



Judiciary And Arbitration In Bahrain Judiciary And Arbitration In Bahrain

Essam Al Tamimi



Judiciary And Arbitration In Bahrain Judiciary And Arbitration In Bahrain:

Judiciary and Arbitration in Bahrain Hassan Ali Radhi, 2021-10-18 Although Bahrain has had an established system of law courts since 1771 it was only in the course of the twentieth century that it gradually developed a fully fledged legal system compatible with international norms Today like the other Gulf states its sophisticated judiciary represents a blend of Islamic Shari a British common law and modern reforms drawn principally from Egypt s civil law influenced tradition In recent decades arbitration has also taken its place as an important adjunct to the judiciary , **Practitioner's Guide to Arbitration in the Middle East and North Africa** Essam Al Tamimi, 2009-09-01 The Practitioner s Guide to Arbitration in the Middle East and North Africa is the culmination of the real experience and expertise from those experts and authorities directly involved with arbitration in their respective countries The book is the first of its kind to target the Mena region specifically and is essential for anyone working in the area of arbitration both in the Middle East and world wide The practice of arbitration of private disputes is not new to MENA countries Arbitration has long been recognized as a legitimate and culturally accepted practice of dispute resolution dating back to dispute resolution practices of the early Islamic period and even the pre Islamic era International commercial arbitration and its cultural and juridical acceptance is a more recent and complex phenomenon nonetheless on the rise in MENA countries It is now standard for arbitration clauses to be included in contracts governing international transactions and there is a growing consensus among MENA merchants engaged in international trade along with their commercial counterparts in the rest of the world that international arbitration is preferable to litigation in domestic courts for purposes of resolving private commercial disputes While subject to some qualifications and restrictions in some instances in many if not most MENA countries arbitration clauses can be included in contracts with government entities engaging in commercial transactions Additionally conferences seminars and training programs in international arbitration are on the rise and various international arbitration centres have been established The advantages from the perspective of private parties are tremendous Parties can elect which law will apply to disputes arising from their transactions and they can remove themselves from the constraints and biases of parochial attitudes in national courts There is also an increasing acceptance by national courts of international arbitration standards such as the principle of Kompetenz Kompetenz recognising the right of arbitrators to decide their own jurisdiction and the separability of the arbitration clause More frequently courts are granting assistance and support to international arbitrations and are more receptive to enforcing foreign awards This book is a comprehensive guide to arbitration in Algeria Bahrain Egypt Iran Jordan Kuwait Lebanon Libya Morocco Oman Palestine Qatar Saudi Arabia Sudan Syria Tunisia UAE and Yemen Written in question answer format by leading practitioners and firms from the region it elicits the most salient features of the legal framework for arbitration and international arbitration in each of the respective countries **Islam and Capitalism in the Making of Modern Bahrain** Rajeswary Ampalavanar Brown, 2023 This book examines the liberation of the economy in Bahrain through

market led capitalism backed by Islamic charities The vast economic transformation has fractured parts of society in Bahrain using foreign labour and the development of skilled professionals in the private sector which has impeded the investment in the local population

Arbitration and International Trade in the Arab Countries Nathalie Najjar, 2017-10-23 Arbitration and International Trade in the Arab Countries by Nathalie Najjar is masterful compendium of arbitration law in the Arab countries A true study of comparative law in the purest sense of the term the work puts into perspective the solutions retained in the various laws concerned and highlights both their convergences and divergences Focusing on the laws of sixteen States the author examines international trade arbitration in the MENA region and assesses the value of these solutions in a way that seeks to guide a practice which remains extraordinarily heterogeneous The book provides an analysis of a large number of legal sources court decisions as well as a presentation of the attitude of the courts towards arbitration in the States studied Traditional and modern sources of international arbitration are examined through the prism of the two requirements of international trade freedom and safety the same prism through which the whole law of arbitration is studied The book thus constitutes an indispensable guide to any arbitration specialist called to work with the Arab countries both as a practitioner and as a theoretician

