International Commercial Arbitration Cases Materials And Notes University Casebook Series

International Commercial Arbitration in New York focuses on the distinctive aspects of international arbitration in New York. Serving as an essential strategic guide, this book allows practitioners to represent clients more effectively in cases where New York is implicated as either the place of arbitration or evidence or assets are located in New York. Each chapter elucidates a vital topic, including the existing New York legal landscape, drafting considerations for clauses designating New York as the place of arbitration, and material and advice on selecting arbitrators. The book also covers a series of topics at the intersection of arbitral process and the New York courts, including jurisdiction, enforcing arbitration agreements, and obtaining preliminary relief and discovery. Class action arbitration, challenging and enforcing arbitral awards, and biographical materials on New York-based international arbitrators is also included, making this a comprehensive, valuable resource for practitioners.

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.
Ireland adopted the UNCITRAL Model Law on International Commercial Arbitration in 1998, with the enactment of Arbitration (International Commercial) Act. This text provides a reference source of all relevant statutes, conventions, rules, codes of practice and useful cases.

The cases included are accompanied by text and explanatory materials.

Twenty-first century lawyers practice law in a global village. They represent clients in negotiations for oil concession leases. They attend international treaty negotiations on behalf of sovereign states and environmental NGOs. They act as mediators in international child custody disputes and arbitrators for title to artworks displaced in war. They search the world for the right forum to bring claims for human rights violations, piracy prosecutions, and intellectual property protection. The successful 21st century lawyer is prepared to practice international dispute resolution, and this book is designed to assist in that preparation. It is a comprehensive treatment of the full range of dispute resolution processes, including negotiation, mediation, inquiry, conciliation, arbitration, and adjudication. The second edition updates and expands the first edition. It includes additional materials on international commercial arbitration as well as recent decisions of the United States Supreme Court, the International Court of Justice and the International Centre for the Settlement of Investment Disputes. New problems have been added and reading lists have been revised. Despite the new additions, the book remains highly teachable in a two or three credit-hour format. The law book market has many titles on arbitration and transnational litigation. This is the only casebook, however, that introduces students to all of dispute resolution mechanisms available internationally. Lawyers today need this information as much as they need the standard first year required course on civil procedure.

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 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 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.

These materials introduce students to the processes for resolving international commercial disputes. The focus is exclusively upon judicial and arbitral adjudication, and the text endeavors to expose students to the comparative advantages and disadvantages of each. While arbitration is not a perfect process, it does far better than municipal trial systems in establishing an international rule of law for commerce and commercial transactions. The treatment of traditional problems--such as jurisdiction, proof of foreign law, and trans-border evidence-gathering--is comprehensive and thorough. The materials consistently address the practical issues that attend the international representation of clients, as well as the analytical difficulties that accompany them. The text contains commentary and a series of probing analytical questions that will stimulate the students' imaginations and test their emerging professional mettle.
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.

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.

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.

International Commercial Arbitration tracks every phase of the international commercial arbitral process, including designing arbitration agreements, jurisdictional issues, policies with respect to arbitrability, choosing arbitrators, arbitral proceedings, professional ethics of arbitrators and counsel, conflicts of interest, control mechanisms, and enforcement of awards.

This book examines the formation, nature and effect of the arbitrators’ contract, addressing topics such as the appointment, challenge, removal and duties and rights of arbitrators, disputing parties and arbitration institutions. The arguments made in the book are based on a semi-autonomous theory of the juridical nature of international arbitration and a contractual theory of the legal nature of these relationships. From these premises, the book analyses the formation of the arbitrator’s contract in both ad hoc and institutional references. It also examines the institution’s contract with the disputing parties and its effect on the arbitrator’s contract under institutional references. The book draws from national arbitration laws and institutional rules in various jurisdictions to give a global view of the issues examined in it. The arbitrator’s contract is analysed from a global perspective of arbitral law and practice with insights from various jurisdictions in Africa, Asia, Europe, North and South America. The primary focus of the book is an analysis of the formation of the arbitrator’s contract and the terms of this contract and the institution’s contract. The primary question of the consequences (if any) of the breaches of the terms of these contracts and its impact on the exclusion or limitation of liability of arbitrators and institutions is also analysed with the conclusion
that since these transactions are contractual and the terms can be categorised as in any normal contract, then normal contractual remedies can be applied to the breaches of these terms. International Commercial Arbitration and the Arbitrator’s Contract will be of great value to arbitration practitioners and researchers in arbitration. It will also be very useful to students of arbitration on the topics of arbitrators and arbitration institution.

