Commercial Arbitration in the Arab Middle East Jordan Kuwait Bahrain And Saudi Arabia

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Commercial Arbitration in the Arab Middle East - Samir Saleh 1984-07

Commercial Arbitration in the Arab Middle East: Shari'a, Syria, Lebanon, and Egypt - Samir A. Saleh 2006-01-01 In this second edition of Samir Saleh's major work on commercial arbitration in the Arab Middle East, the basic format has been maintained, while the author, drawing upon his intimate knowledge of the
region and considerable practical experience as an arbitrator, has completely revised and updated the book so that it offers a fully modern account of domestic commercial arbitration practice, with an international dimension, under the sharia and in Syria, Lebanon and Egypt. The first part of the book, dealing with sharia, continues to draw on the four major sources of sharia, with illustrations taken from the four main Sunni schools that have influenced its development. This part underpins all the remaining chapters which deal in turn with different national systems, building on the discussion by reference to local statutes, judicial precedents and commentaries. Detailed analysis of law and practice is supported by extensive footnoting, guidance on further reading, and insights into the prevailing business practices within each country. For practising lawyers and arbitrators a feature which will be particularly welcome is the inclusion of up-to-date discussion of practice and procedure for the execution and enforcement of domestic and foreign awards, and the legal pitfalls awaiting the unwary. The new edition has also been considerably amplified to include international aspects of arbitration as reflected in judicial decisions and academic commentary in each territory.

**International Commercial Arbitration in the Arab Countries** - 1992

**Arbitration with the Arab Countries** - Abdel Hamid El-Ahdab 2011-07-25 This book is intended to provide lawyers and businesses with an overview of the legal systems and processes in relation to arbitration in all the Arab jurisdictions in the Middle East and North Africa: Algeria, Bahrain, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Qatar, Saudi Arabia, Sudan, Syria, Tunisia, United Arab Emirates, Yemen. In addition, there will be a chapter on Muslim arbitration law (Shari’a), the Amman Arab Convention on Commercial Arbitration (1987) and the Riyadh Arab Convention on Judicial Cooperation (1983). The new edition will be
completely revised, updated, and expanded, providing commentary, an overview of case law, and translations of the relevant statutes. Each chapter will follow the same outline to ensure that they are as consistent and comparative as possible and will cover (but not be limited to) issues such as: the legal and judicial system, the agreement to arbitrate, the arbitrators, the proceedings, arbitral awards, the enforcement of the award, and the means of recourse.

**Arbitration and International Trade in the Arab Countries**

Nathalie Najjar 2017-10-30

Arbitration and International Trade in the Arab Countries examines international trade arbitration in the MENA region and analyses legal sources, decisions and practices through the prism of freedom and safety requirements. The work is an essential guide to the body of arbitration law at both the practical and theoretical levels.

**Arbitration with the Arab Countries**

‘Abd Al-Hamid Ahdab 1999

Arab arbitration law has moved beyond the crisis caused by the controversial ARAMCO and Abu Dhabi awards. The past decade has witnessed widespread changes in Arab arbitration law, including the modification of arbitration laws by a number of Arab countries, the creation of several new arbitration centers in these countries, and the accession by most Arab countries to the New York Convention. Arbitrators and other practitioners whose work deals with one or more Arab states and academics involved in the study of Arab arbitration law need a complete resource that ties together the multiple components of law in this area. Arbitration with the Arab Countries supplies this resource, setting out the evolution of Arab arbitration law and offering an exhaustive commentary on the law and practice of arbitration throughout the Arab world and exploring some of the remaining problems and hidden truths in the field. Its practical features include: an introduction to and explanation of the concepts of arbitration in Moslem law coverage.
of several pan-Arabic conventions on Arab and international arbitration a view of the state of the law in each relevant country Arbitration with the Arab Countries allows the user to look up the arbitration systems and practice of a particular country while also contributing to a deeper understanding of the influences of Moslem law in this area generally. Practitioners and academics will appreciate its completeness and insight.

