

The Freshfields Guide To Arbitration And Adr Clauses In International 3ed

Global Arbitration Review's Guide to Advocacy is a practical book for specialists and would-be specialists on how to be persuasive during international arbitration, featuring unique insight from well-known arbitrators on advocacy. The fully revised Second Edition is a useful tool for junior lawyers who wish to develop their advocacy skills, as well as a manual for civil trained lawyers who would like to feel more at ease with cross-examination as it breaks the arbitral process into key steps and explains the advocacy 'opportunity' that each represents (focusing on the principles at work rather than specifics). Woven throughout are gems from big name arbitrators - tips, complaints, musings and reminiscences - providing a new, 360-degree view of written and oral submissions. The Second Edition contains several new chapters and a fresh tranche of arbitrator contributions. While the first edition covers the basics through chapters on, inter alia, written submissions, cross-examination, opening submissions and closing arguments, this second edition delves deeper by exploring 'Cultural Considerations in Advocacy'. These are aimed at advocates raised within a particular national or regional style who wish to know what adjustments to make when in the international milieu; and vice versa. These chapters contain observations of help when some of the players in the arbitration - be they arbitrators, opponents or others - hail from Asia, Latin America, United States or the UK.

"This book, by a leading international arbitration practitioner, offers suggested language for every option that a drafter of an international arbitration clause may need. Following a succinct assessment of the choice between arbitration and litigation and commentary on the choices among arbitration fora and formats, the author presents an accessible how-to for drafting. While other works offer theory and a smattering of drafting tips, there is no other comprehensive collection of workable language, presented accessibly with easy-to-reference appendices. This book will be a standard reference for both in-house counsel and outside practitioners. This book provides, in an accessible format, clauses that address all the significant issues that contracting parties face, and in any event should consider, when they decide to draft a dispute resolution clause for an international contract. Those who wish immediate access to suggested language may turn directly to the Appendices. Those who wish to understand the analysis that leads to the suggested language should read the text."--Publisher's website.

International Commercial Arbitration and African States is a timely assessment of the arbitral process in the African context. The book focuses on the contribution that arbitration, and other methods of alternative dispute resolution, may make to the development of African states and peoples, while satisfying the legitimate expectations of inward investors and traders. Although focusing on dispute resolution regimes affecting or concerning African states and their nationals, the work will also have practical, policy and comparative implications for dispute resolution, commercial arbitration and foreign investment in other regions.

The 2007 volume of Contemporary Issues in International Arbitration and Mediation - The Fordham Papers is a collection of important works in the field written by the speakers at the 2010 Fordham Law School Conference on International Arbitration and Mediation.

The Fordham Papers (2011)

Guide to Advocacy

The Functions of Arbitral Institutions

Student Version

The Chamber of Arbitration of Milan Rules: A Commentary

For many parties to international contracts, arbitration has proven to be an effective means of dispute resolution. Too many of these agreements, however, still founder on the rock of a defective dispute resolution clause. This text shows practitioners how to avoid this common obstacle by drafting comprehensive contract provisions at the outset. With this updated edition, lawyers and business people will negotiate contracts that ensure a clear-cut resolution of any dispute likely to arise. Taking into account the many significant developments in the law and practice of international arbitration.

This volume celebrates the first fifty years of the International Centre for Settlement of Investment Disputes (ICSID) by presenting the landmark cases that have been decided under its auspices. These cases have addressed every aspect of investment disputes: jurisdictional thresholds; the substantive obligations found in investment treaties, contracts, and legislation; questions of general international law; and a number of novel procedural issues. Each chapter, written by an expert on the chapter's particular focus, looks at an international investment law topic through the lens of one or more of these leading cases, analyzing what the case held, how it has been applied, and its overall significance to the development of international investment law. These topics include: - applicable law; - res judicata in investor-State arbitration; - notion of investment; - investor nationality; - consent to arbitration; - substantive standards of treatment; - consequences of corruption in investor-State arbitration; - State defenses - counter-claims; - assessment of damages and cost considerations; - ICSID Arbitration Rule 41(5) objections; - mass claims, consolidation and parallel proceedings; - provisional measures; - arbitrator challenges; - transparency and amicus curiae; and - annulment. Because the law of international investment continues to grow in importance in an ever globalizing world, this book is more than a fitting way to mark the past fifty years and to welcome the next fifty years of development. It will prove both educational for practitioners new to the field and informative for seasoned investment lawyers. Moreover, the book itself is a landmark that will be of great value to professionals, scholars and students interested in international investment law.

