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Reference Materials
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About This Guide
In this guide, the graphics and step-by-step instructions are based on accessing Westlaw via the Internet. Because of the evolving nature of Internet technology, there may be recent changes to the interface and functionality that are not reflected in this documentation.
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1 Introduction

This research guide will assist you in using international commercial arbitration materials on Westlaw and help you perform research tasks such as retrieving model arbitration clauses, rules of procedure, and institutional guides; reviewing commentary and treatises, journals and law reviews, and current awareness materials; and researching awards and decisions, legislation, case law, and conventions.

Analytical Resources

Westlaw provides access to a wealth of expertly written treatises, which contain in-depth legal analysis and practice aids, such as checklists and forms. These treatises include

- *Arbitration in China: A Practical Guide*
- *Arbitration in Hong Kong: A Practical Guide*
- *Domke on Commercial Arbitration*
- *The Draft UNCITRAL Digest and Beyond*
- *Droit comparé de l’arbitrage international*
- *Law and Practice of Commercial Arbitration*

Institutional Materials

Westlaw also provides access to procedural rules, model clauses, guides, and awards from a variety of international arbitration institutions, including

- American Arbitration Association International Centre for Dispute Resolution
- China International Economic and Trade Arbitration Commission
- International Centre for the Settlement of Investment Disputes
- International Chamber of Commerce
- United Nations Commission on International Trade Law

Selecting the Tabbed International Arbitration Page

The tabbed International Arbitration page allows you to search many different kinds of international arbitration materials with a single search and contains useful shortcuts to common research tasks. To select the tabbed International Arbitration page, follow these steps:

1. Click **Add a Tab** at the top of any page. At the next page, click **Add Westlaw Tabs** to display a list of available tabbed pages. To preview a page, click the page name.

2. Select the **International Arbitration** check box under **Westlaw International** and then click **Add to My Tab Set**.

3. A list of the pages you’ve selected is displayed under **In Tab Display**. One page is designated as your default page (the page that is displayed when you sign on to Westlaw). Click **Set as Default** next to **International Arbitration** to set this page as your default.

4. To display the International Arbitration page, click its tab.
**International Arbitration Page Overview**

The tabbed International Arbitration page (Figure 1) consolidates frequently used tools and resources. In the left frame, you can search for a database or retrieve a document using its citation. In the right frame, you can easily search the following resources:

- international arbitration treatises and commentary
- bilateral investment treaties
- arbitration awards and case law
- journals and newsletters
- rules and guides from international arbitration institutions
- legislation and model laws

To conduct a comprehensive search of all international commercial arbitration materials, including cases, legislation, rules, model laws, guidelines, treatises, analytical commentaries, journals, and law reviews, select the **International Commercial Arbitration–All** check box under **International Arbitration Research**. Type your search in the **Search** text box and then click **Search**.

![Figure 1. Tabbed International Arbitration page](image-url)
2 Retrieving a Document by Citation

Accessing the Find Service
The Find service is available for many types of documents, including case law, statutes, regulations, and articles from publications such as law reviews and treatises. You do not need to access a database to use Find.

USING FIND AT THE TABBED INTERNATIONAL ARBITRATION PAGE
At the tabbed International Arbitration page, type your citation in the Find by citation text box in the left frame and click Go. To print the document immediately after it is retrieved, select the and Print check box before clicking Go.

ACCESSING FIND FROM ANY WESTLAW PAGE
You can click Find&Print at the top of any Westlaw page. The Find a Document page is displayed. To view the full text of a document, type its citation in the Find this document by citation text box in the left frame and click Go.

Selecting a Publication Country
The abbreviations used for U.S. publications may also be used for different non-U.S. publications. Therefore, you need to specify the jurisdiction from which you want to retrieve documents by selecting a country from the Publication Country drop-down list in the left frame of the Find a Document page (Figure 2).

Figure 2. Publication Country drop-down list at the Find a Document page
Using the Publications List

Click Publications List in the left frame of the Find a Document page to view a complete list of publications and abbreviations that can be used with Find. Use the Search feature to search the publications list for specific words or phrases. Then click the name or abbreviation of a publication to display its Find template.

