

Kluwer Arbitration

Participant Training Guide

The screenshot shows the Kluwer Arbitration website interface. At the top, there is a navigation bar with links for "About us", "Help", "Legal Notices", and "Contact". On the right side of the top bar, it says "CCH user | Log off". The main header features the "Kluwer Arbitration" title on the left and the "Wolters Kluwer Law & Business" logo on the right. Below the header is a dark blue navigation bar with buttons for "Home", "Practice Tools", "Categories", "Books", "Journals", "All News", "Blog", and "Other Resources". The "Blog" button is highlighted in orange. Below this is a grid of content blocks. On the left, there is a "Practice Tools" section with a list of tools including "IAI Arbitrator Tool", "NEW: IMI Mediator Tool", "Kluwer Arbitral Institutions Smart Charts", "Kluwer Drafting Arbitration Agreements Smart Charts", "Kluwer Sovereign Immunity Smart Charts", "Kluwer Appointment and Challenge of Arbitrators Smart Charts", "Kluwer Privacy and Confidentiality in Arbitration Smart Charts", and "NEW: VAT Treatment of Arbitrator Services". In the center, there is a "Categories" section with a list of categories including "BITS", "Conventions", "Jurisdictions", "Legislation", "Rules", "NY Convention Decisions", "NEW: Chinese Court Decision Summaries on Arbitration", and "Decision Summaries on Arbitration". Below the categories is a "Books" section with tabs for "Books", "Journals", and "Updates". On the right side, there is a "Search" section with a search input field, a "FIND" button, and a link to "advanced search". Below the search section is an "ITA Arbitration Report" section with the text "Global developments brought to you for Free by the ITA Board of Reporters." and two buttons: "SUBSCRIBE" and "LATEST NEWSLETTER".

May, 2014

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Introduction

Welcome to training for **Kluwer Arbitration**, the most comprehensive, fully-searchable database of world-wide primary and secondary materials in the field of international commercial arbitration.

Kluwer Arbitration is brought to you by **Kluwer Law International**, in association with the **International Council for Commercial Arbitration (ICCA)** and the **Institute for Transnational Arbitration (ITA)**.

This Guide is intended for use during a training session conducted by a Wolters Kluwer Legal Training Consultant. It will also serve as a helpful reference tool once the training has been completed.

Objectives

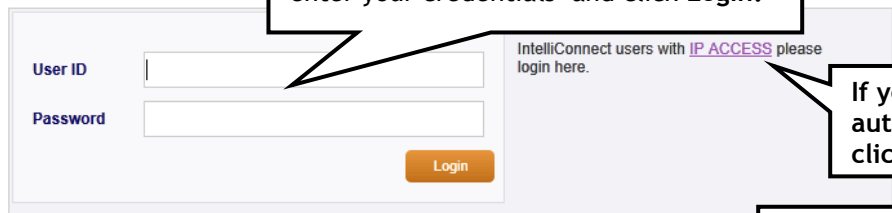
Upon completion of this course, you will be able to:

- Access Kluwer Arbitration
- Access newly added information and blog articles
- Browse to locate Books, Journals, and other materials
- Conduct searches to find selected information
- Navigate through search results
- Use Smart Charts and other practice tools
- Save your findings

Logging In - <http://www.kluwerarbitration.com>

- Click  [Login](#)

If you have a User ID and Password, enter your credentials and click **Login**.



If you have IP authentication - click **IP ACCESS**.

You can also login to *IntelliConnect* (<http://intelliconnect.cch.com>) and use the referral link to access Kluwer Arbitration:

1. Click International Securities & Business
2. Click KluwerArbitration.com

Login Status. If logged in, icon appears as:
CCH user | [Log off](#)

Home Practice Tools Categories **Publications** All News **Blog** Other Resources

Access IAI/IMI tools and Smart Charts.

Search options.

- Practice Tools**
- IAI Arbitrator Tool
 - NEW: IMI Mediator Tool
 - Kluwer Arbitral Institutions Smart Charts
 - Kluwer Drafting Arbitration Agreements Smart Charts
 - Kluwer Sovereign Immunity Smart Charts
 - Kluwer Appointment and Challenge of Arbitrators Smart Charts
 - Kluwer Privacy and Confidentiality in Arbitration Smart Charts
 - NEW: VAT Treatment of Arbitrator Services Smart Charts
 - NEW: International Handbook Commercial Arbitration Compare J

- Categories**
- BI
 - Conventions
 - Jurisdictions
 - Legislation
 - Rules
 - NY Convention Decisions
 - NEW: Chinese Court Decision Summaries on Arbitration

Search

[advanced search](#)

- Books Journals Updates**
- Comparative International Commercial Arbitration (Lew, Mistelis, et al.; 2003)
 - Fouchard Gaillard Goldman on International Commercial Arbitration (Gaillard and Savage (ed); 1999)
 - Yearbook Commercial Arbitration 2013 - Volume XXXVIII (van den Berg (ed); 2013)
 - International Commercial Arbitration, Second edition (Born; 2014)
 - Procedure and Evidence in International Arbitration (Waincymer; 2012)
 - Redfern and Hunter on International Arbitration (Redfern, Hunter, et al.; 2009)

Browse contents.

