

## **Collection Of Icc Arbitral Awards 1974 1985 Collection Of Icc Arbitral Awards Series Set**

International Chamber of Commerce Arbitration  
The Notion of Award in International Commercial Arbitration  
60 Years of the New York Convention  
Guerrilla Tactics in International Arbitration  
Interest in International Arbitration  
Interim and Emergency Relief in International Arbitration - International Law Institute Series on International Law, Arbitration and Practice  
Collection of ICC Arbitral Awards  
Recognition and Enforcement of International Commercial Arbitral Awards in Latin America  
Handbook of ICC Arbitration  
International Arbitration in the United States  
Arbitrators as Lawmakers  
The Evolution of International Arbitration  
Recognition and Enforcement of Foreign Arbitral Awards  
ICDR Awards and Commentaries  
Collection of ICC Arbitral Awards, 1986-1990: Recueil des Sentences Arbitrales de la CCI, 1986-1990  
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Yearbook Commercial Arbitration, Volume XLIV (2019)  
Collection of ICC Arbitral Awards  
Collection of ICC Arbitral Awards: 1986-1990  
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Construction Arbitration in Central and Eastern Europe  
Arbitral Institutions Under Scrutiny: ASA Special Series No. 40  
Collection of ICC Arbitral Awards, 1996-2000  
A Guide to the ICC Rules of Arbitration  
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International Commercial Arbitration  
Repertory of Practice of United Nations Organs  
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State Entities in International Arbitration  
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Legitimacy of Unseen Actors in International Adjudication  
Collection of ICC Arbitral Awards 2012 - 2015  
International Commercial Arbitration

### **International Chamber of Commerce Arbitration**

To an extent that may surprise many, international arbitral proceedings are prone to serious interference from the obstructive or even criminal behaviour of interested and 'stakeholders' and'. Numerous anecdotes involving not only bribery and subornation but actual violent threats of retaliation have emerged since the editors of this book addressed an audience at the Vienna Arbitration Days 2010, at which time they used the popular term guerilla and- denoting such tactics as ambushes, sabotage, and intimidation and- to evoke their topic, and called for effective means to combat this undermining of the integrity and popularity of international arbitration. Their call bore fruit, and this collection of contributions by a wide spread of seasoned arbitration practitioners and- the driving forces in their field and- as well as leading academics with distinguished backgrounds and reputations bears powerful witness to the importance of the subject. Going beyond anecdote, these authors adopt an analytic view of guerrilla tactics in arbitration as a broad collective of unconventional

means that undermine the mechanism's envisioned mode of operation. They offer eminently practical, and 'hands-on' discussions that give this topic foundation and elaborate on the issue in detail, from the perspectives of counsel, arbitrators, and arbitral institutions, to the specifics and intricacies of national and international litigation and the role of international institutions, to an intensive discussion on ethics in international arbitration, and and- most importantly and- the way forward. Among the specific topics are the following: dealing with state entities; sanctions available for arbitrators to curtail guerrilla tactics; influence of international institutions; and use of diplomatic channels. The book describes actual experiences from all major legal systems worldwide. Further practical guidance includes details of how to seek assistance from state courts, bar associations, the IMF, and the World Bank. As an invaluable source of knowledge and guidance, particularly as an instrument available to practitioners faced with arbitration guerrillas in jurisdictions all over the world, this book will rapidly become an indispensable handbook for use in difficult factual situations where time and means of recourse are limited.

## **The Notion of Award in International Commercial Arbitration**

Interest plays a vital and increasing role in international arbitration proceedings, with almost every case having an element of interest involved. However, until now, the topic has received very little attention, meaning that arbitrators have had very little concrete foundation on which to judge decisions on interest awards. This book is the first authoritative guidance to address this, providing a uniform approach to the awarding of interest in international arbitration. Interest in International Arbitration aligns arbitrators' decisions with standard commercial practice, offering a practical and logical approach to how interest should be awarded. It sets out traditional approaches that arbitrators have followed in the past, such as using conflict of law to apply a statutory rate from a given law, or awarding instead a subjectively 'reasonable' rate, and examines how these inconsistent approaches have resulted in a variety of awards and decisions. The author uses this analysis as a basis for a uniform approach to the issue: granting compound interest at appropriate rates unless constrained by truly mandatory law. The author sets out the calculation method, explores the benefits and limitations, and presents a thorough argument for the movement toward a uniform approach to interest awards.

