

# 国际商事争端预防与解决组织

INTERNATIONAL COMMERCIAL DISPUTE PREVENTION AND SETTLEMENT ORGANIZATION



公众号

WeChat



示范条款

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调解规则

Commercial Mediation Rules



仲裁规则

Commercial Arbitration Rules



投资争端仲裁规则

Investment Arbitration Rules



## 联系我们/Contact us

国际商事争端预防与解决组织

International Commercial Dispute Prevention and Settlement Organization

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国际商事争端预防与解决组织(厦门)代表处

International Commercial Dispute Prevention and Settlement Organization Xiamen Representative Office

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# China's Support 中国相关支持

支持国际商事争端预防与解决组织在自贸试验区运营，为区内企业提供“事前预防、事中调解、事后解决”全链条商事法律服务。

—— 国务院印发《关于推进自由贸易试验区贸易投资便利化改革创新若干措施的通知》（国发〔2021〕12号）

支持国际商事争端预防与解决组织落地运营。

—— 国务院印发《中国（北京）自由贸易试验区总体方案》

支持国际商事争端预防与解决组织落地运营。

—— 《最高人民法院关于人民法院为北京市国家服务业扩大开放综合示范区、中国（北京）自由贸易试验区建设提供司法服务和保障的意见》（法发〔2021〕11号）

支持“国际商事争端预防与解决组织”积极作用，鼓励共建“一带一路”参与方用好国际商事争端预防与解决组织平台。

—— 中国法学会在2021、2022连续两届中国法治国际论坛发布《北京宣言》

支持国际商事争端预防与解决组织做大做强

—— 国务院批复同意《支持北京深化国家服务业扩大开放综合示范区建设工作方案》

Supporting the operation of ICDPASO in the pilot Free Trade Zone and assisting ICDPASO in providing the full chain of commercial legal services for the enterprises in the region, including commercial disputes prevention, mediation and settlement.

Notice on Several Measures to Promote the Reform and Innovation of Trade and Investment Facilitation in the Pilot Free Trade Zones issued by the State Council (GF [2021] No. 12)

Supporting the establishment and operation of ICDPASO.

Overall Plan for China (Beijing) Pilot Free Trade Zone issued by the State Council

Supporting the establishment and operation of ICDPASO.

Opinions of the Supreme People's Court of P. R. China on the Provision of Judicial Services and Guarantees by the People's Courts for the Construction of the Beijing National Comprehensive Demonstration Zone for Further Opening Up of Service Industry and the China (Beijing) Pilot Free Trade Zone (FF [2021] No. 11)

Supporting ICDPASO to play an active role and encourage participants in the joint construction of the Belt and Road Initiative to make good use of this platform.

Beijing Declarations at the two consecutive China Forum on International Legal Cooperation in 2021 and 2022 issued by the China Law Society

Support shall be provided to expand and enhance the function of ICDPASO.

The work plan to support Beijing in deepening the construction of the Integrated Demonstration Zone for Opening up the Services Sector approved by the State Council

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# About Us

## 关于我们

国际商事争端预防与解决组织（以下简称“争端解决组织”）成立于2020年10月15日，是在中国贸促会倡议支持推动下，由中国国际商会联合有关国家商协会、法律服务机构、高校智库等共同发起设立的非政府间国际组织。争端解决组织致力于**推广预防和调解、仲裁等融合发展，为来自世界各地的当事人提供便捷、独立、高效和可靠的争端预防和解决服务，为全球经济可持续发展做出贡献**。目前，争端解决组织得到了包括世界知识产权组织、联合国贸易法委员会、亚洲-非洲法律协商组织、国际标准化组织等国际组织的高度关注和支持，未来将在规则与实践等方面开展务实合作，以推动构建更加完善的国际法治治理体系。

International Commercial Dispute Prevention and Settlement Organization (ICDPASO), a non-governmental international organization, was established on October 15, 2020. Supported and initiated by China Council for the Promotion of International Trade, ICDPASO was set up by China Chamber of International Commerce, along with commercial associations, legal service agencies, universities and think tanks across the world. ICDPASO is committed to **promoting the integrated development of prevention, mediation and arbitration, and providing accessible, independent, efficient and trusted dispute prevention and resolution services to parties from all over the world, contributing to sustainable global economy**. At present, ICDPASO has received great support from international organizations including the World Intellectual Property Organization (WIPO), the United Nations Commission on International Trade Law (UNCITRAL), the Asian-African Legal Consultative Organization (AALCO), the International Organization for Standardization (ISO), etc. In the future, rules making and practices implementation will be carried out between ICDPASO and international organizations to promote the construction of a more accomplished international rule of law governance system.

争端解决组织现有会员单位**51**家，涉及**100**余个国家和地区，地理范围覆盖亚洲、欧洲、非洲、北美洲、南美洲等。按照争端解决组织章程规定，其业务范围包括：**风险预警与防范、法律查明、尽职调查、合规管理与建设、对话磋商等国际商事争端预防服务；商事调解、商事仲裁、投资仲裁等国际商事争端解决服务；国际法律人才培养、国际会议与高端论坛、国际交流与合作、政策研究、智库建设等其它服务。**

ICDPASO currently consists of 51 members around the world, covering over 100 countries and regions in Asia, Europe, Africa, North America and South America. According to the Charter, the business scope of ICDPASO contains services of international commercial dispute prevention including risk pre-warning, legal identification, due diligence, compliance management and building, dialogue and consultation, etc; services of international commercial dispute settlement including mediation, arbitration, investor-state arbitration, etc; international legal talent training, international conferences and high-level forums organizing, international exchanges and cooperation, policy research and think tank building, and other related services.

