

**Commentary on the UNCITRAL
Arbitration Rules 2010:
A Practitioner's Guide**

SOPHIE NAPPERT

JURIS

Questions About This Publication

For assistance with shipments, billing or other customer service matters, please call our Customer Services Department at:

1-631-350-2100

To obtain a copy of this book, call our Sales Department:

1-631-351-5430
Fax: 1-631-351-5712

Toll Free Order Line:

1-800-887-4064 (United States & Canada)

See our webpage about this book:
www.arbitrationlaw.com

COPYRIGHT © 2012
by JurisNet, LLC

All rights reserved. No part of this publication may be reproduced in any form or by any electronic or mechanical means including information storage and retrieval systems without permission in writing from the publisher.

Printed in the United States of America
ISBN: 978-1-933833-85-9

JurisNet, LLC
71 New Street
Huntington, New York 11743
USA
www.arbitrationlaw.com

TABLE OF CONTENTS

Acknowledgements.....	v
About the Author	vii
Introduction.....	1
General Principles Guiding the Working Group	1
Section I – Introductory Rules.....	3
Article 1—Scope of the Application.....	5
Article 2—Notice and Calculation of Periods of Time.....	11
Article 3—Notice of Arbitration.....	15
Article 4—Response to the Notice of Arbitration	21
Article 5—Representation and Assistance.....	25
Article 6—Designating and Appointing Authorities	27
Section II – Composition of the Arbitral Tribunal	33
Article 7—Number of Arbitrators	35
Articles 8 through 10—Appointment of Arbitrators.....	39
Article 8—Appointment of a Sole Arbitrator:	
List Procedure	39
Article 9—Appointment of Three Arbitrators	43
Article 10—Multi-Party Cases	45
Articles 11 through 13—Disclosure by and	
Challenge of Arbitrators	47
Article 11—Disclosure	47
Articles 12 and 13—Challenges	51
Article 14—Replacement of an Arbitrator	57
Article 15—Repetition of Hearings in the Event of the	
Replacement of an Arbitrator	61
Article 16—Liability.....	63
Section III – Arbitral Proceedings.....	65
Article 17—General Provisions.....	67
Article 18—Place of Arbitration.....	73
Article 19—Language.....	75
Article 20—Statement of Claim	77
Article 21—Statement of Defence.....	81
Article 22—Amendments to the Claim or Defence.....	85

Article 23—Pleas as to the Jurisdiction of the Arbitral Tribunal	87
Article 24—Further Written Statements	91
Article 25—Periods of Time	93
Article 26—Interim Measures	95
Article 27—Evidence	103
Article 28—Hearings	109
Article 29—Experts Appointed by the Arbitral Tribunal	113
Article 30—Default	119
Article 31—Closure of Hearings	123
Article 32—Waiver of Right to Object	125
Section IV – The Award	127
Article 33—Decisions	129
Article 34—Form and Effect of the Award	133
Article 35—Applicable Law, <i>Amiable Compositeur</i>	141
Article 36—Settlement or Other Grounds for Termination	145
Article 37—Interpretation of the Award	147
Article 38—Correction of the Award	149
Article 39—Additional Award	151
Article 40—Definition of Costs	153
Article 41—Fees and Expenses of Arbitrators	157
Article 42—Allocation of Costs	165
Article 43—Deposit of Costs	167
Appendix	169
UNCITRAL Rules 2010	169
UNCITRAL Model Law on International Commercial Arbitration	193