

INTERNATIONAL COUNCIL FOR COMMERCIAL ARBITRATION

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Arbitration Act 1996 Robert Merkin, Louis Flannery, 2014-03-14 This book is an essential resource for any legal practitioner involved in any aspect of English arbitration law It provides a thorough annotation of the Arbitration Act 1996 and contains comprehensive explanations of developments in the relevant case law to each section of the Act Since the fourth edition of this book the English courts have decided many important new cases on virtually every aspect of arbitration law The most important developments relate to The growth of anti arbitration injunctions The use of freezing injunctions against third party assets and the availability of anti suit injunctions in EU proceedings The definition of seat the appointment of arbitrators choice of applicable law jurisdiction the form of the award and the slip rule Enforcement of foreign awards and challenges to domestic awards by way of jurisdictional attacks serious irregularity or error of law In this 5th edition the notes to each section contain helpful sub headings and a new Appendix will contain a fully annotated version of CPR Part 62 and the Practice Direction The book will also be useful for academics and university students of law at all levels seeking an understanding of the 1996 Act including those on the Legal Practice Course

Recognition and Enforcement of Foreign

Arbitral Awards in Theory and in Practice Ihab Abdel Salam Amro, 2014-03-26 This book initiates a discussion of the law and practice of recognition and enforcement of foreign arbitral awards in both common law and civil law countries. In terms of law, this book principally focuses on the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1958 and the harmony or clash between the New York Convention and national arbitration laws of both common law and civil law countries, including the UK and the USA as common law countries and France, Germany, and Greece as civil law countries. In terms of practice, this book deeply and extensively examines the judicial application of the New York Convention in national courts of common law and civil law countries and sheds light on the best practices related to the judicial application of the New York Convention while also highlighting how future disputes can be resolved in national courts. As such, this book provides solutions for salient and recurring problems arising out of the erroneous judicial application or interpretation of the New York Convention by national courts and encourages the adoption of a more liberal regime in favour of the recognition and enforcement of foreign arbitral awards generally and the adoption of a more liberal interpretation of the New York Convention in national courts of both common law and civil law countries particularly. This book, which is based on more than 100 courts' decisions from common law and civil law countries, is a valuable resource for academics, arbitrators, practicing lawyers, corporate counsels, law students, and researchers interested in international commercial arbitration as well as for business professionals involved in international trade and those who are willing to solve their commercial disputes through arbitration.

Interim Measures in International Commercial Arbitration Ajar Rab, 2022-08-09 Interim measures by courts as well as tribunals are often critical to succeed in arbitration proceedings and to effectively safeguard the rights of parties pending the final adjudication of their dispute. This important book comprises a comprehensive review of interim measures in international commercial arbitration granted by courts and tribunals across jurisdictions that have adopted the UNCITRAL Model Law to critically assess the practical fault lines in the Indian arbitration regime. The book provides an in-depth analysis of the following: all reported judgments of the Indian Supreme Court and the High Courts from 1993 to 2022 on issues concerning interim measures; practical application of the UNCITRAL Model Law and the revisions in 2006 by national arbitration statutes of over 80 jurisdictions with respect to interim measures; comparative practice and jurisprudence on interim measures in international commercial arbitration; rules of major arbitral institutions on the power and scope of interim measures granted by tribunals; detailed analysis of different types of interim measures including anti-suit, anti-arbitration injunctions, security for costs, and interim measures in aid of foreign seated arbitrations; the standards to be applied and the burden of proof to be demonstrated for each type of measure; and issues of enforcement of interim measures in domestic, international, and foreign seated arbitrations. The current position of law in India and the problems plaguing the country's Arbitration and Conciliation Act 1996 (IAA) as amended in 2015 with respect to interim measures are brought into direct comparison with other Model Law jurisdictions, offering an analysis of case laws.

practical insights and cogent suggestions based on best practices that can be adopted by parties and tribunals The Appendices provide a detailed list of statutory provisions of countries that have adopted the Model Law along with rules of major arbitral institutions on interim measures The author not only describes the current position of law in India and other Model Law jurisdictions on interim measures but also reveals a comprehensive understanding of the requests for interim measures and their enforcement in domestic international and foreign seated arbitrations This book engages in a comprehensive and clear discussion on the fine line between court assistance and court intervention especially in the case of interim measures and suggests draft provisions that India and other jurisdictions can adopt in order to align with the 2006 revisions to the Model Law to foster certainty predictability and efficiency in case of interim measures in international commercial arbitration

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institutions both international and national Awards and decisions of the Iran U S Claims Tribunal ICC ICSID and other bodies Recent developments in arbitration law and practice and Decisions applying the major multilateral arbitration conventions New York 1958 Europe 1961 Washington 1965 Panama 1975 with commentary **Yearbook Commercial Arbitration, Volume XLVII (2022)** Stephan W. Schill, 2022-12-13 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 XLVII 2022 includes excerpts of arbitral awards made under the auspices of the International Chamber of Commerce ICC and 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 Bahrain British Virgin Islands Canada PR China Egypt Greece India Italy Czech Republic Malta Portugal Sierra Leone Singapore Turkmenistan and Ukraine excerpts of 82 decisions applying the 1958 New York Convention from 30 countries including for the first time cases from El Salvador all indexed by subject matter and linked to the commentaries on the New York Convention published in the yearbook authored by formal General Editor and leading expert Prof Dr Albert Jan van den Berg excerpts from one decision applying the 1965 Washington ICSID Convention and one decision applying the 1975 Panama Inter American Convention as well as a selection of thirteen 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 **Yearbook Commercial Arbitration 2015** A. J. van den Berg, 2015 *Yearbook Commercial Arbitration: Volume XL 2015* Albert Jan Van Den Berg, 2015-12-21 The Yearbook Commercial Arbitration continues its longstanding commitment to serving as a primary resource for the international arbitration community with reporting on arbitral awards and court decisions applying the leading arbitration conventions as well as on arbitration legislation and rules Volume XL 2015 includes excerpts of arbitral awards made under the auspices of the International Chamber of Commerce ICC and the Paris International Arbitration Chamber CAIP notes on new and amended arbitration rules including references to their online publication notes on recent developments in arbitration law and practice in Andorra Australia Belarus Brazil Comoros the Democratic Republic of the Congo the Dubai International Financial Centre DIFC Latvia Slovakia the State of Palestine Turkey and the United States excerpts of 68 court decisions applying the 1958 New York Convention from 24 countries including for the first time cases from Anguilla Belarus and Latvia all indexed by subject matter and linked to the General Editor s published commentaries on the New York Convention an extensive Bibliography of

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