

Procedural Delay in Arbitration – Issues and Challenges

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ABSTRACT: People of commercial transactions are well-attracted by the alternative dispute resolution methods for their disputes to be solved because of the reason of time-drag and expenses prone to the litigation system through the law courts. However, the advantages surrounded the alternative dispute resolution to be one to meeting its standard and level in mitigating the costs and timely solving of disputes which the parties are highly expecting as essential in this type of resolution process. The settling of disputes through arbitration system not only comprising the legal aspects but also the business practices which would play a role in this resolution process. More to say, such business practices are coupled with the law but it is kept silent in achieving the same through the legislation which supports the system of arbitration. Therefore, it is important and most relevant at this juncture to discuss the features for the time-saving arbitration process. It is indispensable to follow the procedural aspects to settle the disputes but it would be proper to have such a procedure which would not hinder the arbitration process particularly regarding the time-delay for the same. The time-saving arbitration could be achieved by having solutions relating to the seating and meeting of arbitrators and other arrangements, etc. It would be the discussion in this article, about the issues prevailing around in having a time-saving arbitration and search for the solutions through the legal aspects applied and utilized for the arbitration.

KEYWORDS: Arbitration, Arbitration Delay, Quick Arbitration, Time-saving Arbitration, Arbitration Process

INTRODUCTION

Stakeholders of the Commercial world are expecting the arising disputes to be settled quickly without causing any loss. Adopting adjudication system through the Courts would involve huge cost and more time makes the commercial people to recourse through some other means. In an alternative to dispute settlement through courts, arbitration, conciliation, mediation, negotiation, etc., forms the dispute settlement system known as Alternative Disputes Resolution System (ADR). The above-mentioned systems carry unique features in the process of dispute settlement mechanism.

Arbitration process involves the features of litigation system adopted in the courts, while the conciliation adopts the arrival of amicable settlement through the conciliator, mediation adopts the settlement by a third party and the negotiation forms the settlement mechanism between the parties themselves by sitting and talking. Instead of discussing the advantages of the arbitration, it is quite significant to talk on the disadvantages in order to make the system effective and efficient.

One of the disadvantages experienced in arbitration inter alia, is that time delay which the parties choosing this system for quick settlement. Therefore, it is more important to analyze how far the time delay is to avoided and effective time management is to be maintained to complete the arbitration in time and thereby cause the further commercial activity to be continued. The Civil Procedure for settlement of disputes before court especially involves the timely disposal, for illustration, Order 37 of the CCP, 1908 and the three adjournments for the suit, etc., are adopted for timely disposal. In this way, to reduce the time consuming in the arbitration, time efficiency management is to be adopted at all levels. For the purpose to see the time required for the arbitration and also to identify the delay, the arbitration is what classified in to three stages vide 'before arbitration', 'during arbitration' and 'after arbitration'. 'Before arbitration', the time of making of agreement for the commercial transaction and activity and the drafting of arbitration clause in contract. The issues attached with drafting of the arbitration clause to be discussed while 'during arbitration', issues like interim awards, interference of judiciary, etc., to be concentrated and in the stage of 'after arbitration', the procedure of challenging the award through the court, etc., need to be focused. By addressing all these issues, time management of the arbitration will be efficiently handled and the commercial world would witness the timely solved dispute mechanism.

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METHODOLOGY

The authors of this paper are planning here the doctrinal method of research by analyzing the procedures and laws relating to the arbitration and identifying the causes of delay in time and the real focus of the law also would be analyzed.

