

MODEL CLAUSES

FUTURE DISPUTES

Upon entering into a contract, the various parties may agree to settle their disputes by means of mediation and/or arbitration under CMAP Rules. The following clauses are proposed (select appropriate option):

OPTION 1

Mediation and Arbitration

All disputes arising out of or in connection with the validity, interpretation, performance, non-performance or termination of this Contract shall be submitted to the CMAP (Centre for Mediation and Arbitration of Paris, Paris Chamber of Commerce and Industry - 39, avenue Franklin D. Roosevelt, 75008 Paris) Rules of Mediation and, in the event that no settlement is thereby reached, to the Paris Mediation and Arbitration Centre (CMAP) Rules of Arbitration, to which the parties undertake to adhere.

OPTION 2

Mediation Only

All disputes arising out of or in connection with the validity, interpretation, performance, non-performance or termination of this Contract shall be submitted to mediation under the CMAP (Centre for Mediation and Arbitration of Paris, Paris Chamber of Commerce and Industry - 39, avenue Franklin D. Roosevelt, 75008 Paris) Rules of Mediation to which the parties undertake to adhere.

OPTION 3

Arbitration Only

All disputes arising out of or in connection with the validity, interpretation, performance, non-performance or termination of this Contract shall be submitted to arbitration under the CMAP (Centre for Mediation and Arbitration of Paris, Paris Chamber of Commerce and Industry - 39, avenue Franklin D. Roosevelt, 75008 Paris) Rules of Arbitration to which the parties undertake to adhere.

EXAMPLES OF AGREEMENTS

EXISTING DISPUTES

Recourse to mediation and/or arbitration is always possible after a dispute has arisen. In such case, the parties will be requested to sign a mediation agreement, or an arbitration agreement, or a mediation and arbitration agreement (examples of such agreements are set forth on the following pages).

MEDIATION AGREEMENT

Company X

Company X

Represented by

Represented by

Address

Address

Optional: Assisted by (name of lawyer)

Optional: Assisted by (name of lawyer)

The above-named parties hereby agree to settle their dispute by mediation under the Rules of Mediation of CMAP (Centre for Mediation and Arbitration of Paris, Paris Chamber of Commerce and Industry - 39, avenue Franklin D. Roosevelt, 75008 Paris), and hereby accept to adhere to the said Rules. The parties accept the appointment of ...X..., as mediator, by the Accreditation and Appointments Committee [of CMAP].

Executed at...

Date: ...

For and on behalf of
Company X

For and on behalf of
Company Y

By:

By:

ARBITRATION AGREEMENT

Company X

Company X

Represented by

Represented by

Address

Address

Optional: Assisted by (name of lawyer)

Optional: Assisted by (name of lawyer)

1. In the case of a dispute which arose in connection with a contract

The above-named parties hereby agree that the dispute that has arisen between them in connection with the validity, interpretation, performance, non-performance or termination of the contract entered into on... *(date)*... shall be settled by arbitration under the Rules of Arbitration of CMAP (Centre for Mediation and Arbitration of Paris, Paris Chamber of Commerce and Industry - 39, avenue Franklin D. Roosevelt, 75008 Paris), and hereby undertake to adhere to the said Rules.

2. In the case of a dispute which arose otherwise than in connection with a contract and which concerns the consequences of: *(describe the subject-matter of the dispute)*

The above-named parties hereby agree that the dispute that has arisen between them shall be settled by arbitration under the Rules of CMAP (Centre for Mediation and Arbitration of Paris, Paris Chamber of Commerce and Industry - 39, avenue Franklin D. Roosevelt, 75008 Paris) and hereby undertake to adhere to the said Rules.

Executed at...

Date: ...

For and on behalf of
Company X

For and on behalf of
Company Y

By:

By:

MEDIATION AND ARBITRATION AGREEMENT

Company X

Company X

Represented by

Represented by

Address

Address

Optional: Assisted by (name of lawyer)

Optional: Assisted by (name of lawyer)

The above-named parties hereby agree to settle their dispute by mediation under the Rules of CMAP (Centre for Mediation and Arbitration of Paris, Paris Chamber of Commerce and Industry - 39, avenue Franklin D. Roosevelt, 75008 Paris), and hereby undertake to adhere to the said Rules.

IN THE EVENT THAT THE MEDIATION IS UNSUCCESSFUL:

1. In the case of a dispute which arose in connection with a contract

The above-named parties hereby agree that the dispute that has arisen between them in connection with the validity, interpretation, performance, non-performance or termination of the contract entered into on... *(date)*... shall be settled by arbitration under the Rules of Arbitration of CMAP (Centre for Mediation and Arbitration of Paris, Paris Chamber of Commerce and Industry - 39, avenue Franklin D. Roosevelt, 75008 Paris), and hereby undertake to adhere to the said Rules.

2. In the case of a dispute which arose otherwise than in connection with a contract and which concerns the consequences of: *(describe the subject-matter of the dispute)*

The above-named parties hereby agree that the dispute that has arisen between them shall be settled by arbitration under the Rules of CMAP (Centre for Mediation and Arbitration of Paris, Paris Chamber of Commerce and Industry - 39, avenue Franklin D. Roosevelt, 75008 Paris), and hereby undertake to adhere to the said Rules.

Executed at...

Date: ...

For and on behalf of
Company X

For and on behalf of
Company Y

By:

By: