

e-RG

Electronic Resource Guide

**International
Commercial Arbitration**

Gloria Miccioli

This electronic resource guide, often called the ERG, has been published online by the American Society of International Law (ASIL) since 1997. Since then it has been systematically updated and expanded. The chapter format of the ERG is designed to be used by students, teachers, practitioners and researchers as a self-guided tour of relevant, quality, up-to-date online resources covering important areas of international law. The ERG also serves as a ready-made teaching tool at graduate and undergraduate levels.

The narrative format of the ERG is complemented and augmented by EISIL (Electronic Information System for International Law), a free online database that organizes and provides links to, and useful information on, web resources from the full spectrum of international law. EISIL's subject-organized format and expert-provided content also enhances its potential as teaching tool.

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I. Introduction

International commercial arbitration is the process of resolving business disputes between or among transnational parties through the use of one or more arbitrators rather than through the courts. It requires the agreement of the parties, which is usually given via an arbitration clause that is inserted into the contract or business agreement. The decision is usually binding. This chapter will present the major international arbitral institutions and the resources found on their web sites. It will also review commercial and private databases that provide primary and secondary sources of arbitration information. Any omissions or errors are solely the responsibility of the author.

II. Overview

As the number of international commercial disputes mushrooms, so too does the use of arbitration to resolve them. The non-judicial nature of arbitration makes it both attractive and effective for several reasons. There may be distrust of a foreign legal system on the part of one or more of the parties involved in the dispute. In addition, litigation in a foreign court can be time-consuming, complicated, and expensive. Further, a decision rendered in a foreign court is potentially unenforceable. On the other hand, arbitral awards have a great degree of international recognition. For example, more than 140 countries have agreed to abide by the terms of the [Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1958](#)

(<http://www.jus.uio.no/lm/un.arbitration.recognition.and.enforcement.convention.new.york.1958/>) known as the New York Convention.

Another reason for choosing arbitration is that the process is administered by a panel of arbitrators who are agreed upon by both parties. These arbitrators may have specialized competence in the relevant field. Arbitral awards are usually final and binding, which avoids a drawn-out appeals process. In addition, the confidentiality of the arbitration process may appeal to those who do not wish the terms of a settlement to be known. This is the biggest obstacle to researching international commercial arbitration: as its popularity grows, so does its interest to outside parties. However, because many awards are not made public, it can be frustrating to search for information.

There are essentially two kinds of arbitration, ad hoc and institutional. An institutional arbitration is one that is entrusted to one of the major arbitration institutions to handle, while an ad hoc one is conducted independently without such an organization and according to the rules specified by the parties and their attorneys. On its face, ad hoc arbitration may seem to be less expensive and more flexible. However, institutional arbitration provides an independent,

neutral set of rules that already exist, and it requires that an institution provide services that are critical to ensuring that the arbitration proceeds smoothly. For example, the [International Court of Arbitration](http://www.iccwbo.org/court/about-icc/organization/dispute-resolution-services/icc-international-court-of-arbitration) (ICA) (<http://www.iccwbo.org/court/about-icc/organization/dispute-resolution-services/icc-international-court-of-arbitration>) decides on the number of arbitrators and their fees, appoints the arbitrators, ensures that the arbitration is being conducted according to International Chamber of Commerce Rules, determines the place of arbitration, sets time limits, and reviews arbitral awards. In addition, an arbitral body will ensure controlled costs, since it will have a pre-determined framework of charges.

Many international agreements, treaties, and conventions facilitate the use of arbitration as a method for resolving disputes. Other agreements address the enforcement of awards. There has been a tremendous increase in arbitration options in the last 50 years. Previously, there were a few countries with well-developed arbitration practices and sympathetic national laws. Interference with arbitration by the courts was a well-founded fear in many countries. Conversely, the necessary actions on the part of the national legal system in compelling witnesses and enforcing judgments were not always available.

One reason for the growth of arbitration is that there are now many arbitral bodies, and parties can select one that is best suited to their needs. Some organizations welcome any type of dispute. In contrast, there are organizations that specialize in particular types of disputes, such as those involving investments or that focus on a particular topic, such as intellectual property. Some arbitral bodies specialize in disputes in particular industries. An example is the [American Arbitration Association \(AAA\)](http://www.adr.org) (<http://www.adr.org>), which has different sets of special rules governing disputes in different subjects. Another factor in selecting an institution is the nature of the party; one institution may be open only to states or member governments, while another may be available to any entity or individual. The fact that awards are issued by a number of institutions can complicate research.

An arbitral body sets forth a set of arbitration rules that governs the potential arbitration. It may also issue a model arbitration clause that can be incorporated into the contract or business agreement when the transaction is made. Arbitration rules and model clauses are often found on the organization's Web site.

III. International Agreements, Conventions, and Treaties

A. [United Nations Commission on International Trade Law](http://www.uncitral.org/) (UNCITRAL)

(<http://www.uncitral.org/>) [web site is in English, Spanish, French, Arabic, Russian and Chinese]

There are different arbitration treaties and conventions to which a party or nation may adhere.

An important development in the spread of international arbitration was the adoption in 1976 of [arbitration rules](http://www.uncitral.org/uncitral/en/uncitral_texts/arbitration/1976Arbitration_rules.html) (http://www.uncitral.org/uncitral/en/uncitral_texts/arbitration/1976Arbitration_rules.html) by the United Nations Commission on International Trade Law. UNCITRAL was established by a resolution of the UN General Assembly in 1966 to promote harmony and unity in international trade. [A new version](http://www.uncitral.org/uncitral/en/uncitral_texts/arbitration/2010Arbitration_rules.html) (http://www.uncitral.org/uncitral/en/uncitral_texts/arbitration/2010Arbitration_rules.html) was adopted on June 25, 2010. They will apply to any new arbitration agreements, concluded after August 15, 2010, that adopt the UNCITRAL rules. While UNCITRAL does not administer arbitration disputes, its arbitration rules may be used by any public or private entity wishing to arbitrate without the use of an international arbitral institution.

In addition, UNCITRAL in 1985 issued a [Model Law on International Commercial Arbitration](http://www.uncitral.org/uncitral/en/uncitral_texts/arbitration/1985Model_arbitration.html) (http://www.uncitral.org/uncitral/en/uncitral_texts/arbitration/1985Model_arbitration.html; click on "Text of the Model Law (original 1985 version)) that has influenced the national arbitration legislation of more than 60 countries. It was amended in 2006 (click on "Text of the Model Law (amended in 2006)"). Eight states in the U.S. have based their arbitration laws on the model law (California, Connecticut, Florida, Illinois, Louisiana, Oregon, Georgia, and Texas).

The UNCITRAL web site also has a link to selected arbitration case abstracts. This database is called [Case Law - CLOUT](http://www.uncitral.org/uncitral/en/case_law.html) (http://www.uncitral.org/uncitral/en/case_law.html). CLOUT stands for Case Law on UNCITRAL Texts; it is intended to be a collection and distribution mechanism for information on court decisions and arbitral awards "relating to the Conventions and Model Laws that emanated from the work of the Commission" in order to promote awareness of the texts and to "facilitate uniform interpretation and application". It covers the UNCITRAL Model Law on International Commercial Arbitration, plus other UNCITRAL model laws and conventions. CLOUT has selected abstracts of decisions and awards from the courts of countries that have enacted legislation based on the Model Law. They are published irregularly and the coverage of arbitral awards is sketchy. The full texts are stored with the Secretariat in the original language and are available upon request and for a fee. The cases are indexed by CLOUT case number, Model Arbitration Law article number, keyword, jurisdiction and date. There is a link to an explanation on the main CLOUT web page.

In a major development, UNCITRAL adopted the Convention on Transparency in Treaty-Based Investor-State Arbitration on December 10, 2014, . [Text of [Draft Convention](http://daccess-dds-ny.un.org/doc/UNDOC/LTD/V13/881/41/PDF/V1388141.pdf?OpenElement) (http://daccess-dds-ny.un.org/doc/UNDOC/LTD/V13/881/41/PDF/V1388141.pdf?OpenElement) is available.] The Convention's main goal is to extend the application of the [UNCITRAL Rules on Transparency in Treaty-based Investor-State Arbitration](http://www.uncitral.org/uncitral/en/uncitral_texts/arbitration/2014Transparency.html) (http://www.uncitral.org/uncitral/en/uncitral_texts/arbitration/2014Transparency.html). The

rules were introduced to increase transparency in investor-state arbitrations by allowing for greater public access to documents and hearings.

