Law and Arbitration | Loi et arbitrage

ICC provides vital resource in the fields of international commercial law, banking law, arbitration and other dispute resolution methods. These include the Bulletin of the ICC International Court of Arbitration, the online Dispute Resolution Library and the Dossier of the Institute of World Business Law.

CCI offre des ressources dans les domaines du droit commercial international, droit bancaire, arbitrage et autres méthodes de résolution des différends. Il s’agit notamment du Bulletin de la Cour internationale de Arbitration, la Bibliothèque des différends en ligne et la Résolution Dossier de la Institute of droit des affaires internationales.

Arbitration and ADR Rules
ICC Pub. 850E – $2 | Available in English

Rules include provisions to address disputes involving multiple contracts and parties; updated case management procedures; the appointment of an emergency arbitrator to order urgent measures; and changes to facilitate the handling of disputes arising under investment treaties and free trade agreements. Other amendments have also been made to ensure that the arbitral process is conducted in an expeditious and cost-effective manner. In answer to the growing demand for a more holistic approach to dispute resolution techniques, the new Rules are published in a booklet that also includes the ICC ADR Rules, which provide for mediation and other forms of amicable dispute resolution. Both sets of Rules define a structured, institutional framework intended to ensure transparency, efficiency and fairness in the dispute resolution process while allowing parties to exercise their choice over many aspects of procedure. (2011)

Règlements d’Arbitrage et d’ADR
No. de pub. CCI 850F – 2 $ | Disponible en français

Les ajouts incluent des dispositions visant les différends qui impliquent plusieurs contrats et parties, des procédures révisées de gestion des affaires, la nomination d’un arbitre d’urgence pour ordonner des mesures immédiates, ainsi que des modifications destinées à faciliter le traitement des différends survenant dans le cadre de traités d’investissement et d’accords de libre-échange. D’autres amendements ont également été apportés pour faire en sorte que l’arbitrage soit mené de façon rapide et rentable. Pour répondre à une demande croissante d’une approche plus globale des techniques de règlement des différends, le nouveau Règlement est publié dans une brochure qui inclut également le Règlement ADR de la CCI, qui permet la médiation et d’autres formes de règlement amiable. Les deux Règlements définissent un cadre institutionnel structuré visant à assurer la transparence, l’efficacité et l’impartialité du processus de règlement des différends tout en permettant aux parties concernées d’exercer leur choix parmi divers aspects de la procédure.
**Player’s’ Interaction in International Arbitration**
ICC Pub. 737E – $135

Dossier IX of the Institute of World Business Law Learn how to prepare effectively for international arbitration cases and find answers to questions. “‘Player’s’ interaction in international arbitration” presents means to ensure that arbitration remains a real alternative to state justice, efficient, harmonious and at the same time respectful of the parties’ rights. Written by some of today’s leading experts, this Dossier takes into account the points of view of all ‘players’ concerned: arbitrators, counsel, corporate lawyers and arbitral institutions. A must-read for anyone involved in international arbitration. (2012)

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**The Secretariat’s Guide to ICC Arbitration**
ICC Pub. 729E – $185 | Available in English

A Practical Commentary on the 2012 ICC Rules of Arbitration, it contains a detailed presentation and analysis of the 2012 ICC Rules of Arbitration and the practices employed in their application. An easily accessible article by article commentary provides authoritative information on the purpose of each provision and how it is applied by the ICC Court, its Secretariat, arbitrators and parties. This guide will help you better understand international commercial arbitration and the new rules, and to draw the maximum benefit from ICC arbitration procedure. The authors are specialists in international arbitration with vast experience of ICC proceedings. (2012)

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**International Commercial Transactions – Forth Edition**
ICC Pub No. 711E – $245 | Available in English

Packed with vital information and invaluable advice, the 4th edition of this much acclaimed book takes into account recent developments in international trade, particularly the publication of Incoterms® 2010, latest edition of ICC’s worldwide used standard trade rules. The author, legal expert and writer of international reputation, gives a concise and lucid presentation of the legal framework and the commercial principles, rules and practices surrounding cross-border transactions and the interrelations. This book will help parties to a cross-border contract to better understand the stage they are performing on. Thus, it facilitates achieving the parties’ respective commercial objectives by avoiding pitfalls and costly consequences when transactions don’t turn out as expected between them. (2011)
2011 Annual Review of International Banking Law & Practice
ICC publication 971E – $185 | Available in English

This covers all reported letter of credit and independent guarantee court decisions from around the world of the past year. Again available in electronic format, this edition allows users to easily search key terms. This unique all in one reference tool tracks industry activity impacting ICC rules (UCP600, URDG758, ISP98), and other incidents influencing international banking.

