



Nullity of arbitration award in the light of the Egyptian Arbitration Law compared to the arabic legislatures

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Any person served with an arbitration award will definitely attempt to create barriers for obstruction of the enforcement of the arbitration award by way of challenge. Each country has different procedures to appeal against such awards. Pursuant to rules of international private law an appeal against an arbitration award is governed by the law of the country in which the award is given, thus the finality of an award is determined by the law of the country where the award is rendered. This rule has been confirmed by the New York Convention on Recognition and Enforcement of Foreign Arbitral Awards, 1958. Under *Clause 5 - Article 5 of the Convention*, it is permissible for a competent authority, in a country where the enforcement of the award is required, to reject the enforcement, if the rendition of the award is not binding or to nullify or stop its enforcement in a country where the award is given or in a country where the award is given according to its law.

In appealing against arbitral awards, countries resort to one of two procedures¹ as follows:

The First Procedure is to make arbitral awards subject to the same procedures being used in court judgments as in the case of certain Latin American countries. This procedure had been adopted by France prior to the amendment of the procedure laws

¹ For the purpose of appeal against the arbitration awards: