

ASA Special Series No. 30

# Performance as a Remedy: Non-Monetary Relief in International Arbitration

Edited by Achim Knoll



Association Suisse de l'Arbitrage  
Schweiz. Vereinigung für Schiedsgerichtsbarkeit  
Associazione Svizzera per l'Arbitrato  
Swiss Arbitration Association



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**PERFORMANCE AS A REMEDY:  
NON-MONETARY RELIEF IN  
INTERNATIONAL ARBITRATION**

**MICHAEL E. SCHNEIDER**

**&**

**JOACHIM KNOLL**

**Editors**

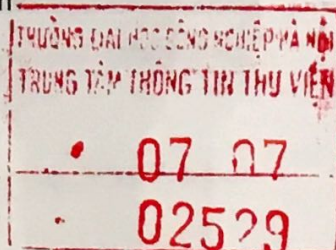
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## ABOUT THE BOOK

This publication contains the results of a research project carried out by the Swiss Arbitration Association (ASA) on a question that has received relatively little attention in legal commentary so far: Performance as a Remedy in International Arbitration and other non-monetary relief. Twenty-two contributions address, by reference to legal theory and to arbitration practice, the relief which arbitrators may and often do grant apart from orders for the payment of money. They address in particular the question whether arbitrators can order a party to perform or abstain from performing certain acts (be it in the form of an interim order or in an award on the merits), in what circumstances, and how such orders are made and the issues of procedure and enforcement that they raise.

The particular value of the present compilation lies in the diversity of perspectives which are opened on the subject. A thorough academic introduction of the subject is followed by reports from nine major international arbitral institutions, including the ICC and the LCIA, that provide a unique insight into their practical experience with performance as a remedy in arbitrations carried out under their auspices. Further, experts in the fields of corporate law, competition law, construction law, sports law, and international trade, provide their perspective on performance as a remedy in their respective fields. Performance orders as interim measures are dealt with in a separate chapter. Particular attention is given to some of the difficult questions arising when awards for non monetary relief must be enforced.

The book provides both analysis and practical guidance on the subject; the extensive materials from arbitration practice can be expected to contribute to further analysis and debate in a particularly challenging area of arbitration law.