

IS CIETAC BREAKING APART? AN ANALYSIS OF THE SPLIT IN THE CIETAC SYSTEM

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ABSTRACT

In 2012, a serious internal dispute happened in the China International Economic and Trade Arbitration Commission [hereinafter CIETAC] system that received remarkable attention in the international arbitration arena. The dispute was triggered by the new CIETAC Arbitration Rules which came into force on May 1 2012. The origin of the dispute is rooted in the structure of the CIETAC system, specifically the over-autonomy of the sub-commissions of CIETAC. This dispute has already produced a profound influence on the CIETAC system and the development of arbitration in Mainland China. This article provides one of the first in-depth, English-language discussions of the development of this dispute. The author analyzes the origins and the essence of the dispute, introduces its development and the latest news, and addresses the dispute's implications for international arbitral practice. Last but not least, this article offers some suggestions for how the dispute should be resolved.

KEYWORDS: *CIETAC, China International Economic and Trade Arbitration Commission, CIETAC Shenzhen Commission, SCIA, CIETAC Shanghai Commission, Arbitration*

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