The Leading Arbitrators' Guide to International Arbitration Third Edition offers thoughtful advice and insights into the world of international arbitration from some of the most prominent and experienced international arbitrators in the world. The contributors are arbitrators from Australia, Belgium, Canada, Chile, Denmark, England, France, Germany, Italy, The Netherlands, Italy, Spain, Sweden, Switzerland and the USA. The contributors offer insights and advice on the way in which international arbitrations are carried out from the point of view of arbitrators reading pleadings and memorials and listening to witnesses and hearing arguments. The authors' discussions are intended to be thoughtful, insightful and useful - and perhaps, occasionally, iconoclastic. As a result, there may be instances in which the authors disagree with one another on certain points. This is to be expected for there are often many routes that can be taken to achieve a result. The book will be useful not only to persons who may serve as arbitrators in international arbitral proceedings but also to those who may, in their position as advocates, wish to persuade persons -- including, perhaps, the authors.

With this newly updated edition of the Freshfields Guide to Arbitration Clauses in International Contracts - still in the concise, attractive format that made the original so popular - lawyers and business people will confidently negotiate contracts that ensure a speedy, clear-cut resolution of any dispute likely to arise. Taking into account the many significant developments in the law and practice of international arbitration that have occurred over the years since the previous editions, it offers: ; clear, uncomplicated contract-drafting advice, derived from the authors' wide-ranging practical experience; model clauses that ensure the effectiveness of dispute resolution provisions - and avoid pitfalls, and important reference materials.

A Guide to the SIAC Arbitration Rules

ICDR Awards and Commentaries
Foreign-Related Arbitration in China
Guide to Construction Arbitration

Taming the Guerrilla in International Commercial Arbitration

The Chamber of Arbitration of Milan Rules: A Commentary is a Guide to the 2010 revision of the Arbitration Rules of the Arbitration Chamber of Milan (CAM). The Guide consists of article-by-article commentary on the Rules, made by prominent scholars and arbitrators, both Italians and non Italians. CAM started its activities in the administration of domestic and international arbitrations more than 20 years ago. It has a case load of about 150 new cases per year. Additional information on CAM can be found on its website www.camera-arbitrale.it.

Doing Business in China provides over 3,000 pages of extensive and comprehensive analysis on Chinese business and commercial law and practice. This work is the most thorough reference and guide to all major areas of business law and investment in the People's Republic of China, and offers a wide-ranging analysis and commentary on Chinese business laws. For over thirty years Doing Business in China has been one of the premier sources of practical information and analysis on issues affecting foreign investment in China. This multi - volume treatise captures the collective experiences and knowledge of prominent practitioners and business and legal experts with respect to the essential areas of PRC investment and commercial law. Designed for those who are either planning to invest in China or who already have an established presence, Doing Business in China provides a detailed examination of all relevant legislation and practice in China that affects business and investment. It also closely examines key issues and potential pitfalls involved in all areas of business and investment.

The London Court of Arbitration (LCIA) is one of the world's foremost arbitration institutions, with a growing annual caseload. The LCIA Arbitration Rules are among the most modern and forward-looking of the various sets of institutional arbitration rules but until now have not been the subject of in-depth study. This is the first full length and comprehensive commentary on the rules, written by two well-known and experienced arbitration practitioners. Portable and functional, this book acts as a guide and provides an indispensable resource for all involved in international arbitration under the LCIA rules. Grouped thematically, the commentary to each rule provides 1) a description of the rule and its intended meaning 2) the provenance and history of the rule 3) the practical effect of the rule with reference to previous case law and jurisprudence and 4) a comparative look at conceptual and practical differences between each rule. Focusing specifically on how the rules of the LCIA differ from those of the ICC and the UNCITRAL, this title emphasises the international nature of the LCIA and provides the only dedicated reference to the Rules.

