics of successful funding agreements. This welcome book, now updated, expertly reveals the nuances of third-party funding in international arbitration, examines the phenomenon in key jurisdictions, and provides a reliable resource for users and potential users that may wish to tap into and make use of this distinctive funding tool. Focusing on Australia, the United Kingdom, the United States, Germany, the Netherlands, Canada, and South Africa, the authors analyze and assess the legal regime based upon legislation, judicial opinions, ethics opinions, and practitioner anecdotes describing the state of third-party funding in each jurisdiction. In addition to updating summaries of the law of the various jurisdictions, the second edition includes a new chapter addressing third-party funding in investor-state arbitration. Among the issues raised and examined are the following: · payment of adverse costs; · “Before-

the-Event” (BTE) and “After-the-Event” (ATE) insurance; · attorney financing: pro bono representation, contingency representation, conditional fee arrangements; · loans; · ethical doctrines affecting the third-party funding industry; · possible future bundling, securitization, and trading of legal claims; · risk that the funder may put its own interests ahead of the client’s interests; and · whether the existence of a funding agreement must or should be disclosed to the decision maker. The second edition also includes discussion of recent institutional developments as they relate to third-party funding, including the work of the ICCA-Queen Mary Task Force on Third-Party Funding and how third-party funding is being incorporated into arbitral rules and investment treaties. Aply providing a thorough understanding of what third-party funding entails and what legal parameters exist, this book will be of compelling interest to parties aiming to take advantage of the high values, speed, reduced evidentiary costs, outcome predictability, industry expertise, and high award enforceability characteristic of the third-party funding arrangements available in international arbitration.

The 1958 New York Convention in Action 2016-02-24 Marike Paulsson The 1958 New York Convention has been called the most effective instance of international legislation in the entire history of commercial law. However, the succinct text of the Convention leaves open a host of significant and complex questions, which may be, and have been, answered in a variety of ways; as difficult cases arise and demand solutions, they generate inconsistent outcomes. For all its remarkable success, the Convention has on occasion proved itself to be

unreliable and unpredictable. This book simultaneously exposes the difficulties of the Convention and explores potential solutions. It examines each substantive article of the New York Convention in accordance with the following outline: • the text and its issues; • original intent; • the prism of the rules of interpretation of the Vienna Convention; • judicial outcomes; and • appraisal. By drawing on the Convention's drafting history in great detail, the book presents a coherent account of how the most frequently recurring interrogations about the text are reflected (or not) in judicial practice. The author studied more than 1,700 decisions rendered under the Convention since its inception in 1958 in order to provide a succinct selection of landmark cases per article. With its intense investigation of the complex reality underlying contracting States' commitment in principle and judicial application in fact, the author's judicial understanding of the Convention provides a clear conceptual framework that will help avoid outcomes at odds with the purposes of this important instrument. Lawyers and judges will rely on this book not only to situate the Convention in the national legal orders where it is intended to produce its effects, but also discover practical ways to respond to distinct questions of application.

Yearbook: Commercial Arbitration 1999 International Council for Commercial Arbitration

The Danubia Files 2013 Napoleão Casado Filho At last, the students, coaches and arbitrators who have dedicated so many hours to the Danubia Files will see the results of their labours. Six tribunals of renowned international arbitrators and educators have issued

awards in the Vis Problems XIV to XIX. Each award considers the issues and sets out the decision of the tribunal in their own words and style. And at last, here is a reference text that deals with one of the most important - yet most neglected - stages in arbitration procedure: the drafting of the arbitration Award. The first lesson of this book is that there is no single "right" way to draft an award. Each tribunal has its own voice, its own character; there are many styles that can produce a good award. A wonderful achievement and highly innovative and useful contribution that will be of great interest to all international arbitration lawyers, scholars and students. Gary Born, Chair, International Arbitration Group, Wilmer Cutler Pickering Hale and Dorr LLP "I wish I'd thought of it! This book will immediately become a "must-have" for law firm international arbitration groups. The awards not only increase the already rich value of the Vis problem materials for advocacy training, they also are a much-needed resource for award drafting practice. Be sure to read the down-to-earth drafting guides by Louise Barrington and Pierre Karrer." Lucy Reed, Global co-Head, International Arbitration, Freshfields You can measure the height of the Great Pyramid at Cheops without climbing it by multiplying the height of a pole by the ratio of the two shadows (500 BC). You can put little wheels on luggage (1970). Great ideas in retrospect seem obvious, and the Danubia files are another. Jan Paulsson, President, International Council of Commercial Arbitrators (ICCA)

UNCITRAL Secretariat Guide on the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York, 1958) 2017-03-31 United Nations Publications The Guide on the New York Convention provides an insight

on the application of the Convention by State courts.

Jurisdiction, Admissibility and Choice of Law in International Arbitration 2018-03-27 Neil Kaplan About this book: Jurisdiction, Admissibility and Choice of Law in International Arbitration, as the name suggests, discusses the jurisdiction, admissibility and choice of law provisions applied in the arbitration. These three elements play a prominent role in administering arbitration proceedings and are oft-cited in several awards and court decisions, particularly in cases transcending boundaries. In light of the growing demand for international arbitration, there is a need for literature to discuss these elements and analyse how they are applied across various jurisdictions. Although there are books available on each of these factors separately, this book specializes in analysing all these three aspects together. This book is a collection of essays in honour of the distinguished international lawyer Michael Pryles, who launched a meteoric career as an arbitrator after many years of teaching and writing on conflicts of law and other topics and made a mark on arbitral law and practice that is recognized worldwide. What's in this book: In this book, over forty prominent arbitrators and arbitration scholars offer insightful essays on the above-mentioned thorny matters and examine specific issues and topics such as the following: res judicata; investment arbitration; free trade agreements; party autonomy; application of provisional measures; issue estoppel; evidentiary inferences; interim measures; emergency and default proceedings; the intersection of financing and jurisdiction; consolidation of cases; and non-contractual claims. How this will help you: Remarkable for its roster of highly

distinguished contributors, this book is the only in-depth treatment of its subject. By turns thought-provoking and practical, this book is bound to appeal to and be put to use by arbitrators and other lawyers, who handle international cases, to gain insight into the factors involved in affecting arbitral decisions. This book also proves to be of great value to global law firms and companies doing transnational business to confidently maze through the complex arbitral laws around the globe and is of great academic interest.

