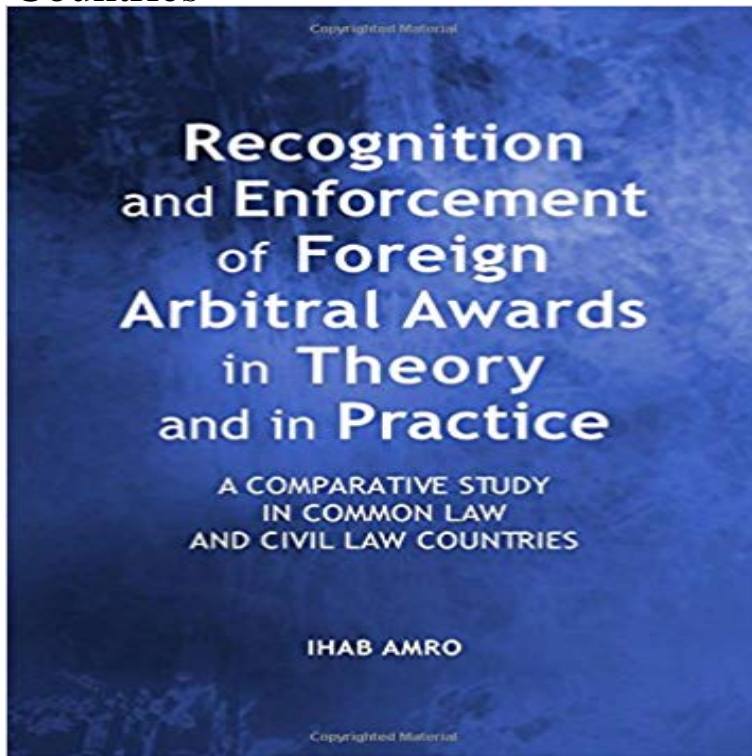


Recognition and Enforcement of Foreign Arbitral Awards in Theory and in Practice: A Comparative Study in Common Law and Civil Law Countries



This book initiates a discussion of the law and practice of recognition and enforcement of foreign arbitral awards in both common law and civil law countries. In terms of law, this book principally focuses on the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1958, and the harmony or clash between the New York Convention and national arbitration laws of both common law and civil law countries including the UK and the USA (as common law countries), and France, Germany and Greece (as civil law countries). In terms of practice, this book deeply and extensively examines the judicial application of the New York Convention in national courts of common law and civil law countries, and sheds light on the best practices related to the judicial application of the New York Convention, while also highlighting how future disputes can be resolved in national courts. As such, this book provides solutions for salient and recurring problems arising out of the erroneous judicial application or interpretation of the New York Convention by national courts, and encourages the adoption of a more liberal regime in favour of the recognition and enforcement of foreign arbitral awards generally, and the adoption of a more liberal interpretation of the New York Convention in national courts of both common law and civil law countries particularly. This book, which is based on more than 100 courts decisions from common law and civil law countries, is a valuable resource for those interested in international commercial arbitration, as well as for those involved in international trade, and those who are willing to solve their commercial disputes through arbitration.

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