Bibliography of Books and Articles on International Commercial Arbitration

Janet S. Zagorin

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BIBLIOGRAPHIES

BIBLIOGRAPHY OF BOOKS AND ARTICLES ON INTERNATIONAL COMMERCIAL ARBITRATION

JANET S. ZAGORIN*

INTRODUCTION

This is a selected bibliography of books and articles on international commercial arbitration which are part of the library collection of Baker & McKenzie, New York. This is not a comprehensive listing of all materials available on the subject. Emphasis is on the materials which are used in our practice. Therefore, certain topics, such as maritime arbitration are not covered. Annotations are included for those books which are particularly useful to the practitioner. This represents a personal and subjective selection of material available in June 1989.

The bibliography is organized according to the following topics.

I. General Materials on Arbitration
II. Arbitrability—The Agreement to Arbitrate
III. Choice of Law
IV. Procedure—Establishment of Tribunals—Selection of Arbitrators
V. Awards—Orders—Injunctive Relief Damages
VI. Enforcement—Judicial Review
VII. Fora—Including ICC, AAA, ICSID, UNCITRAL, CMEA, Ad Hoc
VIII. Treaties—Conventions
IX. Local and Regional Arbitration

Due to the diverse nature of many of the items, their classification may be considered arbitrary. In many instances, materials could have been listed under multiple topics.

Following the bibliography is a list of Serials which regularly publish articles on arbitration and a list of national arbitration associations and their official publications. This list represents a selected list of arbitral institutions and their publications which are collected by the Baker & McKenzie library in New York. Several of the books listed in the bibliography contain additional national entries.

I. GENERAL MATERIALS ON ARBITRATION

Books


*Janet S. Zagorin, Library and Professional Development Director, Baker & McKenzie, New York, U.S.A.

An excellent overview of the arbitration process, the agreement, and award enforcement procedures - often cited.


Published annually, this is an indispensable source of information on international commercial arbitration. Contains extracts of significant arbitral awards from various arbitral chambers and institutions including the ICC, AAA, ICSID, Society of Maritime Arbitrators, tribunals of various countries and Ad Hoc decisions. Contains extracts of various court decisions on arbitration with a special section devoted to those construing the New York Convention. The English text of new or amended arbitration rules from various tribunals is published. Contains an annual report on developments in the Iran U.S. Claims Tribunal and abstracts of decisions, awards and orders of the tribunal. Articles on arbitration are sometimes reprinted. A list of arbitral institutions, journals dealing with arbitration and a bibliography are reprinted. From its inception, the Yearbook contained the text of national statutes and amendments on arbitration. In 1984 a companion volume, the International Handbook on Commercial Arbitration was instituted for National reports. The Yearbook Key was published in 1987 containing cumulative indices.


This looseleaf companion volume to the ICCA Yearbook contains reports on arbitration laws and arbitration practice organized alphabetically by country. Since 1988 (corresponding to Yearbook Volume XIII) this is the source for national reports on arbitration law and practice. The English text of arbitration statutes is printed as well as a report on arbitration in that jurisdiction accompanied by a bibliography.


Unlike the previous text, this looseleaf volume contains the text of selected country statutes and the rules of selected arbitral institutions. Discussion of the background and interpretation of the rules is included. A general discussion of international commercial arbitration is followed by the text of major conventions, arbitral clauses and the address of local arbitral institutions.


This is an encyclopedic approach to the topic of international commercial arbitration. Written with the cooperation of the Parker School of Foreign and Comparative Law, these looseleaf volumes contain the current text of national legislation, international agreements and rules and the text of awards and decisions. Each section contains an introduction describing the background, history and purpose of the material. Volume I contains the texts of general and multilateral arbitration Conventions, other international Instruments of General Application involving arbitration, Regional Conventions affecting arbitration, Bilateral arrangements, and the articles of Nongovernmental Organizations relevant to arbitration. Volumes 2 and 2A contain discussion and text of the national legislation of thirty-three countries. Volume 3 describes numerous international arbitral institutions and contains the text of their rules. Volumes 4 and 4A contain the text of the rules of the arbitral institutions within each country. There is a unique classification system for the materials contained throughout the reporter, providing subject access to the various sources presented.


