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GENERAL EDITOR
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INTRODUCTION

With this Volume, the Yearbook Commercial Arbitration completes its second decade. Looking back to the Introduction to Volume I of the Yearbook, written by its first general editor, Prof. Pieter Sanders, the stated purpose of the Yearbook was "to give the necessary information which practitioners of international commercial arbitration are looking for." At that time, this could be accomplished in 254 pages. From that modest beginning, the size of the Yearbook has quadrupled, even after the transfer of National Reports and relevant legal texts to its companion publication, the *International Handbook on Commercial Arbitration*.

The format devised for the Yearbook twenty years ago has remained virtually unchanged. While National Reports are now found in the Handbook, and articles are no longer regularly published in the Yearbook, these Parts are still "reserved" for future developments that might warrant their being used. The basis of the remaining Parts is unchanged, although they have been expanded to accommodate significant developments in international commercial arbitration which have occurred in the last twenty years, in particular, the creation of the Iran-US Claims Tribunal (Part III - B), the UNCITRAL Model Law (Part II - C) and the increasing application of the major multilateral arbitration Conventions (Parts V - B and C).

The present Yearbook includes arbitral awards from the International Court of Arbitration of the International Chamber of Commerce, the International Centre for Settlement of Investment Disputes, the Society of Maritime Arbitrators, New York and the Iran-US Claims Tribunal. Court decisions which are of general significance to arbitral practice are reported from the Court of Justice of the European Community, France and the United Kingdom. Court decisions applying the UNCITRAL Model Law are reproduced as they appear in Case Law on UNCITRAL Texts (CLOUT), this thanks to the cooperation of UNCITRAL. More than forty court decisions from thirteen countries applying and interpreting the 1958 New York Convention are excerpted in this Volume. An updated Commentary on the 1961 European Convention by Dominique Hascher is also included, along with court decisions from Austria, Belgium, Italy, Luxembourg and Spain applying this Convention and the 1962 Agreement. The new or amended arbitration rules of the Court of Arbitration attached to the Hungarian Chamber of Commerce, the Society of Maritime Arbitrators and the World

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Intellectual Property Organization (WIPO) are reproduced, and as usual, the Yearbook concludes with a Bibliography.

I would like to acknowledge and thank the following persons for their support and assistance in the compilation of this volume of the Yearbook:

- Ms. Ellen Meijkamp, my secretary, for her assistance with the word processing of the manuscript; a special word of appreciation goes to Ms. Hilmara Requena, secretary to the Department of International Commercial Arbitration of the TMC Asser Institute, who has overseen the word processing, compilation, typesetting and layout of the entire volume;
- D.ssa Silvia Borelli, former staff-member of the Milan Chamber of National and International Arbitration and presently a researcher at the Sanders Institute at the Erasmus University, Rotterdam, for preparing a great number of excerpts and translations (much of this in connection with her collaboration in the preparation of the second edition of *The 1958 New York Arbitration Convention*);
- the TMC Asser Institute for Private and Public International Law, International Commercial Arbitration and European Law and in particular, the staff of its Department of International Commercial Arbitration. I would particularly like to thank Ms. mr Vesna Lazic, researcher at the TMC Asser Institute, for the preparation of many extracts, particularly those decisions relating to Bankruptcy. Further thanks are due to Ms. Mamie Mutchler, Ms. Priska van Dijk and Ms. Maria Alvarez for their assistance. Special thanks go to Dr. Bernadette Demeulenaere who assisted the Department with translating and editing portions of the Yearbook;
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The person who is to be thanked above all is Ms. Judy Freedberg, head of the Department of International Commercial Arbitration of the TMC Asser Institute. As has been the case for many Yearbooks during the past decade, she played a key role in assembling and editing the materials and coordinating the substantial work of having a timely and well-presented Yearbook.

The Editorial Staff of the Yearbook were advised by ICCA's Editorial Board composed of Prof. Giorgio Bernini, in his capacity as (past) 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, President of ICCA (India); Prof. Tudor R. Popescu (Romania); Prof. José Luis Siqueiros (Mexico); Prof. Iván Szász (Hungary); Prof. Yasuhei Taniguchi (Japan); Dr. G. Tanja (Asser Institute); Prof. Pieter Sanders (Netherlands) as advisor and as of 1993 co-editor

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of the *International Handbook on Commercial Arbitration*, and the undersigned as Chairman and General Editor of the ICCA publications. Their advice and contributions to the ICCA Publications: the Yearbook Commercial Arbitration, International Handbook on Commercial Arbitration and ICCA Congress Series, are gratefully acknowledged.

“ICCA counts upon the collaboration of our readers and users of the Yearbook”. These concluding words of Pieter Sanders in his Introduction to Volume I are still true today. Therefore, may I call on you as reader and user of the Yearbook to send texts concerning:

- recent changes in arbitration legislation
- newly enacted arbitration rules
- arbitral awards (the confidentiality of which is ensured)
- court decisions of general interest and, in particular, court decisions applying the UNCITRAL Model Law, 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.

Amsterdam
May 1995

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