Find Examples

<table>
<thead>
<tr>
<th>DOCUMENT</th>
<th>CITATION</th>
<th>FORMAT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cases</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Supreme Court of Canada</td>
<td>[2007] 2 S.C.R. 801</td>
<td>2007 2 scr 801</td>
</tr>
<tr>
<td>Court of Justice of the European Communities</td>
<td>Case C-294/02</td>
<td>eu case c-294/02</td>
</tr>
<tr>
<td>Hong Kong Law Reports and Digest</td>
<td>[2009] 5 H.K.L.R.D. 487</td>
<td>2009 5 hklrd 487</td>
</tr>
<tr>
<td>Hong Kong electronic citation</td>
<td>[2009] H.K.E.C. 1824</td>
<td>2009 hkec 1824</td>
</tr>
<tr>
<td>High Court of England and Wales (Queen's Bench Division)</td>
<td>[2007] EWHC 2702 (QB)</td>
<td>2007 ewhc 2702 (qb)</td>
</tr>
<tr>
<td>High Court of England and Wales (Chancery Division)</td>
<td>[2009] EWHC 682 (Ch)</td>
<td>2009 ewhc 682 (ch)</td>
</tr>
<tr>
<td>United States Supreme Court</td>
<td>129 S. Ct. 1896</td>
<td>129 sct 1896</td>
</tr>
<tr>
<td>Legislative materials</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Canadian legislation</td>
<td>R.S.C. 1985, c. B-6, s.35</td>
<td>rsc 1985 c b-6 s 35</td>
</tr>
<tr>
<td>Hong Kong ordinance</td>
<td>H.K.O. Cap. 341 s.2A</td>
<td>hko cap 341 s 2a</td>
</tr>
<tr>
<td>U.K. statutory instrument</td>
<td>S.I. 1999/2167</td>
<td>uk si 1999/2167</td>
</tr>
</tbody>
</table>

Note Remember to choose a publication country from the Publication Country drop-down list in the left frame of the Find a Document page after entering your citation.
3 Searching for Documents

Westlaw provides two search methods, Natural Language and Terms and Connectors, so you can search the way that is most effective for you. When you access a database, the Search page is displayed with your default search method selected. To select a different search method, click the appropriate tab.

Running a Natural Language Search

The Natural Language search method allows you to use plain English to retrieve relevant documents. Enter a description of your issue and Westlaw will display the documents that best match the concepts in your description. Westlaw identifies legal phrases in your description (such as choice of law), removes common terms (such as is and for), and generates variations of terms (such as mediation and mediator for mediated). Natural Language searching is available in most Westlaw databases.

To search for documents using Natural Language, follow these steps:

1. Formulate a description of your issue using terms that describe its main concepts.
3. At the database Search page, click the Natural Language tab if it is not already selected.
4. Type a description of your issue in the Search text box, or choose a search from the Recent Searches and Locates drop-down list. Then click Search Westlaw.

Running a Terms and Connectors Search

When you search Westlaw using the Terms and Connectors search method, you enter a query consisting of key terms from your issue and connectors specifying the relationship between those terms. Terms and Connectors searching is available in all Westlaw databases.

To search for documents using Terms and Connectors, follow these steps:

1. Formulate your query by choosing search terms significant to your issue and deciding which connectors to place between your terms. To retrieve variations of terms, use the root expander (!) and the universal character (*). To retrieve a phrase, place quotation marks (""") around the phrase.
3. At the database Search page, click the Terms and Connectors tab if it is not already selected.
4. Type your query in the Search text box, or choose a search from the Recent Searches and Locates drop-down list, and click Search Westlaw.
### USING CONNECTORS

In Terms and Connectors searching, you must place connectors between your terms. Connectors specify the relationship that should exist between terms in your retrieved documents.

<table>
<thead>
<tr>
<th>CONNECTOR</th>
<th>TYPE</th>
<th>TO SEARCH FOR DOCUMENTS THAT CONTAIN</th>
<th>EXAMPLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>AND</td>
<td>&amp; (and)</td>
<td>both search terms</td>
<td>&quot;bad faith&quot; &amp; misconduct!</td>
</tr>
<tr>
<td></td>
<td>a space (or)</td>
<td>either search term or both terms</td>
<td>attorney lawyer</td>
</tr>
<tr>
<td>Grammatical Connectors</td>
<td>/p</td>
<td>search terms in the same paragraph</td>
<td>award /p overturn</td>
</tr>
<tr>
<td></td>
<td>/s</td>
<td>search terms in the same sentence</td>
<td>contract /s breach</td>
</tr>
<tr>
<td></td>
<td>+s</td>
<td>the first search term preceding the second in the same sentence</td>
<td>investment +s treaty</td>
</tr>
<tr>
<td>Numerical Connectors</td>
<td>/n</td>
<td>search terms within n terms of each other (where n is a number from 1 to 255)</td>
<td>franchise /5 agreement</td>
</tr>
<tr>
<td></td>
<td>+n</td>
<td>the first search term preceding the second by n terms (where n is a number from 1 to 255)</td>
<td>tool +3 trade</td>
</tr>
<tr>
<td>Phrase</td>
<td>&quot; &quot;</td>
<td>search terms appearing in the same order as in the quotation marks</td>
<td>&quot;choice of law&quot;</td>
</tr>
<tr>
<td>BUT NOT</td>
<td>%</td>
<td>the terms following the percent symbol</td>
<td>r.i.c.o. % “puerto rico”</td>
</tr>
</tbody>
</table>

