

INTERNATIONAL COUNCIL
FOR COMMERCIAL ARBITRATION

YEARBOOK
COMMERCIAL ARBITRATION
VOLUME XVI – 1991

GENERAL EDITOR
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with the cooperation of the
T.M.C. Asser Institute
for Private and Public International Law,
International Commercial Arbitration and European Law
The Hague

Kluwer Law and Taxation Publishers
PO Box 23
7400 GA Deventer
The Netherlands

Tel.: 31-5700-47261
Telex: 49295
Fax: 31-5700-22244

For customers in the USA and Canada:
Kluwer Law and Taxation Publishers
6 Bigelow Street
Cambridge, MA 02139
USA

Tel.: +1 (617) 354-0140
Fax: +1 (617) 354-8595

“The Library of Congress has cataloged this serial publication as follows:”

Yearbook: commercial arbitration. v. 1- 1976-
Deventer, Netherlands, Kluwer.

v. 24 cm.

Annual.

At head of title: International Council for Commercial Arbitration.

1. Arbitration and award-Yearbooks. I. International Council for Commercial Arbitration.

K2400.A53Y4

346.07'0269

76-649721

MARC-S

Library of Congress

77[8206r80]rev

ISBN 90 6544 552 8

© 1991 Kluwer Law and Taxation Publishers, Deventer/The Netherlands

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INTRODUCTION

The sixteenth volume of the Yearbook provides its readers with a wide selection of new materials which are classified in the traditional scheme of Parts I through VII.

Part I “National Reports” was transformed some years ago into a separate publication, ICCA’s **International Handbook on Commercial Arbitration**. This companion publication to the Yearbook contains National Reports following a standard outline which endeavours to cover all aspects of arbitration law and practice. Because of its loose-leaf format, the International Handbook is continuously kept up to date. It also reproduces the relevant statutory texts on arbitration. To avoid overlapping with the International Handbook, the Yearbook only publishes complete National Reports in Part I on a selective basis. No National Reports appear in Volume XVI.

Readers of the Yearbook are kept informed on new developments in the law and practice of arbitration in the various countries through the updates published in Part IV of the Yearbook. In the present volume, changes are reported with respect to Hong Kong, Indonesia, Switzerland and the United States. Part IV also includes a note on the effect on arbitration of the reunification of Germany, and a survey on the participation of foreign counsel in arbitral proceedings, by David W. Rivkin.

Part II – A contains, inter alia, the usual selection of ICC awards and two ICSID awards in the matters of *SPP v. Egypt* and *MINE v. Guinea*.

Part II – B “Court Decisions on Arbitration” contains several court decisions from France, Ireland, Italy, Malaysia, Senegal, Switzerland and the United States 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 arbitral institutions, as well as the text of the 1989 Resolution on arbitration between States and foreign enterprises adopted by the Institute of International Law.

Part V of the present volume contains in Part V – A the bi-yearly Commentary on court decisions involving the New York Convention. The

commentary covers the decisions reported in Volumes XV (1990) and XVI (1991). Parts V – B and V – C report respectively on the application of the European Convention of 1961 and the Washington Convention of 1965. Part V – C also contains the text of the Washington Convention.

I wish to acknowledge with thanks the support and assistance of the following persons in preparing this volume of the Yearbook:

- Ms Ellen Meijkamp, my secretary, and Ms Hilmara Requena, secretary of the Department of International Commercial Arbitration of the TMC Asser Institute, who with both speed and insight carried out the wordprocessing of the major part of the manuscript;
- the staff of the Department of International Commercial Arbitration of the TMC Asser Instituut, Institute for Private and Public International Law, International Commercial Arbitration and European Law at The Hague, in particular Ms Divera Willenborg and Mr Janwillem Soek. Special thanks are due to Ms Silvia Borelli and Ms Judy Freedberg, head of the Department, who proved again to be invaluable in coordinating and editing the Yearbook.

The Editorial Staff of the Yearbook was advised by ICCA's Editorial Board which, as of May 1990, is composed of Prof. Giorgio Bernini, in his capacity of President of ICCA (Italy); Mr. Robert Coulson (USA); M. Yves Derains (France); Dr. Mauro Ferrante (Italy); M. Michel Gaudet (France); Prof. Pierre Lalive (Switzerland); DDr. Werner Melis (Austria); Mr. Fali Nariman (India); Prof. Tudor R. Popescu (Romania); Prof. José Luis Siqueiros (Mexico); Prof. Zhivko Stalev (Bulgaria); Prof. Ivan Szász (Hungary); Dr. C.C.A. Voskuil (Director of the TMC Asser Institute, Netherlands); Prof. Pieter Sanders as advisor (Netherlands) and the undersigned as Chairman and General Editor of the ICCA publications. Their advice on the compilation of the Yearbook is gratefully acknowledged.

Yet, it is the readers of the Yearbook upon whom we rely 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 Conventions. The names of the readers who have provided materials for this volume are acknowledged in the appropriate Parts of Volume XVI.

Amsterdam,
January 1991.

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General Editor

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