Collection of ICC Arbitral Awards 2001-2007 (Volume V)
ICC Pub No. 699EF – $345 | Bilingual Publication

This contains extracts of cases handled by the ICC Court of Arbitration, one of the world’s most respected arbitral institutions. This most recent collection supplements four previous and successful volumes containing awards from the periods 1974-1985, 1986-1990, 1991-1995 and 1996-2000. This compilation is a practical reference tool, containing three types of useful indexes incorporating information from all four previous volumes: A consolidated analytical table, in both English and French, contains extensive cross-references based on the terminology used in awards and case notes; A key word index, also provided in both languages, allows the reader to locate the material of interest quickly and easily; A cross-referenced index of cases referring to the Journal du droit International, the Yearbook Commercial Arbitration and to the International Construction Law Review for each of the awards published in the collection. In addition, this book includes case notes and expert commentaries on the awards. This publication is an indispensable reference work for anyone interested in international arbitration.

We Must Talk, Because We Can
ICC Pub. No. 695E – $120 | Available in English

Mediating International Intellectual Property Disputes
David Plant focuses on the process of mediation on the mediator, the client and the counsel. Mediation, from Mr. Plant’s point of view, is interest-based negotiation facilitated by a third person – the mediator. His aim it to help you – what ever the role – to prepare for and engage in such mediation at the most productive level. (2008)
Drafting and Negotiating International Commercial Contracts
ICC Pub No. 671E – $304 | Available in English

In his book, Drafting and Negotiating International Commercial Contracts, Professor Fabio Bortolotti, a world-renowned expert on contract law, clarifies the issues surrounding these contracts and provides solutions to the thorny problems they raise. Drafting an international contract can be a risky business. Yet with the increasing globalization of markets, these cross-border contracts are becoming a common practice for most traders, as well as for the lawyers assisting them. At the same time, international contracts remain a difficult and mysterious subject for business people as well as their lawyers.

International Commercial Law
ICC Pub. No. 965E – $359 | Available in English

The practice of international commercial law has become so complex since the onset of globalization that it has become virtually impossible for interested parties to collect their own copies of the various source materials. Hence this very welcome collection, which in its first edition quickly became a cornerstone resource. Now, the editor has thoroughly updated this indispensable book, making it far and away the most complete collection of applicable treaties, institutional rules, regulations, model laws, and codes any international commercial law practitioner will find anywhere. (2007)

ICC Legal Handbook on Global Sourcing Contracts
ICC Pub. No. 663E – $111 | Available in English

The ICC Legal Handbook on Global Sourcing Contracts will serve as a practical introduction to companies and their legal advisors on the issues frequently encountered in transactions involving the transfer of a vital service or process from a client to a provider, particularly in an international context.
ADR in Business
ICC Pub. No. 963E – $249 | Available in English

ADR in Business is designed to look at ADR on its own terms as a way of resolving business disputes, particularly at the international level. Drawing upon diverse approaches, ADR experts from a variety of countries explore the situations to which ADR lends itself and the different permutations it offers to allow each dispute to be handled in the manner most fitting to the circumstances. The contributors also show how ADR serves such important considerations as the interests involved, the need to avoid a public display of differences, and the wish to anticipate problems. (2006)

ICC Pub. No. 650E – $39 | Available in English

In its first revision since 1995, the ICC Force Majeure Clause 2003 and the ICC Hardship Clause 2003 provides international traders with ready-made, off the peg, model clauses which parties to international contracts may incorporate into their contracts. The ICC Force Majeure Clause 2003 combines the predictability of listed force majeure events with a general force majeure formula which is intended to catch circumstances which fall outside the listed events. The ICC Hardship Clause 2003 balances businesspersons’ legitimate expectations of performance with the harsh reality that circumstances do change to make performance so hard that the contract simply must change. (2003)

Clause de force majeure CCI 2003 – Clause de Hardship CCI 2003
No. de pub. CCI 650F – 39 $ | Disponible en français

