

International Commercial Arbitration in Spain

By *Miguel Gomez Jene*

International
Commercial
Arbitration
in Spain

Miguel Gómez Jene

Wolters Kluwer

Overview

Although this book will be of inestimable value to comparative law and arbitration specialists, it provides especially useful guidance for practitioners confronting specific questions during an arbitration with a seat in Spain or an award to be enforced in Spain. The author, a prominent Spanish lawyer and legal scholar, describes in detail all the relevant areas of international commercial arbitration under Spanish and applicable European and international law, with a rigorous analysis of the international, comparative, and internal jurisprudence embedded in Spanish regulation of international commercial arbitration.

Twelve expository chapters explicitly follow the scheme of the Spanish Arbitration Act, and two introductory chapters cover the international and European instruments of international commercial arbitration as applied in Spain. The author covers such key principles and customary practices as the following:

- criteria to determine internationality;
- formal validity and effects of arbitration agreements;
- communications, service and computation of time limits;
- arbitrability;
- appointment, selection and removal of arbitrators;
- cases in which an arbitrator may be held liable;
- when an arbitrator may grant interim measures;
- pleading and evidence of foreign law;
- effect of insolvency;
- limitation of judicial intervention and court jurisdiction;
- judicial proceeding to set aside an arbitral award; and
- recognition and enforcement of arbitral awards.

An up-to-date, indispensable tool for all professionals working in the world of international arbitration, this one-of-a-kind book will be welcomed by arbitrators, lawyers practising as counsel or arbitrators, global law firms, companies doing transnational business, arbitration academics and international arbitration centres.

For more information, visit kluwerlaw.com/store

Phone: +31 (0) 172 641562 • Email: international-sales@wolterskluwer.com

International Commercial Arbitration in Spain

By *Miguel Gomez Jene*

Table of Contents

Preface

List of Abbreviations

Acknowledgements

CHAPTER 1

The Importance of Arbitration in International Trade: The Spanish Perspective

CHAPTER 2

General Theory of International Commercial Arbitration: *Territorial and Transnational* Conceptions

CHAPTER 3

The Sources of International Commercial Arbitration

CHAPTER 4

The International Character of Arbitration

CHAPTER 5

The Arbitrability of Matters in International Arbitration

CHAPTER 6

Communications, Service and Computation of Time Limits

CHAPTER 7

Limitation of Judicial Intervention and Court Jurisdiction for Intervention in Providing Support and Control over Arbitration

CHAPTER 8

The Arbitration Agreement

CHAPTER 9

The Arbitrators

CHAPTER 10

Arbitration Procedure

CHAPTER 11

The Arbitral Award

CHAPTER 12

Judicial Review in International Commercial Arbitration

Annex: Act 60/2003 of 23 December on Arbitration

Bibliography

Index

ISBN: 9789041187833 • **Released:** October 2019

Price: € 195 - \$ 230 - £ 172 • **Format:** Hardcover, 408pp

Available in our **eStore** and **Digital Book Platform**