

# THE MENA LEADING ARBITRATORS' GUIDE TO INTERNATIONAL ARBITRATION

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# Guide For Arbitrators

**American Arbitration Association**

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## **Guide For Arbitrators:**

**Leading Arbitrators' Guide to International Arbitration - Third Edition** Lawrence W. Newman, Richard D. Hill, 2014-04-01 The Leading Arbitrators Guide to International Arbitration Third Edition offers thoughtful advice and insights into the world of international arbitration from some of the most prominent and experienced international arbitrators in the world The contributors are arbitrators from Australia Belgium Canada Chile Denmark England France Germany Italy The Netherlands Italy Spain Sweden Switzerland and the USA The contributors offer insights and advice on the way in which international arbitrations are carried out from the point of view of arbitrators reading pleadings and memorials and listening to witnesses and hearing arguments The authors discussions are intended to be thoughtful insightful and useful and perhaps occasionally iconoclastic As a result there may be instances in which the authors disagree with one another on certain points This is to be expected for there are often many routes that can be taken to achieve a result The book will be useful not only to persons who may serve as arbitrators in international arbitral proceedings but also to those who may in their position as advocates wish to persuade persons including perhaps the authors

**Case Preparation and Presentation: A Guide for Arbitration Advocates and Arbitrators** Jay E. Grenig, Rocco M. Scanza, 2013-06-01 A Publication of the American Arbitration Association and the Scheinman Institute on Conflict Resolution Cornell University Arbitration advocates uniformly place great emphasis on case preparation Case Preparation and Presentation A Guide for Arbitration Advocates and Arbitrators can be used to help prepare parties and their advocates in a wide range of arbitration cases including labor employment and commercial arbitrations and will provide lawyers and non lawyers alike with the focus and direction to maximize their chances of obtaining a good result in arbitration In this book readers will find coverage on the following topics Developing a case theory and case theme Commencing the arbitration process Selecting an arbitrator and scheduling the hearing Evaluating and presenting evidence Preparing for the arbitration hearing Conducting the arbitration hearing Making and responding to objections Examination and cross examination of witnesses

**College of Commercial Arbitrators Guide to Best Practices in Commercial Arbitration - Third Edition** James M. Gaitis, Carl F. Ingwalsen, Jr., Vivien B. Shelanski, 2014-01-01 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

**AAA Handbook on Commercial Arbitration** American Arbitration Association, 2010-09-01 Assembled from *Dispute Resolution Journal* the flagship publication of the American Arbitration Association the chapters in the Handbook have all where necessary been revised and updated prior to publication The book is succinct comprehensive and a practical introduction to the use of arbitration and ADR written by leading practitioners and scholars The Handbook begins with an exploration of drafting commercial arbitration clauses and provides advice on selecting the right arbitrator for any given commercial arbitration dispute It supplies practitioners with guidelines for use in their arbitration practice and covers such topics as evidence and discovery arbitral subpoena powers procedural and interim orders It also offers guidance on witness

preparation expert testimony and cross examination There are chapters that specifically address the arbitration of large complex cases healthcare disputes and entertainment industry disputes Arbitrators are provided with recommendations regarding professional conduct and responsibility Arbitral awards and remedies are covered extensively and arbitrators are provided with practical approaches and information on drafting awards punitive damages the finality of awards and post decision debriefing Lastly this book discusses commercial arbitration as it relates to the legal system The chapters were selected from an extensive body of writings and in the main represent world class assessments of arbitration and ADR practice All the major facets of the field are addressed and provide the reader with comprehensive and accurate information lucid evaluations and an indication of future developments They not only acquaint but also ground the reader in the field

A Guide to the ICC Rules of Arbitration Yves Derains, Eric A. Schwartz, 2005-01-01 The ICC Rules of Arbitration constitute one of the world's oldest and most widely used sets of rules for the resolution of international commercial disputes In 1998 shortly after the entry into force of the current version of the Rules the First Edition of this book appeared and quickly became an indispensable resource for all those involved or interested in ICC arbitrations including arbitrators counsel and parties In this updated and revised edition the authors two of the world's leading experts on ICC arbitration have revised the Guide in order to take stock not only of the evolution in ICC practice over the last seven years but of new arbitral and judicial decisions bearing on the interpretation and application of the Rules and of developments in international arbitration practice generally The Guide's notable features include article by article commentary on the ICC Rules enriched by the authors' and personal involvement in their drafting and years of experience as arbitrators counsel and former Secretaries General of the ICC International Court of Arbitration ample and greatly expanded references in respect of the Rules and individual provisions to relevant national court judgments and arbitral awards together with extensive bibliographical sources and up to date statistics on ICC arbitration and copies of all ICC rules on dispute resolution mechanisms in addition to arbitration A truly comprehensive reference work on ICC arbitration practice the Second Edition of the Guide will be of immeasurable value to corporate counsel international lawyers and business people as well as to all those interested in the international arbitration process

