



7th **LAWASIA** International Moot

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BIBLIOGRAPHY

{Prepared by the staff of the Loyola (LA) Law Library}

Those with an asterisk (*) are potentially the most useful

Web Sites

UNCITRAL, <http://www.uncitral.org/uncitral/index.html>

UNCITRAL Arbitration Rules (as revised in 2010),
<http://www.uncitral.org/pdf/english/texts/arbitration/arb-rules-revised/arb-rules-revised-2010-e.pdf>

Case Law on UNCITRAL Texts (CLOUT),
http://www.uncitral.org/uncitral/en/case_law.html,

UNCITRAL Bibliography of materials on International Commercial Arbitration:
http://www.uncitral.org/pdf/english/bibliography/Consol_Bib_2008_present_3.pdf

LexMercatoria: International Commercial Arbitration.
<http://www.ius.uio.no/lm/arbitration/toc.html>

Hosted by the University of Oslo, this site provides links to international arbitration conventions, rules, and institutions. It also provides links to national arbitration laws amongst other resources.

*Singapore International Arbitration Center (SIAC), <http://www.siac.org.sg/>
“SIAC is an independent organization established to meet stated international business demands for a neutral and reliable dispute resolution institution in Asia. The site supplies information about code of practice, resources, rules, model clauses, and individual arbitrators.”

*Singapore, Ministry of Law: Proposed Amendments to the International Arbitration Act and the new Foreign Periods Act:
<http://app2.mlaw.gov.sg/News/tabid/204/Default.aspx?ItemId=634> (March 8, 2012)

*Singapore Law: <http://statutes.agc.gov.sg> (includes Singapore's International Arbitration Act of 2010)

*Badan Arbitrase Nasional Indonesia (BANI) (Indonesian National Arbitration Institution), <http://www.bani-arb.org>

Indonesia, Arbitration Law of 1999

*<http://www.bi.go.id/NR/rdonlyres/DE2D7667-8A8F-4037-ACE1-5DEDE01637AD/9662/UU30th99concerningthe Arbitration and Alternative.pdf> [Unofficial translation]

http://www.arbiter.com.sg/Laws_Rules_Indonesia_Content.html

Indonesia Law:

<http://www.indonesia.go.id/en/law-regulations/laws.html>

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<http://www.glin.gov/search.action>

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Strong, S.I. *Research and Practice in International Commercial Arbitration: Sources and Strategies*. New York: Oxford University Press, 2009.

http://www.worldcat.org/title/research-and-practice-in-international-commercial-arbitration-sources-and-strategies/oclc/277068146&referer=brief_results

Mistelis, Loukas A., Laurence Shore, and Hans Smit. *The World Arbitration Reporter: International Encyclopaedia of Arbitration Law and Practice*. Huntington, N.Y.: Juris, 2010.

*Ferrari, Franco. *Conflict of Laws in International Arbitration*. Sellier, 2011.
Irrespective of the increasing harmonization of law at the transnational level, every arbitration raises a number of conflict of laws problems relating to procedural questions as well as to issues concerning the merits of the case. Unlike a state court judge, the arbitrator has no "lex fori" in the proper sense providing the relevant conflict rules to determine the applicable law. This raises the question of what conflict of laws rules to apply and, consequently, of the extent of the freedom the arbitrator enjoys in dealing with this and related issues. The best example of the importance of conflict of laws questions in arbitration is the Vivendi-

Elektrim saga where the outcome of the various proceedings depended on the question of characterization.

The very beneficial book is dealing with

- the arbitration agreement,
- the jurisdiction of the arbitral tribunal,
- the law applicable to the merits,
- the arbitration procedure.

An overview is available here:

http://www.sellier.de/pages/downloads/9783866531703_leseprobe.pdf?code=4a8fb234920bc290ddcb75fd50df852a

*Rhoades, Rufus et al., The Practitioner's Handbook on International Arbitration and Mediation, Oxford, JurisNet, 3rd Edition, 2012

This guide presents a practical overview to international arbitration, including sections on rules, choice-of-law considerations, and enforcement provisions.

*Frick, Joachim G., Arbitration and complex international contracts : with special emphasis on the determination of the applicable substantive law and on the adaptation of contracts to changed circumstances, Kluwer Law International 2001.

Greenberg, S. and others. International commercial arbitration: an Asia-Pacific perspective.

Cambridge [U.K.], Cambridge University Press, 2011.

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*Chan, Leng Sun. Amendments to the Singapore International Arbitration Act.

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(London) 76:2:200-205, 2010.

*Utama, M. Law governing arbitration proceedings. Indonesia arbitration quarterly newsletter

(Jakarta) 4:20-27, 2008.

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of kompetenz-kompetenz. Journal of business law (London) 3:202-225, 2008.

Peacock, N. Arbitrating in “developing” arbitral jurisdictions: a discussion of common themes and challenges based on experiences in India and Indonesia. *International arbitration law review* (London) 13:6:221-233, 2010.

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Peace Palace Library, International Arbitration Research Guide,
<http://www.peacepalacelibrary.nl/research-guides/settlement-of-international-disputes/international-arbitration/#bibliography>

Strong, S.I. "Research in International Commercial Arbitration: Special Skills, Special Sources," 20 *Am. Rev. Int'l Arb.* 119 (2009). Available here:
<http://www.cisg.law.pace.edu/cisg/moot/Strong.pdf>