## **60 Years of the New York Convention**

## **Guerrilla Tactics in International Arbitration**

The Collection of ICC Arbitral Awards 1996-2000 contains extracts of cases handled by the ICC Court of Arbitration, one of the world's most respected arbitral institutions. This most recent collection supplements three previous and successful

volumes containing awards from the periods 1974-1985, 1986-1990 and 1991-1995. This collection is a practical reference tool, containing three types of useful indexes incorporating information from all three volumes: a consolidated analytical table, in both English and French, contains extensive cross-references based on the terminology used in awards and case notes; a chronological index lists the awards; a key word index, also provided in both languages, allows the reader to locate the material of interest quickly and easily. In addition to providing a wealth of information in a highly accessible manner, this book includes case notes and expert commentaries on the awards. This publication is an indispensable reference work for anyone interested in international arbitration and in the reasoning of international arbitrators on the interpretation and application of contractual clauses, international conventions, and the law of international trade. It is invaluable to both scholars and practitioners involved in the drafting and negotiation of international commercial contracts and the resolution of international commercial disputes. Collection of ICC Arbitral Awards (CIAA) Vol. 4

## **Interest in International Arbitration**

This is the first of a regular compilation of arbitration awards in cases administered by the International Centre for Dispute Resolution (ICDR) of the American Arbitration Association. The book features articles and commentaries by many leading figures in international arbitration and summaries of important court decisions concerning ICDR arbitration cases in the United States and enforcement of ICDR awards outside the United States. Featuring over a dozen ICDR awards with commentaries, the ICDR Awards & Commentaries also includes articles and casenotes from a prestigious group of authors.

## **Interim and Emergency Relief in International Arbitration - International Law Institute Series on International Law, Arbitration and Practice**

This volume provides a concise overview of the legal principles and practice of international arbitration. It offers an accessible, straightforward introduction to the legal framework for international commercial arbitration, an introduction to international investment arbitration, and descriptions of the contemporary practice and tactics of international arbitration.

## **Collection of ICC Arbitral Awards**

The arbitral tribunal's responsibilities and tasks often do not end when it has rendered its award. Tribunals may be called to interpret their awards or correct clerical errors, the award may be sent back to them for amendments; arbitrators may have to comment on their awards or may be called as witnesses; they may be invited to continue even though all pending disputes have been decided; their fees may be challenged or they may have to claim tax reimbursements. These and other issues that arbitrators, parties and institutions have to face once the award has been rendered are examined by leading

authorities.

## **Recognition and Enforcement of International Commercial Arbitral Awards in Latin America**

The editors of Recognition and Enforcement of International Commercial Arbitral Awards in Latin America: Law, Practice and Leading Cases, present a country by country review of the law, practice and leading cases on the recognition and enforcement of international arbitration awards in the region.

## **Handbook of ICC Arbitration**

Handbook of ICC Arbitration provides expert analysis of the whole process of using and adhering to the ICC Arbitration Rules. It examines close up the diverse issues that can occur during an arbitration and hosts essential information related to arbitration on an international level with reference to published and unpublished awards and procedural orders, as well as to many decisions of national courts.

## **International Arbitration in the United States**

The Collection of ICC Arbitral Awards 1991-1995 contains extracts of cases handled by the ICC Court of Arbitration, one of the world's most respected arbitral institutions. This most recent collection supplements two previous and successful volumes containing awards from the periods 1974-1985 and 1986-1990. This collection is a practical reference tool, containing three types of useful indexes incorporating information from all three volumes: for the first time, a consolidated analytical table, in both English and French, contains extensive cross-references based on the terminology used in awards and case notes; a chronological index lists the awards; a key word index, also provided in both languages, allows the reader to locate the material of interest quickly and easily. In addition to providing a wealth of information in a highly accessible manner, this book includes case notes and expert commentaries on the awards. This publication is an indispensable reference work for anyone interested in international arbitration and in the reasoning of international arbitrators on the interpretation and application of contractual clauses, international conventions, and the law of international trade. It is invaluable to both scholars and practitioners involved in the drafting and negotiation of international commercial contracts and the resolution of international commercial disputes. Collection of ICC Arbitral Awards (CIAA) Vol. 3

## **Arbitrators as Lawmakers**

Investigates the legitimacy of 'unseen actors' (e.g. registries, experts) through an enquiry into international courts' and

tribunals' composition and practice.

