



MILAN
CHAMBER OF
ARBITRATION

ANNUAL REPORT

ARBITRATION

2021

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Summary

In a particularly delicate context, such as the one we are currently experiencing, CAM arbitration has proved to be a useful and effective tool, thanks to its flexibility and adaptability to the needs of the parties, who mainly ask for fast dispute resolution.

The recent health emergency has contributed to the increase in the use of remote procedures and CAM, even in periods of total restriction, has always been operational, activating innovative ways of working. 80% of hearings in 2021 were held remotely: this allowed the normal continuation of procedural activity.

For these reasons, CAM cases confirmed the growing trend of recent years.

123 new requests for arbitration were filed within CAM in 2021: one every three days, with a total value of more than €470 million.

As for the field in dispute, one out of three cases concerned corporate disputes (29% of the total), followed by sale and purchase agreements (12%), rent, sale and transfer of business units (12%) and construction (9%).

The average time of our arbitration proceedings is 12.7 months (average of the last 5 years). It is reduced by 56% (170 days) if the simplified procedure applies.

CAM arbitration is becoming more and more international: ilast year a 35% increase of proceedings providing international elements was registered: this show Italy's leading way to attract more and more foreign investments.

CAM believes that ADR can contribute to the good functioning of the entire Italian justice system actively, whose efficiency is a strong lever for economic recovery. The recent local Government's intervention on arbitration and mediation aim at the same goal and will lead to an increasing widespread use of ADR by the business community hopefully.

123

New requests for arbitration
One every three days

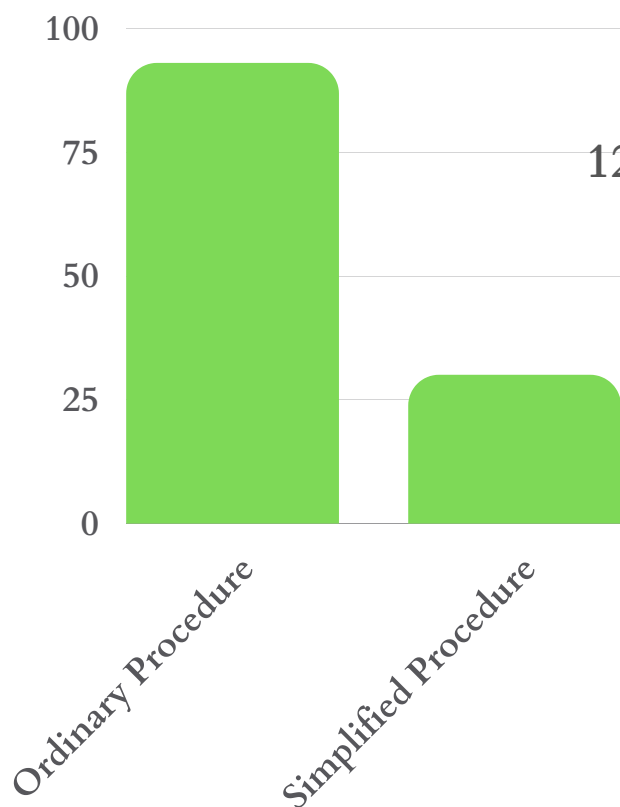
+28%

Increasing use
of the Sole Arbitrator

+35%

Increase in international
proceedings in one year

TOTAL AMOUNT IN DISPUTE



123 new requests for arbitration filed in 2021

in 1 out of 4 cases

Parties choose the simplified procedure

(See pages 7 to 9 for details of the simplified arbitration.)



The total amount in dispute for **2021** :

€ 469.195.759

The average value of new cases :

