



The Inaugural Survey of Latin American Arbitral Institutions

La Encuesta Inaugural de Instituciones de Arbitraje en América Latina

A Enquete Inaugural de Instituições de Arbitragem na América Latina

Institute for Transnational Arbitration

2011



The era of Latin American arbitral institutions has arrived. Building on a strong legal framework, arbitral institutions have emerged throughout the region. Parties large and small, from Latin America and beyond, have increasingly turned to these institutions, as well as international institutions, to resolve their disputes.



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Foreword



Eduardo Zuleta

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The Institute for Transnational Arbitration (“ITA”) is a global educational forum for the exchange of ideas and the development of best practices among lawyers, arbitrators, and professionals involved in transnational commercial and investment arbitration. Through a series of workshops, conferences and publications, ITA aims to assist lawyers and professionals in establishing a training ground to gain valuable tools to advance their skills in this growing field.

ITA established the Americas Initiative annual conferences throughout Latin America. Resulting Americas initiatives have been held in Bogota, Buenos Aires, Mexico City, Panama City, and São Paulo. ITA is a neutral

organization that partners with diverse organizations worldwide to promote arbitration. Over the past three years, ITA has developed the role of the Americas Initiative to expand upon its previous cooperation and coordination with local arbitral institutions, as well as its continued coordination with the leading international arbitral institutions.

As the Inaugural Survey of Latin American Arbitral Institutions (“Survey”) demonstrates, local and regional arbitral institutions have contributed to the impressive growth of arbitration in Latin America and will play a critical role in dispute resolution going forward. The Americas Initiative aims to assist these institutions and their

professionals by serving as a valuable forum to exchange ideas, encourage best practices, facilitate contacts, and enhance skills.

We are excited to publish the findings of this unique Survey, and confident that it will lead to coordination amongst arbitral institutions in the region and will facilitate discussions of best practices. We would like to extend a special thanks to all the institutions that participated in this project. I also would like to encourage individuals, corporations, law firms, government agencies, and other organizations interested in transnational arbitration throughout Latin America to become involved in ITA events.



The Era of Latin American Arbitral Institutions

Summary of the ITA Inaugural Survey



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The era of Latin American arbitral institutions has arrived. Building on a strong legal framework, arbitral institutions have emerged throughout the region. Parties large and small, from Latin America and beyond have increasingly turned to these institutions, as well as international institutions, to resolve their disputes.

The prevalence of local arbitral institutions in Latin America is increasingly understood by companies and counsel. I was contacted by someone from the other side of the world regarding potential options for dispute resolution on a Peru deal. Before I could make any recommendation, I was advised that the parties were only considering arbitration before the Lima Chamber of Commerce or AmCham Peru. This anecdote is indicative of broader developments in Latin America and the growth of arbitral institutions in the region.

Local and regional arbitral institutions have multiplied in number in Latin America—leading to a proliferation of options for arbitration in the region. Many of these institutions already have significant caseloads and many more institutions are on the rise, reflecting the emergence of an arbitration-friendly culture in Latin America.

The Inaugural Survey of Latin American Arbitral Institutions (“Survey”) demonstrates that the rise of local institutions is a sign of the development of arbitration in Latin America and a key to the future of dispute resolution in the region.

Although a rise in arbitration has been accepted and discussed among legal scholars and practitioners, no single publicly-available resource has identified these institutions and their histories, commonalities, and practices. This first-of-its-kind survey identified more than 165 arbitral institutions in Latin America as well as prominent international arbitral institutions. The Survey is sponsored by the Institute for Transnational Arbitration (“ITA”). We introduced preliminary findings at the October 2010 ITA-CCB Americas Workshop in Bogota and presented the final Survey at the April 2011 ITA-CeCAP Americas Workshop in Panama City.

Parties considering the designation of a Latin American arbitral institution to resolve a dispute should consider (1) the reliability of the legal framework for arbitration in the jurisdiction that will be the seat of arbitration, and (2) the reliability of the particular institution. With respect to the legal framework, the Survey includes a table compiling information on relevant laws and treaties as well as indexes regarding the efficacy of commercial arbitration in jurisdictions throughout Latin America.

With respect to arbitral institutions, the Survey presents findings on the institutions’ history, caseload, whether parties are public or private entities, where proceedings are administered, and whether there are arbitrator requirements. Findings of the Survey include:

- A significant number of jurisdictions in Latin America show signs of a reliable legal framework for commercial arbitration.
- The majority of institutions were established during and after the legal environment changed in the 1990s.
- Although most disputes involve domestic parties, a significant and increasing percentage involves foreign parties.
- While most cases involve private entities, an increasing number of cases involve public entities.
- Although the majority of arbitrations involve only two parties, as disputes become more complex, more cases involve multiple parties.
- The vast majority of jurisdictions apply one or fewer requirements for choosing an arbitrator, such as requiring the arbitrator to be a national of the country where the institution is located, be a certified licensed attorney in that jurisdiction or be chosen from a roster.

Ultimately, the Survey shows how commercial arbitration has infused the legal and business environment in Latin America.

La Era de las Instituciones de Arbitraje en América Latina

Resumen de la Encuesta Inaugural del ITA

La era de las instituciones de arbitraje en América Latina ha llegado. Amparadas en un sólido marco legal, han surgido instituciones de arbitraje en toda la región. Todo tipo de partes, tanto grandes como pequeñas, de América Latina y más allá, han recurrido en forma creciente a estas instituciones, además de a instituciones internacionales, con el ánimo de resolver sus controversias.

La importancia de las instituciones locales de arbitraje en América Latina se entiende cada vez más tanto por las empresas como por sus representantes legales. En cierta ocasión, una persona se puso en contacto conmigo desde el otro lado del mundo con respecto a las opciones disponibles en vinculación con una transacción en Perú. Antes de que pudiera hacer algún tipo de recomendación, me comunicaron que las partes solo estaban interesadas en arbitrajes que se desarrollaran ante la Cámara de Comercio de Lima o AmCham Perú. Esta anécdota indica un nivel de desarrollo más profundo en América Latina, y es testimonio del crecimiento de las instituciones de arbitraje en la región.

La cantidad de instituciones locales y regionales de arbitraje se ha multiplicado en América Latina, lo que ha llevado a una proliferación en las opciones disponibles para arbitraje en la región. Muchas de dichas instituciones ya manejan una significativa cantidad de casos, y están surgiendo numerosas instituciones nuevas, lo que refleja un mayor nivel de aceptación de la figura del arbitraje en América Latina.

La Encuesta Inaugural de Instituciones de Arbitraje en América Latina ("Encuesta") demuestra que el aumento en la cantidad de instituciones locales constituye una prueba del desarrollo de la figura del arbitraje en América Latina y una clave en el futuro de la resolución de disputas en la región.

A pesar de que un incremento en el arbitraje ha sido aceptado entre juristas y profesionales, ningún recurso a disposición del público ha identificado a dichas instituciones y sus historias, las cosas que tienen en común y sus prácticas. La Encuesta, la primera en su tipo, identificó a más de 165 instituciones de arbitraje en Latinoamérica, así como a importantes instituciones de arbitraje internacional. La Encuesta es patrocinada por el Instituto de Arbitraje Transnacional ("ITA"). Presentamos conclusiones preliminares en el marco del Taller de las Américas de octubre 2010 del ITA-CCB, en Bogotá, y continuamos con los resultados de la Encuesta final, que fueron presentados en abril del 2011 en el Taller de las Américas del ITA-CeCAP, en Panamá.

Las partes que contemplan designar una institución de arbitraje latinoamericana para resolver una disputa deben considerar: (1) la fiabilidad del marco legal de arbitraje en la jurisdicción que será la sede del arbitraje, y (2) la fiabilidad de la institución de arbitraje en particular. Con respecto al marco legal, la Encuesta contiene una tabla con información sobre las leyes y tratados relevantes, así como índices sobre la eficacia del arbitraje comercial en jurisdicciones por toda América Latina.

Con respecto a instituciones de arbitraje, esta Encuesta presenta informes sobre la historia de las instituciones, su cantidad de casos, si las partes son entidades públicas o privadas, el lugar donde se celebran los

procedimientos y si existen requisitos para los árbitros. Los resultados de la Encuesta indican que:

- Una cantidad importante de jurisdicciones en Latinoamérica muestran signos de un marco legal fiable para arbitraje comercial.
- La mayoría de las instituciones fueron establecidas durante y luego del cambio en el entorno, a finales de 1990.
- Aunque la mayoría de las disputas involucran a partes nacionales, un porcentaje significativo y creciente involucra a partes extranjeras.
- Mientras que la mayoría de los casos involucran entidades privadas, las entidades públicas representan una cantidad creciente.
- Aunque la mayoría de los arbitrajes involucran solamente a dos partes, a medida que las disputas se hacen más complejas, una mayor cantidad de casos involucran a múltiples partes.
- La mayoría de las jurisdicciones encuestadas aplican requisitos para la elección de los árbitros, tales como el requisito de que el árbitro sea ciudadano del país donde se encuentre la institución, que sea un abogado titulado para ejercer en esa jurisdicción o que sea elegido de una lista.

Por último, la Encuesta muestra como el arbitraje comercial ha infundido el entorno jurídico y empresarial en América Latina.

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A Era das Instituições Arbitrais Latino-americanas

Resumo da Enquete Inaugural do ITA

Chegou a era das instituições arbitrais latino-americanas. Construídas com base em um sólido sistema jurídico, instituições arbitrais vêm emergindo por toda a região. Partes – sejam elas de grande ou pequeno porte, dentro e fora da América Latina, cada vez mais se valem dessas instituições, além daquelas de âmbito internacional, para a resolução das controvérsias.

A prevalência das instituições arbitrais na América Latina é algo cada vez mais bem entendido tanto por empresas como por advogados. Alguém do outro lado do planeta entrou em contato comigo sobre opções potenciais de um negócio no Peru. Antes que eu pudesse fazer qualquer recomendação, fui avisado de que as partes somente considerariam arbitragem se esta fosse realizada perante a Câmara de Comércio de Lima ou a Câmara de Comércio Peru-Estados Unidos. Esta narrativa é indicativa do desenvolvimento mais amplo na América Latina e do crescimento das instituições arbitrais na região.

