

EMERGENCY ARBITRATORS AND EXPEDITED TRIBUNALS

14 March 2017 | Global

Legal Briefings - By **James Doe, Partner and Robin Wood, Associate**

The unavailability of emergency relief has often been cited in the past as a drawback of arbitration. James Doe and Robin Wood of Herbert Smith Freehills report that emergency provisions are now available and working well.

KEY POINTS

- Critics of arbitration have pointed to the unavailability of emergency relief
- Arbitral institutions have begun to introduce provisions for emergency arbitration or expedited formation of a tribunal to address these perceived concerns
- The ICC and LCIA have adopted similar emergency arbitration provisions, although the LCIA also offers the option of expedited formation of the tribunal
- Such forms of dispute resolution can provide rapid relief on an interim basis but the test applied for entry is likely to be strict and some types of relief are not available
- The authors have recently represented a client in an ICC emergency arbitration concerning a construction project and were generally impressed with the process

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This article was first published in Construction Law, March 2017.

KEY CONTACTS

If you have any questions, or would like to know how this might affect your business, phone, or email these key contacts.



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