

CALL FOR BOOK CHAPTER PROPOSALS

Book Title: *Expedited International Arbitration: Policies, Rules and Procedures*

Expected Publisher: Wolters Kluwer – Kluwer Law International (publication expected in 2023)

Deadline for Proposals: 15 September 2022

Proposal Acceptance Date: 1 October 2022 (no later than; proposals may be accepted earlier)

Deadline for Initial Submission of Chapters: 1 April 2023

Deadline for Manuscript Submission to Publisher: 1 September 2023

The Book:

International arbitration has come under increasing criticism over the past few years. Users, their counsel, arbitrators, arbitral institutions and commentators have stated that international arbitration – among other complaints – has become too expensive and too lengthy of a process. In effect, it has deviated from its foundation, which was to expeditiously and efficiently resolve international disputes. Many arbitral institutions have responded to these criticisms by developing a different set of stand-alone rules for expedited arbitration. Other institutions have adopted separate provisions in their regular arbitration rules to allow for “expedited” arbitration. A few institutions have refused to adopt any rules specific to expedited arbitration, claiming that their existing rules allow the parties and the tribunal to agree to conduct an arbitration on an expedited basis. The approaches taken by arbitral institutions toward expedited arbitration also vary. Some institutions permit the parties to agree to expedited procedures in any case. Other institutions adopt a more paternalistic approach, setting amount-in-controversy limitations to determine whether a dispute should or could be handled on an expedited basis.

Recently, in 2021, UNCITRAL adopted new Expedited Arbitration Rules, which can be used in non-institutional arbitration and also in institutional arbitrations applying the UNCITRAL Rules. Expedited procedures are also under consideration for use in investor-State disputes to address criticisms relating to those procedures.

This book will be an edited collection of papers from practitioners, scholars and representatives of interested stakeholders addressing the concept, policies and procedures behind expedited arbitration and the on-going discussions regarding its use. It will also provide reviews and analyses of the approaches and rules for expedited arbitration that have been adopted and implemented by various arbitral institutions, including UNCITRAL.

The Editors:

Dr Alan M. Anderson, PhD, FCIArb

Dr Herman Verbist, PhD

Possible Topics:

The editors presently expect to select 12-15 contributions from individual or joint authors for the monograph. While proposals on any topic relevant to the current discussions regarding expedited international arbitration are invited, areas of particular interest include:

- Contributions addressing criticisms of international commercial arbitration and the policies and approaches of expedited arbitration that have been adopted to address those problems. These contributions would address the broader implications of expedited arbitration, the alternative approaches in general, and the over-arching issues that may arise from adopting expedited arbitration in any dispute resolution procedure. These contributions also may consider which – or whether – the existing expedited arbitration approaches solve the extant criticisms of international commercial arbitration.
- Contributions focusing on both individual and cross-institutional rules and procedures of various arbitral institutions and the new UNCITRAL Expedited Arbitration Rules. These contributions may focus on a single major institution and consider the experience of those institutions under their rules, including whether the expedited rules have succeeded or failed, whether they have been circumvented by the parties or the tribunal, what modifications or reforms should be considered to the expedited arbitration rules that have been adopted, and whether or how those expedited rules have been received by reviewing courts.
- Additional contributions may consider, for example, climate-related or specific-stakeholder concerns or interests in expedited arbitration; use of early dismissal procedures to expedite arbitration; use of expedited arbitration in investor-State disputes; and whether other forms of dispute resolution, such as mediation, should be utilized as part of an expedited arbitration proceeding.

Some of the questions to be considered in the book, and therefore additional topics for contributions, include:

1. What are the policies underlying expedited arbitration?
2. What are the problems existing with international arbitration that expedited arbitration seeks to address?
3. What are the various approaches to expedited arbitration that have been taken by the various arbitral institutions?

4. What are the pluses and minuses of various arbitral institution's expedited arbitration rules?
5. Which institution's approach to expedited arbitration is best in any particular situation?
6. Can parties opt-in or opt-out of expedited arbitration and, if so, when and under what conditions; can arbitrators force the parties into or out of expedited arbitration?
7. What powers do arbitrators have in the conduct of an expedited arbitration that may be different from "regular" international commercial arbitration?
8. What procedures, such as hearings, three-member tribunals, agreed extensions to issuance of an award, are applicable to expedited arbitration?
9. Is an early dismissal possible in an expedited arbitration?
10. Can the arbitral tribunal itself extend a time limit in an expedited arbitration, at the request of one party and without the consent of the other party/parties? What is the risk if the time limit for rendering the arbitral award in an expedited arbitration is not met and not extended?
11. Is the procedural law of the place of arbitration of any significance in this respect?

Submission Procedure

Please submit your proposals by providing by 15 September 2022:

Title of your contribution

Abstract (no more than 350 words, including what issue/topic the proposed contribution is addressing)

One-page CV of the author or authors

Contact information

The proposals must be in English and submitted in PDF format. The completed contribution should (in English) be 7,000 to no more than 10,000 words, including footnotes. Each contribution must be an original and unpublished work, not submitted for publication elsewhere.

Proposals should be submitted by email by the submission deadline to the editors at:

aanderson@anderson-lawfirm.com or herman.verbist@everest-law.be

Any questions may be directed to one of the editors by email.