O número de instituições arbitrais locais e regionais se multiplicou na América Latina—o que levou a uma proliferação de opções para arbitragem na região. Muitas dessas instituições já contam com uma grande quantidade de casos; muitas outras se encontram em ascensão, refletindo a emergência de uma cultura pró-arbitragem na América Latina. A Enquete Inaugural de Instituições de Arbitragem na América Latina (“Enquete”) demonstra que o aumento de

instituições locais, é um sinal do desenvolvimento da arbitragem na América Latina, e essencial para o futuro da resolução de controvérsias na região.

Embora o aumento em arbitragem venha sendo discutido e merecendo aceitação entre juristas e profissionais legais, nenhuma fonte única, disponível ao público identificou essas instituições e seus históricos, comunidades e práticas. A Enquete, a primeira do gênero, identificou mais de 165 instituições arbitrais na América Latina, além de preeminentes instituições internacionais de arbitragem. A Enquete é patrocinada pelo ITA. Apresentamos os resultados preliminares durante o Laboratório das Américas do ITA-CCB, realizado em outubro de 2010, em Bogotá, Colômbia [October 2010 ITA-CCB Americas Workshop], e apresentamos a Enquete final durante o Laboratório das Américas do ITA-CeCAP em abril de 2011, realizado na cidade do Panamá [ITA-CeCAP Americas Workshop].

Partes considerando a designação de uma instituição arbitral latino-americana para resolver uma controvérsia devem considerar (1) a confiabilidade do sistema jurídico para a arbitragem na jurisdição que será a sede da arbitragem, e (2) a confiabilidade da instituição de arbitragem escolhida. Com respeito ao sistema jurídico, esta Enquete inclui uma tabela que compila informação sobre leis e tratados, bem como índices em relação à eficácia da arbitragem comercial nas jurisdições em toda a América Latina.

Em relação às instituições de arbitragem, os resultados da Enquete consistem, para todas as instituições, no histórico institucional, a quantidade de casos, o fato de serem as partes entidades públicas ou privadas, o local onde são administrados os procedimentos, e

a existência ou não de requisitos para os árbitros. Os resultados da Enquete incluem os seguintes itens:

- Um número significativo de jurisdições na América Latina mostram sinais de ter sistemas jurídicos confiáveis para a arbitragem comercial.
- A maior parte das instituições foram criadas durante e após as mudanças que ocorreram no ambiente jurídico durante a década de 1990.
- Embora partes nacionais estivessem envolvidas na maioria das controvérsias, um significante e crescente percentual das controvérsias envolve partes estrangeiras.
- Enquanto a maioria dos casos envolvem entidades privadas, um número cada vez maior de casos envolvem entidades públicas.
- Embora a maioria dos casos envolva apenas duas partes, à medida que as controvérsias vêm se tornando mais complexas, um número crescente de casos envolve uma pluralidade de partes.
- A grande maioria das jurisdições que participaram da Enquete impõem um ou menos requisitos para a escolha do árbitro, tais como a exigência de que este seja nacional do país em que a instituição for sediada, que seja advogado devidamente habilitado no respectivo foro ou seja escolhido a partir de um rol de árbitros.

Na última análise, a Enquete demonstra o quanto a arbitragem comercial permeou os ambientes negociais e jurídicos na América Latina.

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Legal Framework for Commercial Arbitration in Latin America

The selection of a Latin American arbitral institution usually implies choice of that jurisdiction as the seat of arbitration and is critical both juridically and practically. The seat is the place of arbitration and refers to the physical situs and also the situs where the arbitration is considered to be held from a legal point of view. Choosing a seat of arbitration is critical in an arbitration, particularly with respect to the disposition of that jurisdiction towards alternative dispute resolution, which encompasses both interventionist tendencies during the life of the arbitration as well as the tendency to enforce arbitral awards. Additionally, the relative convenience and expense of that jurisdiction is also a factor that has an impact on the selection of an institution.

The following chart assesses the legal framework for commercial arbitration throughout countries in Latin America. The left-hand column displays the timing of each country's accession to the New York and Panama Conventions for the recognition and enforcement of arbitral awards as well as the adoption of local arbitration laws. This information has been compiled by the editorial team and is derived from "The Compendium of Latin American Arbitration Law," from the publication *Latin Arbitration Law* (www.latinarbitrationlaw.com).

The information in the right-hand columns, which derives from the joint World Bank and International Finance Corporation initiative "Investing Across Borders," focuses on

arbitration regimes in each country and assigns scores or indicators on the following three areas: the strength of the legal framework for alternative dispute resolution, rules for the arbitration process, and the extent to which the judiciary supports and facilitates arbitration. More specifically, the strength of the laws index compares the strength of local arbitration regimes by examining the laws and regulations governing arbitrations, as well as adherence to international conventions. The ease of process index assesses the ease with which parties may tailor and design arbitration proceedings and conduct fair and predictable proceedings. The extent of judicial assistance index analyzes the extent of judicial assistance offered before, during, and after the arbitration proceedings.



		Commercial Arbitration Laws & Conventions*			Commercial Arbitration Accessibility Indicators **		
		New York Convention Entry Into Force	Panama Convention Entry Into Force	Arbitration Laws/ Amendments Year Adopted	Strength of Laws Index	Ease of Process Index	Extent of Judicial Assistance Index
	Argentina	1989	1995	1967/81	63.5	72.2	55.1
	Bolivia	1995	1999	1997	80.3	65.7	54.2
	Brazil	2002	1995	1996	84.9	45.7	57.2
	Chile	1975	1976	2004	94.9	62.8	74.8
	Colombia	1979	1987	1989/91/96/98	93.1	52.3	18.2
	Costa Rica	1988	1978	1997	92.4	59.0	50.9
	Dom. Republic	2002	–	2008	–	–	–
	Ecuador	1962	1991	1997/2005/06	86.3	58.3	59.8
	El Salvador	1998	1980	2002			
	Guatemala	1984	1986	1995	91.6	72.3	58.4
	Honduras	2001	1979	2000	97.6	73.3	59.5
	Mexico	1971	1978	1993	79.1	84.7	52.7
	Nicaragua	2003	2003	2005	95.4	73.3	40.3
	Panama	1985	1976	1999/2006	–	–	–
	Paraguay	1998	1977	2002	–	–	–
	Peru	1988	1989	2008	97.4	83.3	62.6
	Uruguay	1983	1977	1988	–	–	–
	Venezuela	1995	1985	1998	89.1	57.1	52.2

*Data derived from “The Compendium of Latin American Arbitration Law,” at Latin Arbitration Law, www.latinarbitrationlaw.com.

**Data adapted from the World Bank and IFC report, “Investing Across Borders: Indicators of Foreign Direct Investment Regulation,” World Bank Group, 2011, available at <http://iab.worldbank.org/Data/Explore%20Topics/Arbitrating-disputes>. Scores are based on a scale of 0 to 100.

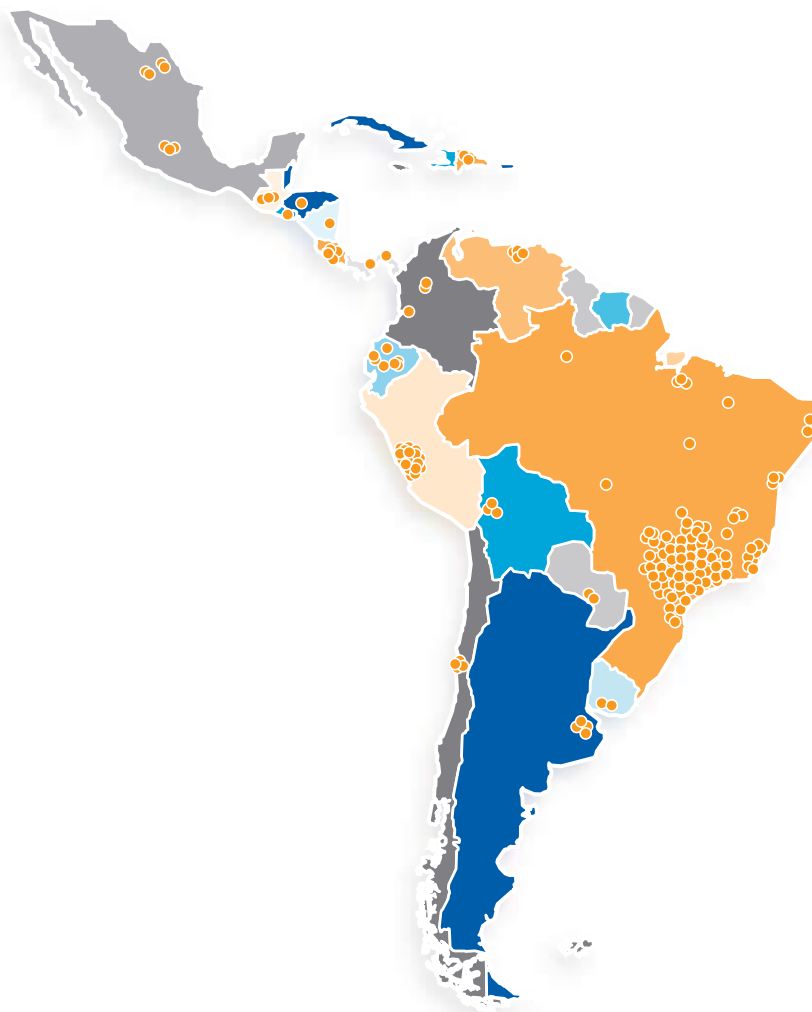
Survey Methodology

The Survey identified 165 arbitral institutions throughout Latin America.