These binders contain the text of international arbitration conventions, model laws, agreements, arbitration, rules of national states and international organizations. The material is organized under the topics of International Conventions, Regional Arbitrations, Eastern European Arbitrations, Chamber of Commerce and Arbitration Associations, Commodities, Shipping and National Enactments. Selected awards and cases are published and are organized by country. These binders contain a wealth of valuable material but the format, as with all the volumes in this series, makes them very difficult to use.

*Articles*


II. ARBITRABILITY

Books


This is the first book published by the World Arbitration Institute and is a guide to arbitration practice and procedure in New York. The Chapters are written by various arbitration experts. The first section advocates arbitration as a dispute mechanism for international commercial disputes and reviews the reasons for selecting New York as the forum. The second section reviews state and federal arbitral law and procedure. The appendices in the third section contain important texts, model arbitration clauses and case citations. No attention is given to the recognition and enforcement of foreign arbitral awards. This is a useful basic guide to the subject.


Articles


Ulmer, Nicolas C., "Drafting The International Arbitration Clause", 20 *International Lawyer* 1335 (1986).


III. CHOICE OF LAW

Books


This is a collection of the principal papers of this conference written by distinguished professionals. They discuss arbitration's role in Public International Law, in a Transnational Commercial Setting, and from a comparative law perspective. Although the results of a scholarly meeting, the collection is an excellent discussion of critical aspects of arbitration useful to the practitioner.


Articles


IV. PROCEDURE

Books


Parker School of Foreign and Comparative Law, Columbia University, The 1989 Guide to International Arbitration and Arbitrators, Ardsley-on-Hudson, N.Y.: Transnational Juris Publications, 1989. (This was not yet received at the time of publication of the bibliography).


An incomparable five volume treatise on the “international arbitral process”. Wetter’s thesis is that arbitrations between states and commercial arbitrations are
part of the same process. The study of both public and private arbitral process is relevant to an understanding of arbitration as a whole. The book includes chapters on arbitration as an Alternative to War, Arbitrations between States and Aliens, United States Arbitration Institutions, a Uniform International Arbitration Procedure, Standards of Independence and Impartiality of an Arbitral Tribunal. Wetter focuses on the major national approaches to arbitration and discusses the issues of honesty of arbitrators and the independence and impartiality of arbitral tribunals. Major public arbitrations are reviewed at length. This is a critical title for any arbitration collection.


**Articles**


**V. AWARDS**

**Books**


**Articles**


VI. ENFORCEMENT

Books


Articles


VII. FORA

Books


This treatise covers every aspect of arbitration at the ICC and is designed for use by the practitioner. Topics covered include a general description of the ICC Court of Arbitration, the Agreement to Arbitrate, ICC Arbitration in Practice, Hearings, Proof and Ancillary Proceedings, National Laws and Arbitral Authority, and Trends in International Commercial Arbitration. The several appendices include data from research on arbitrators, costs, place of arbitration, nationality of parties. Representative ICC awards and national court decisions involving arbitration are digested and discussed. There is also a one volume hardcopy desk edition.


This is a recent and comprehensive study of the history and purpose of the Model Law on International Commercial Arbitration approved by the United Nations Commission on International Trade Law in December 1985. It traces the legislative history of UNCITRAL and contains lengthy commentary, background and discussion of each article. Discussions and citations follow the text. This is a useful annotated text of this increasingly relevant Model Law.


This looseleaf set is an invaluable collection of the United Nations documents which comprise the legislative history of UNCITRAL. It contains all the texts from the first draft in 1979 through the present. It is particularly useful because the compilers have reprinted as much as possible of the actual text of the United Nations documents.


A Collection of papers on the jurisprudence of the Tribunal which discusses the principles of international law, state responsibility, compensation and international claims as handled by the Tribunal.


