

Jens Gal

Die Haftung des Schiedsrichters in der internationalen Handelsschiedsgerichtsbarkeit

[The Arbitrator's Liability in International Commercial Arbitration.]

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It is an often repeated mantra – some might say a hackneyed phrase – that arbitration may only be as good as the arbitrators acting in it. In this context it has become of increasing importance if and to what extent an arbitrator may be held liable at least if he acted in clear misconduct. In his work, Jens Gal endeavours to create a feasible system of liability by comparing the legal situations under the laws of Austria, England, France, Germany, Switzerland and the United States of America. In doing so, special attention is given to the legal basis of any possible damage claim, i.e. the so-called *Schiedsrichtervertrag* (arbitrator's contract), to duties the breach of which might lead to liability, to the arbitrator's immunity from suit and to possibilities by which an arbitrator might further reduce his risk of being held liable.

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