The 2011 volume of Contemporary Issues in International Arbitration and Mediation - The Fordham Papers is a collection of important works in the field written by the speakers at the 2011 Fordham Law School Conference on International Arbitration and Mediation.

Arbitration in Asia - 2nd Edition

International Commercial Arbitration and International Maritime Law from a German and Russian Perspective

Doing Business In China

Cambridge Compendium of International Commercial and Investment Arbitration

Contemporary Issues in International Arbitration and Mediation: The Fordham Papers (2007)

Pr é sentation de l' é diteur : "In recent years, a growing body of provisions called "protocols," "guidelines," "checklists" or even "rules" has emerged in international arbitration. Unlike national or international law, or institutional arbitral rules, these provisions are not "mandatory" for arbitration participants. They range from provisions that can be incorporated into the parties' agreement to arbitrate to suggestions as to the best practices that arbitrators and other arbitration participants may choose to follow. These materials are often collectively referred to as "soft law." Soft Law in International Arbitration provides a guide to what the editors consider to be the most useful of such materials. The book organizes these materials into five categories, each introduced with commentary by a prominent member of the international arbitration community. Thus, the eighteen documents contained in this book can be regarded as helping to fill in the spaces that substantive law and arbitration rules have intentionally left blank. Soft Law in International Arbitration is an indispensable commentary for practitioners and academics alike."

While thousands of cross-border disputes are successfully resolved each year through institutional arbitration, there appears to be little understanding of the functions exercised by arbitral institutions and their impact on the proceedings they administer. Much like the user of a computer may operate, with relative success, a machine which he does not fully comprehend, users of institutional arbitration have for many decades resolved their disputes successfully through institutional arbitration without fully understanding the precise nature of the functions of what is a key player in the process. This book rectifies this paradoxical gap. It offers a clear yet nuanced overview of the diverse and complex reality of institutional arbitration, while challenging the assumptions conventionally held as to the role of arbitral institutions. This book is the product of a systematic study of the activities performed by over forty leading international arbitration institutions worldwide in their administration of cases (including the ICC, LCIA, ICDR, SCC, SIAC, HKIAC, JAMS, CIETAC, KLRCA, DIS, DIA, NAI, CEPANI etc.). This book also examines a wealth of court decisions and bibliographical sources from the leading civil law and common law jurisdictions (e.g., France, England & Wales, the United States, Switzerland, Germany). This book is invaluable to academics and practitioners interested in furthering their theoretical and practical understanding of institutional arbitration and arbitral institutions.

Global Arbitration Review's The Guide to Damages in International Arbitration is a desktop reference work for those who'd like greater confidence when dealing with the numbers. The guide, edited by John A. Trenor of Wilmer Cutler Pickering Hale and Dorr LLP, covers all aspects of damages - from the legal principles applicable, to the main valuation techniques and their mechanics, to industry-specific questions, and topics such as tax and currency. For each of the major methodologies employed by damages experts the book describes the basics of the approach, the areas of general agreement, and the points at which consensus can break down. The book acts as a compass for non-accountants and non-economists, enabling them to argue or umpire the damages part of cases more effectively. This guide contains 27 chapters, sectioned into four parts: I. Legal Principles Applicable to the Award of Damages II. Procedural Issues and the Use of Damages Experts III. Approaches and Methods for the Assessment and Quantification of Damages IV. Industry-Specific Damages Issues. Contributors include top names at organisations like White & Case LLP, Freshfields Bruckhaus Deringer LLP, PricewaterhouseCoopers LLP and Victoria University. 'The Global Arbitration Review Guide to Damages in International Arbitration covers most issues likely to be faced by arbitrators, counsel and experts. The twenty-six chapters are written by experts in their respective fields. Their advice is down to earth and practical. The Guide fulfills the aim described by John Trenor in his Introduction: 'to make the subject of damages in international arbitration more understandable and less intimidating for arbitrators and other participants in the field and to help participants present these issues more effectively to tribunals.' - Anthony Connerty, Barrister in practice, IDR Group and 4-5 Gray's Inn Square Multi-Party and Multi-Contract Arbitration in the Construction Industry provides the first detailed review of multi-party arbitration in the international construction sector. Highly practical in approach, the detailed interpretation and assessment of the arbitration of multi-party disputes will facilitate understanding and decision making by arbitrators, clients and construction contractors.