Avec ses Clause de force majeure et Clause de hardship 2003, la CCI offre aux entreprises engagées dans le commerce international une solution toute faite, sous la forme de clauses modèles à insérer dans leurs contrats. La Clause de force majeure CCI 2003 allie la prévisibilité d’une liste d’événements constituant des cas de force majeure à une formule générale destinée à couvrir les circonstances qui n’auraient pas été explicitement envisagées. La Clause de hardship CCI 2003 établit un juste équilibre entre la légitime attente de bons résultats commerciaux et la dure réalité qui fait que les circonstances peuvent parfois changer au point de rendre irréalisable l’exécution du contrat et d’exiger la modification de ses termes. (2003)

Treaties & International Documents Used in International Trade Law
ICC Pub. No. 958EF – $221 | Bilingual Publication

Since the first edition of this book in 1992, International Trade Law has evolved significantly as a result of the efforts of numerous international institutions such as UNCITRAL, ICC, UNIDROIT, and the Hague Conference. This book provides, in a single volume, the text of the most common instruments applicable in international commercial law, including brief introductions to each text, as list of ratifications and reservations, and a Cumulative index. The volume is divided into two parts – contractual relations and international disputes. In the first part, conventions have been classified according to (a) conventions related to the unification of law, (b) conventions related to the conflicts of laws, and (c) private norms. The second part contains (a) conventions on arbitration, (b) rules related to arbitration, and (c) conventions on judicial cooperation. (2005)
Traités et documents internationaux usuels en droit du commerce international
No. de pub. CCI 958EF – 221 $ | Publication bilingue

Depuis la publication de la première édition de ce livre en 1992, le droit du commerce international a considérablement évolué sous l’impulsion de nombreux organismes internationaux comme la CNUDCI, la CCI, UNIDROIT ou encore la Conférence de la Haye. Cet ouvrage réunit en un seul volume le texte intégral des documents les plus utiles en droit du commerce international, avec une introduction comprenant l’état des ratifications et réserves ainsi qu’un index cumulatif. Le volume est divisé en deux parties – les relations contractuelles et les litiges internationaux. À l’intérieur de la première partie, on a distingué les conventions d’unification substantielle (a) des conventions de rattachement (b) et des normalisations privées (c). Dans la seconde, le conventions sur l’arbitrage (a) précèdent les règlements d’arbitrage (b) et les conventions d’entraide judiciaire. (2005)

Institute Dossiers

Dossier VIII - Is Arbitration Only As Good as the Arbitrator?
ICC Pub. No. 714E – $135 | Available in English

Whether arbitration is only as good as the arbitrator is a question that has often been asked. Indeed, an arbitration procedure can be a quick and efficient means of dispute resolution that can save parties a lot of money compared to a court procedure. However, arbitral awards, unlike court judgments, are not subject to ordinary judicial remedies and there is no recourse available against an award which is substantially wrong. Therefore, anyone interested in international arbitration, whether experienced arbitrator or in-house counsel working with contracts and arbitration clauses, should read this compilation of expert views on thorny issues like; clashes between arbitrator and litigants; Arbitral discrimination under English and EU law. The arbitrator’s relation with third parties; confidentiality issues; rules of law vs. freedom of the arbitrator. (2011)

Dossier VII – Multiparty Arbitration
ICC Pub. No. 701E – $125 | Available in English

In today’s interdependent world, commercial transactions tend to be more and more complex, often involving multinational companies. Therefore, the disputes that may arise are often connected with multiple contracts and several parties. In these cases, the question arises whether an arbitration clause can be extended to non-signatories. If separate arbitration proceedings need to be started, can these different proceedings be consolidated and under what conditions? How does one handle these complex or parallel proceedings in the interests of the best administration of justice? Published under the auspices of the ICC Institute of World Business Law, “Multiparty Arbitration” seeks to encourage reflection on these questions and many others recurrent in complex multiparty, multi-contract arbitrations. (2010)
Written Evidence and Discovery in international Arbitration: New Issues and Tendencies
ICC Pub. No. 698E – $193 | Available in English

The practice of documentary evidence is changing as international arbitrators look for transnational solutions capable of striking a proper balance between efficiency and fairness. Dossier VI, Written Evidence and Discovery in International Arbitration, seeks to encourage reflection on future practice in relation to documentary evidence in international arbitration. (2009)

Interest, Auxiliary and Alternative Remedies in International Arbitration
ICC Pub. No. 684E – $138 | Available in English

The aim of this publication, compiling the proceedings of the ICC Institute of World Business Law’s 2007 Annual Meeting chaired by Serge Lazareff and to be published mid-2008, is to provide the reader with solutions on how to control the impact of time between the occurrence of the damage and its full compensation. (2008)

Evaluation of Damages in International Arbitration
ICC Pub. No 668E – $116 | Available in English

The aim of the Dossier, prepared by the ICC Institute of World Business Law, is to give the reader a comprehensive overview of the difficulties encountered by arbitrators, governments and international organizations in calculating the amounts of recoverable damages in cases of international arbitration.

