

BOOK SHELF - June 2021

Asia Arbitration Guide (7th edition)

2 min read

by Patrick Dahm

Respondek & Fan have once again issued their *Asia Arbitration Guide*, by now a tradition since 2007. The seventh edition, too, has been expanded and revised, for the development of arbitration law – especially in Asia – does not stop. The latest edition is up to date as of February 2021. Thus, the Guide remains probably the most up-to-date reference work on the subject currently available.

As emphasised by Neil Kaplan in his preface, the *Asia Arbitration Guide* is not a guidebook for arbitration worldwide. Asia refers to the countries of North, East and Southeast Asia (perhaps Central and Western Asia will be subject to later editions). These include economic or arbitral powerhouses such as the People's Republic of China, Hong Kong, India, Japan, Singapore, or South Korea. The legal systems of smaller arbitration countries such as Brunei, Cambodia, Mongolia, or Nepal are covered as well. After Macao's addition to the previous edition, Sri Lanka gets a chapter in the latest one. All in all, the work now comprises 22 country reports. Moreover, there is a chapter on the Chinese-European Arbitration Center in Hamburg, Germany; a geographical outlier if you will, but a thematically relevant one.

Each report was written by established arbitration experts. The chapters follow a standardised structure of 22 questions such as "does a valid arbitration clause bar access to state courts?", "do arbitrators have powers to grant interim or conservatory relief?", or "what are the formal requirements for an arbitral award?" This setup makes it easy to find and compare the situations in different countries.

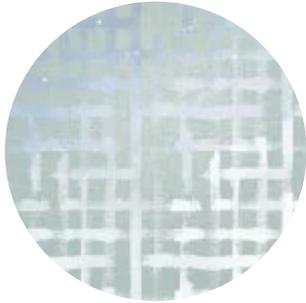
The value of this work is twofold: Firstly, it provides answers to important questions, which frequently come up before or during arbitration proceedings. In doing so, it should strike the right balance between due brevity and necessary detail. This overview function may be all an arbitrator needs for preparing the award, *having to ensure that the award is enforceable in the relevant jurisdictions*. As far as a question requires more attention – probably more relevant to arbitration counsel – the work provides the basics, but also information on where to continue. If, in this respect, some chapters contain more detailed information than others, this may be due to the state of the law of arbitration in the respective countries.

The conclusion remains unchanged: as with every previous edition, the seventh edition of the *Asia Arbitration Guide* is a useful addition to the handset of every arbitration practitioner with business in Asia.

Asia Arbitration Guide, 7th (extended and revised edition), 2021

ISBN: 978-981-18-0684-1

Available [here](#)



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