

Kluwer Arbitration Blog

The Contents of the Yearbook Commercial Arbitration, Volume XLVI (2021), Upload 4

Stephan Schill (General Editor, ICCA Publications; Amsterdam Center for International Law, University of Amsterdam) · Saturday, October 16th, 2021

Subscribers to [KluwerArbitration.com](https://www.kluwerarbitration.com) enjoy access to the [ICCA Yearbook Commercial Arbitration](#).

A selection of major CRCICA awards concerning contracts for the supply of commodities and dealing with a variety of notorious issues – parallel arbitration proceedings, non-signatory parties, res judicata, corruption, and force majeure ?? is now available on [KluwerArbitration.com](https://www.kluwerarbitration.com).

Two awards, rendered in Madrid and Cairo, relate to the same dispute, and discuss issues connected to parallel proceedings. In the *Madrid* proceedings, the tribunal held that the claim for shortfall compensation had already been decided in an ICSID arbitration initiated by the same claimant against the State rather than the State entity involved in the Cairo arbitration. The tribunal applied Art. 26 of the ICSID Convention to decline jurisdiction. In the *Cairo* arbitration, the arbitrators held that the claimant had not breached the arbitration clause that was at the basis of the Cairo proceedings by commencing the parallel Madrid arbitration, as the clause provided for the possibility of multiple arbitrations.

Another [award](#) addresses to which extent a non-signatory party was bound to the arbitration clause in the parties' contract under Egyptian law, addressing doctrines, such as the group-of-companies doctrine, universal succession, implied consent, piercing the corporate veil, and doctrines relating to the creation of confusion as to who the proper party was to the agreement.

Finally, the upload contains four awards rendered in the same [case](#), in which the tribunal discusses the preclusive effect of a related ICC award in a parallel proceeding, arguments that a supply contract had been obtained through corruption, and the role of the doctrine of force majeure.

These awards will also appear in Volume XLVI (2021) of the Yearbook Commercial Arbitration in January 2022.

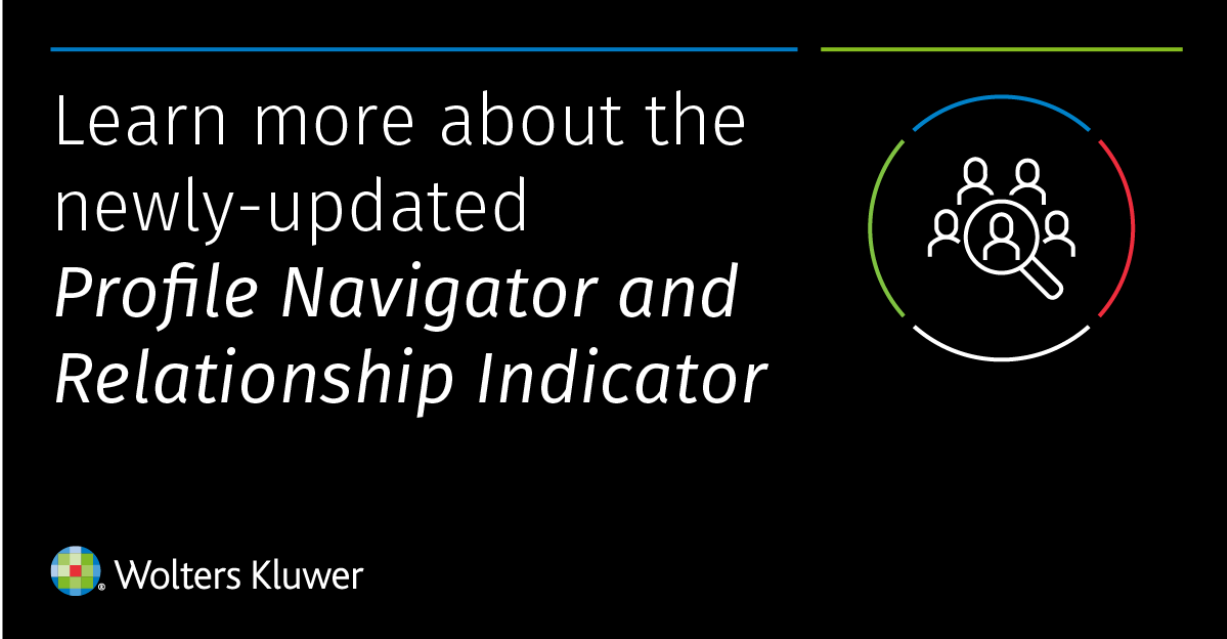
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