On 7 September 2022, ICDPASO opened its first representative office in Xiamen, providing enterprises in Xiamen City, Fujian Province and the southeast coastal regions for their cross-border operations with a full chain of commercial legal services, including "prevention beforehand, management and control and settlement afterward", and promoting the development of Maritime Silk Road Central Legal District into a modern and innovative platform for the rule of law with international influence and world reputation.

2022年9月7日，争端解决组织在厦门设立全球首个代表处，将为厦门市、福建省及福建省及东南沿海地区企业国际化经营提供“事前预防、事中管控、事后解决”的全链条商事法律服务，推动海丝中央法务区建设成为具有国际影响力、世界知名度的现代化法治创新平台。

# Organizational Structure

## 组织架构



## 贺信

### Letter of Congratulations



English Version

## 中华人民共和国国务院

### 贺信

值此国际商事争端预防与解决组织成立大会召开之际，我谨代表中国政府表示热烈祝贺！向与会各国代表以及工商界、法律界人士致以诚挚欢迎！

规则和法治是贸易和投资主体应对不确定性和风险挑战的“防护网”，也是妥善化解商事争端的“公平秤”。近年来，中国政府持续推进市场化、法治化、国际化营商环境建设，以公正监管维护公平竞争，中国持续推进深化改革、扩大开放，欢迎市场准入，坚持一视同仁对待内外资企业，为各类市场主体投资兴业、创新创业提供更好环境。

希望各国工商界、法律界用好国际商事争端预防与解决组织这一平台，共商共建共享，携手共同努力，平等保护各方当事人合法权益，维护和推动全球贸易和投资自由化便利化。

中华人民共和国国务院总理

2020年10月15日于北京

# Inaugural Ceremony

## 成立大会

### 首次会员大会 The First General Assembly of ICDPASO

#### 首届理事会第一次会议

The First Meeting of the First Council

2020年9月29日，国际商事争端预防与解决组织成功召开首次会员大会和首届理事会第一次会议。会议审议通过章程、选举产生理事会，成立监督委员会、咨询委员会；选举产生理事长、副理事长，产生名誉理事长和秘书长。30家境外发起会员单位代表以视频方式出席国际商事争端预防与解决组织首次会员大会。



On September 29, 2020, ICDPASO successfully held its first General Assembly. The meeting deliberated and approved the Charter, elected the Council, established the Supervisory Committee and the Advisory Committee; elected the Chairman and Vice-Chairmen, approved the Honorary Chair, and the Secretary-General. Representatives of 30 overseas initiating members attended the first General Assembly through virtual meeting channel.



### 成立大会 Inaugural Ceremony



朝格特巴特尔  
蒙古国大呼拉尔议员，原外交部部长

TSOGTBAATAR D  
Member of Parliament, Former Minister of Foreign Affairs of the Mongolia

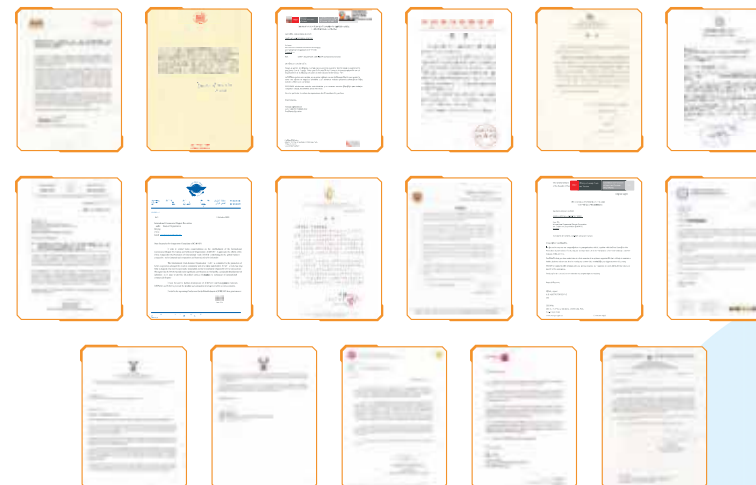
2020年10月15日，国际商事争端预防与解决组织成立大会顺利召开。中国时任总理李克强向成立大会致贺信，希望各国工商界、法律界用好国际商事争端预防与解决组织这一平台。9个国际组织和11个国家和地区政要发来贺信或祝贺视频。

On October 15, 2020, the ICDPASO's inaugural ceremony was successfully held. Then Chinese Premier Li Keqiang sent a congratulatory letter to the ceremony, calling on all parties from industrial, commercial and legal sectors of all countries to make good use of the ICDPASO. The dignitaries from 9 international organizations and 11 nations and regions sent congratulatory letters or videos.



肯尼迪·加斯托恩  
亚非法律协商组织秘书长

Kennedy G. Gastorn  
Secretary-General of Asian-African Legal Consultative Organization (AALCO)



# Member Profiles

## 会员单位

○ 会员单位共 **51** 家  
ICDPASO currently has 51 members

○ 理事会成员单位 **13** 家  
13 members of the Council

○ 监督委员会成员单位 **16** 家  
16 members of the Supervisory Committee

○ 咨询委员会成员 **16** 家  
16 members of the Advisory Committee

○ 涉及百余国家和地区  
and covering over 100 countries and regions

地理范围覆盖亚洲、欧洲、非洲、北美洲和南美洲等  
in Asia, Europe, Africa, North and South America.



