## Multi-party arbitration disputes

## Option n° 1-clause (i.e. arbitration clause to include)

1. All disputes arising out of or in relation with this Agreement and which cannot be resolved through [mediation, or other ADR method], shall be finally settled under the Cepani rules of Arbitration (“**the Rules**”) by 3 arbitrators, all appointed by the Cepani in accordance with the Rules.
2. In addition to the procedural requirements set forth in the Rules, any party that initiates an arbitration procedure shall send a copy of its request for arbitration (“**the Notification**”) to all the Parties listed below (“the Agreed Parties”) at the same time as filing it with the Cepani:

* **Option 1**: list nominatively the (sub-) sub-contractors that could potentially be included in this consolidated procedure.

The above list may be extended by amendments signed by all parties.

The subcontractor undertakes to refer to the present arbitration clause as the only provision applicable to the resolution of disputes in each of the subcontracts they will enter into with the Agreed Parties.

* **Option 2**: the subcontractors entitled to participate in the consolidated procedure may be defined by level.

All sub-contractors down to the [third, fourth, etc] level of sub-contracting.

The arbitration proceedings shall be suspended until such time as the Cepani has received evidence that the Notification process is completed.

1. Any party receiving a Notification may, within 30 days from the receipt of the Notification, request to be included as a party (an “**Intervening Party**”) to the arbitration proceedings referred to in the Notification, by filing a Request to Intervene with the Secretariat of the Cepani, while copying all other parties.
2. Any party to arbitration proceedings initiated in accordance with this Clause may request that any other party be joined (“**the Joined Party**”) provided that the party requesting the joinder reasonably believes that the subject matter of the arbitration proceedings is closely related to the subject matter of the arbitration proceedings. The request for joinder will be addressed to the Cepani, copied to all the other parties, within 30 days following the reception of the Notification.
3. Any party to arbitration proceedings initiated in accordance with this Clause accepts that the cross claims may be initiated before the Arbitral Tribunal.
4. If, notwithstanding the provisions of this Clause, separate arbitration proceedings in respect of the Agreement have been initiated, any party to such arbitral proceedings shall be entitled to request the consolidation of these proceedings. The Arbitral Tribunal may decide to consolidate if it appears to be in the interest of justice that the various disputes and issues submitted to arbitration be adjudicated in one arbitral proceedings. The Arbitral Tribunal shall decide to consolidate if doing otherwise could result in irreconcilable or unenforceable awards.
5. The seat of the arbitration shall be [XX].
6. The arbitration shall be conducted in the English language. All parties agree to this choice of language for the arbitration proceedings even if the language of the contracts, correspondence and other relevant documentation is different.
7. The law applicable to the arbitration proceedings shall be [….] law. “