SCOTUS: BG Group v. Argentina: Presumption that Arbitrators Decide Preconditions to Arbitration Extends to the Interpretation of Treaties

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On March 5, 2014, the Supreme Court issued its decision in *BG Group PLC* v. *Republic of Argentina*, upholding an arbitration panel's award of damages against Argentina for breaching an international investment treaty. The Court held that although the party initiating the arbitration had failed to satisfy an express condition precedent to arbitration, the case properly proceeded to arbitration and federal courts were obligated to enforce the award.

Attorney

- Charles A. Gilman