



MILAN
CHAMBER OF
ARBITRATION

Beyond judgments. Towards solutions

ANNUAL REPORT

ARBITRATION

2024

Referred to 2023 statistical data

www.camera-arbitrale.it

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Executive Summary 2023 statistical data

CAM's institutional arbitration confirms its constant and stable tendency towards growth, marking a 5,3% increase in deposits of new requests for arbitration compared to the previous year. 138 new requests were lodged with the Chamber in 2023, for a total cumulative value of over 545 million euros, double the sum of 2022.

As for the choice of the adjudicating body, a Sole Arbitrator was requested in 53% of cases, while a Tribunal of three in 47% of proceedings. This marks a 30% increase in the recourse to a Tribunal compared to the previous year, but is in line with the general trend from prior years.

Who refers to CAM arbitration? In 66,6% of cases the parties are a form of corporation, while 20% of parties are natural persons, among which an uptick in professionals may be noticed.

In regard to the results of the proceedings, one in two was closed with a final award (49% of cases), marking an indicative 21% upshift that clearly illustrates the trust in the arbitral instrument and the adjudicating body to which the parties have deferred the resolution of their dispute. A ritual award has the same efficacy as a court judgement, and may only be challenged in a Court of Appeals.

The preferred seat for CAM arbitrations remains Milan, but the choice of other cities has also increased significantly, confirming the ever widening pool of potential users for CAM, which it pursues through a series of agreements and partnerships it subscribes with other institutions and entities of Italian law, for the handling of institutional arbitrations through the CAM Rules and for the dissemination of arbitral culture.

International arbitration, that is proceedings in which one or more parties have their legal seat or residence abroad, has also reached 22,4% of the total. Non-EU parties are also seeing rising numbers.

The average time for an ordinary arbitral proceeding is 12,5 months, which is a 4% reduction compared to last year's times. The length of an arbitration also drastically decreases if the parties opt for a simplified procedure, which on average requires only five months (with a strong performance in 2023, registering a 12,6% reduction compared to 2022 times). Recourse to the simplified procedure has gone up by 25% in the last year.

CAM's institutional arbitration, whether in its ordinary or simplified form, offers a flexible answer which is fitted to the parties' needs, a quick and effective avenue to solve commercial disputes which contributes to the good functioning of the whole justice system in Italy, whose efficiency is a lever for both the Country's economic stability and its attractivity towards foreign investors.

138

Requests for
arbitration in a
year

545

Million Euros: the total
value of 2023 cases,
double the amount of
2022

+25%

The increase in
recourse to simplified
procedure

22.4%

Percentage of
international
proceedings



A NEW PHASE IN ITALY

Fifteen years after the last arbitration reform, the legislator has intervened (with Legislative Decree 146/2022) to modernize the institution and to make it more attractive to foreign investors



THE MOST IMPORTANT NOVELTIES

- attribution of the power to grant interim or provisional measures to arbitrators: This intervention fills a legislative gap that represented an important difference between our system and those geographically and culturally closer jurisdictions.
- strengthening of the guarantees of impartiality and independence of arbitrators: the Italian legislator has introduced on the arbitrators an official duty to preliminarily disclose all potentially relevant circumstances affecting their independence and/or impartiality;
- enforceability of the foreign award: the legislator provided for the immediate enforceability of the decree by which the President of the Court of Appeal declares the effectiveness of the foreign award with sentencing content.

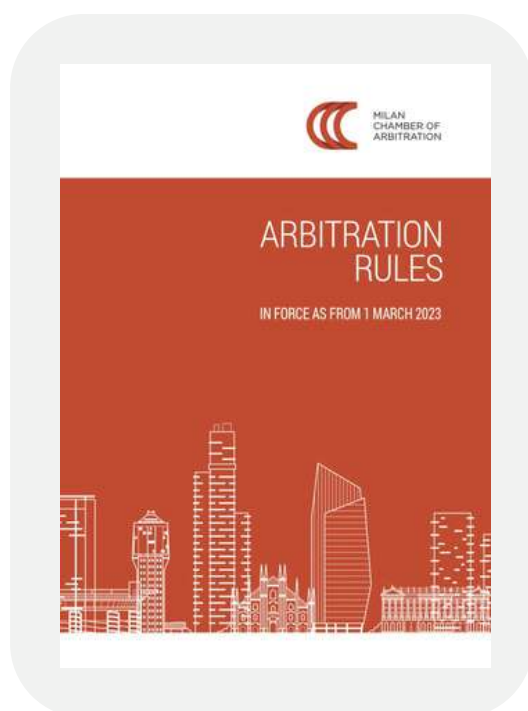
MARCH 1, 2023

THE NEW ARBITRATION RULES OF THE MILAN CHAMBER OF ARBITRATION (CAM) CAME INTO FORCE

The new CAM Arbitration Rules incorporate the changes introduced by the Reform and apply to all proceedings filed on or after March 1, 2023.

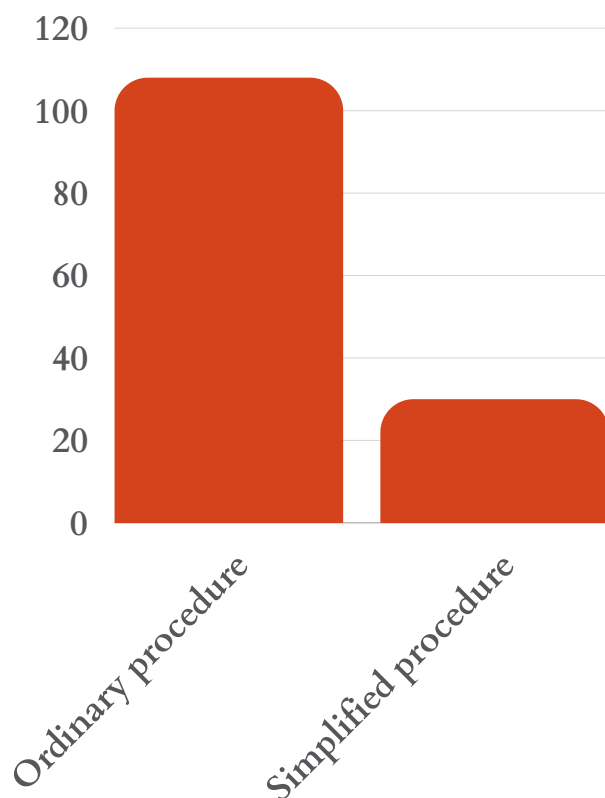
Major changes:

- attribution of broader powers to the Arbitral Tribunal in regards to interim and provisional measures, with a new provision empowering arbitrators to issue interim measures *inaudita altera parte*.
- revision of the institution of emergency arbitrator and the procedure governing its intervention, in light of new legal provisions;
- expansion of the range of decisions that, anonymously, can be published for scientific purposes;
- revision of the article dedicated to the filing of introductory documents (application, answer, reply) in the simplified arbitration procedure.



