



MILAN
CHAMBER OF
ARBITRATION

ANNUAL REPORT

ARBITRATION 2020

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ANNUAL REPORT 2020

ARBITRATION

Executive Summary

The Annual Report 2020 shows positive data of the Milan Chamber of Arbitration's activity. 120 new applications were filed last year – an increase of 18% compared to 2019; there were 178 arbitrator appointments – an increase of 13,4% in one year.

The total sum in dispute of the 120 procedures amounted to more than 836 million euro, while the average value per arbitration was approximately 4 million euro.

The average duration of an arbitral proceeding was of 11,5 months, 17% shorter than the previous year.

The parties who resorted to arbitration were legal entities in 68% of the cases (55% corporations); among individuals (32%) there was an increase in the number of professionals (10%). Arbitration was handled by a panel of 3 arbitrators in 58% of the cases; in 42% by a sole arbitrator.

With regard to the subject-matter of the dispute, the most important areas were corporate matters (48%), constructions (9%) and contractual disputes such as leasing, sale of goods, transfer of business units (7.5%).

The largest share of arbitrators were appointed by the parties (47%), followed by the Arbitral Council (39%), co-arbitrators (9%) and the President of the Milan Chamber of Arbitration (3%). A total of 178 appointments were made.

In 2020 a new set of Rules were adopted, the Simplified Arbitration Procedure, which came into force on 1 July 2020. The Simplified Arbitration Procedure guarantees the advantages of the ordinary procedure while ensuring efficiency by reducing both the time of the proceedings and costs.

€ 836 MLN

total sum in dispute for
all new case filings

120

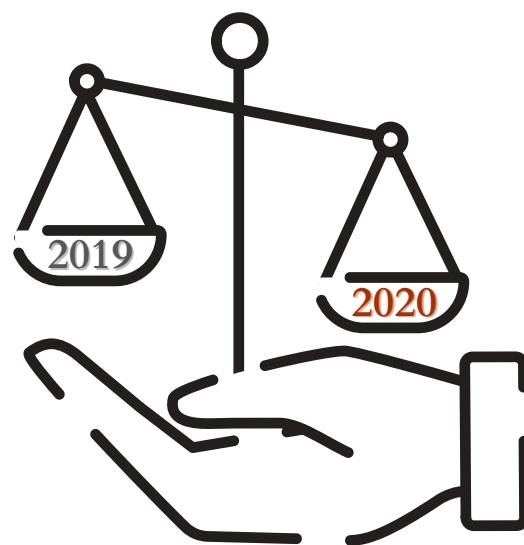
administered cases

-17%

on the duration of
proceedings
compared to 2019

The total sum in dispute for 2020 amounted to **€ 836.129.931**

In 2019 the total sum in dispute was **€ 332.168.610**



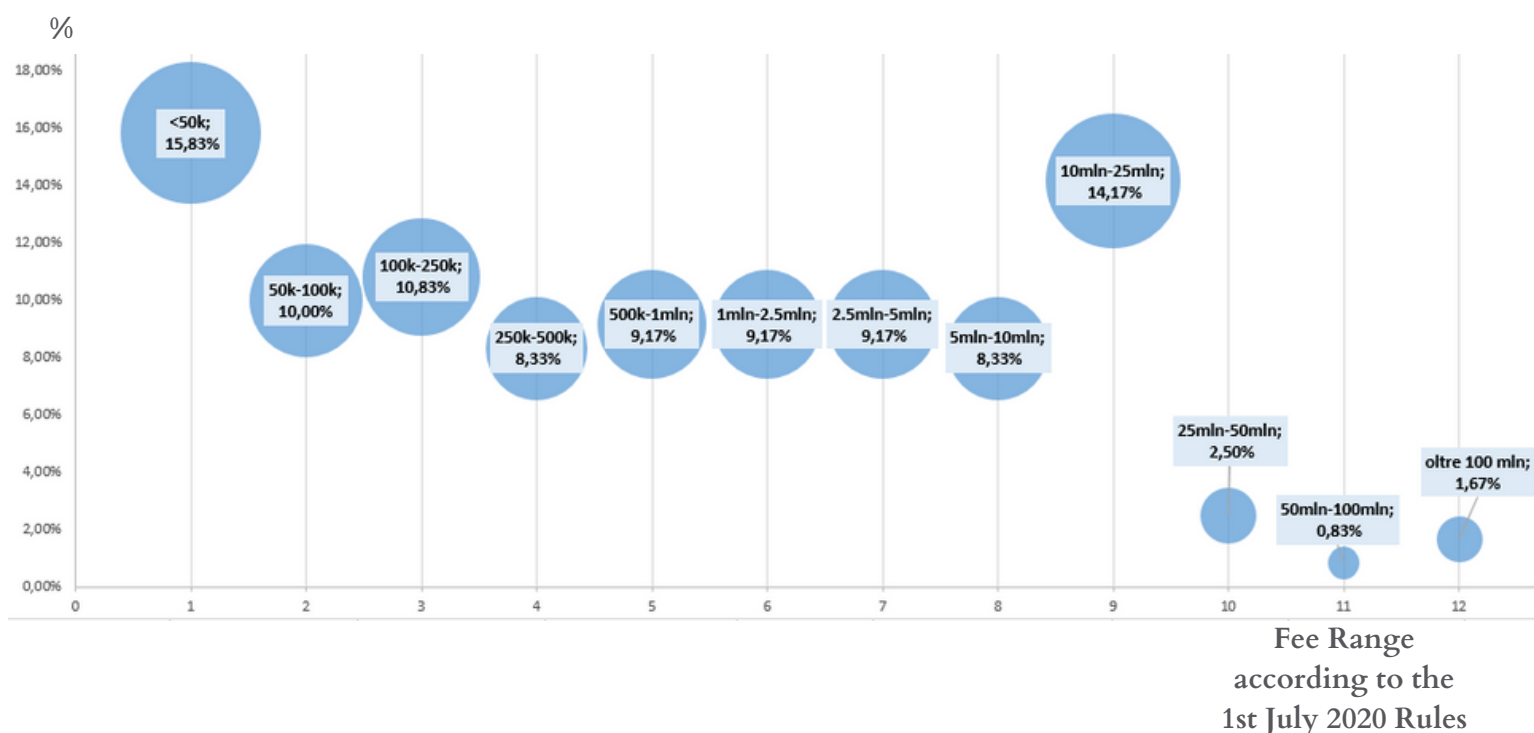
The average value of new cases filed was **€ 4.174.105***
In 2019 the value of cases filed was **€ 1.915.162**