The ITA Americas Initiative created a survey to establish a database of reliable information regarding local and regional arbitral institutions throughout Latin America. Initially identifying 165 institutions that were diverse in case load, size, and infrastructure, the editorial team then targeted a critical subset of these institutions for a more detailed survey. This report expands upon preliminary survey results presented in Bogota at the ITA-CCB Americas Workshop.

Umbrella institutions in Latin America have stimulated the growth of arbitration in some countries in the region. For instance the Brazilian Arbitration Committee (CBAr) has played a key role in the development of arbitration in Brazil through its organization of seminars, publications in arbitration journals, and its ability to connect top international arbitration specialists with local practitioners.

Moreover, international institutions play a critical role in the region and have demonstrated a “global but local” dedication to placing resources and staff in the region and facilitating the development of locally based institutions. The International Chamber of Commerce (ICC) has national committees in 14 countries in Latin America. The International Centre for Dispute Resolution (ICDR) has an office in Mexico, and is affiliated with arbitral institutions throughout the region. In addition, local institutions from countries all over Latin America form part of the Inter-American Arbitration Commission (IACAC) as national or associated sections.



● Arbitral institutions



Thirty institutions located in countries throughout Latin America are included in the Survey.

Participating institutions responded to an online survey asking a series of questions for an accurate profile of the institutions and their case loads. For the purposes of this report, the editorial team focused on data regarding the origins of arbitral institutions, party nationality, public or private party status, single or multi-disputes, and requirements regarding the selection of arbitrators.

Thirty participating institutions represent the narrower subset initially targeted and form a representative sample of leading arbitral institutions in Latin America. The participating institutions are depicted on this map.



● Arbitral institutions included in the Survey

Institutions Included in the Survey

Institutions by Country



Argentina

- Centro de Mediación y Arbitraje Comercial de la Cámara Argentina de Comercio (CEMARC)*



Bolivia

- Centro de Conciliación y Arbitraje Comercial de la Cámara de Industria, Comercio, Servicios y Turismo de Santa Cruz-Bolivia



Brazil

- Câmara de Arbitragem Empresarial de São Paulo (SP Arbitral)
- Câmara de Arbitragem Empresarial do Brasil (CAMARB)
- Câmara de Arbitragem do Mercado (CAM)
- Câmara de Mediação e Arbitragem da Associação Comercial do Paraná (ARBITAC)
- Centro de Arbitragem da Câmara Americana de Comércio (AmCham Brazil)
- Centro de Arbitragem e Mediação da Câmara de Comércio Brasil-Canadá (CCBC)
- Centro de Mediação, Conciliação e Arbitragem (Conciliar Brasil)
- Centro para Negociação e Resolução de Conflitos (CNRC)
- D'Accord—Instituto de Mediação e Consultoria em Gestão de Conflitos
- Instituto Brasileiro de Negociação (IBN)*
- Instituto de Mediação e Arbitragem Paulista (IMAP)



Chile

- Centro de Arbitraje y Mediación de la Cámara de Comercio de Santiago (CAM Santiago)



Colombia

- Centro de Arbitraje y Conciliación de la Cámara de Comercio de Bogotá (CACCB)



Costa Rica

- Centro de Conciliación y Arbitraje de la Cámara de Comercio de Costa Rica
- Centro Internacional de Conciliación y Arbitraje (CICA) de la Cámara de Comercio Costarricense Norteamericana (AmCham Costa Rica)
- Centro de Resolución de Conflictos del Colegio Federado de Ingenieros y de Arquitectos de Costa Rica



Ecuador

- Centro de Arbitraje y Mediación de la Cámara de Comercio Ecuatoriano Americana (AmCham Ecuador)



El Salvador

- Centro de Mediación y Arbitraje de la Cámara de Comercio e Industria de El Salvador



Guatemala

- Centro de Arbitraje y Conciliación de la Cámara de Comercio de Guatemala (CENAC)



Mexico

- Centro de Arbitraje de México (CAM)
- Centro de Mediación y Arbitraje (CANACO) de la Cámara de Comercio de la Ciudad de México



Panama

- Centro de Conciliación y Arbitraje de la Cámara de Comercio, Industrias y Agricultura de Panamá (CeCAP)



Paraguay

- Centro de Arbitraje y Mediación de la Cámara Nacional de Comercio y Servicios de Paraguay*



Peru

- Centro de Arbitraje de la Cámara de Comercio Americana del Perú (AmCham Perú)
- Centro de Conciliación y Arbitraje Nacional e Internacional de la Cámara de Comercio de Lima



Uruguay

- Centro de Conciliación y Arbitraje de la Corte de Arbitraje Internacional para el MERCOSUR de la Bolsa de Comercio del Uruguay*



Venezuela

- Centro de Arbitraje de la Cámara de Caracas (CACC)
- Centro Empresarial de Conciliación y Arbitraje (CEDCA)

International Arbitral Institutions

- International Chamber of Commerce (ICC)
- International Centre for Dispute Resolution (ICDR)
- Inter-American Commercial Arbitration Commission (IACAC)
- International Centre for the Settlement of Investment Disputes (ICSID)
- London Court of International Arbitration (LCIA)

*These institutions are excluded from data tabulations due to insufficient information.



Key Findings

Origins of Arbitral Institutions

The availability of reliable dispute resolution mechanisms minimizes the risks of doing business across borders in Latin America and beyond. Historically, Latin America has been perceived as a hostile environment for international dispute resolution due to unreliable courts, a cultural disdain for arbitration, and the difficulty of enforcing judgments. Yet, starting in the 1990s, most Latin American states adopted legal and policy changes aimed at promoting free markets and liberalizing trade.

For example, 16 Latin American states have ratified the 1975 Inter-American Convention

on International Commercial Arbitration (the Panama Convention) while 19 Latin American states have ratified the 1958 United Nations Convention on the Recognition and Enforcement of Foreign Arbitral Awards (the New York Convention). These states continue to overhaul their domestic arbitration laws—sometimes repeatedly—in an effort to make a more transparent and attractive climate for foreign investors. Notably, the region saw a significant rise in arbitration as marked by the growth in the establishment of arbitral institutions, particularly from the late 1990s to the early 2000s. The Survey results confirm this evolution—nearly all of the participating institutions were established

within the last 15 years. The majority of participating institutions were established between 1997 and 2002. The establishment of institutions in Brazil is a particularly recent development, with 80 percent of responding institutions established between 2000 and 2007.

The warm reception to dispute resolution bodes well for the region's prospects for future foreign investment. Specifically, the rise of reliable dispute resolution mechanisms stimulates opportunities for economic growth. As a result of this pro-arbitration approach, the region's emerging markets are adjusting to the new global business climate.

Graph 1: Presence of Arbitral Institutions in Latin America. Most institutions have existed for over 10 years.



- More than 10 years, 69%
- Between 5 and 10 years, 23%
- Between 2 and 5 years, 8%

Graph 2: More than half were established during the five-year period between 1997 and 2002.



- 53% established in this period

Graph 3: More than two-thirds of participants were established during the ten-year period between 1997 and 2007.



- 69% established in this period

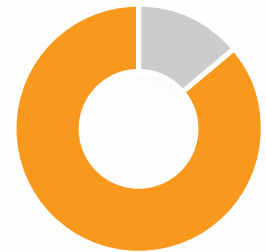
Party Nationality

Arbitral institutions in Latin America routinely resolve complex and multifaceted disputes. These disputes increasingly involve cross-border disputes with foreign parties, and they require consideration and assessment of public international law, civil and common law issues, and regularly in more than one language. They increasingly involve consideration of industry practices and trade usages. And they increasingly require coordination with public officials in more than one jurisdiction.

The majority of institutions responding to the Survey serve local parties, which may include subsidiaries of international companies. However, some arbitral

institutions in Latin America administer a significant percentage of cases involving foreign parties. For example, 60 percent of cases administered by the Câmara de Arbitragem do Mercado, Brazil, involved foreign parties. Forty percent of cases administered by CICA, Costa Rica involved foreign parties. Twenty-nine percent of cases administered by AmCham Peru involved foreign parties. These findings confirm not only the changing nature of arbitration in the region, but also the evolution in the way in which parties conduct business. As Latin American countries have transformed their laws to encourage a free market, public and private entities routinely operate across borders, with foreign parties, and in an increasingly globalized manner.

Graph 4: Party Nationality



■ 88% Local Parties
■ 12% Foreign Parties



Public or Private Party Status

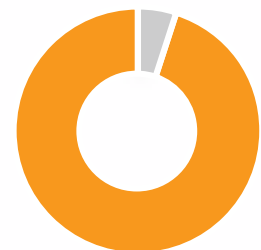
Private parties in Latin America have embraced international commercial arbitration over the past 15 years. This trend is illustrated, for example, by statistics published annually by the International Chamber of Commerce (ICC)—a leading institution for international commercial arbitration. The presence of Latin American parties in commercial arbitration has increased significantly since the mid-1990s in both local arbitral institutions and long-established institutions such as the ICC.

Although the majority of cases identified in the Survey involve private entities, an increasing number of cases involve public

entities. This finding is consistent with the evolution of the practice of arbitration in the region.

The increasingly complex nature of Latin American dispute resolution is further demonstrated by a large percentage of cases involving public parties that some specific institutions in Latin America administer. For example, 40 percent of cases administered by the Câmara de Arbitragem do Mercado, Brasil, involved public entities. In addition, 19 percent of cases administered by both the Arbitration and Mediation Center of the Ecuadorian American Chamber of Commerce and the CAC-CCB Colombia involved public entities.

Graph 5: Party information



- 95% mostly private
- 5% mostly public

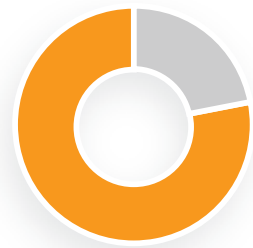
Single or Multiparty Disputes

Advancements in the practice of arbitration in Latin America are further demonstrated by the number of complex cases involving multiple parties. While the majority of arbitrations involve only two parties, 22 percent of cases involve more than two parties. As disputes become more complex, more cases involve multiple parties.