Retaining its practical emphasis, this new edition has been fully revised and updated to reflect important new developments.

Descreve como a corrupção é julgada na arbitragem comercial internacional. Procura explicar porque não há uma uniformidade na política arbitral em relação à corrupção. Analisa casos relativos à corrupção e arbitragem. Examina a legislação sobre corrupção, assim como convenções internacionais relevantes.

International Commercial Arbitration contains detailed commentary, case analyses, and practice pointers. Full annotations and footnotes provide invaluable research assistance, while clearly written analyses identify and discuss critical issues. Representative international arbitral awards and national court decisions are excerpted, and detailed reference is made to leading institutional rules. Detailed appendices, an easy-to-use Table of Contents, and an extensive index to aid research and provide ready access to key materials. International Commercial Arbitration also discusses in detail all leading international practices and legal sources relating to international commercial arbitration, including the New York and Inter-American Conventions, the UNCITRAL Model Law, and other national arbitration legislation, and all leading institutional arbitration rules. The book is divided into three parts—international arbitration agreements, international arbitral procedures, and international arbitration awards. Each topic is explored in detail and excerpts of key court decisions and detailed analysis provide complete coverage of the role of U.S. courts in enforcing international arbitration agreements under the Federal Arbitration Act, as well as the enforceability of international arbitration awards in U.S. courts. Also examined is the role of U.S. courts in providing judicial support for the international arbitral process, including in granting provisional remedies, selecting arbitrators and arbitral situses, and ordering discovery.

After neutrality and international enforcement, the next most valued feature of international commercial arbitration is confidentiality. For reasons easy to imagine, businessmen do not want their trade secrets, business plans, strategies, contracts, financial results or any other types of business information to be publicly accessible, as would commonly happen in court proceedings. Yet the case law of arbitration shows that in practical terms confidentiality is not to be taken for granted—indeed, it has become one of the most undetermined matters in international arbitration. Although ‘the emperor of arbitration may have clothes,’ as one scholar has quipped, his raiments of secrecy can be ‘torn with surprising ease’. This book deciphers the current degree of confidentiality in international commercial arbitration as reflected by the most important arbitration rules, national laws, other arbitration-related enactments, and practices of arbitral tribunals and domestic courts globally. Drawing on this data and analysis, the author then sets forth criteria to assess the breach of confidentiality in international arbitration and the proper rules for protecting or sanctioning such breaches. What do we understand by confidentiality in arbitration? What are its limitations? Who is bound to observe it? How can we quantify its breach? In addressing these questions, the book engages such issues as the following: reasons for disclosure – e.g., for the establishment of a defence, for the enforcement of rights, in the public interest or in the interests of justice disclosure by consent, express or implied; circumstances triggering statutory obligation of disclosure; recent trends
towards greater transparency in investor-State arbitration; court measures in support of arbitral confidentiality such as award of damages for breach of confidentiality; and categories of persons bound by confidentiality, including third parties such as witnesses and experts. Structured along the main stages of the arbitral process, the analysis covers the duty of confidentiality from the initiation of arbitral proceedings through their unfolding to the issuance of the award and after. The scope of confidentiality is reviewed in the practice of arbitral tribunals and domestic courts, and from the perspective of international arbitration institutions, with detailed attention to various arbitration rules and numerous significant cases. In its elucidation of the amount of confidentiality that ‘veils’ each phase of the arbitral process, and its ground-breaking identification of ‘patterns of disclosure’, this book is sure to raise awareness about the various facets and problems posed by confidentiality in arbitration. Although its scholarly contribution to the law of international commercial arbitration cannot be gainsaid, corporate counsel worldwide will quickly prize its more practical value.