The Idea of Arbitration 2013-11 Jan Paulsson Providing a theoretical examination of the concept of arbitration, this book explores the place of arbitration in the legal process and examines the ethical challenges to arbitral authority and its moral hazards.

Private Actors in International Investment Law 2021-01-25 Katia Fach Gómez This book presents the first critical review of the less frequently addressed stakeholders in international investment law. Focusing on private actors, including but not limited to lawyers, experts, funders, civil society, the media and scholars, the book highlights the variety of actors that help shape international investment law and demonstrates how best to manage their interactions in order to achieve synergies and enhance the legitimacy of this pluralistic field.

International Arbitration 2013 A. J. van den Berg Comments on the Speech of the Singapore Attorney General /Doug Jones --The Need for More Information in Investment Arbitration /Makhdoom Ali Khan --The Korean Perspective on International Arbitration Today and

Tomorrow /Kap-You (Kevin) Kim --Is There a "Global Free-standing Body of Substantive Arbitration Law"? /Julian D.M. Lew --How Asia Will Change International Arbitration /Michael J. Moser --Is the Free-Market of Adjudication Dysfunctional? /Alexis Mourre --Achievable Reforms /Lucy Reed --Harmonization of Arbitration Law in the Asia-Pacific Region/David A.R. Williams --A Perspective from China /Ariel Ye --Agreeing To and Initiating Arbitration: Introduction /James Castello and Domitille Baizeau --Survivals and New Arrivals /Aníbal Sabater --Reflections on the Selection of Arbitrators in International Arbitration /Yu Jin Tay --Commencing Arbitration /Cavinder Bull --Commencing Arbitration: Contemporary Paradoxes and Problems /Dominic Roughton --Evidence and Hearings /Anne K. Hoffmann and Nish Shetty --The Tribunal Resolves the Dispute: Introduction to the Session /Audley Sheppard --Compétence-compétence - The Power of an Arbitral Tribunal to Decide the Existence and Extent of its Own Jurisdiction /Jakob Ragnwaldh --A Survey of National Laws and Practices on Enforcement of Foreign Arbitral Awards in South and South East Asia /Minn Naing Oo --The Enforcement of Interim Measures Ordered by Tribunals and Emergency Arbitrators in International Arbitration /Chester Brown --The Tribunal Resolves the Dispute: Summary of the Discussion /Audley Sheppard and Chester Brown --Choices and Strategies: A Rules-Based Look at Different Approaches to International Arbitration in the Wake of UNCITRAL's 2010 Rules Revision Relating to Costs /Judith Gill --How to Mitigate Legal and Arbitration Costs: Considerations by a User /Jean-Claude Najjar --Legal and Arbitration Costs: Session Summary /Siegfried H. Elsing and John M. Townsend --Arbitral Secretaries /Constantine Partasides, Niuscha Bassiri, Ulrike Gantenberg, Leilah Bruton and Andrew

Riccio --Transcending National Legal Orders for International Arbitration /Emmanuel Gaillard --Is There a Real Need for Transcending National Legal Orders in International Arbitration? Some Reflections Concerning Abusive Interference from the Courts at the Seat of the Arbitration /Sébastien Besson --Do Transnational Rules Matter? /Frédéric Bachand --The Relationship Between International Arbitration and the National Judge: Introduction /Gabrielle Kaufmann-Kohler --Crossing the "Public/Private" Divide: Saipem v. Bangladesh and Other Crossover Cases /José E. Alvarez --The Framework of the International Arbitration System: the Challenge Derived from the Improper Conduct of Judicial Courts /Adriana Braghetta --The Relationship Between International Arbitration and the National Judge: Panel Discussion /Gabrielle Kaufmann-Kohler and Eva Kalnina -- Safeguarding the Fair Conduct of Proceedings - Presentation at Breakout Session C3 /R. Doak Bishop -- Safeguarding the Fair Conduct of Proceedings - Report /R. Doak Bishop and Margrete Stevens --A Pause for Thought /Toby Landau and J. Romesh Weeramantry --The Future of European Union Investment Policy: Navigating Between a High Level of Investment Protection and Increasing Demands for "Policy Space"--Lessons from the US Experience /Kap-You (Kevin) Kim and John P. Bang -- The Future of ICSID, Ad Hoc Committees, Appellate Tribunals, International Investment Courts and Investment Arbitration: Introduction /Brigitte Stern -- The Evolution of the ICSID System as an Indication of What the Future Might Hold /J. Christopher Thomas -- Seeking Consistency in Investment Arbitration: The Evolution of ICSID and Alternatives for Reform /Andrea Menaker --The Future of ICSID, Ad Hoc Committees, Appellate Tribunals, International Investment Courts and

Investment Arbitration: Summary of the Debate /Emmanuelle Cabrol --General Lessons for the New Technological Age of International Arbitration: Opening Remarks /William K. Slate II --Arbitration and New Technologies /Philippe Pinsolle --Introduction to Opus 2 Magnum Presentation /Mark Oliver Saville Of Newdigate -- Opus 2 Magnum Presentation /Steven W. Fleming --Online Arbitration: Tradition Conceptions and Innovative Trends /Mohamad Salahudine Abdel Wahab --Judicial Debate on the General Theme: "State Courts and International Arbitration: The Future."

The Function of Equity in International Law 2021-06-11 Catharine Titi This book provides a systematic and comprehensive study of the legal concept of equity as it operates in contemporary international law. A principle with a long pedigree, equity has been present in legal thought and in municipal legal systems since antiquity. Introduced in international legal decisions through claims commissions and arbitral tribunals, equity became progressively part and parcel of the international law mainstream. From international cultural heritage law to the law on climate change, from maritime boundary delimitations to decisions on security for costs in investment arbitration, the relevance of equity is more far-reaching than has previously been acknowledged. In contrast with earlier studies on the topic, this book is informed by a body of judicial and arbitral case law that has never been so substantial and varied. It also draws extensively on the prolific case law of investment tribunals, gaining insights from a valuable source that is typically overlooked in public international law scholarship. As the importance of international law increases, covering continuously new domains, the value

of equity increases with it. It is this new equity in the international law of the 21st century that this book explores.

Arbitration in the Digital Age 2018-01-25 Maud Piers Arbitration in the Digital Age analyses how technology can be efficiently and legitimately used to further sound arbitration proceedings. The contributions, from a variety of arbitration scholars, report on current developments, predict future trends, and assesses their impact from a practical, legal, and technical point of view. The book also discusses the relationship between arbitration and the Internet and analyses how social media can affect arbitrators and counsel's behaviour. Furthermore, it analyses the validity of electronic arbitration and awards, as well as Online Arbitration (OArb). The volume establishes, on a very practical level, how technology could be used by arbitration institutions, arbitrators, parties to an arbitration and counsel. This book will be of special interest to arbitrators and lawyers involved in international commercial arbitration.