[CAM ARBITRATION RULES - CONSULT HERE](#)

NUMBER AND VALUE OF THE PROCEEDINGS



138 requests for arbitration filed in 2023

1 in 5 cases

parties choose the simplified procedure

(for Simplified Arbitration procedure see page 9)

The **cumulative value** of the disputes for 2023 amounted to:

€ 545.738.662,40

The **average value** of cases filed in 2023:

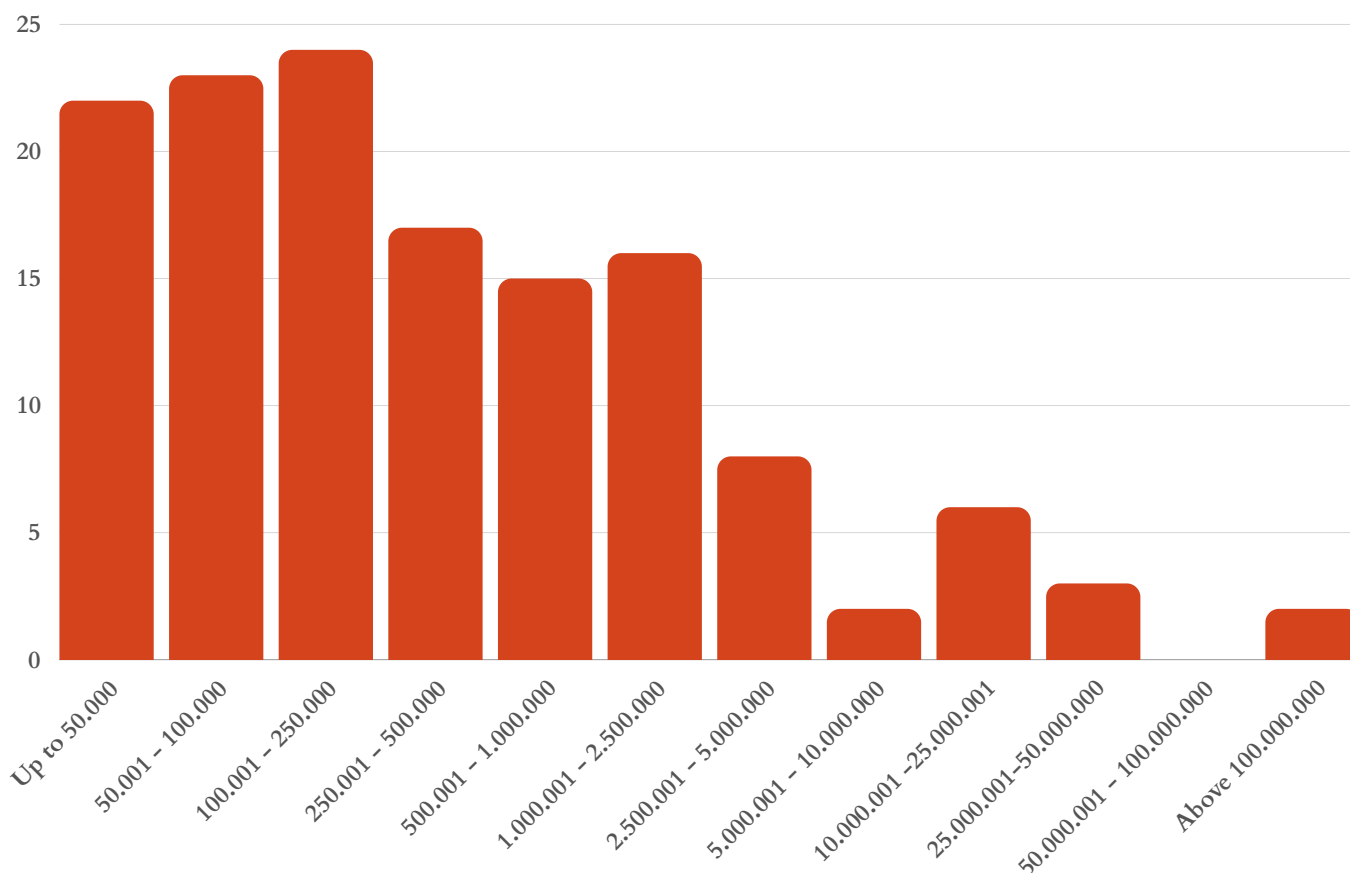
€ 1.717.937,27*

(*net of the 4 highest and lowest values)



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CASELOAD SORTED BY FEE RANGE



| | Value of the dispute by fee brackets | |
|----|--------------------------------------|-------|
| 1 | Up to 50.000 | 16% |
| 2 | 50.001 - 100.000 | 16,6% |
| 3 | 100.001 - 250.000 | 17,5% |
| 4 | 250.001 - 500.000 | 12,3% |
| 5 | 500.001 - 1.000.000 | 10,9% |
| 6 | 1.000.001 - 2.500.000 | 11,6% |
| 7 | 2.500.001 - 5.000.000 | 5,8% |
| 8 | 5.000.001 - 10.000.000 | 1,4% |
| 9 | 10.000.001 -25.000.001 | 4,3% |
| 10 | 25.000.001 - 50.000.000 | 2,2% |
| 11 | 50.000.001 - 100.000.000 | 0 |
| 12 | Above 100.000.000 | 1,4% |



