



CÁMARA  
NACIONAL DE  
COMERCIO



CONCILIACIÓN Y  
ARBITRAJE  
COMERCIAL

# CAC | EXECUTIVE GUIDE TO DISPUTE RESOLUTION

Mediation · Arbitration · Dispute Resolution Commission  
**Specialised solutions for business disputes**



## WHO ARE WE?

**The Commercial Mediation and Arbitration Centre of the National Chamber of Commerce (CAC-CNC)** administers specialised mechanisms for the prevention and resolution of disputes, providing companies, and any public and private entities, an institutional space characterised by impartiality, confidentiality, technical specialisation, and legal certainty.

With over **three decades of experience**, the **CAC CNC supports its users in the pursuit of efficient solutions for their disputes**, through procedures managed in accordance with specialised regulations and current Bolivian legislation.

## WHAT METHOD DOES YOUR DISPUTE NEED?

### MEDIATION

#### **Are you looking to reach an agreement?**

A neutral and impartial third party known as a Mediator facilitates communication between the parties and assists them in seeking a mutually agreed solution.

### ARBITRATION

#### **Do you need a definitive decision?**

The parties submit their dispute to one or more independent arbitrators, who issue a definitive decision known as an arbitral award.

### DISPUTE RESOLUTION COMMISSION

#### **Does your project and/or administrative contract require technical knowledge during execution?**

A specialised and preventive mechanism aimed at addressing technical or contractual disputes during the execution of specific projects, particularly in construction contracts.





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# OUR SERVICES

A QUICK GUIDE TO THE APPROPRIATE METHOD.

Three mechanisms.  
Different needs.  
One institutional guarantee.



# 01 | MEDIATION

## RESOLVING THROUGH DIALOGUE AND ACTIVE LISTENING

Mediation is an alternative, voluntary, and confidential means in which a neutral and impartial third party facilitates dialogue between the parties so that they themselves can build a solution to their dispute

The Mediator **does not impose a decision**. Their role is to facilitate communication, identify interests and options for resolution, and accompany the parties towards a potential agreement.

### **WHEN IS IT CONVENIENT?**

- When the parties wish to preserve their business relationship.
- When there is interest in reaching a quick and mutually agreed solution.
- When the dispute allows for creative or tailored solutions.
- When the parties wish to avoid an adversarial process.
- When confidentiality is a relevant element.
- When the parties seek an efficient solution in terms of time and costs.

### **OUTCOME**

If the parties reach an agreement, it is formalised through a Mediation Record, that can be partial or total.

## CONCILIATION CAC

Dialogue • Confidentiality • Agreements



# 02 | ARBITRATION

A SPECIALISED DECISION FOR A DISPUTE

Arbitration is an alternative means through which the parties agree to submit a dispute to **a single arbitrator or an independent and impartial arbitral tribunal**, rather than resorting to ordinary jurisdiction, typically incorporated through a clause inserted in a contract.

The Arbitral Tribunal and/or Sole Arbitrator hears and decides the dispute in accordance with the parties' agreement, the applicable regulations, and the CAC Arbitration Rules.

## ***When is it convenient?***

- Contractual and commercial disputes.
- Complex business conflicts.
- Disputes requiring specialised knowledge.
- National or international business relationships.
- Cases in which the parties seek an institutional procedure and a definitive decision.

## ***The CAC administers the procedure.***

The Centre provides institutional support during the various stages of arbitration: initial, merits, drafting and issuing the arbitral award, and appellate, including the administrative management of the dispute, advice on drafting the arbitration clause, procedural communications, and conducting hearings, in accordance with its regulations.

The CAC has a wealth of Know How and rules aimed at ensuring independence, impartiality, transparency, due process, and efficiency. We offer an Accelerated Arbitration option.

## **ARBITRATION CAC**

Specialisation • Independence • Legal certainty



# 03 | DISPUTE RESOLUTION COMMISSION

## PREVENTING AND AVOIDING CONFLICT ESCALATION

The Dispute Resolution Commission constitutes a preventive, technical, and specialised mechanism, designed to address disputes that may arise during the execution of a contract, particularly in construction and infrastructure projects, and/or administrative labor contracts.

Unlike arbitration, whose purpose is to definitively resolve a dispute through an arbitral decision, the CRC seeks to intervene during the execution of the project, helping to prevent differences from halting, deteriorating, or leading to the contentious termination of a contractual relationship.

### ***When is it convenient?***

- Labor contracts and infrastructure projects.
- Disputes over technical or contractual aspects.
- Differences arising during project execution.
- Projects where maintaining continuity of works is essential.
- Contracts requiring a specialised mechanism for early dispute management.

Its main value is to prevent, assess, recommend, and resolve promptly. The CRC allows for the incorporation of a specialised dispute management instance within the project's own dynamics.

### **CRC CAC**

Technical prevention for project continuity



# WHY CHOOSE THE CAC?

## EXPERIENCE

Over three decades managing dispute resolution mechanisms in Bolivia.

