

Introducing the BREXIT Tribunal



The **Association for International Arbitration** has managed to negotiate an outcome under which AIA members are automatically eligible to be appointed by the **BREXIT TRIBUNAL**. This confirms the high profiles of AIA members and their much reputed international status.

A formal introduction of the BREXIT TRIBUNAL will take place on 19 February 2019 (Antwerp – Belgium) and will be attended by business leaders and political leaders. You are most welcome to join. [Click here](#) for more information and registration.

[Click here](#) to discover the functioning of the BREXIT TRIBUNAL.

The BREXIT TRIBUNAL serves multiple purposes ;

1. Enforceability of decisions -> After BREXIT it would be more difficult to enforce UK decisions of ordinary courts in the EU and vice versa, such due to the fact that the Brussels I Bis Regulation would no longer apply. The arbitration forum offers a good solution since BREXIT will not affect the application of the New York Convention, meaning that arbitral awards should continue to benefit from a strong international recognition and enforcement mechanism.
2. Fit the forum to the fuss -> Standard arbitration may not be sufficiently suited to address the particularities of all BREXIT-related issues. The BREXIT TRIBUNAL allows a very pragmatic, solution-oriented and flexible approach, involving a high level of technical expertise. This perspective of 'fitting the forum to the fuss' is much needed by the business community and allows to properly handle all arbitrable BREXIT-related conflicts.
3. Continued provision of legal representation services in court -> UK lawyers would in principle lose the possibility to represent their clients in legal proceedings in the EU and vice versa. However, if the litigation forum were replaced by arbitration, all lawyers would still be able to represent their clients in the other jurisdiction.

In order to have access to the BREXIT TRIBUNAL, the following standard clause can be inserted in contracts

“Any dispute arising out or in relation to the agreement(s) between the parties and/or any dispute that can be related directly or indirectly to Brexit circumstances shall be finally settled through arbitration by the Brexit Tribunal in accordance with the International Arbitration Rules of the AKD-CAE Arbitration Institute in force at the time of commencement of arbitration.”

Needless to say of course that this BREXIT TRIBUNAL forms an essential part of your Brexit preparations.

The AIA Team