## **The Evolution of International Arbitration**

This book examines how the Convention on the Recognition and Enforcement of Foreign Arbitral Awards, commonly known as The New York Convention, has been understood and applied in [insert number] jurisdictions, including virtually all that are leading international arbitration centers. It begins with a general report surveying and synthesizing national responses to a large number of critical issues in the Convention's interpretation and application. It is followed by national reports, all of which are organized in accordance with a common questionnaire raising these critical issues. Following introductory remarks, each report addresses the following aspects of the Convention which include its basic implementation within the national legal system; enforcement by local courts of agreements to arbitrate (including grounds for withholding enforcement), recognition and enforcement of foreign awards by local courts under the Convention (including grounds for denying recognition and enforcement), and essential procedural issues in the courts' conduct of recognition and enforcement. Each report concludes with an overall assessment of the Convention's interpretation and application on national territory and recommendations, if any, for reform. The New York Convention was intended to enhance the workings of the international arbitral system, primarily by ensuring that arbitral awards are readily recognizable and enforceable in States other than the State in which they are rendered, subject of course to certain safeguards reflected by the Convention's limited grounds for denying recognition or enforcement. It secondarily binds signatory states to enforce the arbitration agreements on the basis of which awards under the Convention will be rendered. Despite its exceptionally wide adoption and its broad coverage, the New York Convention depends for its efficacy on the conduct of national actors, and national courts in particular. Depending on the view of international law prevailing in a given State, the Convention may require statutory implementation at the national level. Beyond that, the Convention requires of national courts an apt understanding of the principles and policies that underlie the Convention's various provisions. Through its in-depth coverage of the understandings of the Convention that prevail across national legal systems, the book gives practitioners and scholars a much-improved appreciation of the New York Convention "on the ground."

## **Recognition and Enforcement of Foreign Arbitral Awards**

The past decade has seen a veritable explosion of investment treaty and other arbitration claims brought against sovereigns. Many of those cases have been filed before the International Centre for Settlement of Investment Claims (ICSID), which has its own self-contained rules for enforcement. Given this significant increase in sovereign cases and the issues attendant to sovereign immunity, this treatise is timely in addressing the various issues that arise in enforcing arbitral awards against sovereigns. One of the first questions posed to their counsel by clients considering the initiation of

an arbitration proceeding against a sovereign state is whether and how the resulting award can be enforced. The origin of the client's question is usually based in some knowledge that a state possesses sovereign immunity, along with an uncertain concern about the exceptions to such immunity and the difficulties of enforcement against a sovereign's assets. This uncertainty is understandable, especially in light of the sometimes confusing and even contradictory court decisions in certain jurisdictions. It is these inquiries in their broadest application that form the subject of this treatise. With contributions by eminent and experienced practitioners of the multiple issues that have arisen in various jurisdictions and the key cases that have created the law of enforcement of obligations against sovereigns, this book will provide access to valuable information, add to the transparency of this subject and further spur the consistent development of this area of law. This book is divided into three parts. The first part is general in nature and includes chapters encompassing the subjects of sovereign immunity in general (including both immunity from jurisdiction and immunity from enforcement), treaty obligations to honor awards, diplomatic protection by a claimant's government to obtain payment of awards, and conciliation and settlement. The second part of the book deals with the means of enforcing awards. Part three of this treatise addresses the enforcement issues that arise in specific jurisdictions in which enforcement against sovereign assets is often sought - in particular, the United States, the United Kingdom, Switzerland, France, The Netherlands, and South America.

## **ICDR Awards and Commentaries**

IAI Series No. 5 The International Arbitration Institute (IAI) series on international arbitration is a new periodic series of publications that will focus on cutting edge issues and developments in international arbitration. About the IAI: The International Arbitration Institute (IAI), an organization created under the auspices of the Comite Francais de l'Arbitrage (CFA), was created to promote exchanges international arbitration. The IAI is designed to promote exchanges on current issues in the field of international commercial arbitration. Its activities include the regular organization of international conferences, colloquiums, as well as conducting various research projects. About the book: Arbitrators routinely refer in their decisions to awards rendered by other arbitral tribunals that deal with the same issues. However natural it may seem to arbitrators and to parties who will refer to arbitral precedents in an attempt to support their position, such an approach raises many practical and theoretical questions: Is there such a thing as arbitral precedent? What weight should arbitrators give to decisions previously rendered by other arbitral tribunals? Can arbitral "case law" exist without consistency? Does such consistency exist? Is it necessary or simply desirable? What is the respective weight to be given to arbitral and national case law when arbitrators have to decide a case in accordance with a given law? These are some of the questions that this book explores, in the context of both international commercial arbitration and investment arbitration.

