

Arbitration Law

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International Arbitration and International Commercial Law
Swiss International Arbitration Law Reports, 2007-2009 Vols. 1-3
Toward a New Federal Law on Arbitration

Arbitrating for Peace

Law and Practice of International Commercial Arbitration.

Arbitration Law of Brazil

A comprehensive review of the arbitration law and practice in the Czech Republic including: discussion of arbitration practice and procedure; an examination of the jurisdiction of the arbitral tribunal; the appointment of arbitrators including the challenge and replacement of arbitrators; an analysis of the various types of awards including a discussion on deliberations, agreements, settlements, and the costs of arbitration; a discussion on the amendment and challenge of awards including the liability of arbitrators; and, a review of the enforcement of domestic and foreign arbitration awards.

Arbitration Law of Korea

Essays on leading cases of international investment law.

Modernised EC Competition Law in International Arbitration

The growing acceptance of the concept of transnational rules, be they substantive or procedural, has directly contributed to a substantial decrease of the influence of local norms. Transnational principles often override domestic law, and the arbitral process sometimes takes precedence over court decisions. Moreover, the exceptional development of investment arbitration has called into question traditional values of commercial arbitration such as confidentiality and the privity of arbitral proceedings. Widespread publication of awards rendered has also rejuvenated the debate on the value of arbitral awards as precedents. This book critically explores the extent to which these phenomena contribute to the creation of a truly uniform international arbitration law.

International Arbitration Law and Practice, Third Edition

This third edition of International Arbitration Law and Practice has been largely enriched by covering international commercial arbitrations, investment treaty arbitrations, arbitrations between public bodies, between states and individuals, the UNCITRAL model law and Iran-US Tribunal proceedings as well as commodity arbitration, online arbitration and sports arbitral proceedings. International Arbitration Law and Practice, 3rd edition elaborates new concepts such as a definition of international arbitration based on procedural law (different from transnational law) and a doctrine (the *tronc commun* doctrine) to identify the applicable substantive law on disputes between parties belonging to different countries. It further suggests that a law of international arbitration has arisen from the various conventions and laws. Besides dealing with all the aspects of arbitration on a topic by topic basis, the writer presents a third generation arbitration which builds on analysis of major obstacles to a smooth running arbitration. International Arbitration Law and Practice, 3rd edition is a work that anyone involved in arbitral proceedings will find to be absolutely indispensable.

Law and Practice of International Commercial Arbitration

Enacted as a special interest bill in 1925, the Federal Arbitration Act (FAA) positioned arbitration well among specialized merchant communities. Its principles relating to the legitimacy of arbitration contracts and the limited judicial supervision of arbitral awards laid the foundation for a more detailed and effective legal regulation of arbitration. Despite the advanced character of its original content, the FAA was never significantly updated by the U.S. Congress, and the standing statutory provisions did not take into account the widening scope of arbitral jurisdiction and its revolutionary impact upon adjudicatory due process. Thus, the task of adjusting the statute to new realities became the responsibility of the U. S. Supreme Court, exercising its duty over a half century and more than fifty cases with the ultimate goal to fulfill the expectations of U.S. citizenship and protect U.S. interests in global commerce. Toward a New Federal Law on Arbitration

endeavors to repair the long-standing problem of updating the official text of the Federal Arbitration Act (FAA). In this book, Thomas E. Carbonneau proposes to transform the FAA into a genuine national law of arbitration, based exclusively on the federal rules applicable to arbitration. He argues for necessary change in the federal law of arbitration that will not only benefit commercial interests and the U.S. economy, but also provide protection for smaller individual interests, such as consumers and employees. This book joins the U.S. Supreme Court in proclaiming that judicial litigation is flawed. In the process, this book describes the current federal law on arbitration, provides and explains the provisions of the proposed law, while setting the stage for future adjudicatory practice.

Arbitration Law of Australia: Practice and Procedure

Offers an analysis of the expectations and requirements of the Community legal order upon international arbitration, as well as a dependable source of answers to the EC competition law questions which arbitration practitioners will ordinarily be faced with. This guide is aimed at international litigation practitioners in Europe and globally.

Arbitration Law of Sweden

Comparative Law of International Arbitration

Investment arbitration has become the key forum to settle disputes between investors and the host state. It is not clear from the arbitration agreements which body of law the arbitrators should apply: national or international. This book examines how the legal framework which the arbitral panels operate in influences which body of law they apply.

