



New Frontiers in Asia-Pacific International Arbitration and Dispute Resolution

Edited by Luke Nottage, Shahla Ali, Bruno Jetin & Nobumichi Teramura

Overview

The eastward shift in international dispute resolution has already involved initiatives not only to improve support for international commercial arbitration (ICA) and investor-state dispute settlement (ISDS) but also to develop alternatives such as international commercial courts and mediation. Focusing on these initiatives and their accompanying case law and trends in the Asia-Pacific region, this invaluable book challenges existing procedures and frameworks for cross-border dispute resolution in both commercial and treaty arbitration.

Specially assembled for this project, an outstanding team of experienced and insightful arbitrators and scholars describes pertinent developments including:

- ICA and ISDS in the context of China's Belt and Road Initiative;
- the Singapore Convention on Mediation;
- the shift to virtual hearings and other challenges from the COVID-19 pandemic;
- mistrust of the application of the rule of law in certain East Asian jurisdictions;
- growing public concern over ISDS arbitration;
- tensions between confidentiality and transparency; and
- potential regional harmonisation of the public policy exception to arbitral enforcement.

The contributors chart evolving practices and high-profile cases to make informed observations about where changes are needed, as well as educated guesses about the chances of reforms being successful and the consequences if they are not. The main jurisdictions covered are China, Hong Kong, Japan, Malaysia, India, Australia and Singapore.

The first in-depth study of recent trends in dispute resolution practice related to business in the Asia-Pacific region, the book's practical analysis of new resources for dealing with the increasing competition among countries to become credible regional dispute resolution hubs will prove to be of great value to specialists in the international business law sector. Lawyers will be enabled to make informed decisions on which venue and dispute resolution methods are the most suitable for any specific dispute in the region, and policymakers will confidently assess emerging trends in international dispute resolution policy development and treaty-making.

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