Parallel State & Arbitral Procedures in International Arbitration
ICC Pub. No. 692 – $149 | Available in English

In recent years, international commercial arbitration procedures have made great strides to bring into line different traditions of law and practice. But considerable problems remain. The aim of the new publication, Parallel State and Arbitral Procedures in International Arbitration, prepared by the ICC Institute of World Business Law, is to give the reader a thorough picture of the practical issues raised by the conflicts arising when there is more than one arbitration and when commercial arbitrations run in parallel with state legal procedures.
Arbitration and Oral Evidence
ICC Pub. No. 689 – $113 | Available in English

The aim of Arbitration and Oral Evidence, prepared by the ICC Institute of World Business Law, is to give the reader a thorough picture of the practical issues raised by the oral presentation of evidence and to present a balanced series of solutions to the problems involved. Written by expert arbitrators and practitioners, some of whom are affiliated with the ICC’s Court of Arbitration, Arbitration and Oral Evidence, approaches the problems of oral evidence from several points of view, among them: oral evidence vs documentary evidence; witness statements; benefiting from oral testimony of expert witnesses; counsel-witness relations. Taken together, these observations provide a comprehensive overview of the problems and possible solutions. (2004)

Arbitration – Money Laundering, Corruption and Fraud
ICC Pub. No. 651E – $105 | Available in English

This useful text contains the proceedings of a conference on arbitration and money laundering organized by the ICC Institute of World Business Law. It brings the reader the expertise of lawyers, academicians and chartered accountants from a range of countries and addresses the key questions arbitrators and legal practitioners want answered: Is the arbitrator’s role in a case of fraud different from his role in other disputes? Is the arbitrator bound to report a case of money laundering or fraud if he has a suspicion that something is wrong? Is counsel to report someone coming to him for advice? (2003)

Bulletin supplements

Decisions on ICC Arbitration Procedure
ICC Publication No. 728E – $120 | Available in English

Décisions sur la procédure d'arbitrage de la CCI
No. de pub. CCI 728F – 120 $ | Disponible en français


Confidentiality in Arbitration Commentaries on Rules, Statutes, Case Law and Practice
ICC Pub. No. 700E – $120 | Available in English

The extent to which arbitral proceedings are confidential has been the subject of conflicting interests, divergent legislation and regulations and evolving case law. This publication traces the history of changing attitudes to the subject of confidentiality in arbitration, identifies the issues at stake and draws the lessons to be learned from this complex debate. It addresses the question of whether and to what extent there is an obligation of confidentiality in arbitration and its impact on the conduct of the proceedings. (2009)

La confidentialité dans l’arbitrage Commentaires sur les textes, la jurisprudence et la pratique
No. de pub. CCI 700F – 120 $ | Disponible en français

Peu d’aspects de l’arbitrage commercial international ont été aussi constamment débattus que la confidentialité. Cet ouvrage retrace l’histoire des changements de point de vue sur la question, cerne les enjeux et tire les leçons d’un débat complexe. (2009)
ICC Pub. No. 727E – $193 | Available in English

This comprehensive and informative Guide is the result of a vast study initiated by the ICC Commission on Arbitration to mark the 50th anniversary of the New York Convention (United Nations Convention on the Recognition and Enforcement of Foreign Arbitral Awards). It provides a digest of national rules of procedure for the recognition and enforcement of foreign arbitral awards in numerous contracting states. Covering in depth the local legal conditions, this Guide focuses on the following subject areas: The Contracting State and the New York Convention; National sources of law; Limitation periods (time limits); National courts and court proceedings; Evidence required; Stay of enforcement; Confidentiality; and Other issues. (2008)

Guide des règles nationales de procedure pour la reconnaissance et l’exécution des sentences arbitrales conformément à la Convention de New York
No. de pub. CCI 727F – 193 $ | Disponible en français

