

Is international arbitration international?

List of references

1. United Nations General Assembly Resolution 61/33 (2006) see:
<http://www.uncitral.org/pdf/english/texts/arbitration/NY-conv/a61-33-e.pdf> last accessed 20 October 2018
2. Sophie Pouget *Arbitrating and Mediating Disputes: Benchmarking arbitration and mediation regimes for commercial disputes related to foreign direct investment* (The World Bank FDI Regulations Database see:
<http://iab.worldbank.org/~media/FDKM/IAB/Documents/FDI-Arbitrating-and-Mediating-Disputes.pdf>
3. Gary B. Born *International Commercial Arbitration* (Wolters Kluwer 2nd Ed. 2014 Vol.1 s.101[A] pp.7
4. *ibid* pp.8
5. *ibid* pp.10-14
6. *ibid* pp.20-23
7. *ibid* pp.20
8. N Blackaby, C Partasides, A Redfern and JM Hunter *Redfern and Hunter on International Arbitration* (OUP 2015) pp.1
9. 2017 ICC Dispute Resolution Statistics (ICC Dispute Resolution Bulletin 2018 Issue 2 see
<https://cdn.iccwbo.org/content/uploads/sites/3/2018/07/2017-icc-dispute-resolution-statistics.pdf> last accessed 1 October 2018) pp.52
10. White & Case, Queen Mary University of London, School of International Arbitration *2018 International Arbitration Survey: The Evolution of International Arbitration* (see:
<http://www.arbitration.qmul.ac.uk/media/arbitration/docs/2018-International-Arbitration-Survey-report.pdf> last accessed 20 October 2018) pp.2
11. United Nations Treaty Collection see
<https://treaties.un.org/pages/LONViewDetails.aspx?src=LON&id=548&chapter=30&clang=en> last accessed 20 October 2018
12. see <http://www.newyorkconvention.org/new+york+convention+texts> last accessed 20 October 2018
13. UNICTRAL “Model Law” on International Commercial Arbitration (1985) (amended 2006)
http://www.uncitral.org/uncitral/en/uncitral_texts/arbitration/1985Model_arbitration.html last accessed 20 October 2018
14. G.A. Bermann *Arbitration and Private International Law, General Course on Private International Law* (Vol. 381 in *Collected Courses of the Hague Academy of International Law*, The Hague Academy of International Law 2017) pp.65-70
15. *ibid* 8. s.120 pp.7
16. *ibid* 14. pp.53
17. *ibid* 8. pp.27
18. Andrea M. Steingruber *Consent in International Arbitration* (OUP 1st ed. 2012) Part I Introduction
19. *ibid* 18. s.2.38
20. *ibid* 13.

21. *ibid* 8. s.1.32 pp.10
22. see status table at http://www.uncitral.org/uncitral/en/uncitral_texts/arbitration/1985Model_arbitration_status.html last accessed 20 October 2018
23. *ibid* 3. pp.335 and see: English Arbitration Act 1996 at: <http://www.legislation.gov.uk/ukpga/1996/23/data.pdf>
24. Jan Paulsson International Arbitration is Not Arbitration (Stockholm International Arbitration Review 2008:2) pp.1
25. *ibid* 24. pp.16
26. Florian Grisel Competition and Cooperation in International Commercial Arbitration: The Birth of a Transnational Legal Profession (Law & Society Review Vol. 51 No.4 2017) pp.799 Table 1 and table 2 pp.813
27. *ibid* 9. pp. 57-59
28. Susan D. Franck; Anne van Aaken; James Freda; Chris Guthrie; Jeffrey J. Rachlinski Inside the Arbitrator's Mind (66 Emory L.J. 1115 (2017) pp.1170 & 1173
29. Tom Dannenbaum Nationality and the International Judge: The Nationalist Presumption Governing the International Judiciary and Why it Must be Reversed (45 Cornell Int'l L.J. 77 2013) pp.80, 83, 85 & 87
30. *ibid* 24 pp.16
31. Alex Stone Sweet & Florian Grisel The Evolution of International Arbitration (OUP 2017) see pp.2, 45-48
32. Thomas Schultz Arbitral Decision-Making: Legal Realism and Law & Economics (Journal of International Dispute Settlement, 2015, 6) pp.241-251
33. *ibid* 8. pp.13
34. *ibid* 9. pp.51-52
35. *ibid* 31. pp.84-118 and Box 3.1 pp.86
36. *ibid* 9.
37. *ibid* 29.
38. *ibid* 8. s.382-3 pp.182-3
39. *ibid* 8. s.3.37-3.41 pp.166-167
40. *ibid* 8. s.3.39 pp.166
41. *ibid* 14. pp.66
42. *ibid* 14. pp.68
43. *ibid* 3. pp.1570-1
44. *ibid* 13. art. 28(1),(2),(3) & (4)
45. Linda Silberman and Franco Ferrari Getting to the law applicable to the merits in international arbitration and the consequences of getting it wrong: Conflict of Laws in International Commercial Arbitration (Ferrari Fr. & Kröll St. eds., 2010) – free access at: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1674605
46. *ibid* 8. S.3110 Pp.190

47. *ibid* 8. s.3111 pp.190
48. *ibid* 9. pp.61
49. *ibid* 3. s.15.09[A] pp.2306
50. J.A. Jolowicz Adversarial and Inquisitorial Models of Civil Procedure (52 Int'l & Comp. L.Q. 281 2003) pp.283-286
51. ICC Rules Art.22(1)(2)
52. *ibid* 31. pp.99
53. *ibid* 10. pp. 7
54. *ibid* 10. pp.7
55. *ibid* 8. 11.23-11.27 pp.612-3
56. *ibid* 8. s.1140 pp.617-621
57. *ibid* 56. and Art. 1(1) NYC
58. *ibid* 56. and Art 1(3) NYC
59. *ibid* 56. and Art 1(3)
60. Although there are some regional systems *ibid* 8. pp.614
61. *ibid* 14. pp.73
62. Florian Grisel Treaty-Making between Public Authority and Private Interests: The Genealogy of the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (EJIL Vol.28 No.1 2017 doi:10.1093/ejil/chx008) pp.75-76
63. *ibid* 8. s.10.04-5 pp.570 and Art V1(e) NYC,. Art.36(1)(a)(v) UNCITRAL Model Law
64. David L. Kreider How Much Justice is Enough? Finding the Balance Between Arbitral and Judicial Power – When May the Court of the Seat Set Aside (Annul) an Award (AMINZ/IAM Conference, 5 March 2016, Queenstown and 22 CCJLP/JDCP see: <https://www.victoria.ac.nz/law/research/publications/about-nzacl/publications/cljpdcp-journals/volume-22,-2016/Kreider.pdf>) pp.51-52
65. Amir Seyedfarsi Public Policy Exception in Enforcement of Foreign Judgments: Setting Aside an Award in the Country of the Seat of Arbitration (16 Pepp. Disp. Resol. L.J. 407 2016) pp. 430-432
66. *ibid* 65. pp.411-426
67. Jack Beatson, 'International arbitration, public policy considerations, and conflicts of law: the perspectives of reviewing and enforcing courts' (33(2) 2017 Arbitration International <https://academic.oup.com/arbitration/article/33/2/175/3860039>) pp.185-190
68. *ibid* 3. s.104[B][1] and [2] pp.126-265