International Arbitration in the United States

This book expounds the theory of international arbitration law. It explains in easily accessible terms all the fundamentals of arbitration, from separability of the arbitration agreement to competence-competence over procedural autonomy, finality of the award, and many other concepts. It does so with a focus on international arbitration law and jurisprudence in Switzerland, a global leader in the field. With a broader reach than a commentary of Chapter 12 of the Swiss Private International Law Act, the discussion contains numerous references to comparative law and its developments in addition to an extensive review of the practice of international tribunals. Written by two well-known specialists - Professor Kaufmann-Kohler being one of the leading arbitrators worldwide and Professor Rigozzi one of the foremost experts in sports arbitration - the work reflects many years of experience in managing arbitral proceedings involving commercial, investment, and

sports disputes. This expertise is the basis for the solutions proposed to resolve the many practical issues that may arise in the course of an arbitration. It also informs the discussion of the arbitration rules addressed in the book, from the ICC Arbitration Rules to the Swiss Rules of International Arbitration, the CAS Code, and the UNCITRAL Rules. While the book covers commercial and sports arbitrations primarily, it also applies to investment arbitrations conducted under rules other than the ICSID framework.

Investment Treaty Arbitration as Public International Law

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.

Arbitration & the Law

This is a book about changing the terms of American Arbitration Law. The book contains individual views of the four co-authors and criticisms of the individual recommendations of the authors. The book contains point and counterpoint and numerous controversial ideas. The authors present the competing arguments on some of the most controversial topics in arbitration---arbitration of employment disputes between employers and their former employees and arbitration of disputes between consumers and product sellers.

Arbitration Law of Czech Republic: Practice and Procedure

Arbitration Law of Switzerland is a comprehensive review of the arbitration law and practice in Switzerland. Contents include: A discussion of the history and current legislation on arbitration and arbitration infrastructure and practice. Analysis of the current law and practice including an examination of the arbitration agreement, jurisdiction, arbitrability, the arbitral

tribunal, conducting arbitration, the arbitral award and challenges and other actions against the award. A useful chapter on the recognition and enforcement of awards rendered both in Switzerland and in foreign jurisdictions and a comprehensive chapter covering the Swiss Rules of International Arbitration and the practices of the Swiss Chambers' Arbitration Institution.

International Arbitration: Law and Practice in Switzerland

Présentation de l'éditeur : "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."

AAA Yearbook on Arbitration and the Law - 24th Edition

Is a State free to adopt measures to protect the public health of its citizens? If so, what are the limits, if any, to such regulatory powers? This book addresses these questions by focusing on the clash between the regulatory autonomy of the state and international investment governance. As a wide variety of state regulations allegedly aimed at protecting public health may interfere with foreign investments, a tension exists between the public health policies of the host state and investment treaty provisions. Under most investment treaties, States have waived their sovereign immunity, and have agreed to give arbitrators a comprehensive jurisdiction over what are essentially regulatory disputes. Some scholars and practitioners have expressed concern regarding the magnitude of decision-making power allocated to investment treaty tribunals. This book contributes to the current understanding of international investment law and arbitration, addressing the fundamental question of whether public health has and/or should have any relevance in contemporary international investment law and policy. With a focus on the 'clash of cultures' between international investment law and public health, the author critically analyses the emerging case law of investment treaty arbitration and considers the theoretical interplay between public health and investor rights in international investment law. The book also explores the interplay between investment law and public health in practice, focusing on specific sectors such as pharmaceutical patents, tobacco

regulation and environmental health. It then goes on to analyze the available means for promoting consideration of public health in international investment law and suggests new methods and approaches to better reconcile public health and investor rights.

Islamic Law and International Commercial Arbitration

"Arbitration Law of Brazil: Practice and Procedure is a timely contribution to the development of commercial arbitration in Brazil, as it provides international practitioners and arbitrators with a useful reference tool to understand the Brazilian arbitral framework. Without sacrificing scholarly rigor, it provides a clear commentary on Brazilian arbitration legislation from a practical perspective, addressing the most relevant points in a direct and instructive manner, so that even someone unfamiliar with Brazilian law can comprehend all issues. This work reflects the experience of the authors, who are among the most prominent arbitration practitioners in Brazil. Both authors have long been committed to the development of arbitration, through teaching classes, organizing seminars and writing articles, not to mention their work on the Arbitration Committee of the Rio de Janeiro State Chapter of the Brazilian Bar Association, the first institution in Brazil to help develop and improve alternative dispute resolution mechanisms. Besides the authors' work, this book also contains in its appendices articles from other leading Brazilian scholars analyzing relevant issues in connection with arbitration in Brazil. This provides an enlightening combination of practical background and academic debate."--Publisher's website.

