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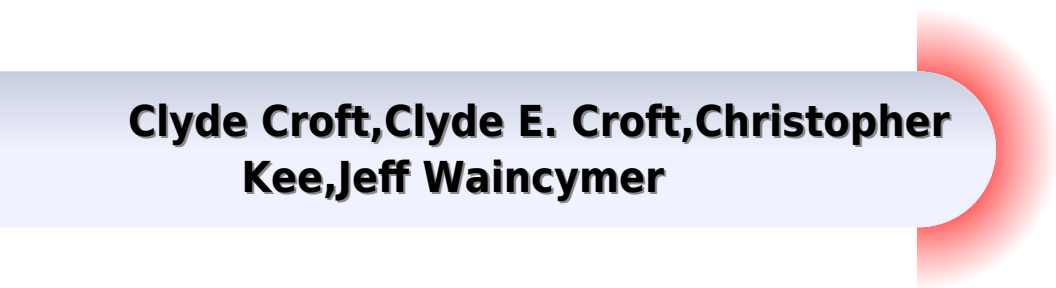
THE UNCITRAL
ARBITRATION
RULES

A Commentary

DAVID D. CARON
LEE M. CAPLAN
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The Uncitral Arbitration Rules A Commentary Oxford Commentaries On International Law

**Clyde Croft, Clyde E. Croft, Christopher
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The Uncitral Arbitration Rules A Commentary Oxford Commentaries On International Law:

The UNCITRAL Arbitration Rules David D. Caron, Lee M. Caplan, 2013-03-07 This article by article commentary sheds light on the UN Commission on International Trade Law UNCITRAL Rules which govern a wide range of arbitrations including the Iran US Claims Tribunal and NAFTA disputes The new edition takes full account of the revised Rules adopted in 2010 and features many extracts from the most important case law *The UNCITRAL Arbitration Rules* David D. Caron, Lee Caplan, 2013

The UNCITRAL Arbitration Rules David D. Caron, Lee Caplan, 2013 This article by article commentary sheds light on the UN Commission on International Trade Law UNCITRAL Rules which govern a wide range of arbitrations including the Iran US Claims Tribunal and NAFTA disputes This edition takes full account of the revised rules adopted in 2010

The UNCITRAL Arbitration Rules David D. Caron, Lee M. Caplan, 2013-03-07 Reaching past the secrecy so often met in arbitration the second edition of this commentary explains clearly and fully the workings of the UNCITRAL Rules of Arbitral Procedure recommended for use in 1976 by the United Nations This new edition fully takes account of the revised Rules adopted in 2010 while maintaining coverage of the original Rules where these remain relevant The differences between the old and the new Rules are clearly indicated and explained Pulling together difficult to obtain sources from the Iran United States Claims Tribunal arbitrations under Chapter 11 of the North American Free Trade Agreement and ad hoc arbitrations it illuminates the shape the UNCITRAL Rules take in practice The authors cogently critique that practice in the light of the negotiating history of the rules and solutions adopted by the other major private rules of arbitral procedure To aid the specialist in the field the practice of these various tribunals is extensively extracted and reproduced Rich both in its analysis and sources this text is indispensable for those working in or studying international arbitration

Reshaping the Investor-State Dispute Settlement System Jean E. Kalicki, Anna Joubin-Bret, 2015-02-04 In *Reshaping the Investor State Dispute Settlement System Journeys for the 21st Century* editors Jean E Kalicki and Anna Joubin Bret offer for the first time a broad compendium of practical suggestions for reform of the current system of resolving international investment treaty disputes The increase in cases against States and their challenge to public policy measures has generated a strong debate usually framed by complaints about a perceived lack of legitimacy consistency and predictability While some ideas have been proposed for improvement there has never before been a book systematically focusing on constructive paths forward This volume features 38 chapters by almost 50 leading contributors all offering concrete proposals to improve the ISDS system for the 21st century

Collection of ICC Arbitral Awards 2016-2020 Jean-Jacques Arnaldez, Yves Derains, Dominique T. Hascher, 2022-02-28 The *Collection of ICC Arbitral Awards 2016 2020* 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 seven previous and successful volumes containing awards from the period 1974 to 2015 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 keyword 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 end 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 UNCITRAL Arbitration Rules** Clyde Croft, Clyde E.

