



FACTSHEET ICC COMMISSION ON ARBITRATION AND ADR

Throughout recent history, the development of arbitration worldwide and the increasing global interest in other alternative dispute resolution mechanisms have led to the development of a vibrant community of arbitration and ADR users and providers. The ICC Commission on Arbitration and ADR represents this community through its members. In an effort to continuously improve the use of international arbitration and other forms of dispute resolution, the ICC Commission on Arbitration and ADR aims to:

- Assist in the drafting and updating of ICC's Arbitration, Mediation, Expert Determination, Dispute Board and other forms of dispute resolution rules;
- Provide reports, guidelines and best practices on a range of topics of current relevance to the world of international dispute resolution, with a view to improving the user experience of international arbitration and ADR and ICC's own dispute resolution services;
- Create a link among arbitrators, counsel and users to enable ICC dispute resolution to respond effectively to users' needs;
- Act as a forum for ideas on issues relating to international arbitration and other forms of dispute resolution; and
- Promote ICC's various dispute resolution services globally.

Membership

The Commission currently has over 900 members from over 90 countries. These members include arbitration and ADR specialists from leading law firms, general counsel representing global and other corporations, prominent arbitrators and distinguished university professors.

Members are appointed to the Commission by their respective countries' national committee to the ICC. If you are interested in becoming a member of your national committee, or becoming involved in the Commission, please see <http://www.iccwbo.org/worldwide-membership/become-a-member/>.



What we do / Our work

The Commission operates through Task Forces and other working groups which carry out specific assignments as formulated in a mandate given by the Commission's Chairman. The Task Force members are appointed by the ICC's national committees, and Task Forces are usually chaired by two members who guide the form and substance of the work. A Task Force may have a specific, dedicated mission – such as the publication of a set of rules or guidelines – or may be put into place to study a certain aspect of arbitration or ADR, without a precast idea of the end result of its work.

The Commission holds two plenary sessions per year, which members are encouraged to attend. At these Commission meetings, the members discuss current projects, vote on Task Force reports and have the opportunity to share ideas and views with their peers from around the world.

Current projects

Task Forces

- **Task Force on Maximizing the Probative Value of Witness Evidence**
This Task Force was established to prepare a report including guidelines and recommendations in order to enhance the probative value of witness evidence in international arbitration.
- **Task Force on the Revision of the Rules of ICC as Appointing Authority in UNCITRAL or other Ad Hoc Arbitration Proceedings**
A Task Force in cooperation with the Secretariat to the Court has produced new drafts of the Rules, while extending the scope of Services provided by ICC as Appointing Authority and is now nearing completion.
- **Task Force on Emergency Arbitrator Proceedings**
This Task Force was created in 2015 to study the experience to date under the ICC emergency arbitration provisions, as well as the experience of other institutions offering these kinds of proceedings. The Task Force's findings will be of use to any party, counsel or arbitrator involved, or considering being involved, in emergency arbitrator proceedings.
- **Task Force on “National Rules of Procedure for Recognition and Enforcement of Foreign Awards pursuant to the New York Convention of 1958”**
The Guide is a practical resource for international arbitration practitioners and users, designed to be consulted as a first step when considering recognition and enforcement of foreign awards in one or more countries. The Guide currently covers 79 countries and is being updated for a Third edition.

INTERNATIONAL CHAMBER OF COMMERCE (ICC)
INTERNATIONAL COURT OF ARBITRATION

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AND ADR | **WORLDWIDE**



- **Task Force on Trusts and International Arbitration**
This Task Force was created to study and identify specific issues related to trusts and arbitration. In 2008, the Task Force produced an arbitration clause for trusts disputes together with an explanatory note. Due to developments since 2008, the Task Force is currently working on an update of this work.
- **Working Group on the Report on “Construction Industry Arbitrations”**
Created in April 2016 this working group is tasked with updating the Report, as many developments have taken place in the construction industry and dispute management of complex international transactions since its publication of the Report.

Joint Working Groups with ICC Commissions

- **Joint Working Group on Tax Dispute Resolution.**
The JWG’s aim is to suggest a way forward by addressing the different mechanisms available including mediation, expert determination and arbitration and to work with the UN TaxDRS Subcommittee.



Recent publications

The Commission has recently revised the following Rules:

- ICC Arbitration Rules 2012 as revised in 2017
- ICC Expert Rules 2015
- ICC Mediation Rules 2014
- ICC Dispute Board Rules 2015

The Commission regularly publishes reports, articles and guidelines. Recent publications include:

- Report *Information Technology in International Arbitration* published 2017
- Report *International Arbitration and Financial Institutions* published 2016
- Report *Decisions on Costs in International Arbitration* published in 2015
- *Effective Management of Arbitration: A Guide for In-house Counsel and Other Party Representatives* published in 2015
- Report *States, State Entities and ICC Arbitration* published in 2012
- *ICC Guide to National Procedures for Recognition and Enforcement of Awards under the New York Convention*. A second edition was published in 2012 and a third edition is expected in 2017.
- *Report on Techniques for Controlling Time and Costs in Arbitration*, (second edition) published in 2012
- Other past publications include: The report “Issues for Experts Acting Under the ICC Rules for Expertise or the ICC Rules of Arbitration: A Report from the ICC Commission on Arbitration” (*ICC International Court of Arbitration Bulletin* Vol. 20/No. 1; an article entitled “Drafting Awards in ICC Arbitrations” (an ICC Special Supplement on “Using Technology to Resolve Business Disputes”).

For more information on these or other ICC publications, please see www.iccbooks.com or www.iccdri.com.

Chairman to the Commission

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Task Force on Maximizing the Probative Value of Witness Evidence

Co-Chairs:

Ragnar Harbst, Frankfurt (Germany)
José Astigarraga, Miami (United States)

Task Force on the Revision of the Rules of ICC as Appointing Authority in UNCITRAL or other Ad Hoc Arbitration Proceedings

Co-Chairs:

Victoria Orlowski, New York (United States)
Anne-Véronique Schläpfer, Geneva (Switzerland)

Task Force on Emergency Arbitrator

Co-Chairs:

Marnix Leijten, Amsterdam (The Netherlands)
Diana Paraguacuto-Maheo, Paris (France)

Task Force on Trusts and Arbitration

Co-Chairs:

Tina Wuestemann, Zurich (Switzerland)
Sophie Nappert, London (United Kingdom)

Task Force on National Rules of Procedure for Recognition and Enforcement of Foreign Awards pursuant to the New York Convention of 1958

Co-Chairs:

David Roney, Geneva (Switzerland)
Geoffroy Lyonnet, Paris (France)

ICC Secretariat

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