LITERATURE REVIEW

1. [Todd B. Carver](#) and [Albert A. Vondra](#), Alternative Dispute Resolution: Why It Doesn't Work and Why It Does, [From the Magazine \(May–June 1994\)](#) available at <https://hbr.org/1994/05/alternative-dispute-resolution-why-it-doesnt-work-and-why-it-does> (retrieved on 13th March 2025) provides that Court annexed ADR increased the delay in Arbitration.
2. The report, "Delay and Damages in Construction Contracts: A Report from the 4th SCL-CI Arb-India International Conference on Construction Law and Arbitration," can be found at <https://arbitrationblog.kluwerarbitration.com/2020/02/18/delay-and-damages-in-construction-contracts-a-report-from-the-4th-scl-ci-arb-india-international-conference-on-construction-law-arbitration/>. (retrieved March 13, 2025) explains how arbitration delays account for over 68% of all construction law issues. This post centers on a panel discussion that addresses the topic of construction contract delays, how arbitrators handle them, and how courts consider challenges to arbitral rulings.
3. Combatting Delays in Arbitration: Expediting the Process, Sep 28, 2023, discusses about the persistent delays in arbitration challenge its efficacy which is available at <https://broderickbozimo.com/combating-delays-in-arbitration-expediting-the-process/> (retrieved on 13th March 2025).
4. Born Ladner The following advice addresses arbitration delays: ensure the arbitrator is aware of any delays brought on by the other parties. This information may be found at <https://www.lexology.com/library/detail.aspx?g=1457b486-3a90-4359-bee2-902dc41741b2>. obtained on March 13, 2025.
5. Challenges and Opportunities for Adopting Alternative Dispute Resolution in Developing Asia, ADBI Institute says about the knowledge of civil procedure is necessary for ADR, which is available at <https://adbi-challenges-and-opportunities-adopting-alternative-dispute-resolution-developing-asia.pdf> (retrieved on 13th March 2025).
6. Hon'ble. Justice. ADR and Access to Justice: Issues and Perspectives by S.B. Sinha, which can be found at <https://www.tnsja.tn.gov.in/article/ADR-%20SBSinha.pdf> (retrieved on 13th March 2025), advocates for reducing court interference delays.

Objectives of the Study

1. Identify reasons for delay in Arbitration with relevant to the process of Arbitration before, during and after the System.
2. Finding out the reason for procedural delay of arbitration.
3. Combatting such delays by finding solutions and thereby achieve the time saving Arbitration.

Expertness of Arbitrator

Arbitrators must have expertness in settling the disputes. In addition to the knowledge of the subject matter referred for arbitration, knowledge of substantive law and procedural law and ability to discover delaying tactics of one of parties or both of parties to the arbitration could possibly cure the delay in arbitration. The parties agree to stipulate unquestionable facts and points of law as well as to urge the arbitration to render a general ruling on contested legal issues prior to hearing evidence. The arbitrator should clearly avoid requesting the parties to provide pre-hearing briefs on other topics, which is inevitable a waste of time and money; instead, he or she should identify which subjects are most likely to cause conflicts.¹

Therefore, the expertness is attached with the efficiency of the arbitrator to prevent the delay in settlement process. The knowledge of procedural law would be useful for the arbitrator to reduce the delay and also to complete the settlement process in time according to the procedure prescribed by law and which may in sometimes reduce the interference of the judiciary regarding to the procedure.

The disputing parties are at liberty to reached an agreement regarding selection of arbitrators, as their sole responsibility is to oversee arbitration proceedings. The most critical aspect of any arbitral procedure is likely the selection of arbitrators. Therefore, arbitrators have to be fit for the position. Their independence and impartiality are must; therefore, expertness would definitely avoid challenges relating to their appointment which would result in prevention of unnecessary delay. Identifying the delaying tactics is the one which form the proficiency of the arbitrator or the arbitral institution. Knowledge of substantive law

¹ [Todd B. Carver](#) and [Albert A. Vondra](#) (1994). Alternative Dispute Resolution: Why It Doesn't Work and Why It Does [From the Magazine \(May–June 1994\)](#) retrieved from <https://hbr.org/1994/05/alternative-dispute-resolution-why-it-doesnt-work-and-why-it-does>

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may enable the arbitrator to govern the merits of the case and other aspects relating to the dispute and by this, arbitrator can find the delaying tactics, if adopted by one of the parties to the arbitration.

Delaying strategies are readily employed during certain phases of the arbitration procedure. To avoid possible delaying, parties should consider these phases when drafting.² One of the stages of arbitration is drafting stage of arbitration agreement or arbitration clause, to keep in mind that disputes can be numerous and varied as the possible changes of the number of provisions.³ Then in the stage of Arising of disputes usually parties may use delaying tactics.⁴ Therefore, the first test in the event of institutional arbitration or an arbitrator is the design of an arbitration provision; the second test is the effectiveness of the institution or arbitrator in resisting any delaying techniques at the stage of dispute emerging.

