



INTERNATIONAL COURT OF ARBITRATION® | INTERNATIONAL CENTRE FOR ADR | LEADING DISPUTE RESOLUTION WORLDWIDE

ICC DISPUTE RESOLUTION 2020 STATISTICS



ICC Dispute Resolution 2020 Statistics

Online at iccwbo.org/dr-stat
ICC Publication No.: DRS895 ENG



Copyright © 2021
International Chamber of Commerce (ICC)


ICC holds all copyright and other intellectual property rights in this work, and encourages its reproduction and dissemination subject to the following:

- ICC must be cited as the source and copyright holder mentioning the title of the document, © International Chamber of Commerce (ICC), and the publication year.
- Express written permission must be obtained for any modification, adaptation or translation, or for any commercial use.
- The work may not be reproduced or made available on websites except through a link to the relevant ICC web page.

Permission can be requested from ICC through copyright.drs@iccwbo.org.

Trademarks

ICC, the ICC logo, CCI, International Chamber of Commerce (including Spanish, French, Portuguese and Chinese translations), World Business Organization, International Court of Arbitration and ICC International Court of Arbitration (including Spanish, French, German, Arabic and Portuguese translations) are all trademarks of ICC, registered in several countries.



Key moments in ICC
dispute resolution in 2020 / 4-8

International Court
of Arbitration / 9-20

International Centre
for ADR / 21-23



Annex – Tables / 24-31

Key moments in ICC dispute resolution in 2020



1

2020 marked **new records** for the International Chamber of Commerce (ICC). The **ICC International Court of Arbitration** registered **929** filings, leading to the highest number of cases being administered under the ICC Arbitration Rules (**1,833**), number of parties involved (**2,507**) and number of appointments or confirmations of arbitrators (**1,520**). Other records include the geographical diversity of arbitrators (**92** nationalities) and places of arbitration (**65** countries). The **ICC International Centre for ADR** received a total of **77** new cases – the largest number of registered cases in a year – under the Mediation Rules, Expert Rules, Dispute Board Rules and DOCDEX Rules.



2

ICC unveiled its **new Rules of Arbitration** in force as of 1 January 2021. The provisions of the Rules and the updated **Note to Parties and Arbitral Tribunals on the Conduct of the Arbitration** introduced a new framework for ICC Arbitration, with a focus on greater efficiency, flexibility and transparency in both complex arbitrations and smaller cases. The Rules are the result of discussions among members of the ICC Court, the ICC Commission on Arbitration and ADR, and the Court Secretariat. They were formally adopted by virtual meeting of the **ICC Executive Board** in October 2020, while **launch events worldwide** regularly discuss highlights and regional/national perspectives and approaches.

3

With 355 women arbitrators confirmed or appointed by the ICC Court, the percentage of women sitting in ICC arbitral tribunals reached 23.4% in 2020. 37% of all arbitrators appointed by the Court were women testifying of ICC's commitment toward gender balance and inclusion in ICC Arbitration.

In November 2020, ICC announced its recommendation for the ICC Court's **first woman President**, with effect from 1 July 2021. The **membership of the ICC Court**, comprising 50% of women, including nine Vice-Presidents, is renewed on 1 July 2021 for a three-year mandate.



4

In April 2020, the ICC Court released an immediate and much-needed **COVID-19 Guidance Note**, outlining a range of measures to help mitigate the effects of the pandemic on arbitral proceedings. The first-of-a-kind and timely response included a checklist for a protocol on virtual hearings as well as suggested clauses for cyber-protocols and procedural orders dealing with the organisation of virtual hearings. Such provisions and innovative tools are now incorporated in the **Note to Parties and Arbitral Tribunals on the Conduct of the Arbitration**.

The **ICC Hearing Centre** in Paris offers virtual hearing solutions, and it further enhanced its hearing rooms with technology and equipment in 2020 to facilitate in-person and hybrid hearings.





5

The Secretariat of the ICC Court opened its fifth overseas case management office in **Abu Dhabi**, in addition to Hong Kong, New York, Sao Paolo and Singapore. While the UAE ranked as the sixth nationality among ICC parties (with 90 parties), the greater MENA region involved a record number of 342 parties in 2020. By expanding its global and regional footprint, the ICC Court is bringing its leading dispute resolution services closer to users, including real-time case management support and local knowledge from staff. Users in the region can also benefit from the state-of-the-art hearing facilities made available for ICC Arbitrations.



6

The ICC Court appointed a **Regional Director for Africa** to work closely with the **ICC Africa Commission** towards developing ICC activities and raising awareness of ICC dispute resolution services within Sub-Saharan countries. This new role acknowledges ICC efforts to expand the pool of qualified African practitioners who may act in the many ongoing and future disputes arising in the region.