Ce Guide est le résultat d’une vaste étude conduite à l’initiative de la Commission de l’arbitrage de la CCI à l’occasion du 50e anniversaire de la Convention de New York. Il fournit une analyse approfondie des conditions juridiques locales entourant la reconnaissance et l’exécution des sentences arbitrales étrangères dans de nombreux États contractants. Les différentes fiches-pays, présentées pays par pays, sont intégralement reproduites dans leur langue originale (anglais) et accompagnées d’un sommaire en français qui résume divers points ayant un intérêt pratique, avec plusieurs tableaux résumant et comparant les différentes situations. Chaque fiche couvre les principaux thèmes suivants: l’État contractant et la Convention de New York; les sources nationales de droit; les délais de prescription; les tribunaux nationaux et les procédures judiciaires; les preuves requises; le sursis à exécution; la confidentialité sujets divers. (2008)

International Commercial Arbitration in Asia
ICC Pub. No. 609E – $92 | Available in English

This Special Supplement to the ICC International Court of Arbitration Bulletin provides unique insight into the approach to arbitration in South-East Asia. Globalization and a new approach to international trade have led to new legislation and the proliferation of national arbitration institutions, aimed at promoting international commercial arbitration. Focusing on these recent developments, experts from the region report on Indonesia, Laos, Korea, Malaysia, the Philippines, Singapore, Taiwan and Thailand, placing special emphasis on China and its new relationship with the Special Administrative Region of Hong Kong. The reports cover developments in legislation, case-law, arbitral institutions and enforcement. (1998)
L’arbitrage complexe
No. de pub. CCI 688F – 105 $ | Disponible en français seulement


ADR-International Applications
ICC Pub. No. 640E – $92 | Available in English

Alongside litigation and arbitration, other methods of settling conflicts are increasingly being used, such as mediation, conciliation, mini-trials and neutral evaluation. Specialists in various parts of the world present the state of ADR in their respective countries and regions, and focus on particular points of interest in this rapidly developing field. This Special Supplement to the ICC International Court of Arbitration Bulletin also features an in-depth introduction to ICC’s own ADR Rules, which provide an institutional framework for the amicable settlement of international business disputes. A valuable resource on current ADR for the international business community. (2002)

ADR-applications internationales
No. de pub. CCI 640F – 92 $ | Disponible en français


The Status of the Arbitrator
ICC Pub. No. 564E – $70 | Available in English

A Special Supplement to the ICC Court of Arbitration Bulletin in the form of several papers which attempt to describe the arbitrator’s rights and duties by reference to the extensive experience of three leading institutions in the field of international arbitration – the ICC, the ICSID and the AAA – to national law and to code of ethics. In addition, lawyers from civil law and common law backgrounds provide insights into the relationships between the arbitrator and the parties, and the arbitrator and arbitral institutions. (1996)
Le statut de l’arbitre
No. de pub. CCI 564F – 70 $ | Disponible en français


International Commercial Arbitration in Europe
ICC Pub. No. 537E – $70 | Available in English

The laws on arbitration of most Central and Eastern European countries have been remanded. In 1993 and 1994 alone, new arbitration laws were passed in the Czech Republic, Hungary, Moldavia, Romania, Ukraine and Russia. At the same time, important developments on arbitration, legislation, jurisprudence and practice have also taken place in England, Germany and Italy. Parallel to this, the European Union has expanded and inter-European commerce and investment have increased. Many arbitration disputes now refer to European law, although material on the legal framework of arbitration in the EU and on the application of European law by arbitrators is scarce. The International Court of Arbitration of the ICC and the main arbitral institutions of Central and Eastern Europe, which meet regularly within the "ICC European Arbitration Group", have decided to provide information on all these subjects in this Special Supplement. (1994)

International Banking | Crédits documentaires

ICC’s banking rules are used worldwide and have been endorsed by major international organizations. ICC also offers accompanying guides for a more in-depth understanding.

Règles bancaires de la CCI sont utilisés dans la mondiale et ont été approuvés par les organisations internationales. ICC offre également des guides d’accompagnement pour une analyse plus approfondie.

ICC Rules and Standards | Règles et standards de la CCI

ICC Uniform Rules for Forfaiting (URF 800)
ICC Pub No. 800E – $45 | Available in English

A standard set of rules that reflect a broad consensus among bankers and all members of the forfaiting community worldwide. The use of global rules and standards helps avoid misunderstandings, harmonizes best practice and facilitates dispute settlement. Clear definitions and practical model agreements help understand and efficiently apply the present rules. URF covers controversial subjects and clarify complex issues such as, forfaiting agreements and conditions in the primary market, forfaiting confirmations and conditions in the secondary market, payments and payments under reserve and liabilities. (2012)