Principles of Arbitration Law

Over the last half-century, as UNCITRAL official, professor, arbitrator and father of the Willem C. Vis Arbitration Moot, Eric Bergsten has been at the forefront of progress in international commercial arbitration. Now, on the occasion of his eightieth birthday, the international arbitration and sales law community has gathered to honour him with this substantial collection of new essays on the many facets of the field to which he continues to bring his intellect, integrity, inquisitive nature, eye for detail, precision, and commitment to public service. Celebrating the long-standing and sustained contribution Eric Bergsten has made in international commercial law, international arbitration, and legal education, more than fifty colleagues - among them quite a few of the best-known arbitrators and arbitration academics in the world - present 45 pieces that, individually both engaging and incisive, collectively present a thorough and far-reaching account of the state of the field today, with contributions covering international sales law, commercial law, commercial arbitration, and investment arbitration. In addition, nine essays on issues in legal education mirror the great importance of the renowned Willem C. Vis International Commercial Arbitration Moot, Eric's Vienna project which has offered a life-changing experience for so many young lawyers from all over the world.

Arbitration Law of Russia

With an overburdened and cumbersome system of court litigation, arbitration is becoming an increasingly attractive means of settling disputes. Government enforcement of arbitration agreements and awards is, however, rife with tensions. Among them are tensions between freedom of contract and the need to protect the weak or ill-informed, between the protections of judicial process and the efficiency and responsiveness of more informal justice, between the federal government and the states. Macneil examines the history of the American arbitration law that deals with these and other tensions. He analyzes the personalities and forces that animated the passing of the United States Arbitration Act of 1925, and its later revolutionizing by the Supreme Court. Macneil also discusses how distorted perceptions of arbitration history in turn distort current law.

Arbitration Law of Canada

The Editors and the University of Houston Law Center are honored to collaborate with the American Arbitration Association (AAA) and its international division, the International Centre for Dispute Resolution (ICDR), to continue the tradition of publishing an annual survey of important developments in arbitration and the law. The AAA Yearbook on Arbitration and the Law provides arbitrators and busy practitioners a practical, relevant and readily accessible resource. The 24th Edition is organized into three parts: Part One contains digests of important decisions of the United States Supreme Court, the United States courts of appeals and state supreme courts. This volume includes digests of selected judicial decisions from 2007 through 2010, and is current through October 1, 2011. The book contains 176 case digests, together with citations and descriptive cross-references to more than 690 related decisions. We have arranged the case digests under the stages of the entire arbitration process - from the formation of the arbitration agreement to the challenge or enforcement of the arbitral award. Recognizing the important role of arbitration in the global economy, there is a separate chapter containing digests and cross-references to cases dealing with the unique issues presented in international arbitrations. Part Two, an entirely new feature, contains 100 digests of judicial opinions since January 2000 that discuss AAA arbitration rules. For ease of reference the cases are arranged in alphabetical order and are listed by the types of AAA Rules - Commercial, Construction, Employment and International - and by individual rule under each category. Thus the reader can quickly identify all the judicial decisions that discuss a particular AAA rule. Part Three includes selected articles addressing some of the hottest topics in domestic and international arbitration. The AAA Yearbook is the preeminent annual yearbook on Arbitration and Dispute Resolution in the United States. It is a required and necessary reference work for all who wish to stay on top of the latest trends, developments , cases and guidelines - accompanied by expert commentary and analysis - in Arbitration and Dispute Resolution.

Arbitration Law and Practice in Central and Eastern Europe

Previous edition, 1st, published in 2003.

Towards a Uniform International Arbitration Law?

Arbitration Law of Canada provides the busy lawyer and arbitrator with a handy day to day reference work. This is a comprehensive treatise on the law and practice of arbitration in Canada. The text covers all aspects of commercial arbitration: when to choose arbitration; how to draft an effective arbitration clause; how to choose an arbitrator; the legal and practical aspects of arbitrating in Canada under both the UNCITRAL Model Law as well as domestic legislation, and enforcing awards in Canada, regardless of the jurisdiction in which they were made. The book covers arbitration law in all the Canadian Provinces. It is not only a definitive legal text, but has been designed and organized to be a handy reference text for arbitration practitioners. The second edition includes a revised and expanded index, a complete index of cases, and a number of additional "practice notes". The chapters dealing with court involvement in arbitration, challenges and recognition of awards, have been extensively revised to take into account the numerous court decisions released since the last edition.