Sign up for Newsletter email.

- News**
- What can mediators learn from crisis negotiators? by Nadja Alexander (Editor) 10 May 2014
 - Negotiation in International Arbitration: Call for Papers by Michael McIlwrath 7 May 2014
 - Belgrade Arbitration Center adopts BAC Rules by Gary Born 6 May 2014
 - The Choice of the Language of the Proceedings: An Underestimated Aspect of the Arbitration? by Valentina Faienza 6 May 2014

Access News articles.

Access Blog articles.

ITA Home Page

latest blogpost from the **KluwerArbitrationBlog** [Blog](#)
7 May 2014 by Michael McIlwrath
Negotiation in International

latest blogpost from the **KluwerMediationBlog** [Blog](#)
10 May 2014 by Nadja Alexander (Editor)
What can mediators learn from

Access Here
NEW - Chinese Court Decision Summaries on Arbitration

Tell us what you think of KluwerArbitration

News

News service



You can read the latest news as covered by the Institute of Transnational Arbitration (ITA) Reporters. The News tab at the top of the Home page and the All News link on the left side of the Home page will take you to a list that combines all the new cases, awards, blog postings, and latest material added to the system.

News

Online Dispute Resolution: Theory and Practice (by Mohamed S. Abdel Wahab, Ethan Katsh and Daniel Rainey, Eleven International Publishing, 2012), Kaplan (ed) - ITA Newsletter 7 August 2012
by DeenKaplan, Hogan Lovells (ed)
7 August 2012



Click here to subscribe to an RSS feed of the updates.

Blogs

Visit the KluwerArbitration Blog to enjoy thought-provoking posts from expert contributors and take part in the discussion by adding your comments. The Blog is searchable. The Blog tab at the top of the Home page and the Blog link at the bottom left will take you to the Blog postings. Once on the Blog, you can sign up for an RSS feed for Articles Summary or the Full Article. Note: Access the **Kluwer Mediation Blog** by using the Related Sites command within Kluwer Arbitration Blog.

latest blogpost from the
KluwerArbitrationBlog [Blog](#)
7 May 2014 by Michael McIlwrath

Negotiation in International Arbitration: Call for Papers

Critical negotiation moments punctuate the entire timeline of an international arbitration, from before it starts to even after the finish, so much so that a practitioner's ability to negotiate may be as important as mastery of the subject matter. After ...

[Read more](#)

Click Read More to read, share, tweet or comment on the top story.

latest blogpost from the
KluwerMediationBlog [Blog](#)
10 May 2014 by Nadja Alexander (Editor)

What can mediators learn from crisis negotiators?

Next week I am going to interview one of Hong Kong's leading police negotiators, Dr Gilbert Wong, Commanding Officer of the Police Negotiation Cadre (PNC). When I first emailed with Gilbert, I was struck by the signature line of his ...

[Read more](#)

Click here to see complete Blog.

ITA Arbitration Report

Stay on top of recent developments. Read the most recent newsletter found on the right side of the Home page. Sign up for a monthly email of the ITA Arbitration Report containing recent developments, cases, awards, and events.

ITA Arbitration Report

Global developments brought to you for Free by the ITA Board of Reporters.

[SUBSCRIBE](#) [LATEST NEWSLETTER](#)

Click Subscribe to set up monthly email.

Click here to open the latest newsletter.



At the bottom right on every screen, there is an RSS link for users to sign up for RSS feeds for All News, News, Updates, and Supplements.

Browsing Categories



Browse categories

- **BITs** - The full text of over 2100 Bilateral Investment Treaties. The full text of more than 25 Multilateral Investment Treaties, organized by country
- **Conventions** - Contains important conventions dealing with International Commercial Arbitration.
- **Jurisdictions** - Organizations, court decisions, BITs, awards, national arbitration legislation, rules, and full-text commentary for each country.
- **NY Convention Decisions** - Locate cases and commentary dealing with specific Article and Topic of the NY Convention. Find the Article and topic and then click Case Law or Commentary tab.



- **Legislation** -300+ national laws from 100+ nations; the UNCITRAL Model Law; and country-specific laws, organized by country.
- **Rules** - List of Most Significant Arbitral Institutions with links to their rules. For more country specific organizations' rules, select the jurisdiction on the drop down on the left.
- **Chinese Court Summaries** - This is a collection of English summaries of Chinese court decisions (related to arbitration), edited by [WunschARB](#). The collection consists of case summaries of cases concerning enforcement of arbitral awards, validity of arbitration clauses and annulment of arbitral awards. This collection is updated on a quarterly basis as further court decisions are issued on these topics.