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DURATION OF THE DISPUTE

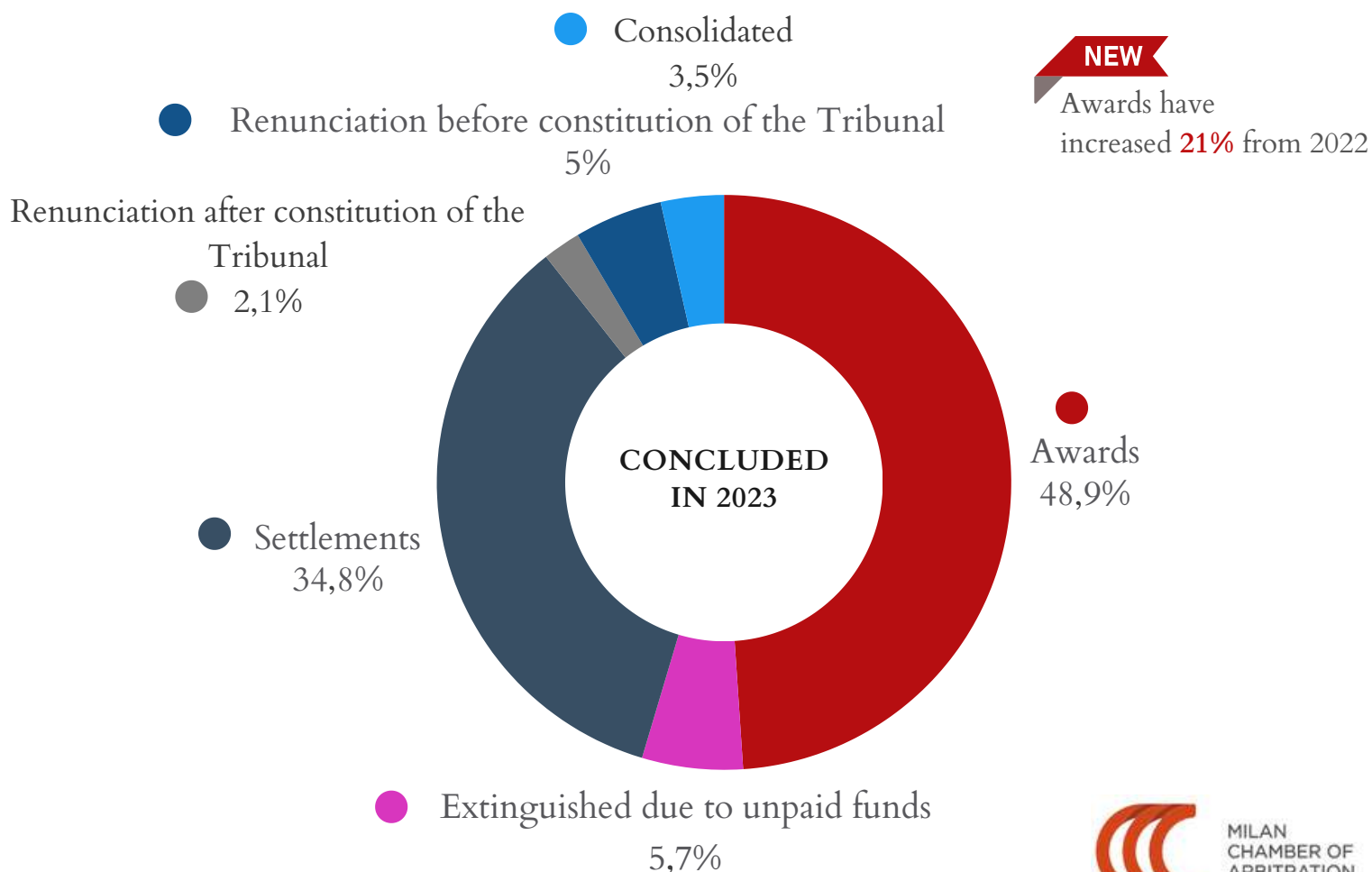


On average, the interval between the arbitral convention's stipulation and the dispute being lodged with the Milan Chamber of Arbitration is
4 years and 11 months