**Articles**


VIII. TREATIES—CONVENTIONS

Books

Goja, Giorgio, compiler and editor, International Commercial Arbitration, The New York Convention, New York: Oceana Publications, 1984. This treatise is a comprehensive and timely treatment of the New York Convention. As a result of the vast number of states which are parties to the convention, international commercial arbitration has flourished. Goja discusses the following topics, Applicability of the Convention, Relations between the Convention and National laws, the Arbitral Agreement, Reservations to the Convention, Recognition and Enforcement of Awards, the Arbitral Procedure, and Judicial Review of Awards. Footnotes and documentation are extensive and there are numerous national judicial decisions and awards digested.

The classic source on the New York Convention which is the most significant arbitration convention to date. This treatise was actually van den Berg’s thesis and provides a general introduction to the convention and then addresses interpretations given by the courts of Contracting States. Specifically, van den Berg focuses his study on the convention’s field of application, enforcement of the arbitration agreement and enforcement of the award. He makes the argument for uniform interpretation in each area. This is a reference text on the Convention.

**Articles**


**IX. LOCAL—REGIONAL ARBITRATION**

**Books**


Essentially a casebook, this looseleaf discusses arbitration from the English point of view. Appendices include the U.K. statutes on arbitration. Updated approximately once a year.


A treatise on the Canadian Law of Arbitration. Emphasis is given to federal law and jurisprudence and appendices contain the relevant Statutes and rules. Model clauses and forms are included.


This volume is part of the International Commercial Arbitration set by Oceana. Focusing on Arbitration in fourteen Asian and Pacific countries, this looseleaf provides a comprehensive treatment of the arbitration law for each. Discussion of the country’s law relating to arbitration, the arbitral process and enforcement of awards is followed by the English text of the Statutes. Abstracts and citations to important cases follow.


*Articles*


Bernini, Giorgio, "Domestic and International Arbitration in Italy after the Legislative Reform", *5 Pace Law Review* 543 (1985).


SERIALS WHICH REGULARLY PUBLISH ARTICLES ON INTERNATIONAL COMMERCIAL ARBITRATION


4) Arbitration Materials, published quarterly by Werner Publishing Co., Ltd. P.O. Box 93, 1211 Geneva, Switzerland, 022-283422.

5) ICSID Review Foreign Investment Law Journal published twice a year by the International Centre for Settlement of Investment Disputes, c/o Journals Publishing Division, John Hopkins University Press, 701 West 40th Street, Suite 275, Baltimore, Maryland 21211.


7) Iranian Assets Litigation Reporter, looseleaf service published bimonthly by Andrews Publications, P.O. Box 200, Edgemont, PA. 19028.


10) Mealey’s Litigation Reports, looseleaf service published bimonthly by Nealey Publications, P.O. Box 446, Wayne, PA.

**NATIONAL ARBITRATION ASSOCIATIONS AND PUBLICATIONS**

**ABU DHABI**

- Abu Dhabi Chamber of Commerce and Industry
- Abu Dhabi

Publication:

*Arbitration Rules*, 1989

**ARGENTINA**

- Cámara Argentina de Comercio
- Av. Leandro N. Alem 36
- Buenos Aires

Publications:


**AUSTRALIA**

- The Institute of Arbitrators Australia
- 6th Floor, Building B
- World Trade Centre
- Melbourne, 3005

Publications:

*Notes to the Rules for the Conduct of Commercial Arbitrations*, Edition I(a) 1981.

- Australian Centre for International Commercial Arbitration
- 6th Floor, Building B
- World Trade Centre
- Melbourne, 3005

**AUSTRIA**

- Arbital Centre of the Federal Economic Chamber, Vienna
- Wiedner Hauptstrasse 63
- P.O. Box 190
- A-1045 Vienna, Austria

Publications:


**BELGIUM**

- Belgian Center for the Study and the Practice of National and International Arbitration (CEPANI)
- Rue des Solis, 8
- 1000 Brussels

Publications:


