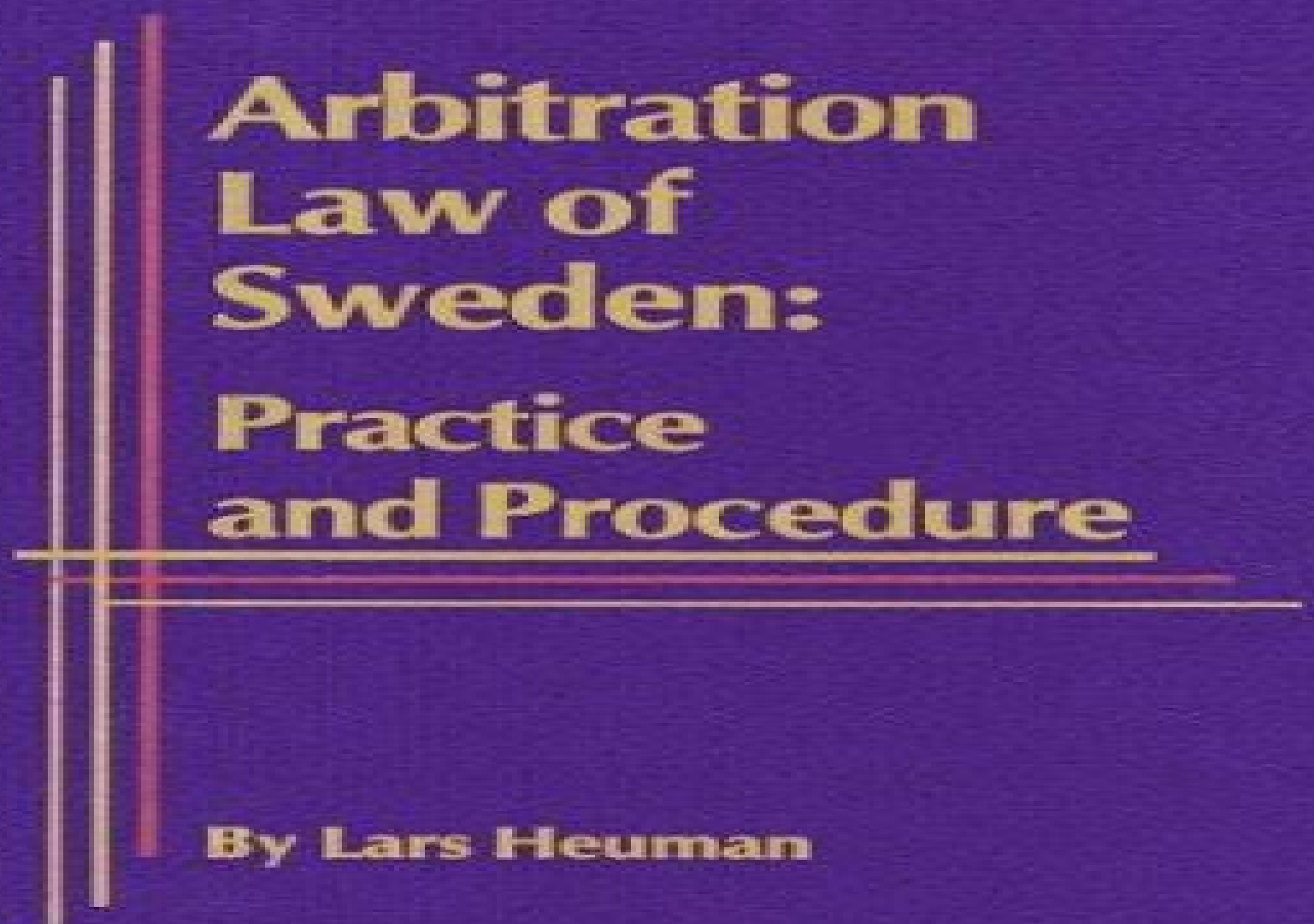




Arbitration Law of Sweden: Practice and Procedure

By Lars Heuman

Arbitration Law Of Sweden Practice And Procedure

Dolores Bentolila



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Arbitration Law of Sweden Lars Heuman, 2003-02-01 This book is a practical and scholarly work on the new Swedish Arbitration Act of 1999 It deals with international arbitration and enforcement of foreign arbitral awards in Sweden Arbitration Law of Sweden is based on a comprehensive analysis of earlier Swedish court practice that is still relevant Issues are investigated from both the arbitrator s and the counsel s perspectives and important tactical issues are discussed The book is indispensable for arbitrators and party representatives who are engaged in Swedish arbitrations International Arbitration in Sweden Annette Magnusson, Jakob Ragnwaldh, Martin Wallin, 2021-03-09 Sweden is one of a handful of countries where the international arbitral process has reached a stage where the jurisprudence is replete with instances involving no local parties at all In this context of credible neutrality the Arbitration Institute of the Stockholm Chamber of Commerce SCC has emerged as a leading global arbitral institution Whether the matter at issue is a business transaction dispute or a politicized conflict involving obdurate parties the richness of its body of decided cases manifests the SCC s authority and reliability throughout the converging world of international arbitration The present book written by sixteen eminent practitioners and now in its second edition provides a practical guide to international arbitration in Sweden whether ad hoc or institutional Among the many elements of practice and procedure detailed are the following appointment challenge removal and compensation of arbitrators procedural efficiency and costs use of international legal sources such as IBA guidelines choice of law by parties SCC rules and procedures multiparty arbitrations joinder intervention consolidation investment treaty arbitration confidentiality documentary evidence witnesses and experts grounds for setting aside party succession Swedish court review of the arbitrator s jurisdiction and appeal of arbitrators compensation In addition readers will be exposed to a trove of pertinent references to important decisions that have in recent decades been generated by the stream of major international arbitrations conducted in Sweden Disputing parties wishing to know what will happen when their case is brought to Sweden for arbitration will find no clearer or more thorough guide This book is an incomparable source for anyone called upon to act as arbitrator or counsel or in any other capacity in international arbitration in Sweden

Commercial Arbitration in Sweden Finn Madsen, 2007 The Arbitration Institute of the Stockholm Chamber of Commerce has become an important forum for international commercial arbitration with parties from more than 30 countries especially Western European countries and increasingly Russia other Eastern European Countries and China The author offers practitioners several background chapters on commercial arbitration in Sweden and a detailed analysis of each section of the Swedish Arbitration Act SAA This is a ready reference handbook analyzing Swedish arbitration the SAA the Rules and cases and also includes references and commentary with respect to international commercial arbitration in general The author s intention is to help practitioners in search of rapid guidance regarding the interpretation of a particular provision or who wish to solve a practical problem This Third Edition of Commercial Arbitration in Sweden provides us all with a valuable

