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ICSID Reports: Volume 9 James Crawford,Karen Lee,Elihu Lauterpacht,2006-02-16 Volume 9 brings the ICSID reports up to date and includes cases up to 2005.

Commercial Arbitration in Sweden Finn Madsen,2007-09-13 The Arbitration Institute of the Stockholm Chamber of Commerce has become an important forum for international commercial arbitration, with parties from more than 30 countries, especially Western European countries and increasingly Russia, other Eastern European Countries, and China. The author offers practitioners several background chapters on commercial arbitration in Sweden and a detailed analysis of each section of the Swedish Arbitration Act (SAA). This is a ready-reference handbook analyzing Swedish arbitration- the SAA, the Rules, and cases- and also includes references and commentary with respect to international commercial arbitration in general. The author's intention is to help practitioners in search of rapid guidance regarding the interpretation of a particular provision or who wish to solve a practical problem. This Third Edition of Commercial Arbitration in Sweden provides us all with a valuable and up-to-date understanding of the Swedish system in operation, and a comprehensive commentary on the SCC Rules, both new and existing. World business has the means, through this work, to see why Sweden and Stockholm are good choices for their international arbitrations.-- ? Phillip Capper, Head of International Arbitration, Lovells; Nash Professor of Engineering Law, King's College, University of London; former Chairman of the Faculty of Law, University of Oxford

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Arbitration Under International Investment Agreements Katia Yannaca-Small,2010 Investor-state arbitration is a relatively new dispute settlement mechanism that allows foreign investors the opportunity to seek redress for damages arising out of breaches of investment-related treaty obligations by the governments of host countries. Claims are submitted to independent, international arbitration tribunals, which are called upon to interpret the treaty at hand. Because of the public interest involved in these cases, the awards of these tribunals are subject to much scrutiny and debate. Thus, it has already generated hundreds of cases and created new legal disciplines, inspiring a continuous string of legal writings. This book provides a comprehensive analysis of the main issues that arise in investor-state arbitration. It accompanies the reader through the phases of such a procedure, starting with an examination of the instruments, which provide, in the overwhelming majority of the cases, the legal basis for the requests for such arbitration. It then continues with the launching of the arbitration procedure, followed by the analysis of the main jurisdictional and substantive issues that the tribunals are confronted with, and the review procedures, when there is a request for setting aside of the award. It finally looks at the post-award phase and concludes with a reflection on the role of precedent in investment arbitration. Arbitration under International Investment Agreements: a Guide to the Key Issues contains in one volume what everybody needs to know on this evolving topic. Calling on the most renowned experts in this field, private

practitioners, academics, government and international organization officials, it describes the process in all its phases from A to Z, providing a comprehensive insight in the way investor-state arbitration works from the perspective of the main actors involved. Its analyses of all key aspects of the topic are pragmatic and reliable.

International Arbitration in Sweden Annette Magnusson,Jakob Ragnwaldh,Martin Wallin,2021-03-09 Sweden is one of a handful of countries where the international arbitral process has reached a stage where the jurisprudence is replete with instances involving no local parties at all. In this context of credible neutrality, the Arbitration Institute of the Stockholm Chamber of Commerce (SCC) has emerged as a leading global arbitral institution. Whether the matter at issue is a business transaction dispute or a politicized conflict involving obdurate parties, the richness of its body of decided cases manifests the SCC's authority and reliability throughout the converging world of international arbitration. The present book, written by sixteen eminent practitioners and now in its second edition, provides a practical guide to international arbitration in Sweden, whether ad hoc or institutional. Among the many elements of practice and procedure detailed are the following: appointment, challenge, removal, and compensation of arbitrators; procedural efficiency and costs; use of international legal sources such as IBA guidelines; choice of law by parties; SCC rules and procedures; multiparty arbitrations – joinder, intervention, consolidation; investment treaty arbitration; confidentiality; documentary evidence, witnesses, and experts; grounds for setting aside; party succession; Swedish court review of the arbitrator's jurisdiction; and appeal of arbitrators' compensation. In addition, readers will be exposed to a trove of pertinent references to important decisions that have, in recent decades, been generated by the stream of major international arbitrations conducted in Sweden. Disputing parties wishing to know what will happen when their case is brought to Sweden for arbitration will find no clearer or more thorough guide. This book is an incomparable source for anyone called upon to act as arbitrator or counsel, or in any other capacity, in international arbitration in Sweden.

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International Commercial Contracts Giuditta Cordero-Moss,2023-12-31 Verifies the impact of national law and transnational rules on international contracts, particularly those with an arbitration clause.