### USING VARIATIONS OF WORD FORMS

When choosing search terms, consider the various forms they might take.

<table>
<thead>
<tr>
<th>TO SEARCH FOR</th>
<th>TYPE</th>
<th>WESTLAW RETRIEVES DOCUMENTS THAT CONTAIN</th>
</tr>
</thead>
<tbody>
<tr>
<td>compound words such as goodwill</td>
<td>good-will</td>
<td>good will, good-will, goodwill</td>
</tr>
<tr>
<td>abbreviations such as ICSID</td>
<td>i.c.s.i.d.</td>
<td>I.C.S.I.D., I C S I D, I. C. S. I. D., ICSID</td>
</tr>
<tr>
<td>words with variant endings such as mediate</td>
<td>mediat!</td>
<td>mediate, mediated, mediating, mediation, mediator</td>
</tr>
<tr>
<td>words with variable characters such as withdraw</td>
<td>withdr*w</td>
<td>withdraw, withdrew</td>
</tr>
</tbody>
</table>

**Note** Plurals and possessive forms are automatically retrieved without a root expander (!) or universal character (*).
RESTRICTING YOUR SEARCH BY FIELD

Documents on Westlaw are composed of searchable components called fields. Each field contains a specific type of information. Rather than searching the entire document, you can restrict your search to one or more fields. Doing so saves searching and browsing time and makes your search more efficient. Many of the search examples in this guide include field restrictions. To search using a field restriction, access a database. The database Search page is displayed. Choose a field from the Fields drop-down list to add its abbreviation to the Search text box (Figure 3), or type the field abbreviation in the Search text box. Then type the terms you want included in the field restriction in parentheses following the abbreviation. For example, to search for Hong Kong ordinances that govern arbitration, access the Hong Kong International Commercial Arbitration–Legislation database (HKICA-LEG) and restrict your search to the prelim (pr) field:

pr(arbitrat!)
4 Reviewing Commentary and Treatises

Use the International Arbitration page to access practice guides that provide practical instructions on international arbitration. You can perform a quick search for terms or headings within a publication, search one or more database using the Terms and Connectors or Natural Language search method, or browse the table of contents for a database.

The International Commercial Arbitration—Commentary database (ICA-COMMENT) contains materials relating to international commercial arbitration from selected treatises, including Redfern and Hunter’s *Law and Practice of International Commercial Arbitration*; Domke on *Commercial Arbitration*; Eckstrom’s *Licensing in Foreign and Domestic Operations: Joint Ventures; Commercial Arbitration*; and *Droit comparé de l'arbitrage international*. To search ICA-COMMENT, select the Commentary and Treatises check box under International Arbitration Research, type your search in the Search text box, and click Search.

Using the Commentary and Treatises Center

You can search one or more treatises or browse the table of contents for a treatise (when available) using the Commentary and Treatises Center. To search a treatise database, select its check box (you can search up to 10 treatises at a time), type your search in the Search text box, and click Search.

To browse the table of contents for a treatise, point to its name and click the Show button ( ). Then click the database identifier in the menu that is displayed. At the database Search page (Figure 4), click Table of Contents in the upper-right corner to display the table of contents for that publication (Figure 5).

![Figure 4. Commercial Arbitration Search page](image)

![Figure 5. Table of contents for Commercial Arbitration](image)
Using Commentary and Treatises—Quick Search

The Commentary and Treatises—Quick Search section (Figure 6) of the International Arbitration page allows you to quickly search for key terms or section titles in a treatise. To run a search, follow these steps:

1. Select a treatise in the Please select one or more databases list box.
2. Type your search terms in the Term(s) or Title/Heading text box or both text boxes.
3. By default, Westlaw will retrieve documents that contain both the search terms in the Term(s) text box and the search terms in the Title/Heading text box. If you want to retrieve documents that contain either the terms in the Term(s) text box or the terms in the Title/Heading text box, choose Or from the And drop-down list.
4. Click Go.

