

Kluwer Arbitration Blog

The Contents of b-Arbitra, Issue 2017-1

Annet van Hooft (Bird&Bird) and Jean-François Tossens (Tossens Goldman Gonne) · Thursday, December 7th, 2017

It is with great pleasure that we present to you this first issue of b-Arbitra 2017.

You will note that we have acquired a new cover, and what is more: a new publisher: Wolters Kluwer. We are very excited about our new cooperation, which we consider fits well with our aim to be a first-class journal on international arbitration in Belgium and beyond. The journal will continue to be distributed in hard copy to our subscribers. It will, however, also be accessible in digital form on Jura in Belgium and on the [Kluwer Law Arbitration Database](#) worldwide.

In the present issue, you will find both articles with an international focus and articles with a more local flavour. In their article ‘[Splitting the bill of CEPANI arbitrations: the Belgian art of compromise?](#)’, [Werner Eyskens](#) and [Morgan Bonneure](#) present the findings of their empirical study of CEPANI awards, explain the cost allocation trends revealed by those awards and describe a number of tools to improve the predictability of the costs of arbitration proceedings.

[Françoise Lefèvre](#), [Peter Callens](#) and [Guillaume Croisant](#), address the subject of the legality of third-party funding mechanisms under Belgian law; while [Hamid Gharavi](#) shares his experience of third-party funding in investment arbitrations. Both contributions resulted from the successful CEPANI colloquium on Third Party Funding that took place on 9 March 2017. You will find the [introduction to this colloquium, written by Didier Matray and Sigrid van Rompaey](#), in our section “documents”. This introduction raises many very interesting questions that could be the subject of future articles. We are planning to publish further contributions from speakers at the CEPANI colloquium on Third Party Funding and Ethics ([Dirk Van Gerven](#), [Arie Van Hoe](#)) and on Third Party Financing in International Arbitration ([Christopher Bogart](#)) which will provide the funder’s perspective.

Finally, [Ben Giaretta](#) shares his experience of acting as emergency arbitrator and provides invaluable practical advice, regardless of the rules you are operating under.

Our case law for this issue is decidedly Belgian and of great interest: we publish the decision of the Brussels Court of First Instance of 27 October 2016. This case is not yet commented on, as it is still subject to appeal.

We also have two annotated cases, one from the [Brussels Court of First Instance of 23 February 2017 with a note from Maarten Draye](#) regarding the time limit for rendering an arbitral award and one from the Belgian Court of Cassation of 26 October 2015, with a note of [Herman Verbist](#), concerning an ICC award and raising a similar (but slightly different) issue.

We close with a book review of the collection 'Le principe du contradictoire en arbitrage: actes du colloque organisé par Francarbi le 2 décembre 2016' by Christophe Devue.

We hope you consider the various contributions to be of interest. Please do not hesitate to share your comments, suggestions or contributions with us.

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