

CAM Arbitration – Facts & Figures 2016



MILAN
CHAMBER OF
ARBITRATION

Request for arbitration – 134 new requests for arbitration in 2016

	Number	Percentage
Arbitrators' Appointments in 2016	Totale 245	
By the Parties	95	38,8%
By the Arbitral Council	108	44,1%
By Co-Arbitrators	16	6,5%
By the President of the Chamber of Arbitration	5	2%
By the President of the Chamber of Commerce	3	1,2%
By other appointing authorities	18	7,4%

	Number	Percentage
2016 Appointments' Status (May 2017)		
Confirmed (*)	209	85,3%
To be Confirmed (*)	22	9%
Appointment not accepted by the arbitrator	2	0,8%
To be checked by the Secretariat	2	0,8%
Replaced Arbitrator (**)	10	4,1%

(*)**Confirmed / Not confirmed Arbitrator:** whether the statement of independence is without qualifications and the parties did not file any remark thereon, the Arbitrator is confirmed by the Secretariat.

(**) **Replaced Arbitrator:** the Arbitrator is replaced in case of: missed Confirmation, loss of his/her impartiality or independence during the proceedings, successful challenge of the arbitrator, death of the arbitrator, withdraw of the arbitrator on serious grounds, deep violations of the Rules of Arbitration or other serious misconduct.



	Number	Percentage (on the totality of the arbitrators)
Arbitral Tribunal		
Sole Arbitrator	61	45,5%
Panel	71	54,5%

Replaced Arbitrators by Nomination Authority (2016)

Replaced Arbitrators – Appointed by Parties	7	70%
Replaced Arbitrators – Appointed by Arbitral Council	3	30%
Replaced Arbitrators – Appointed by Co-Arbitrators	0	0%

Women Appointments' as Arbitrators

Total Arbitrators' Appointments in 2016	245	100%	
Women Appointed in 2016	34	14%	
President of the Panel	7	20,6%	
Sole Arbitrator	13	38,2%	
Co-Arbitrator	14	41,2%	
Appointing Authority	Arbitral Council	Parties	Other Authority
	25	6	3
	73,5%	17,7%	8,8%



Parties

Individuals	87	25,4%
Corporate Enterprises	221	64,4%
Partnership Enterprises	11	3,2%
Legal Entities - Other	24	7%
TOTAL	343	100%

Outcome

Proceedings closed in 2016	127	100%
Awards	61	48%
Filed – Abandonment of the claim	52	41%
Closed – Non-payment of the fees	11	8,6%
Joined to other proceedings	3	2,4%



	Number	Percentage
Nationality - Legal Seat		
Italy - Milan	104	30,3%
Italy - Rome	25	7,3%
Italy - North (other than Milan)	138	40,2%
Italy - Central (other than Rome)	24	7%
Italy - South and Islands	33	9,6%
Italy TOTAL	324	94,5%
European Union	10	3%
Non-EU Countries	9	2,6%
TOTAL PARTIES	343	



Qualification of the proceedings

Seat of the Arbitration	Number	Percentage
Milan	118	88%
Italy (Other Cities)	16	12%

Decision

By the rules of the law	129	96,3%
By ex aequo et bono	5	3,7%

Qualification of the Arbitration

Domestic	118	88%
International	16	12%

Nature of the Arbitration

Rituale	128	95,5%
Irrituale(*)	6	4,5%

Subject Matter	Number	Percentage
Corporate Matters	35	26%
Contracts	29	21,6%
Rent, Sale and Concession of a Company branch	19	14,2%
Collaboration and Consultancy	11	8,2%
Supply Contracts	7	5,2%
Purchase and Sale Agreements	5	3,7%
Banking and Insurance	5	3,7%
Franchising	4	3%
Agency	3	2,3%
Real Estate	3	2,3%
Leasing	2	1,5%
Intellectual Property	1	0,8%
Trasportation	1	0,8%
Other	9	6,7%

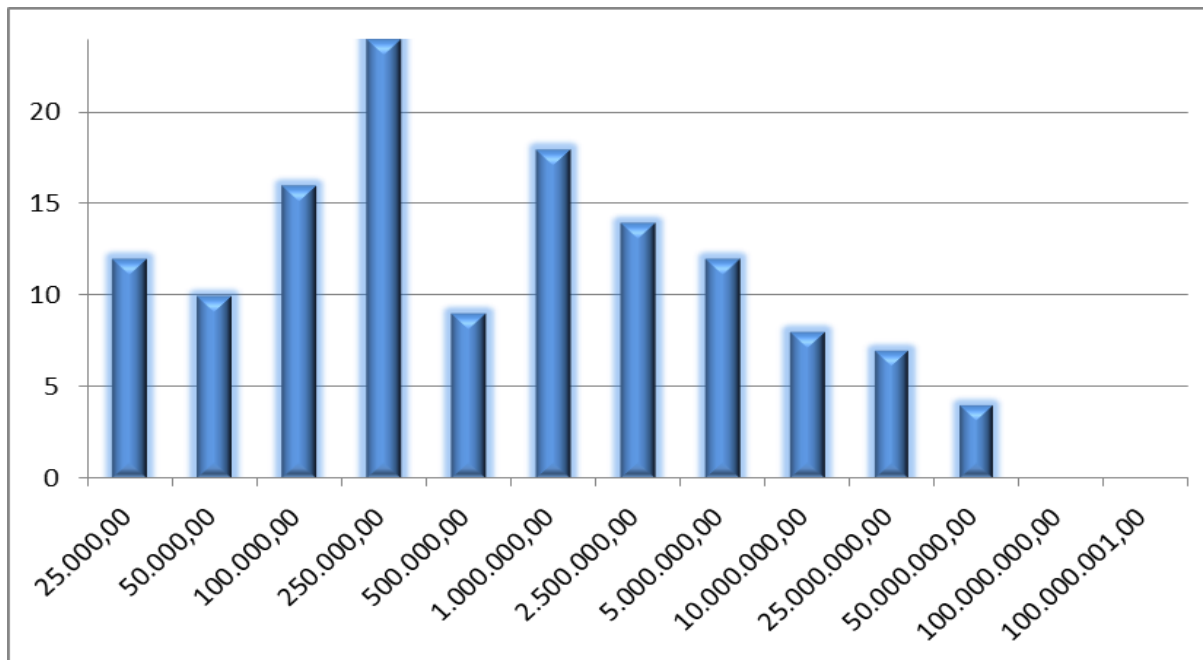
(*) – Proceedings existing only under Italian law (Article 808-ter, Italian Code of Civil Procedure).



Economic Value

Total Value (after deducting the 4 lowest and highest proceedings)	€ 475.625.051,08 (€ 325.613.833)
Valore Medio (after deducting the 4 lowest and highest proceedings)	€ 3.549.440,68 (€ 2.504.721,79)

Proceedings for Value Range





Timing

Average duration of the proceedings <i>(closed in 2016)</i>	12 months
Settled	7 months
Filed – Abandonment of the claim	9 months
Closed – Non-payment of the fees	8 months
Closed with Final Award	17 months
From Request to the constitution of the Tribunal	5 months
From the constitution of the Arbitral Tribunal to the end of the proc.	12 months
Average timing from Arbitration Clause to the Request of Arb.	4 years and 9 months

Average duration of the proceedings by Arbitral Tribunal	
Sole Arbitrator	11 months
Panel	12 months

Awards

Final Award	68
Partial Award	1
TOTAL	69