B. Enforcement

Other international agreements relevant to international arbitration concern enforcement of arbitral awards and decisions. There are several mechanisms by which foreign arbitration awards may be enforced. Countries may agree bilaterally to enforce arbitral awards, sometimes through a treaty of friendship, commerce, and navigation or through a bilateral investment treaty (BIT), of which there are now an estimated 2000. Or a multilateral agreement may be implemented. One such is the [1958 New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards](http://www.uncitral.org/uncitral/en/uncitral_texts/arbitration/NYConvention.html) (http://www.uncitral.org/uncitral/en/uncitral_texts/arbitration/NYConvention.html), which limits the grounds upon which arbitral awards may be attacked. One hundred and forty-nine nations have agreed to abide by its terms; see the current list of [signatories](http://www.uncitral.org/uncitral/en/uncitral_texts/arbitration/NYConvention_status.html) (http://www.uncitral.org/uncitral/en/uncitral_texts/arbitration/NYConvention_status.html). Most arbitration attorneys limit the universe of appropriate arbitration venues to those states that are a

For the European Union member countries, this has been addressed through the [Brussels Recast Regulation](http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:351:0001:0032:En:PDF), in effect as of January 10, 2015 (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:351:0001:0032:En:PDF>).

C. Regional Multilateral Treaties

[Inter-American Convention on International Commercial Arbitration](http://www.oas.org/juridico/english/treaties/b-35.html)

(<http://www.oas.org/juridico/english/treaties/b-35.html>) - promulgated in 1975 and applies to members of the Organization of American States. In English and Spanish.

[1961 \(Geneva\) European Convention on International Commercial Arbitration](http://www.jus.uio.no/lm/europe.international.commercial.arbitration.convention.geneva.1961)

(<http://www.jus.uio.no/lm/europe.international.commercial.arbitration.convention.geneva.1961>) - established under the auspices of the Economic Commission for Europe of the United Nations.

[European Convention Providing a Uniform Law on Arbitration \(1966\)](http://conventions.coe.int/treaty/en/Treaties/Html/056.htm)

(<http://conventions.coe.int/treaty/en/Treaties/Html/056.htm>) - applies to the member states of the Council of Europe.

Arab Countries - [Convention Arabe D'Amman Sur L'Arbitrage Commercial](http://www.ohada.com) (1987)

(<http://www.ohada.com>; see links to the original 1985 treaty and the 2008 revision). In French, English, Spanish and Portuguese.

D. Bilateral Investment Treaties

Bilateral investment treaties between two countries provide for arbitration by the [International Centre for Settlement for Investment Disputes \(ICSID\)](http://www.worldbank.org/icsid) (<http://www.worldbank.org/icsid>), an autonomous organization with close ties to the World Bank. It was established in 1966 under the [Convention on the Settlement of Investment Disputes between States and Nationals of Other States](http://cil.nus.edu.sg/rp/il/pdf/1965%20Convention%20on%20the%20Settlement%20of%20Investment%20Disputes-pdf.pdf) (<http://cil.nus.edu.sg/rp/il/pdf/1965%20Convention%20on%20the%20Settlement%20of%20Investment%20Disputes-pdf.pdf>) [in English, French and Spanish]. Click on the tabs on the ICSID home page for more links to arbitration rules, a list of pending and concluded cases, and more.

The [Bilateral Investment Treaties](#) page on the ICSID web site provides the names of parties to bilateral investment treaties. It can be found by clicking on the Resources tab. The list covers treaties collected by ICSID to date. However, since ICSID relies on governments to send treaty information, the list may not be complete. The information can be viewed alphabetically by signatory, by year, or may be further searched by selecting two specific States. What is missing are the actual texts of the treaties, which the researcher usually also needs.

The [United Nations Conference on Trade and Development \(UNCTAD\)](http://www.unctad.org/Templates/StartPage.asp?intItemID=2068) (<http://www.unctad.org/Templates/StartPage.asp?intItemID=2068>) has an investment treaties page that includes BITs. UNCTAD has done more than just compile a list of treaties, however. It has put the full text of available treaties on its web site alphabetically by country.

The full text of some BITs may also be found by searching the Internet or commercial sources such as International Legal Materials. In addition, the Web sites of individual countries may include the texts of these treaties. For example, United States bilateral investment treaties are available on the Internet, along with other trade-related agreements, from the US Department of Commerce's [Trade Compliance Center](http://tcc.export.gov) (<http://tcc.export.gov>; click on "Trade Agreements, then on the BIT link). In addition, this web site also has the text of the [2004 US Model BIT](http://www.state.gov/documents/organization/117601.pdf) (<http://www.state.gov/documents/organization/117601.pdf>).

The [International Institute for Sustainable Development \(IISD\)](http://www.iisd.org/) (<http://www.iisd.org/>) publishes a free electronic news service that is available on the Internet and by e-mail called [Investment Treaty News](http://www.iisd.org/investment/itn/) (<http://www.iisd.org/investment/itn/>). It reports developments in the negotiations of new investment treaties and on arbitrations that have been brought under existing treaties.

IV. Arbitral Institutions - International

A. [International Chamber of Commerce \(ICC\)](http://www.iccwbo.org) (<http://www.iccwbo.org>)

The dispute resolution procedures of the International Chamber of Commerce specifically target international business disputes. ICC arbitrations are confidential and offer the parties the choice of arbitrators, place of arbitration, rules of law, and language of the proceeding. The ICC has several dispute resolution mechanisms. The current [ICC Rules of Arbitration](http://www.iccwbo.org/products-and-services/arbitration-and-adr/arbitration/icc-rules-of-arbitration) (<http://www.iccwbo.org/products-and-services/arbitration-and-adr/arbitration/icc-rules-of-arbitration>) have been in force as of January 1, 2012 and can be found in 11 languages. [Clauses](http://www.iccwbo.org/Products-and-Services/Arbitration-and-ADR/Arbitration/Standard-ICC-Arbitration-Clauses/) are also available in 11 languages (<http://www.iccwbo.org/Products-and-Services/Arbitration-and-ADR/Arbitration/Standard-ICC-Arbitration-Clauses/>).

B. [International Court of Arbitration \(ICA\)](http://www.iccwbo.org/about-icc/organization/dispute-resolution-services/icc-international-court-of-arbitration/) (<http://www.iccwbo.org/about-icc/organization/dispute-resolution-services/icc-international-court-of-arbitration/>)

The International Court of Arbitration was established in 1923 as the arbitral body of the ICC. The ICA oversees the arbitration process and regularly reviews the progress of pending cases. One of the Court's most important functions is to scrutinize and approve all arbitral awards. A [detailed explanation](http://www.iccwbo.org/products-and-services/arbitration-and-adr/arbitration) of the ICA arbitral process is available in English (<http://www.iccwbo.org/products-and-services/arbitration-and-adr/arbitration>).<http://www.iccwbo.org/products-and-services/arbitration-and-adr/arbitration>).

The Court has administered over 20,000 disputes since its creation.

Extracts or summaries of ICC arbitral awards plus commentary and analysis have been published in the [ICC International Court of Arbitration Bulletin](http://www.iccdri.com/bulletins.aspx) (<http://www.iccdri.com/bulletins.aspx>) since 1990. It is available by subscription.

The [ICC Dispute Resolution Library](http://www.iccdri.com) (ICCDRL) (<http://www.iccdri.com>) is a database that allows free searching of the *Bulletin*. However, a subscription is required to view the full text, and it includes access to the Bulletin and its supplements, to Commission Reports and to other materials.

C. [Permanent Court of Arbitration](http://www.pca-cpa.org) (PCA) (<http://www.pca-cpa.org>)[In 6 languages];

[International Council for Commercial Arbitration](http://www.arbitration-icca.org) (ICCA) (<http://www.arbitration-icca.org>)

Located in The Hague, the Permanent Court of Arbitration "administers arbitration, conciliation, and fact finding in disputes involving various combinations of states, private parties, and intergovernmental organizations." It was established in 1899 by the [Convention for the Pacific](#)

[Settlement of International Disputes](#)

(<http://library2.lawschool.cornell.edu/pca/1899english.htm>). The 1899 Convention was revised at the second Hague Peace Conference in [1907](#)

(<http://www1.umn.edu/humanrts/instreet/hague1-1910.html>). The Permanent Court of Arbitration was formed to handle arbitrations exclusively involving states, but since 1992 it has broadened its mandate to include disputes involving states and private parties, as well as disputes involving international organizations. At present, 116 states are parties to one or both of the Conventions. A complete list of [Contracting States and Accession Information](#) (http://www.pca-cpa.org/showpage.asp?pag_id=1038) can be found on the Web site.

The site's "[Basic Documents](#)" (http://www.pca-cpa.org/showpage.asp?pag_id=1067) page includes links to the conventions, rules, and model clauses, among other items. Its modern rules of procedure are based on the UNCITRAL Arbitration Rules. However, effective 17 December 2012, the PCA issued its own [arbitration rules](#). (http://www.pca-cpa.org/shownews.asp?nws_id=347&pag_id=1261&ac=view; scroll down to “click here for PCA arbitration rules” at the end of the press release). Different rules may be used depending on the nature of the parties or the nature of the dispute. This reflects the accessibility of the PCA.

