



# **International Commercial Arbitration and the Arbitrator's Contract (Routledge Research in International Commercial Law)**

*Emilia Onyema*

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# International Commercial Arbitration and the Arbitrator's Contract (Routledge Research in International Commercial Law)

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## **International Commercial Arbitration and the Arbitrator's Contract (Routledge Research in International Commercial Law) Emilia Onyema**

This book examines the formation, nature and effect of the arbitrators' contract, addressing topics such as the appointment, challenge, removal and duties and rights of arbitrators, disputing parties and arbitration institutions. The arguments made in the book are based on a semi-autonomous theory of the juridical nature of international arbitration and a contractual theory of the legal nature of these relationships. From these premises, the book analyses the formation of the arbitrator's contract in both ad hoc and institutional references. It also examines the institution's contract with the disputing parties and its effect on the arbitrator's contract under institutional references. The book draws from national arbitration laws and institutional rules in various jurisdictions to give a global view of the issues examined in it. The arbitrator's contract is analysed from a global perspective of arbitral law and practice with insights from various jurisdictions in Africa, Asia, Europe, North and South America.

The primary focus of the book is an analysis of the formation of the arbitrator's contract and the terms of this contract and the institution's contract. The primary question of the consequences (if any) of the breaches of the terms of these contracts and its impact on the exclusion or limitation of liability of arbitrators and institutions is also analysed with the conclusion that since these transactions are contractual and the terms can be categorised as in any normal contract, then normal contractual remedies can be applied to the breaches of these terms.

*International Commercial Arbitration and the Arbitrator's Contract* will be of great value to arbitration practitioners and researchers in arbitration. It will also be very useful to students of arbitration on the topics of arbitrators and arbitration institution.

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