

About CIETAC

China International Economic and Trade Arbitration Commission (CIETAC), being established in 1956, is one of the major permanent arbitration institutions in the world.

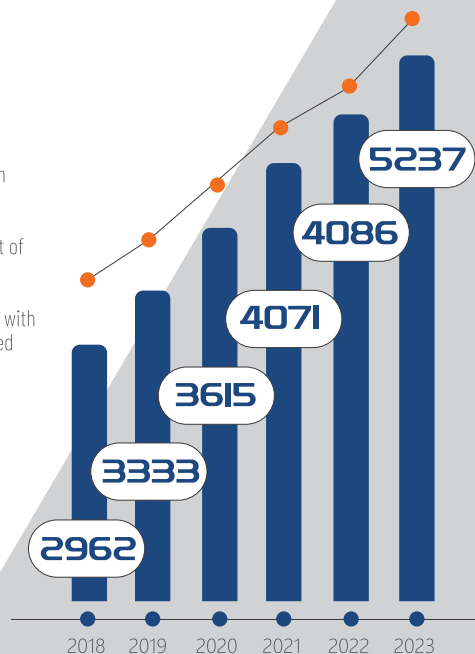
Over the past 60 years, CIETAC has been committed to providing independent, impartial and efficient arbitration legal services for Chinese and international parties. It has accepted more than 60,000 arbitration cases, with parties coming from over 160 countries and regions. The arbitral awards of CIETAC have been recognized and enforced worldwide, and its credibility of arbitration has been widely recognized at home and abroad. CIETAC is known as the "International Brand of Chinese arbitration and Chinese experience of International Arbitration". CIETAC was recognized as one of the 5 most preferred arbitral institutions in the International Arbitration Survey 2021.



New records have been achieved in CIETAC's arbitration services

Both caseload and amount in dispute have witnessed increase year by year.

- The number of cases accepted has maintained a growing momentum **for six consecutive years**, with 23,304 cases accepted in total from 2018 to 2023.
- The amount in dispute exceeds RMB 100 billion yuan **for six consecutive years**, with the total amount of **RMB 7,367.53 billion yuan** (2018-2023). Specifically, the figure in 2023 was RMB151.02 billion yuan.
- Cases with disputed amount over **RMB 100 million yuan** totaled 1,164, around 100 of which were cases with disputed amount over RMB 1 billion yuan. Specifically, in 2023, CIETAC accepted 209 cases with disputed amount **over RMB100 million** and 19 of which were cases with disputed amount over RMB 1 billion (a year-on-year increase of 11%).



The cases were more international in nature and the types of cases are more diverse

- The cases accepted by CIETAC involved parties from **160** countries and regions, covered **all of the "Belt and Road" countries**. Over the past decade since the launch of the Belt and Road Initiative, CIETAC has accepted **2,944 cases** involving "Belt and Road" countries, with a total amount in dispute of **RMB 160.017 billion yuan**.
- From 2018 to 2023, a total of **3,801** foreign-related cases were accepted by CIETAC. Among them, the number of international cases in which both parties were non-Chinese parties were **375**, and the amount in dispute thereof exceeded **RMB 10 billion yuan**. In 2023 particularly, the number of international cases were 62.
- In the past five years, there were **532** appointments of foreign arbitrators in **502** cases. In **604** cases, English, or both English and Chinese were agreed as the arbitration languages. Specifically, in 2023, there were **136** appointments of foreign arbitrators in **125** cases. In **93** cases, English, or both English and Chinese were agreed as the arbitration languages.

CIETAC fully respects the autonomy of the parties and the laws of market transactions, and has independently and impartially handled a large number of disputes of three major types, namely, equity investment, financial securities and construction projects, which are characterized by complex legal relationships, diverse transaction parties, great difficulty in trial and high social concern, thereby accumulated rich experience, being widely recognized by the industry.

Disputes over equity investment

Disputes over "valuation adjustment mechanism" (VAM), "performance compensation", "convertible bonds", "convertible shares" for the purpose of investment and financing, as well as disputes over merger and acquisition (M&A) and transfer of controlling equity, the transfer of options, entrusted shareholdings, and general equity;

Disputes over financial securities

Issuance / subscription disputes represented by those on financing instrument issuance agreements, bond prospectuses, etc., transaction disputes represented by those on over-the-counter (OTC) options, financial derivatives, etc., and repo disputes represented by those on bonds outright repo transactions, stock pledged repo transactions, etc.;

Disputes over construction projects

disputes on PPP, BOT, EPC, infrastructure, mine and well drillings, civil and commercial buildings, interior decoration design, etc.



CIETAC was recognized as one of the **5 most preferred** arbitral institutions in the 2021 International Arbitration Survey by White & Case and Queen Mary University.