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Law and Practice of International Commercial Arbitration Alan Redfern,2004 Highly acclaimed by practitioners all over the world, Law & Practice of International Commercial Arbitration has deservedly become the leading text in its field. With its comprehensive review of the legal context within which international commercial arbitration operates, Redfern & Hunter is the ultimate user-friendly explanation of how arbitration, and in particular international commercial arbitration, works. The 4th edition has been expanded to give a wider global scope to the work. Readers can also benefit from the expert insight and advice of world-renowned international practitioners. international practitioner * Contains a comprehensive review of the international commercial arbitration process from start to finish * Includes commentary on suitable places of arbitration, developments in international trade law and the increasing harmonisation of national laws governing international arbitration * Appendices include the major international rules of arbitration and conventions * Explains how arbitration should be conducted to be cost effective and profitable * Fully updated to take account of the latest developments all over the world - including a new chapter on investment arbitrations

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The Engagement of Domestic Courts with International Law Eleni Methymaki,2024-04-11 The relationship between domestic courts and international law is usually defined by the frameworks of monism and dualism. The Engagement of Domestic Courts with International Law advances and develops a new paradigm for describing, assessing, and understanding the role of domestic courts in the international legal order. Two trends are examined in parallel in this volume. The traditional dividing lines between national and international law norms and institutions have become increasingly blurred. However, the practice of domestic courts can less and less be understood by reference to a formal approach that dictates how national legal orders receive international law. The solutions that courts reach are often based on a variety of other considerations that are not captured by the classical formal models. The aim of the book is to bring together the wide variety of types of engagement, as an important step towards a better understanding of what courts do and, eventually, towards a normative exercise of articulating principles or guidelines for the engagement of domestic courts with international law. To bring together the pragmatic approaches of domestic courts, the International Law Association Study Group on Principles on the Engagement of Domestic Courts with International Law engaged in studies with experts from a variety of backgrounds. On the basis of the Study Group's Final Report, the editors of this book continued to work with experts from different jurisdictions to collect and analyse alternate pragmatic forms of engagement from domestic courts. This publication contains the outcome of this process.

International Commercial Arbitration Gary B. Born,2014-10-01 The second edition of Gary Born's International Commercial Arbitration is an authoritative 4,408 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 first edition of International Commercial Arbitration is widely acknowledged as the preeminent commentary in the field. It was awarded the 2011 Certificate of Merit by the American Society of International Law and was voted the International Dispute Resolution Book of the Year by the Oil, Gas, Mining and Infrastructure Dispute Management list serve in 2010. The first edition has been extensively cited in national court decisions and arbitral awards around the world. The treatise comprehensively examines the law and practice of contemporary international commercial arbitration, thoroughly explicating all relevant international conventions, national arbitration statutes and institutional arbitration rules. It focuses on both international instruments (particularly the New York Convention) and national law provisions in all leading jurisdictions (including the UNCITRAL Model Law on International Commercial Arbitration). Practitioners, academics, clients, institutions and other users of international commercial arbitration will find clear and authoritative guidance in this work. The second edition of International Commercial Arbitration has been extensively revised, expanded and updated, to include all material legislative, judicial and arbitral authorities in the field of international arbitration prior to January 2014. It also includes expanded treatment of annulment, recognition of awards, counsel ethics, arbitrator independence and impartiality and applicable law. Overview of volumes: Volume I, covering International Arbitration Agreements,provides a comprehensive discussion of international commercial arbitration agreements. It includes chapters dealing with the legal framework for enforcing international arbitration agreements; the separability presumption; choice of law; formation and validity; nonarbitrability; competence-competence and the allocation of jurisdictional competence; the effects of arbitration agreements; interpretation and non-signatory issues. Volume II, covering International Arbitration Procedures, provides a detailed discussion of international arbitral procedures. It includes chapters dealing with the legal framework for international arbitral proceedings; the selection, challenge and replacement of arbitrators; the rights and duties of international arbitrators; selection of the arbitral seat; arbitration

procedures; disclosure and discovery; provisional measures; consolidation, joinder and intervention; choice of substantive law; confidentiality; and legal representation and standards of professional conduct. Volume III, dealing with International Arbitral Awards, provides a detailed discussion of the issues arising from international arbitration awards. It includes chapters covering the form and contents of awards; the correction, interpretation and supplementation of awards; the annulment and confirmation of awards; the recognition and enforcement of arbitral awards; and issues of preclusion, lis pendens and staredecisis.

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