The usual or common delaying tactics adopted by the any of the parties to the arbitration are (Rajah, 2017) denial of receiving notice, questioning validity of arbitration proceeding or even arbitration clause or arbitration agreement, seeking unjustified interim measures or unnecessarily appealing against the interim orders, questioning the matter and its fitness or scope for arbitration, contesting that the dispute not existed or not have arisen, disputing that claim is incomplete, refusing to contribute costs – down payment, failing to appoint arbitrator of his choice, challenging the arbitrators appointed by the other party, dispute relating to appointment of arbitrators, delaying appointment of lawyers, demanding additional preparation time, Raising dispute connected to the place and language of arbitration⁵, etc.

Some other factors⁶ cause delay are as follows:

1. Lack of certain powers and lack of speed;⁷
2. Increasingly complicated procedural rules issued by several arbitral organizations;⁸
3. Arbitral tribunals' unwillingness to deviate from precisely following these guidelines for fear of jeopardizing legitimacy and enforceability of an award;⁹
4. A rise in the level of involvement of lawyers who typically favor structured procedures;¹⁰
5. Absence of an appeal procedure, spent time resolving the conflict as last;¹¹
6. Delay might also arise during an award's implementation and execution;¹²
7. One of the parties may request a court's intervention at various points.¹³

A number of these strategies can be successfully overcome by utilizing rules provisions; others can be addressed by pre-drafting and agreeing on procedural elements.¹⁴ Under the authority granted to the arbitrator in areas of evidence, it is imperative that, should the parties choose to specify certain processes, they do so in their arbitration agreement and parties may stipulate the substantive law to be followed in arbitration.¹⁵ Given that delays can lead to significant expenses, it is important to consider the cost when employing delaying techniques after the tribunal has been appointed.¹⁶ The case of **Great Eastern energy Corporation Limited v. Sopan Projects** shows a notable slow-down in the arbitration process, which resulted in the Delhi High Court terminating the arbitrator's mandate. This emphasizes the possible effects of protracted arbitration processes, especially in cases when the delay cannot be clearly justified.

² *Id.*

³ *Id.*

⁴ *Id.*

⁵ Also see, *supra* note 1.

⁶ Rajah V. K., (2017). W(h)ither Adversarial Commercial Dispute Resolution? (2017) 33 Arb Int'l 17, 25.

⁷ Queen Mary University of London, (2018). International Arbitration Survey: The Evolution of International Arbitration retrieved from [www.arbitration.qmul.ac.uk/media/arbitration/docs/2018 International-Arbitration-Survey—The-Evolution-of-International-Arbitration-\(2\).PDF](http://www.arbitration.qmul.ac.uk/media/arbitration/docs/2018%20International-Arbitration-Survey—The-Evolution-of-International-Arbitration-(2).PDF).

⁸ Retrieved from <https://scholarship.law.columbia.edu>

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Id.*

¹² Source: <https://scholarship.law.columbia.edu>

¹³ *Supra* Note 1.

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Supra* Note 1.

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Civil Procedure and ADR

Through sophisticated procedural rules and more legal complexity, arbitration process is becoming “judicialized,”¹⁷ International commercial arbitration and the subsequent increases costs and delays in dispute resolution field that was initially intended to be “quick, efficient, and universal” are raising questions.¹⁸ Arbitration appears to be ordinary litigation and also consumes time sometimes.¹⁹ Arbitration most resembles like litigation.²⁰ Usually, arbitration proceedings and other alternative dispute resolution systems form the civil disputes, even code of civil procedure is not applicable as provided by arbitration law in India, the procedure to be followed is civil. It is highly ethical to conduct the proceedings in the lines of the civil procedural law which is in force and applying equity principles, also sometimes hold appropriate. Therefore, because of the procedure related delays are common, the parties to concentrate on preventing such unnecessary prolonging of arbitration. It is in hands of parties to determine their procedure earlier in the agreement itself. In the case of choosing arbitral institution, the parties have to go through the rules prescribed by such institutions, this also result in better in saving time for the proceedings.

Looking into the civil procedure in India, Order XVII and its rule provides for the number of adjournments²¹ for the civil case before the court. Prolonging strategies of obtaining adjournments by one of the parties to the arbitration may cause difficult for the other side wishing early case disposal in merits.

Summary procedures for the proceedings also not new to the civil disputes relating to the money suit.²² Further, it needs a special mention here about the time limit fixed by the arbitration law in India.²³ Therefore, the knowledge on the civil procedure may reduce the time delay in ADR. The arbitration law in India is also having the fast-track procedures. In the International Commercial Arbitration there are fast track or expedited proceedings²⁴ is available with some institutions on their rules of arbitration.

