

Eleventh Circuit rules that domestic law governs arbitral award vacatur (Corporación AIC, SA v Hidroeléctrica Santa Rita)

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Arbitration analysis: On 13 April 2023, the United States Court of Appeals for the Eleventh Circuit ruled that vacatur of an arbitral award under the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (the 'New York Convention'), where the United States is the primary jurisdiction, is governed by Chapter I of the Federal Arbitration Act (the 'FAA'), thus reversing its 25-year-old precedent and conforming with the Second, Third, and Seventh Circuits of the United States Courts of Appeal.

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