Commercial arbitration in the Arab Middle East: Jordan, Kuwait, Bahrain, and Saudi Arabia - Samir Saleh 2010

Liber Amicorum Samir Saleh - Nassib G. Ziadé 2019-11-29 Liber Amicorum Samir Saleh Reflections on Dispute Resolution with Particular Emphasis on the Arab World Edited by Nassib G. Ziadé This welcome volume upturns the widespread perception that the Islamic and Arab worlds fail to conform to today’s internationalized approach to dispute resolution.

With contributions from nineteen eminent authors - judges, arbitrators, academics, practicing lawyers, representatives of international arbitral institutions - this collection of essays and analyses manifests the salutary worldwide influence of Arab law and its intersection with the common law and civil law traditions. Conceived to honor Mr. Samir Saleh, one of the leading scholars and international lawyers in the Arab world, the book offers work in English and French that focuses on the fields of law to which Mr. Saleh has made his most significant contributions, namely, arbitration and mediation in different types of international disputes. Among the issues and topics covered are the following: the position of Islamic and Middle Eastern law on alternative dispute resolution; dichotomy between confidentiality and enforcement; Shari’a applicable to the merits in international commercial arbitration; oil and gas agreements; State submission to arbitration in the Arab world; the role of arbitral institutions in the Middle East and North Africa; and interaction between public and private law.
concepts and practices. The authors highlight the ongoing challenges and outlook for dispute resolution in the region, discussing case law, evolving legislation, and changes in the practice of international arbitration and mediation in several Arab countries. Mr. Saleh’s work in strengthening international law while bridging the legal and cultural divides between the Arab region and the rest of the world will undoubtedly continue to inspire generations to come. Given recent developments in Arab and Islamic law and the resulting focus on Arab scholarship and jurisprudence, along with Mr. Saleh’s unparalleled influence on dispute resolution in the Arab world and beyond, the wide-ranging expertise revealed in this Liber Amicorum is sure to be of great practical value to international law practitioners and law firms, alternative dispute resolution scholars, and arbitral institutions worldwide.

Essays on International Commercial Arbitration - Petar Sarcevic 1989-01-01 In the light of the considerable reliance placed by the international business community on systems of dispute settlement, this work gathers together contributions (in French & English) by experts from a wide range of specialisations. They successfully address the regulation & practice of arbitration in the Arab World, assessing the contribution of European & American legislation & the impact of the UNCITRAL model law. The contributions by eminent legal practitioners, academics, members of government & judiciary, reflect also upon current developments. The volume publishes the proceedings of the third Euro-Arab Congress held in Amman, October 1989; the second volume Euro-Arab Arbitration II was published in 1989 by Graham & Trotman.

Practitioner's Guide to Arbitration in the Middle East and North Africa - Essam Al Tamimi 2009-09-01 The Practitioner's Guide to Arbitration in the Middle East and North Africa is the culmination of the real experience and expertise from those experts and authorities...
directly involved with arbitration in their respective countries. The book is the first of its kind to target the Mena region specifically and is essential for anyone working in the area of arbitration both in the Middle East and worldwide. The practice of arbitration of private disputes is not new to MENA countries. Arbitration has long been recognized as a legitimate and culturally accepted practice of dispute resolution, dating back to dispute resolution practices of the early Islamic period, and even the pre-Islamic era. International commercial arbitration, and its cultural and juridical acceptance, is a more recent and complex phenomenon nonetheless on the rise in MENA countries. It is now standard for arbitration clauses to be included in contracts governing international transactions and there is a growing consensus among MENA merchants engaged in international trade, along with their commercial counterparts in the rest of the world, that international arbitration is preferable to litigation in domestic courts for purposes of resolving private commercial disputes. While subject to some qualifications and restrictions in some instances, in many, if not most, MENA countries, arbitration clauses can be included in contracts with government entities engaging in commercial transactions. Additionally, conferences, seminars, and training programs in international arbitration are on the rise, and various international arbitration centres have been established. The advantages from the perspective of private parties are tremendous: Parties can elect which law will apply to disputes arising from their transactions, and they can remove themselves from the constraints and biases of parochial attitudes in national courts. There is also an increasing acceptance by national courts of international arbitration standards, such as the principle of Kompetenz-Kompetenz, recognising the right of arbitrators to decide their own jurisdiction and the separability of the arbitration clause. More frequently, courts are granting assistance and support to international arbitrations and are more receptive to enforcing foreign awards. This book is a comprehensive guide to arbitration in
Algeria, Bahrain, Egypt, Iran, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Palestine, Qatar, Saudi Arabia, Sudan, Syria, Tunisia, UAE, and Yemen. Written in question/answer format by leading practitioners and firms from the region, it elicits the most salient features of the legal framework for arbitration and international arbitration in each of the respective countries.

