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INTRODUCTION

The fifteenth volume of the Yearbook contains again a wealth of new materials which are classified in the traditional scheme of Parts I through VII.

Part I “National Reports” was some years ago transformed into a separate publication, ICCA’s **International Handbook on Commercial Arbitration**. This publication contains National Reports in the same format as those which appeared in the Yearbook. Because of its loose-leaf format, the International Handbook is continuously kept up to date. The International Handbook also reproduces the relevant statutory texts on arbitration. To avoid overlapping with the International Handbook, the Yearbook will only publish complete National Reports in Part I on a selective basis.

Readers of the Yearbook are, however, kept abreast of new developments in the law and practice of arbitration in the various countries. In Part IV of the present volume, changes are reported with respect to Argentina, Australia, Austria, Egypt, Mexico, Norway, Peru, Romania, Spain, Sweden, Turkey and United States.

Part II – A contains a number of interesting awards, amongst which ad hoc awards in the matters of *Wintershall v. Qatar* and *MMA v. Guinomar*. It further contains the usual selection of ICC awards. Arbitral awards rendered under the auspices of arbitral institutions in various countries are included as well. This volume also continues to report on awards from the Society of Maritime Arbitrators in New York.

Part II – B “Court Decisions on Arbitration” contains a number of decisions which are of significance to international arbitration practice. Awards of the Iran-US Claims Tribunal are reported on separately in Part III – B, “Iran-US Claims Tribunal”. Part III – A “Arbitration Rules” reproduces new or amended arbitration rules of a number of arbitral institutions, as well as a new tripartite agreement.

The Commentary on Court Decisions involving the New York Convention does not appear in Part V – A of this volume for technical reasons. The next volume of the Yearbook will contain a consolidated commentary on decisions reported in Volumes XV (1990) and XVI (1991). On the other hand, Part V – B of this volume contains an authoritative commentary on the European Convention of 1961 by Mr. Dominique Hascher.

In conjunction with this volume of the Yearbook, the **Yearbook Key 1990** appears. The first Yearbook Key came out in 1987 and it was felt necessary to update the 1987 Key with the materials which have appeared since. The 1990 Key covers Volumes I through XV by providing:

- Consolidated Table of Contents
- Cumulative Subject Index of Arbitral Awards and Tables of Awards, Statutes and Rules
- Indexes on Commentaries and Decisions per Section on the New York Convention and a Documented List of Decisions on the New York Convention
- Lists of Decisions on the European Convention 1961 and the Washington (ICSID) Convention 1965.

It may be useful to mention here the publication of the Reports of ICCA's IXth Arbitration Congress in Stockholm, 28-31 May 1990, which will be printed in ICCA's **Congress Series no. 5**. The Congress will deal with two main subjects: (1) preventing delay or disruption of arbitration, and (2) effective proceedings in construction cases.

I most sincerely thank the support and assistance of the following persons in preparing this volume of the Yearbook:

- Ms Ellen Meijkamp, my secretary, who with great dedication, speed and insight, carried out the wordprocessing of the major part of the almost never ending manuscript;
- the staff of the Department of International Commercial Arbitration of the TMC Asser Institute for International and European Law at The Hague, in particular Ms Divera Willenborg, Ms Silvia Borelli and Mr. Janwillem Soek. Special thanks are due to Ms Judy Freedberg, head of the Department, who proved again to be invaluable in coordination and editing of the Yearbook.

The Editorial Team of the Yearbook was advised by ICCA's Editorial Board which, as of June 1989, is composed of: Prof. Pieter Sanders, Chairman (Netherlands); Prof. Giorgio Bernini, in his capacity of President of ICCA (Italy); Mr. Robert Coulson (USA); Dr. Ahmed El-Kosheri (Egypt); Dr. Mauro Ferrante (Italy); Mr. Michel Gaudet (France); Prof. Pierre Lalive (Switzerland); Dr. Werner Melis (Austria); Mr. Fali Nariman (India); Prof. Tudor R. Popescu (Romania); Prof. Zhivko Stalev (Bulgaria); Prof. Ivan Szász (Hungary); Dr. C.C.A. Voskuil (Director TMC Asser Institute, Netherlands) and the undersigned. Their advice on the compilation of the Yearbook is gratefully acknowledged.

Yet, it is the readers of the Yearbook whom we rely upon for their active cooperation in reporting court decisions and arbitral awards which are appropriate for publication in the Yearbook. Therefore, may I call on you as reader of the Yearbook, to send texts concerning recent changes in arbitration legislation,

arbitral awards (the confidentiality of which is ensured) and court decisions of general interest and, in particular, on the New York, European and Washington Convention. The names of the readers who have provided materials for this volume are acknowledged in the appropriate Parts of this volume.

Amsterdam,
January 1990

Albert Jan van den Berg,
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