# Core Advantages

## 核心优势

### 畅联世界

Smooth communication with the world

### 商事无忧

Worry-free service on commerce



# Business Segment 业务板块



## 商事调解

Commercial mediation

经全球公开征询意见及多轮专家论证，争端解决组织于2022年5月24日正式发布《商事调解规则》，该规则自发布之日起施行，与中国签署的《新加坡调解公约》以及坚持多元化国际争端解决路线相呼应。

Based on a global public consultation and rounds of peer reviews, ICDPASO officially published the Commercial Mediation Rules on May 24 2022, which came effect from the date of publication, echoing China's signing of the Singapore Convention on Mediation and its adherence to the route of pluralistic international dispute resolution.



## 商事仲裁

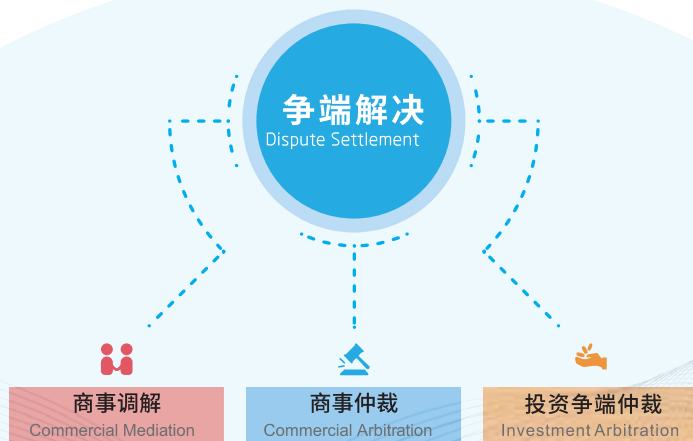
Commercial arbitration



经全球公开征询意见及多轮专家论证，争端解决组织于2022年7月18日正式发布《商事仲裁规则》，该规则吸收了近年来国际仲裁规则的最新发展成果，是一部以国际仲裁程序为基本制度架构的仲裁规则。

Based on a global public consultation and rounds of peer reviews, ICDPASO officially published the Commercial Arbitration Rules on July 18 2022. The Rules with international arbitration procedures as the basic institutional structure incorporate the latest developments in international arbitration rules in recent years.

## 争端解决



## 投资争端仲裁

Investment Arbitration

经全球会员单位征询意见及多轮专家论证，争端解决组织于2024年11月30日正式发布《投资争端仲裁规则》，该规则在仲裁程序的灵活性、高效性和透明度、促进当事人以友好方式解决争议、仲裁员要求和标准、不歧视原则和可持续发展原则等方面具备鲜明特点。



Based on a global membership consultation and rounds of peer reviews, ICDPASO officially published the Investment Arbitration Rules on November 30 2024, which is with distinctive features in terms of flexibility, efficiency and transparency of arbitration procedures, promotion of amicable settlement of disputes between the parties, requirements and standards for arbitrators, principle of non-discrimination and principle of sustainable development.

## 调解员和仲裁员

Mediator and arbitrator

争端解决组织已发布首批仲裁员名单，来自中国、印度、马来西亚、英国、德国、巴西、墨西哥等国的资深专家，将在知识产权、国际贸易及海商、建设工程、房地产、公司与投资、合同、金融等多个领域为国际商事主体提供优质高效仲裁法律服务。

ICDPASO has published the first list of arbitrators. Senior experts from China, India, Malaysia, Britain, Germany, Brazil, Mexico and other countries will provide high-quality and efficient arbitration legal services for international commercial subjects in many fields such as intellectual property, international trade and maritime commerce, construction engineering, real estate, corporation and investment, contract and finance.

## 争端预防建议条款

Recommended clause for dispute prevention

因本合同所产生的及/或与本合同相关的分歧或潜在分歧，应首先提请国际商事争端预防与解决组织，通过友好磋商、谈判促进、磋商斡旋、中立评估等争端预防方式予以消除或化解。

Any disagreements or potential differences arising out of or in connection with this contract shall be eliminated or resolved by the dispute prevention services provided by the International Commercial Dispute Prevention and Settlement Organization ("ICDPASO"), including amicable consultation, negotiation, facilitation, good offices and neutral evaluation.

## 商事调解建议条款

Recommended clause for commercial mediation

就本合同所发生的及/或与本合同相关的争议，均提请国际商事争端预防与解决组织按照申请时该组织有效的调解规则进行调解。

经调解达成的和解协议，各方应履行该和解协议所载之各项内容。

如果调解不成，争议将提交国际商事争端预防与解决组织依据申请时有效的仲裁规则进行仲裁。仲裁裁决是终局的，对各方均有约束力。

All disputes arising out of or in connection with this contract, shall be referred to mediation administered by the International Commercial Dispute Prevention and Settlement Organization ("ICDPASO") in accordance with the Mediation Rules of ICDPASO in force at the time of filing application.

Any settlement reached in the course of the mediation shall be made a settlement agreement on agreed terms, and all parties shall earnestly implement and comply with the award.

In case of failure of the mediation process, the disputes shall be referred to arbitration administered by ICDPASO in accordance with the Arbitration Rules of ICDPASO in force at the time of filing the application. The arbitral award is final and binding upon all parties.

## 商事仲裁建议条款

Recommended clause for commercial arbitration

因本合同引起的或与本合同有关的任何争议，均提请国际商事争端预防与解决组织按照该组织有效的仲裁规则进行仲裁以最终解决。

仲裁地在【(国家)】【(城市)】。

All disputes arising out of or in connection with this contract, shall be referred to and finally resolved by arbitration administered by the International Commercial Dispute Prevention and Settlement Organization ("ICDPASO") in accordance with the Arbitration Rules of ICDPASO in force at the time of filling the application. The seat of the arbitration shall be [ (city) ] [ (country) ].

