

**“BUSINESS AS USUAL” DURING AN
UNPRECEDENTED TIME—THE ISSUES OF
DATA PROTECTION AND CYBERSECURITY IN
INTERNATIONAL ARBITRATION**

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“The maxim of the British people is ‘business as usual’”

Winston Churchill

ABSTRACT

COVID-19 brought the world to a standstill, however arbitration is “business as usual”. This is also the expectation of the UK Courts and Tribunals Service (HMCTS) through the High Court’s decision in MillChris Developments Ltd v. Waters [2020] 4 WLUK 45. This article highlights the “business as usual” approach adopted by the international arbitration community, in particular, institutional arbitrations carrying out remote hearings and meetings. A review of the Seoul Protocol on Video Conferencing in International Arbitration, the ICCA-NYC Bar-CPR Protocol on Cybersecurity in International Arbitration 2020, and the consultation draft of the ICCA/IBA Joint Task Force’s Roadmap on Data Protection in International Arbitration highlights the concerns of cybersecurity and data protection in light of COVID-19 and beyond.

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KEYWORDS: *international arbitration, remote hearings and meetings, confidentiality, data protection, cybersecurity, the Seoul Protocol, the Cybersecurity Protocol, the ICCA/IBA Joint Task Force's Roadmap on Data Protection, data controller, joint controller, data processor*