International Arbitration and Technology 2022-10-11 Pietro Ortolani Digitalization is increasingly impacting the practice of international arbitration. Especially in the wake of COVID-19, technological solutions are adopted by counsel, tribunals, and arbitral institutions. This trend is likely to continue in the future, thus changing the way in which international arbitration is practiced. International arbitration and technology offers the first up-to-date and comprehensive overview of the interplay between technology and international arbitration, with a specific focus on the

technological developments which are currently available and already practically relevant. The authors' practical perspectives on the impact of technology on arbitration yield valuable insights for arbitrators, tribunal secretaries, international arbitration counsel, and arbitral institutions. As many aspects of their work are already impacted by technology, they will find much value within this book's pages. Furthermore, the book is of interest for academics working in the fields of international dispute resolution, and law and technology.

International Arbitration and the COVID-19 Revolution
2020-11-17 Maxi Scherer International Arbitration and the COVID-19 Revolution Edited by Maxi Scherer, Niuscha Bassiri & Mohamed S. Abdel Wahab The impact of the COVID-19 pandemic on all major economic sectors and industries has triggered profound and systemic changes in international arbitration. Moreover, the fact that entire proceedings are now being conducted remotely constitutes so significant a deviation from the norm as to warrant the designation 'revolution'. This timely book is the first to describe and analyse how the COVID-19 crisis has redefined arbitral practice, with critical appraisal from well-known practitioners of the pandemic's effects on substantive and procedural aspects from the commencement of proceedings until the enforcement of the award. With practical guidance from a variety of perspectives – legal, practical, and sector-specific – on the conduct of international arbitration during the COVID-19 pandemic and beyond, the chapters present leading practitioners' insights into the unprecedented and multifaceted issues that arise. They provide expert tips and challenges in such practical

matters as the following: preventing and resolving disputes of particular types – construction, energy, aviation, technology, media and telecommunication, finance and insurance; arbitrator appointments; issues of planning, preparation and sample procedural orders; witness preparation and cross-examination; e-signature of arbitral awards; setting aside and enforcement proceedings; and third-party funding. Also included are an empirical survey of users' views and an overview of how the COVID-19 revolution has affected the arbitration rules of leading arbitral seats. With this timely and practical book, arbitration practitioners and scholars will gain up-to-date knowledge of sector-specific challenges brought about by the COVID-19 pandemic and approach arbitration proceedings with an understanding of the most important legal and practical considerations during the crisis and beyond.

Yearbook Commercial Arbitration, Volume XLV (2020)
2020-12-17 Stephan W. Schill The Yearbook Commercial Arbitration continues its longstanding commitment to serving as a primary resource for the international arbitration community, with reports on arbitral awards and court decisions applying the leading arbitration conventions and decisions of general interest to the practice of international arbitration as well as announcements of arbitration legislation and rules. Volume XLV (2020) includes: excerpts of arbitral awards made under the auspices of the International Chamber of Commerce (ICC) and the Milan Chamber of Arbitration (CAM), as well as twelve awards reflecting the practice of tribunals constituted under the auspices of the Arbitration Institute of the Stockholm Chamber of Commerce (SCC); notes on new and amended arbitration

rules, including references to their online publication; notes on recent developments in arbitration law and practice in Ethiopia, Lithuania, Macao SAR, Palau, Peru, Poland, Portugal, Russian Federation, Seychelles, Sierra Leone, Singapore, Switzerland, Tanzania, Thailand, and Tonga; excerpts of 87 court decisions applying the 1958 New York Convention from 27 countries – including, for the first time, a selection of seven cases from Egypt, and cases from Tanzania and Uzbekistan – all indexed by subject matter and linked to the commentaries on the New York Convention published in the Yearbook, authored by former General Editor and leading expert Prof. Dr. Albert Jan van den Berg; excerpts from two decisions applying the 1965 Washington (ICSID) Convention and seven decisions applying the 1975 Panama (Inter-American) Convention, as well as a selection of four court decisions of general interest; an extensive Bibliography of recent books and journals on arbitration. The Yearbook is edited by the International Council for Commercial Arbitration (ICCA), the world's leading organization representing practitioners and academics in the field, under the general editorship of Prof. Dr. Stephan W. Schill and with the assistance of the Permanent Court of Arbitration, The Hague. It is an essential tool for lawyers, business people and scholars involved in the practice and study of international arbitration.

International Commercial Arbitration in New York 2013
James H. Carter International Commercial Arbitration in New York focuses on the distinctive aspects of international arbitration in New York. Serving as an essential strategic guide, this book allows practitioners to represent clients more effectively in

cases where New York is implicated as either the place of arbitration or evidence or assets are located in New York. Each chapter elucidates a vital topic, including the existing New York legal landscape, drafting considerations for clauses designating New York as the place of arbitration, and material and advice on selecting arbitrators. The book also covers a series of topics at the intersection of arbitral process and the New York courts, including jurisdiction, enforcing arbitration agreements, and obtaining preliminary relief and discovery. Class action arbitration, challenging and enforcing arbitral awards, and biographical materials on New York-based international arbitrators is also included, making this a comprehensive, valuable resource for practitioners.

Evolution and Adaptation 2019-12-17 Jean Kalicki What is it about international arbitration that makes it so open to evolution and adaptation? What are the main pressure points today and the unmet needs of stakeholders? What are the opportunities for expansion to new sectors and new audiences? What are the drivers for change, the obstacles and the risks? And equally important, what are the core principles that should never be lost? These were the topics of the Twenty-Fourth ICCA Congress, held in Sydney, Australia, in April 2018, the proceedings of which are collected in this volume. The volume highlights arbitration as a 'living organism' that has adapted in the past to various challenges, and that today – under attack from various quarters – might need to demonstrate its adaptability again. Accordingly, the contributions address the evolving needs of users, the impact of the rapidly changing face of technology, the expectations of the public, and the convergence and

