

BRUSSELS

The European Arbitration Hub



EPANI

THE BELGIAN CENTRE FOR ARBITRATION AND MEDIATION

BRUSSELS, THE EUROPEAN ARBITRATION HUB

In our 21st century economy, where trade contacts reach across the globe and where time is of the essence, commercial conflicts require efficient solutions. More and more, parties in dispute are therefore turning to arbitration. As a means of dispute resolution, arbitration offers all the usual legal guarantees, but offers in addition a greater flexibility and time efficiency, avoiding extra costs and delays. As a result, it has become the prevailing method of international dispute resolution, both in a private commercial context and in matters involving private entities and states.

At the heart of Europe, the city of Brussels stands out as a seat for international arbitration. The European capital offers some unique advantages and meets all the requirements for an efficient, secure and accessible resolution of your commercial disputes in an atmosphere of trust, confidentiality, open-mindedness and plurilinguism.

WHY IS ARBITRATION THE RIGHT CHOICE?

► Fast

The average duration of a proceeding is 8 to 12 months. The arbitral award is final and subject to only limited court control.

► Confidential

Moreover, arbitrators are bound to discretion, hearings take place behind closed doors, and it is up to the parties to decide whether the arbitral award is to be made public.

► Fixed Fee Scales

Fixed fee scales, combined with the arbitrators' cost-effective approach and the cooperation of the parties, allow for a reliable estimation of the final cost.

► Customized Procedure

In an arbitration procedure, parties are free to choose the seat, the arbitrators, the law and the language of the proceedings.

► Expert Arbitrators

Arbitrators are always selected for an arbitration on the basis of their required expertise.



HOW TO CHOOSE THE RIGHT SEAT AND LAW FOR YOUR PROCEEDINGS?

Parties who decide to settle an international dispute through arbitration are free to choose a seat anywhere in the world. In selecting a seat, it is important to verify whether its law favours arbitration and corresponds to the goals of the parties.

Of course, every arbitration organization has its own set of rules for the proceedings, but these rules always function within the legal framework of the country where the arbitration takes place. For example, the law of the seat determines to what extent local courts may intervene in the arbitration process.

Ideally, the role of local courts in arbitral matters should be limited to interventions *in support* of arbitration, for example by requiring, within a short period of time, a provisional or protective measure requested by a party. Arbitral awards should be binding, internationally enforceable and not subject to appeal. If local courts have jurisdiction to interfere on other grounds, this may cause considerable delays and drive up the costs.

If parties wish to avoid unnecessary delays, and desire a swift and efficient resolution of the dispute, they should choose their seat in a country where the law favours arbitration.

WHY CHOOSE BRUSSELS? BENEFITS OF BELGIAN ARBITRATION LAW

Situated at the heart of Europe, in a thriving economic region comprised of the Benelux countries, France, Germany and Great Britain, Belgium has always understood the full importance of international commerce and collaboration. As one of the founding members of the European Union and a signatory to the 1958 New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards, the country has indeed proven itself to be a strong advocate of international trade and arbitration.

The Belgian arbitration law, updated as recently as September 2013, is based on the UNCITRAL Model Law on International Commercial Arbitration, and greatly favours the practice of arbitration. It complies with the most modern standards of international commercial arbitration. Where there are differences from the UNCITRAL Model Law, it is generally because Belgian law grants more power to the arbitrators and more freedom to the parties. Its core principle is that parties are entirely free in their choice of seat, language, arbitrators and rules of the arbitral proceedings (UNCITRAL, ICC, LCIA, CEPANI or other).



AT THE HEART OF EUROPE BRUSSELS, THE EUROPEAN ARBITRATION HUB

Capital of Belgium and of the European Union, home to several important EU institutions and international organizations, such as the WCO, NATO, Eurocontrol or the American Chamber of Commerce to the European Union, host to the European or regional headquarters of numerous multinational companies: for many different reasons, Brussels can truly be considered as the beating heart of Europe.

Since the economy of Belgium depends heavily on international trade, Belgian law has always favoured arbitration. Detailed English documentation on Belgian legislation is easily available. Belgian lawyers are often appointed as arbitrators by well-known international arbitration centres such as the ICC or the London Court of International Arbitration; many of them feature in international rankings listing the world's best arbitrators. Also, numerous international law firms with a specialist arbitration department have an office in Brussels, and more than 10 % of the Brussels bar is composed of foreign lawyers.

Brussels' political and administrative importance is just one reason why the city is one of Europe's most attractive centres for international commercial activity. Other reasons include its multilingual workforce, its central geographical location and its abundance of high-speed rail and air travel connections to numerous destinations around the world.

The city enjoys the presence of a large international community, where more than one third of the population is non-Belgian and where no less than 104 different languages are spoken. Thanks to the presence of the European institutions, Brussels is home to an army of professional translators and interpreters, experienced in working in an international context.

Last but not least, the city boasts a wide array of conference and business meeting facilities, as well as a large selection of first-class hotels and restaurants.

As the capital of Europe, Brussels has everything it takes to make an excellent seat of arbitration. Its flexible legislation, international character, multi-language services and modern conference facilities, as well as its first-class hotels and restaurants provide an excellent context for a swift and cost-friendly resolution of all your commercial disputes.



