



中国国际经济贸易仲裁委员会

CHINA INTERNATIONAL ECONOMIC AND TRADE ARBITRATION COMMISSION

<http://www.cietac.org>

Combination of Arbitration with Conciliation —— the Oriental Experience

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I. Creation and Advantages

1. Creation and definition

2. Advantages

- (1) Combine and make use of the advantages of two procedures**
 - (2) Less adversarial to keep good business relationship**
 - (3) Be in line with the Chinese legal culture: Harmony is most precious (和为贵)**
 - (4) Save time and money**
 - (5) The consent award can be performed automatically**
 - (6) The consent award is enforceable in law**
- ## **3. The concern of the international arbitration community**
- ## **4. Oriental experience: adoption in foreign jurisdictions**
- (1) Legislation**
 - (2) Arbitration Rules**

II. The Perfection of the Practice by CIETAC

- 1. Traditional model: Mediation in arbitration by arbitrator to serve as mediator**
- 2. Updated model 1: Mediation before arbitration by mediators**
- 3. Updated model 2: Mediation in arbitration by separate mediators**

III. CIETAC Caseload (2008~2014)

Year	Domestic Cases	International Cases	Total Cases	Disputed Amount
2008	682	548	1230	20.9 bn
2009	923	560	1482	17.3 bn
2010	934	418	1352	13.8 bn
2011	965	470	1435	15.7 bn
2012	729	331	1060	15.5 bn
2013	881	375	1256	24.4 bn
2014	1223	387	1610	37.8 bn
2015	1531	437	1968	42.5 bn

IV. CIETAC statistics of Cases Concluded by Arb-Med

1. In 2011

(1) Cases concluded: 1282

(2) Cases concluded by arb-med:146 (11%)

2. In 2015

(1) Cases concluded: 1821

(2) Cases concluded by arb-med:336 (18%)

3. Average percentage: 15%

Concluding Remarks

**CIETAC Arbitration
World-Wide Arbitration Service!**

Thank You!

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