**The Effect of the 1958 New York Convention on Foreign Arbitral Awards in the Arab Gulf States**

Reyadh Mohamed Seyadi 2017-08-21

In the second half of the twentieth century, alongside the evolution of the global economy, modern technology, rapid transportation and multinational enterprises, there was an increased demand for a dispute resolution mechanism that met the needs of traders, international trade and economic policy-makers. Arbitration as an alternative dispute resolution has significantly gained in popularity in the Arab Gulf States over the past two decades or so. This is no doubt reason enough to take a closer look at the main theme that defines arbitration in this region. National courts of the Arab Gulf states are invariably seen as not very arbitration friendly, some possibly even hostile to arbitration. Public order, alongside the Islamic legal traditions, is seen as unruly horse that could possibly undermine the development of international commercial arbitration in this region. The contribution in this book will go some way toward dissipating the concerns that are routinely raised about the procedural and practical soundness of arbitration in the Arab Gulf states. In addition, the book serves to place arbitration in the Arab Gulf states in its present legal systems, national laws and courts practices.

**Commercial Arbitration in the Arab Middle East: Jordan, Kuwait, Bahrain, Saudi Arabia**

Samir Saleh 2012

Samir Saleh's Commercial Arbitration in the Arab Middle East, first published in 1984, became established as the most comprehensive treatment of the law in this field. His next book on the subject, published in
2006, covered the Shar'a, Lebanon, Syria, and Egypt. Saleh's new volume, covering Jordan, Kuwait, Bahrain and Saudi Arabia, follows the same basic structure as the earlier volumes, analysing the national arbitration systems of the four countries by reference to statutes, judicial decisions and commentaries. The author also discusses international aspects including the applicable bilateral treaties and international conventions. Detailed discussion of the law and its practice is supported by extensive footnotes, and by the author's own translations into English of the applicable current laws and regulations.

**U.S.-Arab Commercial Arbitration and Conciliation** - 1985

**Euro-Arab Commercial arbitration system between facts and reality** - Rashid Ibn Kalban 1991

**Contemporary Problems in International Arbitration** - Julian Lew 2013-06-29

The establishment of a School of International Arbitration was a sufficiently important occurrence to have brought to London, for its inaugural conference, most of the world's leading experts on international arbitration. The three-day Symposium on March 25-27, 1985 sought to identify and consider the contemporary problems affecting international arbitration. It was not the aim of the Symposium to develop, propose or agree solutions to these problems, but rather to discuss the issues and alternative solutions. The success of the School will be measured in the future by its contribution, through research and teaching, to the development of solutions to the difficulties and uncertainties which reduce the effectiveness of international arbitration agreements and awards and the conduct of international arbitral proceedings. This book reproduces the papers presented at the Symposium (amended and varied by several contributors). It is not considered appropriate here to comment on or
analyse paper by paper the ideas presented or discussions which ensued. However, it would be appropriate to make reference to specific developments in the short period since the Symposium directly relevant to the papers reproduced and the discussions which ensued. The pertinence of the subject-matter selected becomes clear from these subsequent developments.


Islamic Law and International Commercial Arbitration-Maria Bhatti 2018-09-27 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.

