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Letter from the Editor

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Letter from the Editor

Dear Readers,

Welcome to the 2013 issue of *The Arbitration Brief*. Since our last edition, arbitration in the global sphere has continued to rapidly transform and gain prominence. This issue takes on arbitration from a global perspective. Our authors and staff have come together to present a holistic perspective of arbitration by discussing various prominent theories and trends in arbitration around the globe.

First, Carolina Rizzo discusses the United States' common law standard of manifest disregard of the law for vacating arbitral awards in federal courts. Ms. Rizzo explores the evolution of this common law doctrine and ultimately argues that manifest disregard should continue to be utilized by the federal judges so that they have more flexibility to protect public interest and prevent enforcement of an unfair arbitral award.

Next, Alexandre Meyniel explores the United States' courts attitude towards the 'Group of Companies' approach to enjoining non-signatories to an arbitration proceeding. After discussing the efficacy and utility of the Group of Companies doctrine, Mr. Meyniel compares the Group of Companies doctrine to the United States' courts traditional approach to enjoining non-signatories.

We then shift our focus to South Asia with Harisankar K S's article on arbitration in India. The piece focuses on the role of Indian courts prior to, during, and after arbitral proceedings. In order to do this, Mr. Harisankar evaluates the common law interpretation of the Arbitration and Conciliation Act of 1996.

Then Juan Antonio Gaviria evaluates the new Colombian statute for administering commercial arbitration in Colombia. His analysis includes a comparison of the legal rules on international commercial arbitration with those commonly utilized around the world. Finally, Mr. Gaviria discusses the impact of these new rules for the future of arbitration in Colombia.

Subsequently, Silvano Domenico Orsi addresses the global concern of ethics in arbitration. Mr. Orsi delves into the various approaches and standards that are used to assess arbitrator bias and the strict approach to requiring full disclosures by arbitrators. Mr. Orsi then discusses the utility of a new and internationally standardized code of ethics for international arbitration.

Our final piece is a student piece that addresses enforcement of arbitral awards in Hong Kong. In this piece, David Heller discusses the public policy exception as grounds for refusing to enforce arbitral awards in Hong Kong. Specifically, Mr. Heller focuses on the impact of culture on the application of the public policy exception in Hong Kong courts.

I would like to thank the entire Volume III staff for their diligence and hard work. Special thanks to the Center on International Commercial Arbitration for their continuous encouragement. The Brief is dedicated to achieving the Center's objectives in promoting the best quality reports on current developments in the field of arbitration. I also wish to thank the Student Bar Association for their financial support. Finally, our thanks go to American University Washington College of Law for providing a receptive platform where students, faculty, and visitors can openly discuss the most prominent global issues that face the legal arena today.

Very truly yours,
Shanila Ali