

Association For International Arbitration

# IN TOUCH



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Issue # 02

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NEW EU directive on mediation in civil and commercial matters Conference.

AIA is pleased to announce the organization of this upcoming event.

Showing that the EU is very interested in alternative dispute resolution, this directive was adopted on May 21st 2008.

A number of experts on mediation will provoke a discussion on this Directive that encourages the training of mediators and the adoption of codes of conduct to ensure the quality of mediation throughout the European Union.

More information will be posted on the AIA website:

For more information contact

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## CIETAC's Journal

In our goal to encourage and promote publication, and a forum for legal discourse, AIA in collaboration with CIETAC's journal in its English version is calling for articles on Arbitration and Mediation to be included in the upcoming and future issues.

To submit articles please contact

Aura Soria de Karel  
[administration@arbitration-adr.org](mailto:administration@arbitration-adr.org)

## Conclusions on the Arbitration and Mediation ACP-EU Relations Conference, posted on AIA website

The wonderful outcome of the last conference organized by AIA has been summarized in a text of conclusions.

We express our gratitude to Chitra Radhakishun, Manager UNCTAD Project on Dispute Settlement in International Trade, Investment and Intellectual Property and all the speakers of our last conference for their faithfulness in collaborating with the summary of this event.

To see the text of the conclusions, please follow this link:  
[http://www.arbitration-adr.org/activities/20082105\\_conf.html](http://www.arbitration-adr.org/activities/20082105_conf.html)

## New Labor Arbitration Law in China

Numerous attractive markets suffer from the same disease, exasperating legal procedures, language barriers and cultural business differences. China has become one of the most notorious among these cases.

Arbitration practice throughout China has significantly increased, according to the China International Economic and Trade Arbitration Commission (CIETAC), this governmental body that deals with arbitration, was reported as the busiest arbitral institution in the world last year.

CIETAC's statistic charts reflect the significant increase in the number of cases in comparison with earlier years. Increase of foreign investment in China corresponds to one of the main causes. The large foreign investment thus increases significantly the number of disputes, which are in time referred to arbitration.

In the field of labor law in China, arbitration has taken a hold in recent times.

New law on labor arbitration took effect on May 1st as a prospective to help reorganize the procedures that currently afflict the labor disputes in China.

## Call for Arbitrators

with a professional background and interest in China, to be part of a Chinese Panel of Arbitrators.

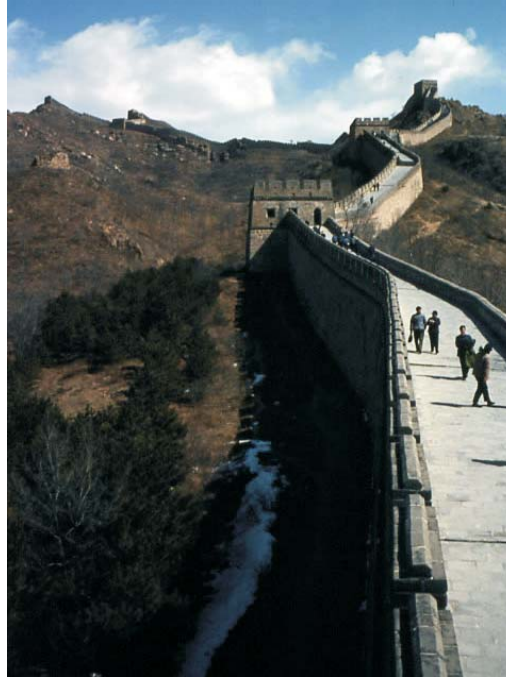
Your data will be recorded in the arbitrator database and submitted to Arbitrator Qualification Review Committee. Subject to approval, your name will be listed in one of the Chinese Panels of Arbitrators to be selected by the parties or appointed by the Director of the Commission.

Please contact the Association for International Arbitration for more details.

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However China's greatly increased investment has produced a systematic reform of China's institutions for public equalization, needed in order to cope with caseloads and recognize the legal potential.

The new Labour Dispute Mediation and Arbitration Law dictates that:

- arbitration committee decisions in habitual cases are legally binding,
- the arbitration submission fee is eliminated,
- the time limit for filing an

arbitration case from 60 day are extended nows to one year.

Thus, reports have shown that arbitration committees are poorly equipped to deal with the dramatic increase in the number of labor disputes in China.

The number of labor disputes has arisen rapidly since the labor contract law adopted in May 1st of 2008. The current Chinese leadership's project for a "harmonious society" should be looking for ways of dealing with these disputes that are at the moment overwhelming to the officers who have a hard time dealing with the increasing number of cases. The participation of the public in new arbitration institutions makes the arbitration process more transparent and accountable to public analysis as well as encouraging trade unions to play a more active role in collective negotiations and doing so to resolve disputes before arbitration or litigation becomes necessary.

## NEWS AIA

## Partners and sponsors



AIA is looking for partnerships to achieve its goals of promoting of ADR methods, arbitration and mediation throughout the world.

We invite you to participate in the work of AIA and create an opportunity to give exposure to your firm through all the activities, events and publications of an organization that extends its efforts in a global scale.

## AIA welcomes its new members from Xian Arbitration Commission

Our partnership agreement with Xian Arbitration Commission in China continues to develop. Members of this institution have become members of our association in the past month.

Welcome to all our new members!

## AIA visit to China

A delegation from AIA will visit China at the end of this summer looking for partners for its coming conference on *Arbitration and Mediation latest developments in China*.

The itinerary of the delegation will include:

- CIETAC
- Xian Arbitration Commission
- Guangzhou Arbitration Commission
- Shenzhen Arbitration Commission
- Huizhou Arbitration Commission
- Shenyang Arbitration Commission

AIA pursuant to its goals of promotion, education and training to better practice of the Arbitration and ADR profession seeks partnerships with the most prestigious institutes in the world.

For more information  
please visit:  
<http://www.arbitration-adr.org>

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