The Latest Practice: Industry-leading position was enhanced

CIETAC continued the exploration of the best practices in arbitration.

- Firstly, in 2022, CIETAC issued two emergency arbitrator decisions, which were voluntarily performed by the parties. According to Chinese law, interim measures in arbitral proceedings are decided by the court, so the legal community is still cautious about the application of emergency arbitrator procedures in practice. The current CIETAC Arbitration Rules took the lead in stipulating the emergency arbitrator procedure.
- Secondly, CIETAC's practice of third-party funding was recognized in judicial review by the people's court for the first time in China, receiving wide attention from the industry. The Court held that "the establishment of a funding relationship between a third-party funding institution and a party does not violate the rule of confidentiality when the arbitration rules do not prohibit a third-party funding institution from funding a party to participate in the arbitration."
- Thirdly, CIETAC Released the Guidelines on Proceeding with Arbitration Actively and Properly during the COVID-19 Pandemic, developed the Online Filing System, the Intelligent Hearing Platform and the "CIETAC Private Cloud" platform for serving arbitration documents electronically so as to improve the efficiency. From 2020 to 2023, 4318 oral hearings were conducted online through the CIETAC Intelligent Hearing Platform, 4833 cases were filed online, involved parties from over 100 countries and regions.



1881

There are **1,881** arbitrators in CIETAC's current Panel of Arbitrators



1290

Among them, **1,290** arbitrators are from Chinese Mainland



COVERING ALL PROVINCES

Covering all provinces, regions and cities for the first time



591

591 arbitrators are from Hong Kong, Macao, Taiwan and foreign countries



145

They are from **145** countries and regions



112

including **112** countries and regions that have signed the "Belt and Road" cooperation documents

Characteristics of CIETAC's arbitration services

The Panel of Arbitrators: Professional & International

- There are **1,881** arbitrators in CIETAC's current Panel of Arbitrators. They are from **145** countries and regions, including **112** countries and regions that have signed the "Belt and Road" cooperation documents. The parties can agree to nominate arbitrators from outside CIETAC's Panel of Arbitrators.
- CIETAC also maintains a Panel of International Investment Arbitrators. There are **79** arbitrators in this Panel. Among them, there are **58** foreign arbitrators, from **35** countries and regions, including **12** countries and regions that have signed the "Belt and Road" cooperation documents.
- CIETAC constantly enriches, adjusts and optimizes its panel of arbitrators, making it more international and covering a wider range of areas globally, in order to better meet the needs of commercial entities from different countries for arbitration services.

INTERNATIONAL BRAND OF CHINESE ARBITRATION

The Arbitration Rules: keep up with the latest development and meet the needs of the parties

■ 2024 CIETAC Arbitration Rules

The new rules fully respect party autonomy, incorporate the latest achievements of international arbitration, innovate the arbitration system, continuously enhance the autonomy, flexibility, fairness, efficiency, convenience, and transparency in arbitration, effectively satisfying the needs of the parties.

The amendment of the new rules covered more than 30 aspects, including the provisions on online case filing and virtual hearings, prioritizing electronic means of delivery; improving the application of the doctrine of Kompetenz-Kompetenz, clarifying that the failure to negotiate or mediate before arbitration shall not affect the parties' right to initiate arbitration, expanding the scope for multiple contracts arbitration, improving interim measures, providing more options of the appointment/nomination methods of the presiding arbitrator, specifying the application of CIETAC's "Guidelines on Evidence" in the arbitration proceedings, regulating the abuse of procedural rights, regulating third-party funding, introducing the early dismissal procedure, and implementing a cap on arbitration fees, etc.

■ CIETAC International Investment Arbitration Rules

In 2017, CIETAC launched the International Investment Arbitration Rules, which is the first investment arbitration rules in China and the third investment arbitration rules in the world.

■ CIETAC Financial Dispute Arbitration Rules

In 2003, CIETAC adopted its Financial Dispute Arbitration Rules, which specifically applies to disputes arising from, or in connection with financial transactions. The Rules highlight the efficiency requirements and professional requirements of financial dispute resolution, and provide a systematic and standardized direction for the dispute resolution of securities and futures.

■ CIETAC Construction Dispute Review Rules

CIETAC released its Construction Dispute Review Rules in 2010 (amended in 2014) to offer expert review service for the construction industry. It provides intervention and dispute resolution at an early stage of a construction project, so as to meet the particular needs of the construction industry.

The Arbitral Awards: recognized and enforced worldwide

- The arbitral awards of CIETAC can be recognized and enforced in **over 170 countries and regions** in accordance with the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York Convention).
- In 2023, the CIETAC awards were recognized and enforced by courts in various countries and regions, including the United States, Argentina, Russia, Hong Kong SAR (China), and Taiwan (China), further promoting the credibility of China's arbitration.
- In order to assist the parties in enforcing arbitral awards abroad, CIETAC provided necessary supporting services, including issuing certificates for validation of the awards, certificates of authenticity and documents for the registration of enforcement applications in accordance with the requirements of Indonesia, the United States, Iran, Brazil and other countries.

