Drafting Arbitration Clauses and Other Documents

- **CEDR Model Documents**: List of ADR documents including contract clauses, process documents, and other process documents.
  http://www.cedr.com/about_us/modeldocs/

- **Center Of The Brazil-Canada Chamber Of Commerce (CCBC) Suggested Arbitration Clause**
  http://www.ccbc.org.br/ingles/arbitragem.asp?subcategoria=modelos%20de%20clausulas

- **Chartered Institute of Arbitrators (CI Arb) Model Contract Clauses and Agreements**
  http://www.ciarb.org/dispute-resolution/dispute-resolution-contract-clauses/

- **China International Economic and Trade Arbitration Commission (CIETAC) Model Arbitration Clause**
  http://www.cietac.org/index.cms

- **CPR Model Clauses and Sample Language**: This document offers a detailed multi-step clause and a variety of drafting options for agreements.

- **CPR Model Master Dispute Resolution Agreements - Litigation**: This document is a Model Master Dispute Resolution Agreement for Litigation (Negotiation-Mediation-Litigation). This form as drafted covers all disputes between the parties.

• Hong Kong International Arbitration Centre (HKIAC) Arbitration Recommended Clauses [http://www.hkiac.org/index.php/arbitration/model-clauses](http://www.hkiac.org/index.php/arbitration/model-clauses)


• ICDR Guide to Drafting International Dispute Resolution Clauses [http://www.adr.org/sp.asp?id=32745](http://www.adr.org/sp.asp?id=32745)


• Japan Commercial Arbitration Association (JCAA) Standard Arbitration Clause [http://www.jcaa.or.jp/e/arbitration/clause.html](http://www.jcaa.or.jp/e/arbitration/clause.html)

• Korean Commercial Arbitration Board (KCAB) Model Arbitration Clause [http://www.kcab.or.kr/jsp/kcab_eng/arbitration/arbi_02.jsp](http://www.kcab.or.kr/jsp/kcab_eng/arbitration/arbi_02.jsp)

• LCIA Recommended Arbitration Clause [http://www.lcia.org/Dispute_Resolution_Services/LCIA_Recommended_Clauses.aspx](http://www.lcia.org/Dispute_Resolution_Services/LCIA_Recommended_Clauses.aspx)

- Model Arbitration Clauses for Use in Connection with the Permanent Court of Arbitration Optional Rules for Arbitrating Disputes between Two States
- Model Arbitration Clauses for Use in Connection with the Permanent Court of Arbitration Optional Rules for Arbitrating Disputes between Two Parties of Which Only One Is a State
- Model Arbitration Clauses for Use in Connection with the Permanent Court of Arbitration Optional Rules for Arbitration Involving International Organizations and States
- Model Arbitration Clauses for Use in Connection with the Permanent Court of Arbitration Optional Rules for Arbitration between International Organizations and Private Parties
- Model Arbitration Clauses for Use in Connection with the Permanent Court of Arbitration Optional Conciliation Rules
- Model Arbitration Clauses for Use in connection with the Permanent Court of Arbitration Optional Rules for Arbitration of Disputes Relating to Natural Resources and/or the Environment
- Model Arbitration Clauses for Use in connection with the Permanent Court of Arbitration Optional Rules for Conciliation of Disputes Relating to Natural Resources and/or the Environment

- **Singapore International Arbitration Centre (SIAC) Model Clause**

*ABA Dispute Resolution Section*
*Arbitration Committee*
*Arbitration Best Practices-International*
*March 2012*
• Singapore International Arbitration Centre (SIAC) Expedited Procedure Model Clause  

• Stockholm Chamber of Commerce (SCC) Arbitration Model Clauses  

• Swiss Chambers' Court of Arbitration and Mediation Model Arbitration Clause  

Practice Guidelines

• CPR Challenge Protocol: This challenge protocol applies to challenges exercised under the CPR Rules for Non-Administered Arbitration and the CPR Rules for Non-Administered Arbitration of International Disputes (the “Rules”).  

• CPR Arbitration Appeal Procedure: Most users of arbitration find the finality of an arbitration award appealing. But some parties to major cases are concerned about the possibility of an aberrant award and would like to be able to appeal from such an award to a tribunal of outstanding appellate arbitrators. In response to that concern, CPR has adopted the CPR Arbitration Appeal Procedure. The Procedure may be invoked whether or not the original arbitration was conducted under CPR Rules.  

• CPR Protocol on Determination of Damages in Arbitration: The Protocol on Determination of Damages in Arbitration provides guidance to arbitrators,
counsel and their clients for the efficient and fair development and presentation of damages evidence in arbitration proceedings.


- **Dubai International Arbitration Centre (DIAC) - Selecting the Type of Arbitration, the Rules and the Seat**
  http://www.diac.ae/idiias/journal/volume1sp/

- **Hong Kong International Arbitration Centre (HKIAC) Revised Guide to Arbitration under the Domestic Arbitration Rules of 1993**
  http://www.hkiac.org/index.php/arbitration/model-clauses

- **Guidelines for Arbitrating Small Claims under the ICC Rules of Arbitration**
  http://www.iccwbo.org/court/arbitration/id4095/index.html

- **ICC Techniques for Controlling Time and Costs in Arbitration**
  http://www.iccwbo.org/court/arbitration/id4088/index.html

- **Practical Considerations in Bringing a Case to the ICC**
  http://www.iccwbo.org/court/arbitration/id4400/index.html

- **ICDR Guide to Mediation and Arbitration for Business People**
  http://www.adr.org/icdr

- **ICDR Protocol Online Dispute Resolution Program for Manufacturer/Supplier Disputes**
  http://www.adr.org/sp.asp?id=35067