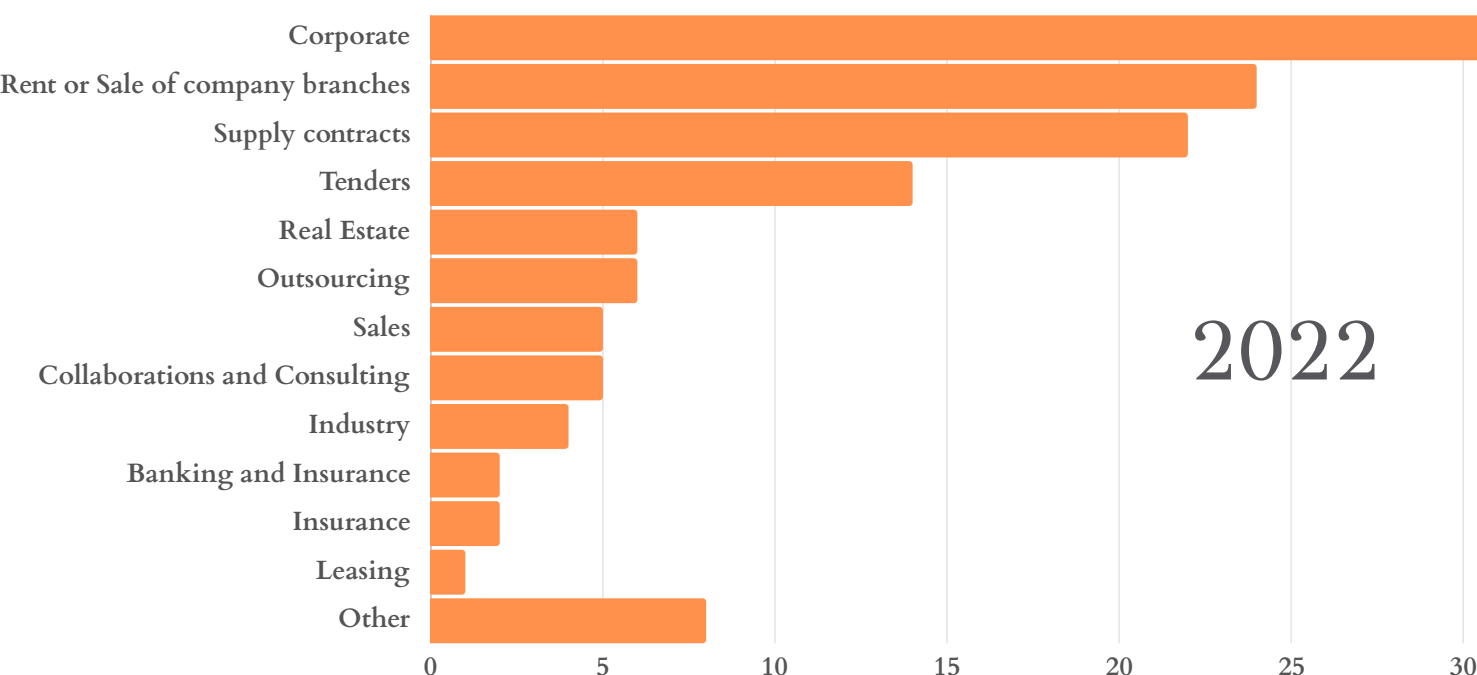
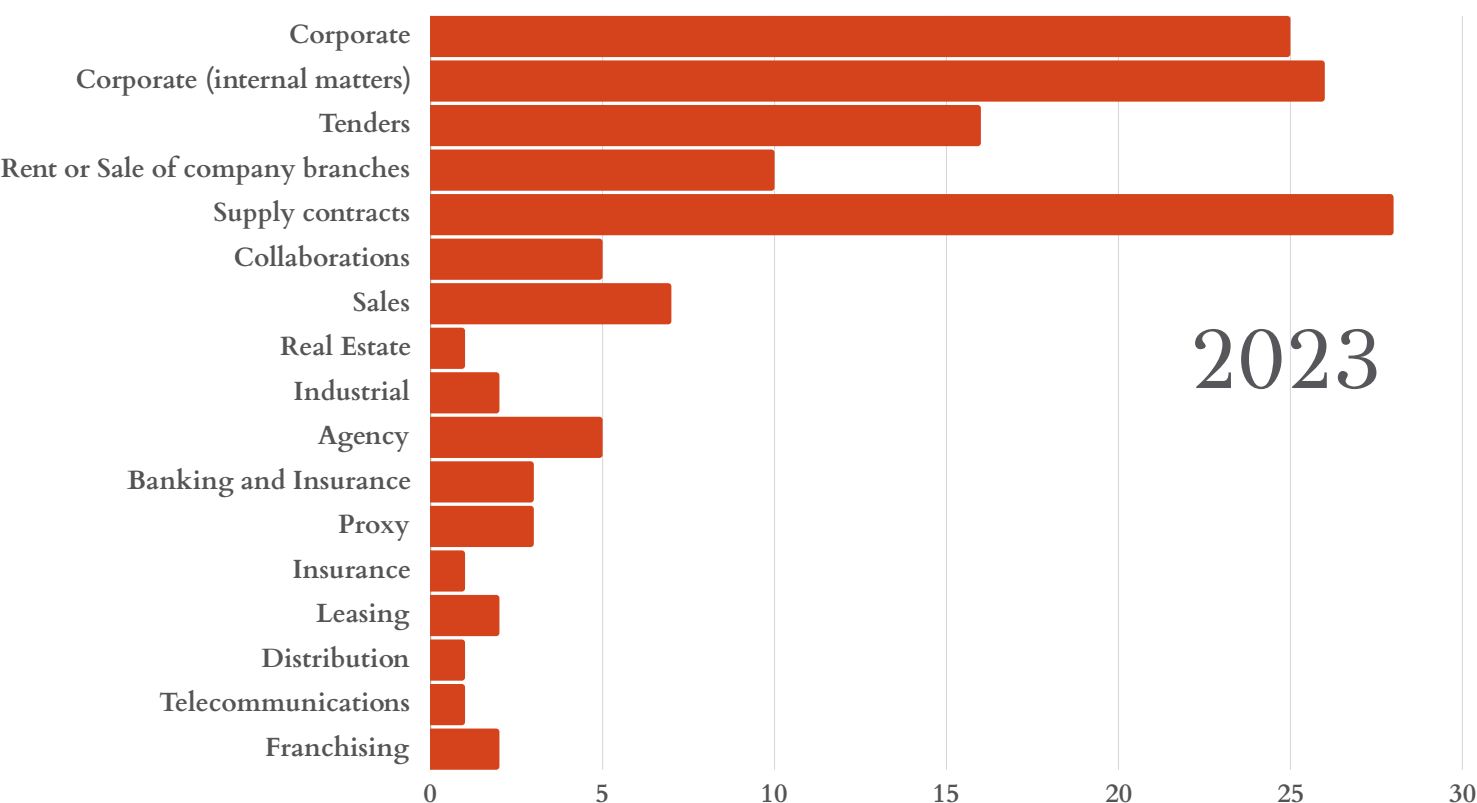
Average duration of the proceedings

12,5 months in **2023**
a 4% reduction from 2022

CONCLUSION OF THE DISPUTE



FIELDS INVOLVED: ORDINARY PROCEDURE



↑ Rising by **27,3%**: disputes in matters of supply contracts.

↑ Rising by **59%**: corporate disputes

NEW
2023 Has seen disputes in matters of **Agency, Proxy, Franchising** and **Telecommunications**, all absent in 2022



SIMPLIFIED ARBITRATION: THE KEY POINTS

PROCEDURE IN FORCE FROM JULY 1, 2020

Simplified Arbitration is a procedure that reduces time and costs compared to ordinary arbitration procedure.

Scope of application

- Proceedings with a value not exceeding 250 thousand euros;
- Proceedings of any value, if the parties expressly request the simplified procedure.

Costs

Costs are reduced by about 30%, compared to ordinary Arbitration (for both the Milan Chamber of Arbitration fees and Sole Arbitrator fees).

Duration

The duration of the proceeding is cut in half: according to the Rules from the date of establishment of the Arbitral Tribunal, the Arbitrator has 3 months to file the award, compared to 6 months in the ordinary procedure.

Features

- The decision is always entrusted to a Sole Arbitrator;
- The number of memoranda is significantly reduced;
- The preliminary phase is held in no more than one hearing.

SIMPLIFIED ARBITRATION

30 the simplified arbitration requests in 2023:
21,7% of the total requests

+25% the increase in requests from simplified arbitration between 2022 and 2023

Average duration of a 2023 simplified arbitration:

5 months

-12,6% compared to 2022



Total value of simplified proceedings in 2023:

