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Further Update on the ICC Rules of Arbitration that Entered into Force on 1 June 2026 Highly Expedited Arbitration Provisions

Client Updates

This is the second newsletter in a series of [publications](#) on the entry into force on 1 June 2026 of the new Rules of Arbitration of the International Chamber of Commerce (ICC). As explained in the previous publication, the most significant developments introduced by the amendment reflect the ICC's commitment to making arbitration proceedings **more efficient, reducing costs, and increasing procedural flexibility**, while maintaining **the high standards of the process and the quality of arbitral awards**. The amendment addressed in this update – the introduction of the Highly Expedited Arbitration Procedure, or HEAP, under which an arbitral award is to be given within three months^[1] – is likewise an innovative step toward making arbitration proceedings accessible to broader audiences.

As previously reviewed, the 2026 amendment expands the scope of the Expedited Procedure, which was introduced in the 2017 Rules and allows for an arbitral award to be rendered within six months, so that it now applies to disputes valued at up to USD 4 million, up from the previous threshold of USD 3 million. Based on data regarding the value of disputes registered by the ICC during 2025, the expedited procedure may apply to approximately 40% of the cases that will be registered by the institution in the coming years.^[2]

Another development, intended to broaden the use of the ICC Rules in disputes based on a simple factual framework, of limited complexity, or involving relatively low amounts in dispute, is the introduction of HEAP.^[3]

Unlike the expedited procedure, HEAP does not apply automatically but rather requires the parties' express consent on an opt-in basis, whether in the arbitration agreement itself or in an agreement reached after the dispute has arisen. In addition, the procedure does not permit the joinder of additional parties or the consolidation of proceedings.^[4]

Under HEAP, the parties are required to submit their written pleadings together with the request for arbitration and the answer thereto. The parties must appoint a sole arbitrator within 20 days,^[5] and that arbitrator must hold the first case management conference within 7 days after receipt of the file.^[6]

A central feature of HEAP is the combination of procedural flexibility and cost efficiency. The procedure

adopts the same scale of costs as the expedited procedure, therefore, the parties benefit from reduced tribunal fees.^[7] In addition, the sole arbitrator is granted broad discretion to adopt procedural measures aimed at streamlining the proceedings. After consulting with the parties, the arbitrator may exclude document production, limit the number, length, and scope of submissions, and even decide the dispute solely based on the documents submitted, without a hearing and without examination of witnesses or experts.^[8]

Moreover, the parties may agree that the award will be rendered without reasons – an option that may further shorten the proceedings and reduce costs.^[9] At the same time, the parties should also consider enforcement-related issues, and in particular the possibility that in certain jurisdictions the absence of reasons may serve as a ground for setting aside the award or refusing its enforcement.^[10]

The introduction of HEAP demonstrates the ICC's commitment to providing parties with faster, more flexible, and more cost-efficient arbitration mechanisms, while preserving the institutional and procedural framework that defines ICC proceedings.

For Israeli companies engaged in international trade, this development may be of particular practical importance. In many cases, such companies face cross-border disputes of limited monetary value that do not justify, from an economic and commercial standpoint, the conduct of a full, lengthy, and costly arbitration proceeding. In that context, HEAP is expected to offer a more effective route for the enforcement of rights, through a recognized institutional mechanism that enables swift resolutions, at lower cost and within a simpler procedural framework. In this sense, the new procedure may in practice expand access to international arbitration and provide such companies with a more efficient alternative for enforcing their rights.

^[1] Art. 7(1) of Appendix VI of the 2026 ICC Rules, (hereinafter: the ICC Rules).

^[2] [ICC Dispute Resolution 2025 Statistics](#), p. 5.

^[3] Appendix VI of the ICC Rules.

^[4] Art. 3(1)(2) of Appendix VI of the ICC Rules; International Chamber of Commerce, [Unveiling the 2026 ICC Arbitration Rules, part 4: Highly Expedited Arbitration Provisions](#).

^[5] Art. 4(2) of Appendix VI of the ICC Rules.

^[6] Art. 6(1) of Appendix VI of the ICC Rules.

^[7] Cases Administered in US\$, Art. 1(2) of Part II of the ICC Rules.

[8] Art. 6(2)(3) of Appendix VI of the ICC Rules.

[9] International Chamber of Commerce, [Unveiling the 2026 ICC Arbitration Rules, part4: Highly Expedited Arbitration Provisions](#).

[10] [Ibid.](#)

This update is intended to provide general and concise information only. It does not constitute a full or complete analysis of the issues discussed, does not constitute a legal opinion or legal advice, and should not be relied upon as such.

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