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REVUE DE RÈGLEMENT
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Book Review

Compendium of International Commercial Arbitration Forms: Letters, Procedural Instructions, Briefs and Other Documents

BY SIGVARD JARVIN & CORINNE NGUYEN

ALPHEN AAN DEN RIJN, THE NETHERLANDS: WOLTERS KLUWER, 2017.

Fabien Gélinas, AdE* & Lucas Clover Alcolea**

* Sir William C. Macdonald Professor of Law and Norton Rose Fulbright Faculty Scholar in International Commercial Law and Arbitration at McGill University. Professor Gélinas studied law, politics and diplomacy in Montreal, Ottawa and Paris. He holds a doctorate in law from the University of Oxford. A former General Counsel of the ICC Court, he is a Barrister and Solicitor at the Quebec Bar.

** DCL candidate, McGill University. Mr. Alcolea is currently undertaking his thesis on the topic of trust dispute arbitration. He previously studied law at Aberdeen and Edinburgh, and worked at the Scottish judicial training body as well as a commercial law firm in Edinburgh.

Sigvard Jarvin and Corinne Nguyen's book is a unique work "written by practitioners for practitioners"¹. It features a compilation of procedural documents drawn from real cases and offered for use as templates in international commercial arbitrations.

Jarvin has served as an arbitrator and as counsel under the auspices of the International Chamber of Commerce ('ICC'), American Arbitration Association, and Stockholm Chamber of Commerce rules. He has also published widely in his field and served as general counsel of the ICC International Court of Arbitration (the 'ICC Court'). Nguyen is a legal consultant who has acted as counsel in international arbitrations under several sets of rules, and who has served as Deputy Counsel at the ICC Court's Secretariat.

Their work is a welcome development in changing times. Not long ago, the community of international commercial arbitration practitioners was relatively small and homogeneous. As is often the case in such settings, the articulation of norms, best practices, and expectations was often informal and undocumented. As the community has grown and diversified over time, however, the need for more robust and formal methods of information sharing and dissemination has naturally increased. The authors should be commended for responding to this demand.

Their work follows the standard procedural chronology of an arbitration; from the initial request to the conclusion – be it the rendering of a final award, or the withdrawal or termination of proceedings – and contemplates complications along the way. Those include situations where, for instance, new claims are brought during the proceedings, or where the award must be corrected or interpreted after the fact.

Forms included are requests for arbitration, answers to requests or counterclaims, terms of reference, and rules of procedure. Documents pertaining to the taking of evidence are also covered, including witness instruction. The breadth of forms provided at each step of proceedings anticipates different potentialities as well as variations in personal preferences. More and less detailed forms, as well as forms for both the civil and common law, for instance, are available. Each of these is preceded by commentary explaining the benefits and drawbacks of particular approaches. Context is also provided, laying out the details of the 'real life' arbitrations that inspired particular forms. In both the forms and commentary, the emphasis is on procedural issues rather than substantive ones. Forms are also anonymised, although sufficient information about the factual matrix is specified so the reader may still understand the context behind each form and its design.

Ultimately, this collection goes a long way towards fulfilling its stated objective of enabling readers to "find in a single place...the necessary information to prepare a case or take a decision"². Subsequent editions could nonetheless be improved by providing forms from cases arbitrated under a wider range of rules. Institutions such as the ICC and SCC seem to be overrepresented, while others such as Hong Kong International Arbitration Centre, Singapore International Arbitration Centre and International Centre for Dispute Resolution seem to be underrepresented or non-

¹ Sigvard Jarvin and Corinne Nguyen, *Compendium of International Commercial Arbitration Forms: Letters, Procedural Instructions, Briefs and Other Documents* (Alphen aan den Rijn, The Netherlands: Wolters Kluwer, 2017) at xiii.

² *Ibid* at xiv.

existent. The forms included can be adapted, but a wider range would paint a more complete picture of international practice where a large variety of arbitral institutions are represented. This omission does not, however, affect the usefulness of the book, which we believe will be valued by any practitioner, whether arbitrator or counsel, in the world of international commercial arbitration.