## **Collection of ICC Arbitral Awards, 1986-1990:Recueil des Sentences Arbitrales de la CCI,**

## **1986-1990**

### **Enforcement of Arbitral Awards Against Sovereigns**

The internal organisation and practices of operation of arbitral institutions are often not transparent and are rarely addressed in public discussions among arbitration practitioners. To shed some light on aspects of the internal organisation and operation of these institutions, ASA asked the MIDS (Geneva LL.M. in International Dispute Settlement) to conduct a broad survey of arbitral institutions based on a detailed questionnaire. The results are summarized in Chapter 1 of this volume. The further Chapters of this volume contain the presentations of the speakers at the ASA conference of 9 September 2011. They discuss responsibilities of the institutions in administering arbitration cases under their sets of rules in the different phases of an arbitral proceeding, from the constitution of the arbitral tribunal to supervision and quality control to financial aspects, such as cost control and the potential liability of arbitrators. In sum, this volume of the ASA Special Series contains a lot of interesting information for all arbitration practitioners and users of institutional arbitration services.

### **Yearbook Commercial Arbitration, Volume XLIV (2019)**

Construction Arbitration in Central and Eastern Europe Contemporary Issues Edited by: Crina Baltag & Cosmin Vasile The successful execution of a construction project is inextricably linked to the management of risks and the expeditious settlement of any disputes that may arise. In this regard, the wealth of experience gained by Central and Eastern European practitioners in dealing with complex issues arising in construction projects in the region is highly relevant to international arbitration. Thus, this timely book provides a combination of local expertise and cross-jurisdictional perspectives on topics that most often emerge in construction disputes and which resonate far beyond the specific region covered. The authors, all practitioners with significant expertise in international and domestic construction disputes in Central and Eastern European countries, focus on the following topics: the peculiarities of evidence in construction disputes; the probative value of dispute boards, as well as their enforceability; multi-party issues triggered by the participation of various stakeholders besides employer, contractor and subcontractors; provisional measures; arbitrability of contracts with public authorities; issues of liquidated damages; changes of legislation and costs over passage of time; time bar issues; and resolution of disputes related to construction projects as protected investments. Given the increasing number of disputes and the scarce resources available, this essential guide to contemporary topics in construction disputes, with its cross-border perspective, will prove invaluable to practitioners and to academics in the field of construction law and dispute resolution.

## **Collection of ICC Arbitral Awards**

The Public Policy Exception under the New York Convention: History, Interpretation, and Application describes in detail the drafting history of the public policy exception of Art. V (2) (b) of the New York Convention in order to determine the purpose the signatory states wanted to achieve with this clause. The book also explains how this clause is applied by the courts in many economically relevant states, and especially in Brazil, Russia, India, and China. In September 2012, the Indian Supreme Court, in a case entitled *Bharat Aluminium Co. v. Kaiser Aluminium Technical Service, Inc.*, announced a long expected decision practically reversing the judgments of *Bhatia International* and *Venture Global* and holding that Indian Courts are not permitted to set aside foreign arbitral awards. In this Revised Edition, the author explains and explores the reasoning of the Indian Supreme Court in this landmark decision and discusses the practical implications and consequences. *Public Policy Exception under the New York Convention: History, Interpretation, and Application* is of importance for all internationally active companies as well as for lawyers and courts. The book aids lawyers and companies in drafting arbitration clauses and in enforcing foreign arbitral awards. Often, judgments will not be enforced abroad; this is especially true with respect to an enforcement of foreign judgments in the BRIC countries. Therefore, internationally active companies and their advisors need guidance if and where foreign arbitral awards in their favor will be enforced abroad.

## **Collection of ICC Arbitral Awards: 1986-1990**

States get involved in international affairs either directly or through their instrumentalities. The activities of these instrumentalities raise many issues, two of which have given rise to significant recent developments both in arbitral and domestic case law. The first is whether and under what conditions a State may be held liable for the conduct of such instrumentalities on the basis of an investment treaty. This issue will be the subject of a systematic survey of ICSID and ICC case law and that of other arbitral tribunals so as to identify the circumstances in which such liability may arise. The second issue, which is addressed by State courts, is whether and under what conditions State instrumentalities that have a separate and autonomous legal personality may be held liable for the pecuniary obligations of the State. A comparative law study focusing in particular on solutions found in French, English and U.S. law will provide answers to the question as to whether an award holding a State liable may be enforced against the assets of instrumentalities of that State, where such instrumentalities are *prima facie* separate juridical persons.

