

SYSTEMS  
OF CONTROL IN  
INTERNATIONAL  
ADJUDICATION  
& ARBITRATION

BREAKDOWN AND REPAIR

W. MICHAEL REISMAN

# Systems Of Control In International Adjudication Arbitration Breakdown And Repair Hb

**V.S. Mani**



## **Systems Of Control In International Adjudication Arbitration Breakdown And Repair Hb:**

*Systems of Control in International Adjudication and Arbitration* William Michael Reisman, 1992 In a world where nations are increasingly interdependent and where their problems whether environmental economic or military have a global dimension the resolution of international disputes has become critically important In *Systems of Control in International Adjudication and Arbitration* W Michael Reisman one of America's foremost scholars and practitioners of international law examines the controls that govern arbitration a method of alternative private and relatively unsupervised dispute resolution and shows how these controls have broken down Reisman considers three major forms of international arbitration in the International Court under the auspices of the World Bank and under the New York Convention of 1958 He discusses the unique structures of control in each situation as well as the stresses they have sustained Drawing on extensive research and his own experience as a participant in the resolution of some of the disputes discussed Reisman analyzes recent key decisions including Australia and New Zealand's attempt to stop France's nuclear testing in Muroroa AMCO vs Republic of Indonesia concerning the construction of a large tourist hotel in Asia and numerous others Reisman explores the implications of the breakdown of control systems and recommends methods of repair and reconstruction for each mode of arbitration As a crucial perspective and an invaluable guide this work will benefit both scholars and practitioners of international dispute resolution

**Deference in International Commercial Arbitration** Franco Ferrari, Friedrich Rosenfeld, 2023-05-12 In international arbitration deference entails that one decision maker does not make an autonomous assessment but limits its decision making power out of respect for the decision or authority of another actor For example a court exercising post award review might refrain from reviewing a question of procedure de novo but instead defer to a prior determination made by the arbitral tribunal In this book prominent arbitration practitioners and academics offer the first systematic analysis of such deference in international arbitration With abundant reference to case law from major arbitration hubs the analysis is organized around the three relationships in which questions of deference arise public private relationships in which a State actor e.g a court must decide whether it should pay deference to determinations made by a private actor e.g a tribunal or an arbitral institution public public relationships in which a State actor e.g a court at the place of recognition and enforcement must decide whether it should pay deference to another State actor e.g a court at the seat and private private relationships in which a private actor e.g an arbitral tribunal must decide whether it should pay deference to another private actor e.g another arbitral tribunal or an arbitral institution The book makes an important contribution to tracing the boundaries of the multiple layers of control over arbitration proceedings It takes a giant step towards establishing the right equilibrium between the different layers of authority and thus meeting a pivotal challenge for the viability of arbitration as a form of dispute resolution

*Constructing and Reconstructing the Control System in International Commercial Arbitration* Meng Chen, 2016

*International Adjudication* V.S. Mani, 2024-02-26 This wide ranging series provides expert insights into the

most fundamental aspects of public international law and has for many years made a major contribution to the international debate on legal issues affecting the world community      By Peaceful Means Charles N. Brower, Joan E. Donoghue, Cian C. Murphy, Cymie R. Payne, Esmé© R. Shirlow, 2024-01-18 Distinguished scholars and practitioners commemorate and expand upon the work of international judge arbitrator and professor David D Caron 1952 2018 By Peaceful Means is an insightful examination of how international dispute resolution seeks to avert disaster and mitigate discord and how it might continue to do so in our uncertain future

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