Strengthening Relations with Arab and
Arbitration, focused on strengthening relations with Arab and Islamic countries. In the papers presented here, the authors point out that not only is free and liberal trade deeply rooted in the culture of Islam, Shari'a urges the accommodation of all kinds of knowledge, including the technological environment necessary for e-commerce. They point the way to full participation by Arab and Islamic countries in the world economic community. This work focuses on strengthening relations with Arab and Islamic countries in three specific areas: electronic commerce, the World Trade Organization's dispute settlement mechanisms and foreign investment. Contributors come from the Middle East, Europe and North America and offer a diversity of perspectives on strengthening relations with Arab and Islamic countries. This book will be of interest to international organizations, corporate counsel, international lawyers and business people, as well as to students of international law and Islamic law.
Festschrift Ahmed Sadek El-Kosheri-Mohamed Abdel Raouf 2015-06-24 With this Festschrift, the Bahrain Chamber for Dispute Resolution (BCDR-AAA) is starting a tradition of honoring Arab scholars and practitioners who promote international arbitration and international law. Over the last few decades, international arbitration institutions and international law societies have generously acknowledged the work of leading scholars and practitioners from the region. The time has come, however, for these individuals to be honored by institutions within the region. It should come as no surprise that the BCDR-AAA is dedicating this first Festschrift to Professor Dr. Ahmed El-Kosheri. His immense contributions to international commercial arbitration, international investment arbitration, and international law more broadly, as well as his significant influence on a generation of lawyers and students from the Arab region and beyond, fully justify this choice. As a testament to Dr. El-Kosheri's remarkable career, broad intellectual horizons and extensive geographical reach, the Festschrift includes contributions from forty-six authors-judges, arbitrators, practitioners and scholars-representing twenty-one nationalities from the Middle East, North and Western Africa, East Asia, Europe, and North and South America, who wrote on topics as diverse as international arbitration and ADR mechanisms, international investment law, public international law (including international administrative law), and private international law in Arabic, English, and French. One can hardly think of another Arab figure who has done more than Dr. El-Kosheri to strengthen international law while bridging legal-cultural divides between the Arab region and the rest of the world. He will undoubtedly continue to inspire many generations to come.

Liber Amicorum Samir Saleh-Nassib G. Ziadé 2019-11-29 Liber Amicorum Samir Saleh Reflections on Dispute Resolution with Particular Emphasis on the Arab World Edited by Nassib G. Ziad This welcome volume upturns the widespread perception that the Islamic and Arab
worlds fail to conform to today's internationalized approach to dispute resolution. With contributions from nineteen eminent authors - judges, arbitrators, academics, practicing lawyers, representatives of international arbitral institutions - this collection of essays and analyses manifests the salutary worldwide influence of Arab law and its intersection with the common law and civil law traditions. Conceived to honor Mr. Samir Saleh, one of the leading scholars and international lawyers in the Arab world, the book offers work in English and French that focuses on the fields of law to which Mr. Saleh has made his most significant contributions, namely, arbitration and mediation in different types of international disputes. Among the issues and topics covered are the following: the position of Islamic and Middle Eastern law on alternative dispute resolution; dichotomy between confidentiality and enforcement; Shari'a applicable to the merits in international commercial arbitration; oil and gas agreements; State submission to arbitration in the Arab world; the role of arbitral institutions in the Middle East and North Africa; and interaction between public and private law concepts and practices. The authors highlight the ongoing challenges and outlook for dispute resolution in the region, discussing case law, evolving legislation, and changes in the practice of international arbitration and mediation in several Arab countries. Mr. Saleh's work in strengthening international law while bridging the legal and cultural divides between the Arab region and the rest of the world will undoubtedly continue to inspire generations to come. Given recent developments in Arab and Islamic law and the resulting focus on Arab scholarship and jurisprudence, along with Mr. Saleh's unparalleled influence on dispute resolution in the Arab world and beyond, the wide-ranging expertise revealed in this Liber Amicorum is sure to be of great practical value to international law practitioners and law firms, alternative dispute resolution scholars, and arbitral institutions worldwide.
International Investment Arbitration
Mohamed A.M. Ismail 2016-04-22 Arbitration is the most common mechanism for disputes' settlement in developing countries. Following the move to free market economies, arbitration will play an increasingly fundamental role in order to protect foreign investors in the Middle East and North African Region (MENA). This book examines the pulse and dynamics of international investment arbitration and the new era of mediation in state contracts in the region. The author explores the harmonization of international arbitration and the sensitive issue of le Contrat Administratif in Middle East civil law countries. The volume also discusses the pivotal role of international organizations such as UNCTAD and ICSID in codifying fair and prompt mechanisms for dispute settlement. Using Latin American countries as a prime example of how international legislative instruments serve international investment law principles and comparing Latin American experiences where appropriate, the book demonstrates how lessons can be learned in respect of alternative dispute resolution, international commercial arbitration and investor-states arbitration. It provides suggestions and recommendations for the future and includes useful appendices detailing recent worldwide trends, regional and international instruments in the arbitration world.

