



This Newsletter offers a valuable insight on the arbitration news for the months of July and August 2014.

Legal News

Breach of the arbitration clause: lessons from the West Tankers saga

On 4 March 2014, the Court of Appeal of Douai restated the traditional position of French International Arbitration Law as regards the negative effect of the kompetenz-kompetenz principle, set out in Article 1448 of the French Code of Civil Procedure, and pursuant to which French courts are to decline jurisdiction in presence of an arbitration [...]

[The article is available here](#)

UK High Court: Award remitted to an arbitral tribunal for serious irregularity which has caused or will cause substantial injustice

Brockton Capital LLP v Atlantic-Pacific Capital Inc, Inc, 7 may 2014 [2014] EWHC 1459 On 7 May 2014, in Brockton Capital v Atlantic-Pacific Capital, the High Court of Justice of England and Wales has ruled that an arbitral tribunal, by dealing with an issue of which one of the parties had had no notice and [...]

[The article is available here](#)

The new LCIA Rules adopted

The new arbitration rules of the London Court of International Arbitration (LCIA) have been adopted. As we had reported, they notably contain guidelines on counsel conduct in arbitration. It will enter into force on 1 October 2014.

[The article is available here](#)

Events

Report of the round-table “Wake up (with) Arbitration!” of 1 July 2014: “Do counsel and arbitrators speak the same language?”

As we had announced, Caroline Duclercq has hosted, along with Valence Borgia and Maria Beatriz Burghetto, a roundtable “Wake up (with) Arbitration!” on 1 July 2014, on the topic “Do counsel and arbitrators speak the same language?”. The report is now available here. The next roundtable will be held on 30 September 2014, on the topic “Is it possible [...]”

[The article is available here](#)

Caroline Duclercq added to the CMAP arbitrator list

At its session of 2 July 2014, the Arbitration Commission of the Centre de Médiation et d'Arbitrage de Paris (CMAP) added Caroline Duclercq to its list of arbitrators.

[The article is available here](#)

“Wake up (with) Arbitration!” roundtable – 30 September 2014: “Is it possible to reduce costs without sacrificing the quality of the arbitration?”

Caroline Duclercq will host at ALTANA Law Firm, on 30 September, along with Valence Borgia and Maria Beatriz Burghetto, a new “Wake up (with) Arbitration!” roundtable on the topic “Is it possible to reduce costs without sacrificing the quality of the arbitration?”. On this occasion, Marie Danis & Jalal El Ahdab will debate the issue, answering either by [...]

[The article is available here](#)

Publications

Publication of an article: the obtention of proof in France and abroad

Christophe Lapp, Pauline Dubarry and François de Bérard have published an article on the obtention of proof in France and abroad.

[The article is available here](#)

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