(*The data does not include four highest and lowest values)



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CASELOAD SORTED BY FEE RANGE



	Value of dispute by fee range	# of cases per range	% of cases per fee range
1	Fino a 50.000	19	15,83%
2	50.001 - 100.000	12	10,00%
3	100.001 - 250.000	13	10,83%
4	250.001 - 500.000	10	8,33%
5	500.001 - 1.000.000	11	9,17%
6	1.000.001 - 2.500.000	11	9,17%
7	2.500.001 - 5.000.000	11	9,17%
8	5.000.001 - 10.000.000	10	8,33%
9	10.000.001 - 25.000.000	17	14,17%
10	25.000.001 - 50.000.000	3	2,50%
11	50.000.001 - 100.000.000	1	0,83%
12	Oltre 100.000.000	2	1,67%



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DURATION OF THE PROCEEDINGS & AGREEMENT DATES

The duration of the proceedings
decreased by **17%**



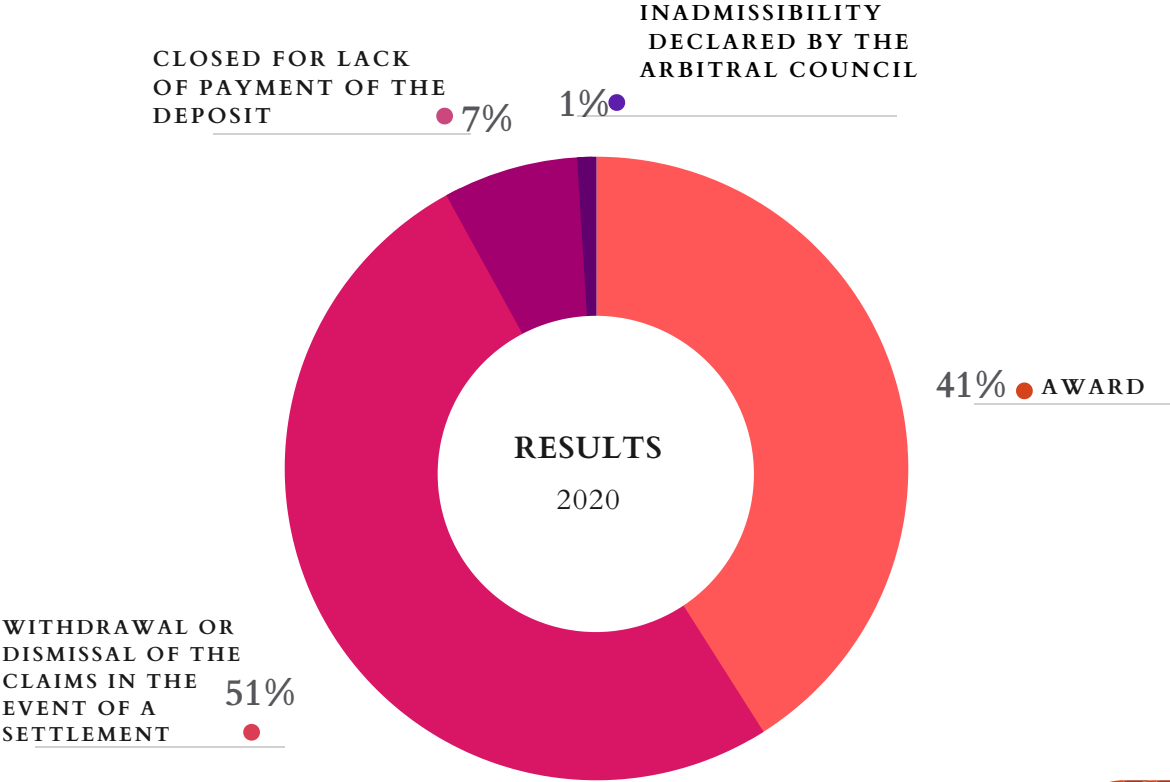
From 14 months in 2019 to **11.5** months in
2020