Arbitral Awards of the Cairo Regional Centre for International Commercial Arbitration - Arbitral Awards of CRCICA Volume 2 (1997-2000) - Mohiedin Ismail Alamedin
2021-10-25 The cases are edited and translated by the prominent legal scholar, arbitrator and lawyer Dr. Mohie Eldin I. Alam-Eldin. His in-depth commentary on the thirty-four cases included in this volume encompasses discussion of emerging new arbitral trends and principles, such as the alter ego and contra preferentum
doctrines, and new approaches to arbitration engendered by the ever-growing and changing practises and patterns of international trade. He also analyses many of the new issues raised by the decisions of the court of appeal in cases where arbitral awards proved unsatisfactory. Many of these court of appeal decisions are included in the text, as are relevant decisions of the Supreme Court of Egypt. This second series of cases brought before the Cairo Regional Centre for International Commercial Arbitration covers the period 1997-2002, years which witnessed a major growth in confidence in the Centre and a corresponding expansion in scope, procedure, and legal principles. Perhaps most notable among these important developments is the evolution of hybrid procedures that permit the harmonization of legal cultures among parties. In this book will be found a number of cases which successfully blend common law, civil law, and Sharia principles while rigorously adhering to the agreements between the parties, all applicable law, and guarantees of defence. The subject matter of the international disputes arbitrated includes the following: - Supply - Hotel management - Software contracts - Oil contracts - Distributorship contracts - Insurance contracts - Credit risk management contracts - Construction - Commercial agency The significance of the Cairo Regional Centre for International Commercial Arbitration, as a forward-looking and innovative institution directly influencing business activity in some of the most important areas of global commerce, can hardly be overstated. This book validates and reinforces the Centre pivotal role, and will be of inestimable value to the international commercial arbitration community.

Yearbook Commercial Arbitration, Volume XLIV (2019)-Stephan W. Schill 2019-12-17 The Yearbook Commercial Arbitration continues its longstanding commitment to serving as a primary resource for the international arbitration community, with reports on arbitral awards and court decisions applying the leading arbitration conventions and decisions of general interest to the practice of international arbitration as well as announcements of arbitration legislation and rules. Volume XLIV (2019) includes: excerpts of arbitral awards made under the auspices of the International Chamber of Commerce (ICC); notes on new and amended arbitration rules, including references to their online publication; notes on recent developments in arbitration law and practice in Djibouti, India, the Republic of Maldives, New Zealand, Papua New Guinea, Sweden, and the United Arab Emirates, as well as the Prague Rules on the Efficient Conduct of Proceedings in International Arbitration; excerpts of 88 court decisions applying the 1958 New York Convention from 27 countries – including, for the first time, a selection of seven cases from Hungary, and cases from Fiji, Macao SAR, Panama, and the Caribbean Community – all indexed by subject matter and linked to the commentaries on the New York Convention published in the Yearbook, authored by former General Editor and leading expert Prof. Albert Jan van den Berg; excerpts from two decision applying the 1965 Washington (ICSID) Convention and four decisions applying the 1975 Panama (Inter-American) Convention, as well as a selection of eight court decisions of general interest; and extensive Bibliography of recent books and journals on arbitration. The Yearbook is edited by the International Council for Commercial Arbitration (ICCA), the world’s leading organization representing practitioners and academics in the field, under the general editorship of Prof. Dr. Stephan W. Schill and with the assistance of the Permanent Court of Arbitration, The Hague. It is an essential tool for lawyers, business people and scholars involved in the practice and study of international arbitration.

The Dubai Experience - Amer H. AlQahtani 2016
Since the global financial crisis of 2006, the UAE has made considerable progress in many areas regarding international commercial arbitration. The UAE Federal Government has proposed new arbitration laws and acceded to the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards (1958) in 2006. Moreover, Dubai as an Emirate of the UAE has established its own arbitration centres, namely the Dubai International Financial Centre (DIFC) and the Dubai International Arbitration Centre (DIAC).

