

## Milan chamber reveals tribunal members

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The Milan Chamber of Arbitration – CAM – has begun disclosing the composition of its arbitral tribunals in a move towards greater transparency, as statistics reveal the increasingly international nature of its caseload.



Milan Cathedral (Credit: iStock.com/ventdusud)

On 15 July, the chamber published a [chart](#) with the names of arbitrators who have been hearing cases since 1 January, available on the Italian version of its [website](#).

**Rinaldo Sali**, vice secretary general of the chamber, says the institution decided to disclose the information after users demanded a higher level of transparency.

“The decision enables CAM to show that its appointments are not limited to a restricted group of names, but to a wide group of people, including young practitioners and arbitrators from jurisdictions outside Italy,” he explains.

The new policy is in line with the recent decision of the ICC International Court of Arbitration to publish the names of its arbitrators in a similar attempt to increase transparency. The court first [announced](#) its decision in January and started [disclosing](#) the names of its arbitrators in June.

So far, the Milan chamber’s published list of arbitrators reveals the composition of 33 tribunals including 75 different arbitrators, along with their nationalities, the cities where they are based, their role on the tribunal and how they were appointed.

Forty two per cent of the arbitrators are from Milan and 14 per cent from Rome, while arbitrators from the Italian cities of Bologna, Genoa, Florence and Turin also feature.

Eight per cent of the arbitrators are from jurisdictions outside Italy including Croatia, France, Germany and Spain.

The chart shows that the chamber itself appoints the highest number of arbitrators (61 per cent) through a special council chaired by University of Milan professor **Luigi Fumagalli**. The parties appoint 35 per cent and the co-arbitrators 4 per cent.

The chamber will update the list every four months. Arbitrators may choose to opt out of having their names disclosed.

In addition to publishing arbitrator names, the chamber has decided to release its decisions on arbitrator challenges, which are made by the same council that makes appointments.

Like the challenge decisions published by other leading arbitral centres, including the LCIA, the decisions are anonymised. Again, they can be found on the Italian version of the [website](#).

### **Looking back at 2015**

The transparency drive comes as new data for 2015 reveals the increasingly international nature of the Milan chamber's caseload.

While the number of new cases filed at the chamber fell to 131 last year (down from 148 cases in 2014), the percentage of cases involving a non-Italian party grew to 23 per cent. From 2010 to 2014, such cases accounted for 12.4 per cent of the total.

Parties from the European Union featured in nine per cent of cases and parties from outside the EU in six per cent.

Last year, the average value of disputes also increased to €3.8 million from €2.7 million the year before; the combined value of all cases handled by the chamber was €494.8 million.

The trends regarding arbitrator appointments were the same as can be seen from the newly published list. Of 256 arbitrator appointments made last year, nearly half were made by the council, with the parties accounting for the next greatest number, followed by the co-arbitrators. The data also reveals most disputes are heard by three-person tribunals.

Confirming Sali's observation about the number of young arbitrators, the data shows 56 per cent of the arbitrators appointed were under 50. Only 34 of the appointments, however, were women. This percentage

may be expected to improve, as the chairman's secretary general, **Stefano Azzali**, is on the steering committee of the newly launched Equal Representation in Arbitration Pledge. Of the 75 arbitrators hearing cases this year, 10 are women.

The data also reveals that 151 CAM proceedings ended in 2015, with 44 per cent featuring a final award. The average duration of proceedings remained the same as in 2014: 14 months.

### **Time to head to Milan?**

It is a busy time for Milan arbitration practitioners, who are preparing to host the third Euro-Mediterranean Conference on Arbitration in January 2017 and the next IBA International Arbitration Day in late March 2017.

The city will also play host to next year's *GAR Awards*, which will be scheduled ahead of the IBA Day.

With the latest developments, the chamber will have plenty of good news to impart about the health of Milanese arbitration. And more is still to come: *GAR* understands that the Bocconi Law School in Milan has released new research on challenges to awards in the courts of appeal in Milan, Turin, Genoa and Brescia, showing that Italian courts tend to uphold arbitral awards instead of annulling them.

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