Arbitration with the Arab Countries Abdel Hamid El-Ahdab, Jalal

El-Ahdab, 2011-07-25 This book is intended to provide lawyers and businesses with an overview of the legal systems and processes in relation to arbitration in all the Arab jurisdictions in the Middle East and North Africa Algeria Bahrain Egypt Iraq Jordan Kuwait Lebanon Libya Morocco Oman Qatar Saudi Arabia Sudan Syria Tunisia United Arab Emirates Yemen In addition there will be a chapter on Muslim arbitration law Shari a the Amman Arab Convention on Commercial Arbitration 1987 and the Riyadh Arab Convention on Judicial Cooperation 1983 The new edition will be completely revised updated and expanded providing commentary an overview of case law and translations of the relevant statutes Each chapter will follow the same outline to ensure that they are as consistent and comparative as possible and will cover but not be limited to issues such as the legal and judicial system the agreement to arbitrate the arbitrators the proceedings arbitral awards the enforcement of the award and the means of recourse

ICDR Awards and Commentaries Grant Hanessian, 2012-09-01

This is the first of a regular compilation of arbitration awards in cases administered by the International Centre for Dispute Resolution ICDR of the American Arbitration Association The book features articles and commentaries by many leading figures in international arbitration and summaries of important court decisions concerning ICDR arbitration cases in the United States and enforcement of ICDR awards outside the United States Featuring over a dozen ICDR awards with commentaries the ICDR Awards Commentaries also includes articles and casenotes from a prestigious group of authors

Judge Shigeru Oda and the Path to Judicial Wisdom Shigeru Oda, 2006 The present volume is the fourth in a series The Judges which collects and synthesizes the opinions of leading international judges of the contemporary era who have contributed significantly to the progressive development of international law The series was launched with the Judicial

Opinions of Shigeru Oda former Judge and Vice President of the International Court of Justice This collection of Opinions covers the period from the year 1993 until his retirement in 2003 All of the individual Opinions filed by Judge Oda in this period Separate Opinions Declarations and Dissenting Opinions are included and they are published in full without editorial cuts The study includes a resume and analysis of Judge Oda s Judicial Opinions through the cases and attempts some identification and synthesis of the main elements in his approach to decision making and opinion writing as well as the main strands in his judicial philosophy as demonstrated in the actual case law The Oxford Handbook of Law and Anthropology Marie-Claire Foblets,Mark Goodale,Maria Sapignoli,Olaf Zenker,2022-04-01 The Oxford Handbook of Law and Anthropology is a ground breaking collection of essays that provides an original and internationally framed conception of the historical theoretical and ethnographic interconnections of law and anthropology Each of the chapters in the Handbook provides a survey of the current state of scholarly debate and an argument about the future direction of research in this dynamic and interdisciplinary field The structure of the Handbook is animated by an overarching collective narrative about how law and anthropology have and should relate to each other as intersecting domains of inquiry that address such fundamental questions as dispute resolution normative ordering social organization and legal political and social identity The need for such a comprehensive project has become even more pressing as lawyers and anthropologists work together in an ever increasing number of areas including immigration and asylum processes international justice forums cultural heritage certification and monitoring and the writing of new national constitutions among many others The Handbook takes critical stock of these various points of intersection in order to identify and conceptualize the most promising areas of innovation and sociolegal relevance as well as to acknowledge the points of tension open questions and areas for future development The Gulf Cooperation Council John A. Sandwick,2019-06-26 The Gulf Cooperation Council represents both a model of development and unity in the Arab world and a working example of interstate cooperation to other nations In this volume contributors describe the rationale for Gulf unity and cooperation and analyze the financial economic and legal institutions of the GCC member states Saudi Arabia Kuwait the United Arab Emirates Oman Bahrain and Qatar They focus on the GCC s role in maintaining stability in the Arabian peninsula an area that is clearly vital to U S interests Contributors pinpoint the essential elements of GCC unity including its efforts to obtain optimum economic self sufficiency to maximize market share and revenue from oil production and to establish an integrated legal framework The GCC s unique security needs given the member states vast combined area and thinly spread populations are also discussed An overview of the strategic interests and policies of both superpowers toward the region reveals a history of decline in their influence and prestige that is a result it is argued of misperceptions and misguided policies Finally documentation and bibliographic sections enhance the book s usefulness as a handbook on the GCC and the Arabian Gulf states **Maritime Delimitation as a Judicial Process** Massimo Lando,2019-06-06 The first study of the three stage approach to maritime delimitation collating methods from