## **Collection of ICC Arbitral Awards, 1986-1990: Recueil des Sentences Arbitrales de la CCI, 1986-1990**

International Commercial Arbitration tracks every phase of the international commercial arbitral process, including

designing arbitration agreements, jurisdictional issues, policies with respect to arbitrability, choosing arbitrators, arbitral proceedings, professional ethics of arbitrators and counsel, conflicts of interest, control mechanisms, and enforcement of awards.

## **International Arbitration**

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 XLIV (2019) includes: excerpts of arbitral awards made under the auspices of the International Chamber of Commerce (ICC); notes on new and amended arbitration rules, including references to their online publication; notes on recent developments in arbitration law and practice in Djibouti, India, the Republic of Maldives, New Zealand, Papua New Guinea, Sweden, and the United Arab Emirates, as well as the Prague Rules on the Efficient Conduct of Proceedings in International Arbitration; excerpts of 88 court decisions applying the 1958 New York Convention from 27 countries - including, for the first time, a selection of seven cases from Hungary, and cases from Fiji, Macao SAR, Panama, and the Caribbean Community - 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. Albert Jan van den Berg; excerpts from two decision applying the 1965 Washington (ICSID) Convention and four decisions applying the 1975 Panama (Inter-American) Convention, as well as a selection of eight 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.

## **Collection to ICC Arbitral Awards 1991-1995/Recueil Des Sentences Arbitrales de La**

The development of international arbitration as an autonomous legal order is one of the most remarkable stories of institution building at the global level over the past century. Today, transnational firms and states settle their most important commercial and investment disputes not in courts, but in arbitral centres, a tightly networked set of organizations that compete with one another for docket, resources, and influence. In this book, Alec Stone Sweet and Florian Grisel show that international arbitration has undergone a self-sustaining process of institutional evolution that has steadily enhanced arbitral authority. This judicialization process was sustained by the explosion of trade and investment, which generated a steady stream of high stakes disputes, and the efforts of elite arbitrators and the major centres to construct arbitration as a

viable substitute for litigation in domestic courts. For their part, state officials (as legislators and treaty makers), and national judges (as enforcers of arbitral awards), have not just adapted to the expansion of arbitration; they have heavily invested in it, extending the arbitral order's reach and effectiveness. Arbitration's very success has, nonetheless, raised serious questions about its legitimacy as a mode of transnational governance. The book provides a clear causal theory of judicialization using original data and analysis, and a broad, relatively non-technical overview of the evolution of the arbitral order. Each chapter compares international commercial and investor-state arbitration, across clearly specified measures of judicialization and governance. Topics include: the evolution of procedures; the development of precedent and the demand for appeal; balancing in the public interest; legitimacy debates and proposals for systemic reform. This book is a timely assessment of how arbitration has risen to become a key component of international economic law and why its future is far from settled.

## **Construction Arbitration in Central and Eastern Europe**

International Chamber of Commerce Arbitration is a hands-on guide providing a critical evaluation of the advantages and disadvantages at every step in the arbitral process including practical facts, figures, pragmatic suggestions and warnings. The book is essential to anyone who is involved in ICC arbitration, or who may have to consider the use of an ICC arbitration clause. Published in cooperation with the International Chamber of Commerce, this text covers every aspect of ICC arbitration. The authors, seasoned experts, provide a detailed description of the arbitral process from the formation of the agreement to arbitrate to the appeal of the enforcement, covering in detail the important rulings of the ICC and their potential impact on future awards. Appendices include a table of cases, table of arbitral awards, table of authorities, table of articles on the 1998 ICC Arbitration Rules, and a comprehensive index.