This third edition of The College of Commercial Arbitrators Guide to Best Practices in Commercial Arbitration has been substantially expanded not only to ensure that it is up to date but, also, to incorporate several new chapters on diverse subjects, including intratribunal relations, arbitrators’ fees, eDiscovery, and hybrid arbitration processes. Summary of New Material •Twice as long as the second edition •Substantial revision and expansion of existing chapters •Four new chapters (Arbitrators Fees & Expenses, eDiscovery, Intratribunal Relations, Hybrid Arbitration Proceedings) •Updated to take into account evolving case law and to address newly emerging issues relating to the management of commercial arbitrations •Comparative tables regarding certain aspects of in major international rules and international arbitration institution policies •Revised to take into account: ♦The new 2013 CPR Administered Arbitration Rules ♦The 2013 revisions to the AAA Commercial Rules ♦Various protocols and guidelines relating to domestic commercial arbitration ♦The 2011 revisions to the JAMS International Rules ♦The 2012 revisions to the ICDR Articles ♦The 2010 revisions to the UNCITRAL Rules ♦The 2013 IBA Guidelines on Party Representation in International Arbitration ♦The 2010 revisions to the IBA Rules on the Taking of Evidence in International Arbitration ♦Various protocols and guidelines relating to domestic commercial arbitration The aim of the Guide is to identify best practices that arbitrators can employ to provide users of arbitration with the highest possible standards of economy and fairness in the disposition of business disputes. This third edition of the Guide refines the guidance contained in the first and second editions to take into account developing case law, revised institutional rules, advancements in arbitration techniques and thinking, and also addresses newly evolving issues such as electronic discovery. There are significant differences in the ways in which arbitrations are conducted in different substantive fields of commerce and among different arbitrators in the same field. Techniques that are appropriate and useful in one case may be quite unsuited to another. For this reason, it is not possible to prescribe a single set of best practices that commercial arbitrators should invariably follow in every case. Rather, this Guide attempts to identify the principal issues that typically arise in each successive stage of an arbitration and to explain the pros and cons of various preferred ways of handling each issue. From this perspective, the best practice for an arbitrator is to carefully consider the merits of alternative techniques available for dealing with a particular issue and to then select the technique best suited to the situation. In addition, the Guide attempts to identify the full array of practices available for use in complex arbitrations, which can be adapted and streamlined for simpler cases. Formed in 2001, the College of Commercial Arbitrators is a non-profit organization composed of prominent, experienced commercial arbitrators who believe that a national association of commercial arbitrators can provide a meaningful contribution to the profession, to the public, and to the businesses and lawyers who depend on arbitration as a primary means of dispute resolution. Its mission includes promoting professionalism and high ethical practice in commercial arbitration, adopting and maintaining standards of conduct, providing peer training and professional development, and developing and publishing "best practices" materials. This work is the
College's principal vehicle for fulfilling several aspects of its mission. Many seasoned and knowledgeable practitioners generously contributed their time and insights to the creation of this Guide.

The collected papers in ICCA Congress Series no. 11, as reflected in its title, address important contemporary questions in international commercial arbitration. Included are contributions written by participants in the UNCITRAL Working Group on Arbitration and Conciliation on its current work on the requirement of a written form for an arbitration agreement, interim measures of protection and UNCITRAL's Model Law on International Commercial Conciliation. Further contributions give leading practitioners' views on illegality in the formation and performance of contracts or in the conduct of the arbitration, examining questions on how the arbitral tribunal should deal with these vexed issues and how forgery and fraud may be detected. The factors that lead to acceptance by parties of the decisions of arbitrators are dealt with in contributions on the psychological aspects of dispute resolution. The volume concludes with a series of articles on arbitration under investment treaties written by experienced arbitrators and practitioners, with special emphasis on ICSID and NAFTA and the emerging issues of transparency, accountability and review. Contains lengthy articles on the ongoing work of UNCITRAL on proposed amendments to the UNCITRAL Model Law on International Commercial Arbitration and the recently adopted Model Law on International Commercial Conciliation Details the current thinking on the requirement of an arbitration agreement in writing and how this can be accommodated by the UNCITRAL Model Law and the 1958 New York Convention Addresses the granting of interim measures by arbitral tribunals and their enforcement by national and foreign courts Analyzes issues raised by illegality in the formation and performance of contracts and in the conduct arbitrations and provides a systematic overview of the answers given by legislation, arbitrators and courts Provides insight into the attitudes of arbitrators and parties regarding dispute settlement processes Addresses the changing public perception of arbitration under investment treaties

An ideal resource for students of international investment law or international dispute settlement, this collection of primary sources contains extracts from cases, bilateral investment treaties, and other key materials, accompanied by detailed commentary and analysis. It provides a perfect introduction to the most important topics in this field.


