



Inter-American Commercial Arbitration Commission (IACAC)

**IACAC INTERNAL ADMINISTRATIVE PROCEDURE FOR
CASES MANAGED UNDER ITS REGULATIONS**
(Amended and effective as of October 8, 2025)

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In cases where an Arbitral Tribunal is constituted under the IACAC Arbitration Rules, the following procedures shall be observed:

I. ADMINISTRATION OF ARBITRATION PROCEEDINGS

1. Permanent Committee

- 1.1 The Board of Directors of the Inter-American Commercial Arbitration Commission (IACAC) shall appoint a Permanent Committee.
- 1.2 Each of the IACAC's National and Associated Sections shall propose to the General Manager one full member and one alternate member to serve on the Permanent Committee. The candidates proposed by the National and Associated Sections must have demonstrable knowledge and experience in international arbitration and meet the requirements, qualifications, and criteria of the highest excellence and diversity, in accordance with the provisions of these Administrative Regulations and subject to prior verification and approval by the General Manager.
- 1.3 The appointment of members of the Permanent Committee shall be for a term of two years, which may be renewed once for a similar period upon the proposal of the National or Associated Section that appointed them. The General Management may propose the renewal of the term of one or more members of the Permanent Committee if it deems appropriate and based on their performance during their term. Failing that, the General Management shall request the respective National or Associated Section to propose a new member for the corresponding term, who must meet the qualifications and requirements established in these Administrative Regulations and subject to prior verification and approval by the General Management.
- 1.4 Alternate members shall assume their duties to replace regular members when the latter are unable to perform their duties for any reason.
- 1.5 The Permanent Committee shall have the authority to develop strategies, promote, and review proposals for updating the IACAC Arbitration Rules.

2. Technical Committees

- 2.1. The General Management will establish three Technical Committees to address matters related to: a) the appointment and disqualification of arbitrators (Technical Committee on Appointment and Disqualification of Arbitrators), b) preliminary decisions related to *prima facie* jurisdiction, inclusion of additional parties, and consolidation of arbitrations (Technical Committee on Preliminary

Decisions), and c) the preliminary review of awards issued by the Arbitral Tribunal (Technical Committee on Preliminary Review of Awards).

- 2.2. The General Management will determine the number of members of each Technical Committee and will appoint each member of the Technical Committee from among the members of the Permanent Committee. When it is necessary to address a matter within the competence of the Committees, the General Management will appoint three members of the respective Committee to handle the matter presented to them.
- 2.3. The Technical Committees shall prepare internal reports that support their decisions on the matters submitted for their consideration. These reports and decisions shall be submitted to the General Management so that it, through the Administrative Secretariat, may communicate the decisions reached by the respective Technical Committee to the Parties and Arbitral Tribunals, as appropriate.
- 2.4. The grounds for decisions regarding any challenge of an arbitrator and the consolidation of proceedings may be communicated upon a reasoned request from a Party.
- 2.5. Members of the Technical Committees who must address any matter within their competence must be impartial and independent, and in the event of a conflict of interest, they must immediately abstain from participating in the discussions and decisions to be made within the respective Technical Committee. In such a case, the alternate member shall assume their functions. Alternate members must also comply with the same standards of impartiality and independence as the regular members.

3. General Manager

- 3.1. The General Manager shall be appointed by the Board of Directors of the IACAC and may be removed from office by the same Board, which requires a majority vote.

The requirements for holding this position are as follows:

- (i) Hold a professional degree as a lawyer.
- (ii) Have 10 years of proven experience in arbitration case management, either as an official of an Arbitration Center or through repeated experience in arbitration secretariats or tribunals.
- (iii) Have a solid professional track record.
- (iv) Not have been sanctioned for breaches of professional ethics.

- 3.2. The General Manager shall be responsible for performing the following functions:

- (i) Supervising the administrative tasks related to the arbitration proceedings administered by the IACAC under its Rules.
- (ii) Supervising the tasks assigned to the Administrative Secretariat in accordance with these Rules.
- (iii) Performing all other tasks assigned by these Rules.

