International and Domestic Arbitration Procedure: the Need for a Rule Providing a Limited Opportunity for Arbitral Reconsideration of Reasoned Awards

Introduction

This article will first generally discuss the various ways in which a reasoned arbitral award can contain unintentional errors relating to clearly established law or objective evidence in the “reasoning” of the award. Next, the formal arbitration procedures established by domestic and international organizations for utilization in commercial arbitrations will be reviewed for the purpose of illustrating that those rules, with very limited and qualified exceptions, do not provide a formal means by which such errors can be brought to the attention of an arbitral tribunal and ...
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Unintended Misstatements of Law and Fact in Arbitral Awards.

A. The Issuance of Reasoned Awards Under Institutional Rules.

B. The Nature of Potential Unintended Misstatements of Law or Fact in Reasoned Awards.

1. Arbitral Errors in Interpreting Applicable Law.

International and Domestic Arbitration Procedures and the Absence of a Right to Request the Arbitral Tribunal to Reconsider a Reasoned Award.

A. The Absence of a Right to Request an Arbitral Tribunal to Reconsider a Reasoned Award in International Commercial Arbitrations.