The Importance of Reforming the Finnish Arbitration Act and the Next Steps

The Need for Revisions of the Finnish Arbitration Act
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The future arbitrator is:

• a multi-skilled neutral party
• using legal design to choose appropriate proceedings to the actual case
• also by combining the procedures (e.g. Med+MiniArb)
• in predictable proceedings
UNCITRAL Model Law

National written law diverging the Model Law

Arbitration hostile or unknown national case-law and legal culture

uncertainty
Many open questions, such as:

• The investigation of procedural requirements (like disqualification grounds) in an early pre-arbitration (on merits) phase
• confidentiality in arbitration and burden/standard of proof
• strengthening the finality of arbitration awards (perhaps also on contractual basis)
• possibility to issue anti-suit injunctions
• competence of the arbitrators to order precautionary measures
Flexible dispute resolution clause/agreement

Multi-skilled neutral party

MEDIATION

ARBITRATION

LITIGATION