Issues of Interim Award

Purely, seeking interim award and the court assistance in case arises by such interim awards might cause undue delay in ADR.²⁵ To enable the protection of the subject-matters (their value) pending the proceedings, the interim measures and its related powers are provided under the law.²⁶ In the case of challenging the interim orders passed, delay is inevitable. The delay attached with these interim measures during the arbitral proceedings may likely by way of approaching the court seeking relief of stay likewise. Challenging of interim awards by the aggrieved party may affect the time-limit fixed for completion of arbitral proceedings. Therefore, the knowledge of law relating to interim orders may reduce the delay in completion of the proceedings in time.

Court Assistance

Court assistance wherever needs; parties approach court for settling issue which in turn cause the ADR time delay. Particularly, in arbitration, the provisions for court assistance can be utilized for taking evidence is provided in the arbitration law in India.²⁷ Common knowledge of the arbitrators on both inquisitorial and adversarial approaches as well as by using their minds during procedures they are behaving sincere and not partial to any of parties may prevent the court assistance. Procedures more like a civil law inquisitorial manner of gathering evidence²⁸ help to increase procedural efficiency (Legal Professional from Central Europe

¹⁷ Leon Trakman and Hugh Montgomery, (2017). The ‘Judicialization’ of International Commercial Arbitration: Pitfall or Virtue? 30 LJIL 405

¹⁸ *Id.*

¹⁹ Todd B. Carver and Albert A., Vondra (1994). Alternative Dispute Resolution: Why It Doesn’t Work and Why It Does [From the Magazine \(May–June 1994\)](https://hbr.org/1994/05/alternative-dispute-resolution-why-it-doesnt-work-and-why-it-does) retrieved from <https://hbr.org/1994/05/alternative-dispute-resolution-why-it-doesnt-work-and-why-it-does>

²⁰ *Id.*

²¹ Order XVII – Rule 1 Proviso – Not more than three times to a party during the hearing of a suit

²² Order XXXVII of the Code of Civil Procedure

²³ Time limit – Section 29A – 12 months from the date of completion of pleadings; Time limit –Section 29B – Fast Track Procedure – 6 months from the date of service of notice on the opposite party

²⁴ Columbia Law School Scholarship Archive Scholarship Archive Faculty Scholarship Faculty Publications 2021. The Future of International Commercial Arbitration George A. Bermann Columbia Law School. <https://doi.org/10.1017/9781108635752.012> Published online by Cambridge University Press

²⁵ In Bharat Aluminium Co. v. Kaiser Aluminium Technical Services (2012) 9 SCC 552, because of interim measures, foreign awards dated 10.11.2002 and 12.11.2002 was finally concluded in 2012.

²⁶ See Sec.9 and 17 of the Act of 1996

²⁷ See Sec.27 of the Act of 1996

²⁸ The Prague Rules, Working Group Note, Appendix I. Also see, Gonzalo Stampa, “The Prague rules” (2019) 35(2) Arb Int’l 221 for a more detailed discussion.

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with a background in continental civil law). In International Arbitration, some people believe that gathering evidence under a biased perspective may increase the expenses and delays instead than using an adversarial strategy.²⁹ Arbitrators' behavior regarding the gathering of evidence helps to somewhat minimize the court's assistance.

Place of Arbitration

The parties have been allowed to decide on arbitration's location.³⁰ In case of international corporate arbitration, venue chosen for arbitration can sometimes help to prevent delays. The tribunal must consider the parties' convenience when determining the arbitration location where the parties cannot agree on that.³¹ Determining place of arbitration could be made at time of arbitration agreement or clause in a contract. By doing so, issues relating to applicability of law also could be settled at the stage before the arbitration. This would reduce the delay to the extent.

Assisting Legal Experts

Arbitration is a process with several phases and problems attached with which include method of submission to arbitral institution, choice of arbitrators, cost of proceedings, availability of temporary relief and anti-frustration devices, determination of procedure and applicable law, form and substance of the award and its execution.³² Procedural problems attached with the validity of submission clause, absence of established well-known approaches for obtaining evidence, interim orders, timing of proceedings, manner of pleadings, witness presentation, location or language of arbitration proceedings and choosing applicable law.³³ Therefore, the process requires proper legal assistance to avoid unnecessary delays.

