

How To Draft an International Arbitration Clause

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The article addresses what parties should know about and consider in agreeing upon arbitration as a potential method of dispute resolution. It discusses the International Arbitral Association, the scope of the arbitration clause, venue, language, choice of law, pre-arbitration dispute resolution, choosing the arbitrators, procedural rules, preliminary relief, dispositive motions, discovery, sanctions and enforcement of international arbitral awards. The article concludes that a well thought out and well drafted arbitration clause can add a great deal of control and predictability to the resolution of the dispute and enhance ability to achieve the benefits of arbitration.