On average, the time lag between the date
of the agreement out of which disputes
arise and when the disputes are referred to
the Milan Chamber of Arbitration is
4 years and 7 months



CONCLUSION OF THE PROCEEDINGS



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ARBITRATOR APPOINTMENTS

178
in 2020

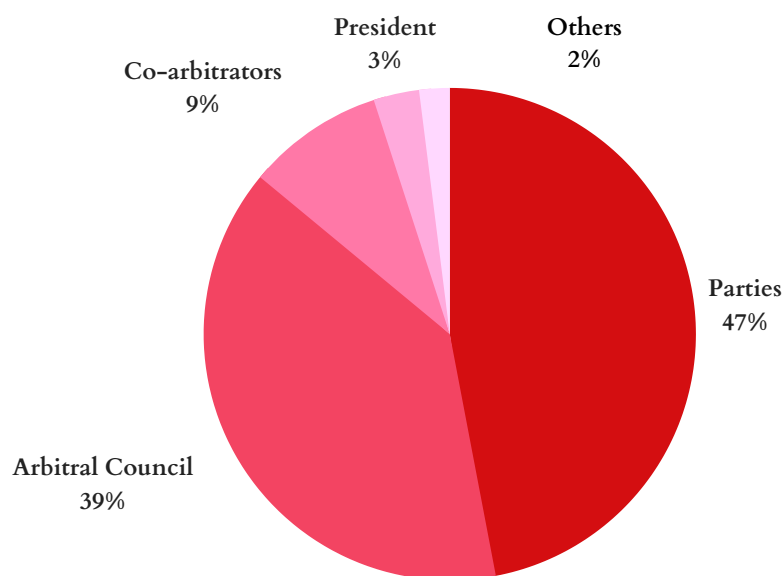
159
in 2019

+ 13,4% IN ONE YEAR



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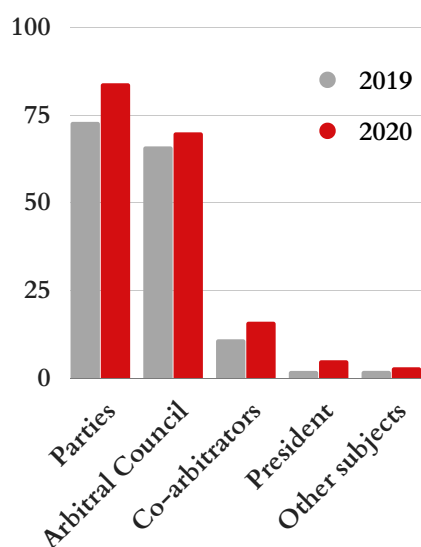
ARBITRATOR APPOINTMENTS IN PERCENTAGE %



In 2020 arbitrators have been appointed by:

- 47% - Parties
- 39% - Arbitral Council
- 9% - Co-arbitrators
- 3% - President of the Milan Chamber of Arbitration
- 2% - Other subjects

APPOINTING AUTHORITY



	Parties	Arbitral Council	Co-arbitrators	President of CAM	Other subjects
2019	73	66	11	2	2
2020	84	70	16	5	3

+ 15,1% of Party appointed arbitrators
+ 6,1 % of Arbitral Council appointments



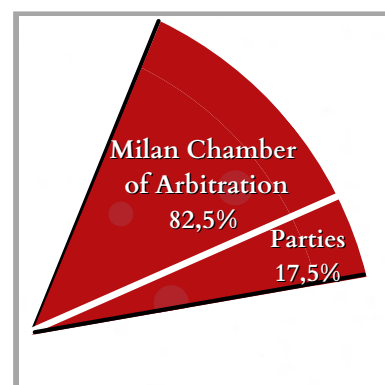
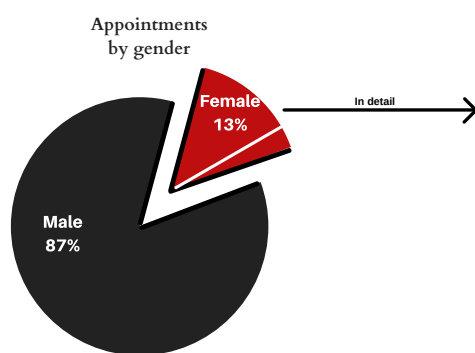
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GENDER EQUALITY - WOMEN IN ARBITRATION

Female arbitrators in Arbitral Tribunals

TOTAL NUMBER OF APPOINTMENTS

SORTED BY APPOINTING AUTHORITY		% FEMALE ARBITRATORS
Arbitral Council	70	26%
President of CAM	5	20%
Parties	84	5%
Co- arbitrators	16	0%
Other subjects	3	0%



REMARKS:

- Out of 100 arbitrators appointed 13 were women
- 82,5% of those have been appointed by the Milan Chamber of Arbitration
- Parties appoint female arbitrators in 5 cases out of 100
- Co-arbitrators **have never** appointed female arbitrators