Also on the "Basic Documents" page is a link to the PCA's Model Clauses for arbitration of different types of disputes.

There is some free online access to case and award information in the form of selected summaries of Past and Pending Cases; select the Cases tab on the home page. From this page you can link to a new “PCA Case Repository,” now in beta. It has only pending cases, but it will eventually have pending and concluded cases. It will also offer advanced search functions, including keyword searching. Note that the PCA only “identifies and publishes awards...where the parties are so agreed.”

[International Council for Commercial Arbitration \(ICCA\)](#) (<http://www.arbitration-icca.org/index.html>) houses its editorial staff on PCA premises. The ICCA produces some of the arbitral publications that are published by Kluwer Law. The ICCA is devoted to promoting international arbitration and other forms of dispute resolution. It holds conferences and congresses for the presentation of papers and the discussion of topics related to international dispute resolution.

With the help of the PCA, the ICCA publishes the Yearbook Commercial Arbitration, the International Handbook on Commercial Arbitration," and the ICCA Congress Series. It also participates in the preparation of the UNCITRAL Arbitration Rules, Model Arbitration Law and other documents. It is governed by a council of members from 32 countries.

Many ICCA publications can be accessed via subscription the Kluwer Arbitration Web site (see

more under “Commercial Sources”, below).

D. [London Court of International Arbitration \(LCIA\)](http://www.lcia.org) (<http://www.lcia.org>)

Established in 1892, the London Court of International Arbitration is one of the oldest and most wide-ranging of the arbitral institutions. Although based in London, it administers arbitrations worldwide, for all parties, and for disputes arising under all types of commercial transactions. It also acts as the appointing authority and administrator in UNCITRAL Rules cases. While the LCIA maintains a set of arbitrators, parties are free to nominate their own arbitrators.

The LCIA Arbitration Court was created in 1985 and is the final authority for the proper application of the LCIA Rules. Its principal functions are the appointment of tribunals, the determination of challenges to arbitrators, and the control of costs. It is made up of up to 35 members. Awards are not published.

The [LCIA Arbitration Rules](http://www.lcia.org/Dispute_Resolution_Services/lcia-arbitration-rules-2014.aspx) (http://www.lcia.org/Dispute_Resolution_Services/lcia-arbitration-rules-2014.aspx) are intended for use in the widest range of commercial disputes, both domestic and international and under any system of law and are designed to promote flexibility, efficiency, and cost control. The rules are available in English and Russian.

E. [World Intellectual Property Organization - Arbitration and Mediation Center \(WIPO Arbitration and Mediation Center\)](http://arbiter.wipo.int/center/) (<http://arbiter.wipo.int/center/>)

Based in Geneva, the WIPO Arbitration and Mediation Center was established in 1994 to offer alternative dispute resolution options for private parties involved in international commercial disputes. Entertainment, technology, and other types of intellectual property disputes are particularly suitable for WIPO arbitration, but all types of international commercial disputes may be brought before the Center. The procedures are open to any person or entity, regardless of nationality or domicile. They may be held anywhere in the world, in any language, and under any law chosen by the parties, and they are confidential.

The Center's Web page is textual, extremely easy to use, and has well-placed FAQs with simple but thorough explanations of how the Center operates and what kinds of disputes are arbitrated. WIPO has recently updated its various arbitration and mediation rules. There are links on the home page.

The web site also gives an [overview](http://arbiter.wipo.int/center/caseload.html) (<http://arbiter.wipo.int/center/caseload.html>) of the WIPO caseload and links to a few [summaries](http://arbiter.wipo.int/arbitration/case-example.html) (<http://arbiter.wipo.int/arbitration/case-example.html>) of selected examples. Parties are not named.

F. [International Centre for Settlement of Investment Disputes \(ICSID\)](http://www.worldbank.org/icsid/index.html)

(<http://www.worldbank.org/icsid/index.html>) [Most documents in English, French, and

Spanish]

Created in 1966 to facilitate the settlement of investment disputes between member governments and foreign members who are nationals of other member governments, ICSID is an autonomous organization with close ties to the World Bank. It was established under the [Convention on the Settlement of International Disputes Between States and Nationals of Other States](https://icsid.worldbank.org/ICSID/StaticFiles/basicdoc/partA.htm) (<https://icsid.worldbank.org/ICSID/StaticFiles/basicdoc/partA.htm>). The Convention, arbitration rules, and other basic documents can be linked to from the home page. To date, some 159 countries have signed the Convention.

All ICSID members are also members of the World Bank, and the expenses of the ICSID Secretariat are funded by the Bank. Dispute costs are borne by the parties involved. Application to the ICSID for arbitration is voluntary, but once the process starts, the parties cannot withdraw. In addition, all member ICSID states are required to recognize and enforce an ICSID arbitral award even if they are not parties to the dispute.

Investment contracts between member states and investors from other states often provide for ICSID arbitration through [Model Clauses](https://icsid.worldbank.org/ICSID/StaticFiles/model-clauses-en/main-eng.htm) (<https://icsid.worldbank.org/ICSID/StaticFiles/model-clauses-en/main-eng.htm>). Other means of advance consent to ICSID arbitration can be found in investment laws and bilateral investment treaties.

For information on arbitral awards and case decisions, click on “Cases” on the home page. There are links to lists of pending and concluded cases; to a page where you can search cases; and to a page where you can search for online decisions and awards.

G. [World Trade Organization \(WTO\)](http://www.wto.org) (<http://www.wto.org>) In English, Spanish, and French

With more than 155 [members](http://www.wto.org/english/thewto_e/whatis_e/tif_e/org6_e.htm) (http://www.wto.org/english/thewto_e/whatis_e/tif_e/org6_e.htm), the World Trade Organization is a global institution that deals with the rules of trade between nations. Its objective is to help trade flow freely and predictably. To do this, it has formulated agreements that result from negotiations among members. The Uruguay Round negotiations (1986-1994) resulted in about [60 agreements](http://www.wto.org/english/docs_e/legal_e/legal_e.htm) (http://www.wto.org/english/docs_e/legal_e/legal_e.htm). One of the WTO's tasks is to settle trade disputes; it has administered arbitrations since its creation in 1995. The main agreement for settling disputes that resulted from the Uruguay Round is the [Dispute Settlement Understanding](http://www.wto.org/english/tratop_e/dispu_e/dsu_e.htm) (http://www.wto.org/english/tratop_e/dispu_e/dsu_e.htm), which is the responsibility of the Dispute Settlement Body.

On the WTO Web site is a section called [Understanding the WTO: Settling Disputes](#)

(http://www.wto.org/english/thewto_e/whatis_e/tif_e/disp1_e.htm), which describes clearly and in detail the WTO dispute resolution process and which makes a good starting point for WTO research. According to the explanation, a dispute arises when one country adopts a trade policy or takes an action that one or more fellow WTO members considers in violation of the WTO agreements. A third group of countries can declare that they have an interest in the case. Dispute settlement procedures under the WTO follow a fixed set of timetables that are described here. A case should normally not take more than about a year. If it is appealed, the time may be extended to 15 months. In addition, rulings are automatically adopted unless the country that wants to block the ruling persuades all other WTO members to share its view. If a country continues to break an agreement, then some kind of penalty, such as trade sanctions, can be imposed.

"Understanding the WTO: Settling Disputes is" sub-divided into three sections. The first, "[a unique contribution](http://www.wto.org/english/thewto_e/whatis_e/tif_e/disp1_e.htm)" explains the dispute settlement process. The second, "[the panel process](http://www.wto.org/english/thewto_e/whatis_e/tif_e/disp2_e.htm)" presents a diagram of the process. Finally, there is a "[case study](http://www.wto.org/english/thewto_e/whatis_e/tif_e/disp3_e.htm)" a detailed look at how the timetable worked in an actual dispute.

The [Dispute Settlement Gateway](#) screen

(http://www.wto.org/english/tratop_e/dispu_e/dispu_e.htm) gives the user different options for finding actual cases and arbitrations and related official documents.

You can browse a [list of cases](#) by year and case number, where short descriptions are given (http://www.wto.org/english/tratop_e/dispu_e/dispu_status_e.htm). Click on a case number to go to a screen that has a summary and options for viewing or downloading the related documents.

It is possible to browse cases and rulings by [subject](#)

(http://www.wto.org/english/tratop_e/dispu_e/dispu_subjects_index_e.htm). Click on a subject to be taken to a list of cases; click on the case number to get to viewing and downloading options.