## 投资争端仲裁建议条款

Recommended clause for Investment Arbitration

因本合同引起的或与本合同有关的任何国际投资争端，均应提交国际商事争端预防与解决组织，按照申请仲裁时该组织现行有效的投资争端仲裁规则进行仲裁。仲裁裁决是终局的，对双方均有约束力。

Any international investment dispute arising from or in connection with this contract shall be submitted to International Commercial Dispute Prevention and Settlement Organization ("ICDPASO") for arbitration which shall be conducted in accordance with the Investment Arbitration Rules of ICDPASO in effect at the time of applying for arbitration. The arbitral award is final and binding upon all parties.



示范条款  
Model Clauses

# Typical Cases

## 典型案例

争端解决组织成立以来，秘书处广泛接收各类商事主体法律咨询与案件。通过谈判促进、磋商斡旋、履约敦促等非对抗性纠纷解决方式，借助驻华使领馆、全球会员资源、参与国政府部门支持等有利条件，秘书处已协助化解跨境商事纠纷200余件，涉及美国、巴西、南非、德国、俄罗斯、澳大利亚、巴基斯坦、沙特阿拉伯等50余个国家和地区，覆盖消费品与零售、工业与制造业、物流与仓储、房地产与建筑、健康与医药、能源与化工、传媒与娱乐等多个行业领域。

Since the establishment of ICDPASO, the Secretariat has offered legal advice and received cases from various commercial subjects. Through non-adversarial dispute resolution methods such as negotiation, facilitation, consultation, good offices and compliance urging, in favorable conditions of the help of embassies and consulates in China, global membership resources and the support of government departments of participating countries, the Secretariat has assisted in resolving more than 200 cross-border commercial disputes of 50 countries and regions involving the United States, Brazil, South Africa, Germany, Russia, Australia, Pakistan, Saudi Arabia. The cases covered a wide range of industry sectors such as consumer goods and retail, industry and manufacturing, logistics and warehousing, real estate and construction, health and medicine, energy and chemicals, media and entertainment.



## 1 中国某企业与中亚某企业货款纠纷案

A Payment Dispute Between a Chinese Enterprise and an Enterprise in a Central Asian country.

中国某大型企业于2017年向中亚某企业出口大型机械设备，涉及金额超过4000万美元，后续未收到货款甚至无法与买方取得有效联系。争端解决组织在全面调查案件相关资料后认为，尽管本案合同关系相对简单、权责较为明晰，但因为涉及到中东复杂的政治因素，合同争议解决条款约定在买方国机构仲裁且语言为俄语，仲裁难度大，且本案处于全球经济下滑、新冠疫情肆虐、双边关系微妙的关键时期，需要重视政治和外交途径、民间商协会等外在影响和促进作用。



In 2017, a large Chinese enterprise exported bulky mechanical equipments to an enterprise in a Central Asian country, involving an amount of more than US \$40 million. However, no subsequent payment was received and attempts to contact the enterprise failed. After a comprehensive review of the relevant information in the case, ICDPASO considered that, although the contractual relationship in this case was relatively simple and the rights and obligations were clear, with regard to the complex political factors in the Middle East, it was difficult to arbitrate under the contractual dispute settlement clause which stipulated the arbitration institution located in the country of purchaser and the language of arbitration was Russian. In addition, the case was in a critical period of global economic downturn, the outbreak of COVID-19, and the bilateral relations are delicate. Attention also needed to be paid to the external impact and catalytic role of political and diplomatic approaches, civil business associations, etc.

### 化解路径

#### Resolution Process

综合运用外交、民间、双多边机制平台等不同渠道及资源了解买方情况  
Comprehensively used different channels and resources such as diplomatic, civil and bilateral and multilateral platforms to understand the situation of the purchaser

向买方国家级商会发函表达关注，促使买方代理人主动与中国某企业再次建立有效沟通  
Sent letters to the State-level Chamber of Commerce and Industry in the country of the purchaser to express its concern to prompt the purchaser agent to take the initiative to establish effective communication with the Chinese enterprise again

向双方使领馆发函转达诉求并取得有效联络  
Sent letters to the embassies and consulates of both sides to convey the claims and obtain effective contact

成功将案件纳入两国贸易纠纷一揽子名单  
Successfully included the case in the package list of trade disputes between the two countries

促成各方协商通过债权债务转移方式解决此项纠纷  
The dispute was finally resolved by negotiation between the parties through the transfers of creditors' rights and the debts.

## 2 东亚某国工商会与中国某食品行业纠纷

A Dispute Between a Chamber of Commerce and Industry of an East Asian Country and a Chinese Food Industry

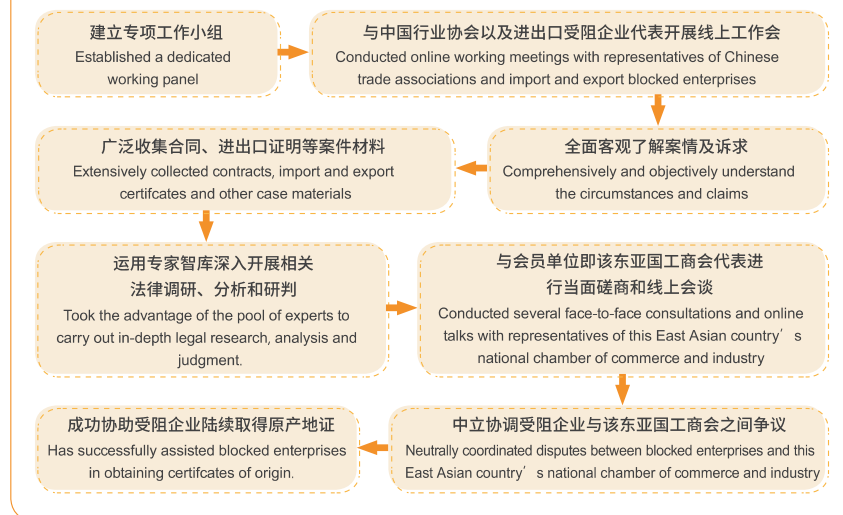
争端解决组织收到多家中国某食品行业进出口企业、行业协会与东亚某国工商会关于原产地证发放及通关问题的贸易协助请求。据反映，该东亚国工商会要求中方企业以高出市场价40%—50%的价格通过其采购该类食品原料，否则将不予签发一般原产地证明，导致数十家企业在该东亚国进口受阻，造成巨大经营困难，滞留货物数量达4,000吨，总价值约为5.5亿元人民币。