judicial decisions treaties and scholarship International Judicial Control of Environmental Protection Yasuhiro Shigeta, 2010-01-01 It is widely understood today that nothing is more urgently needed than international agreement on the scale application and enforcement of environmental law This outstanding book a major contribution to the debate demonstrates that existing international judicial bodies have already taken giant steps toward overcoming the insufficiency of international law enforcement with standards compliance mechanisms and new law development in the field of environmental law The author not only presents a detailed analysis of a wealth of relevant case law but also outlines a model suggesting that a commitment to international judicial control can be used to contain deviance within acceptable limits ensure harmonized interaction among regimes and clarify the meaning and application of environmental norms **Bahrain Business and Investment Opportunities Yearbook Volume 1 Strategic, Practical Information and Opportunities** IBP, Inc., 2016-04-18 Bahrain Business and Investment Opportunities Yearbook Volume 1 Strategic Practical Information and Opportunities **Changing God's Law** Nadjma Yassari, 2016-06-03 This volume identifies and elaborates on the significance and functions of the various actors involved in the development of family law in the Middle East Besides the importance of family law regulations for each individual family law has become the battleground of political and social contestation Divided into four parts the collection presents a general overview and analysis of the development of family law in the region and provides insights into the broader context of family law reform before offering examples of legal development realised by codification drawn from a selection of Gulf states Iran and Egypt It then goes on to present a thorough analysis of the role of the judiciary in the process of lawmaking before discussing ways the parties themselves may have shaped and do shape the law Including contributions from leading authors of Middle Eastern law this timely volume brings together many isolated aspects of legal development and offers a comprehensive picture on this topical subject It will be of interest to scholars and academics of family law and religion *International Legal Argument in the Permanent Court of International Justice* Ole Spiermann, 2005-01-06 The International Court of Justice at The Hague is the principal judicial organ of the UN and the successor of the Permanent Court of International Justice 1923 1946 which was the first real permanent court of justice at the international level This 2005 book analyses the groundbreaking contribution of the Permanent Court to international law both in terms of judicial technique and the development of legal principle The book draws on archival material left by judges and other persons involved in the work of the Permanent Court giving fascinating insights into many of its most important decisions and the individuals who made them Huber Anzilotti Moore Hammerskjöld and others At the same time it examines international legal argument in the Permanent Court basing its approach on a developed model of international legal argument that stresses the intimate relationships between international and national lawyers and between international and national law **UGC NET Law Unit-3 PUBLIC INTERNATIONAL LAW AND IHL book theory + 400 Question Answer as per Syllabus** DIWAKAR EDUCATION HUB, 2022-08-18 theory MCQ of UGC NET

Markets Jonathan Ercanbrack, 2015 This contextual analysis of Islamic financial law challenges our understanding of both Islamic law and global financial markets