Cases & Materials covers all essential aspects of the arbitral process & are divided between commentary & texts. The book accomplishes both an informational & analytical function. Cases & statutes are followed by extensive & rigorous evaluations. While focusing principally on domestic

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arbitration within the United States, the work does not ignore either the cross-border or the comparative dimensions of arbitral dispute resolution. The Materials address a number of procedural questions that have arisen in practice & emphasize, as critically important, the drafting of arbitration agreements & counseling on matters of arbitration. "The book begins with considerable attention to the theoretical basis for enforcing arbitration agreements & awards. In this connection, Carbonneau respects & explains the vital distinction between labor & commercial disputes better than many judges & scholars have done. Two chapters are spent on the important issue of how federalism affects arbitration law. An excellent chapter on arbitration & statutory rights takes the reader through the doctrinal evolution of "subject matter arbitrability," both in the traditional problems areas of securities & antitrust, & in the more current hot topics of age & sex discrimination in employment. Four chapters deal with international aspects of arbitration, including a look at arbitration law in several non-American jurisdictions, & an examination of treaty-created arbitration under NAFTA, the Iran Claims Tribunal & the Iraqi War Claims Commissions. The book's great strengths are twofold. First, its encyclopedic completeness misses no major case. Second, Professor Carbonneau devotes an almost loving attention to detail in his clear introductions & carefully weighed analytic comments & questions. With grace, elegance & style, Professor Carbonneau has put together a superb work on American arbitration law. His materials would be a bargain even at twice the price." William W. Park Professor of Law, Boston University Counsel, Ropes & Gray, Boston Vice President, London Court of International Arbitration "Tom Carbonneau's 'Cases & Materials on Commercial Arbitration' is a major contribution to the literature on arbitration. it contains not only excerpts of the most important U.S. cases on arbitration but also extensive commentary & analysis that will prove invaluable to practitioners, policy makers & academics who are already familiar with the field. The documentary supplement will also prove immensely valuable, particularly to those who are interested in international arbitration practice. Jean R. Sternlight Professor of Law, Florida State University Director of Education & Research, Florida Dispute Resolution Center.

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] I 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, ¶¶I38-39, 142, 148-49 (Indian S.Ct. 2012); Singapore Court of Appeal – Rakna Arakshaka Lanka Ltd v. Avant Garde
Written from a comparative perspective, with an eye for international conventions and instruments, this book deals with the particulars of international commercial arbitration. In an easily accessible manner it amongst others considers: • the characteristics of international commercial arbitration • advantages and perceived disadvantages of international commercial arbitration • pros and cons of ad hoc and institutional arbitration • laws applicable in international commercial arbitration • essentials of the arbitration agreement and questions of arbitrability • the establishment and composition of the tribunal • the duty to disclose conflicts of interests and the challenge of arbitrators • the end of the arbitrators’ mandate and their replacement • the organisation of the arbitration • powers, duties and liability of arbitrators • the jurisdiction of arbitrators • the course of the arbitration proceedings, from the request for arbitration to the award, including questions of evidence and document production • the form and contents of awards • recognition, enforcement and annulment of awards Everything is presented practically and analytically, amongst others drawing on case law different and the experience of the author. Where indicated national arbitration acts as well as various predrafted arbitration rules are compared and differences are highlighted. For those who want to get acquainted with international commercial arbitration or seek guidance with regard to a specific question that may arise in the course of an international commercial arbitration this book provides a convenient work.

This book is the first-ever to explore commercial arbitration in the Ethiopian context. Alternative conflict resolution mechanisms are nothing new to the country: arbitration as a dispute settlement mechanism by which a third party issues a binding decision on a dispute between two or more parties by exercising the jurisdictional mandate conferred on it by the parties themselves was established with the adoption of the Civil Code in 1960. This pioneering book evaluates the extent to which Ethiopia’s laws and institutions allow disputing parties to effectively reap the benefits of international commercial arbitration. It interprets the relevant legislation and attempts to bridge the gaps in it, in order to help lawyers, arbitrators, arbitral institutions, academics and judges to understand and apply it. It also helps parties seeking to complete international transactions pertaining to Ethiopia make the right choice regarding conflict resolution.