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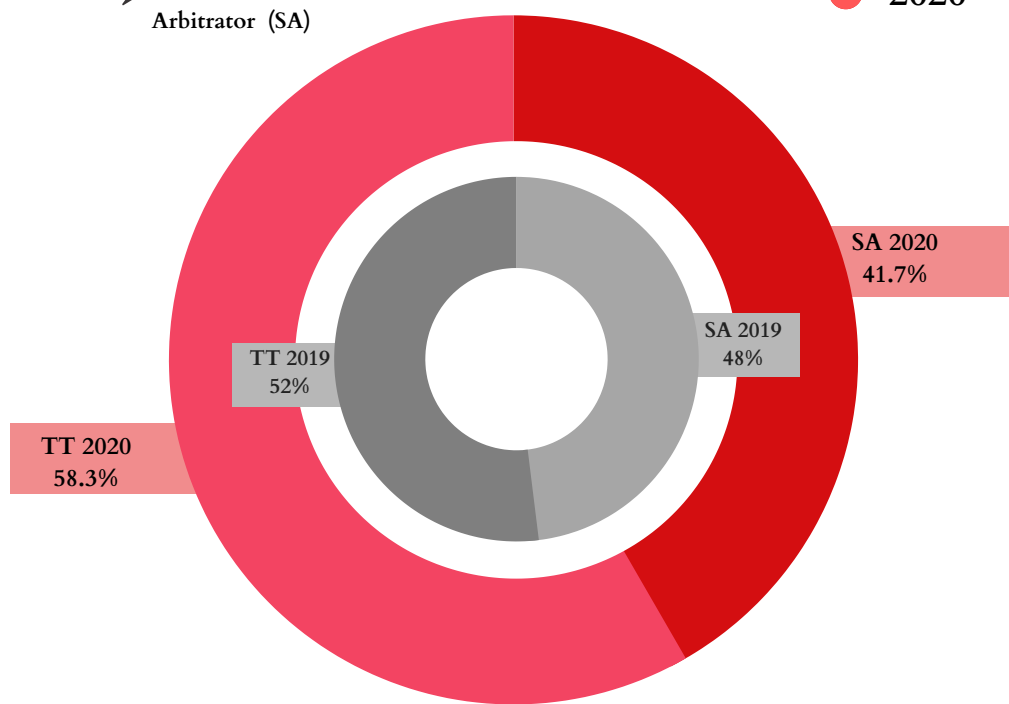
THREE MEMBER TRIBUNAL VS SOLE ARBITRATOR

➤ Three members
Tribunal (TT)

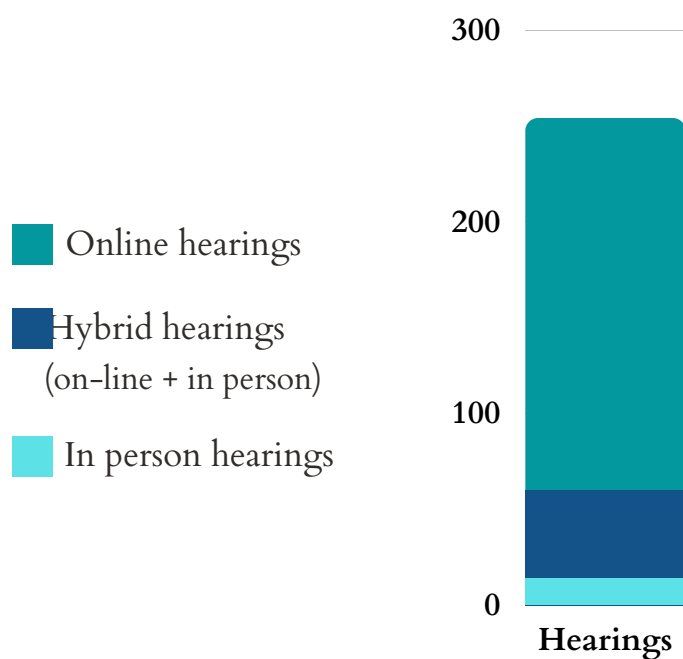
➤ Sole
Arbitrator (SA)