International Commercial Arbitration Gary B. Born, 2020-11-23 International Commercial Arbitration is an authoritative 4 250 page treatise in three volumes providing the most comprehensive commentary and analysis on all aspects of the international commercial arbitration process that is available The Third Edition of International Commercial Arbitration has been comprehensively revised expanded and updated To include all legislative judicial and arbitral authorities and other materials in the field of international arbitration prior to June 2020 It also includes expanded treatment of annulment recognition of awards counsel ethics arbitrator independence and impartiality and applicable law The revised 4 250 page text contains references to more than 20 000 cases awards and other authorities and will enhance the treatise's position as the world's leading work on international arbitration The first and second editions of International Commercial Arbitration have been routinely relied on by courts and arbitral tribunals around the world including the highest courts of the United States United Kingdom Singapore India Hong Kong New Zealand Australia the Netherlands and Canada and international arbitral tribunals including ICC SIAC LCIA AAA ICSID SCC and PCA e g U S Supreme Court GE Energy Power Conversion France SAS Corp v Outokumpu Stainless USA LLC 590 U S U S S Ct 2020 BG Group plc v Republic of Argentina 572 U S 25 U S S Ct 2014 Canadian Supreme Court Uber v Heller 2020 SCC 16 Canadian S Ct Yugraneft Corp v Rexx Mgt Corp 2010 1 R C S 649 661 Canadian S Ct U K Supreme Court Jivraj v Hashwani 2011 UKSC 40 78 U K S Ct Dallah Real Estate Swiss Federal Tribunal Judgment of 25 September 2014 DFT 5A_165 2014 Swiss Fed Trib Indian Supreme Court Bharat Aluminium v Kaiser Aluminium C A No 7019 2005 138 39 142 148 49 Indian S Ct 2012 Singapore Court of Appeal Rakna Arakshaka Lanka Ltd v Avant Garde Maritime Servs Ltd 2019 2 SLR 131 Singapore Ct App PT Perusahaan Gas Negara Persero TBK v CRW Joint Operation 2015 SGCA 30 Singapore Ct App Larsen Oil Australian Federal Court Hancock Prospecting Pty Ltd v Rinehart 2017 FCAFC 170 Australian Fed Ct Hague Court of Appeal Judgment of 18 February 2020 Case No 200 197 079 01 Hague Gerechtshof Arbitral Tribunals Lao Holdings NV v Lao People's Democratic Republic I Award in ICSID Case No ARB AF 12 6 6 August 2019 Gold Reserve Inc v Bolivarian Republic of Venezuela Decision regarding the Claimant's and the Respondent's Requests for Corrections ICSID Case No ARB AF 09 1 15 December 2014 Total SA v The Argentine Republic Decision on Stay of Enforcement of the Award ICSID Case No ARB 04 01 4 December 2014 Millicom Int'l Operations B V v Republic of Senegal Decision on Jurisdiction of the Arbitral Tribunal ICSID Case No ARB 08 20 16 July 2010 Lemire v Ukraine Dissenting Opinion of J rgen Voss ICSID Case No ARB 06 18 1 March 2011

International Commercial Arbitration Franco Ferrari, Friedrich Rosenfeld, John Fellas, 2021-06-25 This indispensable book offers a concise comparative introduction to international commercial arbitration ICA With reference to recent case law from leading jurisdictions and up to date rules revisions International Commercial Arbitration offers a

thorough overview of the issues raised in arbitration from the time of drafting of the arbitration clause to the rendering of the arbitral award and the post award stage

Dispute Resolution in Islamic Finance Adnan Trakic, John Benson, Pervaiz K Ahmed, 2019-01-22

Dispute Resolution in Islamic Finance addresses how best to handle disputes within Islamic finance. It examines how they can be resolved in a less confrontational manner and ensure such disagreements are settled in a just and fair way. There has been little focus on how disputes within Islamic finance are resolved. As a result, many of these disputes are resolved through litigation notwithstanding that the various jurisdictions and court systems are generally poorly equipped to handle such matters. This book addresses this gap in our knowledge by focusing on five centres of Islamic finance: the United Kingdom, the United States of America, Malaysia, the Kingdom of Saudi Arabia, and the United Arab Emirates. Before exploring these countries in detail, the book considers the issues of the choice of law within Islamic finance as well as the prevailing forms of dispute resolution in this form of finance. The book brings together a group of leading scholars who are all specialists on the subject in the countries they examine. It is a key resource for students and researchers of Islamic finance and aimed at lawyers, finance professionals, industry practitioners, consultancy firms, and academics.

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