

DIS

Privacy Policy for Arbitrations and other Alternative Dispute Resolution Proceedings

The German Arbitration Institute (*Deutsche Institution für Schiedsgerichtsbarkeit e.V.* – “DIS”, “we”, “us”) takes the protection of your personal data seriously. This **Privacy Policy for Arbitrations and other Alternative Dispute Resolution Proceedings** (such as mediation proceedings) (“Privacy Policy”) describes why and how we process personal data we collect in connection with our role as an institution administering arbitrations and other alternative dispute resolution procedures.

Please note that we also have a separate **Privacy Policy** which describes our privacy practices with regard to the DIS membership services as well as through our website at www.disarb.org. Please click [here](#) to consult that Privacy Policy.

DIS is the responsible entity for the data processing activities described in this Privacy Policy, also known as the “data controller.” Please note that arbitration proceedings and other methods of alternative dispute resolution involve various entities including the parties, third parties who may be involved in or affected by the dispute, the arbitral tribunal, and a third-party neutral, who, depending on the rules applicable to the alternative dispute resolution mechanism (“**Applicable Rules**”, such as DIS Arbitration Rules or DIS Mediation Rules), may also act as data controllers. If you have any questions about this Privacy Policy or our privacy practices, please do not hesitate to contact us using the contact details provided at the bottom of this policy.

1. What personal data we process and why

We collect and process your personal data for the purposes outlined below. “**Personal data**” means any information relating to an identified or identifiable natural person, such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

- Initiating dispute resolution: Parties may submit to DIS a request for arbitration, or a request to initiate another alternative dispute resolution procedure offered by DIS. Depending on the type of procedure, DIS may receive name, gender, address, telephone and fax numbers, email addresses, bank account numbers, and other personal data about the parties, their counsel or other party representatives, arbitrators, third-party neutrals, and third parties such as witnesses, any other personal data the parties choose to submit, and any data necessary to facilitate the proceedings. DIS will process this personal data to identify and communicate with the parties and participants to the dispute, to initiate and administer the alternative dispute resolution procedure, and as otherwise required or permitted by the Applicable Rules.

- Case management: In the course of a procedure, parties, other participants, or service providers (e.g., court reporters, hearing venues, translators) may submit written communications and procedural documents such as pleadings, statements of claim, statements of defense, counterclaims, transcripts, translations, witness statements, arbitral awards and other evidence or attachments to DIS. DIS will process and disclose the personal data that may be contained in these materials in accordance with the Applicable Rules.
- Payment processing: When you make payments to us or receive payments from us, we may learn details about the payment method you used, such as your bank account information. We need this information to process payments, and to comply with tax and accounting rules.

2. Disclosure to third parties

We disclose personal data in accordance with the Applicable Rules. For example, we may disclose personal data to arbitrators, arbitral tribunals, or third-party neutrals who adjudicate or otherwise preside over the procedure, and who act as independent data controllers to perform their role under the Applicable Rules.

We also may share aggregated and de-identified statistical information with third parties as permitted by applicable law and the Applicable Rules. For example, we publish statistics about DIS proceedings on an annual basis. These statistics include, among other things, the number of cases and Applicable Rules, value of disputes, language and place of proceedings, and the number of proceedings involving foreign parties.

We engage service providers who may only process your personal data on our behalf and at our documented instructions, and who are bound by contractual data security and confidentiality obligations. Additionally, we may disclose your personal data when required or permitted by applicable law, for example in connection with requests from law enforcement officials and in connection with court proceedings.

3. Security and storage

We protect the security and confidentiality of your personal data. In particular, we maintain appropriate administrative, technical and physical safeguards to protect the personal data we have about you, in accordance with applicable law. We restrict access to personal data on a need-to-know basis. We may apply different security measures depending on the type of data, and how it is collected and stored.

We will retain your personal data for the period necessary to fulfill the purposes outlined in this privacy policy, unless a longer retention period is required or permitted by law. In accordance with the statute of limitations on claims for damages under §199 Abs. 3 Nr. 1 BGB, DIS retains relevant case materials for 10 years after a case has ended. After that period, only arbitral awards as well as decisions and settlement agreements in other alternative dispute resolution proceedings are retained for research and statistical purposes.

4. International data transfers

Countries outside of the European Union may not provide the same level of data protection as the European Union. We only transfer personal data to parties located in a country outside of the European Union as necessary to perform the arbitration or other alternative dispute resolution services you have requested. For example, if a party or an arbitrator or a third-party neutral is located in a country outside the European Union, then the Applicable Rules, such as DIS Arbitration Rules or DIS Mediation Rules, may require us to send case materials to such party or such arbitrator or such third-party neutral. If you want to make specific arrangements about data transfers with your chosen arbitrator or third-party neutral, please do so prior to nomination.

5. Your rights and choices

Subject to applicable law, you may have the right to request access to and receive information about the personal data we maintain about you, to update, rectify or erase your personal data, to restrict or to object to the processing of your personal data, and where applicable, a right to data portability that allows you to easily communicate your information to another company. Please note that there are exceptions and limitations to each of these rights. You always have the right to lodge a complaint with a data protection authority, including in your country of residence, place of work or where you think a violation of your rights occurred.

If you are a party to an alternative dispute resolution procedure facilitated by DIS, or if you have agreed to an alternative dispute resolution clause involving DIS, then, depending on the Applicable Rules, you may be required to provide personal data to DIS to facilitate the procedure. If you choose not to provide personal data we may not be able to facilitate, or continue to administer your alternative dispute resolution procedure. Depending on the Applicable Rules, this may lead to default or withdrawal from the procedure.

If you are an arbitrator, third-party neutral, or expert witness, and you have been nominated or engaged by a party to participate or provide services in the context of an alternative dispute resolution procedure facilitated by DIS, you may be required to provide personal data to DIS to facilitate the procedure. This requirement is based on your contract with or mandate by the particular party as well as the Applicable Rules. If you choose not to provide personal data to DIS, we may not be able to facilitate, or continue to administer your participation or services rendered to the alternative dispute resolution procedure, which may, among other things, lead to a breach of contract with the party that engaged you.

If you are an employee of, nominated or engaged by, or otherwise affiliated with a party to an alternative dispute resolution procedure facilitated by DIS, your employer is the appropriate data controller to contact for any questions or concerns regarding the processing of personal data in the context of the arbitration procedure.

6. Contact us

If you have further questions about data protection or if you wish to exercise your rights, please contact us or our Data Protection Officer via email at privacy@disarb.org or via regular mail at:

German Arbitration Institute (DIS)

Attn: Data Protection Officer

Marienforster Str. 52

53177 Bonn

Germany

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