

# ***CURRENT ISSUES IN INTERNATIONAL COMMERCIAL ARBITRATION***

**THE**

## **MADRID INTERNATIONAL ARBITRATION CENTER (MIAC): a new player in international arbitration**

**José Antonio Caínzos**  
**President**

Madrid, 23<sup>rd</sup> September 2021



<https://madridarb.com/en/>

# Conflict resolution: an increasingly open world

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- State Courts of Justice
- Arbitration
- Mediation
- Conciliation
- Others (Dispute Boards, settling experts, combinations)





# Arbitration: the **correct path** in international operations

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- The judicial path is not the best alternative in most international cases
- Mediation is a valid and effective option, but it requires a pacifist attitude that does not always exist
- Mediation is compatible with arbitration: hybrid clauses
- Other options might be more adequate for certain economic sectors or legal areas, but it is unlikely that the parties comply with them: arbitration as a last resort solution



# How was **MIAC (CIAM)** born?

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- A project by **businessmen and lawyers** for businessmen and lawyers
- A reality born from the merger of the **international activity** of:



- With a **strategic partner**:



- Who makes the **union** its inspirational element



# What is **MIAC (CIAM)**?

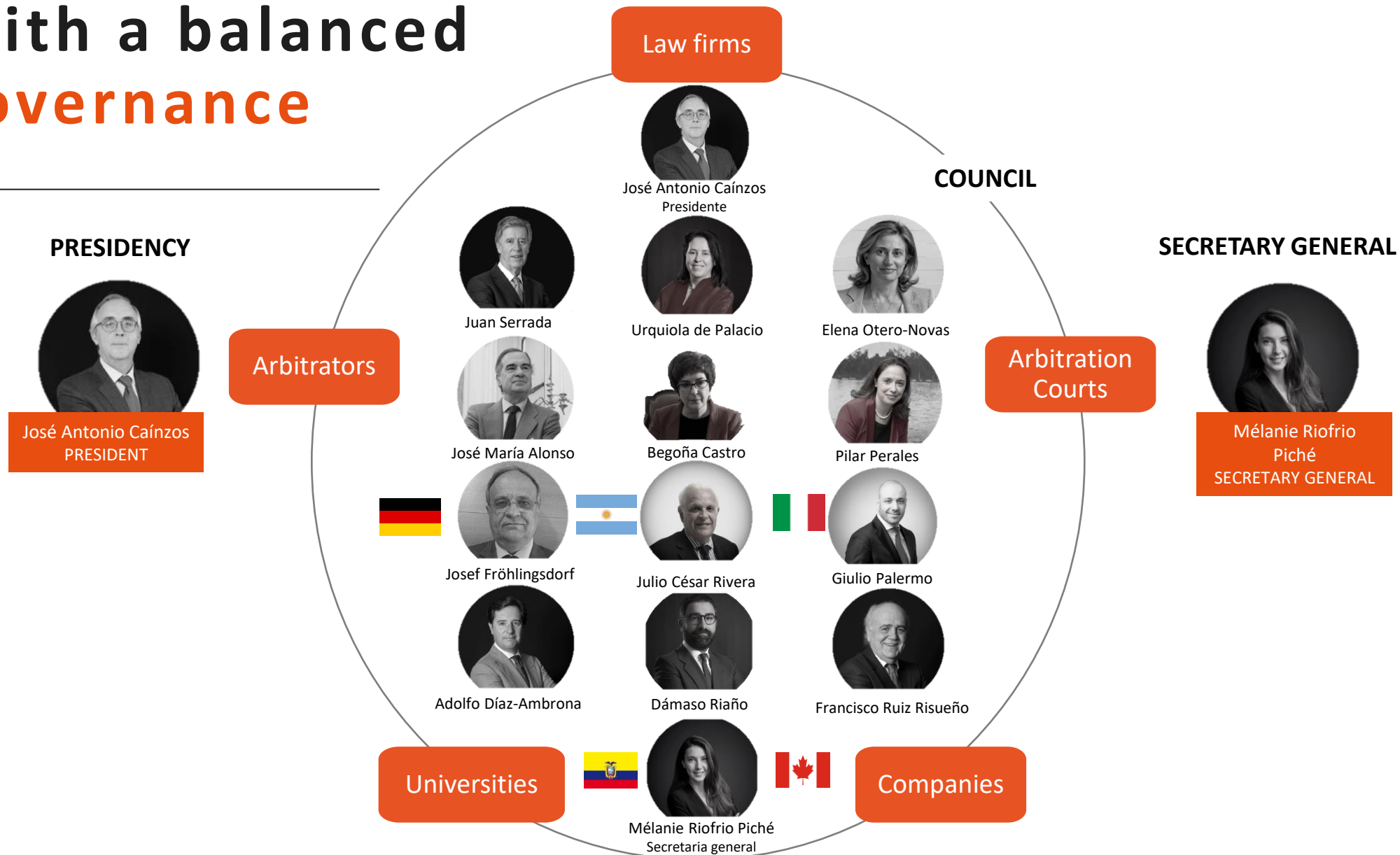
- An arbitration **court**
- Born on the **1<sup>st</sup> January 2020** but with **years of experience**
- Based in **Madrid**
- Administering only **international arbitrations** and **international mediations**