A Global Guide, Second Edition
Guide to ICSID Arbitration
Soft Law in International Arbitration
The Law, Economics and Culture of Arbitration
A Practical Guide

Investment arbitration is at the cutting edge of international law and dispute resolution, and is predicted to be a major factor in the development of the global economic system in years to come. This one-volume monograph contains contributions from leading experts on a wide range of topics of both theoretical importance and practical implication that will affect the future of investment arbitration. The highly innovative chapters combine to form a constructive and valuable discussion for all in the arbitration field. The contributors, chosen to represent the full spectrum of perspectives, are leading arbitration experts from all over the world, including ICSID insiders, US government officials, UNCTAD research personnel, seasoned investment arbitrators and counsel, and renowned legal scholars. The book is divided into three themes, with the first centering on the adequacy of UNCITRAL and ICSID arbitration rules, with particular attention to recent and proposed changes. The second theme focuses on the future of bilateral investment treaties, discussing trends in the interpretation of treaty provisions and the debate concerning the efficacy of the treaties in benefiting developing countries. The third theme revolves around the public function of investment arbitration decisions, including the use of arbitration to resolve disputes between sovereigns and the arbitrators' role as a guardian of international public policy. The Future of Investment Arbitration is unique in its outstanding range of topics and the expertise of the contributors. It previews and guides future directions in the field, as well as discussing the larger policy implications of specific rules. It includes cutting-edge analysis of empirical research regarding BITS that is essential to evaluating many assumptions about investment law and arbitration. Finally, the book takes a broad perspective, examining the rules discussed within the larger structural context of investment arbitration, and drawing investment arbitration into the wider setting of international law and corporate governance.

Introduction --The Introduction of the 2012 PCA Rules --Introductory Rules (PCA Rules, Articles 1-6) --Composition of the Arbitral Tribunal (PCA Rules, Articles 7-16) --Arbitral Proceedings (PCA Rules, Articles 17-32) --The Award (PCA Rules, Articles 33-43).

Redfern and Hunter on International Arbitration is an established treatise on the law and practice of international arbitration, the pre-eminent method for the peaceful resolution of disputes in international trade, investment, and commerce. This book serves as an introduction, following the chronology of an arbitration from the drafting of the arbitration agreement right through to the enforcement of the arbitral award. Written by an author team with extensive experience as counsel and arbitrators, the book has been read and cited by international lawyers, arbitrators, and judges, and has become a key learning text for teachers, students, and potential arbitrators in colleges and universities across the world. The seventh edition has been significantly revised to incorporate the latest significant developments in the field, including changes in investor state dispute resolution, leading court decisions on arbitration matters in a wider number of jurisdictions, changes in the 'soft law' of leading international arbitral institutions and of the International Bar Association, and the impact of the COVID-19 pandemic on the practice of international arbitration. This shorter, paperback edition does not include the appendices.

This is the first text to provide a comprehensive rule-by-rule commentary of the inception, interpretation, and application of the SIAC Rules, written by practitioners with extensive experience in South East Asia arbitrations. Practical and strategic in approach, this book provides useful guidance for practitioners whilst also delivering commentary and thematic analysis to highlight the connections between the SIAC rules and those of other institutions. The book begins with an introduction to Singapore arbitration, both practical and legal, and is followed by an overview of SIAC arbitration, including the different stages of a typical case and the corporate structure of SIAC. Every rule is then examined in detail on a thematic basis, starting with the commencement of an arbitration and working up to and including the rendering of an award and the determination of costs. This new edition has been fully updated to include the 2016 SIAC Rules, and also contains additional chapters on the new rules on multiple contracts, consolidation, and joinder, the early dismissal of claims and defences, and the SIAC Investment Arbitration Rules (2017). Relevant supporting documents are appended, including SIAC Practice Notes and the SIAC Code of Ethics for Arbitrators. This book stands alone as a comprehensive exposition of SIAC arbitration, and is indispensable for any practitioner involved in arbitration in Asia.

