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Nota di contenuto

Preliminary Material -- Introduction / Chiara Giorgetti -- 1 The Challenge and Recusal of Judges at the International Court of Justice / Chiara Giorgetti -- 2 Disqualification of Arbitrators under the ICSID Convention and Rules / Meg Kinnear and Frauke Nitschke -- 3 The Determination of Arbitrator Challenges by the Secretary-General of the Permanent Court of Arbitration / Sarah Grimmer -- 4 Arbitrator Challenges at the Iran-United States Claims Tribunal / Lee M. Caplan -- 5 Challenges of Arbitrators, Lessons from the ICC / Loretta Malintoppi and Andrea Carlevaris -- 6 Selection and Recusal in the WTO Dispute Settlement System / Gregory J. Spak and Ron Kendler -- 7 Challenges of Judges in International Criminal Courts and Tribunals / Makane Moïse Mbengue -- 8 Issue Conflicts and the Reasonable Expectation of an Open Mind: The Challenge Decision in Devas volume India and Its Impact / Romain Zamour -- 9 Late-in-the-Day Arbitrator Challenges and Resignations: Anecdotes and Antidotes / Judith Levine -- 10 Repeat Arbitrator Appointments in International Investment Disputes / Luke A. Sobota -- 11 Tall and Small Tales of a Challenged Arbitrator / Charles N. Brower, Sarah Melikian and Michael P. Daly -- 12 The Approach of Counsel to Challenges in International Disputes / Andrew B. Loewenstein -- 13 Challenges to Party Representatives and Counsel Before International Courts and Tribunals / Hansel T. Pham and M. Imad Khan -- 14 Challenges to Arbitrators in Asia: The Position Before the Singapore and Hong Kong Courts / Lucy Reed, John Choong and Yong Wei Chan -- 15 Arbitrators Challenges in Latin America / Jonathan Hamilton, Francisco X. Jijon and Ernesto E. Corzo -- Index.

Sommario/riassunto

Challenges and Recusals of Judges and Arbitrators in International Courts and Tribunals examines one of the fundamental control mechanisms of international dispute resolution. In doing so, the book assesses procedures, standards and outcomes of challenges and recusals in some of the main international courts and tribunals, including the ICJ, ICSID, the PCA, the WTO, the Iran-US Claims Tribunal, the ICC and international criminal courts. The book analyzes specific grounds for challenges and how they are applied, while also presenting personal perspectives on challenges and recusals from the point of view of arbitrators and counsel. The book also examines regional differences in challenges and recusals. This unique approach allows a comparative view on both procedural and substantive issues, and also provides a clear and in-depth study of specific forums.