ICDPASO received trade assistance requests from a number of Chinese food industry import and export enterprises, trade associations and the chamber of commerce and industry of an East Asian country for the issuance of certificates of origin and customs clearance. According to Chinese enterprises, the East Asian country's Chamber of Commerce and Industry requires Chinese enterprises to purchase such food raw materials through it at prices between 40% and 50% higher than the market price. Otherwise, general certificates of origin for their goods would not be issued, resulting in dozens of enterprises blocking imports. The volume of goods stranded in this East Asian country amounted to 4,000 tonnes, with a total value of about RMB 550 million.

### 化解路径

#### Resolution Process



## 3 南亚某国电力项目案

The Case of a Power Project in a South Asian Country

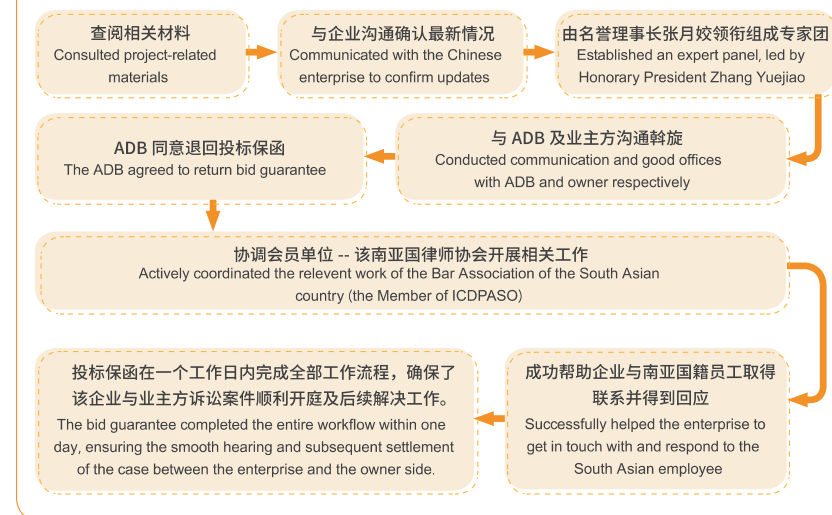
中国某电力企业投标南亚某项目，项目金额约5亿元人民币，由亚洲开发银行（ADB）向业主提供资金。中标后，业主方突然终止了双方的上一个合作项目并没收了中国某省企业的履约保函。受双边关系并叠加新冠肺炎疫情影响，以及业主方新增口头要求，该项目实际上已无法履行。中国某省企业拟通过诉讼途径向业主方维权，同时向ADB申请退回投标保证金时出现困难（相关工作人员为南亚国籍员工，无法取得联系）。



A Chinese power company bid for a project in a South Asian country worth about RMB 500 million, with funding provided by the Asian Development Bank (ADB) to the owner side. After winning the bid, the owner abruptly terminated the last cooperation project between the two parties and confiscated the performance guarantee of the Chinese enterprise. Affected by bilateral relations and the COVID-19 epidemic outbreak, as well as additional verbal requests from the owner side, the project could no longer be implemented. The Chinese enterprise intended to defend its rights against the owner side through litigation, while having difficulty in applying to ADB for the return of the bid guarantee (the relevant staff member was a South Asian employee and could not be contacted).

### 化解路径

#### Resolution Process



## 4 中国某企业与欧洲某公司货物运输合同纠纷

A Dispute Concerning a Contract of Transportation of Goods Between a Chinese Enterprise and a European Enterprise



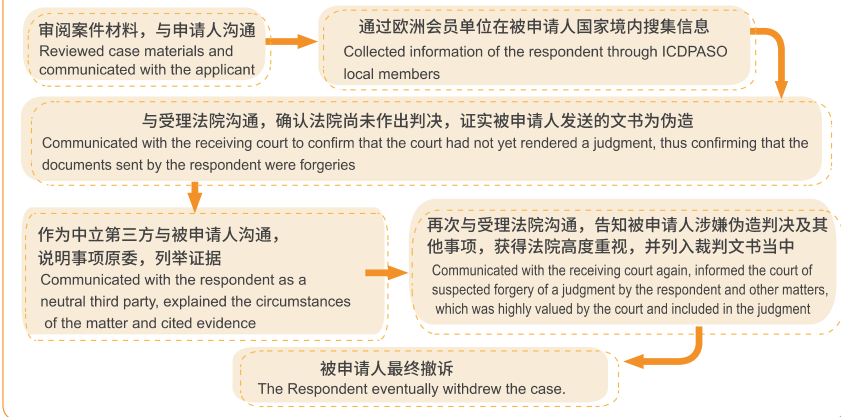
中国某企业与欧洲某企业签订货物运输合同，后由于不可抗力导致合同约定的运输方式短期内无法恢复。中方企业建议变更运输方式并通知该国企业，该国企业因运输延迟提起诉讼。