In addition to experts related to the subject-matter of ADR, legal experts are essential from the drafting of ADR clause itself and through entire settlement process to avoid delay in ADR. Therefore, legal assistance is required and the same to be prepared with the advice of the legal experts who are familiar with the procedural delays which may be taken place during the proceedings in the stage of drafting arbitration agreement or arbitration clause itself. A private extrajudicial tribunal uses arbitration to settle disputes. Its authority comes from the parties' agreement, including any unforeseen issues that arose during the agreement's writing and caused further time, complexity, and expense in the procedures.

It is ideal to consider kinds of disputes which were likely to occur under contract as well as the parties' positions at the time of the disagreement when designing a clause that refers conflicts to arbitration. The types of conflicts that should be taken into account while developing such a document will influence the concerns that the arbitration provision should address.³⁴

Parties and Binding Nature of Award

Although parties show such recognition of the binding character if it is the court's decree, they are not in the attitude of accepting the binding character of award. Therefore, grounds of contesting the verdict are limited and too narrow and further more to add, appeal is not allowed in order to give finality to the award given in the arbitration. In the case of arbitration, there is no win or lose in the matter referred. It helps to arrives at settlement and the same is in hands of parties referring. The minds of the parties to be in favour of the award whatever it may be except so far, the injustice prevails to a party.

Arbitration Award and its Enforcement

Disputes arising out of arbitral awards and its enforcement may cause delay in Arbitration and gives rise to a question as to fulfilling the objective of arbitration. One advantage of the arbitration is that, although sometimes not, one of the parties will be the winner in the arbitration, but surpassing the court-based litigation. Consequently, in some issues referred for arbitration, may have no winner and no loser. It is the process of reaching resolution under the direction of one individual known as arbitrator. The participants should open their minds to follow the award on the good-faith that it is rightfully bestowed in the settlement process. When the arbitration is regarded as the alternative conflict resolution mechanism, the behaviour of the parties as to the finality of the verdict achieves the success of arbitration. Should an award be contested before the court, the goal of arbitration

²⁹ Kluwer Arbitration Blog, Prague Rules v. IBA Rules and the Taking of Evidence in International Arbitration: Tilting at Windmills– Part I (July 5, 2018), <http://arbitrationblog.kluwerarbitration.com/2018/07/05/prague-rules-v-iba-rules-taking-evidence-international-arbitration-tilting-windmills-part/>; DLA Piper, The Prague Rules: “Civil” War on The Evidence In International Arbitration (January 24, 2019), Retrieved from www.dlapiper.com/en/czech/insights/publications/2019/01/the-prague-rules/.

³⁰ See Sec.20 (1) of the Law of Arbitration in India.

³¹ See Sec.20 (2) of the Law of Arbitration in India.

³² James M. Rhodes and Lisa Sloan, The Pitfalls of International Commercial Arbitration, 17 Vanderbilt Law Review 19 (2021) retrieved from <https://scholarship.law.vanderbilt.edu/vjtl/vol17/iss1/4>

³³ *Id.*

³⁴ Retrieved from Scholarship.law.columbia.edu

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becomes skewed. According to the Act of 1996, one of the grounds is that award should be revoked if arbitration agreement is invalid under legislation that parties are selected, or if parties are not selected a law, arbitration agreement is invalid under law that was effect at time. Therefore, whether writing an arbitration agreement or an arbitration clause in a contract, legal advice is required. Legal support for the arbitration agreement's formulation could lessen the arbitration agreement-related problems that would be causing the delay.³⁵

Hybrid Dispute Resolution Mechanism

Here it is suitable to discuss some of the arbitration system which provides time-effective solution to the parties and is in practice in some places. Mediation-Arbitration ((shortly called as “Med-Arb”) is a common form in which, should mediation fail, the same impartial individual serves first as mediator, then as arbitrator. Often surpassing international business arbitration in terms of time and cost efficiency, hybrid dispute mechanism became a non-adversarial substitute.³⁶ This type of settlement process witnessed high-fruitful in US³⁷, UK³⁸ and Singapore.³⁹ This hybrid form of dispute settlement mechanism would favour the arbitration process, a time-saved one. SIAC-SIMC (Singapore International Mediation Centre (SIMC) Arb-Med Arb Protocol) suggests set time lines in Singapore to prevent process abuse by postponements.⁴⁰

International Business (Commercial) Courts for Commercial disputes

Specialized Commercial Courts are not novel within the national or domestic adjudicatory system.⁴¹ China, some of the European States,⁴² Qatar, Singapore and the UAE have all tried to either establish new courts for International Disputes "particularly cater to the needs and reality of international commerce" or to adapt special procedural rules for international cases in current commercial courts.⁴³ The reason for mentioning about the commercial courts for time-saving arbitration is that the civil procedure in India provides for the summary procedure for the commercial disputes before the Commercial Courts.

