
Kluwer Arbitration Blog

The Contents of the ASA Bulletin, Volume 38, Issue 1 (March 2020)

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We are happy to report that the latest issue of the ASA Bulletin is now available and includes the following articles and cases:

ARTICLES

Felix DASSER, *Of Lighthouses and Rocks*

In his first message as ASA President, Felix DASSER points out the challenges and opportunities ASA faces during his term and sets priorities.

Catherine A. KUNZ, *Revision of Arbitral Awards in Switzerland: An Extraordinary Tool or Simply a Popular Chimera? A Review of Decisions Rendered by the Swiss Supreme Court on Revision Requests over the Period 2009-2019*

Catherine A. Kunz presents an overview of the decisions rendered by the Swiss Federal Supreme Court on revision requests over the period 2009-2019.

Bernhard BERGER, *Die Schweiz als Schiedsort für Investitionsstreitigkeiten – Erkenntnisse aus der neueren Rechtsprechung des Bundesgerichts – Teil I*

Bernhard BERGER explores the case law of the Swiss Federal Supreme Court on the setting aside of investment treaty awards, with a particular focus on the limited grounds of annulment available.

Marco Stacher, *Jurisdiction and Admissibility under Swiss Arbitration Law – the Relevance of the Distinction and a New Hope*

Marco STACHER critically assesses the case law of the Swiss Federal Supreme Court as to

whether it properly draws the line between jurisdictional and non-jurisdictional issues.

Hans-Ueli VOGT, Patrick SCHMIDT, *Schiedsklauseln in Vereinsstatuten. Bemerkungen zum Bundesgerichtsurteil 5A_1027/2018 vom 22. Juli 2019 und zur Revision des 12. Kapitels des IPRG und des Aktienrechts – Teil I*

This article addresses the validity and binding effect of arbitration clauses contained in the articles of an association or a stock corporation by reference to the decision of the Swiss Federal Supreme Court of 22 July 2019 (5A_1027/2018).

DECISIONS OF THE SWISS FEDERAL SUPREME COURT

- [4A_662/2018](#) of 14 May 2019 [*Revision – Authenticity of evidence disputed*]
- [4A_506/2017](#) of 3 October 2017 [*Revision – Date of discovery of ground*]
- [4A_412/2016](#) of 21 November 2016 [*Revision – New evidence of corruption*]
- [4A_645/2014](#) of 20 February 2015 [*Revision – New facts not material*]
- [4A_247/2014](#) of 23 September 2014 [*Revision – Facts occurring between signature and notification of award – Corruption allegations*]
- [4A_231/2014](#) of 23 September 2014 [*Corruption allegations – Risk of non-compliance with FCPA and UK Bribery Act – Public policy*]
- [4A_688/2012/4A_126/2013](#) of 9 October 2013 [*Revision – Standing – New facts*]
- [4A_666/2012](#) of 3 June 2013 [*Revision of award refused – Dies a quo of 90-day time limit for revision request – Addendum to award – New evidence corroborating existing evidence – Procedural fraud*]
- [4A_750/2011](#) of 21 August 2012 [*Revision – New facts not material to outcome*]
- [4A_570/2011](#) of 23 July 2012 [*Revision – New facts not material*]
- [4A_212/2010](#) of 10 February 2011 [*Revision – New facts were foreseeable*]
- [4A_284/2009](#) of 24 November 2009 [*Requests for set aside and revision*]
- [4F_16/2018](#) of 31 August 2018 [*Request for revision of Supreme Court decision on request to set aside arbitral award – Composition of Supreme Court (single judge)*]
- [4F_8/2013](#) of 10 December 2013 [*Request for revision of Supreme Court decision on request to set aside arbitral award – No inadvertent omission*]
- [4A_413/2019](#) of 28 October 2019 [*Conflict of counsel – Late filing of appeal to CAS – Issues of admissibility, not jurisdiction*]
- [4A_287/2019](#) of 6 January 2020 [*Late commencement of arbitration (appeal to CAS) – Issues of admissibility, not jurisdiction – No repetition of procedural acts after replacement of a challenged arbitrator*]
- [5A_1027/2018](#) of 22 July 2019 [*Arbitration clause in by-laws of an association – Subject-matter scope*]


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The graphic features a black background with white text and a circular icon. The icon depicts a magnifying glass over a group of stylized human figures, representing a search or investigation process. The text is arranged in a clean, modern layout with horizontal lines above the main title.

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