- **JAMS Efficiency Guidelines for the Pre-Hearing Phase of International Arbitrations**
  http://www.jamsadr.com/international-efficiency-guidelines-delted/

- **Singapore International Arbitration Centre (SIAC) Practice Notes**: SIAC promotes best practices in arbitration by applying published transparent guidelines contained in its Practice Notes. There are two sets of Practice Notes governing administered cases and UNCITRAL cases. Each sets out when and how it applies, and SIAC’s role in the appointment of arbitrators and the financial management of the arbitration.
Arbitrator Selection Process

- CIArb Guideline on the Interviewing of Prospective Arbitrators

- CPR's Due Diligence Evaluation Tool for Selecting Arbitrators and Mediators:

Ethics

- CPR-Georgetown Commission on Ethics and Standards in ADR’s Model Rule for The Lawyer as Third-Party Neutral:
  [http://www.cpradr.org/Resources/ALLCPRArticles/tabid/265/ArticleType/ArticleView/ArticleID/622/Default.aspx](http://www.cpradr.org/Resources/ALLCPRArticles/tabid/265/ArticleType/ArticleView/ArticleID/622/Default.aspx)

- CPR-Georgetown Commission on Ethics and Standards in ADR’s Principles for ADR Provider Organizations:
• Singapore International Arbitration Centre (SIAC) Code of Ethics for an Arbitrator

• Hong Kong International Arbitration Centre (HKIAC) Arbitration Code of Ethical Conduct

• IBA Rules of Ethics for International Arbitrators
  http://www.ibanet.org/Publications/publications_IBA_guides_and_free_materials.aspx#ethics

Arbitrator Conflict of Interest

• IBA Guidelines on Conflicts of Interest in International Arbitration
  http://www.ibanet.org/Publications/publications_IBA_guides_and_free_materials.aspx

Discovery

• CIArb Guideline for Arbitrators Regarding Documents-Only Arbitrations

• CPR’s Protocol on Document Disclosure & Presentation of Witnesses in Commercial Arbitration: Recognizing that there may be different interests and expectations on the part of arbitration users and their counsel, the Protocol offers various “modes” of disclosure and presentation of witnesses, ranging from minimal to extensive, so that the parties to an agreement to arbitrate may choose, at the time of entering into their agreement or thereafter, the general way in which their arbitration proceedings will be conducted in the important areas of document
disclosure and witness presentation.

http://cpradr.org/Resources/ALLCPRArticles/tabid/265/ID/614/CPR-Protocol-on-
Disclosure-of-Documents-and-Presentation-of-Witnesses-in-Commercial-
Arbitration.aspx

- **IBA Rules on the Taking of Evidence in International Arbitration**
  aspx

- **IBA Rules on the Taking of Evidence in International Commercial**
  http://www.ibanet.org/LPD/Dispute_Resolution_Section/Arbitration/IBA_R
  ules_Evidence/Overview.aspx

- **ICDR Guidelines for Arbitrators Concerning Exchanges of Information**
  http://www.adr.org/icdr

**E-Discovery**

- **CPR’s Protocol on Document Disclosure & Presentation of Witnesses in**
  **Commercial Arbitration:** Recognizing that there may be different interests and
  expectations on the part of arbitration users and their counsel, the Protocol offers
  various “modes” of disclosure and presentation of witnesses, ranging from
  minimal to extensive, so that the parties to an agreement to arbitrate may choose,
  at the time of entering into their agreement or thereafter, the general way in which
  their arbitration proceedings will be conducted in the important areas of document
  disclosure and witness presentation.

  http://cpradr.org/Resources/ALLCPRArticles/tabid/265/ID/614/CPR-Protocol-on-
  Disclosure-of-Documents-and-Presentation-of-Witnesses-in-Commercial-
  Arbitration.aspx
• CIArb Protocol for E-disclosure in Arbitration

Experts

• CIArb Protocol for the Use of Party-Appointed Experts in International Arbitration

• CIArb Guideline on the Use of Tribunal Appointed Experts, Legal Advisers and Assessors

Emergency and Interim Measures

• CIArb Guidelines for Arbitrators on How To Approach an Application For Provisional or Interim Relief

• CIArb Guideline on Interim Measures of Protection

Awards – Drafting

• CIArb Guideline for arbitrators on proceeding and making awards in default of party

• CIArb Guideline on the formalities for drafting an arbitral award

Awards – Enforcement

• International Commercial Arbitration Court at the Russian Federation
  Chamber of Commerce and Industry (ICAC) Recognition and Enforcement of Awards http://www.tpprf-mkac.ru/en/execution-

• Enforcing Arbitration Awards under the New York Convention
  http://www.uncitral.org/uncitral/uncitral_texts/arbitration/NYConvention.html

Arbitrator Guidelines - Procedure

• CIArb Guideline for arbitrators on how to deal with challenges to their jurisdiction http://www.ciarb.org/information-and-resources/practice-guidelines-and-protocols/list-of-guidelines-and-protocols/

• CIArb Guideline for arbitrators on the use of ADR procedures


Arbitrator Guidelines – Remuneration

- CIArb Guidelines for arbitrators as to how to formulate their terms of remuneration [http://www.ciarb.org/information-and-resources/practice-guidelines-and-protocols/list-of-guidelines-and-protocols/]
- SCC Arbitrator Guidelines: The SCC Arbitrator’s Guidelines contain information on the calculation of fees to the arbitrators, compensation for expenses, VAT applicable to the arbitrator’s fee, and other administrative issues. [http://www.chamber.se/skiljeforfarande-2/arbitrators-guidelines-1.aspx]