For example, to retrieve sections in chapter 2 of Commercial Arbitration that discuss ethical concerns, follow these steps:

1. Select Commercial Arbitration in the Please select one or more databases list box.
2. Type ethic! in the Term(s) text box and type “chapter 2” in the Title/Heading text box.
3. Click Go.
5 Retrieving Arbitration Awards and Case Law

You can search U.S. and international case law and arbitration awards from a variety of international arbitration organizations and institutions at the International Arbitration page.

Searching Cases and Arbitration Awards Combined

To conduct a comprehensive search that includes both case law and arbitration awards and decisions, select the Cases and Awards check box under International Arbitration Research (Figure 7). Your search will be run in both the International Commercial Arbitration–Cases database (ICA-CASES) and the International Commercial Arbitration–Awards database (ICA-AWARDS). ICA-CASES contains the text of international commercial arbitration cases from many countries, including Australia, Canada, Hong Kong, the United Kingdom, and the United States. ICA-AWARDS contains international commercial arbitration settlement awards from a variety of sources, including the CPR Institute for Dispute Resolution, the International Chamber of Commerce International Court of Arbitration, the World Trade Organization, and the National Arbitration Forum.

Figure 7. Searching arbitration awards and cases
Using Arbitration Awards and Caselaw—Quick Search

To search an individual case law or arbitration awards database, select a database in the *Please select one or more databases* list box in the *Arbitration Awards and Caselaw—Quick Search* section (Figure 8). You can then search using a party name, a citation, or key terms, and restrict your search to documents referencing a specific convention.

For example, to retrieve National Arbitration Forum awards involving Mattel Corp. and a disputed domain name, follow these steps:

1. Select **National Arbitration Forum Awards** in the *Please select one or more databases* list box.
2. Type **mattel** in the *Parties or Names* text box.
3. Type **domain-name** in the *Full Text* text box.
4. Click **Go**.

![Figure 8. Arbitration Awards and Caselaw—Quick Search section](image-url)
### Search Examples

#### WHEN YOU KNOW

**THE NAMES OF THE PARTIES**
- arbitration awards involving Hunter Engineering
- the U.K. case Syska v. Vivendi Universal

**AN ISSUE**
- cases discussing when to set aside an arbitral award due to arbitrator misconduct
- an arbitration decision regarding the use of the domain name bloomberg-s.com
- arbitration decisions relating to an award of compound interest
- Australian cases involving a stay of court proceeding pending arbitration
- cases from Canadian federal and provincial courts discussing arbitration under International Chamber of Commerce (ICC) rules
- E.U. cases discussing choice-of-law provisions

#### ACCESS THIS DATABASE

- International Commercial Arbitration–Awards (ICA-AWARDS) and restrict your search to the prelim field (pr)
- United Kingdom International Commercial Arbitration–Case Law Locator (UKICA-CASELOC) and restrict your search to the title field (ti)
- International Commercial Arbitration–Cases (ICA-CASES)
- Uniform Domain Name Dispute Resolution Policy Arbitration Decisions (UDRP-ARB) and restrict your search to the domain-name field (dm)
- International Commercial Arbitration–Awards (ICA-AWARDS)
- Australian International Commercial Arbitration–Case Law (AUICA-CS) and restrict your search to the key-words field (kw)
- Canadian International Commercial Arbitration–Case Law (CANICA-CS) and restrict your search to the summary field (su)
- European Union International Commercial Arbitration–Cases (EUICA-CASES)

#### THEN TYPE

- pr(“hunter engineering”)
- ti(syska & vivendi)
- set /s aside /s award settlement decision /s arbitrator /s misconduct
- dm(bloomberg-s.com)
- compound /3 interest
- kw(stay! /s arbitration /s court)
- su(“international chamber of commerce” i.c.c.)
- choice-of-law
6 Retrieving Institutional Materials

You can search rules and guidelines for many different arbitration institutions at the International Arbitration page.

Searching Rules, Model Clauses, and Guides Combined

The International Commercial Arbitration–Institutions database (ICA-INST) contains arbitration material from numerous global arbitration institutions, including the American Arbitration Association International Centre for Dispute Resolution; China International Economic and Trade Arbitration Commission; China Maritime Arbitration Commission; CPR Institute; Hong Kong International Arbitration Centre; Institute of Arbitrators and Mediators Australia; International Bar Association; International Centre for Settlement of Investment Disputes; International Chamber of Commerce; London Court of International Arbitration; Permanent Court of Arbitration; Singapore International Arbitration Centre; Stockholm Chamber of Commerce; Vienna International Arbitral Centre; and United Nations Commission on International Trade Law. To search ICA-INST, select the Rules, Model Clauses, and Guides check box under International Arbitration Research.

