The Three Os of Arbitration: Origin, Operation and Outcomes

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EXECUTIVE SUMMARY

In lieu of litigation, arbitration has become a widely accepted technique for resolving business related disputes between contracting parties. As an ADR, arbitration has been used to resolve labor, asset expropriation, intellectual property and commercial disputes on an international basis. International law has also promoted the extraterritorial recognition and enforcement of arbitral decisions. The paper uses the three Os typology (origins, operations, outcomes) to examine both the evolution of this methodology and methods for improving its performance as a global dispute resolution technique for business.

Keywords: Arbitration, ADR, International Commercial Dispute Resolution