If you want to know the kinds of disputes a particular country has been involved in, go to the [Disputes rulings by country](#) page

(http://www.wto.org/english/tratop_e/dispu_e/distabase_wto_members1_e.htm). Not only do you get a breakdown by country, but you also get links to the different documents such as panel reports and appellate body reports that are currently available on the web site. Not every ruling is accompanied by a full-text document.

For more information on the World Trade Organization, see [ASIL Guide to Electronic Resources for International Law – International Economic Law](#) (http://www.asil.org/sites/default/files/ERG_IECON.pdf).

H. [Arbitration Institute of the Stockholm Chamber of Commerce \(SCC\)](#)

(<http://www.sccinstitute.com> [web site is in four languages])

One of the older arbitral bodies, the Arbitration Institute of the SCC was established in 1917 and was recognized in the 1970's by the US and USSR as a neutral center for the resolution of East-West trade disputes. It has since expanded to arbitrate disputes in up to 40 countries. Its [Arbitration Rules](#) (<http://www.sccinstitute.com/dispute-resolution/rules>) are available in 4 languages. It has also issued [Model Clauses](#) (<http://www.sccinstitute.com/?id=23710>; click on “Model Clauses”) in 8 languages.

I. [American Arbitration Association](#) (<http://www.adr.org>);

[International Centre for Dispute Resolution \(ICDR\)](#) (<http://www.adr.org>; scroll down to and click on the ICDR icon at the bottom right)

The American Arbitration Association is a private, nonprofit organization that was founded in 1926 and that is now one of the world's leading dispute resolution bodies. In 1996, the AAA established the International Centre for Dispute Resolution (ICDR) to handle international cases of arbitration and mediation.

On the ICDR home page you will see links to “Rules and Procedures” in 8 languages as a link to “Clause Drafting” Guidelines.

J. [Court of Arbitration for Sport \(CAS\)](#) (<http://www.tas-cas.org>)[French and English]

Created in 1984 due to the growing importance of sports on the world stage, the Court of Arbitration for Sport seeks to facilitate the arbitration or mediation of sports-related disputes by means of procedural rules that have been specifically adapted to the sports world. Its nearly 300 arbitrators from 87 countries are legal and sports experts. Based in Lausanne, Switzerland, the CAS hears disputes of either a commercial or disciplinary nature. Cases may be referred to the CAS by athletes, sports federations, organizers of sports events, sponsors or television companies.

The Code of Arbitration for Sport governs the organization and arbitration procedures of the CAS. There are standard clauses for ordinary and appeals arbitration procedures. Click on the “Jurisprudence” tab on the home page for links to non-confidential new and archived decisions.

K. [National Arbitration Forum \(NAF\)](#) (<http://www.arbforum.com>) In English and Spanish

Established in 1986, the NAF has a roster of neutral arbitrators made up of legal professionals. It provides services in each of the 50 states as well as the U.S. territories and 35 foreign countries.

A drop-down menu under the “Programs and Rules” tab leads to arbitration rules and forms. “FORUM Arbitration” under the same tab leads to the Code of Procedure.

L. [Chamber of Arbitration of Milan](http://www.camera-arbitrale.it/) [Camera Arbitrale di Milano] (<http://www.camera-arbitrale.it/>)

A part of the Chamber of Commerce of Milan, Italy, the Chamber of Arbitration of Milan administers proceedings for both national and international arbitrations. The web site is in English, French and Italian.

M. [Inter-American Commercial Arbitration Commission \(IACAC\)](http://www.sice.oas.org/dispute/comarb/iacac/iacac1e.asp)

(<http://www.sice.oas.org/dispute/comarb/iacac/iacac1e.asp>)

The Inter-American Commercial Arbitration Commission administers a system for settlement, by arbitration or conciliation, of international commercial disputes throughout the western hemisphere. To promote its system, the Commission works to obtain the ratification of the member countries of the [Inter-American Convention on International Commercial Arbitration](http://www.oas.org/juridico/English/signs/b-35.html) (<http://www.oas.org/juridico/English/signs/b-35.html>) and the [U.N. Convention on the Recognition and Enforcement of Foreign Arbitral Awards](http://www.jus.uio.no/lm/un.arbitration.recognition.and.enforcement.convention.new.york.1958) (<http://www.jus.uio.no/lm/un.arbitration.recognition.and.enforcement.convention.new.york.1958>). [English, Spanish, French, and Portuguese]

N. [Australian Centre for International Commercial Arbitration \(ACICA\)](http://www.acica.org.au)

(<http://www.acica.org.au>)

Established in 1985, ACICA aims to support and facilitate commercial international and domestic arbitrations and to promote Sydney and Australia as a venue for international commercial arbitration. The home page links to its arbitration rules and clauses under the “Rules and Clauses” tab.

O. [International Institute for Conflict Prevention & Resolutions \(CPR\)](http://www.cpradr.org) (<http://www.cpradr.org>)

CPR was founded in 1979 as the Center for Public Resources from a coalition of corporation general counsel and law firms to identify and apply alternative solutions to disputes. Today it is a membership-based nonprofit alliance of global corporations, law firms, scholars, and public institutions with a panel of arbitrators that has mediated thousands of cases worldwide. Approximately 4000 operating companies have pledged to explore alternatives to litigations with other members. Click on the “Membership” tab for a list. For arbitrations and rules, click

on the “Rules and Case Services” tab.

P. [Paris, the Home of International Arbitration](http://www.parisarbitration.com/) (<http://www.parisarbitration.com/>)

This is a non-profit association that was started in 2009 with the goal of promoting Paris as “the world’s leading site for international arbitration.” Its members include arbitrators, arbitration practitioners, and others in the world of arbitration. A membership list can be seen by clicking on the “About Us” tab and scrolling down. Click on “Arbitration rules” on the home page to be taken to links to the rules in French and English.

V. Arbitral Institutions - Regional

A. [Commercial Arbitration and Mediation Centre of the Americas \(CAMCA\)](http://www.thecre.com/fedlaw/legal89/bcicac.htm)

(<http://www.thecre.com/fedlaw/legal89/bcicac.htm>)

The Commercial Arbitration and Mediation Center for the Americas provides commercial parties in the Americas with a forum for the resolution of private commercial disputes and is designed to be consistent with the North American Free Trade Agreement (NAFTA). It is the joint creation of the AAA, the British Columbia International Commercial Arbitration Centre, the Mexico City National Chamber of Commerce, and the Quebec National and International Commercial Arbitration Centre, and it is governed by representatives from each group. Its [Arbitration Rules](http://www.thecre.com/fedlaw/legal89/bcicac.htm) (<http://www.thecre.com/fedlaw/legal89/bcicac.htm>) are available in English, French, Portuguese, and Spanish.

B. [European Court of Arbitration](http://cour-europe-arbitrage.org/index.php?lang=en) (<http://cour-europe-arbitrage.org/index.php?lang=en>)
[English, French, Italian, Spanish, German, Arabic]

Headquartered in Strasbourg with departments throughout Europe, the European Court of Arbitration is a private organization that specializes in swift, affordable arbitrations. It is an open body, with regulations and compromise clauses applicable to anyone. Click on “Arbitration” on the home page for a link to the rules.

C. [Common Court of Justice and Arbitration of the Organization for the Harmonization of Business Law in Africa \(OHADA\)](http://www.ohada.com/index.php?newlang=english) (<http://www.ohada.com/index.php?newlang=english>)

OHADA is currently made up of 17 African nations. On the home page, click on “Information Resources,” then “Case Law.” There are also links to the OHADA Treaty and Implementing Rules. The web site has icons for French, English, Portuguese and Spanish, but it appears some content is only available in French.

D. [Hong Kong International Arbitration Centre \(HKIAC\)](http://www.hkiac.org) (<http://www.hkiac.org>) In English and

Chinese

The Hong Kong International Arbitration Centre was established in 1985 for purposes of dispute resolution in Asia. It is independent of the Hong Kong government. There are links to rules and clauses on the home page.

E. [OSCE Court of Conciliation and Arbitration](http://www.osce.org/cca/43295) (<http://www.osce.org/cca/43295>)

The Court is part of the [Organization for Security and Co-operation in Europe](http://www.osce.org) (OSCE) (<http://www.osce.org>). It was established in 1995 under the Convention on Conciliation and Arbitration. Links on the home page lead to the Convention, the Court's Rules of Procedure, a ratification list and more. The Court is based in Geneva. The Court's mandate is to settle disputes submitted to it by member states.

F. [Singapore International Arbitration Centre \(SIAC\)](http://www.siac.org.sg/) (<http://www.siac.org.sg/>) was established in 1991 as an independent, non-profit organization. Tabs on the home page lead to rules and model clauses.