## **Arbitral Institutions Under Scrutiny: ASA Special Series No. 40**

## **Collection of ICC Arbitral Awards, 1996-2000**

The Collection of ICC Arbitral Awards 2012-2015 contains extracts of cases handled by the ICC Court of Arbitration, one of the world's most respected arbitral institutions. This most recent collection supplements six previous and successful volumes containing awards from the periods 1974-1985, 1986-1990, 1991-1995, 1996-2000, 2001-2007 and 2008-2011. This collection is a practical reference tool, containing three types of useful indexes incorporating information from all three volumes: - a consolidated analytical table, in both English and French, contains extensive cross-references based on the terminology used in awards and case notes; - a chronological index lists the awards; - a key word index, also provided in

both languages, allows the reader to locate the material of interest quickly and easily. In addition to providing a wealth of information in a highly accessible manner, this book includes case notes and expert commentaries on the awards. This publication is an indispensable reference work for anyone interested in international arbitration and in the reasoning of international arbitrators on the interpretation and application of contractual clauses, international conventions, and the law of international trade. It is invaluable to both scholars and practitioners involved in the drafting and negotiation of international commercial contracts and the resolution of international commercial disputes.

## **A Guide to the ICC Rules of Arbitration**

This book analyses how arbitrators make rules that guide, constrain, and define the process and substance of international arbitration. Providing a thorough and multidisciplinary analysis of the actors, process, and outcome of arbitral lawmaking, the study shows how arbitrators create principles of law through consistent arbitral decision-making and through interacting with other members of the arbitral community. This book investigates and responds to the following questions: - What is the relationship between international arbitration and the law and courts of the seat? - What is the role of international tribunals in assisting and controlling investment arbitration? - What is the scope of arbitrators' freedom in decision-making? - What constraints limit arbitrators' decision-making and contribute to consistency? - Is international arbitration capable of paying deference to past arbitral decisions? - Which rules have arbitrators created in procedural and substantive matters? - What is the role and status of consistent arbitral decisions? - Is there an arbitral legal system? The answers to these questions are drawn from actual arbitral decisions made available to the public, clarifying important issues about jurisdiction, procedure, applicable law, interpretation of substantive rules and instruments, and remedies. This is the first overarching study of whether and to what extent international commercial, and investment arbitrators create norms and even generate a legal system. As such, it will be of immeasurable and lasting value to arbitrators, practitioners, scholars, arbitral institutions, and international organizations worldwide, for all of whom it will not only clarify our understanding of arbitral decision-making and arbitrator-made rules, but also foster transparency and accountability in arbitral decision-making

## **Collection of ICC Arbitral Awards, 2008-2011**

The Collection of ICC Arbitral Awards 1991-1995 contains extracts of cases handled by the ICC Court of Arbitration, one of the world's most respected arbitral institutions. This most recent collection supplements two previous & successful volumes containing awards from the periods 1974-1985 & 1986-1990. This collection is a practical reference tool, containing three types of useful indexes incorporating information from all three volumes: . for the first time, a consolidated analytical table, in both English & French, contains extensive cross-references based on the terminology used in awards & case notes; . a chronological index lists the awards & contains references to legal literature; & . a key word index, also provided in both

languages, allows the reader to locate the material of interest quickly & easily. In addition to providing a wealth of information in a highly accessible manner, this book includes case notes & expert commentaries on the awards. This publication is an indispensable reference work for anyone interested in international arbitration & in the reasoning of international arbitrators on the interpretation & application of contractual clauses, international conventions, & the law of international trade. It is invaluable to both scholars & practitioners involved in the drafting & negotiation of international commercial contracts & the resolution of international commercial disputes.

## **Arbitration Law of Austria**

Interim and Emergency Relief In International Arbitration is a compilation of papers authored by some of the world's leading international arbitration practitioners. It addresses issues relating to obtaining interim measure orders, including the relevant applicable standards such as irreparable harm that various international courts and tribunals, under the ICSID, UNCITRAL, ICC, SCC, and some domestic law jurisdictions often apply. It also touches upon theoretical and practical issues involving compliance with and enforcement of interim measures in international arbitration. These issues naturally are raised in the context of an ongoing discourse where tribunals have different, at times imperfect tactics for encouraging compliance with their interim measures including drawing adverse inferences, issuing diplomatic statements against a sovereign stopping just short of ordering interim measures, splitting the sum of security for costs and allowing for reimbursement, and levying heavier damages against the non-complying party without changing the substantive aspects of the award. This book explores these methods and identifies the latest trends in this exciting area of international law. Interim and Emergency Relief In International Arbitration is intended for arbitrators, practicing attorneys, representatives of international arbitral institutions and academics, all of whom will find this book very useful. The compilation of papers and presentations in the book cover a number of jurisdictions including East Asia, the Middle East, Europe and North America.