divergence of different aspects of legal traditions and cultures. Topical issues of interest for practitioners, academics, and students of arbitration include the following: legitimacy and authority of arbitrators, institutions and professional organizations to act as lawmakers; investment treaty reform, with particular reference to the definition of 'investment,' the evolution of substantive treaty standards, and sustainable development obligations; commercial arbitration reform, including issues of public and private interest, the development of common law, and cost, delay and transparency concerns; revisiting party autonomy in choosing decision-makers, including through institutional appointments or investment courts; equality of arms, the economics of access, and the role of costs and third-party funding; public-private disputes and special issues that arise when State entities arbitrate; public participation and transparency, and their effect on both ISDS and commercial arbitration; revisiting conventional wisdom in organizing arbitral proceedings; lessons to be learned from other dispute resolution frameworks; technology as friend and enemy, including new tools, new threats, and cybersecurity; arbitration of disputes in conflict and post-conflict zones; inter-generational blame and praise in investment arbitration; and the emergence of sovereign wealth funds as arbitration participants. A special section on 'New Frontiers in Arbitration' offers enlightening perspectives on new types of claims and new types of stakeholders likely to affect the future of international arbitration, including the potential for climate change disputes and enlarged participation.

Access to Justice in Arbitration 2020-11-17 Leonardo de Oliveira Access to Justice in Arbitration Concept, Context and Practice Edited by Leonardo V P de Oliveira & Sara Hourani The exponential growth of arbitration beyond commercial and investment matters, reaching disputes that have traditionally been decided by courts – such as labour and employment, sports, and competition disputes, and those involving human rights violations – raises questions about the impact of this expansion on access to justice. This collection of essays by arbitral practitioners, academics, and arbitral institution officials presents, for the first time, an in-depth analysis of the role access to justice plays in arbitration. Overall, the book assesses how access to justice can be guaranteed in arbitration and, in particular, shows how access to justice works in various types of arbitration. The book and its contributions will be of immeasurable value in determining the practical application of such concerns as the following: when issues of access to justice can be raised in arbitral disputes and when violations of access to justice can be challenged; ramifications of arbitration clauses in contracts; ensuring fairness and efficiency arising from technological innovations applied to arbitration; legal framework applicable to online dispute resolution and blockchain-based arbitration, especially with regard to recognition and enforcement; and access to justice in arbitrations involving sexual harassment. The book concludes with three chapters on access to justice under the rules of arbitral institutions as revealed by studies of the World Intellectual Property Organisation, the Singapore International Arbitration Centre, and the International Centre for Settlement of Investment Disputes.

Arbitration provides a final binding decision that can be challenged on very limited grounds; thus, with arbitration settling disputes that were originally a prerogative of the judiciary, securing fairness in such procedures is paramount to the survival of arbitration. For this reason, arbitration practitioners, institutions, and academics will appreciate this deeply-informed analysis and commentary on a crucial aspect of a highly significant and rapidly evolving area of practice.

Cambridge Compendium of International Commercial and Investment Arbitration 2023-03-02 Stefan Kröll The Compendium, like an encyclopedia, contains entries for most of the foundational principles and concepts underlying arbitration. Each entry takes a holistic view of international arbitration, as they tackle core concepts from both a commercial and an investment arbitration perspective, focusing on the fundamental issues underlying the various topics rather than on the solutions adopted in any particular jurisdiction, thus making the Compendium a truly cross-border, transnational resource. This innovative approach will allow readers to identify the commonalities as well as the differences between commercial and investment arbitration, whether and where cross-fertilization has taken place and what consequences it can have. This approach allows the Compendium to be a tool in promoting the creation of a culture of international arbitration that considers commercial arbitration and investment arbitration as part of a whole but with certain distinct features particular to each.

The Culture of International Arbitration 2017-02-24 Won

L. Kidane Although international arbitration has emerged as a credible means of resolution of transnational disputes involving parties from diverse cultures, the effects of culture on the accuracy, efficiency, fairness, and legitimacy of international arbitration is a surprisingly neglected topic within the existing literature. The Culture of International Arbitration fills that gap by providing an in-depth study of the role of culture in modern day arbitral proceedings. It contains a detailed analysis of how cultural miscommunication affects the accuracy, efficiency, fairness, and legitimacy in both commercial and investment arbitration when the arbitrators and the parties, their counsel and witnesses come from diverse legal traditions and cultures. The book provides a comprehensive definition of culture, and methodically documents and examines the epistemology of determining facts in various legal traditions and how the mixing of traditions influences the outcome. By so doing, the book demonstrates the acute need for increasing cultural diversity among arbitrators and counsel while securing appropriate levels of cultural competence. To provide an accurate picture, Kidane conducted interviews with leading international jurists from diverse legal traditions with first-hand experience of the complicating effects of culture in legal proceedings. Given the insights and information on the rules and expectations of the various legal traditions and their convergence in modern day international arbitration practice, this book challenges assumptions and can offer a unique and useful perspective to all practitioners, academics, policy makers, students of international arbitration.

Key Duties of International Investment Arbitrators
2018-10-31 Katia Fach Gómez This book critically analyses how arbitration cases, institutional rules and emerging codes of conduct in the international arbitration sector have dealt with a series of key arbitrator duties to date. In addition, it offers a range of feasible and well-grounded proposals regarding investment arbitrators' duties in the future. The following aspects are examined in depth: the duty of disclosure the duty to investigate the duty of diligence and integrity, which in turn may be divided into temporal availability, a non-delegation of responsibilities, and adhering to appropriate behaviour the duty of confidentiality, and other duties such as monitoring arbitration costs, or continuous training. Investment arbitration is currently undergoing sweeping changes. The EU proposal to create a Multilateral Investment Court incorporates a number of groundbreaking developments with regard to arbitrators. Whether this new model of permanent "members of the court" will ever become a reality, or whether the classical ex-parte arbitrator system will manage to retain its dominance in the investment arbitration milieu, this book is based on the assumption that there is a current need to re-examine and rethink the main duties of investment arbitrators. Apart from being the first monograph to analyse these duties in detail, the book will spark a crucial debate among international scholars and practitioners. It is essential to identify arbitrators' duties and find consensus on how they should be reshaped in the near future, so that these central figures in investment arbitration can reinforce the legitimacy of a system that is currently in crisis.