and up to date understanding of the Swedish system in operation and a comprehensive commentary on the SCC Rules both new and existing World business has the means through this work to see why Sweden and Stockholm are good choices for their international arbitrations Phillip Capper Head of International Arbitration Lovells Nash Professor of Engineering Law King's College University of London former Chairman of the Faculty of Law University of Oxford *The Swedish Arbitration Act of 1999 Five Years on* Lars Heuman, Sigvard Jarvin, 2006-04-01 In 2004 Sweden's Arbitration Act of 1999 was five years old Inspired by UNCITRAL's Model Law while perpetuating features of the 1929 Act it introduced many new concepts such as establishing rules to determine the law applicable to the agreement to arbitrate authorizing the arbitrators to decide the existence of facts and to fill gaps in contracts making competition law issues arbitrable affording the respondent the right to have the dispute resolved if the claimant withdraws its claim authorizing truncated tribunals where an arbitrator obstructs the work of the tribunal The new Act further gives arbitrators power to decide interim measures of protection and accepts that foreign parties waive in advance the possibility to set aside the arbitral award In order to learn about the experience of Swedish and foreign practitioners arbitrators and judges during the five years since the Act was adopted the Stockholm Arbitration Report and the Institute of Arbitration Law at the University of Stockholm organized a symposium on 7 and 8 October 2004 The symposium was arranged in co operation with the Arbitration Institute of the Stockholm Chamber of Commerce SCC the China International Economic and Trade Arbitration Commission CIETAC the Hong Kong International Arbitration Centre HKIAC the ICC International Court of Arbitration the International Centre for Dispute Resolution ICDR the International Commercial Arbitration Court at the CCI of the Russian Federation JAMS the London Court of International Arbitration LCIA Revue de l'arbitrage the Swedish Bar Association and UNCITRAL This book contains the papers presented to the six working sessions and the full discussions that took place Post-Hearing Issues In International Arbitration Devin Bray, Heather L. Bray, 2013-10-01 Post Hearing Issues in International Arbitration includes articles that originally appeared in the Stockholm Arbitration Report SAR and the Stockholm International Arbitration Review SIAR All of the articles have been extensively revised and updated for this publication The authors and articles selected include a wide range of perspectives and include judges arbitrators seasoned practitioners and well respected scholars that can account for the first hand practice orientated developments of international arbitration The book is set out in three parts In Part I the authors discuss three significant issues related to the conclusion of an international arbitral award arbitrator deliberations punitive damages and post award interest Part II attempts to navigate the interesting and often daunting review processes of an international arbitration award Part III considers a blend of international arbitration recognition and enforcement issues including jurisdictional hurdles public policy concerns primary defences and the practical requirements of a successful claim Contributors Include Eunice Bai Jonas Benedictsson Gordon Blanke Thomas E Carbonneau Christopher R Drahozal Jessica Jia Fei Laurent Hirsch Vladimir Khvalei Peter Krikström Emma Lindsay Finn Madsen Damien McDonald Katarina Mild Charles

Poncet Christopher Sepp l Robert H Smit Alexander Vesselinovitch Martin Wallin **International Commercial Contracts**