**BRAZIL**

- Centro Brasileiro de Arbitragem
- Avenida Roosevelt, 23, Grupo 808
- Rio de Janeiro
BULGARIA
Bulgarian Chamber of Commerce and Industry—
Arbitration Court
11-A Stambolisky Blvd
Sofia

Publications:
List of Arbitrators of the Arbitration Court at the Bulgarian Chamber of Commerce
Rules of the Court of Arbitration at the Bulgarian Chamber of Commerce and
Industry, 1979

CANADA
The Arbitrator’s Institute of Canada Inc.
294 Eglinton Ave East, Suite 411
Toronto, Ontario, M4P 1K5

Publications:
AIC Rules for the Conduct of Arbitrations, Toronto: AIC 1983
Canadian Arbitration Conciliation and Amicable Composition Centre, Inc.
British Columbia International Commercial Arbitration Centre
670-999 Canada Place
World Trade Center
Vancouver, B.C.
Canada V6C 2E2

Publications:
International Commercial Arbitration: the Canadian Advantage, 1986

Canadian Bar Council of the International Chamber of Commerce
1080 Beaver Hall Hill
Montreal, P.Q.

Canadian Section of the Inter-American Commercial Arbitration Commission
214 Roger Road
Ottawa K1H 5C5

Chamber of Commerce of Canada
1080 Beaver Hall Hill
Montreal, P.Q.

CHILE
Cámara de Comercio de Santiago
Santa Lucia, 305, p.3,
Santiago

CHINA, PEOPLE’S REPUBLIC OF
China Council for the Promotion of International Trade (China, Chamber of
Commerce)
4 Tai Ping Chiao Street
Beijing

Publications:
Arbitration Rules, 1988
Foreign Economic and Trade Arbitration Commission, Beijing, 1981
A Selection of Awards and Conciliation Statements, Maritime Arbitration
Commission, China Council for the Promotion of International Trade, 1985

CHINA, REPUBLIC OF (TAIWAN)
The Commercial Arbitration Association of the Republic of China
162-38 Hsin Yi Road Sec. 3
Taipei, Taiwan R.O.C.
COLOMBIA
Cámara de Comercio de Bogotá, Centro de Arbitraje y Conciliacion (Chamber of Commerce of Bogotá)
Carrera 9a. No. 16-21
Bogotá

CUBA
Cámara de Comercio de la Republica de Cuba
Calle 21 No. 661
La Habana (4) Cuba

Publication:  
Ley y Reglamento de la Corte de Arbitraje de Comercio Exterior

CZECHOSLOVAKIA
Czechoslovak Chamber of Commerce and Industry
Argentinska 38
170 05 Pragque 7

Publication:  

DENMARK
The Danish Institute of Arbitration
29 Vester Farimagsgade
1606 Copenhagen V.

Publication:
The Copenhagen Court of International Arbitration, Background and Facts regarding the Danish Institute of Arbitration, The Common Court of Arbitration in Denmark and The International Court of Arbitration in Denmark.

DJIBOUTI
International Center for Arbitration Services and Training of the Republic of Djibouti

ECUADOR
Cámara de Comercio de Quito
P.O. Box 202
Avenidas de la República y Amazonas
Quito

EURO-ARAB
Euro-Arab Chambers of Commerce
91 rue Lauriston
75116 Paris
France

Publication:  

FINLAND
Central Chamber of Commerce of Finland, Board of Arbitration
P.O. Box 1000
Fabianinkatu 14-A
SF 00100 Helsinki 10

Publication:  
Rules of the Board of Arbitration of the Central Chamber of Commerce of Finland (1980).
FRANCE
Association Francaise d'Arbitrage (French Arbitration Association)
2, Rue de Harlay
75001 Paris

Chambre de Commerce Internationale—ICC
38 Cours Albert 1er
75008 Paris

Publication:
(Numerous publications)

Comite Francais de l'Arbitrage
5, Rue de Stockholm
75008 Paris

GERMAN DEMOCRATIC REPUBLIC
Chamber of Foreign Trade of the GDR—Arbitration Court
P.O. Box 70
Am Kupfergraben 7,
1080 Berlin