Taming the Guerrilla in International Commercial Arbitration 2022-05-23 Navin G. Ahuja The book explores the definition and nature of guerrilla tactics in international commercial arbitration. It analyses various such tactics deployed (pre-Covid and during Covid times) and portrays them in a way that enables one to visualise how, and possibly why, they might be deployed. Attempts to codify ethical standards and rules regulating the behaviour of legal representatives in international arbitration are examined. The book covers a range of culture clashes, addresses several elephants in the room, and looks at factors inherent in the arbitral process that create opportunities and increase temptations to misbehave. It considers the remedies and sanctions available in international arbitration and compares them to those available to the courts in civil litigation. In addition to recommendations for future research, the book offers solutions to curb the problem in line with party autonomy and with a critical analysis. "This manuscript is an essential solutions-based text that not only addresses a comprehensive range of modern-day guerrilla tactics in international commercial arbitration but also offers thoughtful methods to deal with the shenanigans that parties may bring to the arbitral process." - Chiann Bao, Independent Arbitrator, Arbitration Chambers and Vice President of the International Chamber of Commerce, Court of Arbitration "Dr. Ahuja's book is a thoughtful and highly practical contribution to the study of procedures in international commercial arbitration. It is replete with scholarly analysis, careful treatment of authority, pragmatic insights and policy discussions. Any practitioner or student of international arbitration would benefit from this volume." - Gary Born, Author,

International Commercial Arbitration (3d ed. 2021) “A highly readable and informative book which identifies and analyses the numerous guerrilla tactics parties may attempt to deploy in international commercial arbitration, the factors which may encourage such behaviour, and practical mechanisms to keep the proceedings on track. Both erudite and practical, this book is a must-read for parties, counsel and arbitrators alike.” - Prof. Benjamin Hughes, Independent Arbitrator, The Arbitration Chambers “Guerrilla tactics are a pertinent problem in arbitration. Dr. Ahuja’s well written book not only describes the various tactics in a succinct way but provides extremely useful guidance on how to tackle them. It will be a primary source of reference for every practitioner faced with such tactics.” - Prof. Dr. Stefan Kröll, Chairman of the Board of Directors of the German Arbitration Institute (DIS) “Taming the Guerrilla in International Commercial Arbitration offers a refreshingly candid and balanced discussion of ‘sharp practices’ in international arbitration. The book collects a wealth of information on guerrilla tactics previously only available in separate survey reports, articles, and guidelines on the topic. It additionally includes a chapter addressing tactics deployed in virtual or remote arbitrations due to the Covid-19 pandemic. The comprehensive research and analysis presented in this book make it a valuable resource to counsel, parties, arbitrators, academics, and those who deliver practical arbitration training. A must-read for those who want to better understand the practices that may lead some to disfavor arbitration and ways the arbitration community can respond to guerrilla tactics to improve the arbitration process for all participants.” - Dana MacGrath, Independent Arbitrator,

MacGrath Arbitration “From an unreasoned fiat of a wise man who left both sides equally unhappy but resolved the disputes effectively, arbitration has evolved into a full-scale trial before a party chosen tribunal. Its informality and expedition puts in peril the fundamental right of the recalcitrant to delay proceedings. Dr. Ahuja has assiduously articulated the measures, aptly christened Guerrilla Tactics, used to disrupt and derail arbitrations. An indispensable read for the practitioner and an insightful treatise for the policy maker.” - Harish Salve SA QC, Blackstone Chambers “This book shines a spotlight on arbitration’s dark arts - guerrilla tactics. Dr Ahuja illuminates this shadowy world with excellent (and much needed) scholarship that is practice-based and useful for all stakeholders in arbitration. His examination of the root causes of this problem, recommendations on how to control it, comparisons with litigation practice and suggestions for future research marvellously combine to make this a work that is required to be consulted by all serious counsel, arbitrators, institutions and academics in the field of arbitration.” - Romesh Weeramantry, Head, International Dispute Resolution, Centre for International Law, National University of Singapore

Arbitration and International Trade in the Arab Countries 2017-10-30 Nathalie Najjar Arbitration and International Trade in the Arab Countries examines international trade arbitration in the MENA region and analyses legal sources, decisions and practices through the prism of freedom and safety requirements. The work is an essential guide to the body of arbitration law at both the practical and theoretical levels.

The Oxford Handbook of International Arbitration 2020-09-11 Thomas Schultz This Handbook brings together many of the key scholars and leading practitioners in international arbitration, to present and examine cutting-edge knowledge in the field. Innovative in its breadth of coverage, chapter-topics range from the practicalities of how arbitration works, to big picture discussions of the actors involved and the values that underpin it. The book includes critical analysis of some of international arbitrations most controversial aspects, whilst providing a nuanced account overall that allows readers to draw their own informed conclusions. The book is divided into six parts, after an introduction discussing the formation of knowledge in the field. Part I provides an overview of the key legal notions needed to understand how international arbitration technically works, such as the relation between arbitration and law, the power of arbitral tribunals to make decisions, the appointment of arbitrators, and the role of public policy. Part II focuses on key actors in international arbitration, such as arbitrators, parties choosing arbitrators, and civil society. Part III examines the central values at stake in the field, including efficiency, legal certainty, and constitutional ideals. Part IV discusses intellectual paradigms structuring the thinking in and about international arbitration, such as the idea of autonomous transnational legal orders and conflicts of law. Part V presents the empirical evidence we currently have about the operations and effects of both commercial and investment arbitration. Finally, Part VI provides different disciplinary perspectives on international arbitration, including historical, sociological, literary, economic, and psychological accounts.

International Arbitration: Law and Practice 2021-06-07 Gary B. Born International Arbitration: Law and Practice (Third Edition) provides comprehensive and authoritative coverage of the basic principles and legal doctrines, and the practice, of international arbitration. The book contains a systematic, but concise, treatment of all aspects of the arbitral process, including international arbitration agreements, international arbitral proceedings and international arbitral awards. The Third Edition guides both students and practitioners through the entire arbitral process, beginning with drafting, enforcing and interpreting international arbitration agreements, to selecting arbitrators and conducting arbitral proceedings, to recognizing, enforcing and seeking to annul arbitral awards. The book is written in clear, accessible language, suited for both law students and non-specialist practitioners, as well as more experienced readers. This highly regarded work addresses both international commercial arbitration and the related fields of investment and state-to-state arbitration and is essential reading for any student of international arbitration and any practitioner seeking a complete introduction to the field. The Third Edition has been comprehensively updated to include recent legislative amendments, judicial decisions and arbitral awards. Among other things, the book provides detailed treatment of the New York Convention, the UNCITRAL Model Law on International Commercial Arbitration, all leading institutional arbitration rules (including ICC, SIAC, LCIA, AAA and others), the ICSID Convention and ICSID Arbitration Rules, and judicial decisions from leading jurisdictions. The Third Edition is integrated with the author's classic International Commercial Arbitration and with the online Born International Arbitration

Lectures, enabling students, teachers and practitioners to explore particular topics in more detail. About the Author: Gary B. Born is the world's leading authority on international arbitration and litigation. He has practiced extensively in both fields in Europe, the United States, Asia and elsewhere. He is the author of *International Commercial Arbitration* (Kluwer Law International 3rd ed. 2021), *International Arbitration and Forum Selection Agreements: Drafting and Enforcing* (Kluwer Law International 6th ed. 2021), *International Commercial Arbitration: Cases and Materials* (Aspen 3rd ed. 2021) and *International Civil Litigation in United States Courts* (Aspen 6th ed. 2018).