€ 2.261.664,69



-30%

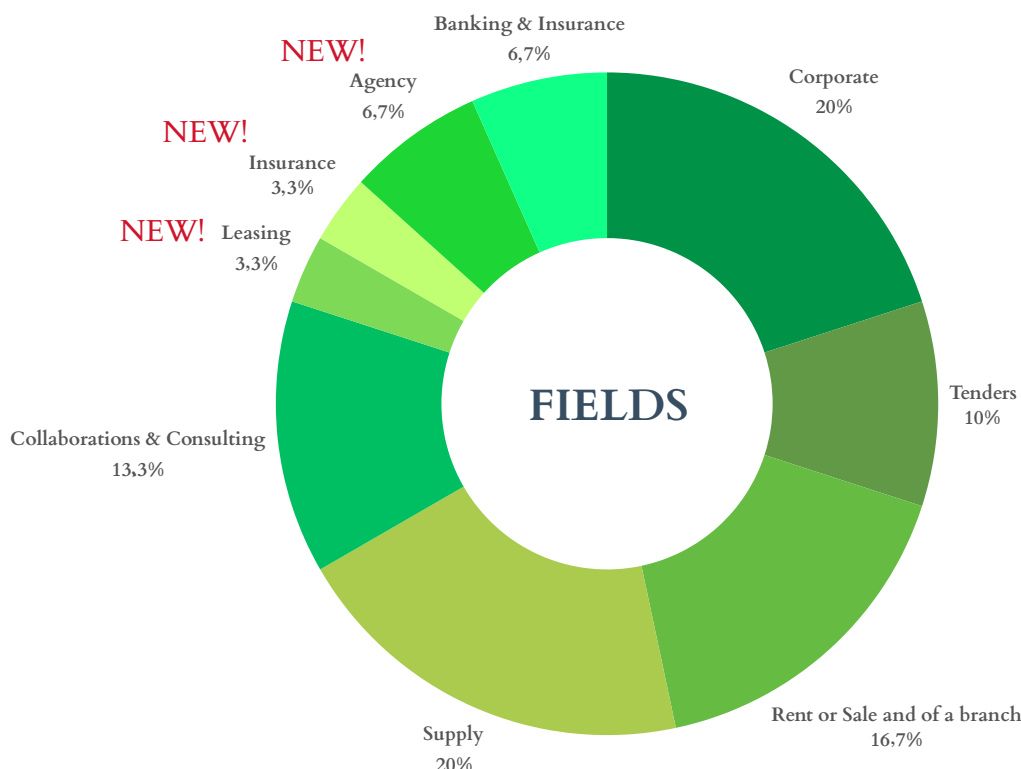
Average value of simplified proceedings in 2023:

€ 59.173,19*

(*net the 4 highest and lowest values)

The reduction in costs, by using the simplified procedure, from an ordinary arbitration proceeding

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



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DURATION OF PROCEEDINGS: SIMPLIFIED VS ORDINARY

Average duration of ordinary proceedings in 2023:

12,5 months

Reduction over 2022:

-3,8%

Ordinary arbitration procedure

From the request for arbitration to the constitution of the Arbitral Tribunal

3 months*

From the constitution of the Arbitral Tribunal to the closing of the proceedings

11,6 months

*Average times required to verify the independence of the Arbitrators, for confirmation by the Arbitration Council, and for raising the funds. These times are due, for the most part, to the performance of activities pertaining to the Parties and not CAM. The 1st phase may be reduced if the Parties opt for a Sole Arbitrator.

Simplified Procedure

From the request for arbitration to the constitution of the Arbitral Tribunal (Sole Arbitrator)

2,7 months**

From the constitution of the Arbitral Tribunal (Sole Arbitrator) to the closing of the proceedings

3,4 months

**Average times required to verify the independence of the Arbitrators, for confirmation by the Arbitration Council, and for raising the funds. These times are due, for the most part, to the performance of activities pertaining to the Parties and not CAM. The 1st phase may be reduced if the Parties opt for a Sole Arbitrator.

Average lenght of simplified proceedings in 2023:

5,1 months

Reduction over 2022:

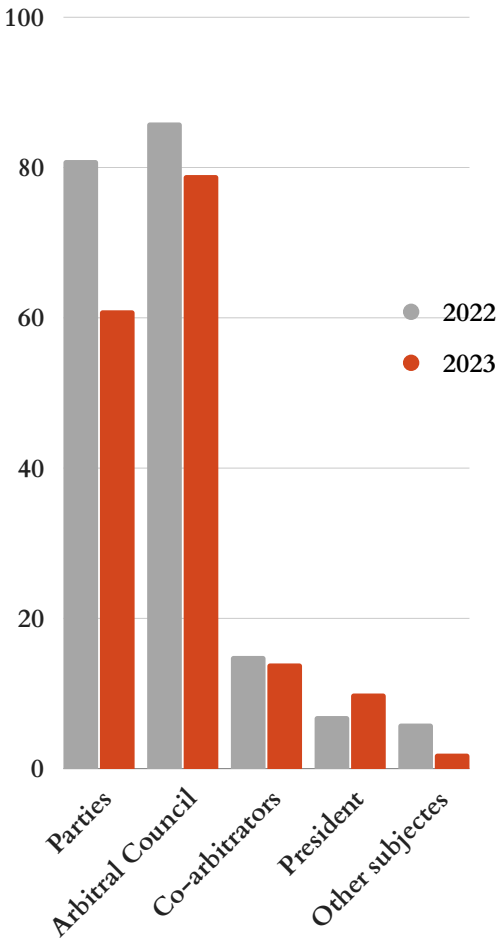
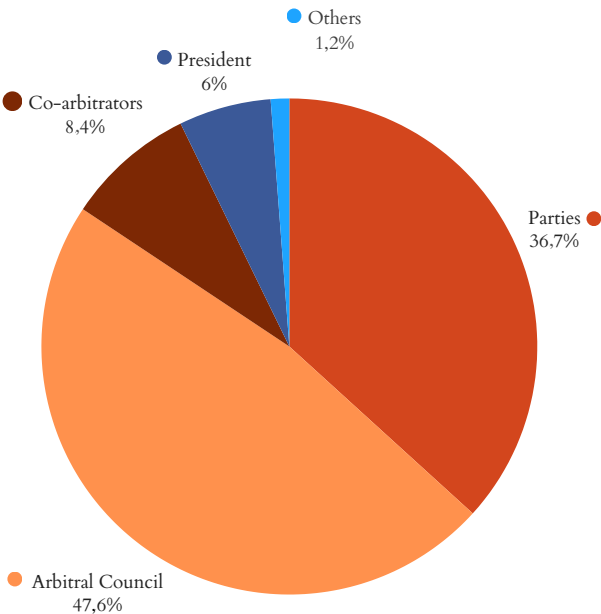
-12,6%

APPOINTMENTS SORTED BY APPOINTING AUTHORITY

166
for 2023

Arbitrators for 2023 proceedings were appointed by:

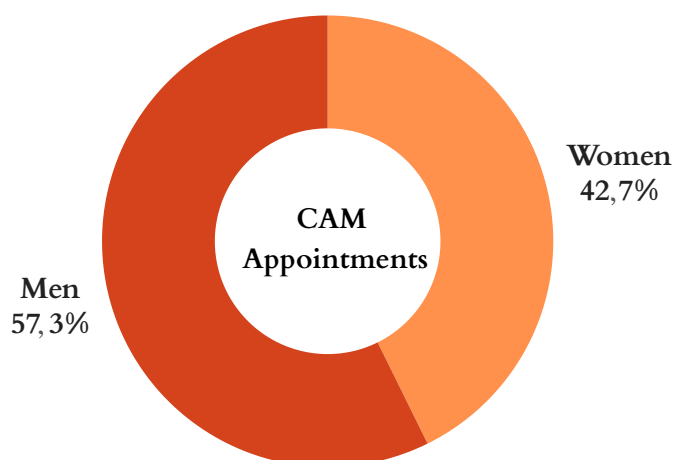
- 36,75% - Parties
- 47,6% - Arbitral Council
- 8,43% - Co-arbitrators
- 6,02% - The President of the CAM
- 1,2% - Other