Publication:
Rules of the Court of Arbitration Attached to the Chamber of Foreign Trade
of the German Democratic Republic, 1982

GERMAN FEDERAL REPUBLIC
German Institute for Arbitration
Kolumbastrasse 5
Postfach 19447
D-5000 Koln 1

German Committee for Arbitration
Adenauerallee 126
D-5800 Bonn

Publications:
Arbitration Rules German American Committee, 1988

Hamburg Chamber of Commerce
Adolphsplatz 1
Borse - 2000 Hamburg 11

Publications:
Arbitration in Hamburg, Hamburg Chamber of Commerce, 1988
Rules of the Court of Arbitration of the Hamburg Chamber of Commerce, 1958
Arbitration Rules German Arbitration Committee, 1988

GREECE
Athens Chamber of Commerce and Industry
7 Akadimias Street
Athens 134

Publication:

HONG KONG
Hong Kong General Chamber of Commerce
Swire House 9th Floor
P.O. Box 852
Hong Kong

Publication:
Memorandum and Articles of Association and Bye-Laws, 1982.
Hong Kong International Arbitration Centre
Arbuthnot Road, Central
Hong Kong

HUNGARY
Hungarian Chamber of Commerce
Kossuth Lajos ter 6-8
1289 Budapest V.

Publication:
Rules of Procedure for the Court of Arbitration Attached to the Hungarian Chamber of Commerce, 1975

INDIA
The Indian Council of Arbitration
Federation House
New Delhi 110001

Federation of Indian Chambers of Commerce and Industry
Federation House
New Delhi 110001

Publications:
The Indian Council of Arbitration, Organization, Functions and Services
The Indian Council of Arbitration, Rules of Arbitration, 1986

INDONESIA
Indonesian Chamber of Commerce and Industry
Indonesian National Board of Arbitration
Artha Poeka Building
Jalan Jendral Sudirman 2
Jakarta

INTERNATIONAL CENTRE FOR SETTLEMENT OF INVESTMENT DISPUTES (ICSID)
1818 H Street NW
Washington, D.C. 20438
(numerous publications)

IRELAND
The Chartered Institute of Arbitrators
‘Bearn’ Thormanby Road
Howth, Co. Dublin

Publication:

ITALY
Associazione Italiana per l’Arbitrato
Via xx Settembre 5
00187 Roma

Publication:

JAPAN
The Japan Commercial Arbitration Association
The Tokyo Chamber of Commerce and Industry Building
2-2, Marunouchi 3-chome
Chiyoda-ku
Tokyo

Publication:
Commercial Arbitration Rules, 1984
KOREA
The Korean Commercial Arbitration Board
World Trade Center Korea, 29th Fl
P.O. Box 681
10-1, 2-KA Hochyun-Dong
Chung-ku, Seoul

Publication:
The Commercial Arbitration Rules, 1983

LATIN AMERICA
Association of American Chambers of Commerce in Latin America
1615 H Street, N.W.
Washington, D.C. 20006

MEXICO
Cámara Nacional de Comercio de la Ciudad de México
Academia de Arbitraje y Comercio Internacional
Alfonso Reyes 30
Mexico, D.F. 06140

Publications:
Commission for the Protection of Mexican Foreign Trade (COMPROMEX)
Rules of International Arbitration, Instituto Mexicano di Comercio Exterior

MONGOLIA
Foreign Trade Arbitration Commission attached to the Chamber of Commerce of
the People's Republic of Mongolia.