Browsing Books, Journals and Updates

Browse through commentary published in several of the foremost treatises in the area of arbitration as well as leading journals, the ICCA Yearbook Commercial Arbitration, Handbook on Commercial Arbitration and Congress Series.

Books - list of top 6 books with links to All books.

The screenshot shows the 'Books' section of the website. At the top, there are three tabs: 'Books', 'Journals', and 'Updates'. Below the tabs, a book titled 'Comparative International Commercial Arbitration (Lew, Mistelis, et al.; 2003)' is displayed. A callout box points to the 'Books' tab, stating: 'Access complete listing sorted by title, author or publication date.' Another callout points to a link labeled 'All books'. A third callout points to the book title, stating: 'You can print, email or download this document.' Below the book title, there is a 'Document Contents' section with a list of chapters. A callout points to this list, stating: 'Navigate through this book.' The main text of the document is visible, with a callout pointing to a footnote, stating: 'Footnotes take you to the text at bottom.' At the bottom of the page, there are page indicators for 'Previous document', 'Table of Contents', and 'Next document'. A callout points to these indicators, stating: 'Page indicators at the start of a new page.'

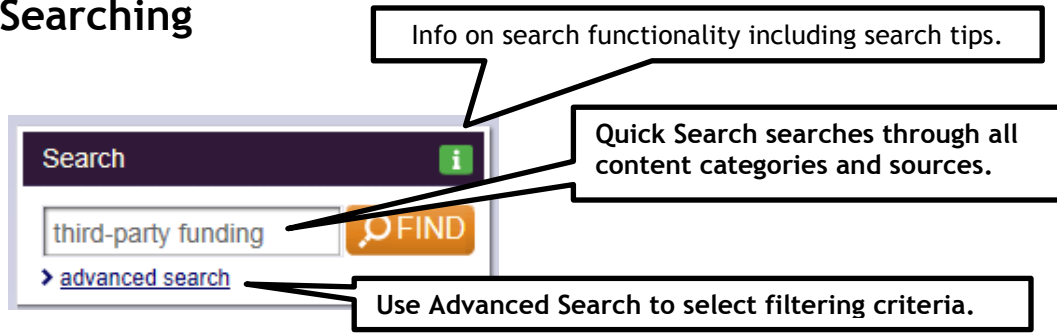
Journals

The screenshot shows the 'Journals' section of the website. At the top, there are three tabs: 'Books', 'Journals', and 'Updates'. Below the tabs, a list of journals is displayed, including 'Arbitraje: Revista de Arbitraje Comercial y de Inversiones' and 'Indian Journal of Arbitration Law'. A callout box points to the 'Journals' tab, stating: 'The tab at top provides a list of Journals with all the volumes.' Another callout points to the list of journals, stating: 'This tab provides the list of Journals with the most recent volumes.'

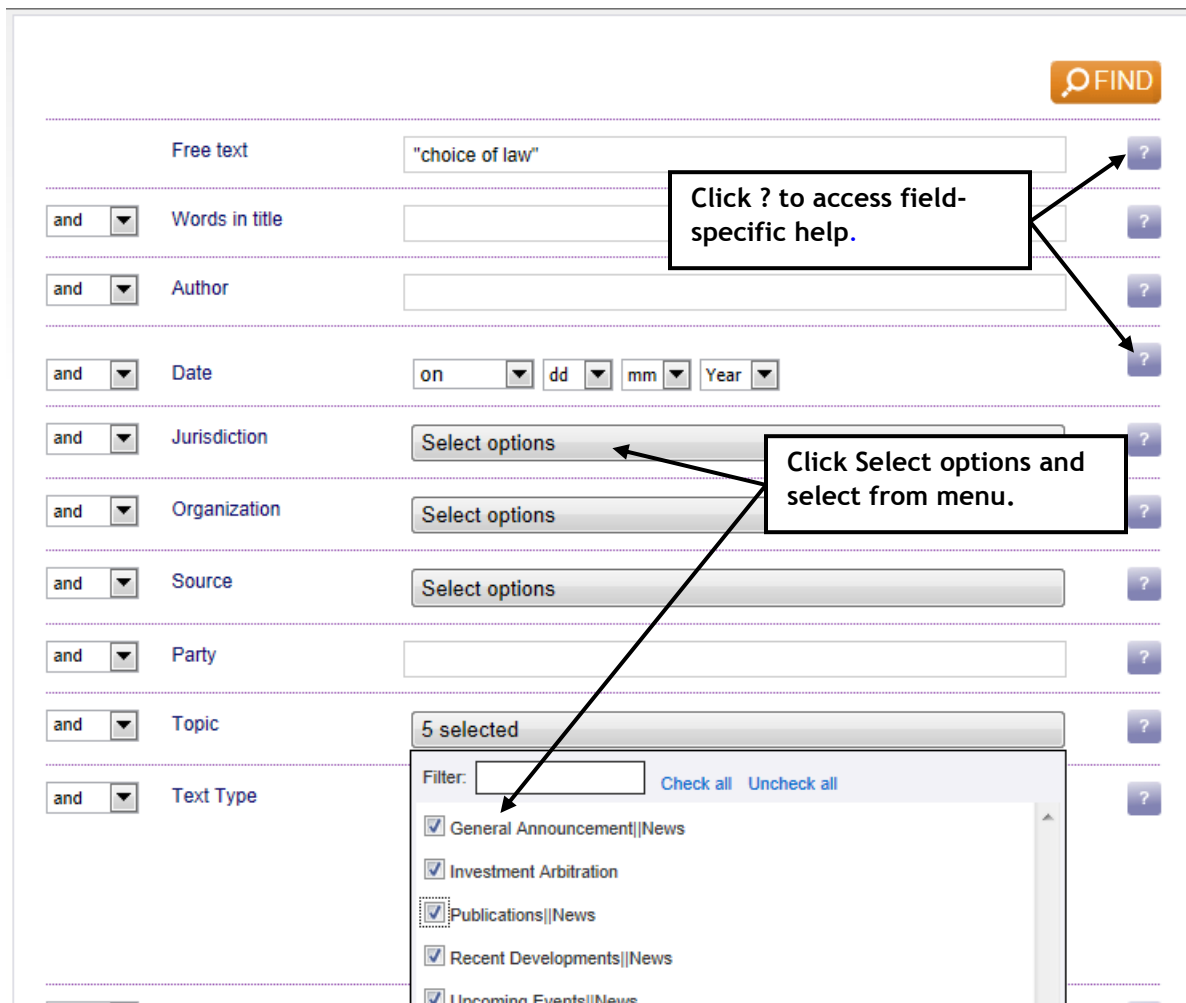
Updates - See a listing of the most recent updates to Books and Journals.