G. [Arbitration Foundation of Southern Africa](http://www.arbitration.co/za/pages/default.aspx)
(<http://www.arbitration.co/za/pages/default.aspx>)

Founded in 1996, the AFSA aims to provide a one-stop dispute resolution service. There is a choice of rules depending on the matter. Links on the home page take you to rules and clauses.

H. [Kigali Centre for International Arbitration](http://kiac.org.rw/) (KIAC) (<http://kiac.org.rw/>)

Located in Rwanda and launched in 2012, KIAC aims to serve Rwanda and the countries in the East Africa Community. Rules and model clauses have links on the home page.

I. The [China International Economic and Trade Arbitration Commission \(CIETAC\)](http://www.cietac.org) (<http://www.cietac.org>; in English and Chinese) is located in Beijing. It has or had 4 sub-commissions, including one in Shanghai and one in South China (Shenzhen). However, in 2012, CIETAC amended its [arbitration rules](http://www.cietac.org/index/rules.cms) (<http://www.cietac.org/index/rules.cms>; in English, Chinese, and Japanese) to require that all cases be administered in Beijing unless the arbitration agreement stated that the proceeding would be administered to a sub-commission. This touched off a dispute between the main body in Beijing and the Shanghai and South China sub-commissions that eventually led to these sub-commissions declaring independence from CIETAC.

On October 22, 2012, CIETAC South China changed its name to the South China International Economic and Trade Arbitration Commission, or [SCIETAC](http://www.sccietac.org/main/en/) (<http://www.sccietac.org/main/en/>; in English and Chinese.)

In April 2013, what was formerly CIETAC Shanghai became the Shanghai Economic and Trade Arbitration Commission ([SHIAC](http://www.shiac.com)) (<http://www.shiac.com>). Each new entity has promulgated its own set of rules, which can be found via links on their Web sites' home pages.

The result has been an ongoing dispute among these dispute resolution bodies with regard to which organization will preside over which arbitrations. A good review of the conflict is found in "[When dispute resolving is in dispute,](http://www.lexology.com/library/detail.aspx?g=48cc864b-892e-4e15-b106-ba8f3eae31bc)" by Taylor Wessing, John Chen and Dr. Michael Tan, February 27, 2015) on the Lexology.com web site (<http://www.lexology.com/library/detail.aspx?g=48cc864b-892e-4e15-b106-ba8f3eae31bc>).

VI. Internet Domain Name Disputes

With the rapid rise of Internet use and the subsequent increase in disputes over domain names, the [Internet Corporation for Assigned Names and Numbers](http://www.icann.org/) (ICANN) (<http://www.icann.org/>), the organization responsible for the management of the generic top level domains, was in need of a dispute resolution mechanism. In answer to this need, the World Intellectual Property Organization studied the problem and eventually published a [report](http://www.wipo.int/amc/en/processes/process1/report/index.html) (<http://www.wipo.int/amc/en/processes/process1/report/index.html>) containing recommendations dealing with domain name issues. Based on the report's recommendations, ICANN adopted the [Uniform Domain Name Dispute Resolution Policy \(UDRP\)](http://www.icann.org/udrp/udrp-policy-24oct99.htm) (www.icann.org/udrp/udrp-policy-24oct99.htm). The UDRP went into effect on December 1, 1999, for all ICANN-accredited registrars of Internet domain names. Under the UDRP, there are [five approved providers](http://www.icann.org/resources/pages/provider-6d-2012-02-25-en) of domain name dispute resolution (<http://www.icann.org/resources/pages/provider-6d-2012-02-25-en>):

A. WIPO is a leading [ICANN-accredited domain name dispute resolution provider](http://arbitrator.wipo.int/domains/index.html) (<http://arbitrator.wipo.int/domains/index.html>). A number of registrars of [country code top-level domains](http://arbitrator.wipo.int/domains/cctld/index.html) (<http://arbitrator.wipo.int/domains/cctld/index.html>) have designated WIPO as a dispute resolution service provider.

For concise background information on how and why domain name disputes arise and how to find cases, see the [FAQ](http://arbitrator.wipo.int/center/faq/domains.html) (<http://arbitrator.wipo.int/center/faq/domains.html>) on the WIPO Web site. The WIPO domain name disputers pages have a lot of information, including the full text of decided cases. The [Index of WIPO UDRP Panel Decisions](http://www.wipo.int/amc/en/domains/search/legalindex.jsp) (<http://www.wipo.int/amc/en/domains/search/legalindex.jsp>) lets you filter by type of organization, industry, and other factors. A search page lets you search by domain name or case number, or you can view a listing of decisions by year back to 1999.

The web site also offers daily emails of new decisions as soon as they are publicly available.

B. Another provider approved by ICANN is the [Asian Domain Name Dispute Resolution Centre \(ADNDRC\)](http://www.adndrc.org/index.html) (<http://www.adndrc.org/index.html>). Disputes handled by the ADNDRC are governed by the [Uniform Domain Name Dispute Resolution Policy Rules](http://www.icann.org/dndr/udrp/uniform-rules.htm) (UDRP Rules) (<http://www.icann.org/dndr/udrp/uniform-rules.htm>; click on "The Rules.")

C. [National Arbitration Forum \(NAF\)](http://www.arb-forum.com) (<http://www.arb-forum.com>) is the foremost provider of domain name dispute resolution in North America. The Web site's [Domain Name Disputes](http://domains.adrforum.com) page (<http://domains.adrforum.com>) provides links to procedures and rules relating to various types of domain name disputes. There is also a searchable case database that allows searching of dispute proceedings and decisions by full text, case number, name, domain type, date, parties, status, and rule.

D. [Arbitration Center for Internet Disputes](http://www.adr.eu) (<http://www.adr.eu>) ADR.EU is the Alternative Dispute Resolution service of the Czech Arbitration Court and is supported by the European Commission. Click on "Enter Platform .euADR" on the home page (select one of 24 languages) to be taken to a page with links to its rules, supplemental, rules, procedures, and decisions.

E. Arab Center for Domain Name Resolution (<http://acdr.aipmas.org>)

This body was approved as a UDRP dispute resolution service on May 18, 2013.

With the proliferation of domain name disputes, the [Uniform Rapid Suspension](http://newgtlds.icann.org/en/applicants/urs) (URS) (<http://newgtlds.icann.org/en/applicants/urs>) System was developed. Implemented by ICAAN, it provides a faster, less expensive procedure for rights holders experiencing clear-cut cases of infringement caused by domain name registrations. The two approved URS dispute providers are NAF and ADNRC.

VII. National Arbitration Statutes

An important component to a successful arbitration is a statute receptive to arbitration in the country of the site of the arbitration. A distinction is often made in a nation's laws between domestic arbitrations, in which states tend to maintain a firmer hand through the court systems, and international arbitration, in which actors engaging sophisticated commercial transactions are freer to agree upon their own rules. Another recent trend is the conscious repositioning of countries through adoption of new or amendment of existing arbitration laws that remove impediments to the arbitration process, in an effort to attract more global business. Most statutes since 1980 have also included "trade usage" as a permissible source of arbitration law, again in an effort to attract global business on its own terms.

What follows is an alphabetical listing of national arbitration laws available free on the Internet

that the author has been able to locate. [In English, unless otherwise indicated.]

[Algeria](http://lexalgeria.free.fr/proviii.htm) (<http://lexalgeria.free.fr/proviii.htm>) In French.

[Angola](http://academy.goldman.com.pt/legislacao_ANG-Das-Sociedades.html) (http://academy.goldman.com.pt/legislacao_ANG-Das-Sociedades.html) Select Lei 16-2003) In Portuguese.

[Antigua](http://www.laws.gov.ag/acts/) (<http://www.laws.gov.ag/acts/>; select "A" under #4, then scroll down and click on "Arbitration Act.")

[Argentina](http://www.sice.oas.org/DISPUTE/COMARB/argentina/libro6.asp) (<http://www.sice.oas.org/DISPUTE/COMARB/argentina/libro6.asp>) In Spanish.

[Armenia](http://www.lexadin.nl/wlg/legis/nofr/oeur/arch/arm/arbitration_law.pdf) (http://www.lexadin.nl/wlg/legis/nofr/oeur/arch/arm/arbitration_law.pdf)

[Australia](http://www.comlaw.gov.au/Details/C2010C00470) (<http://www.comlaw.gov.au/Details/C2010C00470>) 1974 Act as amended in 2010

[Austria](http://www.viac.eu/en/materials/83-recht/gesetze/200-zpo-as-amended-2013) (<http://www.viac.eu/en/materials/83-recht/gesetze/200-zpo-as-amended-2013>)

[Azerbaijan](http://arbitr.az/eng/viewpage.php?page_id=27) (http://arbitr.az/eng/viewpage.php?page_id=27)

[Bahamas](http://www.bfsb-bahamas.com/legislation/ArbitrationAct2008.pdf) (<http://www.bfsb-bahamas.com/legislation/ArbitrationAct2008.pdf>)

[Belgium](http://www.cepani.be/en/arbitration/belgian-judicial-code-provisions) (<http://www.cepani.be/en/arbitration/belgian-judicial-code-provisions>)

[Bermuda](#)

(<http://www.bermulaws.bm/Laws/Consolidated%20Laws/Bermuda%20International%20Conciliation%20and%20Arbitration%20Act%201993.pdf>)

[Bolivia](http://www.sice.oas.org/DISPUTECOMARB/Bolivia/Larbcom1.asp) (<http://www.sice.oas.org/DISPUTECOMARB/Bolivia/Larbcom1.asp>) In Spanish.

