

***Balancing autonomy
and oversight:
Arbitration and the
Role of Courts***

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Balancing autonomy and oversight: Arbitration and the Role of Courts



The relationship between courts and arbitration is paradoxical.



While arbitration is designed as an alternative dispute resolution method meant to bypass formal court systems, courts still play a crucial role in ensuring its effectiveness.

Court' Involvement



**Enforcement of
Arbitration
Agreements**



**Support in Interim
Measures**



**Assistance with
Evidence**



**Corrective
Supervision**



**Enforcement of
Arbitral Awards**

Potential disadvantages of Court's Involvement

**Delays in
Arbitration**

Increased Costs

**Undermining
Party Autonomy**

Systemic Deficiencies in the Cyprus Judicial System

Delays

Lack of
specialized
training

Commercial
Court?

Common law
traditions?

Arbitration is not independent from the judicial process

- Courts play an indispensable role in supporting, enforcing, and sometimes regulating arbitration proceedings.
- Without a strong and efficient judiciary, arbitration proceedings are likely to face significant obstacles.
- The balance between autonomy and oversight in arbitration proceedings can be achieved by acknowledging the paradoxical relationship between arbitration and court involvement.
- Recognizing that courts play a necessary role, while also allowing arbitration to operate with the independence it was designed for, is key to maintaining this balance.