International Arbitration and Forum Selection Agreements: Drafting and Enforcing is a concise, practical primer on the fundamentals of drafting and enforcing international arbitration agreements and other dispute resolution clauses. Drawing on a wealth of practical experience and academic analysis by one of the world’s leading authorities on international arbitration and litigation, this extensively revised and expanded sixth edition provides model
arbitration and forum selection clauses for international contracts and explains the advantages and disadvantages of different approaches to reducing the risks inherent in cross-border transactions. The book is an essential resource for any international practitioner or corporate counsel engaged in international matters. Key Features include: Discussion of practical reasons for international arbitration and forum selection clauses Uncomplicated and practical guidance on drafting international arbitration and forum selection clauses Do's and Don'ts for drafting Model international arbitration and forum selection clauses that permit efficient and effective dispute resolution Nearly 100 different model provisions Ad hoc versus institutional arbitration clauses Overview of leading arbitral institutions (including ICC, SIAC, ICDR/AAA, LCIA, HKIAC, PCA, ICSID, WIPO, VIAC, DIS, NAI and CRCICA) Overview of advantages and disadvantages of leading arbitral seats Forum selection clauses for national and international courts Multi-tier dispute resolution provisions Optional provisions for international arbitration and forum selection clauses (including arbitrator selection, arbitral procedure, costs of arbitration, provisional measures, waiver of annulment and currency of award) Discussion of pathological arbitration clauses and commonly-encountered defects And covers: Updated extensively to address developments through January 2021 New materials covering international courts and choice-of-law provisions Key reference materials in easy-to-use appendices About the author: Gary B. Born is one of the world's leading authorities on international arbitration and litigation. He has practiced extensively in both fields in Europe, the United States, and Asia. He is the author of International Commercial Arbitration (Kluwer Law International 3rd ed. 2021), International Arbitration: Law and Practice (Kluwer Law International 2nd ed. 2016), International Commercial Arbitration: Cases and Materials (Aspen 2nd ed. 2015) and International Civil Litigation in United States Courts (Aspen 6th ed. 2018).

A top legal scholar is honored with this commemorative publication. He distinguishes himself through the enormous range of his academic interests and activities as well as through his mediator role between legal theory and practice. The contributions published in this commemorative work reflect the unusual range of Norbert Horn's work.

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.

This new textbook on international commercial arbitration, explores the process from inception in the contractual drafting stage, through the mechanics of the dispute resolution process, to the enforcement stage, with some consideration of other alternative dispute resolution techniques. The original case studies and related materials are largely drawn from actual practice. The materials are designed to equip a new generation for the tasks of cross-border dispute resolution. They are as useful for teaching future corporate attorneys who will be drafting contracts and managing disputes, to the aspiring advocates who will handle the fights. The materials explore not only the theoretical foundations of the private dispute resolution process and applicable
law, but also offer dozens of case studies. Each of those studies serves to promote informed student development of practical skills applied in lessons from real world problems. The materials are particularly user-friendly to adjunct professors who also practice in the field a perfect blend of theory and practice for today's student and teacher alike.

International Arbitration: Law and Practice (Third Edition) provides comprehensive and authoritative coverage of the basic principles and legal doctrines, and the practice, of international arbitration. The book contains a systematic, but concise, treatment of all aspects of the arbitral process, including international arbitration agreements, international arbitral proceedings and international arbitral awards. The Third Edition guides both students and practitioners through the entire arbitral process, beginning with drafting, enforcing and interpreting international arbitration agreements, to selecting arbitrators and conducting arbitral proceedings, to recognizing, enforcing and seeking to annul arbitral awards. The book is written in clear, accessible language, suited for both law students and non-specialist practitioners, as well as more experienced readers. This highly regarded work addresses both international commercial arbitration and the related fields of investment and state-to-state arbitration and is essential reading for any student of international arbitration and any practitioner seeking a complete introduction to the field. The Third Edition has been comprehensively updated to include recent legislative amendments, judicial decisions and arbitral awards. Among other things, the book provides detailed treatment of the New York Convention, the UNCITRAL Model Law on International Commercial Arbitration, all leading institutional arbitration rules (including ICC, SIAC, LCIA, AAA and others), the ICSID Convention and ICSID Arbitration Rules, and judicial decisions from leading jurisdictions. The Third Edition is integrated with the author’s classic International Commercial Arbitration and with the online Born International Arbitration Lectures, enabling students, teachers and practitioners to explore particular topics in more detail. About the Author: Gary B. Born is the world's leading authority on international arbitration and litigation. He has practiced extensively in both fields in Europe, the United States, Asia and elsewhere. He is the author of International Commercial Arbitration (Kluwer Law International 3rd ed. 2021), International Arbitration and Forum Selection Agreements: Drafting and Enforcing (Kluwer Law International 6th ed. 2021), International Commercial Arbitration: Cases and Materials (Aspen 3rd ed. 2021) and International Civil Litigation in United States Courts (Aspen 6th ed. 2018).

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Annotation The author focuses on the core issue that arises in the planning of international commercial agreements: when to use forum selection clauses and when to mandate arbitration.