



# Access to Justice in Arbitration: Concept, Context and Practice

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[Overview](#)[Table Of Contents](#)

## Overview

**Access to Justice in Arbitration** is a compendium of essays by arbitral practitioners, academics, and arbitral institution officials presenting, for the first time, an in-depth analysis of the role access to justice plays in arbitration. The exponential growth of arbitration beyond commercial and investment matters, reaching disputes that have traditionally been decided by courts – such as labour and employment, sports, and competition disputes, and those involving human rights violations – raises questions

about the impact of this expansion on access to justice. On the whole, this pioneering book assesses how access to justice can be guaranteed in arbitration and, in particular, shows how access to justice works in various types of arbitration.

**What's in this book:**

The book and its contributions will be of immeasurable value in determining the practical application of such concerns as the following:

- when issues of access to justice can be raised in arbitral disputes and when violations of access to justice can be challenged;
- ramifications of arbitration clauses in contracts;
- ensuring fairness and efficiency arising from technological innovations applied to arbitration;
- legal framework applicable to online dispute resolution and blockchain-based arbitration, especially concerning recognition and enforcement; and
- access to justice in arbitrations involving sexual harassment.

The conclusive three chapters shed light on access to justice under the rules of arbitral institutions as revealed by studies of the World Intellectual Property Organisation, the Singapore International Arbitration Centre, and the International Centre for Settlement of Investment Disputes.

**How this will help you:**

Arbitration imparts a final, binding decision that can be challenged on minimal grounds; thus, with arbitration settling disputes that had initially been a prerogative of the judiciary, securing fairness in such procedures is paramount to the survival of arbitration. Considering this, arbitration practitioners, institutions, and academics will appreciate this deeply informed analysis and commentary on a vital aspect of a highly significant and rapidly evolving area of practice.

## Table Of Contents

Editors

Contributors

Foreword

List of Abbreviations

Acknowledgements

Introduction

*Leonardo V.P. de Oliveira & Sara Hourani*

Part I Theoretical Aspects of Access to Justice in Arbitration

Chapter 1 To What Degree Should Access to Justice Be Secured in Arbitration?

*Leonardo V.P. de Oliveira*

Chapter 2 Access to Justice and Arbitration – Is Consent to Arbitrate Still at Stake?

*Clotilde Jourdain-Fortier*

Chapter 3 The Limits to Voluntary Arbitration in Establishing a 'Fair', 'Independent' and 'Accessible' Dispute Resolution Mechanism Outside Large Contractual Disputes

*Joao Ilhão Moreira*

Chapter 4 The Interplay Between Courts and Tribunals Assures Access to Justice

*Ramona Elisabeta Cirlig*

Part II Access to Justice and Investment Arbitration

Chapter 5 Access to Justice Through Investment Arbitration in Cases of Refusal of Enforcement of Commercial Arbitration Awards: Is There Any Room for Autonomous Claims Based on the New York Convention?

*Berk Demirkol*

Chapter 6 Access to Justice in Investment Arbitration and Non-disputing Party Participation

*Crina Baltag*

Part III Access to Justice in Specific Disputes Submitted to Arbitration

Chapter 7 Access to Justice in Labour and Employment Arbitration in Light of the Brazilian and the US Experiences

*Carolina da Rocha Morandi*

Chapter 8 Access to Justice in Sports Arbitration

*Ian Blackshaw*

Chapter 9 Access To Justice and Arbitrating EU Competition Disputes: Aye or Nay?

*Johanna Hoekstra & Aysem Diker Vanberg*

Chapter 10 Unpacking the Potential for Unilaterally Binding Arbitration: Improving Access to an Effective Remedy, and Business-Related Human Rights Violations

*Youseph Farah*

Part IV Access to Justice and Technology: Arbitration and ODR

Chapter 11 Access to Justice Through Online Dispute Resolution Is Not Science Fiction: A Practitioner's Perspective on the Good, the Bad and the Future

*Mirèze Philippe*

Chapter 12 The Resolution of B2B Disputes in Blockchain-Based Arbitration: A Solution for Improving the Parties' Right of Access to Justice in the Digital Age?

*Sara Hourani*

Part V Access to Justice and Arbitral Institutions

Chapter 13 Access to Justice Through WIPO's Arbitration Rules

*Aislinn O'Connell*

Chapter 14 Advance on Costs under the SIAC Rules

*Christine Sim*

Chapter 15 Access to Justice and the Costs of ICSID

*Duarte Henriques & Avani Agarwal*