

THE PANAMA
CONVENTION
AND ITS
IMPLEMENTATION
UNDER THE
FEDERAL
ARBITRATION ACT

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KLUWER LAW INTERNATIONAL

The Panama Convention And Its Implementation Under The Federal Arbitration Act

John Bowman



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The Panama Convention and Its Implementation Under the Federal John Bowman, 2002-10-09 As the only complete and systematic treatment on the subject this book offers the first comprehensive analysis of the Panama Convention its implementing legislation in the United States and United States court decisions construing its provisions By comparing the Panama and New York Conventions it identifies important differences such as the Panama Convention s mandatory application of the Rules of Procedure of the IACAC to ad hoc arbitrations and differences in the Conventions provisions concerning the grounds for recognition and enforcement of arbitral awards By comparing Chapter 3 of the Federal Arbitration Act with the other provisions of the federal act this book exposes problems in the implementing law as well as ways in which Chapter 3 improves on the federal law implementing the New York Convention Through a critical review of Convention jurisprudence in the United States it highlights at least three areas in which the courts need to do a much better job the Convention s field of application application of the IACAC Rules differentiation between the New York and Panama Conventions

International Arbitration in the United States Laurence Shore, Tai-Heng Cheng, Jenella E. La Chuisa, Lawrence Schaner, Mara V.J. Senn, 2016-04-24 International Arbitration in the United States is a comprehensive analysis of international arbitration law and practice in the United States U S Choosing an arbitration seat in the U S is a common choice among parties to international commercial agreements or treaties However the complexities of arbitrating in a federal system and the continuing development of U S arbitration law and practice can be daunting to even experienced arbitrators This book the first of its kind provides parties opting for private justice with vital judicial reassurance on U S courts highly supportive posture in enforcing awards and its pronounced reluctance to intervene in the arbitral process With a nationwide treatment describing both the default forum under federal arbitration law and the array of options to which parties may agree in state courts under state international arbitration statutes this book covers aspects of U S arbitration law and practice as the following institutions and institutional rules that practitioners typically use ethical considerations costs and fees provisional measures and confidentiality There are also chapters on arbitration in specialized areas such as class actions securities construction insurance and intellectual property

Arbitration Law in America Edward J. Brunet, 2006-01-09 This is a book about changing the terms of American Arbitration Law The book contains individual views of the four co authors and criticisms of the individual recommendations of the authors The book contains point and counterpoint and numerous controversial ideas The authors present the competing arguments on some of the most controversial topics in arbitration arbitration of employment disputes between employers and their former employees and arbitration of disputes between consumers and product sellers

International Litigation David J. Levy, 2003 Provides American and foreign lawyers with a practical overview and summary of the issues and strategies that parties and attorneys most often confront when engaged in international litigation in U S federal district courts

Arbitration of International

Business Disputes William W. Park, 2012-09-20 Arbitration of International Business Disputes 2nd edition is a fully revised and updated anthology of essays by Rusty Park a leading scholar in international arbitration and a sought after arbitrator for both commercial and investment treaty cases This collection focuses on controversial questions in arbitration of trade financial and investment disputes The essays address some of the most interesting topics in cross border business dispute resolution many of which have endured over several decades and remain subject to radically different views Examples include the proper role of judicial review the allocation of jurisdictional tasks evolution of arbitration s statutory and treaty framework free trade and bilateral investment agreements and the balance between fixed rules and arbitral discretion The book is structured around three themes arbitration s legal framework the conduct of arbitral proceedings and a comparison of arbitration in specific fields such as finance intellectual property and taxation In each of these areas analysis includes the tensions between fairness and efficiency and the accurate application of substantive law as well as the implications of mandatory procedural norms Augmented by more than a dozen new contributions and a revised introduction this 2nd edition retains all of its earlier practical and scholarly relevance and includes a Foreword by V V Johnny Veeder QC