The screenshot shows the 'Updates' section of the website. At the top, there are three tabs: 'Books', 'Journals', and 'Updates'. The 'Updates' tab is highlighted with a red circle. Below the tabs, a date '8 May 2014' is displayed, followed by the text: 'Spain Arbitration Review | Revista del Club Español del Arbitraje, Volume 2014 (2014) Issue 19'.

Searching



1. To retrieve the Advanced Search template, click **advanced search**
2. Enter **terms** and select **criteria**. See Appendix A for **Search Tips**.
3. Click **Find** when your search template is complete.



Search Results

- Search results are displayed in reverse chronological order using the publication date. You can navigate through the list by selecting the next page of results.
- You can filter the results using the tabs at the top or the filters in the left panel.

Search Results

Filter the list various ways.

Change the search criteria or Save a link to access these search results via RSS. [Edit Search](#) | [RSS](#)

Search Results Filters

By Author

- Berg (25)
- Prager (19)
- Reisman (16)
- [show all \(108\)](#)

By Jurisdiction

- United States (14)
- France (3)
- Mexico (3)
- [show all \(11\)](#)

By Source

- Journals (49)
- Yearbook Commercial Arbitration ... (31)
- Journal of International Arbitra... (23)
- [show all \(54\)](#)

By Topic

- Investment Arbitration (189)

By Organization

- International Centre for Settlem... (32)
- Iran-US Claims Tribunal (22)
- Ad - Hoc (4)
- [show all \(5\)](#)

By Party

- THE ISLAMIC REPUBLIC OF IRAN (6)
- National Iranian Oil Company (5)
- The Argentine Republic (5)
- [show all \(141\)](#)

By Date

on dd mm Year

Refine by date

All **Commentary (132)** Awards (55) Conventions (1) Court Decisions (1)

You searched for: "choice of law"

Page 1 of 19 1 2 3 4 5 6 7 8 9 10 Next

Select all Email Selection Go

Waivers to Sovereign Immunity, *Arbitration International Volume 30 Issue 1 (2014)*

...ity: Impact on Arbitration, *Arbitration International Volume 30 Issue 1 (2014)*

...ditional Immunity, XIV N.Y.U.J. 34 (1983), 34; Kahale, Arbitration and **Choice of Law**

...tion in Switzerland, *Arroyo*

... Investor and the host State, or

...law provisions although Swiss BITs have only recently

The Evolution of the ICSID System as an Indication of What the Future Might Hold, van den Berg (ed) in *International Arbitration: The Coming of a New Age?* (2013)

...international law to apply either through the parties' agreed **choice of law** or by default if the parties did not turn their minds...42(1) of the Convention – either as an express **choice of law** covered by the first sentence, or as part of the default...

Las cláusulas de estabilización en el arbitraje de inversiones, *Arbitraje: Revista de Arbitraje Comercial y de Inversiones Volume 6 Issue 2 (2013)*

...entiende que no existe una obligación de renegociar, si ésta no se ha previsto en el contrato 54 Cf. O. Chukwumerije, **Choice of Law** in *International Commercial Arbitration*, Wesport, Quorum Books, 1994, p. 168. , aunque la Transnational Law...