APPOINTMENTS MADE: 2023 VS 2022

| | PARTIES | ARBITRAL COUNCIL | CO-ARBITRATORS | PRESIDENT OF CAM | OTHER ENTITIES |
|------|---------|------------------|----------------|------------------|----------------|
| 2023 | 61 | 79 | 14 | 10 | 2 |
| 2022 | 81 | 86 | 15 | 7 | 6 |

GENDER EQUALITY: WOMEN ARBITRATORS APPOINTED IN 2023 PROCEEDINGS



ONE IN THREE ARBITRATORS IS A WOMAN

If the appointment of the arbitrator is up to CAM
one in two arbitrators is a woman.

When the appointment is up to the **Parties**, they
choose women arbitrators in **16,4%** of cases.

The Pledge

CAM has been working for years to reduce the gender gap by signing a pledge:
the Equal Representation in Arbitration Pledge.

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

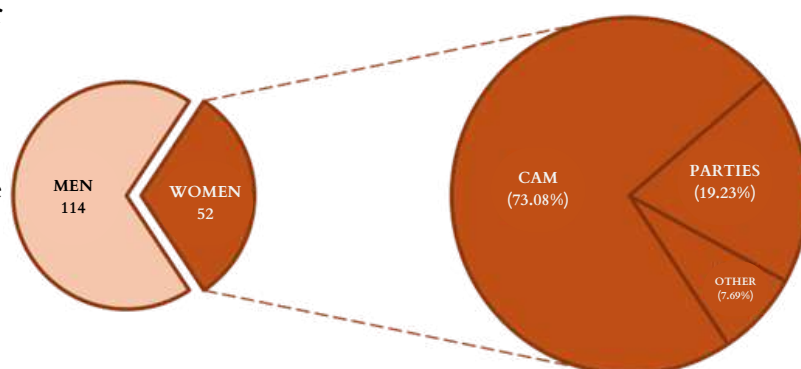
Signed in 2016, to date the Pledge has more than 5.600 signatories, among them numerous international law firms and arbitration institutions around the world.

IN DETAIL

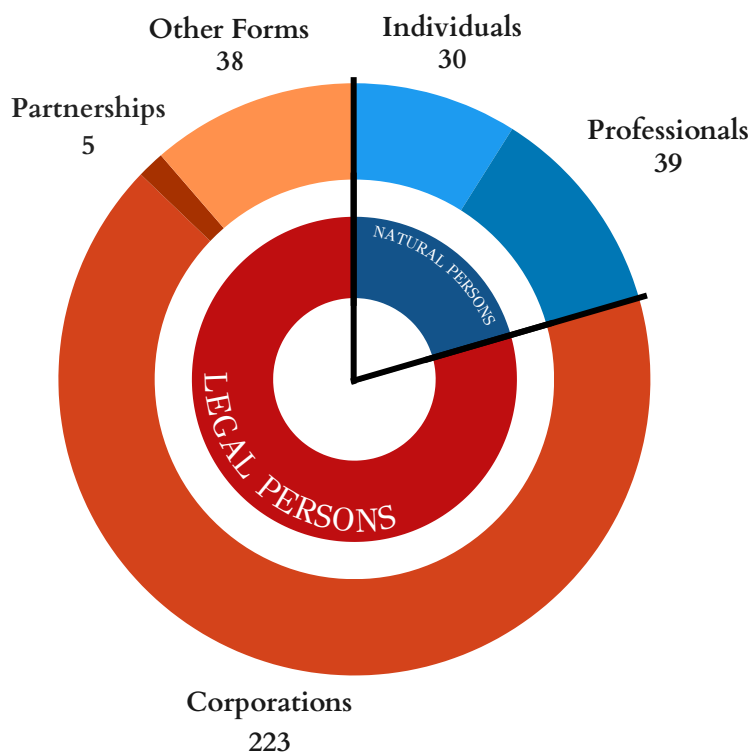
166 are the arbitrators currently appointed for 2023 CAM proceedings:

- **52** of them are **female arbitrators**, accounting for **31,3%** of the total appointments.
- These 52 appointments of female arbitrators were made by:
- **38** appointments by **CAM** (accounting for **42,7%** of CAM appointments and for **73%** of the total amount of female arbitrator appointments);
- **10** appointments by **Parties** (accounting for **16,4%** of the total amount of appointments made by the Parties);
- **3** by the **Co-arbitrators** (accounting for **21,42%** of the total amount of appointments by co-arbitrators).

APPOINTMENTS



THE PARTIES

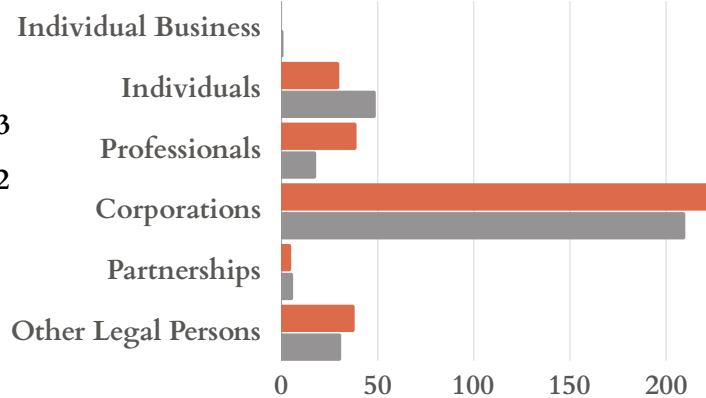


| PARTIES SORTED BY NATURE | |
|--------------------------|-------|
| Corporations | 66,6% |
| Other Forms | 11,4% |
| Partnerships | 1,5% |
| Individuals | 8,9% |
| Professionals | 11,6% |

NEW

Professionals appealing to CAM arbitration have seen a **116%** increase, **more than doubling** compared to 2022.