Applicable Law in Investor-State Arbitration

This book demonstrates how the public international law character of investment treaty arbitration has impacted on the dispute settlement procedure.

Soft Law in International Arbitration

Arbitration Law of Turkey, a commentary on the status of international arbitration practice in Turkey, is a practical approach to doing arbitrations that involve Turkey. The only collective resource available in English on the topic, Arbitration Law of Turkey guides practitioners through the various checkpoints of such arbitrations. The recent Turkish International Arbitration Code is explained in depth along with almost all of the larger investment treaty arbitrations that have taken place involving Turkey. Along with this practical approach, the style of the book reflects the author's academic standing and is envisaged to form the basis for academic study in the field as well as a practical resource for practitioners or parties who are faced with arbitrations in Turkey.

Arbitration Law

A comprehensive review of the arbitration law and practice in Russia including: discussion of arbitration practice and procedure; an examination of the jurisdiction of the arbitral tribunal; the appointment of arbitrators including the challenge and replacement of arbitrators; an analysis of the various types of awards including a discussion on deliberations, agreements, settlements, and the costs of arbitration; a discussion on the amendment and challenge of awards including the liability of arbitrators; and, a review of the enforcement of domestic and foreign arbitration awards.

Arbitration Law of Austria

The Swiss International Arbitration Law Reports provides for the first time a full English translation of the decisions made by the Swiss Federal Supreme Court on a biannual basis, irrespective of whether the original decision was published in the German, French or Italian language, or whether the decision has been officially published or is simply available on the Court's website. The English translation is presented in parallel to the original text of each decision, and it is preceded by a head note and a summary of the decision for the reader in a hurry. All decisions directly relating to international arbitration will be translated, including those that deal with setting aside proceedings, the enforcement of arbitration agreements or the recognition and enforcement of foreign arbitral awards in Switzerland under the New York Convention, 1958. Switzerland is historically one of the preferred venues for international commercial arbitration. Arbitrations taking place in Switzerland relate not only to contracts between European corporations, but also to contracts made in East-West trade or contracts between parties in the Northern and the Southern hemisphere. The most important decisions on international arbitration are made by Switzerland's highest court, the Federal Supreme Court. Anyone who needs to consider the position of the Swiss law on international arbitration is bound to consult these decisions. In addition, due to the leading role of Switzerland in international arbitration, the Court's decisions are frequently relied upon by arbitral tribunals in international arbitrations outside Switzerland.

French Arbitration Law and Practice

A comprehensive review of the arbitration law and practice in Australia including: discussion of arbitration practice and procedure; an examination of the jurisdiction of the arbitral tribunal; the appointment of arbitrators including the challenge and replacement of arbitrators; an analysis of the various types of awards including a discussion on deliberations, agreements, settlements, and the costs of arbitration; a discussion on the amendment and challenge of awards including the liability of arbitrators; and, a review of the enforcement of domestic and foreign arbitration awards. Included also is a detailed commentary on the Australian Centre for International Arbitration (ACICA), as well as the Rules of the ACICA, Expedited rules of the ACICA and, the International Arbitration Act.

Principles of Arbitration Law

This is a book about changing the terms of American Arbitration Law. The book contains individual views of the four co-authors and criticisms of the individual recommendations of the authors. The book contains point and counterpoint and numerous controversial ideas. The authors present the competing arguments on some of the most controversial topics in arbitration---arbitration of employment disputes between employers and their former employees and arbitration of disputes between consumers and product sellers.

Arbitration Law of Turkey

"The focus of Arbitration Law and Practice in Central and Eastern Europe is to provide an understanding of the involvement of state authority in arbitrations and offer practical ideas on arbitration procedures for countries in this region. Adopting a questionnaire format devised by the editors, issues are investigated from both the arbitrator's and the counsel's perspectives and important tactical issues are discussed. It is inevitable, however, that the reader may occasionally be disappointed to find an unanswered question. The editors, authors and contributors ask for patience as the reader tries to find specific answers to questions which would not have been posed ten years ago. Case law is generally sparse in these countries, legal reforms are recent, and therefore the legal writing is limited and does not cover the entire array of questions that may arise. The book is an indispensable reference and guide for arbitrators and party representatives who are engaged in arbitrations in the region."--Publisher's website.

