

Recent Events



The New York Convention of 1958

In 2012, ICCA launched a series of workshops for judges on the 1958 United Nations Convention on the Recognition and Enforcement of Foreign Arbitral Awards (the “New York Convention”). Known as the “New York Convention Roadshow”, this initiative recognizes the dependence of international arbitration practice on the critical role of national court judges in applying the New York Convention. With 166 contracting States and more than 2,500 national court decisions reported in ICCA’s Yearbook Commercial Arbitration, the Convention is rightly regarded as the legal cornerstone of international commercial arbitration. It is also acclaimed as the most successful international convention in the field of international private law.

Judicial Workshops

During ICCA’s judicial workshops, experts from the ICCA Judiciary Committee examine the Convention’s objectives, suggesting methods of interpreting and applying its text in accordance with best international practice. Experts provide an article-by-article review of the Convention, explaining its doctrine and application, and identifying issues raised by applications based on the Convention. Such applications may concern either the recognition and enforcement of a foreign arbitral award, or the referral to arbitration of a matter filed before a court. A related Practitioner’s Workshop may also be organised by ICCA at the same venue.

Topics covered follow the structure of the Convention itself, including:

- Introduction and Interpretation
- Article I – Field of Application: Arbitral Award
- Article II(1)-(2) – Arbitration Agreement (including the writing requirement)
- Article II(3) – Referral by Court to Arbitration
- Article III – Procedure for Enforcement
- Article IV – Conditions to be Fulfilled by the Petitioner
- Article V – Grounds for Refusal of Enforcement in General
- Article V(1) – Grounds for Refusal of Enforcement to be Proven by the Respondent
- Article V(2) – Public Policy as Ground for Refusal of Enforcement
- Article VI – Adjournment of Enforcement Decision
- Article VII(1) – More-Favorable-Right Provision and Compatibility Provision

Participating judges are provided with a detailed list of recommended case law, texts and commentary, all of which will be made accessible from www.newyorkconvention.org. Workshops also make use of ICCA’s “Guide to the Interpretation of the 1958 New York Convention” (now available in Arabic, Armenian, Burmese, Chinese, Croatian, English, Farsi, French, Georgian, Greek, Hebrew, Indonesian, Italian, Korean, Polish, Portuguese, Romanian, Russian, Serbian, Spanish, Thai, Turkish and Vietnamese), complimentary hard copies of which are provided to participating judges.

Dialogue with Judges

Throughout the workshop sessions, there is ample room for discussion among experts and judges, identifying specific issues encountered while dealing with a request on the basis of the New York Convention. Through exchanging views and experiences with judges from the region who are familiar with the Convention, workshops aim to provide participants with guidance as to how to deal with those issues in the future. Workshops take place either in person or online.

Each event is adapted to take account of the jurisprudence and practice of the hosting region or jurisdiction, as well as specific issues faced by judges in applying the Convention in the participating jurisdictions.

Further Information

The International Council for Commercial Arbitration (ICCA) is an NGO dedicated to promoting greater knowledge and understanding of international arbitration globally. Its activities include convening international arbitration congresses and conferences, sponsoring authoritative dispute resolution publications (including the ICCA Yearbook Commercial Arbitration, the ICCA International Handbook on Commercial Arbitration, and the ICCA Congress Series), and promoting the harmonization of arbitration and conciliation rules, laws, procedures and standards.

ICCA was established in 1961 and has official status as a nongovernmental organization accredited by the United Nations. In that capacity, ICCA has participated actively in the preparation of the Arbitration Rules of the United Nations Commission on International Trade Law, the UNCITRAL Conciliation Rules, and the UNCITRAL Model Law on International Commercial Arbitration.

An ICCA Congress or Conference is held every second year for the presentation and discussion of papers on different aspects of international dispute resolution. The next ICCA Congresses will be held in Edinburgh in 2020 and in Hong Kong in 2022.

ICCA's Judiciary Committee is Co-chaired by Albert Jan van den Berg and Meg Kinnear. Its members include Mohamed Abdel Raouf (Middle East Judicial Liaison), Dominique Hascher (EU Judicial Liaison), Silvia Borelli, Lise Bosman, Ellen Gracie-Northfleet, Michael Hwang, Andrés Jana, Carolyn Lamm, Sundaresh Menon, Marike Paulsson and Zia Mody.

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