

International Court of Arbitration

11th October, 2018



The NITI Aayog and ICC International Court of Arbitration had recently organised a Workshop on Best Practices in International Arbitration in New Delhi.

- The workshop is part of on-going efforts to institutionalize and streamline dispute resolution to make India a hub for doing business. It encourages and highlights the need for understanding and implementing arbitration across the spectrum of commercial contracts.

Efforts by Government of India in this regard- Arbitration and Conciliation (Amendment) Bill, 2018:

The Lok Sabha has passed the Arbitration and Conciliation (Amendment) Bill, 2018. It will amend the Arbitration and Conciliation Act, 1996. The Act contains provisions to deal with domestic and international arbitration, and defines the law for conducting conciliation proceedings.

What is Arbitration?

- Arbitration is a settlement of dispute between two parties to a contract by a neutral third party i.e. the arbitrator without resorting to court action. The process can be tailored to suit parties' particular needs.
- Arbitrators can be chosen for their expertise. It is confidential and can be speedier and cheaper than court. There are limited grounds of appeal. Arbitral awards are binding and enforceable through courts.

Way ahead:

Moving towards a New India in 2022, ensuring legal reform is a key and critical priority. Complementing 'Make in India' vision with 'Resolve in India', strong alternate dispute resolution mechanisms are important levers in encouraging the Ease of Doing Business and Ease of Living in India.

Facts for Prelims:

The International Court of Arbitration is a branch of the International Chamber of Commerce (ICC) and one of the world's leading institutions for providing international arbitration services. The International Court of Arbitration is known for resolving international commercial and business disputes, administering more than half of all arbitration disputes worldwide. The ICC seat is located in Paris.

The International Chamber of Commerce is an international business organization with hundreds of thousands of member companies in over 130 countries spanning virtually every sector of private enterprise.

To be looked in UPSC Paper 2 Topic:

Important International institutions, agencies and fora,

their structure, mandate.