Electrabel S.A. v. République de Hongrie, décision sur la compétence, le droit applicable et la responsabilité, ICSID Case No. ARB/07/19, 30 November 2012, *Revue de l'Arbitrage Volume 2013 Issue 2 (2013)*, Case date: 30 November 2012

...in Article 42(1), Second Sentence, of the Washington Convention: The Role of International Law in the ICSID **Choice of Law** Process", *ICSID Review*, 2003, p. 375 et s., spéc. p. 403 et s., comme c'est également le cas de...

Investor-State Arbitration in Sovereign Debt Restructuring: The Role of Holdouts, *Journal of International Arbitration Volume 30 Issue 2 (2013)*

...Argentina, *supra* p. 5, at 70. 3 HOLDOUT LITIGATION IN US COURTS Sovereign debt instruments normally include

...ugh which the debtor submits to the law and jurisdiction of the courts of a creditor-friendly

...ruption Defence in International Investment Arbitration, *Journal of International Arbitration*

Volume 30 Issue 3 (2013)

...and entered into a concession agreement with the respondent Kenyan state that contained an arbitration clause and a **choice of law** clause providing for Kenyan and English law. 77 Yackee, *supra* n. 10, at 730. The claimant initiated arbitration...

...w Should Investment Tribunals Decide? The Freshfields

...e 2 (2013)

...or discussion, see Reisman, *The Regime for Lacunae in the*

...eshold in *Essays in Honor of Ibrahim F.I. Shihata*, 15:2 ICSID

REV, FOR...

Bibliography, *ASA Bulletin Volume 30 Issue 4 (2012)*

...Dispute Submitted to Arbitration in the Absence of the **Choice of Law** by the Parties (Remarks on Polish Law) ; Karl PORNBACHER...confidentiality, discover...al and final remedies, and enforceability...

M, LLC (United Arab Emirates) v. D, SAS

...International Journal of Arab Arbitration V

...ember 2011, *El Ahdab* (ed) in

...III Arbitration and **Choice of Law** Agreements... of the...Claimant on April 7, 2004 provides a **choice of law** and an arbitration clause for ICC...that the...ers retain the **choice of law** rules of the place of enforcement...

Page 1 of 19 1 2 3 4 5 6 7 8 9 10 Next

Select all Email Selection Go

Click show all to get full list.

Click here to go through the pages.

Click here to go through the pages.

See list of all Parties.

You can add a date restriction to the search results.

Click here to go through the pages.

Viewing a Document

- Click on a Search Result to open the document in the same pane, or you can right click on a result to open it in a new window and still have your results list available.



The screenshot shows a document viewer interface for a document titled "Summary Arbitration Proceedings: A Comparison Between the English and Dutch Regimes". The interface includes a "Document Contents" sidebar on the left, a main document area, and a "Document Information" sidebar on the right. Callouts provide the following information:

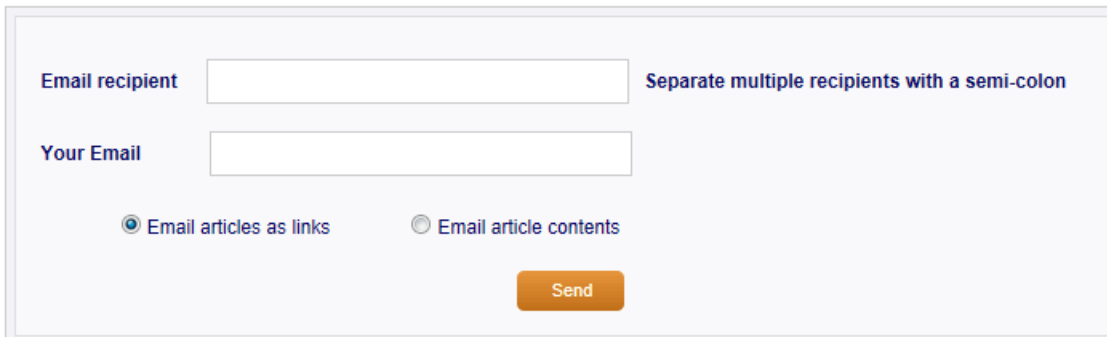
- Print, email or download document.**: Points to icons for printing, emailing, and downloading.
- Content links allow you to quickly access sections of this document.**: Points to the "Document Contents" sidebar.
- These selections appear on Commentary and Legislation to navigate through the Source.**: Points to navigation buttons: "Previous document", "Table of Contents", and "Next document".
- Document author, source and jurisdiction information.**: Points to the "Document Information" sidebar.
- Indicates start of a new page. (Available for ICCA documents, but not International ADR documents.)**: Points to a "page 139" indicator in the document text.
- Footnote information.**: Points to a footnote at the bottom of the page: "David W. Rivkin, 'Towards a New Paradigm in International Arbitration: the Town Elder Model Revisited' in (2008) 24(3) Arb. Int'l 380."