● 2019

● 2020



HEARINGS

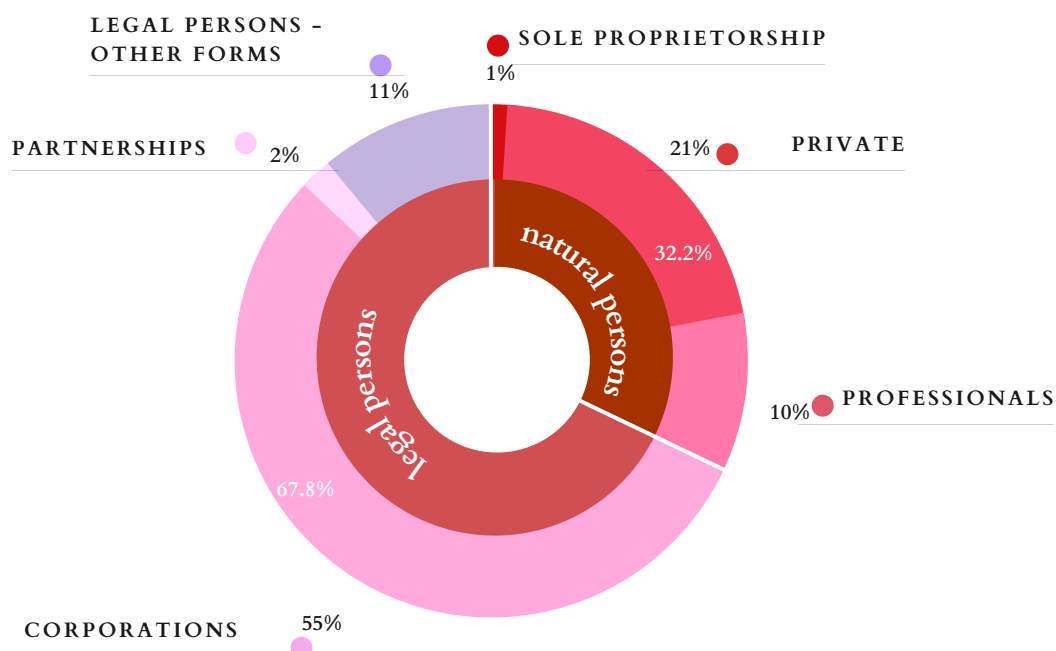


SORTED BY TYPE		%
On-line hearings	194	76,4%
In person hearings	46	18,1%
Hybrid hearings	14	5,5%



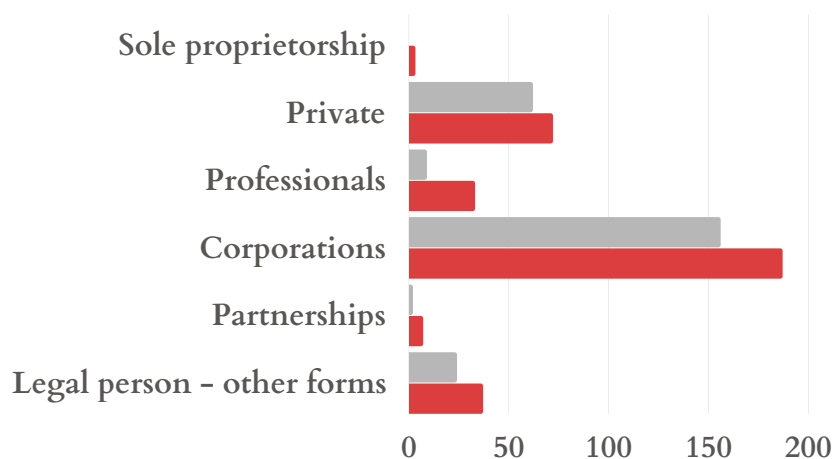
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PARTIES



PARTI DIVISE PER TIPOLOGIA		
LEGAL PERSONS	Corporation	55%
	Other forms	11%
	Partnership	2%
NATURAL PERSONS	Private	21%
	Professionals	10%
	Sole Proprietorship	1%

PARTIES - 2020 VS 2019



2020:

- First cases involving sole proprietorships as parties
- increase of professionals resorting to arbitration
- increase of the number of corporations compared to 2019



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GEOGRAPHICAL LOCATION OF PARTIES - ITALY

BY REGISTERED OFFICES OR RESIDENCE



2020: **311** Italian parties

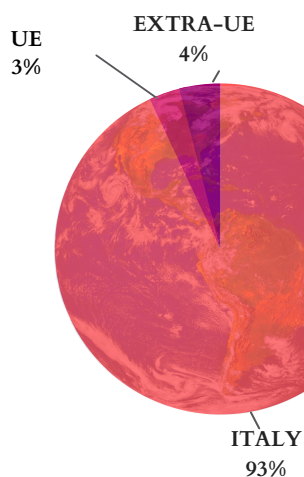
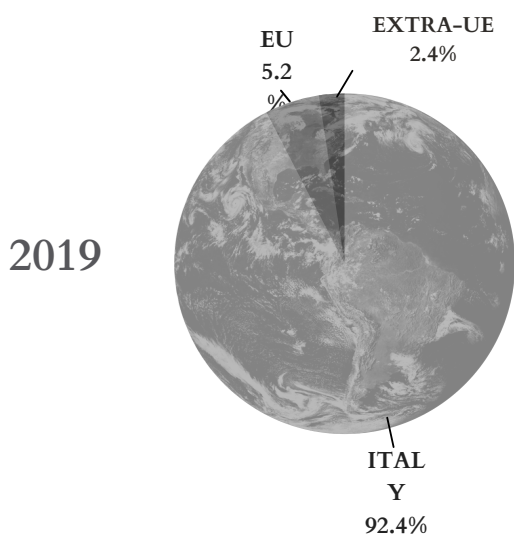
32%= Milan (101), **11%**= Rome (35), **5%**= Turin (14)

3% = Bologna (9), Padua (8), Brescia (8)

2%= Modena (7), Monza and Brianza (7), Pavia (6), Verona (6), Genoa (6), Bergamo (6), Como (6), Cremona (6), Ferrara (5), Treviso (5), Mantova (5), Piacenza (5)

1%= Other cities

NATIONALITY OF THE PARTIES - WORLDWIDE



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GEOGRAPHICAL ORIGIN OF PARTIES-EU

