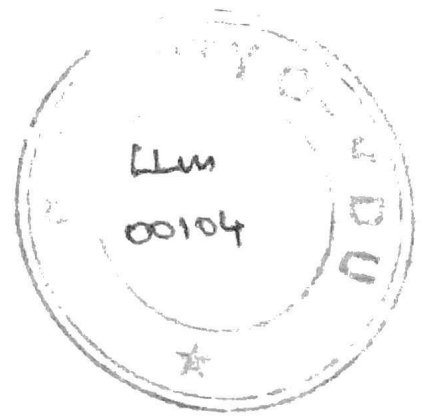


ABSTRACT



Arbitration was formally connected to the legal system of Sri Lanka by two principal enactments: the Arbitration Ordinance No. 15 of 1866 and the Civil Procedure Code of 1889. However with growth of the Country's economy the Government felt the need to have an expeditious and well integrated procedure for arbitration as an ADR with final enforcement effect. Thus, with great hope the Arbitration Act No. 11 of 1995 was enacted. Unfortunately such great expectations on arbitration were seemed to have faded quickly. This study was carried out to highlight the unique features, identify the shortcomings when carrying out arbitration in Sri Lanka, compare deviations of the Arbitration Act, No.11 of 1995 in comparison to UNCITRAL Model law and propose for effective improvements. For this purpose, this research will discuss the concept of arbitration in general, the evolution of international law on arbitration through conventions, and evolution of arbitration law in Sri Lanka. Further, it will draw out the prominent features of Arbitration Act and focus on criticism relating to substantial and procedural arbitration law in Sri Lanka within last one and half decades.

Subsequently in the final comparative analysis will be carried out by comparing and contrasting Arbitration Act 1995 with the UNCITRAL Model law and Swedish Arbitration law. This study adopts 'doctrinal' methodology also known as 'black letter approach' methodology and the international comparative analysis methodology. Thus this study will not make use of quantitative legal research tools, and the majority of the research is

undertaken with the materials available in law library and on-line legal database on arbitration in Sri Lanka, international arbitration law and Swedish arbitration law.

The conclusion of the study shall determine required amendments to improve the arbitration law in Sri Lanka and propose certain recommendations as the author holds a strong opinion that arbitration is an efficient means of alternate dispute resolution that could address many disputes in a swift and effective manner that is beneficial to all parties in dispute.

Key Words: Arbitration, International Arbitration, Adjudication, Conventions, Alternative Dispute Resolution (ADR), Advantages, Disadvantages

