

The Bulletin in Brief

This last issue of the Bulletin for 2013 contains five articles, including three on arbitration rules, as well as ten court decisions.

First, *Ingeborg Schwenzer* and *David Tebel* analyse **arbitration, choice of forum and choice of law clauses under the CISG** and in particular recent suggestions that the freedom of form principle under Art. 11 CISG extends to such clauses.

Luca Beffa then examines the issue of **enforcement of “Default Awards”** and provides practical advice for Claimant seeking to enforce such awards.

The following three articles analyse various rules. *Julia Salasky* and *Corinne Montineri* present the **UNCITRAL Rules on Transparency in Treaty-Based Investor-State Arbitration**, which will, once in force on 1 April 2014, will be the most comprehensive set of procedural rules in existence governing transparency in treaty-based investor-State disputes. *Franz T. Schwarz* and *Christian W. Konrad* introduce the revised **Vienna Rules** (as well as a preview of the new **Austrian arbitration law 2014**) and *Olivier Caprasse* and *Charles Price*, the new **CEPANI 2013 Arbitration Rules**.

A summary of ten court decisions (including nine from the Federal Supreme Court) published in this issue is set out in the Introduction to the **Case Law** Section (p. 818), including the following decisions:

- Two Supreme Court decisions dealing with requests for **revision of the arbitral award**, both rejected;
- Four Supreme Court decisions, including two on the application to set aside CAS/TAS awards, reviewing alleged **violations of due process and/or of a party’s right to be heard** (alleged surprise application of law, breach of procedural rules pertaining to joinder of proceedings, lack of reasoned award, rejection of witness evidence);
- A decision of the Paris Court of Appeal, with an article from *Carine Dupeyron* and *Flore Poloni*, “Procédure de **liquidation d’une partie, arbitrage** et droit d’accès à la justice : vers une réconciliation ?”.

Also included in this issue are news about ASA, in particular the Minutes of the General Meeting of 4 October 2013, including a report on the

elections of the new ASA President (Elliott Geisinger) and the new ASA Board, as of 1 January 2014.

As always, if you have critical remarks or suggestions as to how the Bulletin could be further improved, or wish to provide materials for possible publication, please do not hesitate to contact us.

For the Editorial Board

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