*Guide for Arbitrators* Arthur A. Appleton, 1989 *Arbitration Guide for Arbitrators* Real Estate Mediation & Arbitration, Inc, 1988

AAA Handbook on International Arbitration and ADR - Second Edition American Arbitration Association, 2010-10-01 Assembled from *Dispute Resolution Journal* the flagship publication of the American Arbitration Association the chapters in the Handbook have all where necessary been revised and updated prior to publication The book is succinct comprehensive and a practical introduction to the use of arbitration and ADR written by leading practitioners and scholars The Handbook contains valuable guidance on international commercial arbitration including the management of arbitration disputes how to select an international arbitral institution an explanation of the effect of international public policy the duties of arbitrators the presentation and evaluation of evidence in international arbitration

and how to arbitrate against a state sovereign The enforcement of international arbitral awards is explored including interim relief and problems with enforcement the New York Convention parallel proceedings and pivotal decisions such as Chromalloy and TermoRio International mediation is also examined including guidelines for selecting the best mediator for an international dispute the power of mediation to resolve international commercial disputes and the differences in U S and European approaches Lastly the section on investment and trade arbitration and mediation explores bilateral investment treaties examines WTO arbitration procedures offers advice on saving time and money in cross border commercial disputes and provides guidance for U S investors to follow in dealing with sovereign states The chapters in the Handbook were selected from an extensive body of writings and in the main represent world class assessments of arbitration and ADR practice All the major facets of the field are addressed and provide the reader with comprehensive and accurate information lucid evaluations and an indication of future developments They not only acquaint but also ground the reader in the field

**The Client's Guide to Mediation and Arbitration** Peter R. Silverman, 2008 Written for business owners who need to engage in mediation or arbitration who may not be familiar with the concepts or legal aspects of the process This book will give the business executives the tools they need for their business to win through mediation and arbitration and save lawyers involved in the process a lot of background and explanation

**Rules of Evidence in International Arbitration** Nathan D. O'Malley, 2013-06-19 Rules of Evidence in International Arbitration An Annotated Guide is a valuable reference for practitioners arbitrators and in house counsel involved in cross border dispute resolution Filled with examples drawn from arbitration case precedent the book considers common issues and questions relating to evidentiary procedure Features Benefits Focuses on evidentiary procedure with extensive case based commentary and examples addressing common issues in international arbitration related to evidence Extensive annotations which allow the reader to locate key precedents for use in practice Practitioner focused meaning common misconceptions and questions arising from the international arbitration procedure are addressed Organised in an easy to use style for quick reference This book will be an essential reference guide on evidence for practitioners of international arbitration Filled with examples drawn from arbitration case precedent the book considers common issues and questions relating to evidentiary procedure Arbitrators and counsel will gain from this publication a better view of the best practices accepted solutions to difficult procedural issues and fundamental due process considerations which arise in connection with the use of evidence in international arbitration

**AAA Handbook on International Arbitration Practice** American Arbitration Association, 2010-09-01 Assembled from Dispute Resolution Journal the flagship publication of the American Arbitration Association the chapters in the Handbook have all where necessary been revised and updated prior to publication The book is succinct comprehensive and a practical introduction to the use of arbitration and ADR written by leading practitioners and scholars The Handbook has discussions of such topics as confidentiality in arbitration tips for beginning practitioners cultural issues in arbitration and the contrast of civil and

common law approaches International forum selection is discussed including whether national or regional centers are viable options and how to save time and money in cross border disputes A range of other issues are discussed such as interim and emergency relief the use of a preliminary hearing letter time management techniques and discovery and evidence Ethical concerns are also discussed including a comparison of arbitrator standards of conduct in international trade and investment disputes dealing with arbitrator conflicts and arbitrator disclosure standards Finally the work addresses the topics of damages and the review and enforcement of international arbitration awards including interpretations under the New York Convention The chapters were selected from an extensive body of writings and in the main represent world class assessments of arbitration and ADR practice All the major facets of the field are addressed and provide the reader with comprehensive and accurate information lucid evaluations and an indication of future developments They not only acquaint but also ground the reader in the field

*Guide to Procedure for the Conduct of an Arbitrator* Arbitrators' Institute of Canada Inc, Chartered Institute of Arbitrators (Great Britain), 1977

**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

**Practitioner's Handbook on International Arbitration and Mediation - Third Edition** Richard Chernick, Daniel M. Kolkey, Barbara Reeves Neal, 2012-04-01 The Practitioner's Handbook on International Arbitration and Mediation 3rd Edition is a unique work with each chapter written by a well known practitioner and expert in the field It covers each step of the international arbitration and mediation process and offers separate chapters that summarize the laws of leading arbitral venues This Handbook is intended to make the reader into a better practitioner or arbitrator mediator Moreover each chapter has been written to provide practical advice and guidance Unlike many works with multiple authors this work is not simply a collection of essays on a general subject This book is a unified work with cross references among the chapters and a consistent format throughout The Practitioner's Handbook is divided into three parts Part One describes in detail each step of the international arbitration process and offers tips Part Two deals with each step and facet of an international mediation Each of these chapters is filled with Practitioners Expert Commentary Part Three summarizes the laws of leading arbitral jurisdictions like Hong Kong England Switzerland and France These chapters give you detailed guidance on the laws governing international arbitration in that particular jurisdiction As a result the chapters in Part Three are a bit more technical as the authors realized that the reader would need citations to and commentary on the local arbitration statutes and rules The CD ROM that accompanies this Work contains relevant original source material that is germane to the text A review of the table of contents of the material contained on the CD ROM will acquaint you with the range of material covered