The International Effectiveness of the Annulment of an Arbitral Award - Hamid Gharavi 2002-03-14
In international arbitration as practiced today, few issues are as controversial and hotly debated as the foreign enforcement of an arbitral award that has been annulled in its originating jurisdiction. As more and more jurisdictions challenge such annulments, the issue has inevitably attracted the intense scrutiny of practitioners and scholars. Now, in the first book written on the subject--and a major work unlikely to be superseded for quite some time--the international practitioner and scholar Dr. Hamid G. Gharavi provides a keen, in-depth analysis of the sources, legal and practical grounds, and possible solutions of the problem, particularly as it affects international business transactions in the global economy. Dr Gharavi analyzes the relevant provisions in all major international arbitration conventions, as well as national laws on the annulment and enforcement of arbitral awards in force in more than fifty different countries. Among the book's most
notable features are the following: invaluable information on, and an in-depth analysis of, the travaux préparatoires of the New York Convention pertaining to the articulation of annulment/enforcement controls; the effects of the cultural, judicial, and legal diversity of states; and clear elucidation of the interests that often separate North from South in the practice of arbitration. With detailed attention to theoretical and practical perspectives--especially as they reveal the dangers to which the enforcement of annulled awards can subject international business operators--Dr Gharavi arrives, after consideration of all interests, at a global resolution aiming to establish an effective and harmonious international legal framework for the control of awards in accordance with the nature and mission of arbitration.

Practical Guide to Litigation and Arbitration in the United Arab Emirates - Essam Al Tamimi 2021-11-29

Shari’a Law in Commercial and Banking Arbitration - Abdulrahman Yahya Baamir 2016-04-01 This book provides an analysis of how commercial and banking disputes can be settled under the Islamic regime for arbitration. The work focuses on the Saudi legal system as representative of Shari’a law in commercial and banking arbitration, and where relevant, makes comparisons with the settlement of banking disputes in Egypt and the UAE. Shari’a Law in Commercial and Banking Arbitration provides a general introduction to the Saudi law and to the main principles and sources of Islamic Shari’a, on which Saudi law is based. It explores uncertainties resulting from the current system, such as the payment of interest, and examines possible alternative remedies for both domestic and international banking arbitration. It will be key reading for anyone interested in business and commercial law.

Arbitration with the Arab Countries - ‘Abd al-
Hamīd Aḥdab 1990 Arab arbitration law has moved beyond the crisis caused by the controversial ARAM-CO & Abu Dhabi awards. The past decade has witnessed widespread changes in Arab arbitration law, including the modification of arbitration laws by a number of Arab countries, the creation of several new arbitration centers in these countries, & the accession by most Arab countries to the New York Convention. Arbitrators & other practitioners whose work deals with one or more Arab states & academics involved in the study of Arab arbitration law need a complete resource that ties together the multiple components of law in this area. Arbitration with the Arab Countries supplies this resource, setting out the evolution of Arab arbitration law & offering an exhaustive commentary on the law & practice of arbitration throughout the Arab world & exploring some of the remaining problems & hidden truths in the field. Its practical features include the following: . an introduction to & explanation of the concepts of arbitration in Moslem law, . coverage of several pan-Arabic conventions on Arab & international arbitration, & . a view of the state of the law in each relevant country. Arbitration with the Arab Countries allows the user to look up the arbitration systems & practice of a particular country while also contributing to a deeper understanding of the influences of Moslem law in this area generally. Practitioners & academics will appreciate its completeness & insight.