In fact, some arbitral institutions in Latin America administer a significant percentage of cases involving multiple parties. For example, 80 percent of cases administered by Câmara de Arbitragem do Mercado,

Brasil, involved more than two parties. Forty-two percent of cases administered by CAM México involved more than two parties. In addition, 40 percent of cases administered by both the CAC-CCB Colombia and the CCA-CCCR Costa Rica involved more than two parties. These findings confirm the increasingly complex and multifaceted nature of arbitration in Latin America. Furthermore, the capacity of these institutions to handle complex, multiparty cases is a positive development and a sign pointing to an increase in such disputes in the future.

Graph 6: Prevalence of multiparty disputes



- 78% of cases involve only two parties
- 22% of cases involve more than two parties



Arbitrator Requirements

Party autonomy is key in international arbitration, and autonomy in selecting an arbitrator forms an additional incentive for foreign trade and investment. The selection of arbitrators is a critical step in an arbitration and each party shall take into account trends in the decisions of the arbitrators chosen with regard to the details of the case. It is preferable for a foreign party to select an arbitrator with international credentials to limit unpredictability. Other considerations in the selection of arbitrators include: familiarity with the procedural law in the place of arbitration, the willingness to hold hearings in the place of arbitration, and the ability to accommodate a multitude of parties to a dispute. It is important that the arbitration clause or the rules governing the arbitration specify a mechanism for the selection of arbitrators. The selection of the venue and the institution is linked to the selection of arbitrators. The presence of requirements

regarding the appointment of arbitrators will likely limit the options available to parties and may not result in the selection of the ideal arbitrator for that case.

Examples of requirements include:

- (1) arbitrators must be listed on a roster,
- (2) arbitrators must be nationals, or
- (3) arbitrators must be licensed to practice law in the jurisdiction where the arbitration is administered.

Most of the institutions included in the survey (77%) have one or no requirements in place for selecting an arbitrator. These findings suggest that most jurisdictions in Latin America encourage party autonomy in the arbitrator selection process.

Graph 7:



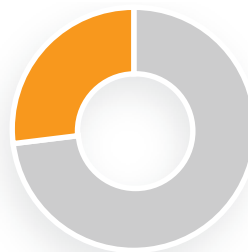
- 77% of institutions have one or no requirements for selecting an arbitrator

Graph 8:



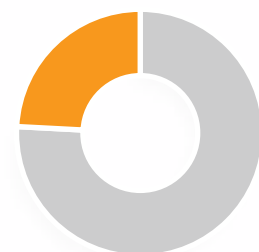
- 42% of institutions surveyed follow requirements that arbitrators be on a roster

Graph 9:



- 27% of institutions surveyed follow requirements that arbitrators be nationals

Graph 10:



- 24% of institutions surveyed follow requirements that arbitrators be licensed

Institutional Data

Regional Arbitral Institutions



Argentina

Centro de Mediación y Arbitraje Comercial de la Cámara Argentina de Comercio (CEMARC)

Av. Leandro N. Alem 36
C1003AAN
Buenos Aires, Argentina
Tel: + 54-11 5300 9000
www.cac.com.ar

The Centro de Mediación y Arbitraje Comercial de la Cámara Argentina de Comercio (CEMARC) offers arbitration and mediation services to the private sector in Argentina. It operates under its own set of arbitration and mediation rules. CEMARC responds to the needs of the private sector in the realm of alternative dispute resolution, providing an efficient, reliable, neutral forum for the resolution of commercial disputes, and ensuring easy access to dispute resolution services. The Center supports business entities in their efforts to resolve commercial conflicts in a quick and cost-efficient manner, in a way that enables them to preserve commercial relationships with suppliers and clients. CEMARC provides a list of Argentine and foreign arbitrators and mediators, from which parties may but are not required to nominate neutral decision makers.



Bolivia

Centro de Conciliación y Arbitraje Comercial (CCAC) de la Cámara de Industria, Comercio, Servicios y Turismo de Santa Cruz-Bolivia (CAINCO)

Torres Empresariales CAINCO, 3er. Piso
Av. Las Américas esq. Calle Saavedra
Santa Cruz, Bolivia
Tel: + 591 3338 3333
Fax: + 591 3338 3133
www.cainco.org.bo/ccac

The Centro de Conciliación y Arbitraje Comercial (CCAC) de la Cámara de Industria, Comercio, Servicios y Turismo de Santa Cruz-Bolivia (CAINCO) was established on 7 September 1993. It was among the first institutions to promote alternative dispute-resolution methods in Bolivia, and has worked with multilateral organizations on various projects to educate the legal and business communities on the benefits of arbitration and mediation. The CCAC provides arbitration, mediation, and conciliation services, and has its own set of procedural rules for its dispute resolution services.

Party Nationality

29% Foreign
71% Local

Party Status

1% Public
99% Private

Disputes

70% Single
30% Multiparty

- Arbitrators are selected from a list
- Arbitrators must be nationals of the home state of the institution
- Arbitrators must be licensed attorneys

Caseload

110 cases





Brazil

Câmara de Arbitragem do Mercado (CAM)



Rua Federação Paulista de Futebol,
799, cj. 1412
CEP 01141-040
Barra Funda, São, Paulo - SP, Brasil
Tel: + 11 3392 2376
www.imaparbitragem.com.br

The Câmara de Arbitragem do Mercado (CAM) (Market Arbitration Panel) was established in 2001. Its initial objective was to settle disputes involving companies listed on special segments of the Bolsa de Valores, Mercadorias & Futuros de São Paulo (BM&FBOVESPA), namely the New Market (Novo Mercado) and Level 2 of Corporate Governance (Nível 2 de Governança Corporativa). Today, access to the CAM is not limited to institutional investors listed on the BM&FBOVESPA; rather, it is available to anyone who wants to settle corporate or stock market disputes. The CAM provides arbitration services only, and has its own set of arbitration rules. On average, the CAM registers less than five new cases per year.



Party Nationality

60% Foreign 
40% Local 

Party Status

40% Public 
60% Private 

Disputes

20% Single 
80% Multiparty 

- Arbitrators are selected from a list
- Arbitrators must be nationals of the home state of the institution
- Arbitrators must be licensed attorneys

Caseload

5 cases 

Câmara de Arbitragem Empresarial de São Paulo (SP Arbitral)

Av. Tiradentes, 960
CEP 01102-000
São Paulo – SP, Brasil
Tel: + 55 11 3228 8282
www.sparbitral.com

The Câmara de Arbitragem Empresarial de São Paulo (SP Arbitral) (São Paulo Commercial Arbitration Panel) is a non-profit arbitral institution that administers and monitors mediation and arbitration procedures for business disputes, providing assistance in the development of such procedures. Anyone can use the services offered by SP Arbitral, for both national and international disputes. It was established in São Paulo in 2000 and operates under its own arbitral rules. It registers between 20 and 50 new cases per year.

- Arbitrators are selected from a list
- Arbitrators must be nationals of the home state of the institution
- Arbitrators must be licensed attorneys

Caseload

50 cases 

Câmara de Arbitragem Empresarial do Brasil (CAMARB)

Rua Paraíba, nº 1.000, 16º andar – Funcionários
CEP: 30130-141
Belo Horizonte – MG, Brasil
Tel: + 55 31 3213 0310

Av. Paulista, nº 726, conj. 1707D – Bela Vista
CEP 01310-910
São Paulo – SP, Brasil
Tel: + 55 11 3254 7670
Fax: + 55 11 3254 7628
www.camarb.com.br

The Câmara de Arbitragem Empresarial do Brasil (CAMARB) (Brazilian Chamber of Commercial Arbitration) is a nonprofit organization established in 1999. Its mission is to promote arbitration, provide arbitration services for individuals and entities, and resolve all types of disputes, both international and domestic. Apart from providing arbitration services, CAMARB also administers courses, seminars, and workshops. It also offers free consulting services to individuals who are interested in arbitration. CAMARB offers arbitration services only and operates under its own arbitration rules. It registers 10 to 20 new cases annually.

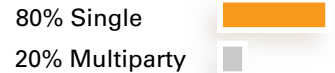
Party Nationality



Party Status



Disputes



Caseload



Câmara de Mediação e Arbitragem da Associação Comercial do Paraná (ARBITAC)

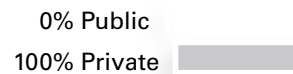
Rua XV de Novembro, 621
5º andar – Centro Curitiba – PR, Brasil
Tel: + 55 41 3320 2566/2576/2303
Fax: + 55 41 3320 2568
www.arbitac.com.br

The Câmara de Mediação e Arbitragem (Mediation and Arbitration Panel) was founded in 1996 at the seat of the Associação Comercial do Paraná (Paraná Chamber of Commerce). ARBITAC provides both mediation and arbitration services and is open to any private individual or company, regardless of whether affiliated with the Paraná Chamber of Commerce. It has its own set of arbitration and mediation rules, and registers around 10 to 20 cases per year.

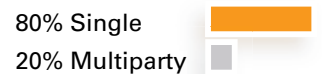
Party Nationality



Party Status



Disputes



Caseload



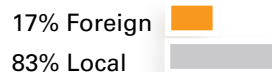


Centro de Arbitragem da Câmara Americana de Comércio (AmCham Brazil)

Rua da Paz, 1.431, Chácara – Sto. Antonio
 CEP 04713-001
 São Paulo – SP, Brasil
 Tel: + 55 11 5180 3634/3876
 www.amchamcom.br

The Câmara Americana de Comércio (AmCham) (Brazilian-American Chamber of Commerce) is a chamber of commerce association with a membership of over 5,000 companies from Brazil, the United States, Europe, and Asia. AmCham Brazil seeks to strengthen the bilateral relationship between the United States and Brazil. Its Centro de Arbitragem (Arbitration Center) was created in 2000 through an initiative by the Comitê de Legislação da Amcham-São Paulo (Legislative Committee of Amcham-São Paulo). AmCham Brazil provides arbitration services to any company that wants to use the Center to resolve disputes, including non-members. It provides arbitration services only and is governed by its own arbitration rules. The Arbitration Center registers approximately five to ten new cases per year.

