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The **General Editor** of the series, **Emmanuel Gaillard** is the Chairman of the IAI, and he is acknowledged as one of the world's leading experts on international arbitration. He has written extensively on all aspects of international arbitration law, in French and in English. Emmanuel Gaillard teaches International Arbitration and Private International Law at the University of Paris XII. He has acted as arbitrator, counsel and expert in over 250 international arbitration proceedings and is the Chair of Shearman & Sterling's International Arbitration practice.

Annulment of ICSID Awards

US \$125. 300 Pages. 1 Hardcover Volume. Appendices. Index. Published November 2004. ISBN 1-929446-61-6

Editors: **Emmanuel Gaillard** (see above) and **Yas Banifatemi** an associate in Shearman & Sterling's international arbitration group in Paris.

About the Book: One of ICSID arbitration's perceived strengths—and one of its most characteristic features—is its internal mechanism for reviewing arbitral awards. Awards issued outside the ICSID Convention framework are generally open to challenge before domestic courts, with the uncertainty that entails. In contrast, actions to annul ICSID awards are brought not before domestic courts, but before an ad hoc committee specifically convened by ICSID.

There have been only seven ICSID annulment decisions, five of which are published. The two earliest decisions—annulling the awards in *Klöckner v. Cameroon* (1985) and *Amco v. Indonesia* (1986)—were poorly received, leading some commentators to cast doubt on the effectiveness of ICSID arbitration as a whole. This criticism subsided following the partial annulment decision in *MINE v. Guinea* (1989) and the unpublished decisions dismissing the applications to annul the awards rendered in the resubmitted *Klöckner* (1990) and *Amco* (1992) disputes.

Ten years then passed before the next ICSID annulment decisions were rendered in 2002, with the dismissal of the application in *Wena v. Egypt* and the partial annulment of the award in *Vivendi v. Argentina*. These significant decisions have recently been published, and it is their impact that provides the focus for this work.

Annulment of ICSID Awards also addresses the role of national courts, the *Metalclad* annulment decision, and the U.S. Trade Act calling for an appellate mechanism in foreign investment matters.

Anti-Suit Injunctions in International Arbitration

US \$125. 350 Pages. 1 Hardcover Volume. Appendices. Index. Published March 2005. ISBN 1-929446-60-8

Editor: **Emmanuel Gaillard** (see above)

About the Book: Anti-suit injunctions are a device, originally found in common law countries, whereby a court which retains its jurisdiction or anticipates to do so and which seeks to protect that jurisdiction or, more generally, the jurisdiction of the forum it deems to be the most appropriate—orders a party to refrain from bringing a claim

before the courts of another state or before an arbitral tribunal or, if the party has already brought such a claim, orders that party to withdraw from, or the arbitrators to suspend, the proceedings.

In the past few years, the use of anti-suit injunctions in the context of international arbitration has been spreading at a disturbing pace. The courts of many common law countries but also those of civil law tradition frequently resort to this device at a party's request, in order to disrupt the arbitration process or to resist the enforcement of the award.

How best to resolve those conflicts arising as a result of national courts' differing perspectives on the validity and scope of arbitration agreements? Are anti-suit injunctions in conformity with the requirements of public international law? When the courts of a State enjoin a party to refrain from proceeding with an arbitration, should other courts enjoin them not to enjoin, or should they, like the U.S. Court of Appeals for the 5th Circuit in the *Pertamina* case, exercise a commendable self-restraint? These are just a few of the issues addressed in *Anti-Suit Injunctions in International Arbitration*.

Towards a Uniform International Arbitration Law?

US \$125. 350 Pages. 1 Hardcover Volume. Appendices. Index. Published March 2005. ISBN 1-929446-67-5

Editors: **Philippe Pinsolle** is a Partner in the Paris office of Shearman & Sterling LLP where he is a member of the firm's international arbitration practice group. **Anne-Véronique Schlaepfer**, Partner, Schellenberg Wittmer, Geneva **Louis Degos**, Partner, B. MOREAU, Paris

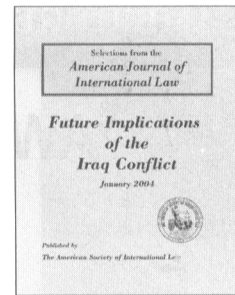
About the Book: Over the past decade, international arbitration has witnessed fundamental changes. The growing acceptance of the concept of transnational rules, be they substantive or procedural, has directly contributed to a substantial decrease of the influence of local norms. Transnational principles often override domestic law, and the arbitral process sometimes takes precedence over court decisions.

Moreover, the exponential development of investment arbitration has called into question traditional values of commercial arbitration such as confidentiality and the privity of arbitral proceedings. Widespread publication of awards rendered has also rejuvenated the debate on the value of arbitral awards as precedents. This book critically explores the extent to which these phenomena contribute to the creation of a truly uniform international arbitration law.

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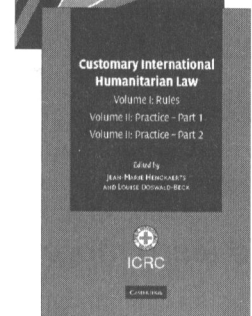
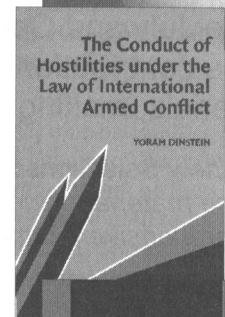
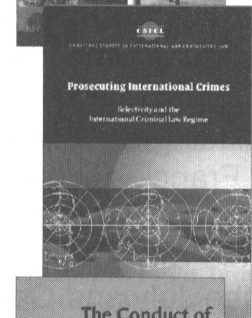
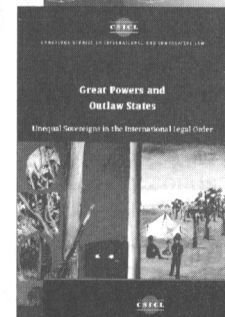
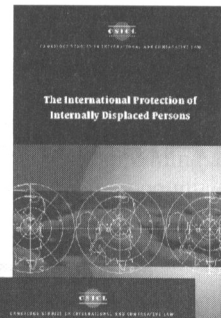
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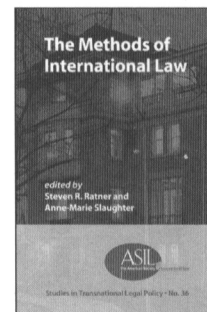
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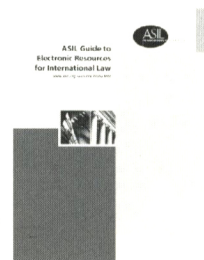
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