

Rules of Procedure of BRICS Expert Committee on Arbitration

Article 1 Purpose of establishment

The BRICS Arbitration Committee (hereinafter referred to as the “Committee”) is jointly advocated and established by the Chinese Law Society, the Brazilian Bar Association, the Russian Lawyers Association, the Indian Bar Association and the South African Law Society. It is one of the professional committees established under the BRICS Legal Forum. The purpose of this Committee is to promote the overall development of arbitration in the BRICS countries, to achieve the integration of legal culture in the region, to prevent and resolve disputes arising within the region, and to discuss the significant issues as to refine and improve international arbitration rules and recommend regional arbitrators. In order to facilitate and standardize the daily operation of the Committee and improve the working procedures, these rules of procedure are formulated.

Article 2 Objectives

The Committee aims to build an arbitration dispute resolution service system involving BRICS countries. It also targets to bridge the gap of economic and trade exchanges between the parties due to differences in

language, culture and legal systems. The Committee will study the new situation and trends faced by the development of arbitration in the BRICS countries as well, continuously build expert resources, and improve the internationally accepted arbitration rules of independence, fairness, professionalism and efficiency.

Article 3 Responsibilities

The Committee negotiates through the meeting to discuss and decide on the following major issues:

- (1) Deliberating and deciding on the work items, issues and suggestions of the committee;
- (2) Deliberating or amending the Rules of Procedure of the Committee;
- (3) Deliberating and formulating arbitration rules applicable to the BRICS countries;
- (4) Deliberating, recommending and deciding on professional arbitrators who meet the requirements of the BRICS countries;
- (5) Regularly publishing the latest information, news and reviews on arbitration within the BRICS countries;
- (6) Promoting the dispute resolution mechanism of the BRICS countries;
- (7) Negotiating other matters.

Article 4 Board of Directors and Rotating Chairman

The Committee has a Board of Directors (hereinafter referred to as the “Board”) which is the decision making body, and the Board is composed of five members respectively recommended by each of the BRICS countries.

The Committee shall nominate the Rotating Chairman, who will be the member of the Board of the country where the Committee meeting is held. When the members of the Board resign or fail to perform their duties for any reason, the vacancies shall be recommended by the original recommendation country.

If necessary, the Board may meet from time to time to discuss major matters of the Committee. Material resolutions such as the amendment of the Rules of Procedure shall be approved by the Board. The Board implements the voting principle of one person, one vote, and shall be approved by more than half of the five members of the Board.

Article 5 Members of the Committee

The Committee has a number of members who will be recommended by the BRICS countries and each country has two to four seats.

The term of members of the Committee is five years and is eligible for reappointment. When a member of the committee resigns or fails to perform his duties for any reason, the vacancy will also be recommended by the original recommendation country.

All members provide advice on the current work of the Committee and its future development.

Article 6 Secretariat

The Secretariat, consists of the secretaries from each of the BIRCS countries, shall be responsible for daily contact, meeting organization and arrangement and other work.

The Secretariat nominates the Secretary-General who comes from the same country of the Rotating Chairman. The Secretary-General is in charge of formulating the agenda of the Committee meeting, the minutes of the meeting and etc.

Article 7 Committee Members' Meeting

In order to achieve the purpose and objectives of the Committee, strengthen the exchanges and cooperation between the Committee members, and build a multi-participation arbitration development platform, the Committee holds an annual meeting during the BRICS legal forum. The information of the annual meeting shall be notified to the members of the Committee by the Rotating Secretary-General 45 days before.

The Committee meeting is presiding by the Rotating Chairman of the Committee;

The facilities, documentation and translations of the Committee Meeting are chaired by the rotation country.

Article 8 Mutual Trust and Cooperation

The members of the Committee shall fully utilize their respective strengths and professional expertise, and motivate themselves. All parties jointly promote the development of the BRICS Arbitration Committee and the arbitration business in the BRICS countries through information sharing and resource complementarity.

The members of the Committee shall abide by the purpose of the establishment of the Committee, fully implement the collective consultation decision-making mechanism, respect all parties concerned and provide them with an effective way to fully express their views and suggestions,, actively pay attention to and respond to reasonable demands of all parties, and ensure effective implementation of the committee's resolutions without delay.