Technical Assisted ADR

The results of the 2021 Queen Mary Arbitration survey hint to necessary adjustments that might improve attractiveness and efficiency of the arbitration process: Top concern for administrative support for virtual hearings turned out to be its importance, with 38% of respondents. Support of virtual meetings reduces logistical obstacles, provides flexibility, and can greatly expedite the process.⁴⁴ For the time-saving strategies for the arbitration, technical assistance receives special attraction.

³⁵ In *Dhansar Engineering Company Pvt Ltd. v. Eastern Coalfields Ltd.* (Judgment dated April 18, 2024 in RVWO.38 of 2023), the Calcutta High Court has held that the policy circular issued by the company as arbitration agreement even with the consent of the parties not an arbitration agreement.

³⁶ American Arbitration Association (AAA), *Arbitration Myths* (undated), retrieved from <http://info.adr.org/arbitration-myths/>.

³⁷ In the US, over 66 percent of AAA commercial cases settle.14 FINRA's statistics exceed this, with an 83 percent settlement rate (57 percent by direct negotiations of the parties and an additional 12 per cent settled with the assistance of a mediator). Source: FINRA, *Dispute Resolution Statistics* (2019), www.finra.org/arbitration-mediation/dispute-resolution-statistics.

³⁸ In the United Kingdom, the current size of the civil and commercial mediation market is estimated at in the order of 12,000 cases per annum, that is, 20 percent more than the 10,000 cases estimated in 2016. Source: Centre for Effective Dispute Resolution (CEDR), *The Eighth Mediation Audit* (July 10, 2018), www.cedr.com/docslib/The_Eighth_Mediation_Audit_2018.pdf.

³⁹ In Singapore, of the more than 1,700 disputants who took part in the mediations held at SMC's offices at the Supreme Court, more than 84 percent reported saving costs while more than 88 percent said they saved time. Source: Singapore Mediation Centre (SMC), *About Us* (2019), <http://mediation.com.sg/about-us/>.

⁴⁰ Singapore International Mediation Centre (SIMC), *Arb-Med-Arb* (undated), <http://simc.com.sg/arb-med-arb/>; Nadja Alexander, "Global Trends in Mediation" *Mediation und Konflikt management* 16 (2017).

⁴¹ The Commercial Courts Act, 2015 is the law of establishment of Commercial Courts in India.

⁴² Belgium (Brussels International Business Court), France (Paris Commercial Court and Court of Appeal), Germany (special chambers at regional courts in Frankfurt and Hamburg), the Netherlands (Netherlands Commercial Court), Switzerland (Zurich International Commercial Court), and the United Kingdom (London Commercial Court).

⁴³ Description of international commercial courts as employed by Chief Justice of Singapore, Sundaresh Menon, and as relied upon by Andrew Godwin et al., "International Commercial Courts: The Singapore Experience" (2017) 18 *Melbourne J. Int'l L.* 219, 220; cited in Columbia Law School Scholarship Archive Scholarship Archive Faculty Scholarship Faculty Publications 2021 *The Future of International Commercial Arbitration The Future of International Commercial Arbitration* George A. Bermann Columbia Law School.

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⁴⁴ Retrieved from <https://broderickbozimo.com/combating-delays-in-arbitration-expediting-the-process/>

CONCLUSION

In overall readings to combat the delay in arbitration proceedings of passing of award, it is crystal clear that the legal assistance can reduce the delay. Legal help is needed from the stage of contract drafting for the parties for the clauses relating to arbitration agreement or arbitration clause. Apart from this, less court intervention and arbitrator's efficiency in spotting the delaying strategies will help to shorten the time in the completion of the processes. The general consensus is that the understanding of substantive as well as procedural law assists the arbitrator in the processes to complete it in timing by preventing the needless delays attempted by any of the parties to the arbitration.

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- 18) The Arbitration and Conciliation Act, 1996 (India)



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