**Institutional Arbitration**-Rolf A Schütze 2013-04-05 International arbitration has become the preferred dispute resolution mechanism in cross-border disputes. In the course of time, ad hoc arbitration, where the parties have to create their own rules and procedures, has increasingly been replaced by institutional arbitration where a specialised institution with a permanent organisation provides assistance and a set of practice-proven rules. The services and rules provided by the various institutions of arbitration differ. In order to inform the potential parties and their counsels about the differences and to
make the choice between the different arbitration regimes easier, and to offer guidance through the various provisions, this book provides a comprehensive article-by-article commentary of rules of arbitration of 14 important arbitration institutions: AAA (American Arbitration Association) CIEDAC (China International Economic and Trade Arbitration) DIAC (Dubai International Arbitration Centre) DIS (German Institution of Arbitration) ICC (International Court of Arbitration) ICSID (International Centre for Settlement of Investment Disputes) KLRCA (Kuala Lumpur Regional Centre for Arbitration) LCIA (The London Court of International Arbitration) MKAS (Moscow International Commercial Arbitration Court) SCC (Stockholm Chamber of Commerce Arbitration) SIAC (Singapore International Arbitration Centre) Swiss Rules UNCITRAL Rules Vienna Rules

Arbitration in Africa-Lise Bosman 2021-09-02
The Second Edition of this unprecedented volume assembles an updated and expanded country-by-country analysis – both practical and insightful – of how arbitration is conducted in forty-nine African countries, providing essential information about legislative provisions, treaty adherence, and arbitral procedure. Contributors include sought-after African arbitrators, distinguished practitioners, academics and institution-builders, all of whom are active in promoting the use of arbitration as a viable means of dispute resolution in Africa. Five sections representing the main regions of the continent, each with a substantive introductory chapter covering the major trends within that region, offer country overviews addressing issues such as the following: adherence to the key arbitration conventions; modernity of a State’s arbitration legislation and its compatibility with the UNCITRAL Model Law; particular features of arbitral practice in that jurisdiction (including responses to the COVID-19 pandemic); access to and (where available) statistics from local and regional arbitral institutions; significant arbitration-related national case law; and
enforcement of foreign arbitral awards. A sixth section focuses on treaty-based investor-State arbitration against African States under the ICSID Convention, providing an empirical analysis of the experience and record of African States with investor-State arbitration in the period between 2010 and 2020. Useful tables and graphics of intra-African bilateral investment treaties, a list of ICSID proceedings involving African States, a list of treaty accession by African States, and other tabular features round out the volume. The first edition of this volume was welcomed by arbitration practitioners and legal academics everywhere as an essential guide to an emerging and important area of international arbitration practice. This second edition tracks the significant developments (in treaty accession, reform of arbitration legislation and developing case law) that have taken place over the past decade, and confirms that arbitration as a preferred method of dispute resolution is now firmly entrenched on the African continent.

**International Arbitration in a Changing World**-T.M.C. Asser Instituut 1994-07-13 The reports and commentaries in this volume are a clear reflection of the changes in the world economic and political structure. They contain both general overviews of the current situation as well as detailed observations. The rapporteurs and commentators were selected from legal systems and institutions where international commercial arbitration is firmly established, as well as from legal systems where the former tentative position of international commercial arbitration is only now being strengthened by means of acceptance by governments, ratification of multilateral arbitration Conventions, enacting of new legislation, and the establishment of new arbitral institutions. A subscription ensures you will receive all future volumes automatically.

**Arbitral Awards of the Cairo Regional Centre for International Commercial Arbitration**-
Mohie-Eldin I. Alam-Eldin 2014-11-18 This fourth series of cases brought before the Cairo Regional Centre for International Commercial Arbitration introduces some of the most important arbitration cases involving major construction companies from Europe and the United States during the past decade. Manifesting once again the Centre DEGREES’s hybrid procedures that permit the harmonization of legal cultures among parties while rigorously adhering to the agreements between the parties, all applicable law, and guarantees of defence, this volume provides full details on seven cases, dealing with disputes pursuant to major construction contracts (an airport, a Red Sea port, a Mediterranean tourist resort, and a power plant), and disputes over the validity of the arbitration clause and the dispute resolution procedure itself. As in previous volumes in the series, the sections on each of the seven cases include full or only slightly abridged summaries of the actual awards, with detailed commentaries. Although these awards were rendered in English; they were edited and commented by the prominent legal scholar, arbitrator, and lawyer Dr. Mohie Eldin I. Alam-Eldin. His in-depth commentary on the cases encompasses discussion of emerging new arbitral trends and principles and new approaches to arbitration engendered by the ever-growing and changing practices and patterns of international trade.