[Botswana](http://www.elaws.gov.bw/default.php?UID=602) (<http://www.elaws.gov.bw/default.php?UID=602>; enter arbitration in the keyword box; select "Principal Legislation Only"; scroll down the resulting list.)

[Brazil](http://www.jus.uio.no/lm/brazil.arbitration.law.no.9.307.1996/) (<http://www.jus.uio.no/lm/brazil.arbitration.law.no.9.307.1996/>)

[British Virgin Islands](http://www.bvifsc.vg/Portals/2/Arbitration%20Act,%202013.pdf) (<http://www.bvifsc.vg/Portals/2/Arbitration%20Act,%202013.pdf>)

[Brunei](http://www.wipo.int/wipolex/en/details.jsp?id=8530) (<http://www.wipo.int/wipolex/en/details.jsp?id=8530>)

[Bulgaria](http://www.bcci.bg/arbitration/lawofarbitr.htm) (<http://www.bcci.bg/arbitration/lawofarbitr.htm>)

[Cambodia](http://www.wipo.int/wipolex/en/details.jsp?id=5998) (<http://www.wipo.int/wipolex/en/details.jsp?id=5998>) Click on pdf icon

[Canada](http://laws-lois.justice.gc.ca/eng/acts/c-34.6/) (<http://laws-lois.justice.gc.ca/eng/acts/c-34.6/>)

[Chile](http://www.leychile.cl/Navegar?idNorma=230697) (<http://www.leychile.cl/Navegar?idNorma=230697>)

[China](http://www.jus.uio.no/lm/china.arbitration.law.1994/) (<http://www.jus.uio.no/lm/china.arbitration.law.1994/>)

[Colombia](http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=48366) (<http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=48366>) In Spanish.

[Costa Rica](http://www.derpublico.net/main.php/view_photo?wa_id=13) (http://www.derpublico.net/main.php/view_photo?wa_id=13) In Spanish.

[Croatia](http://www.vsrh.hr/CustomPages/Static/HRV/Files/Legislation__Law-Arbitration-RC.pdf) (http://www.vsrh.hr/CustomPages/Static/HRV/Files/Legislation__Law-Arbitration-RC.pdf)

[Cyprus](http://www.neocleous.biz/gr/download/busop_ccica.htm) (http://www.neocleous.biz/gr/download/busop_ccica.htm; scroll down to Appendix 1)

[Denmark](http://www.voldgiftsinstitutte.dk/en/library/arbitration-act) (<http://www.voldgiftsinstitutte.dk/en/library/arbitration-act>)

[Dominica](http://www.dominica.gov.dm/laws/chapters/chap4-50.pdf) (<http://www.dominica.gov.dm/laws/chapters/chap4-50.pdf>)

[Dominican Republic](http://camarasantiago.org/images/Leyes/Ley_489-08-Sobre%20Arbitraje%20Comercial.pdf) (http://camarasantiago.org/images/Leyes/Ley_489-08-Sobre%20Arbitraje%20Comercial.pdf) In Spanish.

[Ecuador](http://www.sice.oas.org/DISPUTE/COMARB/Ecuador/larbymed.asp) (<http://www.sice.oas.org/DISPUTE/COMARB/Ecuador/larbymed.asp>). In Spanish.

[El Salvador](http://www.elsalvadorleyes.com/blog/?tag=derecho-civil) (<http://www.elsalvadorleyes.com/blog/?tag=derecho-civil>) In Spanish.

[Egypt](http://www.jus.uio.no/lm/egypt.l_arbitrage.civile.et.commerciale.loi/doc.html) (http://www.jus.uio.no/lm/egypt.l_arbitrage.civile.et.commerciale.loi/doc.html) In French.

[Fiji](http://www.pacii.org/fj/legis/consol_act/aa137/) (http://www.pacii.org/fj/legis/consol_act/aa137/)

[Finland](http://www.finlex.fi/fi/laki/kaannokset/1992/en19920967.pdf) (www.finlex.fi/fi/laki/kaannokset/1992/en19920967.pdf)

[France](http://www.legifrance.gouv.fr/Traductions/en-English/Legifrance-translations) <http://www.legifrance.gouv.fr/Traductions/en-English/Legifrance-translations>. Scroll down to Code de procedure civile; then go to Livre IV, articles 1442-1507. In French.

[Germany](http://www.dis-arb.de/materialien/) (<http://www.dis-arb.de/materialien/>) Select "Materials" on the left; click on one of six languages under "German Arbitration Law 98"

[Georgia \(Republic of\)](http://www.lexadin.nl/wlg/legis/nofr/oeur/arch/geo/LAWONPRIVATEARBITRATION.pdf)

(<http://www.lexadin.nl/wlg/legis/nofr/oeur/arch/geo/LAWONPRIVATEARBITRATION.pdf>)

[Gibraltar](http://www.gibraltarlaws.gov.gi/articles/1895-10o.pdf) (<http://www.gibraltarlaws.gov.gi/articles/1895-10o.pdf>)

[Guatemala](http://www.sice.oas.org/DISPUTE/COMARB/Guatemala/arbitra1.asp) (<http://www.sice.oas.org/DISPUTE/COMARB/Guatemala/arbitra1.asp>) In Spanish.

[Honduras](http://www.alca-ftaa.org/busfac/canal_e.asp#Honduras) (http://www.alca-ftaa.org/busfac/canal_e.asp#Honduras; select Ley de Conciliacion y Arbitraje) In Spanish.

[Hong Kong](#)

(http://www.legislation.gov.hk/blis_pdf.nsf/6799165D2FEE3FA94825755E0033E532/C05151C760F783AD482577D900541075?OpenDocument&bt=0)

[India](http://www.ficci-arbitration.com/htm/acts.pdf) (<http://www.ficci-arbitration.com/htm/acts.pdf>)

[Indonesia](http://www.arbiter.com.sg/Laws_Rules_Indonesia_Content.html) (http://www.arbiter.com.sg/Laws_Rules_Indonesia_Content.html)

[Ireland](http://www.irishstatutebook.ie/2010/en/act/pub/0001/index.html) (<http://www.irishstatutebook.ie/2010/en/act/pub/0001/index.html>)

[Israel](http://www.israelinsurancelaw.com/contract-laws/arbitration-law-1968.html) (<http://www.israelinsurancelaw.com/contract-laws/arbitration-law-1968.html>)

[Italy](http://studiocelentano.it/codici/cpc/codicedpc004_2.htm) (http://studiocelentano.it/codici/cpc/codicedpc004_2.htm; scroll down to "Titolo VIII Dell'Arbitrato Internazionale") In Italian.

[Jamaica](http://www.moj.gov.jm/laws/arbitration-act) (<http://www.moj.gov.jm/laws/arbitration-act>)

[Japan](http://www.kantei.go.jp/foreign/policy/sihou/law032004_e.html) (http://www.kantei.go.jp/foreign/policy/sihou/law032004_e.html)

[Jersey](http://www.jerseylegalinfo.je/Law/LawsInForce/alphabetical.aspx?Alpha=A&Page=3) (<http://www.jerseylegalinfo.je/Law/LawsInForce/alphabetical.aspx?Alpha=A&Page=3>)
Scroll down for links to Arbitration (International Investment Disputes Order 1979 and Arbitration Law 1998).

[Jordan](http://midglobe.com/index.php?option=com_content&task=view&id=45&Itemid=70) (http://midglobe.com/index.php?option=com_content&task=view&id=45&Itemid=70)

[Kenya](http://www.kenyalaw.org/kl/fileadmin/pdfdownloads/Acts/ArbitrationAct__No49.pdf) (http://www.kenyalaw.org/kl/fileadmin/pdfdownloads/Acts/ArbitrationAct__No49.pdf)

[Kosovo](http://www.assembly-kosova.org/common/docs/ligjet/2007_02-L75_en.pdf) (http://www.assembly-kosova.org/common/docs/ligjet/2007_02-L75_en.pdf)

[Kyrgyz Republic](http://www.libertas-institut.com/de/Mittel-Osteuropa/Code%20of%20Arbitration.pdf) (<http://www.libertas-institut.com/de/Mittel-Osteuropa/Code%20of%20Arbitration.pdf>)

[Laos](http://www.lexadin.nl/wlg/legis/nofr/oeur/lxwelao.htm#Arbitration%20law) (<http://www.lexadin.nl/wlg/legis/nofr/oeur/lxwelao.htm#Arbitration%20law>; select link for "Arbitration Law").

