

# Kluwer Arbitration Blog

## Request for Comments

Gary B. Born (Wilmer Cutler Pickering Hale and Dorr LLP) · Tuesday, March 26th, 2013 · WilmerHale

This post is a little different... I am in the process of revising my treatise, *International Commercial Arbitration* (Kluwer 2009), and would like to solicit comments from readers of the Kluwer Arbitration Blog on various chapters of the book. I would be happy to send individual Chapters, in their revised form, to those interested in providing comments.

The treatise aspires to provide a comprehensive treatment of the law, practice, policies and theoretical foundations of international commercial arbitration. It focusses on international, rather than any particular national, authority and solutions, addressing in particular the New York Convention, UNCITRAL Model Law and national arbitration legislation in all leading jurisdictions and international arbitration practice. The treatise is divided into three principal Parts, covering International Arbitration Agreements, International Arbitral Proceedings and International Arbitral Awards.

The Chapter headings of the revised treatise will, as presently conceived, be the same as those in the existing edition:

Chapter 1: Overview of International Commercial Arbitration

### **Part I - International Arbitration Agreements**

Chapter 2: Legal Framework for International Arbitration Agreements

Chapter 3: International Arbitration Agreements and the Separability Presumption

Chapter 4: Choice of Law Governing International Arbitration Agreements

Chapter 5: Formation, Validity and Legality of International Arbitration Agreements

Chapter 6: International Arbitration Agreements and Competence-Competence

Chapter 7: Effects and Enforcement of International Arbitration Agreements

Chapter 8: Interpretation of International Arbitration Agreements

Chapter 9: Parties to International Arbitration Agreements

### **Part II - International Arbitral Proceedings**

Chapter 10: Legal Framework for International Arbitral Proceedings

Chapter 11: Selection, Challenge and Replacement of Arbitrators in International Arbitration

Chapter 12: Rights and Duties of International Arbitrators

Chapter 13: Selection of Arbitral Seat in International Arbitration

Chapter 14: Procedures in International Arbitration  
Chapter 15: Disclosure in International Arbitration  
Chapter 16: Provisional Measures in International Arbitration  
Chapter 17: Consolidation, Joinder and Intervention in International Arbitration  
Chapter 18: Choice of Substantive Law in International Arbitration  
Chapter 19: Confidentiality in International Arbitration  
Chapter 20: Legal Representation and Professional Conduct in International Arbitration

### **Part III - International Arbitral Awards**

Chapter 21: Legal Framework for International Arbitral Awards  
Chapter 22: Form and Contents of International Arbitral Awards  
Chapter 23: Correction, Interpretation and Supplementation of International Arbitral Awards  
Chapter 24: Annulment of International Arbitral Awards  
Chapter 25: Recognition and Enforcement of International Arbitral Awards  
Chapter 26: Preclusion, Lis Pendens and Stare Decisis in International Arbitration

As readers will see, there have been substantial revisions and expansions to a number of the Chapters. These revisions expand on analysis in the First Edition, adding additional conceptual discussions, authority and practical observations.

I am sure that I have missed (or misstated) developments in at least some areas, and would greatly appreciate corrections, additions and other comments from colleagues in the field. Of course, appropriate recognition will be afforded to those who take the time to provide comments - and many, many thanks in advance. Of course, if readers have friends or colleagues who may not see this post, they should feel free to forward the invitation.

Readers may request chapters or provide comments on the existing text of the First Edition by email to (the creatively-titled) [bornbookcomments@wilmerhale.com](mailto:bornbookcomments@wilmerhale.com) Many thanks in advance.

Gary Born

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This entry was posted on Tuesday, March 26th, 2013 at 6:28 pm and is filed under [Arbitration Agreements](#), [Arbitration Awards](#), [Arbitration Proceedings](#), [Commercial Arbitration](#), [International arbitration](#), [National Arbitration Laws](#), [New York Convention](#), [UNCITRAL Model Law](#)

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