American Arbitration Law

Explores how the text and principles of the UNCITRAL Model Arbitration Law are implemented, or not, in key Asian jurisdictions.

Arbitration Law in America

This new and updated English language edition of an acclaimed French language text guides practitioners through the international arbitration process from beginning to end. It covers each step of arbitral procedure, from the conclusion of the arbitration agreement to the enforcement of the arbitral award, from a comparative standpoint, helping practitioners decide which jurisdiction / institution's rules they wish to be bound by. beginning, middle and end of an international commercial arbitration; compares the rules in each of the major arbitration jurisdictions at each stage of the process; pinpoints strengths and weaknesses of arbitration in each jurisdiction; supplies detailed advice on topics such as the arbitration

agreement, how to progress a case, the award and enforcement of the award; reproduces a comprehensive selection of comparative materials, drawn from the UNCITRAL and UN texts, as well as national legislation from Sweden, Belgium, Germany, England, Italy, Holland, France and Switzerland; and features materials on the form and content of arbitral deliberations not normally available in the public domain.

Arbitration Law of Switzerland

The Arbitration Law Handbook collects together in one volume the laws in force in more than twenty countries, with the main procedural rules used in each of those countries. Each section has a short overview identifying relevant treaty obligations, the main arbitral bodies and the principal laws in force. Additionally, there is an international section in which the UNCITRAL Model Law and Arbitration Rules are set out and in which the major international conventions relating to arbitration, such as the New York Convention and table of signatories, are reproduced. The section also includes the ICSID Arbitration Rules (applicable to the settlement of investment disputes), as well as those of WIPO (applicable to the settlement of intellectual property disputes)

The Brazilian Arbitration Act

Brazil has risen to extraordinary prominence as an arbitration seat, and Brazilian law in matters of domestic and international arbitration has been watched all over the world due to its arbitration-friendly legislation and cutting-edge case law. This is the first book to fully recognize and elucidate this phenomenon with a detailed article-by-article examination, in English, of decisions of the Brazilian Supreme Court (STF) and the Brazilian Superior Court of Justice (STJ) on each of the Brazilian Arbitration Act's (BAA) provisions. More than two hundred judicial decisions are directly quoted. In-depth annotation of the text of each article includes the following: a short descriptive summary of how the article is interpreted by case law and doctrine; a thorough report of decisions of the Brazilian superior courts since the 1996 enactment of the BAA referring to that article, presenting not only the majority view but also dissenting opinions; and a list of authorities interpreting each article and its relevant case law. All decisions that could represent current case law on arbitration are considered. Nearly half of the quoted decisions have direct impact on international arbitration, and many deal with enforcement of arbitral awards. Therefore, the book will attract not only Brazilian practitioners but will be particularly useful to international counsel and arbitrators dealing with Brazilian parties or cases with a Brazilian element. The only book of its kind, it will prove indispensable for arbitration scholars and law libraries. "By providing a careful and comprehensive compilation of Brazilian case law on arbitration, with a particular focus on the Superior Court of Justice's leading precedents, this volume makes a valuable contribution to the continued development of arbitration in Brazil and elsewhere. While it will no doubt be of great use to the Brazilian bar, it is a particularly useful reference for the non-Brazilian practitioner and

scholar, who do not have ready access to Brazilian court decisions or, in many cases, even knowledge of the Portuguese language". From the foreword by Donald Francis Donovan

The UNCITRAL Model Law and Asian Arbitration Laws

The book examines principles of arbitration law as they apply to many common law and civil law jurisdictions. In many countries, the use of alternative dispute resolution to resolve matters in areas relating to, say, foreign direct investment and industrial unrest has been heralded by many as a cost-effective way of settling disputes. Chapters in the book cover, among other things: the efficacy of the legal framework for arbitration in Zambia under the Arbitration Act 1933; the efficacy of the legal framework for arbitration under Zambia's Arbitration Act 2000; aspects of international law applicable to the legal framework for arbitration; and efforts to develop international and regional frameworks for arbitration.