## **Post Award Issues: ASA Special Series No. 38**

Worldwide interest in the recognition and enforcement of arbitral awards has never been higher, and the New York Convention of 1958, currently adhered to by 159 States including the major trading nations, remains the most successful treaty in this area of commercial law. This incomparable book, marking the Convention's 60th anniversary, provides a fully updated analysis of the Convention's application from international, comparative, and national perspectives. Drawing on a global conference held in Seville in April 2018 that was actively supported by UNCITRAL, the book's 27 chapters, by highly qualified international practitioners and academics from different jurisdictions, address the subject with critical eyes, well aware of current developments and future challenges in the field of arbitration. Among the issues and topics covered are the following: Multi-tiered dispute resolution clauses. Applicability of the UN Convention on the Use of Electronic

Communications in International Contracts. Complexities of enforcing orders determined by software. Enforcement of annulled awards. European Union law and the New York Convention. Enforcing awards against States and State entities. Sovereign immunity as a ground to refuse compliance with investor-State awards; Enforcement against non-signatories. Public policy exception. Arbitrating and enforcing foreign awards in specific countries and regions, including China, sub-Saharan Africa, and the ASEAN countries. Ample reference is made throughout to leading cases and practice. Familiarity with the intricacies of the New York Convention, as the most universally acknowledged framework in which cross-border economic exchanges can flourish, is essential for judges, practitioners, legal staff, business people, and scholars working with or applying international commercial arbitration anywhere in the world. This book's combination of highly thought-provoking topics and the depth with which they are addressed will prove invaluable to all interested parties

## **International Commercial Arbitration**

International commercial arbitration relies extensively on the possibility of enforcing arbitral decisions against recalcitrant parties. Because courts and arbitration laws across the world take contrasting approaches to the definition of awards, such enforcement can be problematic, especially in the context of awards by consent, and the recent development known as 'emergency arbitration'. In this timely and ground-breaking book, a young arbitration scholar takes us through the difficulties of defining the notion of arbitral award with a rare combination of theoretical awareness and attention to the procedural requirements of arbitral practice. In a framework using a comparative analysis of common law and civil law jurisdictions (specifically, England and France) and how each has regulated in different ways the equilibria between state justice and arbitral justice - and comparing each with the UNCITRAL Model Law - the book addresses such issues as the following: - the 'judicialization' of arbitration; - different models of arbitral adjudication and their impact on the notion of award; - what an award needs to contain to be enforceable; - awards on competence; - awards by consent; and - awards ante causam. The author employs a methodology that views arbitration as providing an institution for administering justice rather than as a purely contractual creature. To this end, rules of arbitral institutions (particularly the International Chamber of Commerce) are examined closely for their implications on what an award means. As a fresh look at the arbitral award by placing it in a broader context than is usually found, this book allows for a greater understanding of the functioning of international commercial arbitration. It is sure to become an international reference, and as such will be welcomed by arbitrators, practitioners at global law firms, companies doing transnational business, interested academics, and international arbitration centres in emerging markets.

## **Repertory of Practice of United Nations Organs**

This important casebook is based upon one of the leading books in the field Born's treatise, International Commercial

Arbitration. It offers a comprehensive approach to international commercial arbitration (focused on the New York Convention and UNCITRAL Model Law), while providing comparative examples drawn from state-to-state and investment arbitration. An easy-to-use chronological structure follows the course of an international arbitration. Features: Thoroughly revised to reflect amendments to UNCITRAL Rules, ICC Rules and other institutional arbitration rules New sections addressing IBA Guidelines on Party Representation in International Arbitration Revised to reflect amendments to representative national arbitration legislation in France, Singapore and elsewhere Streamlined excerpts of cases and awards; added excerpts of new arbitral awards on selected topics.