Party Nationality



Party Status



Disputes



Caseload



Centro de Arbitragem e Mediação da Câmara de Comércio Brasil-Canadá (CCBC)

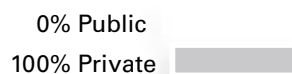
Rua do Rocio, 220, 12º andar,
 conj. 121 – Vila Olímpia
 CEP 04552-000
 São Paulo – SP, Brasil
 Tel: + 55 11 3044 4249
 www.ccbc.org.br/arbitragem

Established in 1979, the Câmara de Comércio Brasil-Canadá's (CCBC) (Brazilian-Canadian Chamber of Commerce) São Paulo-based Centro de Arbitragem e Mediação (Arbitration and Mediation Center) is among the oldest and most well-established alternative dispute resolution institutes in Brazil. The Centro de Arbitragem e Mediação provides dispute resolution services and operates under its own arbitration and mediation rules. It registers around 10 to 20 new cases per year.

Party Nationality



Party Status



Disputes

No data available

Caseload



Centro de Mediação, Conciliação e Arbitragem (Conciliar Brasil)

Av. Teotônio Segurado, 501 Sul,
conj. 01, Lote 06, 5º andar, Sala 509
Edifício Amazônia Center
CEP 77016-002
Palmas – TO, Brasil
Tel: + 55 63 3216 3536
www.conciliarbrasil.com.br

The Centro de Mediação, Conciliação e Arbitragem (Conciliar Brasil) (Center for Mediation, Conciliation and Arbitration) was founded in 2006 to promote the application of alternative dispute resolution methods through mediation, conciliation, and arbitration services. Conciliar Brasil retains a team of mediators, conciliators, and arbitrators, including lawyers, engineers, psychologists, business people, and professors, among other professionals. Conciliar Brasil's dispute resolution services are available to both individuals and entities. Arbitrations at Conciliar Brasil are administered under the institution's arbitration rules; it has not yet established mediation and conciliation rules. Conciliar Brasil registers more than 50 cases per year.

- Arbitrators are selected from a list
- Arbitrators must be nationals of the home state of the institution
- Arbitrators must be licensed attorneys

Caseload



253 cases 

Centro para Negociação e Resolução de Conflitos (CNRC)


Av. das Nações Unidas, 14171
15º andar, Torre B
CEP 04794-000
São Paulo – SP, Brasil
Tel: + 55 11 5594 2551
Fax: + 55 11 5587 3314
www.cnrc.com.br

The Centro para Negociação e Resolução de Conflitos (CNRC) (Center for Negotiation and Conflict Resolution) is a company composed of specialists with extensive corporate experience that provides consulting and mediation services, as well as training and “executive coaching” in negotiation and dispute resolution. It was founded in 2002 and operates under its own set of mediation and conciliation rules. CNRC does not provide arbitration services. It registers between 20 and 50 new cases annually.

Party Nationality

30% Foreign 
70% Local 

Party Status

0% Public
100% Private 

Disputes

80% Single 
20% Multiparty 

Caseload

8 cases 

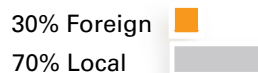


D'Accord – Instituto de Mediação e Consultoria em Gestão de Conflitos

Rua Funchal, 538, conj. 63
 CEP 04551-060
 São Paulo – SP, Brasil
 Tel: + 55 11 3846 0447
 www.institutodaccord.com.br

The D'Accord Instituto de Mediação e Consultoria em Gestão de Conflitos (D'Accord) (Institute of Mediation and Consultation on Conflict Management) is a multidisciplinary research, training and service institution that specializes in alternative dispute resolution. It was established in 2007 to provide mediation and conciliation services to a range of stakeholders, including companies, families, educators, and community members. D'Accord works in partnership with public entities, philanthropic and educational institutions, and law offices, and registers between 20 and 50 new cases per year. D'Accord has its own set of mediation and conciliation rules. It does not provide arbitration services.

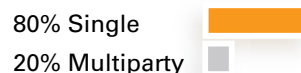
Party Nationality



Party Status



Disputes



Caseload



Instituto Brasileiro de Negociação (IBN)

Rua Ébano Pereira, nº 187 – Cj 403 –
 4º andar – Bairro Centro
 CEP: 80410-240 Curitiba-PR
 Tel: + 55 41 3286 0539
 www.institutodenegociacao.com.br

The Instituto Brasileiro de Negociação (IBN) is an organization dedicated to promoting and administering non-adversarial methods for dispute resolution, such as mediation, conciliation, and arbitration (as provided for under the Brazilian Arbitration Law). With the expedient resolution of disputes as its primary goal, IBN provides mediation and arbitration services and operates under its own mediation and arbitration rules. IBN resolves various forms of disputes, including community, commercial, labor, environmental, and international matters. The institution also provides training in negotiation, mediation, arbitration, international negotiation, and focused mediation trainings in educational and community conflicts.

Instituto de Mediação e Arbitragem Paulista (IMAP)

Rua Federação Paulista de Futebol,
799, C.J. 1403
CEP 01141-040
São Paulo – SP, Brasil
Tel: + 55 11 5180 3392 2376
www.imaparbitragem.com/br

The Instituto de Mediação e Arbitragem Paulista (IMAP) (Paulist Institute of Mediation and Arbitration) is a private institution located in the city of São Paulo. IMAP was established in 2007 and provides dispute resolution services such as conciliation, mediation, and arbitration. IMAP's clients include individuals and entities from a variety of sectors. IMAP's internal regulations set out the arbitration rules under which it operates. On average, IMAP registers between 20 and 50 cases per year.

Party Nationality

0% Foreign
100% Local

Party Status

No data available

Disputes

100% Single
0% Multiparty

- Arbitrators are selected from a list
- Arbitrators must be nationals of the home state of the institution
- Arbitrators must be licensed attorneys

Caseload

45 cases



Chile

Centro de Arbitraje y Mediación de la Cámara de Comercio de Santiago (CAM Santiago)

Monjitas 392, piso 11
Santiago, Chile
Tel: + 562 360 7015
Fax: + 562 633 3395
www.camsantiago.com

The Centro de Arbitraje y Mediación de la Cámara de Comercio de Santiago (CAM Santiago) (Arbitration and Mediation Center of the Santiago Chamber of Commerce) was founded in 1992 as a nonprofit institution backed by the Chilean Bar Association and various branches of the Chilean Confederation of Production and Commerce. CAM Santiago offers arbitration and mediation services aimed at resolving domestic and international disputes. These services are administered within the framework of the procedural rules governing arbitration and mediation established by the institution. The institution has a roster of arbitrators and mediators for domestic arbitrations only, not for international arbitration. CAM Santiago registers more than 150 cases per year.

Party Nationality

8% Foreign
92% Local

Party Status

0% Public
100% Private

Disputes

70% Single
30% Multiparty

Caseload

1,380 cases



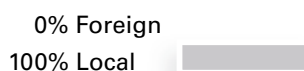
Colombia

Centro de Arbitraje y Conciliación de la Cámara de Comercio de Bogotá (CACCB)

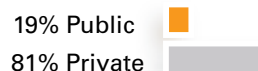
Avenida Eldorado 68D-35 Piso 3
Bogotá D.C. – Colombia
Tel: + 571 3830 300; 5941 000
Fax: + 571 2637 892
www.caccb.org.co

The Cámara de Comercio de Bogotá (Bogotá Chamber of Commerce) was the first entity in Colombia to recognize the country's need to foster a culture of alternative dispute resolution by creating the first Centro de Arbitraje y Conciliación (CACCB) (Arbitration and Conciliation Center) in 1983. The CACCB is a nonprofit organization that offers arbitration, mediation, and conciliation services, and has arbitration, conciliation, and community conciliation centers throughout Bogotá. The institution focuses its efforts on two concrete functions: conflict resolution by providing alternative dispute resolution services and training in conflict management, through training programs, promoting alternative dispute resolution in the educational realm, community programs, research, and consulting. The CACCB has its own arbitration and conciliation rules and registers more than 50 cases per year.

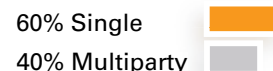
Party Nationality



Party Status



Disputes



- Arbitrators are selected from a list
- Arbitrators must be nationals of the home state of the institution
- Arbitrators must be licensed attorneys

Caseload

202 cases 



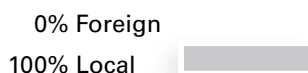
Costa Rica

Centro de Resolución de Conflictos del Colegio Federado de Ingenieros y de Arquitectos de Costa Rica

Apartado 2346
Curridabat, San José, Costa Rica
CP 1000
Tel: + 506 2202 3900
www.cfia.or.cr

The Centro de Resolución de Conflictos del Colegio Federado de Ingenieros y de Arquitectos de Costa Rica (Conflict Resolution Center of the Costa Rican Federated Council of Engineers and Architects) was founded in 1999 and employs architects and engineers as arbitrators. The institution offers services in arbitration and mediation and has an established procedural framework for those services. Annually, the institution registers between 20 and 50 cases.

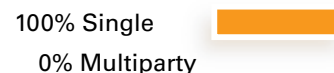
Party Nationality



Party Status



Disputes



- Arbitrators are selected from a list
- Arbitrators must be nationals of the home state of the institution
- Arbitrators must be licensed attorneys

Caseload

94 cases 

Centro de Conciliación y Arbitraje de la Cámara de Comercio de Costa Rica

Barrio Tournón del Centro Comercial el Pueblo, 125 metros Noroeste
San José, Costa Rica
Tel: + 506 2221 0005/0124
Fax: + 506 2223 1157
www.camara-comercio.com

The Centro de Conciliación y Arbitraje de la Cámara de Comercio de Costa Rica (Costa Rican Chamber of Commerce's Center for Conciliation and Arbitration) was established in 1998. The Centro de Conciliación y Arbitraje was the first arbitral institution in Costa Rica to receive authorization from the Ministry of Justice and it administers the most domestic arbitrations and conciliations in the country. It offers alternative resolution services including arbitration, mediation, and conciliation, which are administered through the institution's procedural rules. The institution registers more than 50 cases per year.