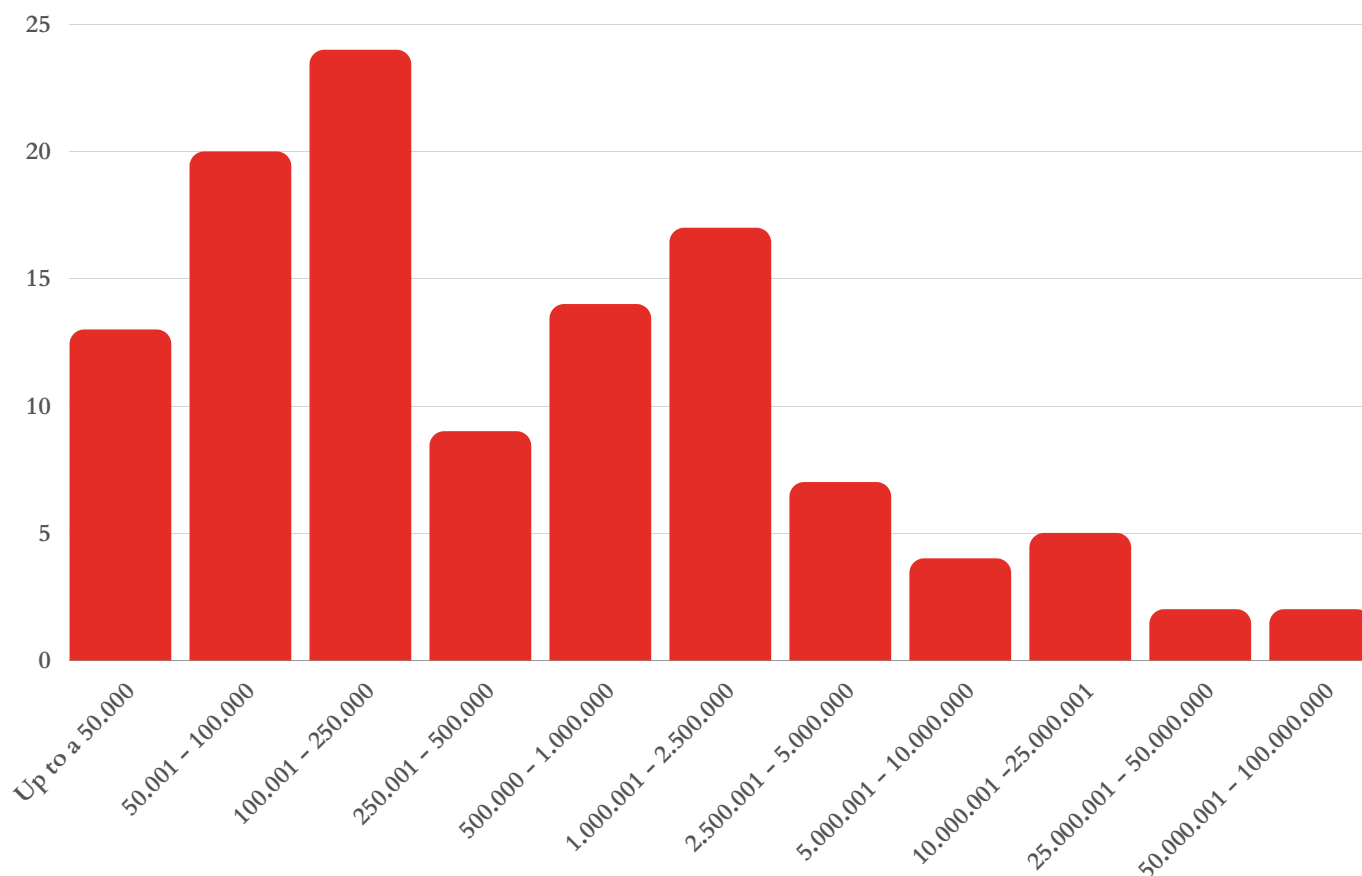
€ 1.756.849*

(*Data does not include the four highest and lowest cases)



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CASELOAD SORTED BY FEE RANGE



Value in dispute by fee range	% per fee range
Up to 50.000	11%
50.001 - 100.000	17%
100.001 - 250.000	21%
250.001 - 500.000	8%
500.000 - 1.000.000	12%
1.000.001 - 2.500.000	14%
2.500.001 - 5.000.000	6%
5.000.001 - 10.000.000	3%
10.000.001 - 25.000.001	4%
25.000.001 - 50.000.000	2%
50.000.001 - 100.000.000	2%



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DURATION OF THE PROCEEDINGS & AGREEMENT DATES

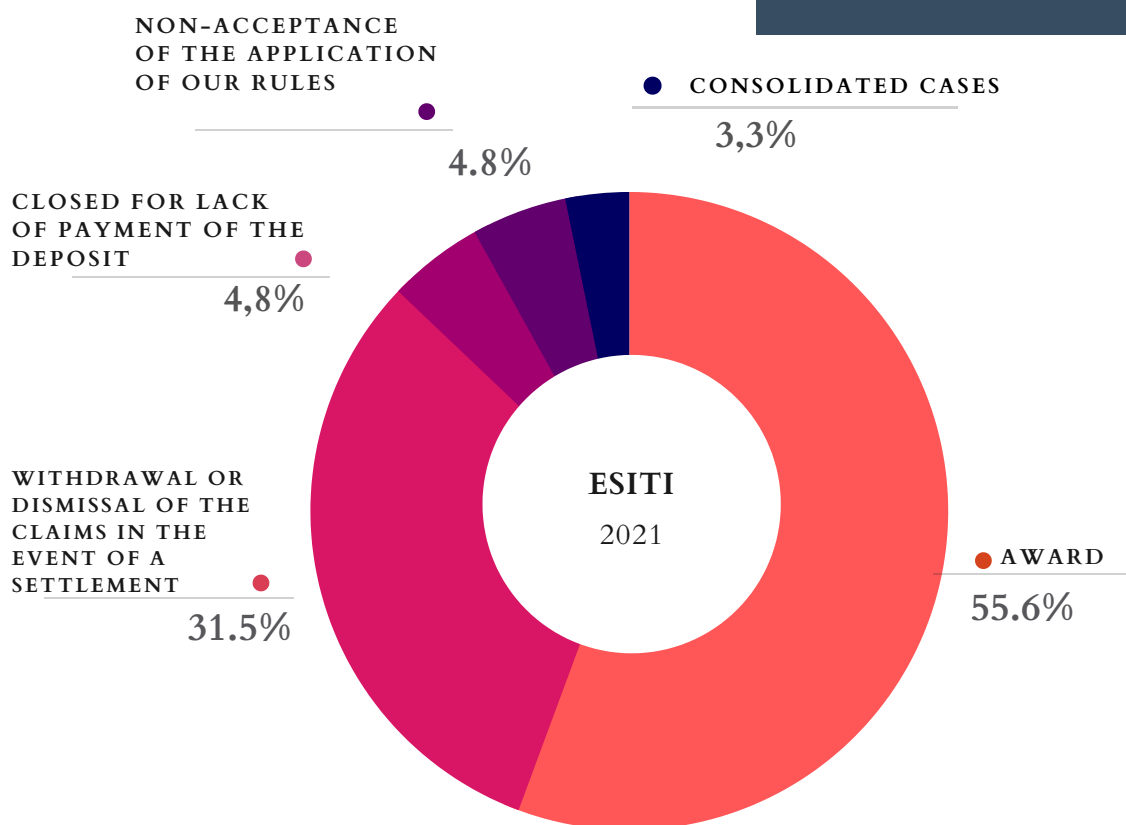


On average, the time lag between the date of the signing of the arbitration agreement out of which disputes arise and the date of filing of the request for arbitration within the Milan Chamber of Arbitration is **4 years and 5 months**

