

**Responses of the Italian Maritime Law Association
to the Questionnaire dated 20 February 2015
of the Ad Hoc Working Group on Arbitration of the CMI**

1/ Would you encourage the CMI to play a role in Maritime Arbitration?

Yes

2/ If the answer to point 1 is affirmative, to which extent would you consider the CMI should engage itself in this field?

CMI should not set up a disputes settlement center entering into a level of competition with the other arbitration centers already existing worldwide.

The level of engagement of CMI should be limited to giving a response to the specific needs of the shipping industry bearing in mind that the management of shipping disputes by way of arbitration is basically not so different from the management of other arbitrated commercial disputes.

3/ Would you support the three above areas of investigation or only some of them?

With regard to the three concerned areas:

(a) yes, CMI is suited to promote uniformity and, as first step, an impartial and expert review/comparison of the main arbitral practices and procedures as adopted at an international level should give the possibility to CMI to become, as second step, an information center – through its website – on issues concerning maritime arbitration;

(b) yes, CMI should strive to make maritime arbitration available to countries which are currently too remote from the main arbitration centers. In the end it is hoped that, with talented maritime arbitrators providing services to such regions, a more harmonious application of maritime law will result having, as an effect, a more predictable basis of law. Maybe the online settling disputes mechanisms are more apt for mediation than arbitration;

(c) a decision on whether CMI should set its own model rules for maritime arbitration can be taken on a later stage, after having checked the outcome of the activities outlined in the two above sub-paragraphs.

4/ Formulate any other suggestions for examination by the working group.

No other suggestions.

Genoa, 13 March 2015