**A Lawyer's Guide to Commercial Arbitration** George

Goldberg,1977      AAA Handbook on Arbitration Practice American Arbitration Association,2010-08-01 The AAA Handbook on Arbitration Practice assembles from Dispute Resolution Journal the flagship publication of the American Arbitration Association and other sources the latest thinking on arbitration and dispute resolution All chapters where necessary have been revised and updated by the authors to insure that they represent the most current developments in law and practice The Handbook is a succinct comprehensive and a practical introduction to the use of arbitration written by leading practitioners and scholars it provides essential orientation and is a must for anyone with an interest in the field from the seasoned to the neophyte The AAA Handbook on Arbitration Practice brings to the arbitration and dispute resolution professional the latest thinking on arbitration from world renowned specialists in the field The chapters in this work were selected from an extensive body of writings and in the main represent world class assessments of arbitration and dispute resolution practice All the major facets of the field are addressed The chapters provide the reader with comprehensive and accurate information lucid evaluations and useful practical guidance They not only acquaint but also ground the reader in the field      A Guide to the SCC Arbitration Rules Jakob Ragnwaldh,Fredrik Andersson,Celeste E. Salinas Quero,2019-12-11 The Stockholm Chamber of Commerce SCC is one of the world s leading arbitral institutions registering about 200 new cases each year approximately half of them being international cases in commercial and investment treaty disputes True to the SCC tradition of offering a cost efficient and flexible procedure the SCC s current Arbitration Rules which came into force in 2017 introduced important new mechanisms enhancing the efficiency of the proceedings This guide to the SCC Arbitration Rules the first and only available commentary in English addresses the Rules and their appendices article by article in the order in which they appear in the Rules Focusing primarily on how the Rules are applied in practice the authors bring together their combined extensive experience of conducting SCC arbitrations as counsel arbitrators and members of the SCC Board and Secretariat to provide thorough and user friendly guidance on the SCC proceedings from start to finish including the new features introduced in 2017 such as summary procedure joinder and multiple contract arbitrations as well as the new appendix addressing certain aspects specific to investment treaty arbitration Covering all the general issues such as appointment and removal of arbitrators the proceedings before the arbitral tribunal making of awards and decisions the following issues are also addressed emergency arbitrator proceedings consolidation of cases the appointment of an administrative secretary particular characteristics of investment treaty disputes and costs of the arbitration This guide is sure to appeal to arbitrators external counsel and party representatives who choose to adopt the SCC Arbitration Rules whether they are based in Sweden or elsewhere Practitioners will confidently approach any case under the SCC Arbitration Rules with full awareness of applicable rules of procedure and practice      **Rules of Evidence in International Arbitration** Nathan O'Malley,2019-01-16 Now in a fully updated second edition Rules of Evidence in International Arbitration An Annotated Guide remains an invaluable reference for lawyers arbitrators and in house counsel involved in



cross border dispute resolution Drawing on current case law this book looks at the common issues brought up by the evidentiary procedure in international arbitration Features of this book include An international scope which will inform readers from around the world A focus on evidentiary procedure with extensive case based commentary and examples Extensive annotations which allow the reader to locate key precedents for use in practice This book gives essential insight into best practice for practitioners of international arbitration Readers of this publication will gain a fuller understanding of accepted solutions to difficult procedural issues as well as the fundamental due process considerations of the use of evidence in international arbitration

*The Freshfields Guide to Arbitration Clauses in International Contracts* Jan Paulsson, Nigel Rawding, Lucy Reed, 2011-01-01 With this newly updated edition of the Freshfields Guide to Arbitration Clauses in International Contracts still in the concise attractive format that made the original so popular lawyers and business people will confidently negotiate contracts that ensure a speedy clear cut resolution of any dispute likely to arise Taking into account the many significant developments in the law and practice of international arbitration that have occurred over the years since the previous editions it offers clear uncomplicated contract drafting advice derived from the authors wide ranging practical experience model clauses that ensure the effectiveness of dispute resolution provisions and avoid pitfalls and important reference materials

*International Arbitration in Sweden* Annette Magnusson, Ulf Franke, 2013-07-01 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 Due in all likelihood to this context of especially credible neutrality 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 thirteen eminent practitioners 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 use of international legal sources such as IBA guidelines choice of law by parties SCC rules and procedures multiparty arbitrations joinder intervention consolidation 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 dispositions 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 an international arbitration in Sweden

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