Arbitration's Age of Enlightenment? 2023-09-12 Cavinder Bull Directly presenting the considered views of a broad cross-section of the international arbitration community, this timely collection of essays addresses the criticism of the arbitral process that has been voiced in recent years, interpreting the challenge as an invitation to enlightenment. The volume records the entire proceedings of the twenty-fifth Congress of the International Council for Commercial Arbitration (ICCA), held in Edinburgh in September 2022. Topics range from the impact of artificial intelligence to the role of international arbitration in restraining resort to unilateralism, protectionism, and nationalism. The contributors tackle such contentious issues as the following: time and cost; gender and cultural diversity; confidentiality vs. transparency; investor-State dispute settlement procedures; the proposed establishment of a permanent international investment court system; how cross-fertilisation across different disciplines may impact international arbitration; determining whether a

document request seeks documents that are relevant and material to the outcome of a dispute; whether we would be better off if investment arbitration were to disappear; and implications for international arbitration of the Russian invasion of Ukraine. There is consideration of global issues that are likely to give rise to disputes in the future, including climate change, environmental protection, access to depleting water resources, energy and mining transition, and human rights initiatives. Several contributions focus on developments in specific countries (China, India) and regions (Africa, the Middle East). Arbitrators, corporate counsel, and policymakers will appreciate this opportunity to engage with current thinking on key issues in international commercial and investment arbitration, especially given the diversity of thought presented by authors from all over the world.

International Arbitration in the Energy Sector 2018-02-22 Maxi Scherer Disputes in the energy and natural resources sector are at the heart of international arbitration. With more arbitrations arising in the international energy sector than in any other sector, it is not surprising that the highest valued awards in the history of arbitration come from energy-related arbitrations. Energy disputes often involve complex and controversial issues relating to security, sovereignty, and public welfare. *International Arbitration in the Energy Sector* puts international energy disputes into a global context, providing broad coverage of different forms and systems of dispute resolution across both renewable and non-renewable sectors. With contributions from leading practitioners, arbitrators, academics, and industry experts from across

the globe, the eighteen chapters in the book enable readers to compare the approaches to, and learnings from, energy arbitrations across various legal systems and geographic regions. After outlining the international energy arbitration legal framework, the text delves into a detailed analysis of the problems which regularly arise in practice. These include, among other things, commercial disputes in Part I (e.g. over the upstream oil sector and long-term gas supply contracts), investor-state disputes in Part II (e.g. under the Energy Charter Treaty), and public international law disputes in Part III (e.g. concerning international boundaries and the distribution of natural resources). Alongside recent developments in the international energy sector, attention is given to climate and sustainable development disputes, which raise important questions about enforcing sustainability objectives on individuals, corporations, and states. Backed by analyses of arbitral awards, national court and international tribunal decisions, treaties, and other international legal instruments, as well as current events and news in the energy industry, this text offers a unique contribution to international energy literature and provides insightful commentary on the prevalent issues in the field. It is essential reading for any practitioner or researcher in the energy and natural resources sector.

International Arbitration 2022-12-09 Ben Beaumont In the spirit of Pieter Sanders's classic *Quo Vadis Arbitration?* (1999), this far-reaching overview of the state of international arbitration thoroughly assesses the current condition and prospects of arbitration and conciliation with practical, insightful solutions to the

new and emerging problems confronting arbitration practice today. A distinguished group of internationally renowned arbitrators, academics, and lawmakers elucidate the ubiquitous evolution towards increased technical complexity, the need for multi-focal and multi-cultural approaches, and the tension between desirable simplicity and indispensable precision that have come to characterize current arbitral practice and procedure. Among the topics covered are the following: remote hearings; reliance on digital technology; cost of arbitration in a post-COVID world; extension of the arbitration agreement to non-signatories; tailoring of ADR techniques to suit the needs of micro, small, and medium-sized enterprises; jurisdictions emerging as new arbitration hubs, e.g., Delaware, the Caribbean, Scotland; evolution of a code of conduct for adjudicators in investment disputes; and the reform of bilateral investment treaties. As Sanders's 1999 book did at the time, the chapters identify specific improvements and refinements to the entire system as it has developed over recent decades. The book will be a go-to resource for the arbitration community worldwide as a stocktaking of current and ongoing trends in international arbitration. It will enthuse the many lawyers, judges, legislators, and businesspeople to whom it is addressed.

International Arbitration in England 2022-08-09 Laila Hamzi There is no question that in recent years, the case law, practice and legal environment in which international arbitration in England is practised have all evolved and adapted to a changing world and continue to do so. In this book, a diverse range of practitioners chart this development with detailed consideration of

the challenges and opportunities for the future of international arbitration in England. The topics chosen often reflect and explore preoccupations of our times, including such aspects of arbitral practice as the following: challenges to arbitrators, with particular attention to the Supreme Court's findings in *Halliburton v. Chubb*; virtual hearings; diversity in international arbitration; climate change arbitration; 'green arbitration' practices; developing jurisprudence regarding enjoining foreign states in English proceedings; recovery of in-house costs in English-seated international arbitrations; overlapping sanctions regimes and their application to arbitral disputes in England; and the role and future of third-party funding. The fact that the essays were all written during the COVID-19 pandemic is reflected in the procedural issues which form the focus of some chapters, reminding us that when it comes, change can come quickly. For this reason, the deeply informed insights in this volume, intended as they are to ensure the continued evolution and success of international arbitration in England, will prove of immeasurable value for any practitioner making submissions before an arbitral tribunal. Jurists, academics and students will gain invaluable perspectives on the future trajectory of the field.

