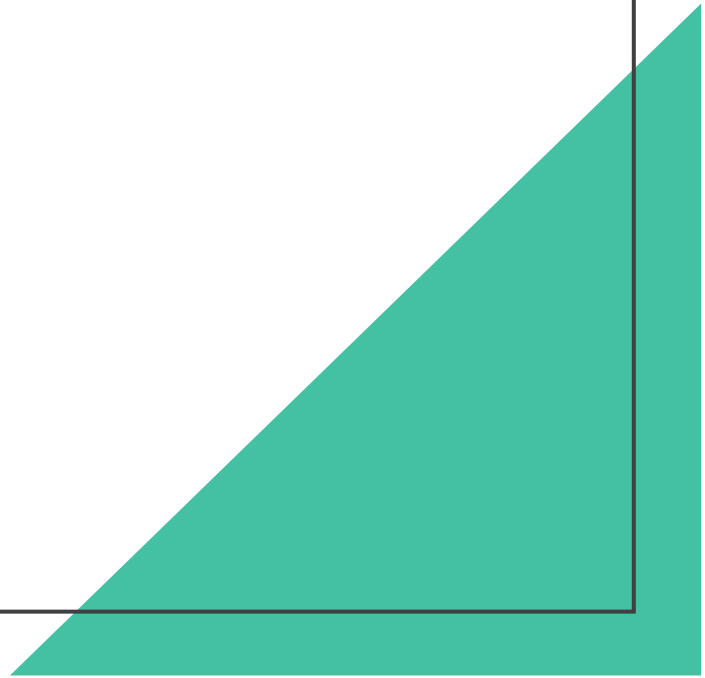


# ARIAS ASIA

Arbitration and Mediation Rules

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# Outline

1. Background
2. Arbitration Rules, Panel and Model Clauses – Forthcoming
3. Mediation Rules, Panel and Model Clauses - Forthcoming

# 1. Background – What is ARIAS?

- The story starts with AIDA (Association Internationale de Droit des Assurances): <https://aidainsurance.org>.
- During the AIDA Presidency of the late John Butler (1990 - 1998) the concept of **AIDA Reinsurance and Insurance Arbitration Societies (ARIAS)** was established.
- AIDA's By-laws were amended to permit either AIDA National Sections or the AIDA Presidential Council to establish AIDA Reinsurance and Insurance Arbitration Societies (ARIAS) for the purpose of facilitating and advancing the use of arbitration as a means for the resolution of insurance and reinsurance disputes.

# 1. Background – What is ARIAS?

7 ARIAS Societies currently are Centrally Affiliated Chapters to AIDA:

1. 1991 - ARIAS **UK** founded
2. 1994 – ARIAS-**US** founded
3. 1995- CEFAREA ARIAS **France** founded (as Centre Français d'Arbitrage de Reassurance et d'Assurance (CEFAREA) in 1995 )
4. 2006 - ARIAS **Germany** founded (as ARIAS Europe e.V.)
5. 2011 - ARIAS **Latam** founded in Chile
6. 2017 - ARIAS **Asia**
7. 2021 - ARIAS-**Ireland** founded as a chapter of Arbitration Ireland

# 1. Background –ARIAS Asia

- ARIAS's 1<sup>st</sup> chapter in Asia.
- Nonprofit Asian (re)insurance arbitration & mediation service provider.
- ARIAS Asia appoints arbitrators and mediators where it is designated by parties as the appointing authority in their agreements. It also organises events to train legal, insurance and reinsurance professionals as arbitrators and mediators and to enhance their knowledge and expertise in the relevant sectors.
- **It does not charge administration fees** but rather allows the mediator / arbitration tribunal to run process on an *ad-hoc* basis.
- This model has been used for decades by ARIAS organisations in the UK, US, Europe and Latin America to resolve insurance and reinsurance disputes.

## 2. ARIAS ASIA Rules

### 1. ARIAS ASIA Arbitration Rules (2020)

<https://arias-asia.org/airas-asia-arbitration-rules/>

### 2. ARIAS Asia Fast Track Arbitration Rules

<https://arias-asia.org/arias-asia-fast-track-arbitration-rules/>

## 2. Arbitration Model Clauses

1. Ad hoc arbitration under the [ARIAS Asia Arbitration Rules](#)
2. Ad hoc arbitration under the [ARIAS Fast Track Arbitration Rules](#)
3. Ad hoc arbitration under the [UNCITRAL Arbitration Rules](#)

<https://arias-asia.org/model-clause-for-arbitration/>

## 2. Arbitration Panel

- If ARIAS Asia is asked to appoint an arbitrator, it will usually select the person from its Panel of Arbitrators.

<https://arias-asia.org/arbitrator-panel-member/>

- The fee for this service will be modest.
- Membership of the Panel for three years from admission.



### 3. Mediation Rules (forthcoming)

- ARIAS Asia's mediation scheme adopts the same successful approach as used by ARIAS organisations around the world.
- Under the [ARIAS \(Asia\) Mediation Scheme and Guidelines](#), the mediator is empowered to administer the process (i.e. on an ad-hoc basis).
- This ensures that ARIAS Asia does not need to charge administration fees and allows greater flexibility for the mediator to run the mediation in accordance with the Rules and applicable law.

# 3. Mediation Panel

- If ARIAS Asia is asked to appoint a mediator, it will usually select the person from its Panel of Mediators. <https://arias-asia.org/mediator-panel-member/>
- ARIAS Asia will only charge users if they request the appointment of a mediator (enquiry@arias-asia.org). The fee for this service will be modest.

# 3. Mediation Model Clauses

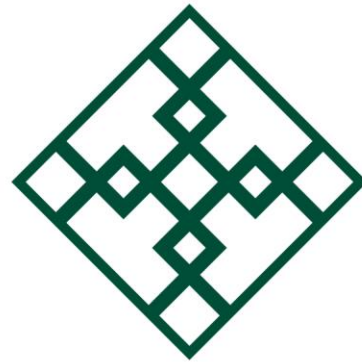
Forthcoming

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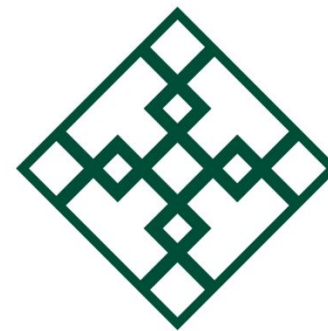
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