

# Spain's most prominent courts of arbitration agree to create single court to administer international arbitrations

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The Spanish Court of Arbitration (CEA), the Madrid Court of Arbitration (CAM) and the Civil and Commercial Arbitration Court (CIMA) have signed a memorandum of understanding to create a single court of arbitration to administer all international arbitrations submitted to them.

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In December 2017, the Presidents of the Chamber of Commerce of Spain (the entity to which the Spanish Court of Arbitration (CEA) belongs), the Chamber of Commerce of Madrid (the entity to which the Madrid Court of Arbitration (CAM) belongs) and the Civil and Commercial Arbitration Court (CIMA) signed a memorandum of understanding to create a single court of arbitration to administer all international arbitrations submitted to them.

Until now, the three courts of arbitration, all based in Madrid, were competitors in the Spanish international arbitration market which made it difficult for international economic operators to distinguish and choose one Spanish court as truly suitable for dealing with international disputes.

Although the content of the memorandum presently remains confidential, CEA, CAM and CIMA representatives explained that they will create a commission that, over the next three months, will lay the foundations of the new Madrid-based court of arbitration. Also, to the extent that the three Madrid courts of arbitration are not the only such courts existing in Spain, the memorandum contemplates the possibility that other Spanish courts of arbitration may integrate their international arbitration practices with the new international court.

In principle, the new court will administer only international arbitrations. CEA, CAM and CIMA will continue to administer domestic arbitrations. The three entities are contemplating the possibility of the new court administering all international arbitrations that arise from new arbitration clauses expressly submitting disputes to the new court, and arbitrations that originate from clauses referring disputes to any of the three existing courts, provided that the parties so consent.

The Spanish Minister of Justice, Rafael Catalá, attended the signing of the memorandum and indicated that the ultimate goal of the agreement is to turn the new court in Spain into a viable competitor to other world renowned European and Latin American international arbitration centres. In addition, Mr Catalá left open the possibility of amending the Spanish Arbitration Law of 2003 (which is based on the UNCITRAL [Model Law](#)) in the near future with the aim of continuing to attract more international arbitrations to Spain.

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