由于诉讼文书跨国送达延迟，中方企业在收到诉讼文书后仅有一个月时间准备应诉。且争端解决组织发现本案合同的两语言文本内容大量不对应，某语内容下中方企业义务更重，且合同内容约定以该语言为准。同时，欧洲某企业通过邮件发送了一份法院判决，判决内容为支持该企业的全部诉讼请求，但中方企业未收到法院送达的判决书，且该企业发送的判决中法律适用为欧洲某国法律，与双方在争议解决条款中的约定不符。

A Chinese enterprise entered into a contract for the transportation of goods with a European enterprise, and the contracted mode of transportation could not be resumed within a short period of time due to force majeure. The Chinese enterprise proposed a change in the mode of transportation and notified the European enterprise. The European enterprise then filed a lawsuit because of the delay in transportation. Owing to the delay in the cross-border service of the litigation documents, the Chinese enterprise had only one month after receiving the documents to prepare for the litigation. Moreover, ICDPASO found a substantial mismatch between the contents of the two language versions of the contract, with the Chinese enterprise's obligations being heavier in one of the language versions and the contract contents agreed to prevail in that language. At the same time, the European enterprise sent a court judgment by mail, which supported all of the enterprise's litigation claims, but the Chinese enterprise did not receive the court's judgment, and the law applied in the judgment sent by the European enterprise was the law of a certain European country, which did not conform to the agreement made by both parties in the terms of the dispute settlement clause.

### 化解路径

#### Resolution Process



## 5 东亚某企业工业原料停供案

The Suspension of Supply Case of Industrial Raw Materials by An East Asian Company

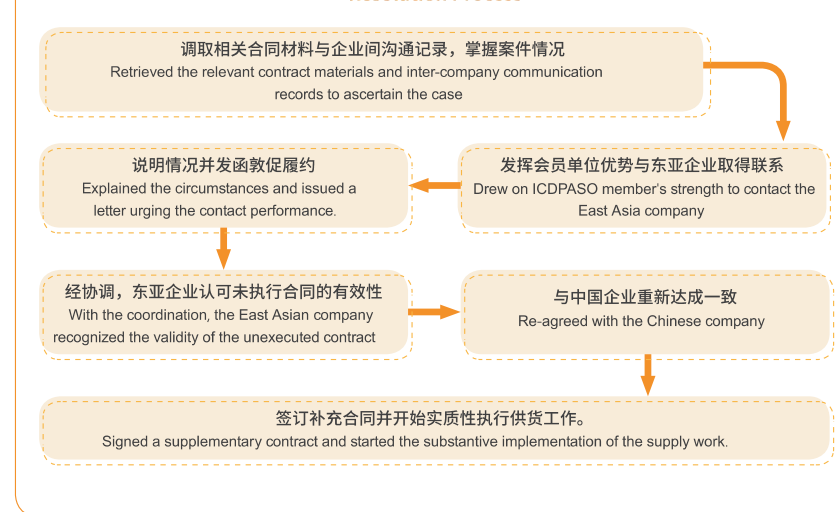
中国某企业与东亚某企业就此合作项目达成工业原材料供应合同，合同生效后中国企业货款已付且完成了部分履行，但东亚企业随后致函称由于中国企业董事长人事变动（实际与合同项目无关），无法继续执行合同，同时单方面停止供货，未执行标的达2亿元。中国企业多次致函并寻求其他机构协助未果，东亚企业已实质不执行合同且拒不回复任何消息。



A Chinese company entered into a contract with an East Asian company for the supply of industrial raw materials in light of the previous cooperation projects. After the contract came into effect, the Chinese company paid for the goods and completed part of the performance. However, the East Asian company subsequently addressed a letter stating that it could not continue to execute the contract due to a personnel change of the chairman in the Chinese company (which was unrelated to the contracted project), and also unilaterally stopped supplying, with the unexecuted subject matter amounting to RMB 200 million. The Chinese company has repeatedly issued letters and sought assistance from other agencies but to no avail, and the East Asian company has substantially ceased to execute the contract and refused to respond.

### 化解路径

#### Resolution Process



## 6 中亚某国某化工产品供货案

A Supply Dispute Concerning A Chemical Product of a country in Central Asia

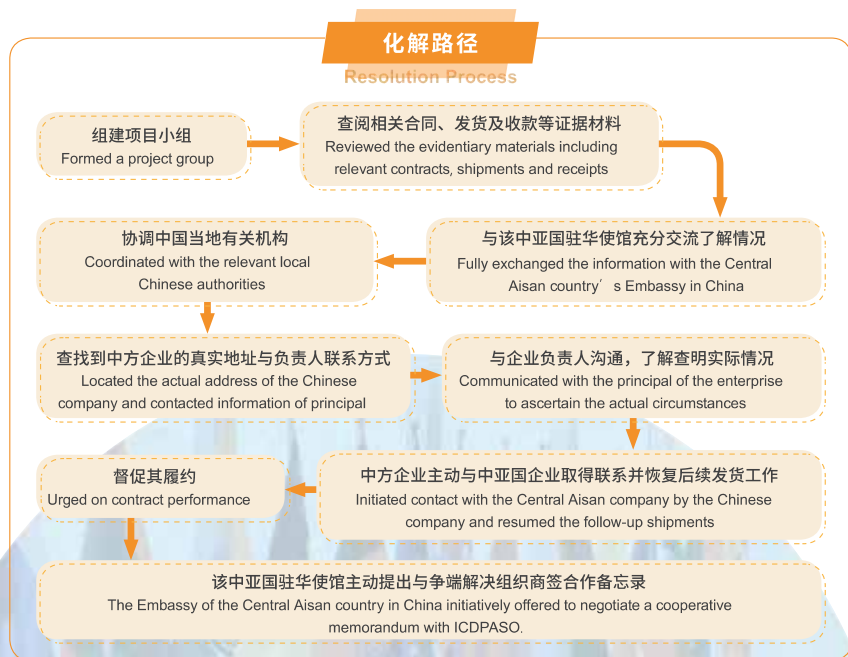
中亚某国驻华使馆向争端解决组织秘书处发函，请求协助解决中国某公司未按照合同履行交货义务的相关问题。2021年5月至8月，双方就某化工产品签订了5份合同，标的额约为600万美元。但中方企业在初始发货后，中断了后续大部分货物且处于失联状态，中亚国企业辗转多个机构请求协助未果。



