



Obstructionist behavior in international commercial arbitration : legal analysis and measures available to the arbitral tribunal /

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Monografía

Arbitration is a time- and cost efficient way to resolve a dispute. These advantages seem to vanish when one party is wilfully obstructive and refuses to abide by the arbitral outcome. This present work analyzes the means of the arbitral tribunal to neutralize obstructive behavior of a party that goes beyond admissible tactical behaviour. The author first deals with the question of the circumstances in which tolerable tactical behavior turns into behavior that deserves to be sanctioned and introduces 'obstructionist behavior' as a new generic term. Subsequently, he deals with the means available to the arbitral tribunal against obstructionist behavior. The work relies to a significant extent on unpublished ICC arbitral awards

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