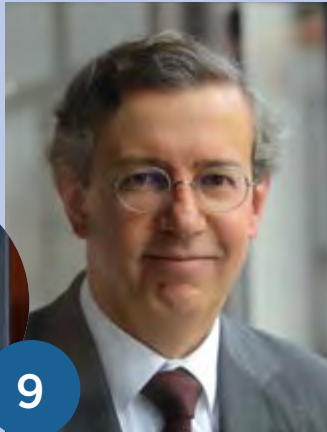


The Sao Paulo State listed the Sao Paulo office of the Secretariat of the ICC Court, known as SCIAB, as a **registered institution**, enabling ICC to continue administering arbitration proceedings involving the State of Sao Paulo. Since it was established in October 2017, the Sao Paulo office has administered over 125 arbitration cases including five Emergency Arbitrator proceedings.

Alongside other facilities established through **Memorandums of Understanding** with several institutions worldwide, parties from Brazil and the wider Latin America region can benefit from a CNI/ICC **hearing centre** in Sao Paulo.



In 2020, ICC Dispute Resolution Services organised over 150 physical, hybrid and/or virtual **events**, including regional and thematic conferences, **ICC Young Arbitrators Forum** (YAF) sessions, ICC Institute of World Business Law **trainings**, educational events, **Annual Conferences**, and ICC events taking place during the **Paris Arbitration Week** (PAW).



9

The **ICC Institute of World Business Law** elected a **new Chair** to serve alongside two new Vice-Chairs. The new Chair's **agenda** for the global think-tank established since 1979 includes: prioritising diversity and inclusion, expanding focus beyond arbitration, and going back to the ICC Institute's academic roots. Additionally, the **10th edition** of the **ICC Institute Prize** was launched. The prestigious award recognises the best legal work in commercial law, including arbitration.



10

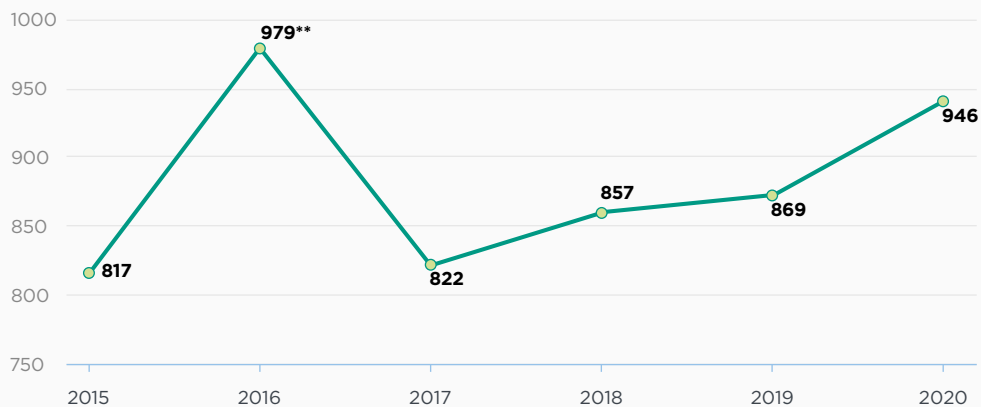
The **15th edition** of the ICC Mediation Competition took place in 2020. **ICC Mediation Week**, which takes place every year in February, brings together over 120 professional mediators and mediation trainers and over 250 students from around the world. It is a unique opportunity to learn, network, participate in engaging discussions, and exchange experiences to further the development of mediation and its practices.



International Court of Arbitration

In 2020, **946** arbitration cases were registered with the Secretariat of the ICC International Court of Arbitration ('Secretariat' and 'Court', respectively), of which **929** under the ICC Arbitration Rules¹ and **17** under the ICC Appointing Authority Rules.²

NUMBER OF CASES REGISTERED*
2015-2020



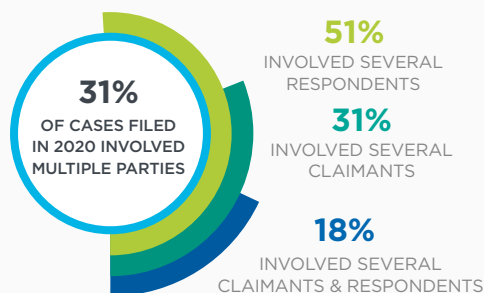
* including cases filed under the Appointing Authority Rules

** of which 135 filings related to a collective dispute

On 31 December 2020, a total of 1,833 pending cases were being administered via the Secretariat's offices in Paris, Hong Kong,³ New York, Sao Paulo,⁴ and Singapore, bringing the total number of cases administered since the establishment of the Court in 1923 to 25,960.⁵

Parties

Of the 2,507 parties involved in cases filed in 2020, 48% were claimants and 52% were respondents. Approximately a third of the cases (31%) involved multiple parties, of which several respondents (51%), several claimants (31%), or several claimants and respondents (18%). As in previous years, the vast majority of multiparty cases (87%) involved three to five parties.



1. Most administered cases registered in 2020 were conducted under the ICC Arbitration Rules in force since 1 March 2017. The [ICC Arbitration Rules](#) have since been revised and the latest version entered into force on 1 January 2021.

