



International Centre for Dispute Resolution® International – Administrative Review Council

Overview and Guidelines

A. Overview

The International – Administrative Review Council (Council) will act as the administrative decision making authority for the ICDR® to resolve certain administrative issues arising on all ICDR managed cases, regardless of applicable rules. Administrative issues that may be submitted to the Council, as expressed in Article 5 of the International Arbitration Rules amended and effective March 1, 2021, and as further outlined in Section D below, include objections or challenges to arbitrators, place of arbitration or location of hearing determinations, number of arbitrator disputes, and whether the filing requirements and administrative jurisdiction set forth in the Rules have been met.

The Council has been developed to ensure that case issues are reviewed and resolved at a high level by individuals within the ICDR-AAA's with significant arbitration experience. The primary responsibility of this Council is to ensure that decisions are made after careful consideration of the issues presented and the parties' contentions, while upholding the integrity of the arbitration process and retaining the parties' confidence in the fairness of the process.

B. Structure

The Council will include no less than three (3) voting members comprised of current or former AAA-ICDR® executives. It may also include additional non-voting members as determined by the ICDR.

C. Meeting Schedule

The Council will establish weekly meetings to hear and decide issues raised for review. Meetings may take place via conference call or any other means. At the discretion of the Center VP additional meetings may also be scheduled based on workload and particular case needs.

D. Scope of Authority

The Council will act as the administrative decision making authority for the ICDR caseload to resolve objections or challenges to arbitrators, place of arbitration or location of hearing determinations, number of arbitrator disputes, and whether the filing requirements and administrative jurisdiction set forth in the Rules have been met.

For the purposes of this Council, filing requirements disputes and administrative jurisdiction are those disputes that could impact the ICDR's determination whether or not to administer a matter, including signatory issues or other questions regarding whether a party has met the ICDR-AAA's filing requirements. The Council may determine that the ICDR will



proceed to administer an arbitration matter, with the understanding that the parties may again present their position to an arbitrator(s) once appointed.

Neither the ICDR nor the International Administrative Review Council is authorized to make any legal jurisdiction and/or arbitrability rulings or determinations. These must be made by a Court or arbitral tribunal.

E. Issue Submission

1. All issues and disputes should be presented to the ICDR team member managing the case for referral to the Council.
2. All issues submitted to the Council shall be decided based on the parties' written submissions.
3. Upon completion of the exchange of party positions the issue will be submitted to the Council by the ICDR team member, along with their recommendation.
4. Upon the discretion of the ICDR Center VP/AVP, submissions involving issues outside the Council's scope of authority, or incomplete submissions, may be rejected and returned to the submitting team member. They may also request that the submitting team member gather further information from the parties or arbitrator prior to a Council decision being made.

F. Decision-Making

The Center VP, or their designee to lead a call, will circulate a list of the cases to be reviewed and decided prior to each meeting of the Council.

1. All voting Council members must have reviewed the necessary information prior to the meeting
2. Any voting Council member wishing to be heard on a case issue will be given the opportunity to present their views and supporting rationale.
3. If a voting Council member submitted the issue for review they will not vote on the issue and will be replaced by an ICDR executive.
4. Decisions will be made in accordance with the Council Review Standards. No written reasoning shall be issued.
5. Decisions will be by a majority vote of the Council members and the results will be promptly announced to the appropriate submitting team member.
6. All decisions of the Council will be confirmed in writing and include the following:
 - a. Case number
 - b. Issue presented
 - c. Date of the conference call
 - d. Non-Reasoned Decision