Environmental Interests in Investment Arbitration
2020-01-24 Flavia Marisi Environmental Interests in Investment Arbitration Challenges and Directions Flavia Marisi Economic growth, social inclusion, and environmental protection stand at the core of sustainable development, which aims to deliver long-term growth for current and future generations. Foreign Direct Investment (FDI) can play a key role in

sustainable development. Host states' benefits descending from FDI inflows include tax revenues, technology transfer, specialised training of local human resources, network with satellite activities, better availability of quality products and customer-centric services. These downstream effects jointly stimulate economic growth and social inclusion. This thoroughly researched book explores the relationship between environmental protection – the third component of sustainable development – and FDI. In practice, the intersection between environmental protection and foreign investment not only has generated remarkable success stories such as cross-sectoral green investment but has also in some instances led to severe cases of environmental degradation. Certain foreign investments resulted in open-pit mines leaking harmful substances into the soil, excessive deforestation, improper treatment of water, pollution of groundwater and contamination of mud pits following oil exploitation, leaving the host state with significant environmental damage. Some other cases have witnessed the host state withdrawing or infringing its own environmental policies, which could, in principle, lead to a decrease in the value of the foreign investment as a result of natural resources deterioration. In recent years, an increasing number of investment arbitration cases have seen a clash between the states' commitments towards their citizens, which include the duty to protect the environment, their health and well-being, and the commitment towards foreign investors to protect their investments. In this book, the author focuses on investor-state cases in which environmental protection measures have been contested and discusses substantive mechanisms in treaty drafting, rules of Customary

International Law, and interpretation doctrines, which are aimed at taking environmental concerns into consideration. The topics covered include the following: statistical analysis of investor-state cases where environmental protection measures have been contested; the role of environmental principles in investor-state arbitration; treaty mechanisms addressing environmental concerns; legal tools available under Customary International Law to address environmental interests; the application of the doctrines of proportionality, police powers, and margin of appreciation; and environmental counterclaims as an instrument to claim compensation for environmental damage. The author provides a detailed framework on the normative architecture, offers an extensive analysis of the relevant case law, and proposes concrete solutions to the identified clashes, aimed at refining the balance between environmental and investment protection. With its in-depth analysis and careful documentation, this book aptly captures the inherent fragmentation of international law and undoubtedly represents an invaluable resource for both international law practitioners and scholars. The solution-oriented approach adopted in the book will be welcomed by legal counsel, law firms, investment treaty negotiators, and decision makers at the different stages of investment lawmaking and practice, as well as by international institutions and academics.

Arbitration with the Arab Countries 2011-01-01 ?Abd al-
?am?d A?dab This book is intended to provide lawyers and businesses with an overview of the legal systems and processes in relation to arbitration in all the Arab jurisdictions in the Middle East and North Africa:

Algeria, Bahrain, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Qatar, Saudi Arabia, Sudan, Syria, Tunisia, United Arab Emirates, Yemen, In addition, there will be a chapter on Muslim arbitration law (Shari'a), the Amman Arab Convention on Commercial Arbitration (1987) and the Riyadh Arab Convention on Judicial Cooperation (1983). The new edition will be completely revised, updated, and expanded, providing commentary, an overview of case law, and translations of the relevant statutes. Each chapter will follow the same outline to ensure that they are as consistent and comparative as possible and will cover (but not be limited to) issues such as: the legal and judicial system, the agreement to arbitrate, the arbitrators, the proceedings, arbitral awards, the enforcement of the award, and the means of recourse.

Diversity in International Arbitration 2022-11-04 Shahla F. Ali After decades of focus on harmonization, which for too many represents no more than Western legal dominance and a largely homogeneous arbitration practitioner community, this ground-breaking book explores the increasing attention being paid to the need for greater diversity in the international arbitration ecosystem. It examines diversity in all its forms, investigating how best to develop an international arbitral order that is not just tolerant of diversity, but that sustains and promotes diversity in concert with harmonized practices.

The Technological Competence of Arbitrators 2023-11-25 Katia Fach Gómez Arbitration is facing revolutionary changes due to new technologies' irruption into the entire arbitration proceeding. Wide-ranging technical-

legal concepts such as e-discovery, e-hearing, cyber-security protocol, e-deliberations, algorithmic decision-making and digital signing have become part of life. Technology's impact on arbitration is unlikely to decrease after the COVID crisis; on the contrary, how the arbitration community positions itself vis-à-vis technology will be a key factor in determining arbitration's future. Faced with this challenging scenario, the book discusses a novel legal topic: arbitrators' relationship with this increasingly ubiquitous, rapidly-changing technology. This innovative book applies journalism's "5 W questions" to the underexplored issue of arbitrators' digital competence. It reaches a workable definition of what digital competence in the current arbitration context is, also providing answers to the essential question of why arbitrators' digital competence is relevant from legal and financial points of view. Attention then shifts to who, with reflections on arbitrators working in a highly technological context and clarification of their relationship with other legal and non-legal actors. The book equally offers an in-depth comparative study of the question of where arbitrators' technological competence is regulated, with critical analysis of soft and hard law provisions that may impose a digital competence duty. Finally, the book specifies when arbitrators need to be digitally competent and develops legal proposals regarding key procedural stages (initial conference, hearings) and legal topics (cybersecurity, data protection). The first study to scrutinise the rapidly changing relationship between arbitrators and technology, the book aims to spark a crucial debate among practitioners and scholars. Academically rigorous and using the latest legal material, it emphasises

arbitrators' needs, rights and duties in our technological age, presenting them alongside carefully selected practical topics. The unprecedented and well-grounded proposals for arbitrators' digital competence are intended to be a call to action for its broad target audience.

50 Years of the New York Convention 2009 A. J. van den Berg Volume 14 of ICCA Congress Series, The New York Convention at 50, comprises the proceedings of the ICCA Conference held in Dublin in 2008 on the fiftieth anniversary of the 1958 New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards. One of the highlights of the Conference was a Plenary Session in which the world's leading arbitration experts debated the need to revise the New York Convention. This discussion, along with the text of a preliminary draft of the revised Convention presented during the Conference, is reported in this volume. Further Reports and Commentary explore the two main themes of the Conference: Investment Treaty Arbitration/Treaty Arbitration, with contributions on: The Impact of Investment Treaty Arbitration: Identifying the Expectations, Testing the Assumptions; Investment Treaty Arbitration and Commercial Arbitration: Are They Different Ball Games? Remedies in Investment Treaty Arbitration: The Bottom Line; and The Enforcement of Investment Treaty Awards, and Rules-Based Solutions to Procedural Issues, with contributions on: Multi-party Disputes; Consolidation of Claims; Summary Disposition; and Provisional Measures. The volume also includes transcripts of the Round Table Session assessing the revisions to the UNCITRAL Rules on International Commercial Arbitration and of an Open Discussion on

Recent Developments in International Arbitration.

