

## BIBLIOGRAPHY

### Books

- Allenden, Lisa, 2014, *Another investment tribunal grapples with disclosure of third-party funding information*, Lexology, New York
- Bělohávek, Alexander J., 2014, *Subjective and Objective Impartiality of Arbitrators and Appointing Authorities as a Part of Procedural Public Policy (Ordre Public) in Arbitration*, Czech & Central European Yearbook of Arbitration, Vol. IV.
- Berger, Klaus Peter, 2006, *Private Dispute Resolution in International Business: Negotiation, Mediation* 3<sup>rd</sup> Edition, Kluwer Law International, Netherlands
- Blackaby, Nigel, et. al., 2004, *Law and Practice of International Arbitration* 4th Edition, Sweet & Maxwell, London
- Bockstiegel K., and Kröll, Stefan, 2014, *Arbitration in Germany: The Model Law in Practice*, 2<sup>nd</sup> Edition, Kluwer Law International, Netherlands
- Born, Gary, 2001, *International Arbitration*, 2<sup>nd</sup> Ed., Wolters Kluwer, New York
- Born, Gary, 2015, *International Arbitration, Cases and Materials*, 2<sup>nd</sup> Ed, Wolters Kluwer, New York
- Brabandere, Dr. Eric de, 2012, *Third Party Funding in International Investment Arbitration*, Grotius Centre Working Paper, London
- Caron, David D., and Caplan, Lee M., 2013, *The UNICTRAL Arbitration Rules: A Commentary* 2<sup>nd</sup> Ed., Oxford Press University, Cambridge
- Christiani, Theresia Anita, 2015, *Normative and Empirical Research Methods: Their Usefulness and Relevance in the Study of Law as an Object*, 3<sup>rd</sup> Global Conference on Business and Social Science, Elsevier, Kuala Lumpur
- Cleis, Maria Nicole, 2017, *The Independence and Impartiality of ICSID Arbitrators*, Brill – Nijhoff, Leiden
- Croft, Clyde, et. al., 2013, *A Guide to the UNCITRAL Arbitration Rules*, Cambridge University Press, Cambridge
- Estavillo-Castro, Fernando, 2010, *Ethics in Arbitration*, Wolters Kluwer, Netherlands

- Finzio, Steven P., et. al., 2010, *Revised UNCITRAL Arbitration Rules*, International Arbitration Alert, Oxford University Press, Oxford
- Gaillard, Emmanuel, and Savage, John, 1999, *Fouchard, Gaillard, Goldman on International Commercial Arbitration*, Kluwer Law International, Netherlands,
- Geisinger, Elliott, and Voser, Nathalie, 2013, *International Arbitration in Switzerland: A Handbook for Practitioners, 2<sup>nd</sup> edition*, Kluwer Law International: Netherlands
- Gunawan, Widjadja, 2008, *Arbitrase vs. Pengadilan*, Prenada Media Group, Jakarta
- Greenberg Simon, et. al., 2010, *International Commercial Arbitration: An Asia-Pacific Perspective*, Cambridge University Press, Cambridge
- Harahap, Yahya, 2001, *Arbitratse*, Sinar Grafika, Jakarta
- Hotlzman, Howard M., and Neuhaus, Joseph E., 1989, *A Guide to the UNCITRAL Model Law on International Commercial Arbitration: Legislative History and Commentary*, Wolters Kluwe, Alphen aan den Rijn
- Horodyski, Dominik, and Kierska, Maria, 2017, *Third Party Funding in International Arbitration – Legal Problems and Global Trends with a Focus on Disclosure Requirement*, Zeszyty Naukowe Towarzystwa Doktorantów
- Hutagalung, Sophar Maru, 2012, *Praktik Peradilan Perdata dan Alternative Penyelesaian Sengketa*, Sinar Grafika
- Kramer, Michael, et. al., 2009, *Chapter II: The Arbitrator and the Arbitration Procedure – Equal Treatment in Multi-Party Arbitration and the Specific Issue of the Appointment of Arbitrators*, Austrian Yearbook on International Arbitration
- Lew, Julian D.M., et. al., 2013, *Comparative International Commercial Arbitration*, Kluwer Law International, Netherlands
- Lüth, Felix, and Wagner, Philipp K., “Soft Law in International Arbitration – Some Thoughts on Legitimacy”, *Studentische Zeitschrift für Rechtswissenschaft*, Vol. 3, 2012
- McConville, Mike, and Chui, Wing Hong, 2007, *Research Methods for Law*, Edinburgh University, Edinburgh
- Morton, Peter, *Selection and Appointment of Party-Nominated Arbitrators*, K&LNG International Arbitration Symposium, 2006.

Moses, Margaret L., 2008, *The Principles and Practice of International Commercial Arbitration*, Cambridge University Press, Cambridge

Montineri, Corinne, 2013, *The UNCITRAL Arbitration Rules and their use in ad hoc arbitration*, in G. Cordero-Moss (ed.), *International Commercial Arbitration: Different Forms and their Features*;

Maniruzzaman, Munir, 2012, *Third-Party Funding in International Arbitration – A Menace or Panacea?*, Kluwer Arbitration: Netherland

Mamudji, Sri et.al, 2005, “*Metode Penelitian dan Penulisan Hukum*”, Ed. 1, Badan Penerbit Fakultas Hukum Universitas Indonesia, Depok, p. 10.