A Model Harmonised International Arbitration Law Code for the Middle East and North Africa-Mary B Ayad 2016-05-09 The law codes in the Middle East North Africa (MENA) region are a well-crafted blend of civil and Islamic law in which civil law principles do not violate Islamic provisions. Yet, common law principles derived either from English common law or Islamic customary usages remain unidentified and thus ignored. Here, this complex scenario is rectified through a comparative analysis of the primary data (e.g. cases, statutes and arbitral award decisions), adding common law and uncodified Islamic custom to MENA law codes. The purpose of this comparative analysis
is to allow common legal principles found in civil, common and Islamic law to be distilled in order to create a new, harmonised international commercial arbitration law code (HICALC) or uniform Arab arbitration law (UAAL) for adoption in the MENA region, where these principles already greatly influence the legal systems and can be readily assimilated into a harmonised or uniform code. The work demonstrates that this new code would lead to improved arbitral award enforcement in the MENA.

**International Arbitration and the COVID-19 Revolution**

- Maxi Scherer 2020-11-17

International Arbitration and the COVID-19 Revolution Edited by Maxi Scherer, Niuscha Bassiri & Mohamed S. Abdel Wahab

The impact of the COVID-19 pandemic on all major economic sectors and industries has triggered profound and systemic changes in international arbitration. Moreover, the fact that entire proceedings are now being conducted remotely constitutes so significant a deviation from the norm as to warrant the designation ‘revolution’. This timely book is the first to describe and analyse how the COVID-19 crisis has redefined arbitral practice, with critical appraisal from well-known practitioners of the pandemic’s effects on substantive and procedural aspects from the commencement of proceedings until the enforcement of the award. With practical guidance from a variety of perspectives – legal, practical, and sector-specific – on the conduct of international arbitration during the COVID-19 pandemic and beyond, the chapters present leading practitioners’ insights into the unprecedented and multifaceted issues that arise. They provide expert tips and challenges in such practical matters as the following: preventing and resolving disputes of particular types – construction, energy, aviation, technology, media and telecommunication, finance and insurance; arbitrator appointments; issues of planning, preparation and sample procedural orders; witness preparation and cross-examination; e-signature of arbitral awards; setting aside and enforcement.
proceedings; and third-party funding. Also included are an empirical survey of users’ views and an overview of how the COVID-19 revolution has affected the arbitration rules of leading arbitral seats. With this timely and practical book, arbitration practitioners and scholars will gain up-to-date knowledge of sector-specific challenges brought about by the COVID-19 pandemic and approach arbitration proceedings with an understanding of the most important legal and practical considerations during the crisis and beyond.

**Yearbook Commercial Arbitration Volume Xxviii 2013-Van Den Berg 2013-12** Volume XXXVII (2012) of the Yearbook again presents readers with a selection of arbitral awards and court decisions made accessible by translations, indices and categorized lists. Since Volume XXXV (2010), the Yearbook's selection of arbitral awards and court decisions is available in a combination of print edition and online publishing. Arbitral awards continue to be published in print in their entirety, as are Parts of the Yearbook providing various information. Court decisions are presented at two levels of consultation: a Summary of each decision, prefaced by a short recap, is published in print; a detailed Excerpt of the decision is available online at . A code provided with the Yearbook allows readers to access the relevant Volume online, as well as the preceding Volume. Readers who have purchased Volume XXXVII (2012) can therefore access materials from both this Volume and Volume XXXVI (2011).

**Development of a Commercial Arbitration Hub in the Middle East-Aida Maita 2013** This Dissertation analyzes and discusses the development of arbitration in the Middle East with the major focus on the State of Qatar as a case study. Studies the rise and development of International Commercial Arbitration as it is conducted in Qatar in relation to other regional jurisdictions such as Bahrain, Dubai in the United Arab Emirates, and Egypt. This work also
analyzes the effects that the legal systems of the respective States have on the dispute resolution procedures that have been adopted by parties seeking to conduct proceedings, or attempting to enforce awards in these States.

**International Commercial Arbitration**-Gary B. Born 2020-11-23 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] 1 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 –