4. Administrative Secretariat

4.1. The General Management shall have an Administrative Secretariat. The Administrative Secretariat, under the supervision of the General Management, shall be responsible for the administration of arbitration proceedings, and in particular for:

- (i) Receiving and transmitting the notice of arbitration, the response to the notice of arbitration, communications to the Parties until the constitution of the Arbitral Tribunal, the decisions referred to in Articles 2.3 and 2.4 of these Administrative Regulations, and the final award;
- (ii) Transmitting the case file to the Arbitral Tribunal once it has been constituted;
- (iii) Setting and processing the arbitrators' fees, the institution's administrative expenses, and any advances required from the Parties to cover the costs of arbitration, in accordance with the fee schedules approved by IACAC;
- (iv) Receiving all communications between the Parties and/or the Arbitral Tribunal during the course of the proceedings;
- (v) Extending administrative deadlines when necessary; and
- (vi) Perform any other function to assist the General Management and the Technical Committees in all matters required for the optimal and efficient administration of the proceedings.

4.2. The Parties shall remunerate the IACAC's secretarial services in accordance with the IACAC's applicable fees at the time the arbitration proceedings commence.

II. QUALIFICATIONS OF CANDIDATES APPLYING FOR MEMBERS AND ALTERNATE MEMBERS OF THE PERMANENT COMMITTEE AND TECHNICAL COMMITTEES

1.1. In accordance with section I.1.2, the IACAC National and Associated Sections may propose one candidate and one alternate for the General Manager position in order to form the Permanent Committee and the Technical Committees that will be established by said Permanent Committee.

- 1.2. The candidates proposed by the National and Associated Sections must be individuals with proven experience and knowledge in international arbitration and other international dispute resolution mechanisms. In addition, candidates must meet the following requirements for their candidacy to be considered:
 - a) Hold a professional degree at the undergraduate and/or postgraduate level.
 - b) Have 10 years of accredited experience in international commercial arbitration.
 - c) Have at least 5 years of professional experience in areas of international law and trade.
- 1.3. The General Management will be responsible for evaluating and approving the candidates proposed by the National and Associated Sections. If the proposed candidates do not meet the requirements indicated in section I.1.2, the General Management may request the corresponding National or Associated Section to propose a new primary and/or alternate candidate who meets said requirements.
- 1.4. The term of office for members of the Permanent Committee and the Technical Committees will be in accordance with section I.
- 1.5. The IACAC Board of Directors, as well as the National and Associated Sections, when nominating candidates for the Permanent Committee or the Technical Committees, must ensure diversity among their candidates.

III. LISTS OF ARBITRATORS

- 1.1. In order to ensure the timely and effective appointment of arbitrators, a list of candidates will be prepared and kept up-to-date in the Office of the General Manager of the IACAC, on the IACAC website, and in any other locations determined by the Executive Committee.
- 1.2. At least every four (4) years, a thorough review of the list will be conducted to guarantee that its members possess the necessary knowledge and experience to satisfactorily fulfill their role.
- 1.3. For the creation of the list, each Section will submit to the General Manager of the IACAC a number of candidates, not exceeding ten (10), who have at least ten (10) years of accredited experience in international arbitration and at least five (5) years of professional experience in areas of international law and trade. Each name will be accompanied by their respective and detailed *curriculum vitae* and a complete description of their specific professional experience. The verification and analysis of the applications will be the responsibility of the General Manager. The General Manager's report will be presented to the Executive Committee and the Board of Directors, where the opinions of each of the proposed candidates will be heard. The Executive Committee may reject any proposed candidates who do not meet

the aforementioned requirements, in which case the National or Associated Section must propose a replacement. The Executive Committee will then proceed to approve the candidates and compile the lists.

IV. APPOINTMENT OF ARBITRATORS

The appointment of arbitrators, which the IACAC is responsible for making in accordance with the Arbitration Rules, shall be carried out by the Technical Committee on Appointments and Challenges of Arbitrators, following the guidelines established in these Administrative Regulations and the IACAC Arbitration Rules. The Technical Committee on Appointments and Challenges of Arbitrators shall use the IACAC List of Arbitrators as a reference. Notwithstanding the foregoing, the Technical Committee on Appointments and Challenges of Arbitrators may appoint an arbitrator who is not on the IACAC List of Arbitrators when the circumstances of the case so require.

V. DUTIES OF ARBITRATORS

In fulfilling their mandate, arbitrators appointed by the IACAC, as well as those appointed by the Parties, agree to submit to the IACAC Arbitration Rules, and undertake to respect and comply, in the exercise of their mandate, not only with the aforementioned rules and these regulations, but also to strictly observe the fees established by the Commission.