● 2023
● 2022



2023 VS 2022

COMPOSITION OF THE TRIBUNALS

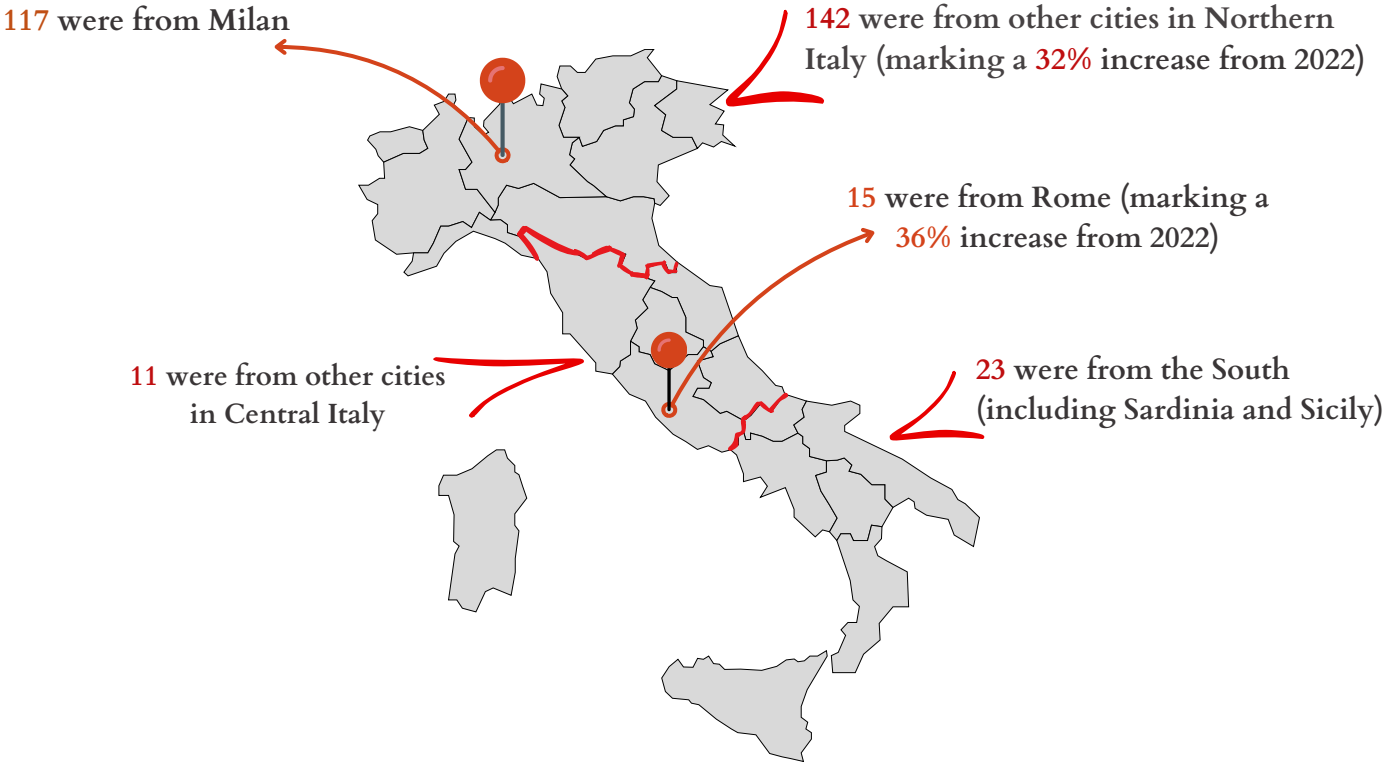


| | SOLE ARBITRATOR | PANEL OF THREE |
|------|-----------------|----------------|
| 2023 | 73 | 65 |
| 2022 | 81 | 50 |
| 2021 | 64 | 59 |

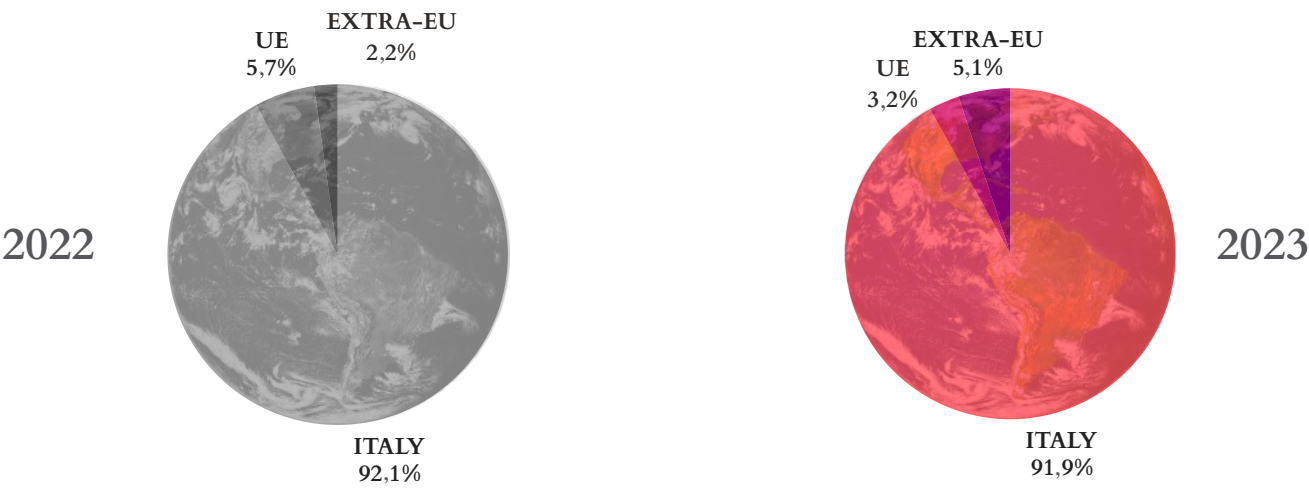
ORIGIN OF THE PARTIES - ITALY

BY REGISTERED OFFICES OR RESIDENCE

Out of 335 parties for 2023 proceedings, 308 were Italian



NATIONALITY OF THE PARTIES - WORLDWIDE



GEOGRAPHICAL ORIGIN OF THE PARTIES - EU

BY REGISTERED OFFICES OR RESIDENCE

- Austria
- Estonia
- France
- Germany
- United Kingdom
- Ireland
- Lithuania
- Luxembourg



GEOGRAPHICAL ORIGIN OF THE PARTIES - GLOBAL

BY REGISTERED OFFICES OR RESIDENCE



- China
- South Korea
- UAE
- Cayman Islands
- Malaysia
- Russia
- Serbia
- USA
- Switzerland
- Turkey



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SEAT AND LANGUAGE OF
THE PROCEEDINGS



Milan:

120 proceedings in 2022

119 proceedings in 2023



Italy (other cities):

11 proceedings in 2022

19 proceedings in 2023

Nature of the proceedings



National

107 proceedings

77,5%



International

31 proceedings

22,4%

+47,6% over 2022



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CAM ON DEMAND

CAM offers a range of services for non-administered arbitrations upon request of the parties and according to their needs.