## International Commission



# With a balanced governance



# Appointment system

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- Without a list: **Arbitrator Appointment Committee**



José Antonio Caínzos  
PRESIDENTE



Eloy  
Anzola



Mercedes  
Fernández



Juan Fernández-  
Armesto



José Miguel  
Judice



- Without a list: **Mediator Appointment Committee**



Javier Fdez.-  
Samaniego



Jane  
Player



Aloysius  
Goh



James  
South



Andrea  
Maia



Ximena  
Bustamante



Paulino  
Fajardo



# Commission for the Prior Examination of Awards

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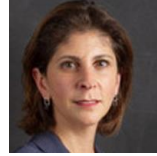
Antonio Hierro



Calvin Hamilton



Caroline Richard



Cecilia Azar



Clifford Hendel



Cristian Conejero



David Cairns



Dyalá Jiménez



Eduardo Silva Romero



Fabian von Schlabrendorff



Ina Popova



Jean Marguerat



José Rosell



José Daniel Amado



Luis Alfredo Araque



María Beatriz Burghetto



María Claudia Procopiak



Massimo Coccia



Niuscha Bassiri



Paul Arrighi



Sabina Sacco



Sofia Martins



Stephan Adell



Juan Antonio Cremades





# An **international** court

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- With a global **logo**
- Working in **four languages**
- Applying any **law** agreed to by the parties
- With the **seat of arbitration** in any city of the world
- Composed of personalities from **different countries** (25), legal cultures and specialties
- Nurtured by the most demanding international **ethical standards**



The logo for the Club Español del Arbitraje (cea) features the lowercase letters 'cea' in a serif font. The 'c' and 'e' are grey, while the 'a' is red.

Club Español del Arbitraje

# At the forefront

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- **Our values:**
  - excellence in arbitration proceedings
  - spirit of service to the parties
  - commitment to sustainability
- **Interim** measures and **emergency arbitrator**
- **Expedited proceeding**
- Prior examination of awards **scrutiny**
- Optional **challenge** of the **award**
- State-of-the-art **technology**
- Cost savings: competitive **fees**
- Commitment to **time** reduction
- **Transparency**
- Support for **diversity**



# Sectoral working groups

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- Sectoral Groups:

Maritime Law

Construction and Engineering

Energy

Tourism and Real Estate

Digital Economy

Pharmaceutical

Defense and Security

Financial Services

Insurance

Large Retail

PROMARCA

Experts Witnesses





# A network with the most prestigious arbitration institutions: some examples

- **Asia**
  - CIETAC
  - HKIAC
- **Europe**
  - PCA
  - SCC
  - VIAC
  - DIS
- **America**
  - CEMARC – Argentina
  - CAM-CCBC - Brasil
  - CAC CÁMARA COMERCIO BOGOTÁ - Colombia
  - CAM SANTIAGO – Chile
  - CAM Amcham Quito – Ecuador
  - CAM MÉXICO
  - CENTRO ARBITRAJE C.C. LIMA - Perú
  - CMYA LIDECO-Uruguay
  - CACC - Venezuela





**International Cooperation is  
the way forward for  
Arbitration Institutions to turn  
good wishes into reality**

**For more information: <https://madridarb.com/en/>**