Average duration of proceedings
13 months in 2021



CONCLUSION OF THE PROCEEDINGS



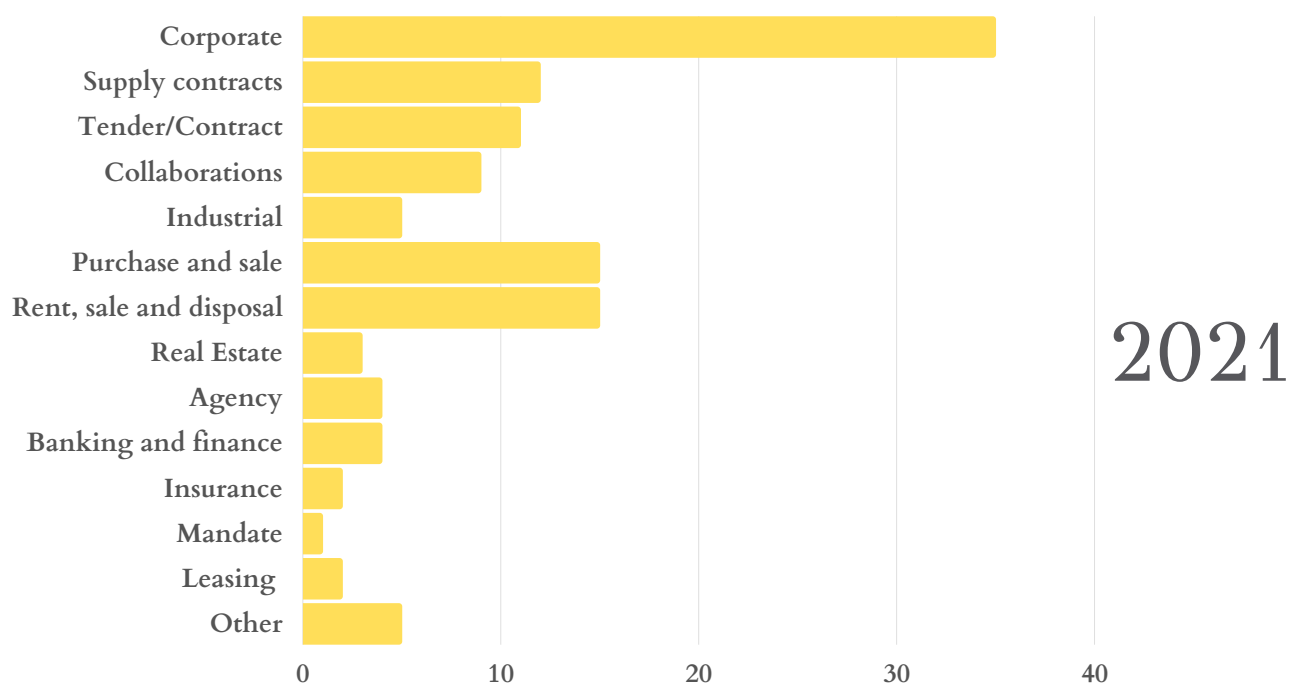
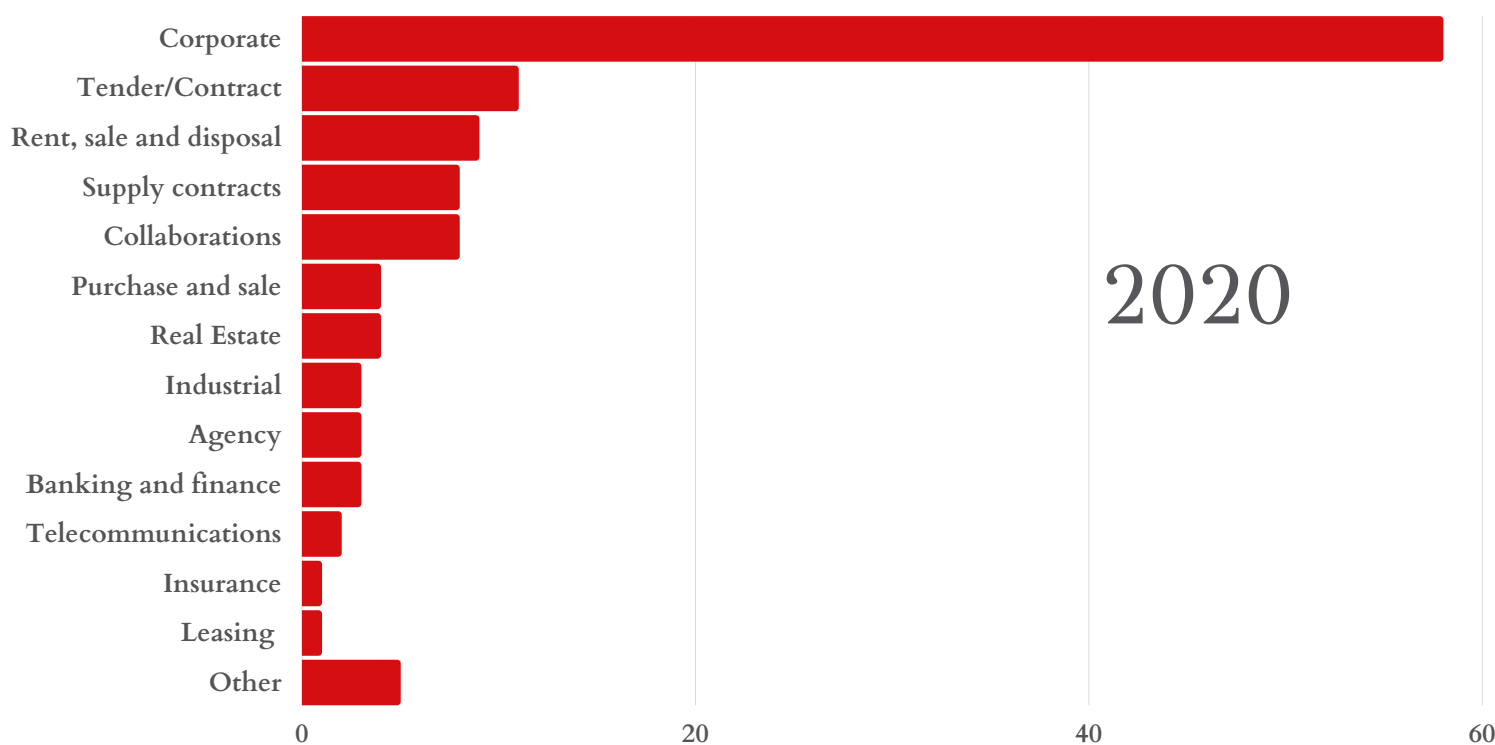
+115%

the increase of Awards granted
compared to 2020



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FIELDS IN DISPUTE



↑ Purchase and sale disputes up by 9%

↓ Arbitrations in corporate matters down 19%



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SIMPLIFIED PROCEDURE KEY POINTS

PROCEDURE IN FORCE SINCE JULY 1ST 2020

Simplified Arbitration is a new procedure, in which duration and costs are reduced where compared to ordinary proceedings.

