

**Czech (& Central European)
Yearbook of Arbitration®**

Volume VIII

2018

Arbitral Awards and Remedies



Editors

Alexander J. Bělohlávek
Professor
at the VŠB TU
in Ostrava
Czech Republic

Naděžda Rozehnalová
Professor
at the Masaryk University
in Brno
Czech Republic

Contents

List of Abbreviations	xiii
-----------------------------	------

ARTICLES

Elena Burova

How Final Is Final: Waiver of the Right to Annul Arbitral Award in National Legislation and Practice of National Courts.....	3
--	---

Alexander J. Bělohlávek

Nature and Essence of Annulment of Arbitral Awards against Backdrop of International Standards.....	21
---	----

Alina Cobuz | Silviu Constantin

Surviving an ICSID Award

Post-Award Remedies in ICSID Arbitration:

A Perspective of Contracting State's Interests	41
--	----

Rimantas Daujotas

The Arbitral Tribunal's Anti-suit Injunctions

in European Union Law – the <i>West tankers & Gazprom</i> cases.....	57
--	----

Aldo Frignani

Remedies against an Arbitral Award

in some Civil Law Jurisdictions	85
---------------------------------------	----

Sergey A. Kurochkin

Arbitral Awards: Substantive Requirements,

Legal Effects and Optimal Means of Recourse	109
---	-----

Amanda Lee | Harald Sippel

To Enforce or Not to Enforce:

That is the Question: Arbitral Awards Set Aside at Their Seat	135
---	-----

Roman Prekop Peter Petho The Standard of Reasoning in Arbitral Awards.....	157
Silvia Petruzzino The Validity of the Arbitration Agreement and Res Judicata Effects in the Case of Bifurcated Proceedings	185
Martin Platte Philipp Schwarz Decisions Infra Petita as Grounds for the Setting Aside of Arbitral Awards.....	207
Grzegorz Pobożniak Paweł Sikora The Admissibility of a European Account Preservation Order in the Event of an Arbitration Clause	221
Elena Zucconi Galli Fonseca Carlo Rasia Arbitral Award and Its Review	235
Štěpán Sojka Selected Aspects of the Public Policy Exception in the 1958 New York Convention	255
Serhii Uvarov Oleksii Maslov Legal Controversies in Challenges to Separate Jurisdictional Awards	279
Natalia Viktorova Annulment of Arbitral Awards on Investment Disputes between States and Foreign Investors	297
Gaëtan Zeyen OECD Promotion for Arbitration as an Additional Tool of Settling Disputes in the Field of International Taxation	313

CASE LAW

Czech Republic

Alexander J. Bělohlávek Selected Case Law of Czech Courts Related to Arbitration	337
--	-----

Poland

Małgorzata Szydłowska Marek Topór Kamil Zawicki The Supreme Court Judgments	391
--	-----

BOOK REVIEWS

Kristina Koldinská Jan Pichrt Martin Štefko Jakub Morávek, Analýza alternativních způsobů řešení sporů v pracovněprávních vztazích (<i>Analysis of Alternative Dispute Resolution in Labour Law Relations</i>).....	405
--	-----

Jana Mitterpachová Juraj Gyárfás Marek Števček & Others, Artibration Act, Commentary	409
--	-----

News & Reports

Ian Iosifovich Funk Inna Vladimirovna Pererva The Arbitral Award of the International Arbitration Court, Established in the Republic of Belarus, and Legal Remedies	415
---	-----

Nevena Jevremović Armela Ramić Interim Measures in Commercial Arbitration under the Laws of Bošnja and Herzegovina (Bosnian Lex Arbitri)	435
--	-----

BIBLIOGRAPHY, CURRENT EVENTS, CYIL & CYArb® PRESENTATIONS, IMPORTANT WEB SITES

Alexander J. Bělohálek Selected Bibliography for 2017	453
Current Events	457
Past CYIL and CYArb® Presentations	465
Important Web Sites	467
Index.....	477

All contributions in this book are subject to academic review.