

100 Supplements & counting...

Since 1984, the ICCA International Handbook on Commercial Arbitration has served as a resource on the national arbitration acts of important trading countries. More than three decades and 100 supplements later, the publication remains a key reference point for legal minds across the globe.

Milestones and first mentions

In September 2018, the ICCA Handbook published its 100th supplement. ICCA takes this moment to celebrate one of its flagship publications and to mark the Handbook's progress since its launch in 1984 with 6 National Reports. By its 100th Supplement, the Handbook had grown to include over 80 National Reports, filling 6 hard copy loose-leaf volumes, as well as a prominent position on www.KluwerArbitration.com and providing the material for the electronic Compare Jurisdictions Tool in the KluwerArbitration database.

Let's rewind to 1984: at the ICCA's Interim Meeting in Lausanne, Professor Pieter Sanders, the driving force behind the ICCA Yearbook, announced that ICCA had begun work on a new publication, the International Handbook on Commercial Arbitration. "This contains, in loose-leaf form, an updated version of National

legislation on arbitration – in English. "Translations of the legislation into English went through multiple revisions and initially, very few authors could provide English translations that were official. Added to this, the selected authors were often busy practitioners who had to make time to write the report ... I was notorious for catching up with Handbook authors in the dinner buffet line at conferences to remind them of their commitment!" Recalls Ms. Freedberg.

Initially Prof. Sanders acted as General Editor of all ICCA Publications, which by 1984 included the Yearbook, the Congress Series and the Handbook. He relied heavily on the assistance of Prof. van den Berg to compile the both the Yearbook and the Handbook. "Piet selected the authors and I would then take the arbitration law, reference the provisions to each item of the outline of the national report and the draft contribution, and then rearrange or rewrite the

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Reports, previously published in the Yearbooks, together with the texts of the arbitration law and all other legal provisions referred to in these Reports... This Handbook will constitute a unique collection of arbitration law, worldwide, together with the National Reports explaining arbitral law and practice in each country."

The Handbook explained

As the scope of the country reports expanded beyond what the Yearbook could easily accommodate, an independent publication was developed.

Former Managing Editor of ICCA Publications Judy Freedberg was part of the ICCA Publications team when the idea of the Handbook was first conceived. "The initial plan was to update National Reports that had appeared in the Yearbook ... ICCA Council members were approached as authors and only the most highly respected experts in each country were requested to write an authoritative report." The Handbook also provided the relevant national

Report. I once completely rewrote one of the reports and then sent it back to the contributor with a note saying: 'Thank you for your excellent draft contribution which will be appreciated highly by the worldwide readers of the Handbook. Please find enclosed your contribution with a few suggested edits.'" Prof. van den Berg took over as General Editor of ICCA Publications in 1986. However, he and Prof. Sanders continued to act as co-General Editors of the Handbook until 1999.

New leadership

In 2000, Prof. Jan Paulsson was appointed General Editor of the Handbook and enlisted the help of Constantine Partasides. In his preface to Supplement 30 of the Handbook (his first as General Editor) Prof. Paulsson reaffirmed the importance of taking stock of national attitudes towards arbitration: "It is the oldest issue in arbitration: the relationship between the courts and arbitrator. But it constantly evolves in international practice, and never loses its importance

or topicality. Everyone agrees that the judges should to some degree support and control the arbitral process. The fundamental challenge is therefore to draw a line between healthy intervention on the one hand and strangulation on the other. By elevating awareness of how this effort is pursued around the world the ICCA Handbook seeks to make available a record of worldwide responses to the universal issues of binding but consensual dispute resolution."

Rejuvenation

Prof. Paulsson served as General Editor until 2016, from 2014 sharing editorship with ICCA Executive Director Lise Bosman, who led an updating and expansion exercise in cooperation with the Permanent Court of Arbitration. "We now seek Handbook authors who are based in-country, have a solid local and international reputation, and can deliver an insider's view of what it is to arbitrate in their jurisdiction," says Ms. Bosman.

Ms. Bosman, who formally assumed the reins as General Editor of the ICCA Handbook in 2018, also had

her introduction to the Handbook in the early 2000s.

"Albert Jan 'persuaded' me to work on the Handbook in my 'spare' time when I was part of the arbitration team at Freshfields. I was happy to do this, as I have always liked the Handbook's thorough analysis and practical application. Its combination of hands-on experience relayed by in-country specialists and the breadth of its coverage make it an ideal first research resource for practitioners asking 'what is the law and practice at the seat of my new case?'"

A consistent effort

The ICCA Handbook is known as a valuable resource for researchers and practitioners alike. But it is more than a reference point for counsel or an associate or an encyclopedia of national arbitral laws and practices. In the words of Prof. Paulsson, it is a consistent effort to "harmonise norms that govern the consensual resolution of international commercial disputes." ■



The ICCA Handbook is published by ICCA in cooperation with the Permanent Court of Arbitration and is available through online arbitration database www.KluwerArbitration.com. Access Handbook National Reports directly through www.KluwerArbitration.com or search section-by-section using the Handbook Compare Jurisdictions Tool on the home page of the database.

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