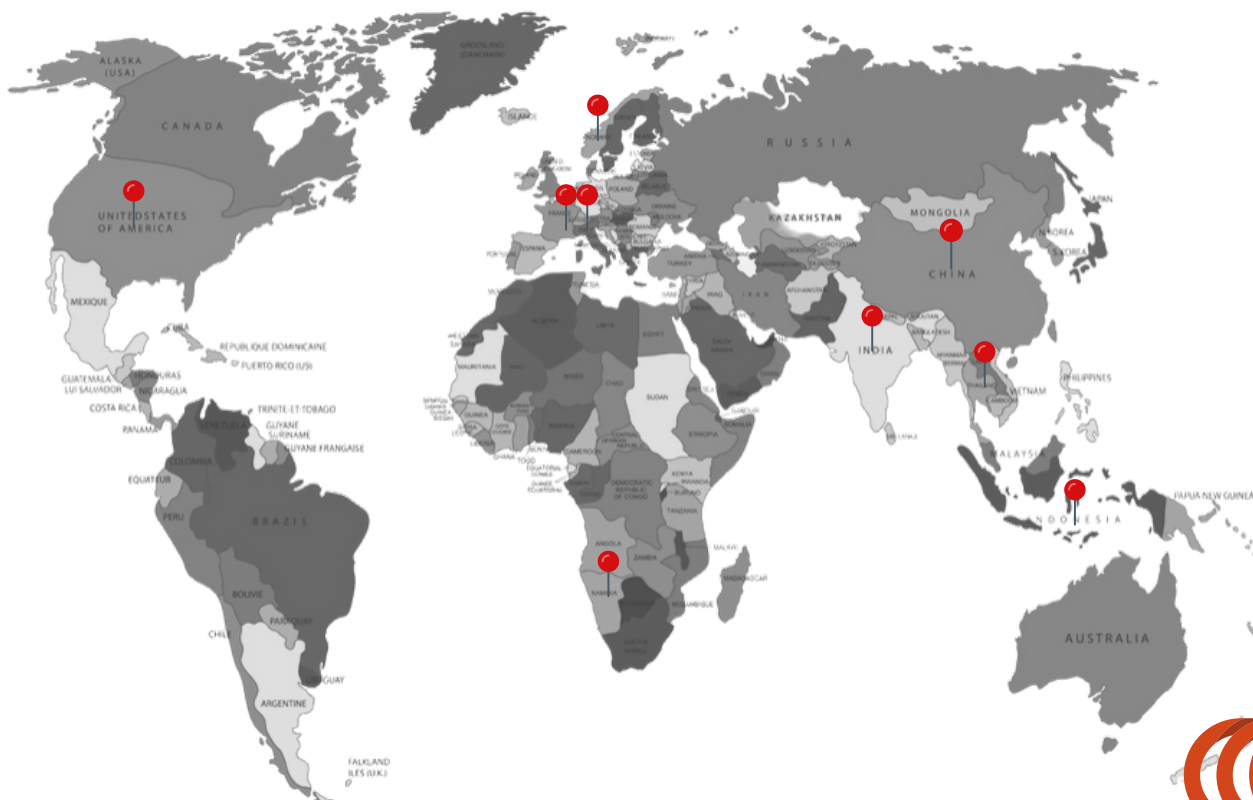
BY REGISTERED OFFICES OR RESIDENCE

- Belgium
- France
- Germany
- Luxemburg
- Malta
- United Kingdom
- Czech Republic



GEOGRAPHICAL ORIGIN OF PARTIES - NON-EU

BY REGISTERED OFFICES OR RESIDENCE



- China
- India
- Indonesia
- Monaco
- Namibia
- Norway
- United States
- Switzerland
- Thailand



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Milan:

107 proceedings in **2020**

97 proceedings in 2019



Italy (other cities):