Giuditta Cordero-Moss, 2014-05-29 The book verifies the impact of national law and transnational rules on international contracts particularly those with an arbitration clause Recognition and Enforcement of Foreign Arbitral Awards George A. Bermann, 2017-07-17 This book examines how the Convention on the Recognition and Enforcement of Foreign Arbitral Awards commonly known as The New York Convention has been understood and applied in insert number jurisdictions including virtually all that are leading international arbitration centers It begins with a general report surveying and synthesizing national responses to a large number of critical issues in the Convention s interpretation and application It is followed by national reports all of which are organized in accordance with a common questionnaire raising these critical issues Following introductory remarks each report addresses the following aspects of the Convention which include its basic implementation within the national legal system enforcement by local courts of agreements to arbitrate including grounds for withholding enforcement recognition and enforcement of foreign awards by local courts under the Convention including grounds for denying recognition and enforcement and essential procedural issues in the courts conduct of recognition and enforcement Each report concludes with an overall assessment of the Convention s interpretation and application on national territory and recommendations if any for reform The New York Convention was intended to enhance the workings of the international arbitral system primarily by ensuring that arbitral awards are readily recognizable and enforceable in States other than the State in which they are rendered subject of course to certain safeguards reflected by the Convention s limited grounds for denying recognition or enforcement It secondarily binds signatory states to enforce the arbitration agreements on the basis of which awards under the Convention will be rendered Despite its exceptionally wide adoption and its broad coverage the New York Convention depends for its efficacy on the conduct of national actors and national courts in particular Depending on the view of international law prevailing in a given State the Convention may require statutory implementation at the national level Beyond that the Convention requires of national courts an apt understanding of the principles and policies that underlie the Convention s various provisions Through its in depth coverage of the understandings of the Convention that prevail across national legal systems the book gives practitioners and scholars a much improved appreciation of the New York Convention on the ground **SCC (Stockholm Chamber of Commerce) Arbitral Awards, 2004-2009** Linn Bergman, Stephen Bond, 2011 The SCC Arbitral Awards contains the text of all the international arbitral awards from the Arbitration Institute of the Stockholm Chamber of Commerce between 2004 and 2009 This is the only source for SCC Arbitral Awards The awards are subject to commentary by leading authorities including distinguished arbitrators lawyers justices and other legal professionals Where necessary commentary has been revised and updated prior to publication The extracts from the arbitral awards provide indispensable and extremely helpful insights into the attitudes of tribunals on arbitration matters and arbitral awards worldwide This publication is essential for the practitioner and the legal

professional who needs to be up to date on key arbitration issues involving SCC arbitration in particular but also international arbitration in general as well

International Arbitration in England Laila Hamzi, Daniel Harrison, Gregory Fullelove, 2022-08-09 There is no question that in recent years the case law practice and legal environment in which international arbitration in England is practised have all evolved and adapted to a changing world and continue to do so In this book a diverse range of practitioners chart this development with detailed consideration of the challenges and opportunities for the future of international arbitration in England The topics chosen often reflect and explore preoccupations of our times including such aspects of arbitral practice as the following challenges to arbitrators with particular attention to the Supreme Court's findings in *Halliburton v Chubb* virtual hearings diversity in international arbitration climate change arbitration green arbitration practices developing jurisprudence regarding enjoining foreign states in English proceedings recovery of in house costs in English seated international arbitrations overlapping sanctions regimes and their application to arbitral disputes in England and the role and future of third party funding The fact that the essays were all written during the COVID 19 pandemic is reflected in the procedural issues which form the focus of some chapters reminding us that when it comes change can come quickly For this reason the deeply informed insights in this volume intended as they are to ensure the continued evolution and success of international arbitration in England will prove of immeasurable value for any practitioner making submissions before an arbitral tribunal Jurists academics and students will gain invaluable perspectives on the future trajectory of the field

Arbitrators as Lawmakers Dolores Bentolila, 2017-04-05 This book analyses how arbitrators make rules that guide constrain and define the process and substance of international arbitration Providing a thorough and multidisciplinary analysis of the actors process and outcome of arbitral lawmaking the study shows how arbitrators create principles of law through consistent arbitral decision making and through interacting with other members of the arbitral community This book investigates and responds to the following questions What is the relationship between international arbitration and the law and courts of the seat What is the role of international tribunals in assisting and controlling investment arbitration What is the scope of arbitrators freedom in decision making What constraints limit arbitrators decision making and contribute to consistency Is international arbitration capable of paying deference to past arbitral decisions Which rules have arbitrators created in procedural and substantive matters What is the role and status of consistent arbitral decisions Is there an arbitral legal system The answers to these questions are drawn from actual arbitral decisions made available to the public clarifying important issues about jurisdiction procedure applicable law interpretation of substantive rules and instruments and remedies This is the first overarching study of whether and to what extent international commercial and investment arbitrators create norms and even generate a legal system As such it will be of immeasurable and lasting value to arbitrators practitioners scholars arbitral institutions and international organizations worldwide for all of whom it will not only clarify our understanding of arbitral decision making and arbitrator

made rules but also foster transparency and accountability in arbitral decision making

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