- Footnotes will pop up when you place your cursor on it. Click footnote to take you to the bottom of the document at that referenced footnote. Clicking the footnote number at the bottom, or using the back button on your browser, will return you to the location in the document where the footnote appeared.
- Document Information** indicates Author, Jurisdiction, Court, Case date, Parties, Key words, Applicable Legislation, Publication Date, NY Convention Article/Topic codes, and the Source of this information.

Tip: To locate initial search term, use Browser Edit > Find (Ctrl/F in MS IE)


Saving your Research

-  Use the **Printer icon** to open a text-only version of the document. This will include the Document Information, page numbers and footnote links, but no graphics and no table of contents menu. *Note: If a PDF printer is available on your network, you can use File>Print from browser command to save to a PDF file.*
- To print only a portion of a web page, highlight desired content, use Browser commands File>Print, choose Selection, and click Print.
- Once you have opened the print preview, you could click **File>Save as** to download the document or copy/paste desired selection(s).
-  Use the email icon to open a page for entering the email address and your message. The email function will send only the title and a “Read More” link which directs the recipient to KluwerArbitration.com.



The screenshot shows an email selection form with the following elements:

- Email recipient:** A text input field with a note: "Separate multiple recipients with a semi-colon".
- Your Email:** A text input field for the sender's email address.
- Options:** Two radio buttons: "Email articles as links" (selected) and "Email article contents".
- Send:** An orange button to submit the form.

-  Use the download icon to download document in PDF format.
- Print/Email/Download selected documents from a list:**



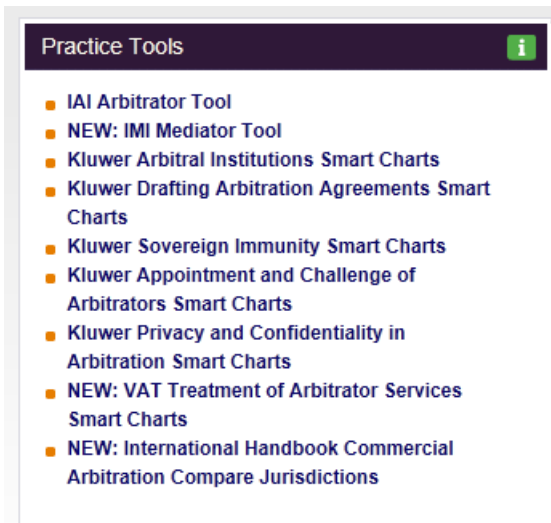
The screenshot shows a list of documents with a dropdown menu open. The dropdown menu options are:

- Email Selection
- Print Selection as text
- Download Selection as PDF

A green "Go" button is visible next to the dropdown. A text box with arrows pointing to the dropdown and the "Go" button contains the instruction: "Select the desired document(s) & delivery method and click go."

Practice Tools

Practice Tools include the *IAI Arbitrator & IMI Mediator Tools*, search-for arbitrator/mediator tools developed with the International Arbitration Institute (IAI) and *International Mediation Institute (IMI)*, plus 6 easy-to-use question and answer *Smart Charts*, plus the *NEW International Handbook of Commercial Arbitration Compare Jurisdictions* tool.



IAI Arbitrator Tool

The *IAI Arbitrator Tool* allows users to search for and compare profiles of arbitration specialists from the International Arbitration Institute directory. Searches can be run based on name or a number of criteria: country of residence; nationality; languages spoken; experience - both as arbitrator or as counsel. Plus, where available, links will be included to the text of publications and awards on *KluwerArbitration*.



IAI Arbitrator Tool (cont.)

Select arbitrators and click Compare to get a side by side comparison.

Links to this arbitrator's publications.

Name	Nationality	Country of residence
BARRINGTON, Louise	Canada, UK	UK

view full IAI profile

Languages: English, French, Spanish

Publications: [View all](#)

- Selected Perspectives on ADR in Asia, in ADR International Applications 31 (ICC Pub. No. 640E, 2001)
- "Hubco v. WAPDA: Pakistan Top Court Rejects Modern Arbitration," 11(3) Am. Rev. Int'l Arb. 385 (2000)
- "Cultural Do's and Taboos in International

IMI Mediator Tool

The IMI Mediator Tool works similarly to the IAI Arbitrator tool. Notice the ability to search by Mediation Style.

Search ■ Search and select at least 2 mediators to make a comparison.