Using Rules and Guides—Quick Search

To search rules, model clauses, and guides for an individual institution, select an institution in the Select one or more institutions list box in the Rules and Guides–Quick Search section (Figure 9). You can then search using key terms or a title and restrict your search by document type (e.g., model clauses).

For example, to retrieve a model arbitration clause from the China International Economic and Trade Arbitration Commission (CIETAC), select CIETAC in the Select one or more institutions list box. Choose Model Clauses from the Document Type drop-down list, and click Go.

Figure 9. Rules and Guides—Quick Search section
The International Arbitration page provides quick access to legislation relating to commercial arbitration from the United States and other countries, as well as model laws from various arbitration institutions.

**Searching Legislation and Model Laws Combined**

To conduct a comprehensive search that includes both legislation and model laws, select the **Legislation and Model Laws** check box under **International Arbitration Research**. Your search is run in both the International Commercial Arbitration–Legislation databases (ICA-LEGIS) and the International Commercial Arbitration–Model Laws database (ICA-MODL). ICA-LEGIS contains legislation relating to international commercial arbitration from Canada, China, the European Union, France, Germany, Hong Kong, the Netherlands, Singapore, Spain, Sweden, Switzerland, and the United Kingdom. ICA-MODL contains the text of model laws pertaining to international commercial arbitration from various organizations and institutions.

**Using Legislation and Model Laws–Quick Search**

To search legislation and model laws from an individual country or institution, select a database in the **Please select one or more databases** list box in the **Legislation and Model Laws–Quick Search** section (Figure 10). You can then search using key terms, title, or a section number.

For example, to retrieve sections of the Uniform Arbitration Act that relate to enforcement of an arbitration award by a court, select **U.S. Model Arbitration Act** from the **Please select one or more databases** list box. In the **Full Text** text box, type `court /10 enforce /10 award`, and click **Go**.

![Figure 10. Legislation and Model Laws—Quick Search section](image-url)
## Search Examples

<table>
<thead>
<tr>
<th>TO RETRIEVE</th>
<th>ACCESS THIS DATABASE</th>
<th>THEN TYPE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CANADIAN LEGISLATION</strong></td>
<td>Ontario legislation governing when a party may challenge an arbitrator</td>
<td>Canadian International Commercial Arbitration–Legislation (CANICA-STRULES) and add a prelim field (pr) restriction to your search</td>
</tr>
<tr>
<td></td>
<td>sections of the Manitoba Arbitration Act that discuss when an arbitrator may not be paid</td>
<td>pr(ontario) &amp; challeng! /s arbitrator</td>
</tr>
<tr>
<td><strong>E.U. LEGISLATION</strong></td>
<td>E.U. legislation discussing whether an agreement to arbitrate must be in writing</td>
<td>European Union International Commercial Arbitration–Legislation (EUICA-LEGIS)</td>
</tr>
<tr>
<td></td>
<td>E.U. legislation discussing the award of costs and fees to a prevailing party</td>
<td>agreement /s arbitrat! /s writ!</td>
</tr>
<tr>
<td><strong>HONG KONG LEGISLATION</strong></td>
<td>all sections of the Hong Kong Arbitration Ordinance</td>
<td>Hong Kong International Commercial Arbitration–Legislation (HKICA-LEG) and restrict your search to the prelim field (pr)</td>
</tr>
<tr>
<td><strong>U.K. LEGISLATION</strong></td>
<td>sections of the U.K. Arbitration Act governing the disclosure of documents</td>
<td>United Kingdom International Commercial Arbitration–Law in Force (UKICA-LIF) and add a prelim field (pr) restriction to your search</td>
</tr>
<tr>
<td></td>
<td>current, former, and future versions of U.K. statutes and statutory instruments governing a stay of legal proceedings pending arbitration</td>
<td>United Kingdom International Commercial Arbitration–Legislation Locator (UKICA-LEGISLOC)</td>
</tr>
<tr>
<td></td>
<td>pr(arbitration) &amp; disclos! /s document</td>
<td>pr(arbitration) &amp; stay! /s arbitration</td>
</tr>
</tbody>
</table>