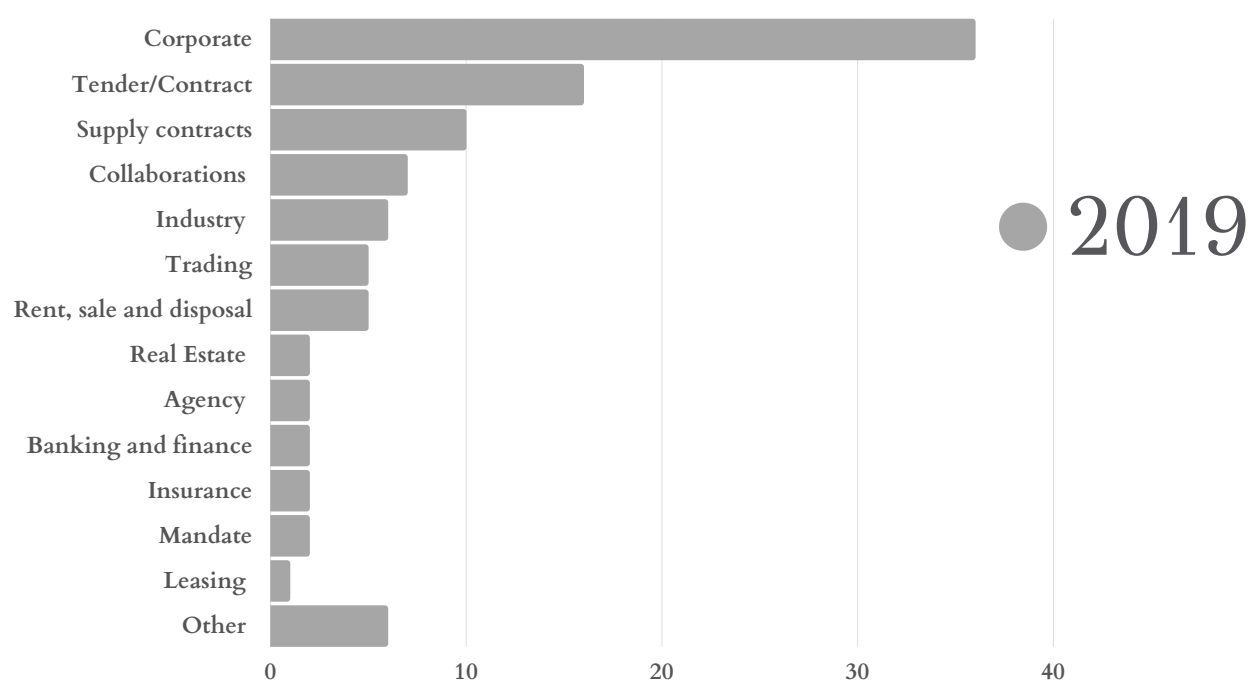
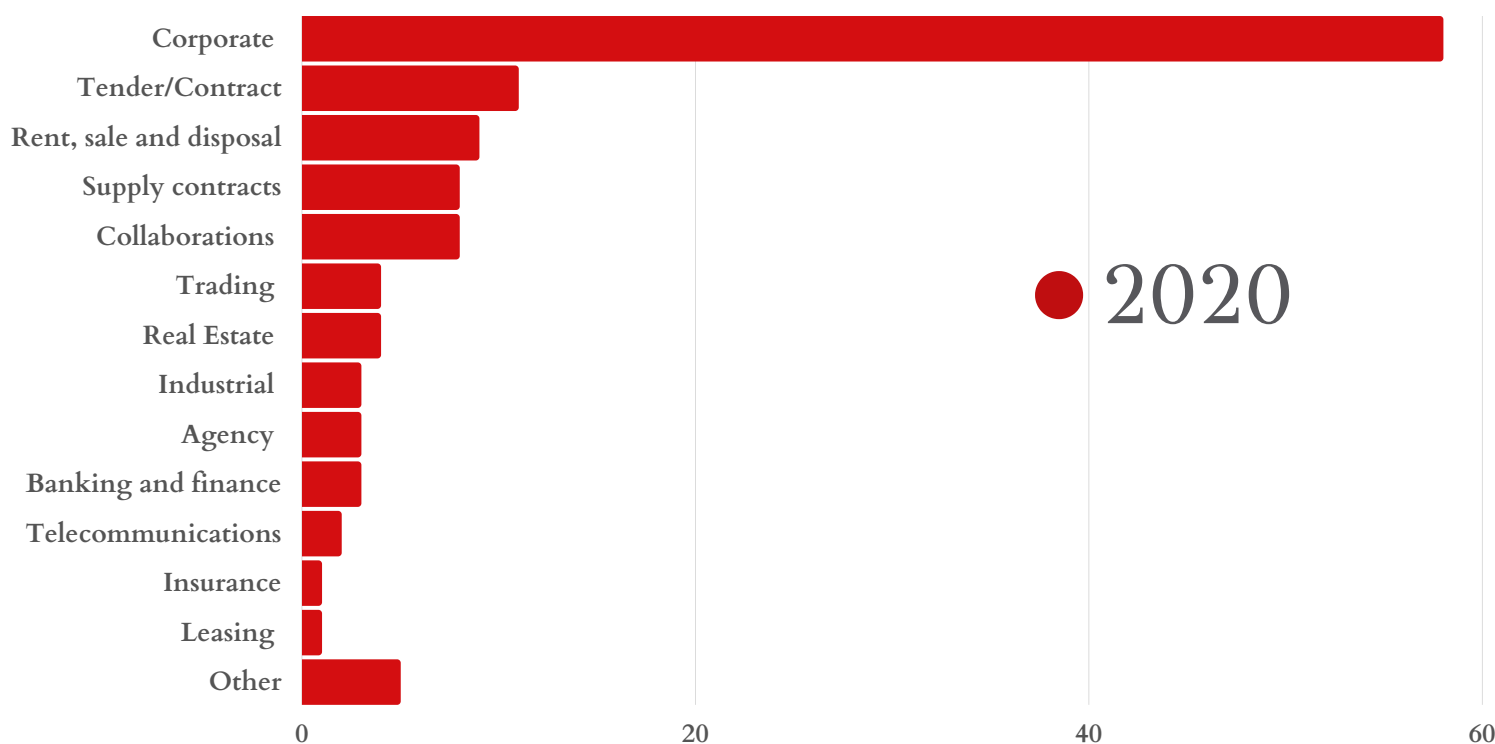
13 proceedings in **2020**

5 proceedings in 2019



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AGREEMENT TYPES



+ 22 new cases in the arbitration sector (+61% in 2020 when compared with 2019)
2 new cases in the telecommunications sector



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SIMPLIFIED PROCEDURE KEY POINTS

PROCEDURE ESTABLISHED ON JULY 1ST 2020

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

Scope of application:

- For proceedings with a value not exceeding €250,000;
- For proceedings without any economic value limit, if the parties expressly request the simplified procedure.