Scope of application:

- For proceedings where the value does not exceed €250,000;
- Regardless of the value of the claim, if the parties so agree.

Costs:

Costs are reduced by approximately 30%, where compared to ordinary arbitration (both the fee of the Milan Chamber of Arbitration and the fee of the sole arbitrator).

Duration:

The duration of the procedure is halved: the arbitrator has 3 months from its constitution to file the award, compared to 6 months in the ordinary procedure.

Characteristics:

- The decision is always referred to a sole arbitrator.
- The number of briefs is significantly reduced.
- A single hearing is held, if any.



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SIMPLIFIED PROCEDURE: STATISTICS

30 Requests for arbitration filed in 2021: **24.3%** of the new cases

Average duration of proceedings
in 2021: **170 days**



-56%

is the time saved compared to ordinary
arbitration, for parties who opted for
the simplified procedure in 2021

The total amount in dispute for **2021** :

€ 3.332.584,00



The average value of new cases :

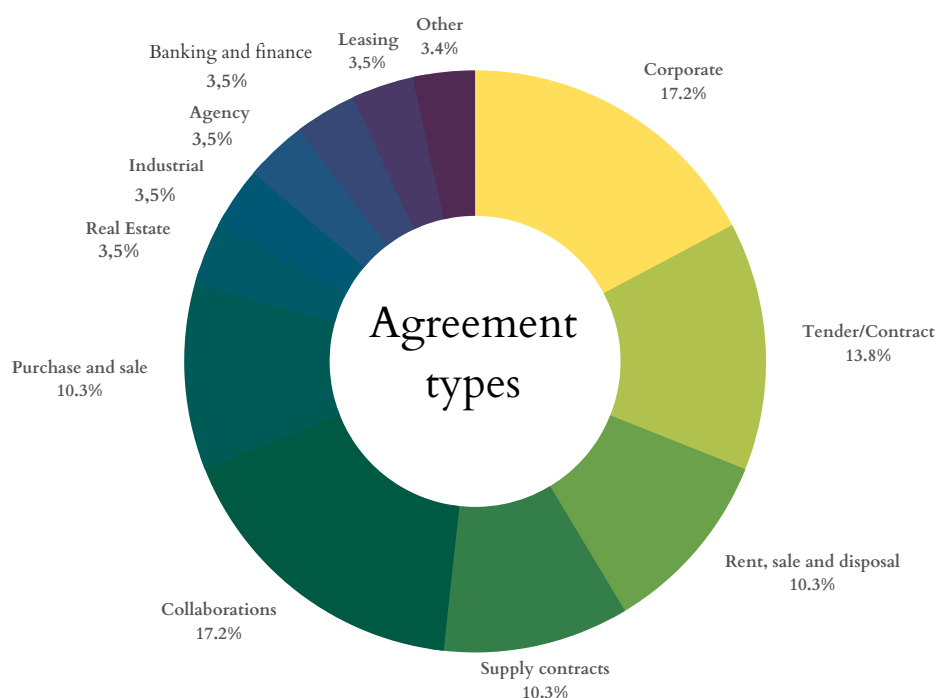
€ 111.756,00*

(*Data does not include four highest and lowest value)

-30%

is the reduction of costs with the
simplified procedure, compared
to the ordinary procedure

[Calculate the cost of your procedure here](#)



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PROCEDURAL TIMESCALES COMPARISON

Ordinary Procedure

From the request of arbitration to the appointment of the Arbitral Tribunal*

4 months

From the appointment of the Arbitral Tribunal to its constitution

**up to
1 month**

From the constitution of the Arbitral Tribunal to the end of the procedure

8 months

*Average time for filing of response, paying of funds and confirming the arbitrators

Average duration of proceedings in 2021: 13 months

Simplified Procedure

From the request of arbitration to the appointment of the Sole Arbitrator

84 days

From the appointment of the Sole Arbitrator to its constitution

**up to
15 days**

From the constitution of the Sole Arbitrator to the end of the procedure

71 days

Average duration of proceedings in 2021: 170 days



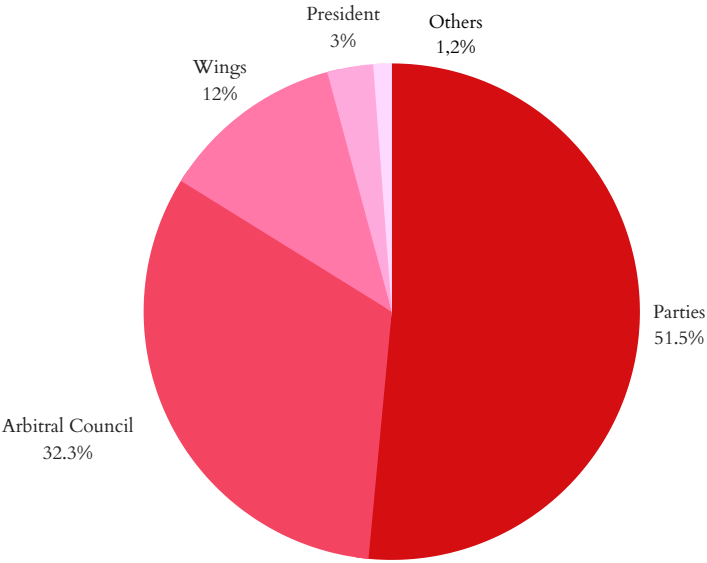
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ARBITRATOR APPOINTMENTS IN PERCENTAGE %

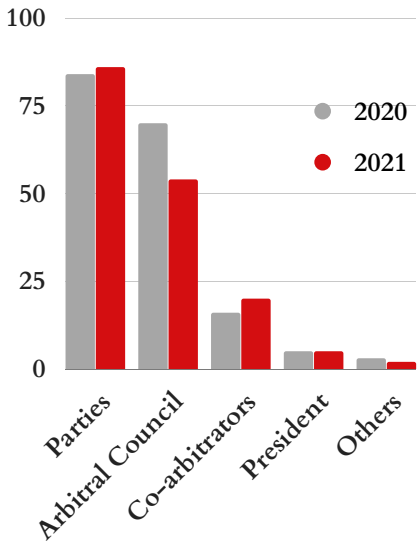
167
in 2021

In 2021 arbitrators have been appointed by:

- 51,5% - Parties
- 32,3% - Arbitral Council
- 12% - Co-arbitrators
- 3% - President of CAM
- 1,2% - Other authorities



APPOINTING AUTHORITY



	PARTIES	ARBITRAL COUNCIL	CO-ARBITRATORS	PRESIDENT OF CAM	OTHER AUTHORITY
2020	84	70	16	5	3
2021	86	54	20	5	2

GENDER EQUALITY - WOMEN IN ARBITRATION

ONE IN FIVE ARBITRATOR IS A WOMAN

IN DETAIL

181 is the total number of appointments of Arbitrators in CAM 2021 proceedings: 37 of which are female Arbitrators, representing 20.4% of the total number of appointments.