Croft, Christopher Kee, Jeff Waincymer, 2013-04-25 Observer delegates to the UNCITRAL Working Group charged with conducting revisions provide insights and commentary on the process and results **Commentaries on Selected Model Investment Treaties** Chester Brown, 2013-01-17 Provides detailed article by article commentary on the Model Bilateral Investment Treaties of 19 key jurisdictions drawing on analysis of internal government policy documents and each state s investment treaty practice **Transboundary Water Disputes** Itzhak E. Kornfeld, 2019-02-21 One of the most challenging aspects of climate change has been the increased pressure on water resources limited by droughts and new rain patterns which has been exacerbated by rapid modernization Due to these realities disputes across national borders over use and access to water have now become more commonplace This study analyzes the history and adjudication of transboundary water disputes in five international courts and tribunals two US Supreme Court cases and boundary water disputes between the United States and Canada and the United States and Mexico Explaining the circumstances and outcomes of these cases Kornfeld asks how effective the courts and tribunals have been in adjudicating them What kind of remedies have they fashioned and how have they dealt with polycentric and sovereignty issues This timely work examines the doctrine of equitable allocation of transboundary water resources and how this norm can be incorporated into international law

Iran-US Claims Tribunal Reports: Volume 40 Lee M. Caplan, 2022-03-10 The Iran US Claims Tribunal concerned principally with the claims of US nationals against Iran is the most important international claims tribunal to have sat in over half a century Its jurisprudence is bound to make a uniquely important contribution to international law and in particular the law relating to aliens treaty law and international arbitral procedure The 40th volume of the Iran US Claims Tribunal Reports makes available to the public the Tribunal s most recent work including an important award in a large dispute between Iran and the United States This volume of the Reports is a critical contribution to the field of international arbitration that will inform and guide the practice of international arbitration practitioners from around the world [International Legal Materials](#) , **The Institute of International Law's Resolution on the Equality of Parties Before International Investment Tribunals** Campbell McLachlan, 2021-11-18 The Institute of International Law s 2019 Resolution on the

Equality of Parties before International Investment Tribunals represents a major step forward in codification of this essential principle as it applies to investor state dispute settlement a principle whose application in this context has attracted increasing controversy in recent years In this commentary Campbell McLachlan who served as the Institute s Rapporteur on the topic explains the context for the Resolution and sets forth an article by article analysis of its provisions drawing upon a wealth of prior case law as well as the discussions within the Institute that led to the Resolution The resulting text is designed to assist counsel and tribunals in investment cases as well as contribute to the wider debate on the reform of investor state dispute settlement

UNCITRAL Model Law on International Commercial Arbitration Ilias Bantekas,Pietro Ortolani,Shahla Ali,Manuel A. Gomez,Michael Polkinghorne,2020-03-05 This book provides a comprehensive commentary on the UNCITRAL Model Law on International Arbitration Combining both theory and practice it is written by leading academics and practitioners from Europe Asia and the Americas to ensure the book has a balanced international coverage The book not only provides an article by article critical analysis but also incorporates information on the reality of legal practice in UNCITRAL jurisdictions ensuring it is more than a recitation of case law and variations in legal text This is not a handbook for practitioners needing a supportive citation but rather a guide for practitioners legislators and academics to the reasons the Model Law was structured as it was and the reasons variations have been adopted

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

Public Procurement and Multilateral Development Banks Sope Williams-Elegbe,2017-03-23 The multilateral development banks cumulatively channel billions of dollars annually in

development assistance to borrower countries This finance is usually spent through processes that incorporate the public procurement regulations of the banks and it is often a condition of this finance that the funds must be spent using the procurement regulations of the lender institution This book examines the issues and challenges raised by procurement regulation in the multilateral development banks The book examines the history of procurement regulation in the banks the tripartite relationship created between the banks borrowers and contractors in funded procurements the procurement documents and procurement cycle as well as how the banks ensure competition and value for money in funded procurements The book also examines the banks approach to sustainability concerns in public procurement such as environmental social or industrial concerns as well as how the banks address the issue of corruption and fraud in funded contracts Another issue that is addressed by this book is how the banks have implemented the aid effectiveness agenda It will be seen that the development banks have undertaken steps to harmonise their policies and practices increased borrower procurement capacity taken steps to reduce the tying of aid and play an important role in the reform of borrower procurement systems all in an effort to improve the effectiveness of development finance The book also considers the contractual and other remedies that are available to parties that may be aggrieved as a result of a funded procurement The book analyses compares and contrasts the legal practical and institutional approaches to procurement regulation in the World Bank the Inter American Development Bank the African Development Bank the Asian Development Bank and the European Bank for Reconstruction and Development