The First 50 Years of ICSID

The Guide to Challenging and Enforcing Arbitration Awards

China-Africa Dispute Settlement

Dispute Resolution in China

International Arbitration

Dispute Resolution in China provides an up-to-date summary, commentary and analysis of how disputes are settled in today's China. Like in many other jurisdictions, litigation and arbitration are the main dispute resolution methods to settle large commercial disputes in China. While litigation is more commonly used in domestic commercial disputes, arbitration is the most popular dispute resolution method among foreign parties who conduct business in China or with Chinese parties. Each of the chapters contained in this book deals with a selected topic in dispute resolution and is authored by a leading expert in the field. This book is a necessary resource for arbitration and litigation attorneys, as well as other professionals conducting business in China's increasingly regulated and complex business environment.

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 London Court of Arbitration (LCIA) is one of the world's foremost arbitration institutions, with a growing annual caseload. The LCIA Arbitration Rules are among the most modern and forward-looking of the various sets of institutional arbitration rules. Since the publication of the first edition of this authoritative text, the LCIA's caseload has experienced consistent and rapid growth resulting in the issuance of a new version of the LCIA's arbitration rules due summer 2014. The second edition of this comprehensive commentary on the rules is written by two well-known and experienced arbitration practitioners. Portable and functional, this book acts as a guide and provides an indispensable resource for all involved in international arbitration under the LCIA rules. Grouped thematically, the commentary to each rule provides 1) a description of the rule and its intended meaning 2) the provenance and history of the rule 3) the practical effect of the rule with reference to previous case law and jurisprudence and 4) a comparative look at conceptual and practical differences between each rule. Focusing specifically on how the rules of the LCIA differ from those of the ICC and the UNCITRAL, this title emphasises the international nature of the LCIA and provides the only dedicated reference to the Rules.

This overview and analysis of current arbitration law and practice in mainland China offers critical analysis of significant Chinese arbitration law materials and key cases decided by the Supreme People's Court of the People's Republic of China (PRC). It also provides the full texts of around two hundred decisions of the Supreme People's Court of the PRC dating from 1990 to 2013, with enclosures of lower People's Courts' decisions presented in a systematic fashion. The analysis not only highlights the importance of the materials, judicial interpretations and key cases, but also enables readers to read mainland Chinese statutes, judiciary interpretations and cases independently and confidently.

International Commercial Arbitration

Levelling the Playing Field

Multi-Party and Multi-Contract Arbitration in the Construction Industry

Enforcement of Investment Treaty Arbitration Awards

Leading Arbitrators' Guide to International Arbitration - Third Edition

This book is intended as an easily accessible desktop resource for lawyers who regularly counsel businesses when negotiating international deals, and for those who represent the same clients in achieving a successful resolution when disputes emerge. The text is divided into chapters that follow the life cycle of an international commercial dispute as seen through the eyes of the parties, from when they agree how to resolve disputes in their contracts to the endgame of enforcement. Additionally, the appendices include a number of model submissions for further reference.--Provided by publisher.

Asia has witnessed an extraordinary growth in the use of international arbitration in the past two decades. Arbitration in Asia is an ideal reference to guide practitioners and business people in the proper selection of a suitable arbitral seat or jurisdiction in Asia. The book includes substantive chapters reflecting detailed commentary and analysis on 18 Asian jurisdictions from the area's leading arbitration practitioners and experts. The materials in this looseleaf volume provide a practical reference guide and resource tool for the law and practice of international commercial arbitration in Asia.