The 37 appointments of female Arbitrators were made by:

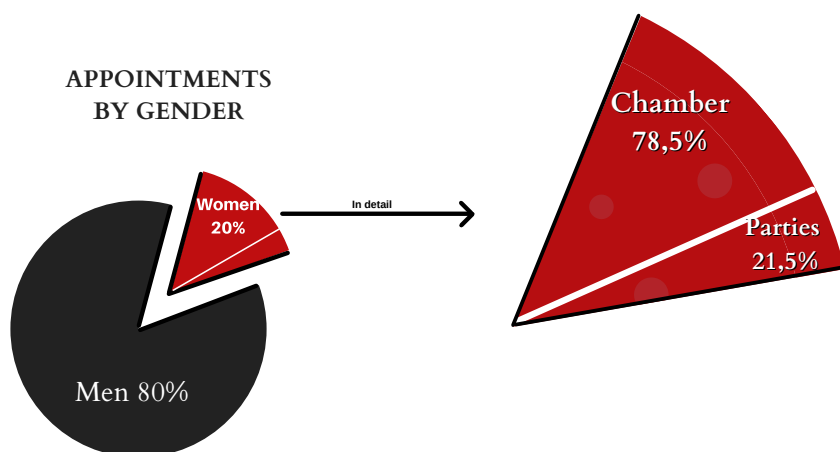
29 by CAM (representing 41.4% of CAM appointments and amounting to 78.5% of total Arbitrator appointments);

7 by the Parties (equal to 7.9% of the total appointments made by the Parties);

1 by Co-Arbitrators (equal to 4.3% of the total Co-Arbitrators appointments).

When CAM appoints the Arbitrator, one out of two Arbitrators is a woman. When the appointment is made by the Parties they choose women Arbitrators in 4.3% of the cases.

APPOINTMENTS
BY GENDER

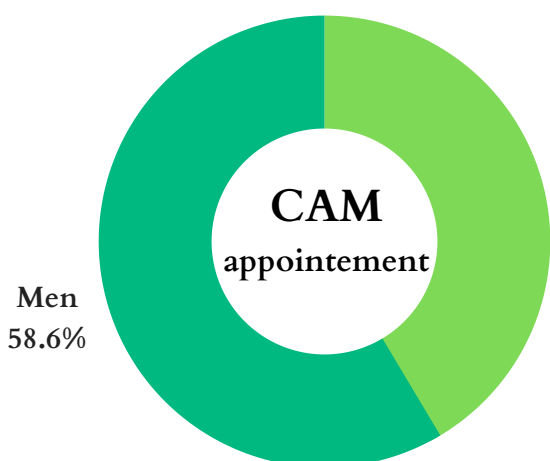


Pledge

CAM has been committed to the reduction of the gender gap for many years by signing a pledge: the "Equal Representation in Arbitration Pledge".

It is a call to the international arbitration community to increase the number of women appointed as arbitrators, with the ultimate goal of full equality.

Signed in 2016, to date lots of international law firms and arbitral institutions around the world have joined.



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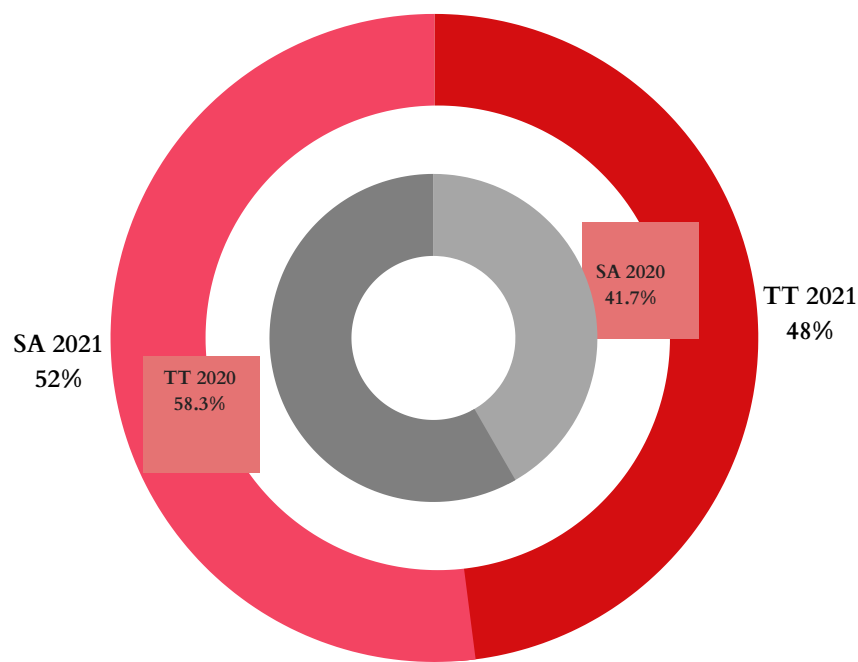
THREE MEMBERS TRIBUNAL VS SOLE ARBITRATOR

➤ Three members
Tribunal (TT)

➤ Sole
Arbitrator (SA)