Party Nationality

2% Foreign 
98% Local

Party Status

5% Public 
95% Private

Disputes

60% Single 
40% Multiparty


- Arbitrators are selected from a list
- Arbitrators must be nationals of the home state of the institution
- Arbitrators must be licensed attorneys

Centro Internacional de Conciliación y Arbitraje (CICA) de la Cámara de Comercio Costarricense Norteamericana (AmCham Costa Rica)

Apartado 4946-1000
San José, Costa Rica
Tel: + 506 2290 0696
Fax: + 506 2290 0801
www.cica.co.cr

The Centro Internacional de Conciliación y Arbitraje (CICA) (International Center of Conciliation and Arbitration) of the Cámara de Comercio Costarricense Norteamericana (AmCham Costa Rica) (Costa-Rican-American Chamber of Commerce) has been active since October 1999, and offers services in arbitration and mediation. The CICA has established alternative dispute resolution procedural rules and registers more than 50 cases per year.

Party Nationality

40% Foreign 
60% Local

Party Status

13% Public 
87% Private

Disputes

80% Single 
20% Multiparty

- Arbitrators are selected from a list
- Arbitrators must be nationals of the home state of the institution
- Arbitrators must be licensed attorneys

Caseload

200 cases 




Ecuador

Centro de Arbitraje y Mediación de la Cámara de Comercio Ecuatoriano Americana (AmCham Ecuador)

Av. 6 de Diciembre y la Niña
Edificio Multicentro, Piso 4
Quito, Ecuador
Tel: + 593 2 2507 450
Fax: + 593 2 2504 571
www.amchamec.org

The Centro de Arbitraje y Mediación de la Cámara de Comercio Ecuatoriano Americana (AmCham Ecuador) (Ecuadorean-American Chamber of Commerce's Arbitration and Mediation Center) was founded in 1999. In addition to arbitration, mediation, and conciliation services, the institution offers services in negotiation, expert reports, and trainings in conflict resolution and legal issues. Currently, the institution holds cooperation agreements with the American Arbitration Association (AAA), the Arbitration and Mediation Center of the World Intellectual Property Organization (WIPO), the Bogotá Chamber of Commerce's Arbitration Center (Centro de Arbitraje de la Camara de Comercio de Bogotá), and the Inter-American Commission on Commercial Arbitration (IACAC). The AmCham Ecuador Arbitration and Mediation Center has established procedural rules for arbitration and mediation and registers between 10 and 20 cases per year.

Party Nationality

29% Foreign 
71% Local

Party Status


19% Public 
81% Private

Disputes

95% Single 
5% Multiparty

- Arbitrators are selected from a list
- Arbitrators must be nationals of the home state of the institution
- Arbitrators must be licensed attorneys

Caseload

70 cases 




El Salvador

Centro de Mediación y Arbitraje de la Cámara de Comercio e Industria de El Salvador


9a Avenida Norte y 5a Calle Ponente,
No 333
San Salvador, El Salvador
CP 1640
Tel: + 503 2231 3000
www.mediacionyarbitraje.com.sv

The Centro de Mediación y Arbitraje de la Cámara de Comercio e Industria de El Salvador (El Salvador Chamber of Commerce and Industry's Mediation and Arbitration Center) has pioneered alternate dispute resolution in the country. Founded in 2003, the institution provides trainings for arbitration and mediation to all interested parties. It provides arbitration and mediation services, and has its own set of corresponding procedural rules. Annually, it registers less than five cases.


Party Nationality

0% Foreign 
100% Local

Party Status

31% Public 
69% Private

Disputes

100% Single 
0% Multiparty

- Arbitrators are selected from a list
- Arbitrators must be nationals of the home state of the institution
- Arbitrators must be licensed attorneys

Caseload

13 cases 



Guatemala

Centro de Arbitraje y Conciliación de la Cámara de Comercio de Guatemala (CENAC)

Cámara de Comercio de Guatemala, 2° Nivel
10ª Calle 3-80 Zona 1
01001, Ciudad de Guatemala, Guatemala
Tel: + 502 2417 2700
www.negociosenguatemala.com

The Centro de Arbitraje y Conciliación de la Cámara de Comercio de Guatemala (CENAC) (Guatemala Chamber of Commerce's Arbitration and Conciliation Center) is the first private institution created with the mission of strengthening legal safeguards in Guatemala through alternative dispute resolution. The CENAC offers arbitration, mediation, and conciliation services, as well as trainings, and has its own set of arbitration rules. The institution registers between 10 and 20 cases per year.

Party Nationality

No data available

Party Status

5% Public

95% Private

Disputes

99% Single

1% Multiparties

- Arbitrators are selected from a list
- Arbitrators must be nationals of the home state of the institution
- Arbitrators must be licensed attorneys

Caseload

210 cases



Mexico

Centro de Arbitraje de México (CAM)

Tecnológico de Monterrey, Campus Santa Fe
Av. Carlos Lazo No. 100, Edificio Aulas 1, Nivel 5 Col. Santa Fe, México, D.F., México
C.P. 01389
Tel: + 52 55 9177 8198
Fax: + 52 55 9177 8199
www.camex.com.mx

The Centro de Arbitraje de México (CAM) (Mexican Arbitration Center) is a private institution created in 1997 to fill a void in Mexico in the area of alternative dispute resolution. The CAM's mission is to create the necessary conditions so that business entities and their affiliates can access and take advantage of the benefits of commercial arbitration. The institution offers arbitration services only and has its own set of arbitration rules. It registers between 10 and 20 cases per year.

Party Nationality

23% Foreign

77% Local

Party Status

8% Public

92% Private

Disputes

58% Single

42% Multiparty

Caseload

62 cases



Centro de Mediación y Arbitraje (CANACO) de la Cámara de Comercio de la Ciudad de México

Morelos 67, 5th Floor
 Centro
 Mexico City, Mexico
 CP 06600
 Tel: + 52 55 3685 2269
 Fax: + 52 55 5703 2862
 www.arbitrajecanaco.com.mx

The Centro de Mediación y Arbitraje (CANACO) de la Cámara de Comercio de la Ciudad de México (Mexico City Chamber of Commerce’s Mediation and Arbitration Center) is a nonprofit organization established in 2000. It offers arbitration, mediation, and conciliation services, and operates under its own set of procedural rules. The CANACO registers between 10 and 20 cases per year.

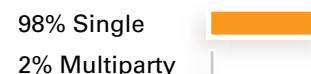
Party Nationality



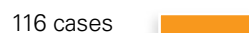
Party Status



Disputes



Caseload



Panama

Centro de Conciliación y Arbitraje de la Cámara de Comercio, Industrias y Agricultura de Panamá (CeCAP)

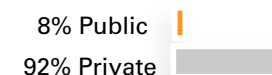
Av. Cuba y Ecuador, No. 33
 Panamá, República de Panamá
 CP 0816-07517
 Tel: + 507 207 3400
 Fax: + 507 207 3422
 www.pancamara.com

The Centro de Conciliación y Arbitraje de la Cámara de Comercio, Industrias y Agricultura de Panamá (CeCAP) (Panama Chamber of Commerce, Industry and Agriculture’s Conciliation and Arbitration Center) is a nonprofit organization established in 1994. The institution was created to provide a modern alternative dispute resolution mechanism to the business sector. In 1997, the Cámara de Comercio, Industrias y Agricultura de Panamá joined forces with the Inter-American Development Bank to promote alternative dispute resolution in the country, a project that has enjoyed successful results. The CeCAP offers arbitration, mediation, and conciliation services and has its own set of procedural rules for its alternative dispute resolution services. It registers more than 50 cases annually.

Party Nationality



Party Status



Disputes

No data available

Caseload





Paraguay

Centro de Arbitraje y Mediación Paraguay

Estrella 540 e/ 14 de mayo y 15 de Agosto
Asunción, Paraguay
Tel: + 595 21 493321
<http://www.camparaguay.com>

The Centro de Arbitraje y Mediación Paraguay (CAMP) is a pioneer in the field of alternative dispute resolution in Paraguay. The Center is a private, non-profit entity that forms part of the Cámara Nacional de Comercio y Servicios de Paraguay. The Center was initially created as part of the United Nations Development Programme's Commercial Arbitration Project. It was financed by the Inter-American Development Bank with the goal of promoting foreign investment in Paraguay. The Center has offered arbitration, mediation, and other alternative dispute resolution services since 1998. It operates under its own set of arbitration and mediation rules.



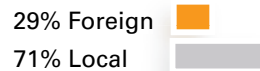
Peru

Centro de Arbitraje de la Cámara de Comercio Americana del Peru (AmCham Peru)

Av. Victor Andrés Belaunde, 177
San Isidro, Lima 27, Peru
Tel: + 51 1 705 8000
www.amcham.org.pe/arbitraje

The Centro de Arbitraje de la Cámara de Comercio Americana del Peru (AmCham Peru) (Arbitration Center of the Peruvian-American Chamber of Commerce) was established in 2002 in an effort by the business sector to strengthen the legal safeguards in the country by providing a reliable forum to resolve contract disputes. The mission of the institution is to provide efficient management of arbitral proceedings and guarantee quick and impartial dispute resolution. AmCham Peru provides arbitration services only and operates within its own set of arbitration rules. It registers between 5 and 10 cases per year.