A Guide to the ICDR International Arbitration Rules Martin F. Gusy, James M. Hosking, Franz T. Schwarz, 2011-04-07 A rule by rule commentary on the genesis interpretation and application of the International Centre for Dispute Resolution ICDR Rules The book is designed to give arbitrators practitioners and academics a first port of call when considering ICDR arbitration and provide the first stand alone comprehensive commentary on these important rules

Basic Documents on International Investment Protection Martins Papanirskis, 2012-07-09 The increase in the number and complexity of investor State treaty arbitrations in the last decade has attracted considerable attention from practitioners and academics of international investment protection law Rules aimed at regulating the protection of foreign investment have been expressed in a decentralised manner making a clear and comprehensive overview of the topic important This volume focuses on the relevant documents and aims to provide an exhaustive treatment of relevant procedural and substantive issues It includes documents explaining the historical development of investment law substantive investment rules multilateral and bilateral treaties and model documents and general rules on the law of treaties and responsibility and procedural investment rules relating to the arbitral process in different fora immunity recognition and enforcement The book is aimed at teachers students and practitioners in the area It can be used both as a practitioners handbook and as a classroom companion for courses on international dispute settlement and investment protection law This title is included in Bloomsbury Professional s International Arbitration online service [Investor-State Arbitration](#)

Christopher F. Dugan, Don Wallace, Noah Rubins, Borzu Sabahi, 2011-11-25 *Investor State Arbitration* describes the increasing importance of international investment and the necessary development of a new field of international law that defines the obligations of host states and creates procedures for resolving disputes. The authors examine the international treaties that allow investors to proceed with the arbitration of their claims, describe the most commonly employed arbitration rules, and set forth the most important elements of investor State arbitration procedure including tribunal composition, jurisdiction, evidence award, and challenge of annulment. The authors trace the evolution and rapid development of the field of international investment, including the formation of the International Center for the Settlement of Investment Disputes (ICSID) and the more than 2 000 bilateral investment treaties, most of which were entered into in the last twenty years. The authors explain how this development has led to far greater certainty for foreign investors in dealing with their host countries, as well as how it has incentivized growth in international trade and commerce.

UNCITRAL Arbitration Jan Paulsson, Georgios Petrochilos, 2016-04-24 The UNCITRAL Arbitration Rules have proved instrumental to the effective resolution of transborder commercial investment treaty and inter State disputes. This book by two leading scholars and practitioners whose 2006 joint report began the process that led to the first ever revision of the Arbitration Rules in 2010 and who were key contributors in the revision process at UNCITRAL thereafter is the only article by article commentary of both the generic 2010 Rules and the Transparency Rules of 2013. Extensively referring to the UNCITRAL travaux préparatoires, the book considers the principal legislative intent behind each new or revised article or, in respect of those articles which remain unchanged, the reasons for the absence of revision. Where an article is revised or entirely new provisions are introduced, an explanation of the issues that the revision intended to address and an analysis of the discrete issues that arise in respect of each article. The authors make reference not only to academic literature and case law but also to other commonly used Arbitration Rules and the practice under those Rules. More than a matchless guide to practice, this deeply informed resource offers a comprehensive understanding of both sets of UNCITRAL Rules. This book serves as the pre-eminent commentary and analysis on the UNCITRAL Arbitration Rules and the Transparency Rules.

FIDIC 2017 Nicholas Alexander Brown, 2025-01-20 *FIDIC 2017* A definitive guide to claims and disputes is an indispensable resource for professionals engaged with FIDIC contracts. It provides comprehensive treatment of the multi-tiered dispute avoidance and resolution process within the 2017 FIDIC suite of contracts and includes numerous flowcharts and worked examples.

The Enigmatic Realm of **The Uncitral Arbitration Rules A Commentary Oxford Commentaries On International Law**: Unleashing the Language is Inner Magic

In a fast-paced digital era where connections and knowledge intertwine, the enigmatic realm of language reveals its inherent magic. Its capacity to stir emotions, ignite contemplation, and catalyze profound transformations is nothing lacking extraordinary. Within the captivating pages of **The Uncitral Arbitration Rules A Commentary Oxford Commentaries On International Law** a literary masterpiece penned by a renowned author, readers set about a transformative journey, unlocking the secrets and untapped potential embedded within each word. In this evaluation, we shall explore the book's core themes, assess its distinct writing style, and delve into its lasting effect on the hearts and minds of those that partake in its reading experience.

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