The Interpretation and Uniformity of the UNCITRAL Model Law on International Commercial Arbitration 2016-03-22 Dean Lewis Numerous jurisdictions worldwide have augmented their ratification of the New York Convention of 1958 with the UNCITRAL Model Law 1985 (UML), which takes a giant step forward toward global uniformity in legal application and understanding of the arbitration process. This book develops a standard or benchmark for the UML objective of uniformity, using the relevant legislation and case law of Hong Kong, Singapore, and Australia to consider whether a uniform approach to implementation of the UML and its interpretation is being achieved across those jurisdictions. The author's methodological tools are eminently adaptable to other jurisdictions. Given the importance of the ability to set aside an arbitral award, the body of case law on setting aside and the directly related area of enforcement, the emphasis throughout is on Article 34. In addition, the study considers: - the meaning of uniformity in law and in the context of the UML; - the correct approach to interpretation of the UML pre and post Article 2A; - the interpretational relationship between the UML and the Convention on Contracts for the International Sale of Goods (CISG); - the relationship between the UML and the New York Convention; - the degree of textual uniformity of Article 34 with the three jurisdictions focused on; and - the degree of applied uniformity of Article 34 both in terms of juristic methodology and similarity of results. The author, with more than thirty years of practice in the field of commercial arbitration in Hong Kong, has had access to voluminous cases spanning decades and brings

his specialist expertise to the subject. This book considers whether the UML has succeeded in its aim of achieving uniformity. It serves as a guide, both academic and practical, to exploring and adopting the correct approach to the interpretation of the UML as well as to the method of classification of court decisions under the UML. This study is of immeasurable academic and practical value.

Third Party Funding in International Arbitration 2023-02-14 Mohamed F. Sweify The author of Third Party Funding in International Arbitration challenges the structural inconsistencies of the current practices of arbitration funding by arguing that third party funding should be a forum of justice, rather than a forum of profit. The author introduces a new methodology with an alternative way of structuring third party funding to solve a set of practical problems generated by the risk of claim control by the funder.

The Evolution and Future of International Arbitration 2016-06-24 Stavros Brekoulakis The School of International Arbitration of the Centre for Commercial Law Studies at Queen Mary University of London celebrated its 30th anniversary in April 2015 with a major conference featuring presentations by 35 international arbitration practitioners and scholars from many countries representing a variety of legal systems. This volume has emerged from that conference. What is striking is not only the range and diversity of the topics examined but also the emergence of new subjects for examination, demonstrating that arbitration law and practice do not stand still but are constantly evolving. The issues and topics covered include the

following: - Evolution of case law and practice in international arbitration; - The concept and autonomy of arbitral award; - Parties in international arbitration; - Parallel proceedings in international arbitration; - Court review of arbitration awards; - Geographic expansion of international arbitration; - Counsel regulation and conflicts disclosures; - The use of technology in international arbitration; - Teaching and research in international arbitration. This superbly organised and edited volume, like earlier conference volumes from the School of International Arbitration, is sure to be welcomed and acclaimed, and like them will prove of lasting value.

International Arbitration and EU Law 2021-03-26 José R. Mata Dona This book examines the intersection of EU law and international arbitration based on the experience of leading practitioners in both commercial and investment treaty arbitration law. It expertly illustrates the depth and breadth of EU law's impact on party autonomy and on the margin of appreciation available to arbitral tribunals.

International Arbitration: Law and Practice in Switzerland 2015-10-22 Gabrielle Kaufmann-Kohler This book expounds the theory of international arbitration law. It explains in easily accessible terms all the fundamentals of arbitration, from separability of the arbitration agreement to competence-competence over procedural autonomy, finality of the award, and many other concepts. It does so with a focus on international arbitration law and jurisprudence in Switzerland, a global leader in the field. With a broader reach than a commentary of Chapter 12 of the Swiss Private

International Law Act, the discussion contains numerous references to comparative law and its developments in addition to an extensive review of the practice of international tribunals. Written by two well-known specialists - Professor Kaufmann-Kohler being one of the leading arbitrators worldwide and Professor Rigozzi one of the foremost experts in sports arbitration - the work reflects many years of experience in managing arbitral proceedings involving commercial, investment, and sports disputes. This expertise is the basis for the solutions proposed to resolve the many practical issues that may arise in the course of an arbitration. It also informs the discussion of the arbitration rules addressed in the book, from the ICC Arbitration Rules to the Swiss Rules of International Arbitration, the CAS Code, and the UNCITRAL Rules. While the book covers commercial and sports arbitrations primarily, it also applies to investment arbitrations conducted under rules other than the ICSID framework.

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Jonathan stepped outside, the dew-kissed grass beneath his feet reminding him of the earth's vitality. The town square, adorned with a water feature at its center, served as a gathering place for both young and old. Children laughed and engaged in games, their joy infectious and limitless. Older couples walked hand in hand, their faces etched with the knowledge of years lived and stories untold.

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The village, with its cobbled streets and charming storefronts, was just beginning to awaken. Shopkeepers opened their doors, welcoming each other with gestures and smiles. The community bakery sent out an alluring scent of cozy pastries, drawing in those passing by with promises of sweet delights. A feeling of community permeated the air, entwining through the existence of its inhabitants like an unseen thread.

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amidst the pantheon of literary titans, a new name has secured its place among the greats – Celeste Evergreen. Her debut novel, "Whirlwind Whispers|Tempestuous Tales|Echoes of Eternity", has not only taken the literary world by storm but has garnered an torrent of enthusiastic acclaim, painting it as the crowning masterpiece.

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the shores of the Uncharted Archipelago, where the sea whispered tales of sunken civilizations, a peculiar lighthouse stood sentinel. Its beams not only guided sailors through stormy nights but also revealed the forgotten memories of those who dared to venture into its mysterious glow. Join Captain Seraphina Stormrider as she

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On the eve of the Astounding Convergence, when the stars aligned in cosmic harmony, a single shooting star streaked across the night sky, carrying with it the fate of a small coastal village named Celestial Cove. Unbeknownst to the villagers, the celestial visitor bore a message written in constellations, heralding a destiny that would unfold with the turning tides.

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