

# “Seat v. Venue in contemporary Arbitral Jurisprudence”



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# Repertory Of International Arbitral Jurisprudence

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comparative and international law      Arbitration in Complex International Contracts Joachim Frick, 2001-10-24 The technical economic and social development of the last one hundred years has created a new type of long term contract which one may call Complex International Contract Typical examples include complex civil engineering and constructions contracts as well as joint venture shareholders project finance franchising cooperation and management agreements The dispute resolution mechanism which normally deals with such contracts is commercial arbitration which has been deeply affected in recent decades by attempts to improve its capabilities Most importantly there is the trend towards further denationalization of arbitration with respect to the applicable substantive law In this regard a new generation of conflict rules no longer imposes on the arbitrators a particular method to be applied for the purpose of determining the applicable rules of law Moreover arbitration more frequently took on the task of adapting Complex International Contracts to changed circumstances Also special rules have been developed for so called multi party arbitration and fast track arbitration facilitating efficient dispute resolution The author describes these trends both from a practical as well as a theoretical perspective evaluating not only the advantages but also the risks involved with the new developments in arbitration Relevant issues with respect to the drafting and renegotiation of such contracts are also discussed      International Law Reports: Volume 91 E. Lauterpacht, C. J. Greenwood, 1993      Documents Council of Europe: Parliamentary Assembly, 2005-01-06

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