International Investment Law and Arbitration

The Concise Hornbook Principles of Arbitration Law is an authoritative and extensively cited treatise on arbitration. It thoroughly discusses general arbitration law--from federal preemption of state law to the formation, performance, and enforcement of arbitration agreements--and provides in-depth coverage of specialized law governing international arbitration and labor arbitration. The last few decades have witnessed the growth of a large body of legal doctrine--from statutes, judicial decisions, and other sources--focused on arbitration. This Concise Hornbook summarizes that body of law, so should be useful to lawyers and scholars researching arbitration law and to students learning about arbitration. This Concise Hornbook is designed to be used as the primary or secondary text in a law school course. Many teachers of arbitration design their courses to develop a wide array of practice skills, generally through the use of role-playing exercises. Because this book is clear and concise, students reading it can quickly gain a solid understanding of arbitration's central concepts and legal doctrines. This efficient use of time enables the teacher to devote many class sessions to role-playing exercises, and discussion of them. This Concise Hornbook can also serve as the primary text for arbitration seminars. Before venturing into a field of scholarship, students generally need a solid foundation in the field's central concepts and legal doctrines. This book provides that foundation with only a limited amount of reading, thus enabling students to devote substantial time to the seminar's more-advanced work of reading scholarly articles and writing original papers.

Arbitration Law Handbook

Public Health in International Investment Law and Arbitration

This book is a practical and scholarly work on the new Swedish Arbitration Act of 1999. It deals with international arbitration and enforcement of foreign arbitral awards in Sweden. Arbitration Law of Sweden is based on a comprehensive analysis of earlier Swedish court practice that is still relevant. Issues are investigated from both the arbitrator's and the counsel's perspectives, and important tactical issues are discussed. The book is indispensable for arbitrators and party representatives who are engaged in Swedish arbitrations.

Arbitration Law in America

This book examines the intersection between contemporary International Commercial Arbitration and Shari'a law in order to determine possible tensions that may arise between the two systems. It develops evidentiary and procedural rules under Shari'a, as well as examining the consequences of stipulating qualifications of arbitrators based on gender and/or religion. The author extensively analyses the prohibition against interest (riba) and uncertainty (gharar) under Shari'a and its impact on arbitration agreements, arbitral awards and public policy. The book also explores the prohibition against riba in light of international conventions, such as the United Nations Convention on Contracts for the International Sale of Goods. Case studies in the book include the Asian International Arbitration Centre, formerly the Kuala Lumpur Regional Centre for Arbitration, and the International Islamic Centre for Reconciliation and Arbitration, as well as the 'Shari'a Standards' developed by the Accounting and Auditing Organization for Islamic Financial Institutions. The book will be a valuable resource for academics, students and practitioners working in the areas of Islamic law and the Islamic finance industry.

International Arbitration and International Commercial Law

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.

Swiss International Arbitration Law Reports, 2007-2009 Vols. 1-3

Although short of attaining the ideal of a 'substitute for war', arbitration has largely succeeded in peacefully resolving international disputes. Beyond that, arbitral commitments and arbitral processes have deepened civilized and cooperative international relations, promoted the development of international law and international institutions, and facilitated the well-being of mankind in multiple important ways. Particulars of that proposition are set forth in this one-of-a-kind book. Each of the fourteen chapters is devoted to one landmark international arbitration case, primarily state-to-state but also includes commercial disputes with geopolitical dimensions. Each chapter is written by a practitioner and/or academic of high international standing. The project was initiated by the Stockholm Chamber of Commerce, which celebrates its centennial in 2017. By focusing on landmark cases, the book contributes to a continued dynamic development of dispute resolution in complicated or sensitive geopolitical contexts, and demonstrates how arbitration has and can continue to play an important role for international relations. Practitioners, political decision makers, and academics in any part of the world with an interest in international arbitration and international law or political history and policy on an international level will find it not only deeply informative but also immensely useful.

Toward a New Federal Law on Arbitration

The book is an analysis of commercial arbitration law and practice in South Korea, presenting in an accessible, yet comprehensive manner, the country's arbitration law, the major Korean arbitration institution and its rules, relevant court rulings, etc. It includes a historical and legal overview and discussion of the rise and breadth of the use of commercial arbitration in Korea. Arbitration Law of Korea: Practice and Procedure covers all of the essential topics, including arbitration agreements, arbitral tribunals, arbitral awards, arbitration procedures, enforcement of awards, supportive roles played by the courts, etc. Arbitration Law of Korea: Practice and Procedure is up-to-date with recent amendments to the rules of the Korean Commercial Arbitration Board and also contains: (1) a new and improved, complete translation of the Arbitration Act and (2) both Korean and English versions of the 2011 amendments to the arbitration rules of the Korean Commercial Arbitration Board.

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