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

Enforcement of Foreign Arbitral Awards and Judgments in New York Andreas A. Frischknecht, Yasmine Lahlou, Gretta L. Walters, 2016-04-24 Merely obtaining a favorable arbitral award or judgment at the end of a dispute holds little value unless the prevailing party is able to enforce it This book more thoroughly than any other source shows practitioners how to navigate the relevant laws in New

York a leading global financial center known for its pro enforcement policies and the powerful discovery tools it makes available to creditors No other resource explores the current state of the law in New York as comprehensively as this book Beyond its sheer practical significance given the likelihood of debtors having assets in or routing U S dollar transactions through New York this book provides creditors and their counsel with the critical information they need to define their global enforcement strategy and facilitate their enforcement efforts not only in New York but potentially worldwide Among the issues and topics that the book tackles are the following review of the fundamentals of U S practice and procedure for non New York practitioners easy to understand jargon free explanation of the often daunting state and federal procedures for enforcement up to date clear presentation of the relevant case law including key state and federal decisions explanation of how state and federal laws intersect with international law review of significant recent developments impacting a creditor s ability to reach foreign defendants and their assets outside the U S in post judgment execution proceedings and comprehensive advice on the practicalities of executing a judgment Given the critical role New York plays in a host of cross border transactions and its status as a hub for worldwide judgment and award enforcement the demand to better understand the laws and judicial system within the state has never been higher This comprehensive yet practical guide to navigating award and judgment enforcement in New York provides the understanding both the basics and the nuances in this area that is critical for any domestic or international practitioner when advising a client as to the likelihood of collection in or through New York

International Commercial Arbitration in New York James H. Carter, John Fellas, 2013 International Commercial Arbitration in New York focuses on the distinctive aspects of international arbitration in New York Serving as an essential strategic guide this book allows practitioners to represent clients more effectively in cases where New York is implicated as either the place of arbitration or evidence or assets are located in New York Each chapter elucidates a vital topic including the existing New York legal landscape drafting considerations for clauses designating New York as the place of arbitration and material and advice on selecting arbitrators The book also covers a series of topics at the intersection of arbitral process and the New York courts including jurisdiction enforcing arbitration agreements and obtaining preliminary relief and discovery Class action arbitration challenging and enforcing arbitral awards and biographical materials on New York based international arbitrators is also included making this a comprehensive valuable resource for practitioners

Arbitration Beyond Borders Michael Reisman, Nigel Blackaby, 2023-04-25 The influential vision and work of the late Guillermo Aguilar lvarez one of the world s leading arbitral innovators have left the principles and practice of international arbitration with a rich legacy of insight and achievement In this one of a kind book thirty two prominent arbitrators and scholars consider the vital issues that concerned him and to which he often gave a new clarity Each chapter addresses a cutting edge issue of contemporary international arbitration including the following ethical standards for party representatives in international arbitration responsibilities of international arbitrators in the conduct of proceedings

alternatives to investment arbitration corruption and red flags in international arbitration abuse of rights in restructuring to access investment protection foreign investment disputes under the United States Mexico Canada Agreement 2020 the illegality defense in investor State arbitration arbitration and insolvency status of annulled awards in investment arbitration the arbitration backlash The collection addresses in depth some of the most pressing technical and political considerations facing international arbitration today Its focus will enable arbitrators and all whose work involves them in the arbitral process as well as academics in the field to equip themselves to address critical issues as they arise during the conduct of any international commercial or investment arbitration

International Commercial Arbitration Gary Born, 2009 International Commercial Arbitration Third Edition is an authoritative treatise providing the most complete available commentary and analysis on all aspects of the international commercial arbitration process This completely revised and expanded edition of Gary Born's authoritative work is divided into three main parts dealing with the International Arbitration Agreement International Arbitral Procedures and International Arbitral Awards The Third Edition provides a systematic framework for both current analysis and future developments as well as exhaustive citations from all leading legal systems

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