



Rules established by the Steering Committee of the Commission on Arbitration and ADR in relation to the number of Commission Members and additional membership prerequisites

Membership term from 1 July 2024 – 30 June 2027

Rule 1 - Specified Number of Delegates

In order for the ICC Commission on Arbitration and ADR ("**Commission**") to deliver on its mission and to conduct its work and activities efficiently, the size of the overall membership of the Commission should be maintained at a manageable number.

Each National Committee and Group "**NC**" is entitled to a specified number of duly appointed delegates of the NC to comprise their delegation to the Commission ("**NC Delegation**") according to the categories set out in Annexure A of this document. Annexure A is reviewed and updated by the Steering Committee upon recommendation by the Secretary General of the International Court of Arbitration as required but no less than every three years.

The purpose of the categories is to:

- a) ensure a fair distribution of Commission Members among NCs;
- b) ensure regional representation that is proportionate to the composition of the ICC global network;
- c) reflect the importance of emerging jurisdictions; and
- d) reflect the strategic importance of arbitration and ADR hubs within the Commission.

Rule 2 - Additional Delegates

To foster regional and professional diversity, NCs may appoint up to five additional NC members as delegates over and above their specified number of delegates within their category set out in Annexure A, who:

- a) are in-house counsel or otherwise corporate representatives with experience in arbitration and/or ADR; or
- b) are:
 - i. nationals of a country where there is no NC; or
 - ii. professionally based in a country where there is no NC, in the same region of the NC.

Rule 3 - National Arbitration and/or ADR Groups/Committees

When an NC has established its own national arbitration and/or ADR group or committee, membership to such national arbitration or ADR group or committee does not automatically result in membership of the ICC Commission. NCs must follow the process of appointment to the Commission as established and communicated by the Commission Secretary. The head of an NC-established national arbitration or ADR group or committee (one head per NC only) is a Commission Member for the duration of their term as the head of such a group or committee and will not be counted against the specified number of delegates allotted to the NC Delegation.

Rule 4 - Balanced Overall Representation and Diversity

Pursuant to Article 4.1 of the ICC Commissions Terms of Reference, membership of the Commission must be diverse. NCs are invited to ensure that the composition of their NC Delegation is balanced, diverse and suitably representative of the expertise, experience, and talent present in the territory's legal, business and academic community active in the field of arbitration and ADR. NCs with multiple legal systems or jurisdictions should ensure, to the extent possible, a balanced representation of the jurisdictions within the delegation.

In addition, NCs should consider the importance of an overall balanced and suitable representation of the NC at the different ICC Working Bodies and groups (including, for example, the International Court of Arbitration and other ICC Commissions). NCs should avoid appointing delegates to be Commission Members who serve in leadership positions or officer roles within other ICC Working Bodies and groups.

In appointing delegates, NCs must ensure that the NC Delegation reflects diversity, broadly defined (including but not limited to diversity of origin, culture, generations, gender and disability inclusion). NCs should endeavour to reach gender parity within their NC Delegation.

Rule 5 - Experience and Talent

In order to provide thought leadership and innovation in arbitration and ADR it is essential that the membership of the Commission reflects both senior experience and expertise, as well as rising talent in the arbitration and ADR community. In considering delegates for appointment to the NC Delegation, NCs should endeavour to reflect the same. Each Commission Member should be a skilled and active arbitration or ADR specialist and:

- a) have experience in arbitration and arbitration-related procedures; or
- b) have experience with ADR procedures (such as mediation, expert determination and dispute boards); or
- c) pursue an academic career in the field of arbitration and ADR.

Rule 6 - Balance among Law Firms, Chambers, and Companies

The NC Delegation must not have more than one delegate per law firm or company at any given time.

The NC Delegation must endeavour to have no more than one delegate per arbitration chamber at any given time.

Rule 7 - Corporate Engagement

NCs play a crucial role in connecting their corporate members to ICC Dispute Resolution Services. To understand the dispute resolution needs and the expectations of the members of ICC Global Network, the Commission seeks to have 20 percent of its membership comprise corporate users (including SMEs and larger corporations) and in-house counsel.

Accordingly, the NC should endeavour to have at least 20 percent of the NC Delegation (within the specified number of delegates as stated in Annexure A) be corporate users and in-house counsel.

Rule 8 - ICC Commissions Terms of Reference

This document has been prepared in accordance with Article 4.6 of the ICC Commissions Terms of Reference.

To the extent of any inconsistency between this document and the ICC Commissions Terms of Reference, the ICC Commissions Terms of Reference takes precedence.

ANNEXURE 1

NC Category Limits

The following categories of NCs are entitled to appoint the number of delegates to the NC Delegation specified below:

- Category A may appoint up to 5 delegates;
- Category B may appoint up to 10 delegates; and
- Category C may appoint up to 25 delegates.

NC Categories

The list of NCs will be updated by the Steering Committee pursuant to the establishment, suspension, and withdrawal of recognition of NCs by the Executive Board or the World Council (as the case may be).

National Committee	Category
Brazil	C
China	C
Egypt	C
France	C
Germany	C
Hong Kong	C
India	C
Korea	C
Mexico	C
Nigeria	C
Singapore	C
Switzerland	C
UAE	C
UK	C
USCIB/ICC USA	C
Australia	B
Austria	B
Belgium	B
Canada	B
Colombia	B
Ghana	B
Indonesia	B
Iran	B
Ireland	B
Israel*	B
Italy	B

Japan	B
Lebanon	B
Malaysia	B
Netherlands	B
Peru	B
Philippines	B
Poland	B
Portugal	B
Saudi Arabia	B
Spain	B
Sweden	B
Turkey	B
Albania	A
Argentina	A
Armenia	A
Bahrain	A
Bangladesh	A
Bolivia	A
Burkina Faso	A
Cameroon	A
Chile	A
Chinese Taipei Business Group	A
Costa Rica	A
Croatia	A
Cuba	A
Cyprus	A
Czech Republic	A
Denmark	A
Dominican Republic	A
Ecuador	A
Estonia	A
Finland	A
Georgia	A
Guatemala	A
Greece	A
Jordan	A
Kenya	A
Kuwait	A
Kyrgyzstan*	A
Lithuania	A
Luxembourg	A
Macao	A
Monaco	A

Morocco	A
New Zealand	A
Norway*	A
Qatar	A
Pakistan	A
Panama	A
Paraguay	A
Serbia	A
Slovakia	A
Slovenia	A
Sri Lanka	A
Syria	A
Thailand	A
Tunisia*	A
Ukraine	A
Uruguay	A
Vietnam	A
South Africa	A

*Newly established NCs.