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 Kr ö ll, 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

This book contains contributions to two joint seminars organized by the Universities of Kiel and St. Petersburg. Both international commercial arbitration and maritime law are characterized by a mixture of international and national sources. The two subjects are brought together here in one volume as maritime disputes often go to arbitration and both areas show, from a theoretical perspective, a number of interesting parallels and differences. Germany and Russia have ratified the major conventions in these fields, but many issues are left to domestic law and deserve a comparative evaluation.

Redfern and Hunter on International Arbitration

Practice, Participation and Institutional Development

A Guide to the LCIA Arbitration Rules

International Commercial Arbitration and African States

International Arbitration and Mediation

International Commercial Arbitration is an authoritative 4,250 page treatise, in three volumes, providing the most comprehensive commentary and analysis, on all aspects of the international commercial arbitration process that is available. The Third Edition of International Commercial Arbitration has been comprehensively revised, expanded and updated, To include all legislative, judicial and arbitral authorities, and other materials in the field of international arbitration prior to June 2020. It also includes expanded treatment of annulment, recognition of awards, counsel ethics, arbitrator independence and impartiality and applicable law. The revised 4,250 page text contains references to more than 20,000 cases, awards and other authorities and will enhance the treatise ’ s position as the world ’ s leading work on international arbitration. The first and second editions of International Commercial Arbitration have been routinely relied on by courts and arbitral tribunals around the world ((including the highest courts of the United States, United Kingdom, Singapore, India, Hong Kong, New Zealand, Australia, the Netherlands and Canada) and international arbitral tribunals (including ICC, SIAC, LCIA, AAA, ICSID, SCC and PCA), e.g.: U.S. Supreme Court – GE Energy Power Conversion France SAS, Corp. v. Outokumpu Stainless USA, LLC, 590 U.S. - (U.S. S.Ct. 2020); BG Group plc v. Republic of Argentina, 572 U.S. 25 (U.S. S.Ct. 2014); Canadian Supreme Court – Uber v. Heller, 2020 SCC 16 (Canadian S.Ct.); Yugraneft Corp. v. Rexx Mgt Corp., [2010] 1 R.C.S. 649, 661 (Canadian S.Ct.); U.K. Supreme Court – Jivraj v. Hashwani [2011] UKSC 40, ¶ 78 (U.K. S.Ct.); Dallah Real Estate & Tourism Holding Co. v. Ministry of Religious Affairs, Gov ’ t of Pakistan [2010] UKSC 46 (U.K. S.Ct.); Swiss Federal Tribunal – Judgment of 25 September 2014, DFT 5A_165/2014 (Swiss Fed. Trib.); Indian Supreme Court – Bharat Aluminium v. Kaiser Aluminium, C.A. No. 7019/2005, ¶ ¶ 138-39, 142, 148-49 (Indian S.Ct. 2012); Singapore Court of Appeal – Rakna Arakshaka Lanka Ltd v. Avant Garde Maritime Servs. Ltd, [2019] 2 SLR 131 (Singapore Ct. App.); PT Perusahaan Gas Negara (Persero) TBK v. CRW Joint Operation, [2015] SGCA 30 (Singapore Ct. App.); Larsen Oil & Gas Pte Ltd v. Petroprod Ltd, [2011] SGCA 21, ¶ 19 (Singapore Ct. App.); Australian Federal Court – Hancock Prospecting Pty Ltd v. Rinehart, [2017] FCAFC 170 (Australian Fed. Ct.); Hague Court of Appeal – Judgment of 18 February 2020, Case No. 200.197.079/01 (Hague Gerechtshof); Arbitral Tribunals – Lao Holdings NV v. Lao People's Democratic Republic I, Award in ICSID Case No. ARB(AF)/12/6, 6 August 2019; Gold Reserve Inc. v. Bolivarian Republic of Venezuela, Decision regarding the Claimant ’ s and the Respondent ’ s Requests for Corrections, ICSID Case No. ARB(AF)/09/1, 15 December 2014; Total SA v. The Argentine Republic, Decision on Stay of Enforcement of the Award, ICSID Case No. ARB/04/01, 4 December 2014; Millicom Int'l Operations B.V. v. Republic of Senegal, Decision on Jurisdiction of the Arbitral Tribunal, ICSID Case No. ARB/08/20, 16 July 2010; Lemire v. Ukraine, Dissenting Opinion of Jürgen Voss, ICSID Case No. ARB/06/18, 1 March 2011.

