

BOOK REVIEWS

Ihab Amro, *Online Arbitration in Theory and in Practice: A Comparative Study of Cross-Border Commercial Transactions in Common Law and Civil Law Countries*, Cambridge Scholars publishing, Newcastle upon Tyne, 2019

Professor Amro masterfully explains the intricacies and long-tailed challenges associated with resolving the growing multitude of disputes emanating from online transactions involving parties of diverse sovereignties.

Dr. Amro describes the evolution of online transactions in the internet and globalization era (e-commerce) and the resolution of disputes arising therefrom, which are also undertaken online (e-arbitration).

In the absence of promulgated rules governing e-arbitration, parties may avail themselves of the United Nations Commission of International Trade Law's (UNCITRAL) model, the New York Convention's (NYC) Recognition and Enforcement of Foreign Arbitral Awards, the UNICITRAL Model Law on Electronic Commerce, the UNCITRAL Model Law on Electronic Signatures and the International Institute for the Unification of Private Law's (UNIDROIT) Principles on International Commercial Contracts. Dr. Amro clearly explains the pros and cons of the application of each with examples.

The study differentiates applicable disputes between businesses from those between a business and a consumer. Further illustrating the challenges, the book also addresses issues arising between the differing legal structures of both common and civil law sovereignties and the void of pertinent adopted laws in many of these jurisdictions.

Chapter 5 plunges into a discussion of arbitrability problems in international 'distance contracts' and e-commerce transactions and the sufficiency of an agreement to arbitrate, particularly in consumer transactions wherein the arbitration clause is ancillary to the transaction via fine print and without expressed consent. The requisites of fairness to the weaker party (usually the consumer) vary worldwide. The challenges of consent to arbitration become the prelude to the enforcement of awards predicated on such problematic arbitration clauses and are also succinctly addressed here.

We live in an astonishing time of globalizing capitalism made possible through internet transactions. Dr. Amro makes a strong case for the establishment of an internationally accepted and uniform standard for the practice and enforcement of e-arbitration awards. I believe this book answers an urgent need among worldwide enterprises, consumers and practitioners, and I commend Dr. Amro for it. I highly recommend this excellent work.

Sidney Moreland

Arbitrator Sidney Moreland holds two undergraduate degrees from Louisiana Tech University and a Juris Doctor Law degree from the Southern Law School, where he was an honours graduate and a member of Law Review. Moreland received the American Jurisprudence Award for his study in the field of Evidence.

Book Reviews

He has arbitrated over 1,000 cases in his 28-year arbitration career, including commercial disputes, employment matters, labour-management disputes, interest arbitration issues, financial and securities claims, railroad and airline cases, federal agency conflicts and noteworthy civil matters referred to arbitration or mediation by the state and federal courts. Permanent panels and other parties (not comprehensive): National Football League/NFL Players Association; Pepsico; Dallas Area Regional Transit/A.T.U.; Southwest Airlines/TCU; CSX Transportation/B.L.E.T.; Broward County, Florida/AFL-CIO; Customs & Border Protection/NTEU; Social Security Administration/AFGE; Orion Corporation/U.S.W.; Union Pacific/S.M.A.R.T.-TD.