For example, it is possible to request CAM:

- to appoint Arbitrators, as well as monitoring and verifying their independence;
- the management and maintenance of an arbitration file or the rental of hearing rooms.

CAM provides **recording, transcription, interpreting and audio/video-conferencing** services and provides an **anonymization service for an arbitration award** or other acts or decisions.

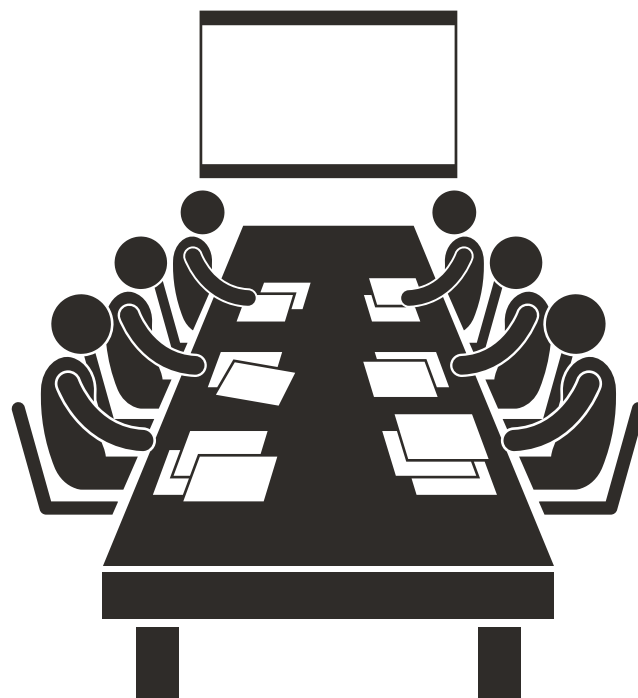
Among the **new services available**, there is also the possibility of requesting a **representative of the General Secretariat** to attend the hearing and take the minutes.

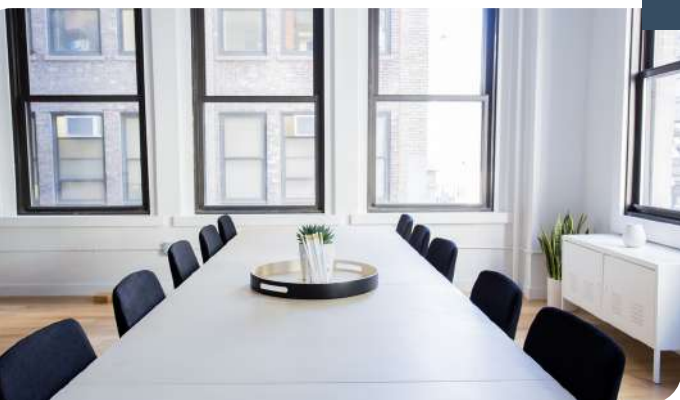
From January 1, 2022, the new CAM On Demand Disciplinary has been in force.

CAM, upon the parties' request, can appoint the Arbitrators, the expert witnesses, the technical consultants and the arbitrators for unadministered arbitration (*ad hoc arbitration*).

The Parties may decide, up until the constitution of the Arbitral Tribunal, to **transform the ad hoc arbitration in an administered proceeding**, by accepting the application of the CAM Rules.

To discover how to deposit an submission for appointment, [click here](#)





THE CHAMBERS OF COMMERCE & OTHER AFFILIATED ENTITIES

- Chamber of Commerce in **Irpinia-Sannio**
- 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 **Genoa**
- Bar Association of **Genoa**
- Chamber of Commerce in **Lecco**
- Chamber of Commerce in **Mantua**
- Chamber of Commerce in **Modena**
- Bar Association of **Monza**
- Chamber of Commerce in **Padua**
- Chamber of Commerce in **Pavia**
- Forensic Arbitration Chamber of **Pescara**
- Chamber of Commerce in **Pistoia**
- Chamber of Commerce in **Pordenone-Udine**
- Chamber of Commerce in **Varese**
- **Curia Mercatorum** - mediation-arbitration center sponsored by the Treviso-Belluno and Venice Rovigo Chambers of Commerce
- **AIA: Italian Association for Arbitration**

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 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 location and, where appropriate, CAM case managers participate at the hearing, providing assistance and taking care of the minutes;
- Unless otherwise agreed by the parties, the Milan Chamber of Arbitration, taking into account the indication received from the local Chamber, may appoint the arbitrators and check their independence, according to the provisions of the CAM Rules.

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

To sign an agreement with CAM or to receive more information about it, write to arbitrato@mi.camcom.it

CAM represents a landmark in the international arena.
In particular:

- since 1991, it has been a member of **IFCAI** (International Federation of Commercial Arbitration Institutions) that brings together the world's most active and representative arbitration institutions;
- it 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 Centre (VIAC);
- every year since 2009, it has organized the **CAM Annual Conference**, the most important event in Italy on international arbitration hot topics;
- it contributes to the updating and development of publishing products dedicated to international arbitration, as italian contact person for the **Institute for Transnational Arbitration (ITA)**;
- it hosts the annual meeting of the **Club of Arbitrators**, an association of eminent experts and practitioners of international arbitration;
- it participates in the work of the (**UNCITRAL**) United Nations Commission on International Trade Law Commission engaged on issues related to international arbitration;
- it is part of the network of the most representative arbitration institutions in the MENA (Middle East – North Africa) region created by **ISPRAMED**, the Institute for the Promotion of Arbitration in the Mediterranean, which merged into the **Italian Arbitration Association** in 2022.

CAM, in addition, develops specific projects to meet the needs of Italian business operators with respect to geographic areas that are considered as a priority from the point of view of trade relations and investment.



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The Domain Name Reassignment Procedure was created to counter the phenomenon of Cybersquatting (i.e., domain name hoarding).

Those who believe to be entitled to the use of a domain name registered by others in bad faith can activate a domain name reassignment procedure at CAM, which is accredited to carry out such a procedure by the Country Code Top Level Domain Registry for the geographical extension .IT (ccTLD.it).

CAM relies on a list of experts in the field, and **decisions are published on the CAM website** and on the Registry website.

DOMAIN NAMES DISPUTES DATA 2023



- **VOLUME:**
 - 11 procedures
- **OUTCOMES:**
 - 8 reassigned
 - 2 archived
 - 1 extinguished due to settlement



**For any enquiry, please
contact us.**

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Beyond judgments. Towards solutions