● 2020

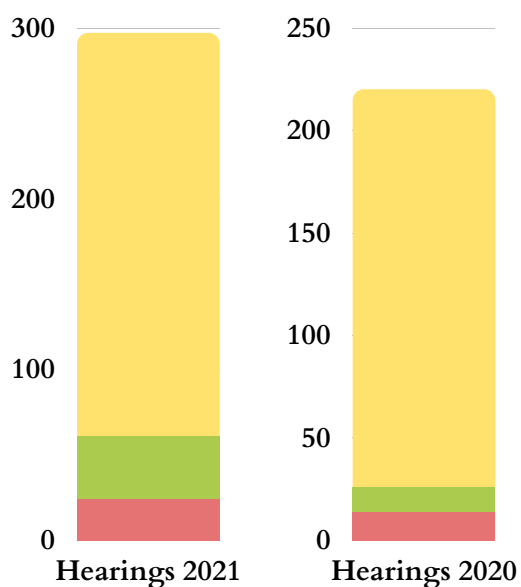
● 2021



+28%

increased reference to a
Sole Arbitrator

HEARINGS



Virtual hearings

Hybrid hearings
(on-line + in person)

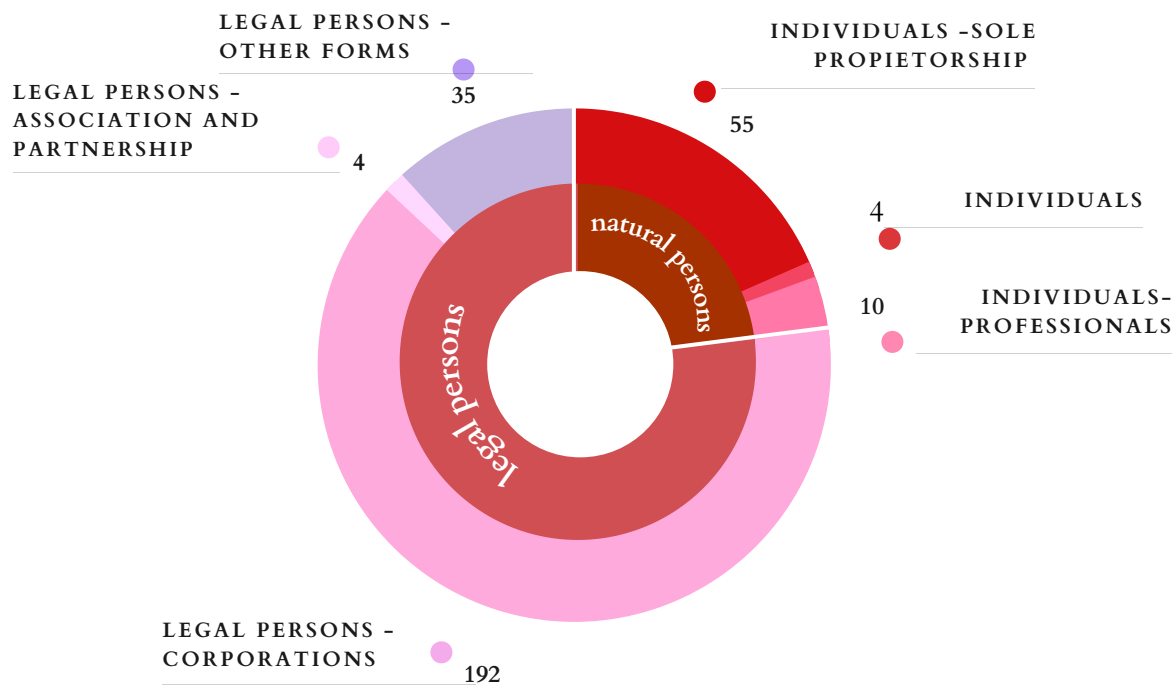
In person hearings

SORTED BY TYPE		%
Virtual hearings	236	79,4%
In person hearings	37	12,5%
Hybrid hearings	24	8,1%



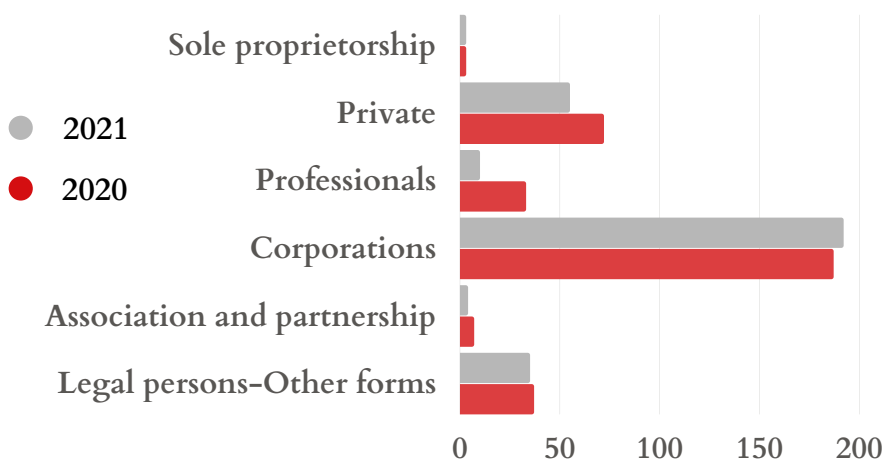
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PARTIES



PARTI DIVISE PER TIPOLOGIA		
LEGAL PERSONS	Corp.	65%
	Other forms	11%
	Ass. and partnership	1%
INDIVIDUALS	Private	19%
	Professionals	3%
	Sole Prop.ship	1%