Costs:

The costs are reduced by approximately 30%, compared to ordinary arbitration (both the fees of the Milan Chamber of Arbitration and the fees of the sole arbitrator).

Duration:

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

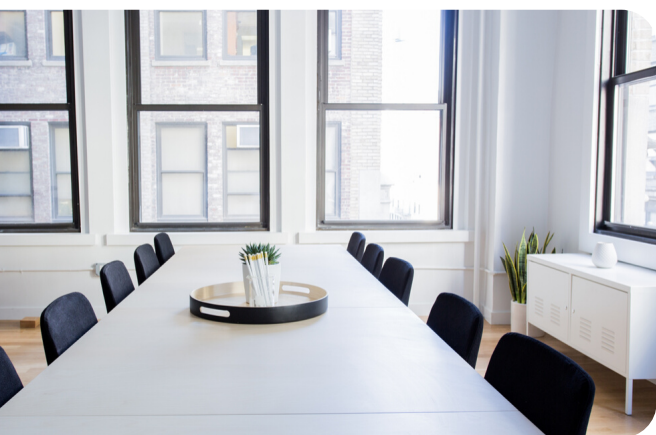
Characteristics:

- The decision is always entrusted to a sole arbitrator.
- The number of legal minutes is significantly reduced.
- The preliminary investigation takes place in a maximum of one hearing.



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MILAN CHAMBER OF ARBITRATION NATIONAL NETWORK



AFFILIATED CHAMBERS OF COMMERCE

- Chamber of Commerce in **Avellino**
- Chamber of Commerce in **Bari**
- Chamber of Commerce in **Benevento**
- Chamber of Commerce in **Bologna**
- Chamber of Commerce in **Brescia**
- Chamber of Commerce in **Cremona**
- Chamber of Commerce in **Ferrara**
- Chamber of Commerce in **Forlì-Cesena**
- Chamber of Commerce in **Genova**
- Chamber of Commerce in **Lecco**
- Chamber of Commerce in **Mantova**
- Chamber of Commerce in **Modena**
- Chamber of Commerce in **Pavia**
- Chamber of Commerce in **Pistoia**
- Chamber of Commerce in **Varese**

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, defenders 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.

- The agreement provides that 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 in either place and, where appropriate, CAM officials participate in them, providing assistance and taking care of the minutes;
- Unless otherwise agreed by the parties, the Milan Chamber of Arbitration, taking into account the indications received from the local Chamber, may appoint the arbitrators and check their independence, according to the provisions of Milan Chamber Arbitration Rules.

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



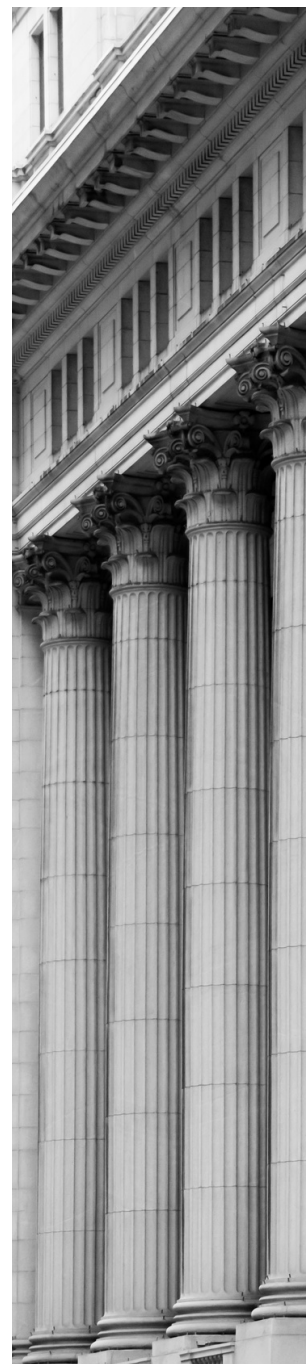
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MILAN CHAMBER OF ARBITRATION INTERNATIONAL NETWORK

The Milan Chamber of Arbitration represents a point of reference also at international level among institutions offering ADR services.

In particular, CAM:

- currently chairs The **International Federation of Commercial Arbitration Institutions (IFCAI)** a body that brings together the most active and representative arbitral institutions in the world. CAM has been a member since 1991. From 2009 to 2018, CAM's Director Stefano Azzali served as Secretary Treasurer in IFCAI and in 2018 he was appointed President;
- is a member of **ISPRAMED**, the network of the most representative arbitral institutions in the Middle East - North Africa (MENA) region;
- contributes to the updating and development of editorial products dedicated to international arbitration, in its capacity as the Italian contact-person for the **Institute for Transnational Arbitration (ITA)**;
- is an active member of the World Forum of Mediation Centers promoted by the **Union Internationale des Avocats (UIA)**;
- it annually hosts the Club of Arbitrators, an association of experts in international arbitration which participates in the work of the United Nations Commission on International Trade (UNCITRAL).



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DOMAIN NAMES DISPUTES

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 only 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.

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



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Thank you!

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