The Embassy of a Central Asia country in China addressed a letter to the Secretariat of the ICDPASO, requesting assistance in resolving issues related to a Chinese company's non-performance of delivery obligations under contracts. From May to August 2021, both parties entered into five contracts for a certain chemical product with the subject amount of USD 6 million. However, after the initial dispatch, the Chinese company discontinued most of the subsequent shipments and disappeared. Thus the Central Asia company turned to various agencies for assistance but to no avail.

### 化解路径

#### Resolution Process



# International Exchange and Cooperation 国际交流与合作



United Nations Commission On International Trade Law

联合国国际贸易法委员会明确表述争端预防理念符合市场主体合作共赢初衷，在其工作组会议中进行深入讨论，参会国家普遍认为争端预防和缓解措施有助于创造稳定和可预测的投资环境，并在吸引和留住投资方面发挥重要作用。



贸法会工作组对争端解决组织发布的调解规则进行了集体研究，并对后续可进行的合作进行了规划，共同致力于构建争端解决规则体系并引领国际规则的制定。此外，双方在国际商事调解员培训领域开展深度合作，共同打造具有高度公信力和国际影响力的商事调解员队伍并且加强高端法治人才培养。

The United Nations Commission on International Trade Law (UNCITRAL) had clearly stated that the concept of dispute prevention was consistent with the original intention of market entities to cooperate and win-win, and discussed it in depth at Working Group III 39th session commission. The participating countries generally agreed that dispute prevention and mitigation measures contribute to create a stable and predictable environment for investment and played a significant role in both attracting and retaining investments. The UNCITRAL Working Groups undertook a collective study of the Mediation Rules issued by ICDPASO and planned possible subsequent cooperation, working together to building the dispute settlement rules system and lead the development of international rules. In addition, the two sides carried out in-depth cooperation in the professional training of international commercial mediators, jointly building a highly credible and internationally influential team of commercial mediators and enhancing the cultivation of high-level legal talents.



争端解决组织成立以来，得到了世界知识产权组织（WIPO）的高度关注和大力支持，双方在马德里国际商标注册、企业知识产权战略布局及国际化经营等多方面开展合作，为推动全球知识产权保护机制健康发展搭建桥梁。

ICDPASO gained great attention and strong support from the World Intellectual Property Organization (WIPO) since its establishment. The two sides have cooperated in Madrid international trademark registration, enterprise intellectual property strategic layout and international business operation and other fields, to promote the healthy development of the global intellectual property protection mechanism.



争端解决组织是国际标准化组织电子商务交易保障（ISO/TC321），共享经济（ISO/TC324），循环经济（ISO/TC323）和机构治理（ISO/TC309）等技术委员会的A类联络组织，目前正在参与跨境电商争议解决相关的标准研制工作，并成功提交了关于B2C电子商务平台用户条款编制相关的国际标准提案，该提案已成功立项为国际标准新工作项目。争端解决组织正在持续申请成为国际标准化组织更多相关技术委员会A类联络组织，提供创新思路，助力更多相关领域标准化研制，努力为全球工商界创造无障碍的交易环境；同时，将继续实质性推动国际标准化组织建立“国际商事争端预防”概念词条，将“争端预防”理念以标准化形式创立并在全球推广。

ICDPASO is a Category A liaison organization of the International Organization for Standardization Technical Committee on Transaction Assurance in E-commerce (ISO/TC321), Sharing Economy (ISO/TC324), Circular Economy (ISO/TC323) and Governance of Organizations (ISO/TC309). ICDPASO is now involved in the development of standards of cross-border e-commerce dispute resolution, and has successfully submitted a proposal for an international standard related to the Practices for developing terms of use for B2C E-commerce platform, which has been successfully projected as a new international standard work item. ICDPASO is continuously applying to become the Category A liaison organization of more relevant ISO technical committees, providing innovative ideas to help develop standardization in more related fields, and striving to create a barrier-free trading environment for the global business community. At the same time, the Secretariat of the ICDPASO is committed to advancing the establishment of the concept of "international commercial dispute prevention" by the International Organization for Standardization, and creating and promoting the concept of "dispute prevention" in a standardized form worldwide.



