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# Kluwer Arbitration Blog

## Available Now: The ICCA Yearbook Commercial Arbitration, Volume XLIX (2024)

Stephan Schill (General Editor, ICCA Publications; Amsterdam Center for International Law, University of Amsterdam) · Sunday, February 16th, 2025

The 2024 volume of the Yearbook Commercial Arbitration is now available [in print](#), as well as [online](#) on the KluwerArbitration database. It contains 120 court decisions that apply the 1958 New York Convention, the 1961 European Convention, the 1965 Washington (ICSID) Convention, and the 1975 Panama (Inter-American) Convention, or address issues of general interest to the practice of international commercial arbitration.

### Highlights in Court Decisions

This year's volume includes cases that provide insights into the application of the New York Convention by courts in countries including Brazil, Chile, China, Ecuador, Hungary, Iran, Monaco, Nigeria, Russia, Ukraine, and, for the first time, Georgia and Nepal.

The decisions cover a range of issues, including applicable law, bankruptcy and insolvency, due process, intra-EU arbitration, non-signatories, public policy, sovereign immunity, and the stay of court proceedings with referral to arbitration.

Among the highlights is a substantial update of the Yearbook's reporting from Brazil, with nine decisions rendered between 2022 and 2024 by the Superior Court of Justice, all granting enforcement of foreign arbitral awards. Addressing objections to enforcement that include alleged violations of public policy, procedural irregularities in documentation or translation, claims about insufficient notice or service, questions about the validity of arbitration agreements, arguments about the finality of awards, and challenges to arbitral tribunal jurisdiction, the Superior Court has maintained a strictly limited scope of review, focusing solely on formal requirements under Brazilian law and constantly emphasizing that it cannot examine the merits of arbitral awards. The Court has consistently granted enforcement when basic formal requirements were met, with arguments about the fairness of awards or attempts to relitigate substantive issues being generally unsuccessful, and technical objections requiring specific proof of prejudice.

The Yearbook's coverage of China was expanded with eight decisions rendered between 2016 and 2024, and addressed issues such as third-party funding, the relation between *ad hoc* and emergency arbitration, proof of power of attorney, and proper service of awards. Additionally, the volume includes a significant 2024 decision by Ecuador's *Corte Constitucional*, which ruled that requiring homologation and official certification of finality for foreign awards is incompatible with

Ecuador's obligations under the New York Convention, and directed courts to address award finality concerns during enforcement proceedings rather than as admissibility requirements.

The General Editor of the Yearbook gratefully acknowledges the essential role that the international arbitration community has been playing for decades in compiling court decisions from around the globe. This year, the systematic reporting ensured by the newly appointed [Yearbook Rapporteurs](#) has further contributed to the Yearbook's comprehensive coverage and continued excellence as an authoritative resource for practitioners and academics studying the evolution of international commercial arbitration practice.

### Research Tools

The Yearbook's reporting on court decisions is complemented by three indexes, which consolidate the information extracted from each decision, making navigation easier and offering different angles of consultation: first, a [Table of Instruments](#), introduced in 2023, providing an overview of all legal instruments, and their individual provisions, discussed in the decisions reported in the volume; second, the Yearbook's long-established topic-based [Index of Cases on the New York Convention](#); and finally, an [Index by Subject Matter](#), also introduced in 2023, detailing the different issues addressed in each decision.

### Recent Developments and Publications

The 2024 volume further contains announcements of new arbitration rules and of recent developments in the law and practice of several countries, as well as a comprehensive bibliography of arbitration-related publications prepared in cooperation with the Peace Palace Library.

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