Nicholas, Geoff, and Partasides, Constantine, “LCIA Court Decisions on Challenges to Arbitrators: A Proposal to Publish”, *Arbitration International*, Vol. 23(1), 2007

Rogers, Catherine A., 2014, *Ethics in International Arbitration*, Oxford University Press, Oxford

Rubino-Sammartano, Mauro, 2001, *International Arbitration: Law and Practice*, 2<sup>nd</sup> edition, Kluwer Law International

Rustamova, Amina, Thesis, “Neutrality of Arbitrators”, Central European Schöldström, Patrik, 2013, *The Arbitrators*, in *International Arbitration in Sweden: A Practitioner’s Guide*, Kluwer Law International, Netherlands

Schütze, Rolf A., 2013, *Institutional Arbitration: A Commentary*, Hart, Chicago

Slaoui, Fatima-Zahra, 2009, *The Rising Issue of ‘Repeat Arbitrators’: A Call for Clarification*, Oxford University Press, Oxford

Sudiarto, H., 2004, *Mengenal Arbitrase*, PT Raja Grafindo Persada, Jakarta

Waincymer, Jeffrey, 2012, *Procedure and Evidence in International Arbitration*, Kluwer Law International, Netherlands

### **Journals and Essays**

Al-Baharna, Husain M., “International Commercial Arbitration in Perspective”, *Arab Law Quarterly*, Vol. 3(1), 1988

Bishop, Doak, and Reed, Lucy, “Practical Guidelines for Interviewing, Selecting and Challenging Party-Appointed Arbitrators in International Commercial Arbitration” *Arbitration International*, Vol. 14, No. 4, 1998.

- Couri, Ana Carolina, “Standards of Impartiality, Independence and Neutrality for Arbitrators in International Commercial Arbitration”, Thesis, University of Toronto, 2012
- Daele, Karel, “Challenge and Disqualification of Arbitrators in International Arbitration”, International Arbitration Law Library, Vol. 34, 2012
- Goeler, Jonas Von, “Third-Party Funding in International Arbitration and its impact on Procedure”, Kluwer Law International Library, Vol 35, 2016
- Gomez-Acebo, Alfonso, “Party-Appointed Arbitrators in International Commercial Arbitration”, International Arbitration Law Library, Vol. 34, 2016
- Grimmer, Sarah, “The Expanded Role of the Appointing Authority under the UNCITRAL Arbitration Rules 2010”, Journal of International Arbitration, Vol. 28(5), 2011
- Harris, Christopher, “Arbitrator Challenges in International Investment Arbitration”, Transnational Dispute Management, Vol. 5(4), 2008
- Hoffman, Anne K., “Duty of Disclosure and Challenge of Arbitrators: The Standard Applicable Under the New IBA Guidelines on Conflicts of Interest and the German Approach”, LCI Arbitration International, Vol. 21, No. 3, 2005
- Koch, Christopher, “Standards and Procedures for Disqualifying Arbitrators”, Journal of International Arbitration, Vol. 20, No. 4, 2003
- Koh, Will Sheng Wilson, “Think Quality Not Quantity: Repeat Appointments and Arbitrator Challenges”, Journal of International Arbitration, Vol. 34, No. 4, 2017
- Luttrell, Sam, “Bias Challenges in International Commercial Arbitration: The Need for a “Real Danger” Test”, International Arbitration Law Library, Vol. 20, 2009
- Newman, Lawrence W. Hill, Richard D., The Leading Arbitrators Guide to International Arbitration 2<sup>nd</sup> Edition, 2008
- Osmanoglu, Burcu, “Third-party Funding in International Commercial Arbitration and Arbitration Conflict of Interest”, Journal of International Arbitration, Vol. 32, No. 4, 2015
- Sahani, Victoria Shannon, Judging Third-Party Funder, 63 UCLA Law Review 388, 2016

Tupman, W. Michael, "Challenge and Disqualification of Arbitrators in International Commercial Arbitration", *The International and Comparative Law Quarterly*, Vol. 38(1), 1989

Willems, Melanie, "Keep Calm and Carry On Arbitrating: The Latest on Apparent Bias in Arbitration", *The Arbitrator*, Spring Volume, 2016

Wilske, Stephan, and Stock, Michael, "Rule 3.3.7 of the IBA Guidelines on Conflicts of Interest in International Arbitration - The Enlargement of the Usual Shortlist", *ASA Bulletin*, Vol. 23, No. 1, 2005

Zahradníková, Radka, et. al., "Challenge Procedure in Institutional and Ad Hoc Arbitration under the New Regulations in the Revised UNCITRAL Arbitration Rules", *Czech (& Central European) Yearbook of Arbitration*, Vol. 4, 2014

### **Legal Instruments**

United Nations Commission on International Trade Law Arbitration Rules,

International Centre of Investment Disputes Rules and Procedure

*Badan Arbitrase Nasional Indonesia* Arbitration Center Rules and Procedure

International Bar Association (IBA) Guidelines on Conflicts of Interest in International Arbitration,

Permanent Court of Arbitration Rules

### **Case Laws**

*Amco Asia Corporation and others v. Republic of Indonesia*, Case No. ARB/81/1, ICSID, 24 January 1982.

