

Recognition and enforcement of foreign arbitral awards : a global commentary on the New York Convention

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Abstrak

The authors, each of whom is an experienced practitioner in the field of international arbitration, draw on experience in a wide variety of national jurisdictions. In addition to drafting chapters independently, each has made invaluable contributions to other authors' chapters. Authoritative case law research was further provided by dozens of contributors with expertise in specific jurisdictions worldwide. The analysis thoroughly covers the major issues that have arisen in the application of the Convention, including the following: the use of reservations made by Contracting States; the distinctions between recognition and enforcement and between recognition sought at the seat of the arbitration and outside the seat; the role of the courts in reviewing arbitral awards and, in particular, the Convention's focus on safeguarding due process standards; the 'more favourable rights' principle embodied in Article VII(1); the relevance of forum shopping and asset spotting to the application of the Convention; and the role of formalities and formalism