## **ICC Awards**

The ICC Rules of Arbitration constitute one of the world's oldest and most widely used sets of rules for the resolution of international commercial disputes. In 1998, shortly after the entry into force of the current version of the Rules, the First Edition of this book appeared and quickly became an indispensable resource for all those involved or interested in ICC arbitrations, including arbitrators, counsel, and parties. In this updated and revised edition, the authors two of the world's leading experts on ICC arbitration have revised the Guide in order to take stock not only of the evolution in ICC practice over the last seven years, but of new arbitral and judicial decisions bearing on the interpretation and application of the Rules and of developments in international arbitration practice generally. The Guide's notable features include: article-by-article commentary on the ICC Rules, enriched by the authors' personal involvement in their drafting and years of experience as arbitrators, counsel, and former Secretaries General of the ICC International Court of Arbitration; ample and greatly expanded references, in respect of the Rules' individual provisions, to relevant national court judgments and arbitral awards, together with extensive bibliographical sources; and up-to-date statistics on ICC arbitration and copies of all ICC rules on dispute resolution mechanisms in addition to arbitration. A truly comprehensive reference work on ICC arbitration practice, the Second Edition of the Guide will be of immeasurable value to corporate counsel, international lawyers, and business people, as well as to all those interested in the international arbitration process.

## **State Entities in International Arbitration**

The Collection of ICC Arbitral Awards 1996-2000 contains extracts of cases handled by the ICC Court of Arbitration, one of the world's most respected arbitral institutions. This most recent collection supplements three previous and successful volumes containing awards from the periods 1974-1985, 1986-1990 and 1991-1995. This collection is a practical reference tool, containing three types of useful indexes incorporating information from all three volumes: - A consolidated analytical table, in both English and French, contains extensive cross-references based on the terminology used in awards and case notes; - A chronological index lists the awards - A key word index, also provided in both languages, allows the reader to

locate the material of interest quickly and easily In addition to providing a wealth of information in a highly accessible manner, this book includes case notes and expert commentaries of the awards. This publication is an indispensable reference work for anyone interested in international arbitration and in the reasoning of international arbitrators on the interpretation and application of contractual clauses, international conventions, and the law of international trade. It is invaluable to both scholars and practitioners involved in the drafting and negotiation of international commercial contracts and the resolution of international commercial disputes.

## **Practitioner's Handbook on International Arbitration**

International Arbitration in the United States is a comprehensive analysis of international arbitration law and practice in the United States (U.S.). Choosing an arbitration seat in the U.S. is a common choice among parties to international commercial agreements or treaties. However, the complexities of arbitrating in a federal system, and the continuing development of U.S. arbitration law and practice, can be daunting to even experienced arbitrators. This book, the first of its kind, provides parties opting for "private justice" with vital judicial reassurance on U.S. courts' highly supportive posture in enforcing awards and its pronounced reluctance to intervene in the arbitral process. With a nationwide treatment describing both the default forum under federal arbitration law and the array of options to which parties may agree in state courts under state international arbitration statutes, this book covers aspects of U.S. arbitration law and practice as the following: .institutions and institutional rules that practitioners typically use; .ethical considerations; .costs and fees; .provisional measures; and .confidentiality. There are also chapters on arbitration in specialized areas such as class actions, securities, construction, insurance, and intellectual property.

## **International Arbitration**

Arbitration Law of Austria, with over 800 pages of commentary and analysis, provides the reader in a "one-stop-shop" manner with a concise but comprehensive tool for understanding and conducting arbitrations under the Austrian Arbitration Act and the Vienna Rules. Austria has taken account of international developments and revised its law on arbitration. The new Arbitration Act, which is based on the UNCITRAL Model Law, entered into force on 1 July 2006. Arbitration Law of Austria: Practice and Procedure has been designed to be a reference book for arbitration practitioners and everyone who wants to familiarize themselves in depth with Austrian arbitration law and practice (including the "Vienna Rules"). It gives a concise introduction and provides a practical commentary to each section of the new Arbitration Act and each article of the Vienna Rules. Section by section the book analyzes which case law rendered under the old regime still applies and, for the first time, summarises Austrian case law in English. In addition, five topics of particular interest are covered in detail: arbitration agreements and third parties; confidentiality in arbitration; arbitrators' liability, enforcement and recognition of

arbitral awards, and arbitration and bankruptcy.

## **Precedent in International Arbitration**

## **Public Policy Exception Under The New York Convention**

## **Legitimacy of Unseen Actors in International Adjudication**

V.3: " provides a detailed discussion of the issues arising from international arbitration awards. It includes chapters covering the form and contents of awards; the correction, interpretation and supplementation of awards; the annulment and confirmation of awards; the recognition and enforcement of arbitral awards; and issues of preclusion, lis pendens and staredecisis."--Descripción del editor.

## **Collection of ICC Arbitral Awards 2012 - 2015**

## **International Commercial Arbitration**

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