Party Nationality



Party Status



Disputes



Caseload

35 cases

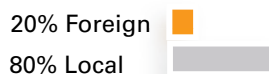


Centro de Conciliación y Arbitraje Nacional e Internacional de la Cámara de Comercio de Lima

Av. Giuseppe Garibaldi N° 396
Jesús María, Lima 11, Perú
Tel: + 51 1 463 3434 ext. 546
Fax: + 51 1 460 2055
www.camaralima.org.pe

The Centro de Conciliación y Arbitraje Nacional e Internacional de la Cámara de Comercio de Lima (Lima Chamber of Commerce’s Center for Domestic and International Conciliation and Arbitration) was founded in 1993 and boasts significant experience in managing the dispute resolution process in Peru. The mission of the institution is to administer the correct application of the procedural framework and to provide the management services necessary to ensure the efficient organization and operation of arbitral proceedings at the Center. The Center strives to be a leader among similar institutions in Latin America in its promotion of arbitration as a form of alternative dispute resolution. It offers arbitration services only, and operates within the framework of its own set of arbitration rules. The Center registers more than 50 new cases annually.

Party Nationality



Party Status

No data available

Disputes

No data available

- Arbitrators are selected from a list
- Arbitrators must be nationals of the home state of the institution
- Arbitrators must be licensed attorneys

Caseload



Uruguay

Corte de Arbitraje Internacional para el Mercosur Bolsa de Comercio – Uruguay

Rincón 454 Piso 5
Montevideo, Uruguay
Tel: + 598-2 916 1277
www.arbitraje.com.uy

The Centro de Conciliación y Arbitraje, Corte de Arbitraje Internacional para el MERCOSUR de la Bolsa de Comercio del Uruguay was created with the objective of promoting investment and commercial relations in Uruguay and Latin America, particularly among the countries that form part of MERCOSUR. The Center administers arbitrations and conciliations, enabling commercial entities to resolve disputes in a quick, reliable, economic, and confidential manner, without disrupting commercial relations between the parties. The Center has its own set of arbitration and conciliation rules.



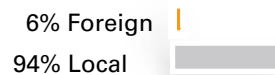
Venezuela

Centro de Arbitraje de la Cámara de Caracas (CACC)

Calle Andrés Eloy Blanco
Edificio Cámara de Comercio, Piso 5
Los Caobos, Caracas, Venezuela
Tel: + 58 212 571 88 31/91 13
Fax: + 58 212 578 24 56
www.arbitrajeccc.org

The Centro de Arbitraje de la Cámara de Caracas (CACC) (Arbitration Center of the Caracas Chamber of Commerce, Industry and Services) was established in 1989 and reactivated in 1998 following the enactment of the Venezuelan Commercial Arbitration Law. The CACC provides routine services in arbitral proceedings and commercial mediations, as well as training and promotion of alternative dispute resolution. The institution offers arbitration, mediation, and conciliation services, and has established a set of procedural rules for its alternative dispute resolution services. It registers between 20 and 50 cases annually.

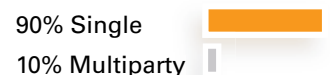
Party Nationality



Party Status



Disputes



Caseload



Centro Empresarial de Conciliación y Arbitraje (CEDCA)

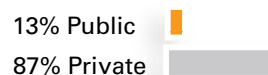
2da. Avenida de Campo Alegre
Torre Credival, Piso 6
Caracas 1010-A, Venezuela
Tel: + 58 212 263 08 33
Fax: + 58 212 263 20 60
www.cedca.org.ve

The Centro Empresarial de Conciliación y Arbitraje (CEDCA) (Business Center for Conciliation and Arbitration) is a nonprofit organization founded in 1999, dedicated to the promotion of conciliation and arbitration as alternative methods for the economic and effective resolution of domestic and international disputes. The CEDCA is an independent entity, linked to the Venezuelan-American Chamber of Commerce and Industry (Venamcham). It is available to natural or juridical persons, and to public and private entities, to resolve commercial disputes. The CEDCA offers arbitration, mediation and conciliation services, and has established its own set of procedural rules for those services. Annually, it registers between 5 and 10 new cases.

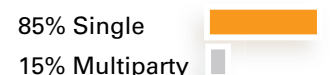
Party Nationality



Party Status



Disputes



Caseload





Selected International Arbitral Institutions

International Chamber of Commerce (ICC)

ICC Dispute Resolution Services
in Latin America
Calle 50 y 53
Edificio Banco Atlántico, Piso 5
P.O. Box 0832-1236
Suite 11181, World Trade Center
Panamá, República de Panamá
Tel: + 507 301 1311
Fax: + 507 301 1399
www.iccwbo.org

Established in 1919, the International Chamber of Commerce (ICC) offers a full spread of dispute resolution services and is the home of the ICC International Court of Arbitration, one of the world's leading institutions for the alternative resolution of international commercial and business disputes. The ICC has its own set of Dispute Resolution Rules. The ICC International Court of Arbitration was founded in 1923 and arbitration under its procedural rules continues to increase at a rapid rate. Since it was founded, the Court has handled over 16,000 arbitral proceedings.

International Centre for Dispute Resolution (ICDR)

1633 Broadway, 10th Floor
New York, New York 10019
Tel: + 1 212 716 5833
Fax: + 1 212 716 5904
www.adr.org

The International Centre for Dispute Resolution (ICDR) is the international branch of the American Arbitration Association (AAA). The ICDR was established in 1996 to provide the same alternative dispute resolution mechanisms that the AAA offers to US businesses and investors around the world. The ICDR has offices in Bahrain, Mexico and Singapore, and it is affiliated with arbitral institutions around the globe, which enables these local institutions to accept and administer cases filed under the ICDR Dispute Resolution Rules. The ICDR maintains a roster of over 650 independent arbitrators and mediators to hear and resolve cases, and handles several hundred cases each year.

Inter-American Commercial Arbitration Commission (IACAC)

Affiliated with Arbitral Institutions in Member State and Associated States
www.ciac-iacac.org

The Inter-American Commercial Arbitration Commission (IACAC) is a private institution established in 1934 as a response to the need for an inter-American system of arbitration and conciliation to resolve commercial disputes in the international business community. The preeminent local arbitral institutions in Argentina, Bolivia, Brazil, Colombia, Chile, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Panama, Paraguay, Portugal, Peru, Spain, the United States, Uruguay and Venezuela, form part of the IACAC as national or associated sections. The IACAC offers arbitration, mediation, and conciliation services through its affiliates, and has its own set of applicable procedural rules. It registers 5 to 10 new cases per year.

International Centre for the Settlement of Investment Disputes (ICSID)

1818 H Street, NW
MSN U3-301
Washington, DC 20433
Tel: + 1 202 458 1534
Fax: + 1 202 522 2615
icsid.worldbank.org

The International Centre for the Settlement of Investment Disputes (ICSID) is an international organization with over 140 member States. It was established under the Convention on the Settlement of Investment Disputes between States and Nationals of Other States (the ICSID Convention), which was opened for signature in 1965, and entered into force the following year. It is largely considered to be the leading international arbitration institution devoted to investor-State arbitration. In the Americas, the following countries are State parties to the ICSID Convention: Argentina, Canada, Chile, Colombia, Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras, Nicaragua, Panama, Paraguay, Peru, the United States, Uruguay, and Venezuela. Notably, Brazil and Mexico are not signatories to the ICSID Convention, and Bolivia and Ecuador withdrew from the ICSID Convention in 2007 and 2009, respectively. ICSID offers arbitration and conciliation services and has its own set of procedural rules. It registered 32 new cases in 2010.



London Court of International Arbitration (LCIA)

70 Fleet Street
London EC4Y 1EU
United Kingdom
Tel: + 44 0 20 7936 7007
Fax: + 44 0 20 7936 7008
www.lcia.org

The London Court of International Arbitration (LCIA) is among the preeminent international institutions for commercial alternative dispute resolution. The institutions preceding the current LCIA date back to 1883, although the institution received its current name and private nonprofit status in the 1980s. It offers arbitration, mediation, and other alternative dispute resolution services, and has its own set of procedural rules. The LCIA has observed a steep increase in caseload; in 2009, it registered 272 disputes that were submitted to arbitration, and 13 disputes that were submitted to mediation or other alternative dispute resolution procedures.

