

**REPLY FROM THE NEDERLANDSE VERENIGING VOOR ZEE- EN
VERVOERSRECHT (NVZV) (DUTCH MARITIME AND TRANSPORT LAW
ASSOCIATION) TO THE CMI QUESTIONNAIRE OF 20 FEBRUARY 2015 ON
CMI ARBITRATION**

1. *Would you encourage the CMI to play a role in Maritime arbitration?*

Netherlands: No, we would not encourage the CMI to play a role in maritime arbitration. It is difficult to distinguish arbitration in maritime matters from arbitration in other industries.

The value of arbitration in comparison to state court proceedings or other means of dispute resolution largely depends on issues such as speed, costs (court costs, fees of arbitrators and arbitration institutes), independence and (maritime) expertise of judges or arbitrators, and confidentiality. These factors tend to vary locally.

The Dutch state court system is more than satisfactory. It ranks nr.1 on the [World Justice Project Rule of Law Index](#) in the category Civil Justice (and nr. 5 overall).

Dutch arbitration law (dating back to 1986) was revised per 1 January 2015 and is aimed at offering users of arbitration statutory guidance that is state of the art and user-friendly.

[Transport and Maritime Arbitration Rotterdam-Amsterdam \(TAMARA\)](#) offers an excellent [electronic arbitration](#) service in Dutch, English or German at [low cost](#) that has proved to be satisfactory in the maritime and transport market.

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

Netherlands: Not applicable

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

Netherlands: Although the areas mentioned are of obvious importance to the practice of maritime law, again, these are issues that are not specific to maritime arbitration. Moreover, devising another set of Model Rules may create further diversity, rather than uniformity in the applicable arbitration rules in maritime disputes.

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

Netherlands: We have no other suggestions for examination by the working group at this stage.