

The Enforcement of International Arbitral Awards

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SUBJECT(S): INTERNATIONAL ARBITRATION, ALTERNATIVE DISPUTE RESOLUTION

KEYWORD(S): INTERNATIONAL ARBITRATION, ALTERNATIVE DISPUTE RESOLUTION, ENFORCEMENT OF INTERNATIONAL ARBITRAL AWARDS, TRANSFIELD

Arbitration is recognized as an alternative mode of resolving civil and commercial disputes through protracted court cases. An important aspect of arbitration is the enforcement of the arbitral award, which is promulgated by an arbitral tribunal, and culminated by filing the same with the national court. However, enforcement of arbitral awards becomes more complicated when it involves international parties.

The Article outlines the procedural requirements for the enforcement of such award, together with the specific grounds to oppose or deny such enforcement under the Convention on the Recognition and Enforcement of Foreign Arbitral Awards, among other statutes. Among said objections to the recognition and enforcement of the award include lack of jurisdiction of the courts, existence of a compromise agreement, and violation of public policy. Objections may also include valid defenses such as the absence of valid arbitration agreement, denial of opportunity to present the case, awards promulgated in excess of authority, issues affecting impartiality and independence of arbitrators, and issuance of non-binding awards.

In sum, the Author concisely paints the current framework of the process of enforcing an award through discusses some of the most pertinent international legal jurisprudence on the enforcement of international arbitral awards.