[Lithuania](http://www3.lrs.lt/c-bin/eng/preps2?Condition1=56461&Condition2=) (<http://www3.lrs.lt/c-bin/eng/preps2?Condition1=56461&Condition2=>)

[Macao](http://www.wtc-macau.com/arbitration/eng/statute/55_98_m.htm) (http://www.wtc-macau.com/arbitration/eng/statute/55_98_m.htm)

Malaysia

1. [Arbitration Act of 2005](#)

2. [Arbitration \(Amendment\) Act of 2011](#)

(http://www.federalgazette.agc.gov.my/outputaktap/20110602_A1395_BI_A1395%20B1.pdf)

[Malta](http://www.mac.org.mt/en/Arbitration/Pages/Legislation.aspx) (<http://www.mac.org.mt/en/Arbitration/Pages/Legislation.aspx>)

[Mexico](http://www.sice.oas.org/DISPUTE/COMARB/Mexico/codcos.asp) (<http://www.sice.oas.org/DISPUTE/COMARB/Mexico/codcos.asp>) In Spanish.

[Moldova](http://www.law-moldova.com/laws/rus/treteiskom_sude_ru.txt) (http://www.law-moldova.com/laws/rus/treteiskom_sude_ru.txt) In Russian.

[Mozambique](http://www.josemigueljudice-arbitration.com/xms/files/02_TEXTOS_ARBITRAGEM/04_Leis_Arbitrais_Nacionais/Lei_Arbitragem_Mocambique.pdf) (http://www.josemigueljudice-arbitration.com/xms/files/02_TEXTOS_ARBITRAGEM/04_Leis_Arbitrais_Nacionais/Lei_Arbitragem_Mocambique.pdf) Go to Lei 11/99. In Portuguese.

[New Zealand](http://www.legislation.govt.nz) (<http://www.legislation.govt.nz>) Select "Browse", then select "Browse titles beginning with A", Scroll to Arbitration Act of 1996). Amended by [Arbitration Amendment Act of 2007](http://legislation.govt.nz/act/public/2007/0094/latest/096be8ed80105bb1.pdf) (<http://legislation.govt.nz/act/public/2007/0094/latest/096be8ed80105bb1.pdf>)

[Netherlands](http://www.nai-nl.org/downloads/Text%20Dutch%20Code%20Civil%20Procedure.pdf) (<http://www.nai-nl.org/downloads/Text%20Dutch%20Code%20Civil%20Procedure.pdf>)

[Nicaragua](http://legislacion.asamblea.gob.ni/Normaweb.nsf/($All)/D0489E6135592D16062570A10058541B?OpenDocument) ([http://legislacion.asamblea.gob.ni/Normaweb.nsf/\(\\$All\)/D0489E6135592D16062570A10058541B?OpenDocument](http://legislacion.asamblea.gob.ni/Normaweb.nsf/($All)/D0489E6135592D16062570A10058541B?OpenDocument)). This site requires free registration. In Spanish.

[Nigeria](http://www.nigeria-law.org/ArbitrationAndConciliationAct.htm) (<http://www.nigeria-law.org/ArbitrationAndConciliationAct.htm>)

[Norway](http://www.lovdato.no/dokument/NL/lov/1967-06-08-3) (<http://www.lovdato.no/dokument/NL/lov/1967-06-08-3>) In Norwegian.

[Panama](http://www.legalinfo-panama.com/legislacion/comercial/dl051999.pdf) (<http://www.legalinfo-panama.com/legislacion/comercial/dl051999.pdf>) [Amended](http://www.oas.org/es/sla/ddi/docs/Panam%C3%A1-Ley%20de%20de%20mayo%20de%202006.pdf) (<http://www.oas.org/es/sla/ddi/docs/Panam%C3%A1-Ley%20de%20de%20mayo%20de%202006.pdf>) in 2006. In Spanish.

[Paraguay](http://www.oas.org/es/sla/ddi/docs/Paraguay-Ley%20de%20Arbitraje%20y%20Mediaci%C3%B3n.pdf) (<http://www.oas.org/es/sla/ddi/docs/Paraguay-Ley%20de%20Arbitraje%20y%20Mediaci%C3%B3n.pdf>)

[Peru](http://www.justiciaviva.org.pe/normas/nac01.pdf) (<http://www.justiciaviva.org.pe/normas/nac01.pdf>) In Spanish.

[Philippines](http://www.lawphil.net/statutes/repacts/ra1953/ra_876_1953.html) (http://www.lawphil.net/statutes/repacts/ra1953/ra_876_1953.html)

[Portugal](http://arbitragem.pt/legislacao/2011-12-14--lav/lav-english.pdf) (<http://arbitragem.pt/legislacao/2011-12-14--lav/lav-english.pdf>)

[Russian Federation](http://www.jus.uio.no/lm/russia.international.commercial.aribtration.1993) (<http://www.jus.uio.no/lm/russia.international.commercial.aribtration.1993>)

[Scotland](http://www.legislation.gov.uk/asp/2010/1/contents) (<http://www.legislation.gov.uk/asp/2010/1/contents>)

[Serbia](http://arbitrations.ru/userfiles/file/Law/Arbitration%20acts/Arbitration_Act_Serbia_MajaStani) (http://arbitrations.ru/userfiles/file/Law/Arbitration%20acts/Arbitration_Act_Serbia_MajaStani)

vukovic.pdf)

[Singapore](http://statutes.agc.gov.sg/aol/browse/titleResults.w3p;letter=A;type=actsAll) (http://statutes.agc.gov.sg/aol/browse/titleResults.w3p;letter=A;type=actsAll) Scroll and select the two arbitration acts

[South Africa](http://www.wipo.int/wipolex/e/details.jsp?id=6664) (http://www.wipo.int/wipolex/e/details.jsp?id=6664) Click on the pdf icon.

[South Korea](http://www.gbci.net/south_korea_arbitration.shtml) (http://www.gbci.net/south_korea_arbitration.shtml)

[Spain](http://noticias.juridicas.com/base_datos/Privado/l60-2003.t1.html) (http://noticias.juridicas.com/base_datos/Privado/l60-2003.t1.html) - In Spanish; Click on “Versiones/revisions” for amendments

[Spain](http://www.luzmenu.com/cremades/Noticias/102/102.pdf) (http://www.luzmenu.com/cremades/Noticias/102/102.pdf) - In English.

[Sri Lanka](http://www.commonlii.org/lk/legis/num_act/aa11o1995183/) (http://www.commonlii.org/lk/legis/num_act/aa11o1995183/)

[Sweden](http://www.commonlii.org/lk/legis/num_act/aa11o1995183/) (http://www.commonlii.org/lk/legis/num_act/aa11o1995183/)

[Switzerland](http://www.arbitration-ch.org/pages/en/arbitration-in-switzerland/index.html#.UvZ7orR91Wh) (http://www.arbitration-ch.org/pages/en/arbitration-in-switzerland/index.html#.UvZ7orR91Wh) Scroll down for links in 6 languages.

[Thailand](http://www.thailawforum.com/database1/arbitration-act.html) (http://www.thailawforum.com/database1/arbitration-act.html)

[Trinidad and Tobago](http://www.ttparliament.org/legislations/a2004-08.pdf) (http://www.ttparliament.org/legislations/a2004-08.pdf)

[Tunisia](http://www.jurisitetunisie.com/tunisie/codes/ca/ca1000.htm) (http://www.jurisitetunisie.com/tunisie/codes/ca/ca1000.htm) In French.