作为G20框架的重要组成部分，二十国集团工商界活动(B20)是各国工商界参与全球经济治理和推动世界经济增长的重要平台。争端解决组织是2024年巴西B20诚信与合规工作组成员。诚信与合规工作组旨在通过对商业道德实践、遵守法规以及促进公司治理的讨论，以确保机构内部的问责制和道德行为，维护高标准的商业道德和行为。争端解决组织作为工作组成员，积极参与工作组会议，与各国专家对政策建议报告进行研讨并提交具体建议，为B20在该领域的工作贡献力量，助力国际商事领域的诚信与合规建设。

As one of the most prominent G20 Engagement Groups, Business 20 (B20) is the official G20 dialogue forum with the global business community. ICDPASO is a member of the B20 Brasil 2024 Integrity & Compliance task force. The Integrity & Compliance task force actively engages in discussions related to ethical business practices, compliance with regulations, and the promotion of corporate governance that ensures accountability and ethical behavior within organizations with the goal of upholding the highest standards of business ethics and conduct. As a member of the task force, ICDPASO has actively participated in the meetings of the task force, discussed the Policy Paper with experts from various countries and submit comments and suggestion, contributing to the work of the B20 and helping to promote the construction of integrity and compliance in the field of international commercial affairs.

### 国际朋友圈

International Circle of Friends

自成立伊始，争端解决组织与相关国际组织、会员单位、多国驻华使馆等保持紧密联系，建立友好合作关系。

Since its establishment, ICDPASO has maintained close contact and established friendly and cooperative relations with relevant international organizations, members and embassies in China.



沈佩兰秘书长拜会阿根廷共和国驻华大使马致远。

Secretary-General SHEN Peilan met with H.E. Marcelo Gabriel Suárez Salvia, Argentine Ambassador to China.



争端解决组织秘书处拜会世界知识产权组织中国办事处。

Secretariat of the ICDPASO visited WIPO Office in China.

争端解决组织秘书处与墨西哥中国商业科技商会举行线上会议。

Secretariat of the ICDPASO held an online meeting with the China Chamber of Commerce and Technology Mexico.



### 国际朋友圈

International Circle of Friends



土耳其共和国驻华大使馆首席商务参赞阿塔坎·奥兹德米尔和商务参赞阿德南·阿克格兹到访争端解决组织秘书处。

Atakan Özdemir, Chief Commercial Counsellor, and Adnan Akgöz, Commercial Counsellor of the Embassy of the Republic Türkiye in Beijing visited the Secretariat of the ICDPASO.

全球贸易协会总裁琳达·克罗姆宗拜会争端解决组织秘书处。

Linda Kromjong, President of amfori visited the Secretariat of the ICDPASO.



巴西商业领袖组织-中国区联席主席兼首席执行官李嘉诺拜会争端解决组织秘书处。

Mr. Ricardo, Co-Chairman and CEO of LIDE-China, visited the Secretariat of the ICDPASO.

争端解决组织秘书处与马来西亚中华总商会举行线上会议。

Secretariat of the ICDPASO held an online meeting with the Associated Chinese Chambers of Commerce and Industry of Malaysia.



2021.09.04



首届跨境服务贸易法律论坛成功召开。  
The 1st Legal Forum on Cross-border Trade in Services was successfully held.

2021.11.07



全球中央法务区建设与营商环境优化法律论坛成功举办。  
The Law Forum on Global Central Legal Services Districts Construction and Doing Business Environment Optimization was successfully held.

2022.04.07



第二届中国 - 新加坡国际商事争议解决论坛成功举办。  
The 2nd Singapore-China International Commercial Dispute Resolution Conference was successfully held.

2022.09.07



国际商事争端预防与解决组织（厦门）代表处揭牌仪式。  
The Inauguration Ceremony of the ICDPASO Representative Office (Xiamen).

2022.09.07



中国（福建）自由贸易试验区厦门片区管理委员会、国际商事争端预防与解决组织、厦门市海丝中央法务区建设工作领导小组办公室签署国际组织战略合作协议。

The signing of Strategic Cooperation Agreement between the Management Committee of Xiamen Area of China (Fujian) Pilot Free Trade Zone, the ICDPASO, and the Maritime Silk Road Central Legal District Leading Group Office.

2022.11.26



第七届东湖国际法律论坛举办。  
The 7th East Lake International Law Forum was successfully held.

2023.07.06



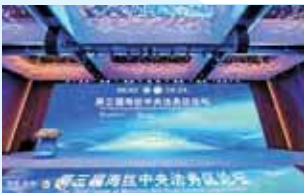
第四届“一带一路”国际商事法律（黄河）论坛成功举办。  
The 4th Belt and Road International Commercial Law (The Yellow River) Forum was successfully held.

2023.08.22



2023中国—东北亚法律论坛成功举办。  
The 2023 China-Northeast Asia Legal Forum was successfully held.

2023.09.08



第三届海丝中央法务区论坛成功举办。

The 3rd Forum of Maritime Silk Road Central Legal District was successfully held.

2023.09.22



全球工商法治大会“法治与变革”平行论坛成功举办。

The "Rule of Law and Change" Parallel Forum of the Global Business and Law Conference was successfully held.

2023.10.20



2023年中国—新加坡国际商事争议解决论坛成功举办。

The 3rd Singapore-China International Commercial Dispute Resolution Conference was successfully held.

2023.11.16



“一带一路”共建国家（地区）商事法律合作论坛成功举办。

The Belt & Road Forum for Commercial and Legal Cooperation was successfully held.

2024.04.11



沈佩兰秘书长在2024约翰内斯堡仲裁周闭幕式作视频致辞。

Ms. SHEN Peilan, Secretary-General of ICDPASO delivered a video message at the Closing Session of the Johannesburg Arbitration Week 2024.

2024.04.25



沈佩兰秘书长参加中关村论坛并发言。

Ms. SHEN Peilan, Secretary-General of ICDPASO attended the Zhongguancun Forum (ZGC Forum) Annual Conference and delivered a speech.

2025.04.15



国际商事争端预防与解决组织全球总部新址正式启用。

The new global headquarters of the ICDPASO was officially inaugurated.