*Anders Jilkén v. Ericsson AB*, Swedish Supreme Court, Case No. T 2448-06, 19 November 2007

*Caratube International Oil Company LLP & Mr. Devincci Salah Hourani v. Republic of Kazakhstan*, Case No. ARB/13/13, ICSID, 20 March 2014

Case No. DFT 33 I 143, 146, Swiss Federal Tribunal, 31 January 1907.

*Cemex Caracas Investments B.V. and Cemex Caracas II Investments B.V. v. Bolivarian Republic of Venezuela*, Case No. ARB/08/15, ICSID, 30 December 2010

*Cofely v. Bingham & Knowles*, High Court Case No. EWHC 240 (Comm), 17 February 2016.

*Compañía de Aguas del Aconquija S.A. & Vivendi Universal V. Argentine Republic*,  
Case No. ARB/97/3, ICSID, 3 October 2001.

*Getma International and others v. Republic of Guinea*, Case No. ARB/11/29,  
ICSID, 28 June 2012; *Blue Bank International & Trust (Barbados) Ltd. v.  
Bolivarian Republic of Venezuela*, Case No. ARB/12/20, 12 November 2013;

*Grand River Enterprises Six Nations, Ltd., et al. v. United States of America*,  
ICSID, 12 January 2011.

Jeffrey Waincymer, 2012, *Procedure and Evidence in International Arbitration*,  
Kluwer Law International, Netherlands, p. 291

*Jung Science Information Technology CO LTD v. ZTE Corporation*, Case No. 14  
of 2008, High Court of the Hong Kong Special Administrative Region Court of  
First Instance Construction and Arbitration, 22 July 2008

*Mediterranean v. Fruta del Pacifico*, Tribunal Superior de Justicia de Catalunya,  
Civil and Penal Chamber, First Section, In: (2016) Yearbook Commercial Arb.  
XLI, 16 October 2014

*National Grid PLC v. The Republic of Argentina*, No. UN 7949, London Court of  
International Arbitration Case, 2005.

*National Grid PLC v. The Republic of Argentina*, No. UN 7949, London Court of  
International Arbitration Case, 2005.

*OPIC Karimum Corporation v. The Bolivarian Republic of Venezuela*, Case No.  
ARB/10/14, ICISD, 5 May 2001.

*Perenco Ecuador Ltd. v. The Republic of Ecuador and Empresa Estatal Petróleos  
del Ecuador (Petroecuador)*, Case No. ARB/08/6, ICSID, 18 August 2017

*Regina v. Gough*, House of Lords, 20 May 1993.

*SA Fremarc v. Societe ITM Enterprises*, Rev. Arb. 1231, French Court of Cassation,  
6 December 2001.

*Suez, Sociedad General de Aguas Barcelona S.A., and InterAguas Servicios  
Integrales del Agua S.A. AND The Argentine Republic, Case No. ARB/03/17,  
and Suez, Sociedad General de Aguas de Barcelona S.A., and Vivendi Universal  
S.A. v. The Argentine Republic*, Case No. ARB/03/19, ICSID, 12 May 2008

*The Islamic Republic of Iran v. The United States of America*, AWARDNO. 602-  
A15(IV)IA24-FT, IUSCT; *Electrabel S.A. v. Republic of Hungary*, Case No.

ARB/07/19, ICSID, 25 November 2015<sup>1</sup> *Zhinvali Development Ltd. v. Republic of Georgia*, Case No. ARB/00/1, ICSID, 24 January 2003

*Tidewater INC., Tidewater Investment SRL, Tidewater Caribe, C.A., Twenty Grand Offshore, L.L.C., Point Marine, L.L.C., Twenty Grand Marine Service, L.L.C., Jackson marine, L.L.C., Zapata Gulf Marine Operators, L.L.C. v. The Bolivarian Republic of Venezuela*, Case No. ARB/10/5, ICSID, 23 December 2010.

*Urbaser S.A. and Consorcio de Aguas Bilbao Bizkaia, Bilbao Biskaia Ur Partzuergoa v. The Argentine Republic*, Case No. ARB/07/26, ICSID, 12 August 2010

*Vito G. Gallo v. The Government of Canada*, Case No. 55798, PCA, 15 September 2011

*Vivendi Universal S.A. v. The Argentine Republic*, Case No. ARB/03/19, ICSID, 12 May 2008.

*W Ltd. v. M SDN BHD*, England and Wales High Court, Case No. EWHC 422, 2 March 2016.

*Zhinvali Development Ltd. v. Republic of Georgia*, Case No. ARB/00/, ICSID, 19 January 2001

### **National Regulations**

*German Arbitration Act*

*Japanese Arbitration Law*

*New Zealand Arbitration Act*

*Singapore International Arbitration Act*