## SPECIALISATION

Arbitrators, conciliators, and professionals with experience in various fields of law and business activity.

## INDEPENDENCE

Institutional administration based on principles of impartiality, independence, and due process.

## CONFIDENTIALITY

Confidential handling of information and documentation in accordance with the applicable rules for each procedure.

## FLEXIBILITY

Mechanisms tailored to the nature, complexity, and needs of each dispute.

## LEGAL CERTAINTY

Procedures administered under specialised regulations and applicable Bolivian legislation.

## BUSINESS VISION

An understanding of disputes not merely as legal conflicts but as situations that can affect business relationships, investments, projects, and continuity of operations.

# WHAT DOES YOUR COMPANY GAIN?

## EFFICIENCY

Structured procedures to achieve timely solutions.

## SPECIALISATION

Professionals selected according to the nature and complexity of the dispute.

## FLEXIBILITY

A procedure adapted to the nature and complexity of the dispute within the regulatory framework.

## CONFIDENTIALITY

Protection of information and documentation from the procedure.

## CONTINUITY OF BUSINESS

Solutions aimed at protecting business relationships, investments, and projects.



# NOSTRA CLAUSES

Request the CAC for the recommended version of the clause applicable to your contract.

**Model Arbitration Clause:** The parties agree to definitively resolve all disputes or differences related to this document or arising from it, through arbitration administered by the Conciliation and Arbitration Centre of the National Chamber of Commerce, in accordance with its current regulations, to which they freely submit.

**Accelerated Arbitration Clause:** The parties agree to definitively resolve all disputes or differences related to this document or arising from it, in accordance with the expedited arbitration procedure provided for in the Arbitration Regulations of the Conciliation and Arbitration Centre of the National Chamber of Commerce.

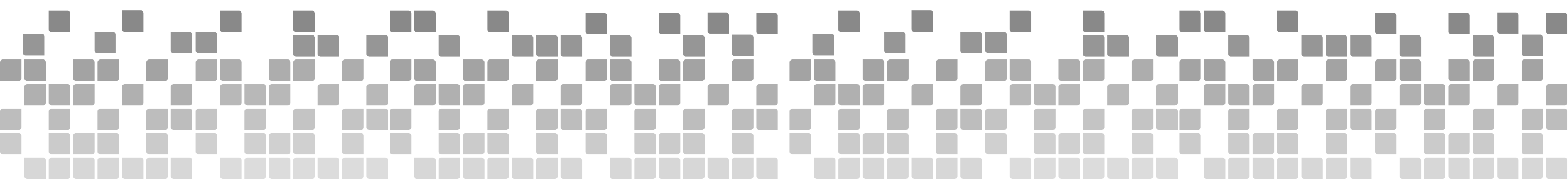
**Combined CRC Model Clause:** Combined CRC followed by arbitration, if necessary

Hereby, the Parties commit to establish a Combined CRC ("CRC-C") in accordance with the Regulations of the Commission for the Resolution of Disputes of the Arbitration and Conciliation Centre of the National Chamber of Commerce of Bolivia (the "Regulations"), which is considered an integral part of this contract. The CRC-C is composed of [one/three/X] member(s) appointed in this contract or appointed in accordance with the Regulations.

All disputes arising from this contract or related to it shall be submitted, in the first instance, to the CRC-C in accordance with the Regulations. For any dispute, the CRC-C shall issue a Recommendation, unless the Parties have agreed that the CRC-C must issue a Decision or the CRC-C decides to do so at the request of one of the Parties and in accordance with the Regulations.

If one of the Parties does not comply with a Recommendation or a Decision when required to do so in accordance with the Regulations, the other Party may, without first resorting to the CRC-C, submit this non-compliance to arbitration in accordance with the Arbitration Regulations of the Centre, to one or more arbitrators appointed in accordance with these Arbitration Regulations. A Party that fails to comply with a Recommendation or a Decision when required to do so in accordance with the Regulations shall not be able to raise any matter regarding the substance of the Recommendation or Decision as a defense for its non-compliance without delay in the Recommendation or Decision.

If a Party notifies the other and the CRC-C in writing of its objection or disagreement regarding a Recommendation or Decision, as provided in the Regulations, or if the CRC-C has not issued the Recommendation or rendered the Decision within the timeframe established by the Regulations, or even if the CRC-C is dissolved in accordance with the Regulations before the Recommendation is issued or the Decision rendered, the dispute shall be resolved definitively in accordance with the Arbitration Regulations of the Centre by one or more arbitrators appointed in accordance with those Arbitration Regulations.





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## **DISPUTES AND SECTORS**

Commercial and corporate companies  
Technology, telecommunications, and innovation  
Construction, infrastructure, and projects  
Trade and business contracts  
Transport, logistics, and international trade  
Energy and natural resources  
Insurance and health

## **CONTACT**

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