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## Using CPR's New Rules for International Arbitration

*Rebekah Mintzer*

Got a cross-border conflict that needs arbitrating? The International Institute for Conflict Prevention and Resolution might have just the process for you. The nonprofit dispute resolution provider recently released a set of new rules for administered international arbitration.

The new rules, which kicked in at the beginning of December, were prompted by feedback from the global business community and a growing need for efficient arbitration processes that work across borders. "We're very excited about these rules in the sense that they offer, we think, a really strong and really positive alternative to the other sets of rules out there," Noah Hanft, president and CEO of CPR, told CorpCounsel.com. "And I think what's particularly significant is that in these rules we have addressed many, if not all, of the concerns that people have raised regarding arbitration and the process—those include cost, time, complexity of the process and the need for independence amongst arbitrators."

The rules were developed by CPR's Arbitration Committee, which is made up of in-house and law firm practitioners from a variety of countries. The rules take into account the arbitration work of the United Nations Commission on International Trade Law, and address some of the most important factors in successful arbitration—speed, cost, flexibility and arbitrator impartiality.

The new rules help promote speedier arbitration by setting an initial limit on the time between the beginning of the arbitral tribunal to the award. "There's no mechanism for it to be longer than 12 months without CPR approval," said



Hanft. Members of the arbitral tribunal also are authorized to propose settlement and initiate mediation between the parties at any point in the process.

According to Hanft and CPR, the new rules should help keep costs more predictable. The administration fees under the new rules are on a sliding scale, but absent special circumstances are capped at \$34,000. A screened selection process for arbitrators also is available. That means parties can agree that arbitrators will be appointed without either side knowing which party appointed them—a process that helps encourage impartiality.

And there is a guarantee that proceedings will stay private. "We actually have

an explicit confidentiality agreement that binds all of the parties, including the arbitrators," Hanft said.

Hanft added that using CPR's rules also gives parties the option of accessing arbitrators on CPR's global and industry-specific panels. "At CPR we pride ourselves on being flexible and thoughtful, so we believe that we have the best panel of neutrals," he said, and parties that use these new rules for arbitration will have access to the group's international stable of neutrals.

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