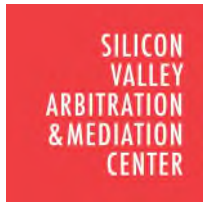


Silicon Valley Arbitration and Mediation Center (SVAMC)

Initiative on International Arbitration, Mediation, and Blockchain-based Transactions



SVAMC is pleased to announce a new initiative aimed at creating awareness of, and dialogue about, technology tools that could permit the efficient use of international arbitration and mediation in the resolution of disputes related to blockchain-based transactions.

With classic business models increasingly migrating towards digital trading platforms that rely on new technologies, focus is shifting to the available means for resolving disputes that arise from blockchain-based transactions and the use of tokenization and smart contracts. These are at the core of the new reality of technology-based commercial transactions, which sometimes incorporate automated methods for resolving disputes, including self-executing outcomes.

International arbitration and mediation must adapt to the evolving needs of the business world; and the emerging technologies must adapt to the realities of the tried and tested systems for resolving international commercial disputes. Achieving this would require the inclusion of interoperability interfaces in the technologies used for resolving these disputes.

The immediate goal of the SVAMC initiative is to raise awareness and generate dialogue within the relevant business and dispute resolution communities around the world, of the need to ensure interoperability between international arbitration/mediation on the one hand and the new technology-based transactions on the other hand. Steps to accomplish this initiative's goal include:

- Adopting best practices for arbitration and mediation and creating bi-directional gateways in the new technology platforms that enable: (i) automated initiation of proceedings; (ii) collection and integration of data to be used as evidence; (iii) production of arbitral awards and/or mediated settlement agreements in a format compatible with the relevant digital platforms; (iv) automated enforcement of arbitral awards and/or mediated settlement agreements.
- Adapting the relevant domestic and international legal frameworks, to integrate and accommodate the peculiarities of technology-based dispute resolution mechanisms and to ensure enforceability.
- Training and providing information to the international business and legal communities (including users and providers of arbitration and mediation services) on the new technology-based mechanisms of dispute resolution.
- Spearheading a dialogue geared towards identifying and developing further measures, in consultation with; (a) states and international organisations; (b) businesses using or migrating towards the new digital business models, the use of blockchain technology and smart contracts; (c) companies in the blockchain industry, providing businesses with the technical support for such changes; (d) arbitral institutions worldwide; (e) arbitration and practitioners – arbitrators, mediators, counsel, experts; and (f) academics and scholars.

As part of its study, the SVAMC Working Group on this initiative welcomes questions, comments and proposals, which should please be sent to bill@svamc.org by September 15, 2020.

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