Search by name: Name of the mediator

or

Search by criteria:

Location

- Angola
- Australia
- Austria
- Bahrain
- Belgium

Language

- Afrikaans
- Arabic
- Bosnian
- Cantonese
- Chinese

Mediation Style

- Any Style
- Facilitative
- Evaluative
- Transformative

Practice Area

- Any Practice Area
- Agriculture
- Arts/Entertainment/Media
- Business To Community
- Commercial_general

Smart Charts

These charts allow users to quickly examine and compare specific content by particular jurisdiction or arbitral institution. The charts include:

- Arbitral Institutions**

This chart provides an at-a-glance comparative summary of the procedural rules of the major international Arbitral Institutions. This tool provides key questions and focused answers, offering practical guidance on specific aspects of an arbitral institution, on an institution-by-institution basis.

Introduction > Written Communications and Timing > **What is the address of the Arbitral Institution?**

Organization	Answer	Up to date as of	Contributor
International Chamber of Commerce (ICC)	<p>The Secretariat is located at the headquarters of the ICC:</p> <p>Secretariat of the ICC International Court of Arbitration (Headquarters) 38 Cours Albert 1er 75008 Paris, France.</p> <p>Branches of the Secretariat may be established outside the headquarters of the ICC (Appendix II, Article 5(3)).</p> <p>Secretariat of the ICC International Court of Arbitration (Asia office) Suite 2 12/F, Fairmont House 8 Cotton Tree Drive Central Hong Kong</p>	January 2012	Peter Rosher , Sandrine Colletier & Céline Lachmann , Clifford Chance LLP

- **Drafting Arbitration Agreements**

This chart provides key questions and focused answers, offering practical guidance on specific aspects of drafting agreements, on a jurisdiction-by-jurisdiction basis. It assists with the drafting of valid and binding arbitration agreements and helps ensure that awards rendered in those jurisdictions are not subject to challenge or have difficulty being enforced.

Format and Content of an Arbitration Agreement >			
What matters are commonly dealt with in an arbitration agreement governed by the laws of this country?			
Jurisdiction	Answer	Up to date as of	Contributor
France	Although the legal requirement that the parties should designate the arbitrator(s) or the mechanism for their designation is applicable to domestic arbitration only (French Civil Procedure Code, Art. 1444), parties in international arbitration usually provide for the constitution of the arbitral tribunal and agree upon the place of arbitration, rules of procedure, the language of the arbitration, and sometimes interim relief, joinder or consolidation.	June 2011	Peter Rosher , Sandrine Colletier & Céline Lachmann , Clifford Chance LLP

- **Sovereign Immunity**

A comparative summary of the circumstances in which, and legal basis on which, immunity from enforcement may be claimed by States and State entities across key jurisdictions. It assists with dispute management and planning with enforcement once a favorable Award has been rendered.

Format and Content of an Arbitration Agreement >			
What matters are commonly dealt with in an arbitration agreement governed by the laws of this country?			
Jurisdiction	Answer	Up to date as of	Contributor
France	Although the legal requirement that the parties should designate the arbitrator(s) or the mechanism for their designation is applicable to domestic arbitration only (French Civil Procedure Code, Art. 1444), parties in international arbitration usually provide for the constitution of the arbitral tribunal and agree upon the place of arbitration, rules of procedure, the language of the arbitration, and sometimes interim relief, joinder or consolidation.	June 2011	Peter Rosher , Sandrine Colletier & Céline Lachmann , Clifford Chance LLP

- **Appointment and Challenge of Arbitrators**

Appointment and Challenge of Arbitrators Questions and Answers provide key questions and focused answers, offering practical guidance on specific aspects of appointment and challenge on a jurisdiction-by-jurisdiction basis.

Revocation / Challenge / Resignation / Replacement > Challenge >			
When may a challenge to an arbitrator be made?			
Jurisdiction	Answer	Up to date as of	Contributor
Russian Federation	According to Article 13(2) of the Law on ICA, failing agreement of the parties to the contrary, a party which intends to challenge an arbitrator shall, within fifteen days after becoming aware of the constitution of the arbitral tribunal or after becoming aware of any circumstance referred to in Article 12(2) of the Law on ICA, send a written statement of the reasons for the challenge to the arbitral tribunal. According to the ICAC Rules, a party may send a written notice of challenge stating the reasons therefor to the ICAC within 15 days after being notified of the composition of the arbitral tribunal or having become aware of circumstances that can serve as a reason for a challenge. Unless a party makes a challenge within the period of time referred to above, he shall be deemed to have waived his right to challenge (Article § 18(1) of the ICAC Rules).	September 2011	Timur Atkubay & Dmitry Malukovich , Clifford Chance LLP

- **Privacy and Confidentiality of Arbitration**

Privacy and Confidentiality in Arbitration Questions and Answers provide key questions and focused answers, offering practical guidance on specific aspects of privacy and confidentiality on a jurisdiction-by-jurisdiction basis.

