ICCA Launches Working Group on Cybersecurity in Arbitration

ICCA is pleased to announce that we will be joining forces with the New York City Bar Association and the International Institute for Conflict Prevention & Resolution (CPR) to launch a Working Group on Cybersecurity in International Arbitration.

The ICCA-NYC Bar-CPR Working Group on Cybersecurity in International Arbitration is a project dedicated to addressing the need for cybersecurity in arbitral practice and establishing voluntary cybersecurity protocols for use in international arbitral proceedings. The Working Group will consider the possible impact of cybersecurity breaches on the system of international arbitration, as well as current practice and existing duties. The Members will then prepare a set of guidelines, which will provide practical guidance for counsel, arbitrators, and institutions, as well as optional protocols that can be adopted by parties to an arbitration.

The project is chaired by Brandon Malone, Chairman of the Scottish Arbitration Centre and the principal of niche commercial disputes practice, Brandon Malone & Company. The Working Group is further made up of an impressive group of practitioners and arbitrators: Olivier André (CPR), Paul Cohen (4-5 Gray's Inn Square Chambers), Stephanie Cohen (Independent arbitrator), Hagit Elul (Hughes Hubbard & Reed), Lea Haber Kuck (Skadden, Arps, Slate, Meagher & Flom LLP), Micaela McMurrough (Covington & Burling), Mark Morril (Independent arbitrator) and Kathleen Paisley (Ambos Law).

Asked about the launch of this Working Group, Project Chair Brandon Malone commented: "Cyber-attacks are a clear and growing danger to the integrity of our system in international arbitration. Poor cybersecurity can result in confidential information being obtained and used inappropriately, in denial of service attacks disrupting the process, in regulatory breaches, and in reputation damage to disputing parties, individual arbitrators, institutions, and to the system of arbitration itself. Despite these risks, awareness of cybersecurity threats, and the practice of individual participants in the arbitration process varies widely. There is a clear need for guidance to help those involved in arbitration to identify the risks, and take appropriate steps so as to maintain confidence in the system. We have been working with the New York City Bar Association and CPR Institute for some time now, devising an outline plan to address these issues, and we look forward to launching draft guidance and protocols for consultation at ICCA 2018 in Sydney."

The Working Group will present a consultation paper at the 24th ICCA Congress in Sydney, Australia. The Congress will be held from 15-18 April 2018.

For more information about the Congress, please visit http://www.icca2018sydney.com/.