[Uganda](http://www.ulii.org/content/arbitration-conciliation-amendment-act) (http://www.ulii.org/content/arbitration-conciliation-amendment-act)

[Ukraine](http://www.ucci.org.ua/en/legalbase/zua944002.html) (http://www.ucci.org.ua/en/legalbase/zua944002.html)

[United Kingdom](http://www.legislation.gov.uk/ukpga/1996/23/contents) (http://www.legislation.gov.uk/ukpga/1996/23/contents)

[United States](http://www.law.cornell.edu/uscode/text/9/chapter-1) (http://www.law.cornell.edu/uscode/text/9/chapter-1)

[Venezuela](http://www.sice.oas.org/dispute/comarb/Venezuela/spLarbcoms.a) (http://www.sice.oas.org/dispute/comarb/Venezuela/spLarbcoms.a)

[Vietnam](http://vietlaw4u.com/vietnam-commercial-arbitration-law-542010qh12/) (http://vietlaw4u.com/vietnam-commercial-arbitration-law-542010qh12/)

[Zambia](http://www.zamlii.org/zm/legislation/consolidated-act/40) (http://www.zamlii.org/zm/legislation/consolidated-act/40)

[Zimbabwe](https://www.international-arbitration-attorney.com/wp-content/uploads/title-7chapter-715-previous-chapterarbitration-actacts-61996-142002-modified-by-s-1-208.pdf) (https://www.international-arbitration-attorney.com/wp-content/uploads/title-7chapter-715-previous-chapterarbitration-actacts-61996-142002-modified-by-s-1-208.pdf)

VIII. Commercial Sources

A. [Kluwer Arbitration Online](http://www.kluwerarbitration.com) (<http://www.kluwerarbitration.com>)

Kluwer's Internet database covers both primary and secondary resources. Users can elect to subscribe to some or all the materials. KluwerArbitration.com brings together the documents of many of the institutions described above, such as the ICC/ICCA, the ICSID, the PCA, and the WIPO Arbitration and Mediation Center. Searching is free and results in citations, but one needs a subscription to retrieve the full text of the primary documents.

The Web site is well-designed and easy to use. There is a basic search box on the home page and a link to an advanced search page. The latter lets you search by organization, type of document (e.g., award, rules, conventions, etc.), author, parties, country, and more.

B. [Juris Publishing](http://www.jurispub.com/index.php) (<http://www.jurispub.com/index.php>)

This is another publisher of a great deal of print primary and secondary arbitration material. Its online content can be found on the [Arbitration Law Database](http://arbitrationlaw.com) (<http://arbitrationlaw.com>). Like Kluwer, it offers subscription and free content.

A major treatise published by Juris is the 5-volume looseleaf *The World Arbitration Reporter*, which also is available digitally. It reports on national arbitration law and practice and on the rules and practice of major domestic and international institutions. [Mistellis, Loukas; Laurence Shore; Hans Smit, [The World Arbitration Reporter](#) (2d ed.), Juris, 2010.]

(http://www.worldcat.org/title/world-arbitration-reporter-international-encyclopaedia-of-arbitration-law-and-practice/oclc/606909964&referer=brief_results)

C. [Investment Claims](http://www.investmentclaims.com) (<http://www.investmentclaims.com>)

Oxford University Press is behind this subscription database that offers primary materials as well as analysis and commentary on international investment law and arbitration. Content includes accompanying analysis to each award and decision, bilateral investment treaties, treaty overviews, journal articles, monographs, and more. The database also has a directory of arbitrators and legal counsel as well the option to receive free updates via email or RSS feed. Contact the publisher for price information.

D. [WESTLAWNext](https://next.westlaw.com) (<https://next.westlaw.com>)

WESTLAWNext covers some international arbitration materials. Dates of coverage and comprehensiveness of the information vary depending the source material. Type arb in the main search box and a menu will pop up. Click on "arbitration materials," then scroll down to "awards and rules – international."

E. LEXIS Arbitration Databases

[LEXIS](http://www.lexis.com) (<http://www.lexis.com>)

[LEXIS Advance](https://signin.lexisnexis.com/lnaccess/app/signin?aci=la) (<https://signin.lexisnexis.com/lnaccess/app/signin?aci=la>)

Classic LEXIS has comprehensive arbitration coverage. You can identify arbitration files on Lexis by clicking on the International Arbitration link under “Area of Law - Topics” that appears on the Lexis.com Legal tab. Many primary and secondary sources are included.

Lexis Advance does not seem to have as much in the way of international commercial arbitration materials. Click on Browse, then Topics – International Law – Dispute Resolution – Arbitration and Mediation.

F. [WorldTradeLaw.net](http://www.worldtradelaw.net) (<http://www.worldtradelaw.net>)

This commercial database has two parts. The free portion of the site consists of primary source documents related to international trade law; a full-text search engine for GATT/WTO decisions; a large collection of links to other sources of information on the web; and a discussion forum.

Subscribers will get the Dispute Commentary Service, which summarizes and analyzes WTO Panel and Appellate Body reports and WTO arbitrations. There are also links to the full text.

G. [Investment Arbitration Reporter](http://www.iareporter.com/) (<http://www.iareporter.com/>)

This is a service that provides electronic news and analysis of cross-border arbitrations between foreign investors and their host governments. Profiles of arbitrators are also included. Browsing is free but most items require a subscription. Email alerts are free.

H. [PLC Arbitration](http://uslf.practicallaw.com/practice/international-arbitration) (<http://uslf.practicallaw.com/practice/international-arbitration>)

Practical Law Company’s International Arbitration Practice Center is a subscription service aimed at law firm and law department practitioners. It offers articles, checklists, guidances and other material to those who deal with arbitration law.

The focus of the [National Center for Technology and Dispute Resolution](http://www.odr.info) (NCTDR) (<http://www.odr.info>) is online dispute resolution (ODR). Its web site has links to research materials, news of events, and a list, with links, of providers of online dispute resolution. It also

I. Additional Resources

[Transnational Dispute Management](http://www.transnational-dispute-management.com/) (<http://www.transnational-dispute-management.com/>) aims to function as a newsletter, an in-depth review/journal of events, and a primary materials database. Subscribers will have access to these materials.

The [International Bar Association](http://www.ibanet.org/Publications/publications_IBA_guides_and_free_materials.aspx)

(http://www.ibanet.org/Publications/publications_IBA_guides_and_free_materials.aspx) offers guides on conflict of interest in international commercial arbitration and rules on the taking of evidence.

IX. Blogs and Alerts

For names and links of blogs on arbitration, go to the [World Directory of Alternative Dispute Resolution Blogs](http://adrblogs.com/category/arbitration-blogs/) (<http://adrblogs.com/category/arbitration-blogs/>).

[ArbitralWomen](http://www.arbitralwomen.org/) (<http://www.arbitralwomen.org/>) is a group of professional women from all over the world who are active in arbitration and alternative dispute resolution internationally. The web site is about and by ARBITRALWOMEN but is open to everyone both to search for appropriate and qualified dispute resolution practitioners and to benefit from the ideas and information offered.

The Kluwer Arbitration Online Web site includes a [blog](http://kluwarbitrationblog.com) (<http://kluwarbitrationblog.com>) that offers alerts via email.

Juris' ArbitrationLaw.com also has a [blog](http://arbitrationlaw.com/blog) (<http://arbitrationlaw.com/blog>) on developments in alternative dispute resolution.

[Lexology](http://www.lexology.com) (<http://www.lexology.com>), produced with the Association of Corporate Counsel, is a web site that offers articles on developments in many areas of the law. They are written and contributed by practitioners and experts. Once you register, you can select your areas of interest and receive daily emails announcing and discussing developments in those areas. To create alerts on arbitration, use the drop-down menus on the home page. Select the jurisdiction, then select "arbitration" from the Work Area menu. You can also enter keywords or limit the emails to articles from a specific organization. The Lexology alerts have been extremely useful in alerting me to changes in arbitration entities, rules, and other developments. However, they do not usually provide links to the resources, such as the actual text of new arbitration rules or awards that they discuss.

X. Treatises

Born, Gary, *International Commercial Arbitration*, 3rd ed., Frederick, MD: Wolters Kluwer/Aspen, 2014 (https://www.worldcat.org/title/international-commercial-arbitration-1-international-arbitration-agreements/oclc/880137681&referer=brief_results)

Conseil international pour l'arbitrage commercial. *Yearbook: Commercial Arbitration*, Deventer, Netherlands: Kluwer. (http://www.worldcat.org/title/yearbook-commercial-arbitration/oclc/421817093&referer=brief_results)

Mistelis, Loukas A.; Laurence Shore; Hans Smit, *World Arbitration Reporter: International Encyclopaedia of Arbitration Law and Practice*, 2d ed., Huntington, N.Y.: Juris, 2010-. (http://www.worldcat.org/title/world-arbitration-reporter-international-encyclopaedia-of-arbitration-law-and-practice/oclc/606909964&referer=brief_results)

Kolkey, Daniel M.; Chernick, Richard; Neal, Barbara Reeves, *Practitioner's Handbook on Arbitration and Mediation*, 3d ed., Huntington, N.Y.: Juris Net, 2012. (https://www.worldcat.org/title/practitioners-handbook-on-international-arbitration-and-mediation/oclc/785899904&referer=brief_results)

*Gloria Miccioli is a Reference Librarian with Mayer Brown in Washington, D.C. She has previously worked as Library Manager for Manatt, Phelps & Phillips, as International Librarian for Jones Day, and as Senior Research Librarian for Williams & Connolly. She is a member of the Special Libraries Association, the Association of American Law Libraries and the Law Librarians' Society of Washington, D.C.