



中国国际经济贸易仲裁委员会

CHINA INTERNATIONAL ECONOMIC AND
TRADE ARBITRATION COMMISSION

What does CIETAC mean to its users?

Dr. WANG Wenying
Secretary General
CIETAC Hong Kong Arbitration Center

CIETAC

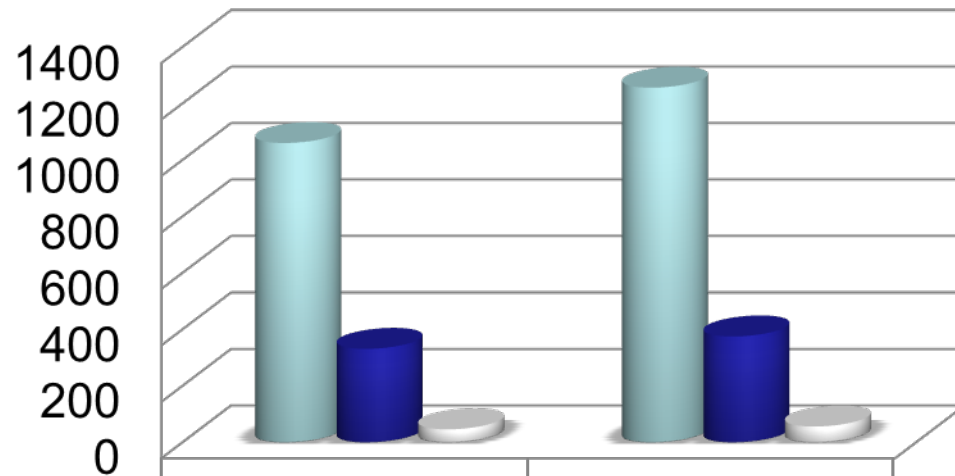
- China International Economic and Trade Arbitration Commission;
Established under CCPIT in 1956
- Court of Arbitration of CCOIC in 2000
- Initial purpose was for settling disputes arising from foreign-related transactions. By revising its rules in 2000, CIETAC expanded its scope of cases to the extent that includes not only foreign-related but also domestic cases
- Independently and impartially resolves economic and trade disputes by arbitration

- CIETAC is the biggest arbitration commission in the Mainland with about one hundred supporting staff and more than 1000 arbitrators
- The total amount of claim in the arbitration cases adopted by CIETAC is, for many years, the biggest among the arbitration institutions in the Mainland
- CIETAC has received the largest caseload of international arbitration among arbitration institutions in the Mainland; and
- the Rules and practice of CIETAC significantly influenced not only the draft of the Chinese Arbitration Law but also the rules and practice of Chinese arbitration commissions.

CIETAC structure

- **H**eadquarter in Beijing
- **T**hree sub-commissions/center (SW, TJ, and HK)
- **T**wo newly established offices (SH, SZ)

Cases administered by CIETAC



	2012	2013
■ cases	1060	1256
■ foreign related cases	331	375
■ countries involved	46	56

- Institutional arbitration service provider
 - more and more cases where both parties came from foreign countries or regions
 - more and more cases where parties have special agreement over the language of arbitration and the formation of tribunal
 - more and more foreign arbitrators appear in cases as party-appointed arbitrators or the presiding arbitrators

● Arbitration & ADR Rules provider

- CIETAC Arbitration Rules
- CIETAC Financial Disputes Arbitration Rules
- CIETAC Online Arbitration Rules
- CIETAC Construction Dispute Review Rules (Trial)

● Think tank

- Providing to the legislature for its reference legal opinions and advice on relevant legislation and amendments to the law
- Making researches in and promoting commercial arbitration and other alternative dispute resolution
- Fostering domestic and international exchange and cooperation in arbitration and participating arbitration activities at home and abroad

- **Internationalized and experienced** with a history of 58 years
 - Comparatively low cost and quick process
 - Combination of arbitration with mediation
 - A list of diversified and experienced arbitrators
 - Appointing process that gives the parties more freedom of choice
 - A team of experienced case-managers/secretaries

- **Party autonomy is highly respected**
 - Venue of hearing
 - Seat of arbitration
 - Language
 - Choice and variation of rules
 - Agreement on the nationality of arbitrators
 - Methods of hearing
 - Oral hearing or documents only
 - Inquisitorial or adversarial approach
 - Applicable laws

- first overseas branch of CIETAC
- adopts the existing CIETAC arbitration rules
- to receive the cases of “arbitration in CIETAC Hong Kong Arbitration Center” or “arbitration in CIETAC Hong Kong”
- to provide assistance, such as arranging oral hearings
- the arbitration seat is Hong Kong
- Hong Kong Arbitration Ordinance and Hong Kong Arbitration related laws should be complied with

Differences:

- doctrine of competence-competence
arbitral tribunal under CIETAC HK can rule on its jurisdiction
- interim measures (IM)
arbitral tribunal can grant injunction orders called (IM)
- Open panel
- Emergency arbitrator
- Hong Kong court's assistance

THANK YOU

Contact us:

Address: 4705 Far East Finance Centre, 16 Harcourt Road,
Admiralty, HK.

Tel: +852 2529 8066

Fax: +852 2529 8266

website: <http://www.cietachk.org>



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