VI. CHALLENGE OF ARBITRATORS

When a decision must be made regarding the challenge or resignation of arbitrators, it will be adopted by the Technical Committee on Appointments and Challenges of Arbitrators in accordance with the guidelines established in this Administrative Regulation and the IACAC Arbitration Rules.

VII. OTHER TECHNICAL COMMITTEES

- 1.1. The Technical Committee on Preliminary Decisions shall be responsible for making *prima facie* decisions related to jurisdiction, the inclusion of additional Parties to the arbitration, and the consolidation of arbitrations, without prejudice to the powers of the Arbitral Tribunal and the decisions it may make on these matters once constituted, in accordance with the guidelines established in these Administrative Regulations and the IACAC Arbitration Rules.
- 1.2. The Technical Committee on Preliminary Review of Awards shall be responsible for the preliminary review of the awards issued by the Arbitral Tribunals, in

accordance with the guidelines established in these Administrative Regulations and the IACAC Arbitration Rules. Under no circumstances shall the Technical Committee on Preliminary Review of Awards be responsible for the content of the award issued by the Arbitral Tribunal, as its functions are governed by Article 38, paragraph 4, of the Arbitration Rules.

VIII. FEES

1. Processing Fees

To initiate arbitration proceedings, the non-refundable sum of US\$XXX must be paid by the claimant along with the request for arbitration referred to in Article 3 of the IACAC Arbitration Rules. This sum may be modified periodically by the IACAC.

2. IACAC Administrative Fees

2.1. The amount of the administration fees will be calculated by applying to each successive section of the amount in dispute, the percentages indicated and adding the figures thus obtained in accordance with the following table.

| AMOUNT IN DISPUTE | ADMINISTRATIVE FEES |
|-------------------------------|----------------------------|
| (U.S.\$) | (U.S.\$) |
| Up to 50,000 | \$2,000 |
| From 50,001 to 100,000 | 3.00% |
| From 100,001 to 500,000 | 1.50% |
| From 500,001 to 1,000,000 | 1.00% |
| From 1,000,001 to 2,000,000 | 0.50% |
| From 2,000,001 to 5,000,000 | 0.20% |
| From 5,000,001 to 10,000,000 | 0.10% |
| From 10,000,001 to 80,000,000 | 0.05% |
| Above 80,000,000 | \$65,500 |

2.2. The Administrative Secretariat will request payment of the administrative fees from the Parties at the start of the arbitration, and the Parties must make the payment within 15 days of the request. If one of the Parties fails to make the payment, the General Manager may request the other Party to make the payment. If this payment is not made within 15 days, the General Manager may suspend the proceedings after informing the Parties.

3. Arbitrators' Fees

3.1. The amount of each arbitrator's fees will be calculated by applying to each successive segment of the amount in dispute, the percentages indicated below and adding the figures obtained in accordance with the following table.

| AMOUNT IN DISPUTE | FEES | |
|--------------------------------|-----------------|----------------|
| | (U.S.\$) | |
| (U.S.\$) | MAXIMUM | MINIMUM |
| Up to 50,000 | \$2.000 | 15% |
| From 50,001 to 100,000 | 1.50% | 10% |
| From 100,001 to 500,000 | 0.80% | 5% |
| From 500,001 to 1,000,000 | 0.50% | 3% |
| From 1,000,001 to 2,000,000 | 0.30% | 2.50% |
| From 2,000,001 to 5,000,000 | 0.20% | 0.80% |
| From 5,000,001 to 10,000,000 | 0.10% | 0.50% |
| From 10,000,001 to 50,000,000 | 0.05% | 0.15% |
| From 50,000,001 to 100,000,000 | 0.02% | 0.10% |
| Above 100,000,000 | 0.01% | 0.05% |

3.2. The Administrative Secretariat will be responsible for determining the amount and making the payments of the fees to the arbitrators, and may make advances against the final fees taking into account the progress and efficiency in the conduct of the procedure.

4. Charges for Other Services

4.1. Fees for Postponing or Cancelling Hearings

If a hearing scheduled before a sole arbitrator must be postponed or canceled due to reasons attributable to one of the Parties, a fee of US\$XX will be charged to the party causing the postponement or cancellation. The fee will be US\$XX if the hearing is to be held before a panel of three arbitrators.

4.2. Rental of Facilities

The rental of the Courtroom services will be available to the Parties in the respective Sections, based on a fee and availability to be agreed upon.