NETHERLANDS
Netherlands Arbitration Institute
Oost 54
3011 HV Rotterdam

Publication:

PAKISTAN
Chamber of Commerce and Industry of Karachi
Main Clifton
Share-a-Firdousi,
Karachi - 6

Federation of Pakistan Chambers of Commerce and Industry
Lalti Lakshmidas Bldg.
Belasis Street
Karachi

Publication:
The Federation of Pakistan Chambers of Commerce & Industry, Rules and

PANAMA
Panamanian Arbitration Association
Comosa Bldg.
P.O. Box 4150
Panama 5

PERU
Cámara de Comercio de Lima
Chamber of Commerce of Lima
Avenida Gregorio Escobedo
398 Lima
Publication:

Reglamento de Arbitrajes

POLAND

Polish Chamber of Foreign Trade — Court of Arbitration
Trebacka 4
Warsaw 00-074

Publications:

Rules of the Court of Arbitration at the Polish Chamber of Foreign Trade, 1980.
Rules of "ad hoc" Arbitrations Administered by the Court of Arbitration at the
Polish Chamber of Foreign Trade in Warsaw, 1987

ROMANIA

The Chamber of Commerce and Industry of the Socialist Republic of Romania —
Arbitration Commission
22, N. Balcescu Blvd.
79501 Bucharest

Publication:

Regulations Relating to the Organization and Working of the Arbitration
Commission of the Chamber of Commerce and Industry of the SRR.

SPAIN

Asociacion Espanola de Arbitraje
Spanish Arbitration Association
Plaza de San Amaro, 1
Madrid - 20

Publication:


Corte Espanola de Arbitraje
Spanish Court of Arbitration
Claudio Coello, 19-17
Madrid - 1(1)

Publication:

How to Settle International Business Disputes

SURINAM

Het Surinaams Arbitrage Instituut
Postbus 1208
Paramaribo, Suriname

Publication:

Het Surinaams Arbitrage Instituut

SWEDEN

Arbitration Institute of the Stockholm Chamber of Commerce
P.O. Box 16050
S-10322 Stockholm

Publication:

Arbitration under the Rules of the Arbitration Institute of the Stockholm Chamber
of Commerce: An Introduction, 1988

SWITZERLAND

Basle Chamber of Commerce St. Alban
Grahen 9
CH - 4001 Basle

Publication:

Arbitration Rules, 1981
BERNE CHAMBER OF COMMERCE
Gutenbergstrasse - I
CH - 3001 Berne

Publications:
Arbitration Rules of the Bernese Chamber of Commerce
Chambre de Commerce et d'Industrie de Geneve
4, Bd du Theatre
CH-1294 Genève

Publications:
Directives d'Arbitrage, Schiedsrichter, Arbitration Directives
International Commercial and Industry Arbitration Association
8, Rue Toepfler
CH-1208 Geneve

Publications:
International Commercial and Industrial Arbitration Court (Carici), 1988
Ticino Chamber of Commerce
Corso Elvezia 16
CH - 6901 Lugano

The Zurich Chamber of Commerce
P.O. Box 4031
CH-8022 Zurich

Publications:
Arbitration Manual, 1977

UNITED KINGDOM
The Chartered Institute of Arbitrators
75 Cannon Street
London EC4N 5BH

Publications:
Arbitration Rules, 1981.
London Court of International Arbitration
International Arbitration Centre
75 Cannon Street
London EC4N 5BH

Publications:
London Maritime Arbitrators Association
The Baltic Exchange
14-20 St. Mary Axe
London, EC3A 8BU

Publications:
Rules, 1988
Handbook and List of Members, 1988

UNITED STATES
American Arbitration Association
140 West 51st Street
New York, N.Y. 10020-1203
(numerous publications)
World Arbitration Institute
140 West 51st Street
New York, N.Y. 10020-1203

U.S.S.R.
The USSR Chamber of Commerce and Industry—Court of Arbitration—Maritime
Arbitration Commission
6 Kuibyshev Street
10100 Moscow

Publications:
Arbitration Rules of the Court at the USSR Chamber of Commerce and Industry, 1987
Foreign Trade Arbitration Commission at the USSR Chamber of Commerce and
Industry, Rules, 1981
Maritime Arbitration Commission, Rules, 1982

VENEZUELA
Capítulo Venezolano de la Cámara de Comercio Internacional
Apartado 1006
Caracas 101

YUGOSLAVIA
Foreign Trade Court of Arbitration
Knez Mihajlova 10
110000 Belgrade

Publication:
Rules of the Foreign Trade Court of Arbitration, 1982