PARTIES - 2021/2020 IN COMPARISON



Increased number of Corporations **+2,6%**



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ORIGIN OF PARTIES - ITALY

BY REGISTERED OFFICES OR RESIDENCE



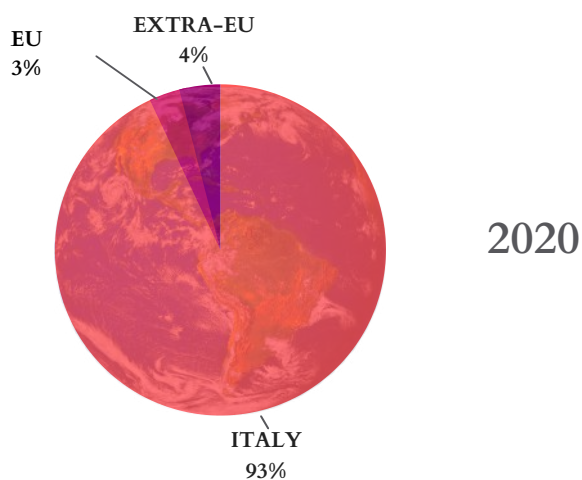
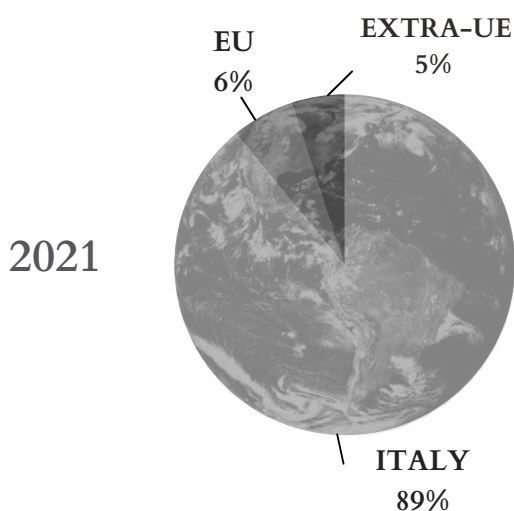
NORTH-WEST 57.4%
NORTH-EAST 22.4%
CENTER 14.1%
SOUTH 6.10%

2021: 267 Italian parties

- 38% Milan;
- 8,5% Rome;
- 5,1% Monza-Brianza;
- 3,7% Varese;
- 3% Ferrara;
- 2,6%* Bergamo, Verona;
- 2,2% Padova;
- 1,9%* Bologna, Modena, Napoli;
- 1,5%* Mantova, Messina, Torino;
- 1,1%* Bolzano, Forlì-Cesena, Genova, Lodi, Lucca, Ravenna, Savona, Sondrio;
- 0,7%* Bari, Cagliari, Como, Cremona, Cuneo, Lecco, Pesaro-Urbino, Trento, Treviso, Venezia, Vicenza;
- 0,4%* Arezzo, Benevento, Brescia, Caserta, Catanzaro, Cosenza, Imperia, Isernia, La Spezia, Lecce, Macerata, Pavia, Perugia, Piacenza, Prato, Reggio Calabria, Sassari, Siena, Trieste;

(*the % data is the same in the different cities listed)

NATIONALITY OF THE PARTIES - WORLDWIDE



27 international arbitrations, 22% of the total
+42% increased number of parties from the EU



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ORIGIN OF PARTIES-EU

BY REGISTERED OFFICES OR RESIDENCE

- France
- Germany
- Ireland
- Lithuania
- Luxembourg
- Netherlands
- Portugal
- Spain
- United Kingdom



ORIGIN OF PARTIES - NON-EU

BY REGISTERED OFFICES OR RESIDENCE

- Brazil
- China
- Hong-Kong
- Iran
- Mexico
- Switzerland
- U.A.E.
- U.S.A



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SEAT OF ARBITRATION



Milan:

107 proceedings in **2020**

117 proceedings in **2021**



Italy (other cities):

13 proceedings in **2020**

6 proceedings in **2021**

Language of the proceedings



89,5 %



10,5 %



CAMERA
ARBITRALE
DI MILANO

MILAN CHAMBER OF ARBITRATION AS APPOINTING AUTHORITY



CAM ON DEMAND

CAM offers a range of services for [ad hoc arbitration](#) upon request of the parties and according to their needs.

For example, it is possible to request :

- a service for [appointing arbitrators](#), as well as evaluating and verifying their independence;
- the [support in managing](#) the arbitration files or the research and rent of hearing rooms.

CAM provides [recording, transcription, interpreting and audio/video conferencing services](#), as well as an [anonymization](#) service for an arbitration award or other acts or decisions.

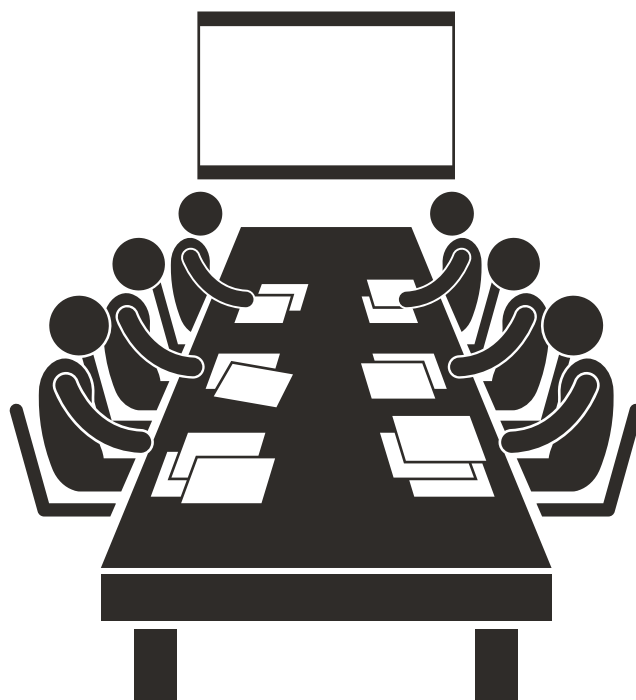
Among the [new services available](#), there is the possibility of requesting the presence of a [representative of the Secretariat](#) to attend the hearing and draft the minutes.

As of January 1, 2022, the new [CAM On Demand Procedural Guidelines](#) is in effect.

CAM, upon request of the parties, appoints arbitrators, technical advisors, expert witnesses in [ad hoc arbitration](#).

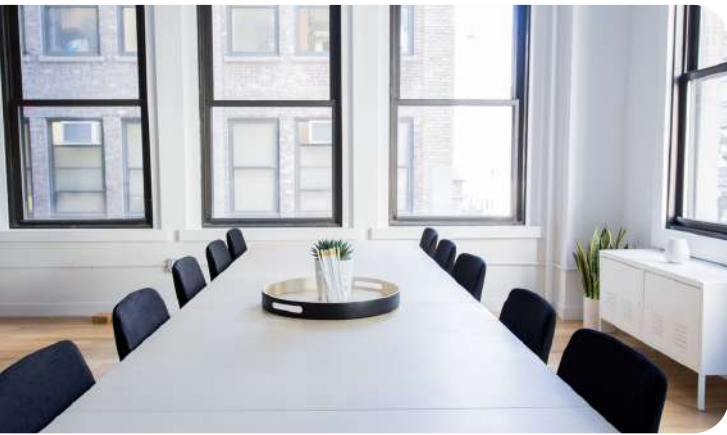
The parties may decide, until the Arbitral Tribunal is constituted, **to amend their agreement and turn their ad hoc case into an administered arbitration**, providing for the application of the CAM Rules.