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.

The nature and magnitude of the growth in China-Africa economic relations in recent years is unprecedented and extraordinary. According to recent estimates, the value of China ’ s trade with African nations grew from a mere USD 10 million in the 1980s to USD 55 billion in 2006, and to more than USD 100 billion by the end of 2009, at which time nearly 1,600 Chinese companies were doing business in Africa with a direct stock investment of about USD 7.8 billion. The accelerating impetus of China-Africa trade has overtaken some crucially important features of an effective trade regime, most notably a fully trustworthy dispute resolution system. It is the current and potential future efficacy of such a system that is taken up in this book with great understanding and skill. The author evaluates existing mechanisms of dispute resolution in all aspects of China-Africa economic relations in light of the parties ’ economic and cultural profiles and their evolving legal traditions, and goes on to propose a comprehensive institutional model of dispute resolution that takes full account of the economic needs and legal cultures of both China and the various African countries. Among the topics and issues that arise in the course of the book are the following: suitability of the WTO ’ s dispute resolution mechanism for China-Africa trade relations; domestic, bilateral,

regional, and multilateral law sources affecting China-Africa commerce; the role of intra-Africa bilateral investment treaties; competing interests that underpin international investment law; relevant legal, economic, and political challenges and cultural barriers; permissible scope of regional trade regimes; national treatment versus duty to compensate; and harmonization initiatives—model laws, incoterms, restatements. The author includes in-depth analysis of how China-Africa economic relations fare in the varieties of dispute resolution methods available at the major arbitral European and American institutions—ICSID, AAA, ICC, LCIA, PCA—as well as under the rules of the China International Economic and Trade Arbitration Commission (CIETAC) and the important arbitral fora in Cairo, Kuala Lumpur, and Lagos. Endorsing institutional arbitration as the most appropriate form of resolving trade, investment, and commercial disputes arising between China and African countries, this ground-breaking analysis outlines the obstacles and shortcomings of the available means of dispute settlement, both in international and domestic contexts, and offers deeply informed recommendations for improvement of the existing system. Although the book will be welcomed by interested scholars and practitioners for its detailed discussion of how China-Africa trade relations are situated within the global trade regime, its most enduring value lies in its thorough evaluation of the available options and its proposals for structuring a legal framework within which future disputes will be effectively resolved. The growth in cross-border investments in an increasingly globalised economy means that there are more international disputes between foreign investors and states than ever before. Spearheaded by leading arbitration practitioner, Julien Fouret, this second edition brings together more than 70 experts to provide substantive analysis of recurring issues at the award enforcement stage plus practical perspectives on enforcing awards based on investment treaties.

Arbitration Clauses for International Contracts - 2nd Edition

A Guide to the PCA Arbitration Rules

The Freshfields Guide to Arbitration and ADR Clauses in International Contracts

Commentary and Cases

A Guide to the Lcia Rules 2e

Global Arbitration Review's The Guide to Construction Arbitration - edited by Stavros Brekoulakis and David Brynmor Thomas - takes the reader through the essential details of preparing, mitigating and managing construction disputes internationally. These include preparing contracts and guarantees, setting up dispute boards, organising proceedings in arbitrations, analysing documents and evidence and navigating within particular industries and regions. With contributions from the world's leading experts, the Guide is organised into 4 sections: I. International Construction Contracts II. International Arbitration for Construction Disputes III. Select Topics on Construction Arbitration IV. Regional Construction Arbitration.

Previous edition, 1st, published in 2004.

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.

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.

Guide to Damages in International Arbitration

The Future of Investment Arbitration

Cases and Materials

Building International Investment Law

The 1958 New York Convention in Action