



## Criteria for Arbitrators and Mediators in Maritime Matters\*

by  
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Apparently, I am one of the special species at this seminar that has neither a legal nor a marine background. In other words I am a pure commercial man but a commercial man who started his career in the industry by having had his apprenticeship as a shipbroker in Germany and finally was elected by the Institute of Chartered Shipbrokers in London. I am proud to be allowed to call myself a chartered shipbroker. For many years I have been a so-called "Visiting professor" at the World Maritime University in Malmoe. After I retired from the day-to-day shipbroker's business I decided to pass on my vast experience to those who want and need it. Furthermore I got more active in arbitrations i.e. in the resolution of maritime disputes. It is my firm understanding that the shipping industry, in all it's branches, needs more commercial people otherwise we have to face the problem of awards being delivered which are a miracle to those who are working in the industry. Someone from the industry expressed it recently by stating. "The awards are legally justifiable, however like a douche of cold shower for the people on the front".

What we need are experienced people who know what they are talking about when it comes to resolving a dispute in the maritime industry. This by no means implies that judges, lawyers, captains and all other people involved in arbitrations and/or mediations don't have a clue about shipping matters. I am far away from arguing in this direction. On the contrary I have the highest respect for my learned friends. Undoubtedly we all learn from each other's knowledge, experience and wisdom. In ADR, however, one needs a great deal of common sense and great practical experience. As far as the knowledge of legal matters are concerned this must also not be neglected. Any arbitrator should at least have a basic knowledge and show a great interest in legal matters. This is a must for all of us. Times change and we have to change with them, at least to a certain degree.

I do not want to drift away from the topic too far as you are expecting that I tell you a little more about my view on the criteria arbitrators and mediators should have.

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