To find out how to file an appointment petition [click here](#).



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MILAN CHAMBER OF ARBITRATION NATIONAL NETWORK



AFFILIATED CHAMBERS OF COMMERCE AND OTHER ENTITIES

- Avellino Chamber of Commerce
- Bari Chamber of Commerce
- Benevento Chamber of Commerce
- Bologna Chamber of Commerce
- Brescia Chamber of Commerce
- Cremona Chamber of Commerce
- Ferrara Chamber of Commerce
- Forlì-Cesena Chamber of Commerce
- Genoa Chamber of Commerce
- Genoa Bar Association
- Lecco Chamber of Commerce
- Mantua Chamber of Commerce
- Modena Chamber of Commerce
- Pavia Chamber of Commerce
- Pescara Bar Arbitration Chamber
- Piacenza Chamber of Commerce
- Pistoia Chamber of Commerce
- Treviso Bar Association
- Varese Chamber of Commerce

To sign an agreement with the Milan Chamber of Arbitration or to receive further information please contact: arbitrato@mi.camcom.it

The Milan Chamber of Arbitration has its own arbitration office in Rome available to parties, counsels and arbitrators from the Central and Southern areas of the Country. The office is located at the headquarters of the Italian Association for Arbitration (AIA) (for information please contact: cam.roma@mi.camcom.it).

In 2020, CAM has signed an agreement with the Italian Association for Arbitration (AIA), for the administration of arbitration proceedings.

Moreover, CAM supports several Italian Chambers of Commerce in the administration of arbitration cases. The joint administration of cases takes place on the basis of the Milan Chamber of Arbitration Rules. Main features are:

- The request for arbitration may be filed either with the Chamber of Commerce referred to in the arbitration agreement or with the Milan Chamber;
- Hearings can take place at both centres, relying on CAM's attendance providing assistance and taking minutes;
- Unless otherwise agreed by the parties, the Milan Chamber of Arbitration, taking into account the indications received from the local Chamber, appoints the arbitrators and checks their independence, according to the provisions of Milan Chamber Arbitration Rules.

Moreover, the Milan Chamber of Arbitration further supports the affiliated centres in organizing training and promotional events on arbitration.



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The Milan Chamber of Arbitration (CAM) has acquired a prominent role, both in Italy and internationally, among institutions offering ADR services.

In particular, CAM:

- is a board member of **IFCAI** (International Federation of Commercial Arbitration Institutions) a body that brings together the most active and representative arbitration institutions in the world; the Director of CAM, Stefano Azzali, has been appointed as its **President**;
- is part of the **Fab Four** together with the German Institution of Arbitration (DIS), the Arbitration Institution of the Stockholm Chamber of Commerce (SCC) and the Vienna International Arbitration Center (VIAC);
- since 2009, CAM organizes its **Annual Conference**, the most expected event in Italy on the hot topics of international arbitration;
- is Italy Contry Reporter for **ITA** (Institute for Transnational Arbitration);
- is an active member of the **World Forum of Mediation Centers**, sponsored by the Union Internationale des Avocats;
- hosts the annual meeting of the **Club of Arbitrators** of CAM, an association of highly regarded experts and practitioners of international standing.

Thanks to its experience and the prestige of its members, the Club joins the work of the **UNCITRAL** (United Nations Commission on International Trade Law), which is active in international arbitration matters.

In addition, CAM develops specific ADR tools to efficiently address the needs of Italian economic operators, with regard to geographical areas considered a priority from a commercial and investment point of view. As of today, these areas are the Mediterranean and China.



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CAM is accredited by the Country Code Top Level Domain .IT Registry, the Italian authority that administers domain names and provides a list of dispute resolution centers specific to this kind of disputes.

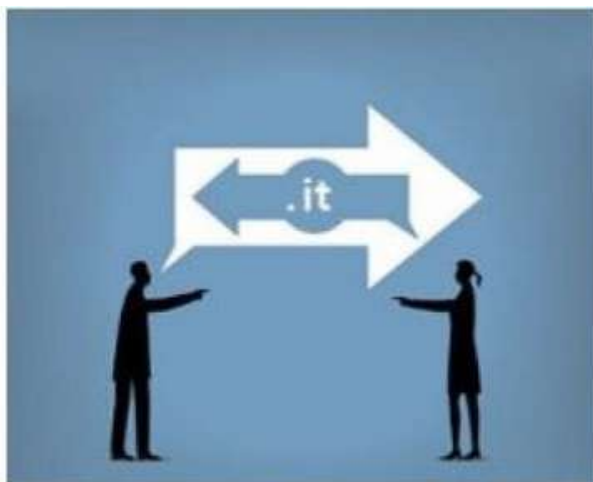
The Registry, as well as CAM operate in accordance with the rules established in this field by international authorities such as IANA (Internet Assigned Numbers Authority) and ICANN (Internet Corporation for Assigned Names and Numbers).

The procedure may be activated in specific cases, for instance when the contested domain name generates confusion as to a trademark or when it has been registered in bad faith (see: [Regulations for Resolution in ccTLD .it](#)). In all these cases the final decision will reassign the domain name to whom is found to be the legitimate owner.

Given the highly technical aspects of this field, CAM relies on a list of experts who are entrusted with the task of making the final decision.

[Decisions are published on the CAM website](#) and on the Registry website.

For further information, please visit the dedicated section on our [website](#).



2021

- From the filing of the application to the decision takes on average **60 days**.
- In one year, **15 procedures**



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Thank you!

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please contact us.

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To keep up with the Chamber's
activities sign up to our newsletter!

You can also find us on



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