Cumulative List of Arbitral Institutions Identified in Latin-America

Argentina ■ Tribunal de Arbitraje General de la Bolsa de Comercio de Buenos Aires ■ Cámara Argentina de Comercio ■ Cámara Arbitral de la Bolsa de Cereales de Buenos Aires ■ Centro de Mediación y Arbitraje Comercial de la Cámara Argentina de Comercio (CEMARC) ■ **Bolivia** ■ Centro de Conciliación y Arbitraje Comercial de la Cámara Nacional de Comercio de Bolivia ■ Centro de Conciliación y Arbitraje Comercial de la Cámara de Industria, Comercio, Servicios y Turismo de Santa Cruz (CAINCO) ■ **Brazil** ■ Câmara de Arbitragem Empresarial (CAMARB) ■ Câmara de Arbitragem do Mercado ■ Câmara de Mediação e Arbitragem de São Paulo ■ Centro de Arbitragem da Amcham Brasil ■ Câmara de Mediação Arbitragem Associação Comercial do Paraná ■ Câmara FGV de Conciliação e Arbitragem ■ Câmara de Arbitragem Empresarial de São Paulo ■ Câmara de Mediação e Arbitragem das Eurocâmaras ■ Centro de Arbitragem e Mediação da Câmara de Comércio Brasil-Canadá ■ Câmara de Mediação e Arbitragem de Cuiabá (Cmac) ■ Câmara de Mediação e Arbitragem do Amazonas (Camam) ■ Conselho de Mediação e Arbitragem do Pará ■ Câmara Comapa ■ Câmara Brasileira de Mediação e Arbitragem Empresarial do Pará (Caepa) ■ Câmara de Mediação e Arbitragem de Teresina ■ Câmara de Mediação e Arbitragem de Alagoas (Cameal) ■ Centro de Mediação e Arbitragem de Pernambuco (Cemape) ■ Câmara de Conciliação e Arbitragem da Associação Comercial da Bahia ■ Conselho Arbitral da Bahia (CAB) ■ Instituto Brasileiro de Mediação Extrajudiciais de Solução de Controvérsias (Ibmesoc) ■ Câmara de Mediação e Arbitragem de Minas Gerais S/S Ltda (Cmang) ■ Câmara de Mediação e Arbitragem do Rio De Janeiro (Camarj) ■ Grupo Mediatius ■ Câmara Nacional de Arbitragem de Volta Redonda (Canaar) ■ 8ª Câmara de Mediação, Conciliação e Arbitragem ■ Centro Brasileiro de Mediação e Arbitragem ■ Câmara de Mediação e Arbitragem do Estado do Rio de Janeiro (CMAERJ) ■ Centro de Mediação e Resolução de Conflitos do Rio de Janeiro (Mediare) ■ Via Câmara de Negociação, Mediação e Arbitragem Ltda ■ Arbitragem & Mediação – Soluções de Conflitos Ltda. (AMESCO) ■ Mediação e Arbitragem para Negócios Imobiliários S/S (Arbimovel) Sócios: ■ Câmara de Mediação e Arbitragem (Arbitragio) ■ Câmara de Arbitragem e Mediação Arbitrar S/S Ltda Sócios: ■ Conselho Arbitral do Estado de São Paulo (CAESP) ■ Câmara de Mediação e Arbitragem das Eurocâmaras ■ Câmara de Comércio e Indústria Belgo – Luxemburguesa Brasileira no Brasil ■ Câmara de Comércio e Indústria Brasil – Alemanha ■ Câmara Britânica de Comércio e Indústria no Brasil ■ Câmara Oficial Española de Comercio en Brasil ■ Câmara de Comércio França – Brasil ■ Câmara de Comércio Holando – Brasileira de São Paulo ■ Câmara Ítalo Brasileira de Comércio e Indústria ■ Câmara Portuguesa de Comércio no Brasil ■ Câmara Arbitral do Comércio, Indústria e Serviços ■ Câmara Arbitral Latino Americana Ltda (CALA) ■ Câmara Paulista de Mediação e Arbitragem ■ Câmara de Mediação, Arbitragem e Perícia dos Economistas (CAMAPEC) ■ Câmara Barcelos e Costa Arbitragem e Mediação (CBC) ■ Câmara Brasileira de Pacificação (CBRAP) ■ Câmara de Mediação e Arbitragem do Instituto de Engenharia (CMA-IE) ■ Câmara de Mediação, Arbitragem e Resoluções de Conflitos Ltda (CAM BRASIL) ■ Câmara de Arbitragem e Mediação de São Paulo S/S Ltda – ME (CARMESP) ■ Interlegis (CEMASP) ■ Centro de Mediação e Arbitragem do Estado de São Paulo ■ Centro de Negociação e Resolução de Conflitos Ltda ■ Centro de Referência em Mediação e Arbitragem (CEREMA) ■ D'Accord – Instituto de Mediação e Consultoria em Gestão de Conflitos ■ Instituto Brasileiro de Estudos do Direito da Energia (IBDE) ■ Mediação e Arbitragem Paulista (IMAP) ■ Novos Rumos Mediações – Equipe de Gestão de Conflitos ■ Justa Câmara de Mediação e Arbitragem ■ Mediação e Arbitragem São Paulo Ltda (MEASP) ■ Mediar São Paulo – Câmara de Mediação e Arbitragem Ltda – ME ■ Merco Câmara de Mediação e Arbitragem Ltda ■ São Paulo Mediação e Arbitragem ■ Câmara de Alçada Arbitral Brasileira (TAAB) ■ Câmara de Justiça Privada (Tarbitral) ■ Câmara Nacional de Mediação e Arbitragem Ltda (TNA) ■ Câmara de Mediação e Arbitragem Ltda (ARBITRA) ■ Câmara de Arbitragem, Conciliação e Mediação (CAMARCOM) ■ Câmara de Arbitragem e Mediação do Estado de São Paulo S/S Ltda (CAMESP) ■ Núcleo Arbitral de Indaiatuba ■ Primeira Câmara de Arbitragem de Jundiaí ■ Câmara de Mediação e Juízo Arbitral de Matão ■ Câmara de Mediação e Arbitragem de Mococa S/S Ltda ■ Associação da Câmara de Mediação, Conciliação e Arbitragem de Osasco ■ Câmara de Mediação e Juízo Arbitral de Ribeirão Preto ■ Núcleo de Mediação e Arbitragem de Ribeirão Preto (Arbitral) ■ Santos-Arbitral – Câmara de Conciliação, Mediação e Arbitragem ■ ABC Instituto de Arbitragem e Mediação ■ Câmara Brasileira de Arbitragem e Mediação (Cabam) ■ Núcleo Arbitral de Sorocaba – Mediar ■ Tribunal Arbitral De Sorocaba Região-TAS me Sócios ■ Câmara de Mediação e Arbitragem do Vale do Paraíba (CAMVALE) ■ Câmara de Mediação e Arbitragem Da Associação Empresarial de Vinhedo ■ Instituto Brasileiro de Negociação (Ibn) ■ Instituto Jurídico Empresarial ■ Câmara de Mediação e Arbitragem Do Ciesc (Cmac) ■ Câmara de Mediação e Arbitragem de Joinville (Cmaj) ■ Câmara de Mediação e Arbitragem de Brusque (Cma Bq) ■ Centro de Mediação, Conciliação e Arbitragem Ltda (Conciliar Brasil) ■ TAESP Arbitragem e Mediação ■ Câmara Mineira de Mediação e Arbitragem (Caminas) ■ Centro de Conciliação e Arbitragem da Câmara de Comércio Argentino - Brasileira de São Paulo ■ **Chile** ■ Centro de Arbitraje y Mediación de la Cámara de Comercio de Santiago (CAM Santiago) ■ **Colombia** ■ Commercial Arbitration and Conciliation Centre at the Bogota Chamber of Commerce ■ Centro de Arbitraje y Conciliación de la Cámara de Comercio de Cali ■ **Costa Rica** ■ Conciliation and Arbitration Center (Camara de Comercio de Costa Rica) ■ International Center for Conciliation and Arbitration of the Costa Rican-American Chamber of Commerce (AMCHAM) ■ Conflict Resolution Center of the Federated Association of Engineers and Architects of Costa Rica ■ Center for the Resolution of Property Conflicts ■ **Dominican Republic** ■ Tribunal de Conciliaciones y Arbitrajes ■ Consejo de Conciliación y Arbitraje de la Cámara de Comercio y Producción de Santo Domingo (CCPSD) ■ **Ecuador** ■ Ecuador National Office of the ICC ■ Centro de Arbitraje y Mediación de la Cámara de Comercio de Quito ■ Centro de Arbitraje y Conciliación de la Cámara de Comercio de Guayaquil ■ Centro de Arbitraje y Mediación de las Cámaras de Comercio de Ambato e Industrias de Tungurahua y de la Pontificia Universidad Católica del Ecuador, Sede Ambato ■ **El Salvador** ■ Mediation and Arbitration Center of the Chamber of Commerce and Industry of El Salvador ■ Centro de Mediación y Arbitraje de la Universidad Técnica de El Salvador ■ **Guatemala** ■ Centro Privado de Dictamen y Arbitraje ■ Centro de Arbitraje y Conciliación de Comercio de Guatemala (CENAC) ■ **Honduras** ■ Centro de Conciliación y Arbitraje de la Cámara de Comercio e Industriales de Cortés ■ **Mexico** ■ Centro de Arbitraje de México (CAM) ■ Cámara Nacional de Comercio de la Ciudad de México, Comisión de Mediación y Arbitraje Comercial (CANACO) ■ Capítulo Mexicano de la Cámara de Comercio Internacional (ICC México) ■ Centro de Arbitraje de Puebla (CAP) ■ Sistema de Arbitraje Mexicano ■ Centro de Negociación, Mediación, Conciliación y Arbitraje (CENCA) ■ **Nicaragua** ■ Centro de Mediación y Arbitraje de la Cámara de Comercio de Nicaragua ■ **Panama** ■ Sociedad Panameña de Arbitraje ■ Centro de Conciliación y Arbitraje de la Cámara de Comercio, Industrias y Agricultura de Panamá (CeCap) ■ **Paraguay** ■ Comisión Paraguaya de Arbitraje Comercial ■ Centro de Arbitraje y Mediación Paraguaya, Cámara Nacional de Comercio y Servicios de Paraguay (CNCSP or CAMP) ■ **Peru** ■ Colegio de Abogados de Lima, Centro de Arbitraje ■ Cámara de Comercio de Lima, Centro de Conciliación y Arbitraje Nacional e Internacional ■ Cámara de Comercio Americana del Peru (AMCHAM) ■ Centro de Arbitraje y Conciliación Comercial (CEARCO) ■ Sociedad Nacional de Minería y Petróleo, Centro de Arbitraje ■ Asociación Peruana de Negociación Arbitraje y Conciliación (APENAC) ■ Centro Internacional de Resolución de Conflictos (CIRC) ■ Instituto Peruano de Resolución de Conflictos, Negociación y Mediación (IPRECON) ■ Centro Peruano de Prevención y Solución de Conflictos (CEPSCON) ■ Centro Internacional de Administración y Comercio (CIAC) ■ Asociación Peruana de Resolución de Conflictos (APREDEC) ■ Instituto para la Conciliación por la Paz (INCOPAZ) ■ Consejo de Juventudes Nacionales (CODEJUN) ■ Asociación Promotora de Centros de Conciliación (CONCILIUM) ■ Centro de Conciliación Trujillo (CECTRU) ■ Instituto Sociedad y Derecho (ISODE) ■ Instituto Peruano de Resolución de Conflictos, Negociación y Mediación (IPRECOM) ■ **Uruguay** ■ Cámara de Industriales del Uruguay ■ Centro de Conciliación y Arbitraje, Corte de Arbitraje Internacional para el Mercosur/Bolsa de Comercio ■ **Venezuela** ■ Centro de Arbitraje de la Cámara de Caracas ■ IACAC National Section – Venezuela ■ Centro Empresarial de Conciliación y Arbitraje (CEDCA)



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