Are there exceptions to the confidentiality of arbitral proceedings? If yes, what are they?			
Jurisdiction	Answer	Up to date as of	Contributor
Turkey	Confidentiality is normally waived when information is requested by courts or competent authorities.	September 2011	Serdar Bezen , Ulku Kerem Korklar & Alaz Eker Ündar , Bezen & Partners

- **VAT Treatment of Arbitrator Services**

VAT Treatment of Arbitrator Services provides key questions and focused answers, offering practical guidance on VAT for arbitrator services on a jurisdiction-by-jurisdiction basis.

Do the services of arbitrators fall within the scope of the VAT system in your country?

Jurisdiction	Answer	Uptodate	Contributor
Japan	Yes, the services of arbitrators are JCT taxable in Japan.	March 2014	Kotaku Kimu, Email: kotaku.kimu@jp.pwc.com , Tel: +81-352512713

- **International Handbook Commercial Arbitration Compare Jurisdictions**

This new tool allows users to compare information included in the ICCA Handbook country reports. Simply select the topics/subtopics you are interested in and compare on a jurisdiction-by-jurisdiction basis.

Select at least 2 jurisdictions and at least 1 topic

1. Select Jurisdiction(s)

- A - C Saudi Arabia
- D - F Scotland
- G - I Serbia
- J - L

2. Select Topic(s)

- CHAPTER I: INTRODUCTION
- CHAPTER II: ARBITRATION AGREEMENT
 - 1. Form and Contents of the Agreement

[Submit](#)

[Clear all](#)

National Report for Saudi Arabia (2013)

Topic: 1. Form and Contents of the Agreement [Source](#)

1. Form and Contents of the Agreement [Status national report](#)

a. Arbitration clause and arbitration agreement [To full text of analytical report](#)

Art. 1(1) of the Regulations defines "arbitration agreement" and distinguishes between an arbitration clause (i.e., a

National Report for the United States of America (2013)

Topic: 1. Form and Contents of the Agreement [Source](#)

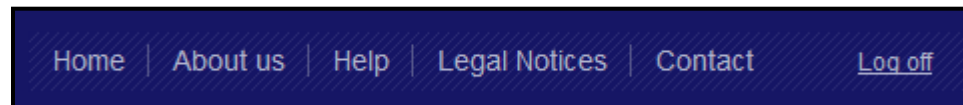
1. Form and Contents of the Agreement [Status national report](#)



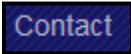
a. Existing and future disputes [To full text of analytical report](#)

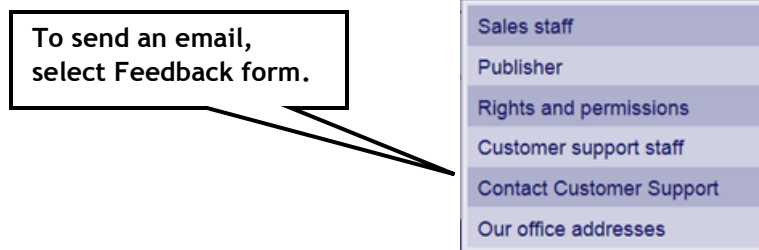
The FAA and most state statutes expressly govern agreements to arbitrate both existing and future disputes.⁽⁴³⁾ No distinction is made in their treatment of the two forms of agreements.

b. Form requirements

General Information & Support



- **Home** brings you back to the home page from any location in the Kluwer Arbitration site. It can also be accessed from the tab at the top of the page. 
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 - Wolters Kluwer Technical Support North America: **1-877-471-5632** available Monday through Friday 3:00am-10:00pm CST.
 - Wolters Kluwer Technical Support Europe and rest of the world: +1 733 866 6335 (toll free) available Monday through Friday, 9:00am to 3:00pm GMT

Appendix A - Search Tips

Using Wildcards

- **The Asterisk (*) Wildcard** - Type an asterisk (*) in place of a character in your search term to indicate that any number of characters can be substituted in place of the asterisk. For example, if you type **arbitra*** as your search term, your results will include **arbitrability**, **arbitration**, **arbitrations**, etc.
- **The Double Quotes (" ") Wildcard** - Use double quotes (" ") to define a phrase rather than a simple collection of terms.

Using Boolean Operators

- Boolean operators are words that are used to combine different kinds of searches within one field. You can use the Boolean operators to refine your search term(s) as follows:
 - AND** - search for documents containing each term at least once.
 - OR** - search for documents containing at least one of the terms.
 - AND NOT** - search for documents containing the first term but not the second term.
 - NEAR** - search for documents with the first term and the second term, and with maximal 4 words between them.
- **Precedence of Boolean operators** - NOT, NEAR, AND, OR.
Queries like 'x near y and z near a' are processed from left to right and operators are handled in order of precedence. Operator NOT has the highest rank, while operator OR has the lowest.
- **Examples:**
 - 'x near y and z near a'
operator 'near' has precedence over 'and', so the process order will be:
 1. x near y
 2. z near a
 3. 'result of 1' and 'result of 2'
 - 'a near b and not c'
is processed like this:
 1. a near b
 2. not c
 3. 'result of 1' and 'result of 2'