ADR Services: pioneer in China

- The practice of combining arbitration and mediation has been incorporated into the China Arbitration Law, and has been recognized widely as the **"Oriental Experience"**.
- In 2017, CIETAC launched the International Investment Arbitration Rules, which is **the first investment arbitration rules in China and the third investment arbitration rules in the world**. CIETAC provides arbitration service for international investment disputes arising out of contracts, treaties, laws and regulations, or other instruments between an investor and a State in accordance with the Investment Arbitration Rules.
- CIETAC unveiled its mediation center on May 18, 2018, which is to provide parties with high-quality and efficient ADR services. CIETAC also released its Mediation Rules and maintains the Panel of Mediators. Appointed respectively as one of the institutions to resolve investment disputes by the Cross-Strait Investment Protection and Promotion Agreement in 2012, and by the Investment Agreements under the Mainland/Hong Kong, Macau Closer Economic Partnership Arrangements (CEPA) in 2017, CIETAC is authorized to resolve investment disputes between Taiwan, Hong Kong or Macau investors and the mainland through mediation.
- CIETAC was also recommended by the Ministry of Justice of China to be **one of the first Chinese ODR service providers under the APEC Collaborative Framework** for ODR of Cross-Border B2B Disputes and has been officially recognized by APEC as one of the present five ODR service providers listed on its official website. Through this platform, CIETAC provides ODR service with an entirely online process of negotiation, mediation and arbitration to resolve B2B cross-border commercial disputes, especially for micro, small, and medium enterprises.
- In December 2000, CIETAC established its **Domain Name Dispute Resolution Center** and the Center accepted around 4000 cases in total.
- CIETAC also developed the **Construction Dispute Review Mechanism**. The first case applying CIETAC's Construction Project Disputes Review Rules was successfully resolved, which involved a project of over RMB10 billion and RMB2.6 billion in dispute, drawing wide attention from the construction industry.



International Network: provide convenient services for parties

- Headquartered in Beijing, CIETAC has **13** sub-commissions/arbitration centers in different parts of China. CIETAC and its sub-commissions/arbitration centers adopt the same set of Arbitration Rules and the same Panel of Arbitrators. In addition, CIETAC set up its ASEAN Trial Center and Central Asia Trial Center in Nanning, Guangxi Zhuang Autonomous Region and Urumchi, Xinjiang Uygur Autonomous Region, to provide services specifically for the parties in ASEAN countries.
- CIETAC set up its Hong Kong Arbitration Center in September 2012. In July 2018, the North American Arbitration Center was established in Vancouver, Canada. In September 2018, the European Arbitration Center was established in Vienna, Austria.



Chinese Mainland

CIETAC South China Sub-Commission—Shenzhen
CIETAC Shanghai Sub-Commission—Shanghai
CIETAC Tianjin Sub-Commission—Tianjin
CIETAC Southwest Sub-Commission—Chongqing
CIETAC Zhejiang Sub-Commission—Hangzhou
CIETAC Hubei Sub-Commission—Wuhan
CIETAC Fujian Sub-Commission—Fuzhou
CIETAC Sichuan Sub-Commission—Chengdu
CIETAC Jiangsu Arbitration Center—Nanjing
CIETAC Silk Road Arbitration Center—Xi'an
CIETAC Shandong Sub-Commission—Jinan
CIETAC Hainan Arbitration Center—Haikou
CIETAC Xiong'an Sub-Commission—Xiong'an
The Arbitration Center Across the Straits—Pingtan

North American Arbitration Center
(2018, Vancouver, Canada)

European Arbitration Center
(2018, Vienna, Austria)

Hong Kong Arbitration Center
(2012, Hong Kong, China)



Model Clause

Any dispute arising from or in connection with this Contract shall be submitted to China International Economic and Trade Arbitration Commission (CIETAC) for arbitration which shall be conducted in accordance with the CIETAC's arbitration rules in effect at the time of applying for arbitration. The arbitral award is final and binding upon both parties.

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Any dispute arising from or in connection with this Contract shall be submitted to China International Economic and Trade Arbitration Commission (CIETAC)_____ Sub-Commission (Arbitration Center) for arbitration which shall be conducted in accordance with the CIETAC's arbitration rules in effect at the time of applying for arbitration. The arbitral award is final and binding upon both parties.

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WECHAT OFFICIAL ACCOUNT





CHINA INTERNATIONAL ECONOMIC AND
TRADE ARBITRATION COMMISSION