



PANEL 4

IMPORTANCE OF CHOOSING THE RIGHT PLACE OF ARBITRATION

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Article 18 (Place of the Arbitration) of the ICC Rules of Arbitration



- 1) The place of the arbitration shall be fixed by the Court, unless agreed upon by the parties.
- 2) The arbitral tribunal may, after consultation with the parties, conduct hearings and meetings at any location it considers appropriate, unless otherwise agreed by the parties.
- 3) The arbitral tribunal may deliberate at any location it considers appropriate.

SEAT x VENUE



- Seat: the geographical location to which the arbitration is ultimately tied. This location prescribes the procedural law of the arbitration and so called *lex arbitri*.
- Venue: the geographical location where the parties, the tribunal and other relevant persons physically meet.

SEAT OF THE ARBITRATION



- Law: Arbitration-friendly jurisdiction
 - Matters internal to arbitration
 - External relationship with the courts
- Judiciary: Efficient courts
- Immunity for arbitrators

VENUE OF THE ARBITRATION



- Costs and logistics
 - Functional facilities
 - Accessibility and safety
- Convenience for the parties and arbitrators

Thank you!



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