

CAMERA ARBITRALE DI VENEZIA

Services for Settlement of Conflicts



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Camera Arbitrale di Venezia

c/o Camera di Commercio di Venezia

San Marco, 2032

30124 Venezia

conciliazione@ve.camcom.it

Tel: +39 041 786248 / 6236

Fax: +39 041 786255

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The Chamber of Arbitration of Venice (Camera Arbitrale di Venezia) is a non-profit-making association which was established under private law in 1990 by its promoter, the Chamber of Commerce of Venice (Camera di Commercio di Venezia).

The partnership is made up of the professional orders and a number of trade associations of the province of Venice, as well as the municipality of Venice (Comune di Venezia).

The Chamber of Arbitration, which has been operational for more than twenty years, provides instruments that enable settlement of disputes in a manner alternative to recourse to the courts. The times, costs and approaches to settlement of disputes will depend on the types of problems and required solutions. Arbitration leads to a definitive decision which is equivalent in value to a judicial decision. Mediation, on the other hand, is a form of assistance provided to parties seeking agreements.

The association is also active in the training sector as an organiser of courses – including specialist courses – and congresses for arbitrators and mediators.

The Chamber of Arbitration divulges knowledge on mediation and arbitration, and it fosters recourse to these practices. The Chamber firmly believes that extrajudicial settlements are a potentially efficacious means of settling disputes, with benefits for the economic system as a whole. It is vital that companies and consumers become aware of these instruments, and of the advantages.

Arbitration and mediation for the purposes of settlement of disputes are a part of the legally acknowledged market regulatory activities of Chambers of Commerce. Venice's Chamber of Arbitration thus conducts its activities in conformity with the institutional principles of neutrality and transparency, in accordance with its policy of providing assistance to all parties that avail themselves of the chamber's services.

Arbitration

Arbitration is an instrument for settlement of disputes arising within the ambits of civil law and trade. The disputes regard the rights of those parties which have included in their contracts an arbitration clause, or the rights of such parties as have drawn up an adjustment following the time in which the dispute first arose.

The main advantages of the arbitration procedures provided by the Chamber of Arbitration of Venice are:

- in accordance with a leaner procedure, and with the back-up provided by our efficient secretary's office, organisation of proceedings through application of specific rules which the arbitrators and parties must comply with (albeit within a context which is less formal than others);
- skills base of the arbitrators, who are appointed according to the field of the object of the dispute;
- much faster turnaround times than for court proceedings;
- assured confidentiality;
- costs specified prior to proceedings, based on a specific set of tariffs which can be readily accessed by the parties and their advisors;
- decisions (awards) with the same effects as judicial decisions.

Through its personnel, the Chamber of Arbitration also provides consultancy services at the stage of clause drafting, also with the aid of model clauses and adjustments which may be referred to during the delicate contract drafting stage.

Mediation

Mediation is a system for settlement of disputes, enabling agreements among two or more parties. The process entails the services of impartial third parties, whose task is to assist other parties in their dealings, while bringing out the true interests and needs of each.

Mediation is an extremely versatile system which serves to prevent legal actions and to enable agreements, the contents of which shall express the will of the parties.

Characteristics:

- presence of neutral third party with no power to take decisions;
- confidentiality;
- speed;
- informal procedure;
- third-party status of the organisation managing the procedure.

Advantages:

- dialogue, communication, openings for examination of the questions at hand, overcoming tension, misunderstandings and prejudices, while enabling focus on true needs;
- the parties, with or without their own consultants, will soon discover creative solutions arrived at in the light of the parties' true needs and interests. This is an added value which is ruled out in other ambits (legal actions and arbitration);
- agreements expressing the will of the parties;
- fostering ongoing relations among parties.