2. [Rules of ICC as Appointing Authority in UNCITRAL or Other Arbitration Proceedings](#) (in force as from 1 Jan. 2018).

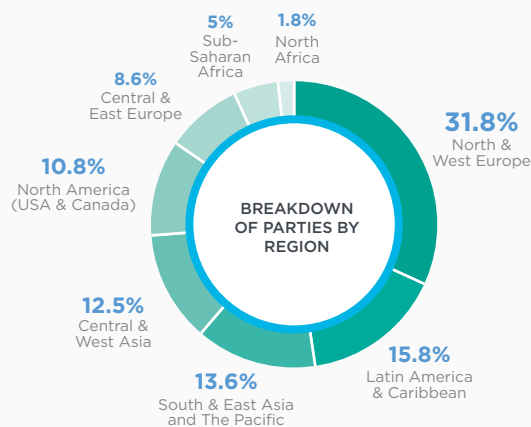
3. ICC is a confirmed [authorised institution](#) under the China-Hong Kong Arrangement on interim relief. See on this Arrangement, the [ICC Note on the Arrangement](#) concerning ICC Arbitrations seated in Hong Kong and Administered by the Secretariat Asia Office.

4. The State of Sao Paulo in Brazil has listed the Sao Paulo office of the Secretariat, known as SCIAB, as a registered institution, enabling ICC to administer arbitral proceedings involving the State of Sao Paulo. Since its establishment in October 2017, ICC's case management team in Brazil has administered over 128 cases, of which 32 cases involving 38 state entities.

5. The Secretariat has since inaugurated a [new case management office](#) at Abu Dhabi Global Market in the United Arab Emirates. The Abu Dhabi office began operations in April 2021.

Geographical origins

Parties in the 2020 filings came from **145** countries and independent territories worldwide.



TABLES

Most frequent nationalities among parties

See annex - table 01, page 24

Nationalities represented by region

See annex - table 02, pages 24-26

Africa

A total of 171 parties from 35 African countries represented 6.8% of all parties.

Nigeria (22 parties) and Egypt (13 parties) were the most represented nationalities among Sub-Saharan African parties (125) and North African parties (46) respectively.

Americas

As in previous years, parties from the Americas accounted for roughly 25% of the overall number of parties.

The United States maintained its first position in the rankings, with 232 parties (9% of all parties worldwide).

Parties from Latin America and the Caribbean represented approximately 15% of all parties, reaching a peak of 396 parties in 2020. Brazil remained the most represented nationality within the region (38%) with 150 parties (compared to 133 in 2019), rising from third to second place in the worldwide nationality ranking for the first time. Within Latin America, Brazil was followed by Mexico with 78 parties (compared to 51 in 2019), which ranked 10th in the worldwide nationality ranking.

Asia & the Pacific

Approximately 25% of parties came from Asia and the Pacific.

Within South and East Asia, the most represented nationalities were Chinese (46 parties from Mainland China, 33 parties from Hong Kong, and one party from Macao), Indian (79 parties) and South Korean (48 parties). For the first time, one case recorded the involvement of a party from the Solomon Islands.

While Central Asia accounted for 17 parties (coming from Afghanistan, Armenia, Azerbaijan, Georgia and Kazakhstan), the number of parties from West Asia (i.e. the Middle East) increased by 17% to 296 (compared to 252 in 2019). The top three nationalities in the Middle East were the United Arab Emirates (90 parties), Saudi Arabia (64 parties) and Qatar (47 parties), which have now reached, respectively, 6th, 11th, and 17th position in the worldwide nationality ranking.

Europe

As in previous years, European parties represented close to 40% of the total party population.

Among the parties originating from North and West Europe (798), Spain led with 125 parties in 2020, followed by France (112), Italy (112), Germany (83), the United Kingdom (55) and Switzerland (48). Overall, significant growth is noted for parties coming from Spain (87 in 2019 to 125 in 2020), Italy (84 in 2019 to 112 in 2020), Belgium (29 in 2019 to 39 in 2020), Portugal (16 in 2019 to 30 in 2020) and Austria (13 in 2019 to 27 in 2020).

Parties from Central and East Europe (216) represented 9% of the total number of parties, with Turkey remaining the most represented nationality within the region (57), followed by Romania (35), and Poland and Serbia (21 parties each).

International vs domestic cases

Over the years, parties have increasingly selected ICC for their international disputes as well as for the resolution of their regional and domestic disputes.⁶

In 2020, disputes between parties of same nationality represented 31% of all cases registered (compared to 25% in 2019). Disputes between parties of the same region also increased, reaching 47% (compared to 43% in 2019). For example, parties from as many as 78 countries referred their domestic disputes to ICC Arbitration, with the top five countries being the United States (30 cases), Brazil (29 cases), Mexico (20 cases), UAE (17 cases), and Spain and India (13 cases each).

This trend signals that diversity, knowledge, experience and adaptability among the ICC Secretariat and Court members, as well as the flexibility of the ICC Rules makes ICC Arbitration well suited for a wide range of transactions worldwide.⁷

State and state-owned parties

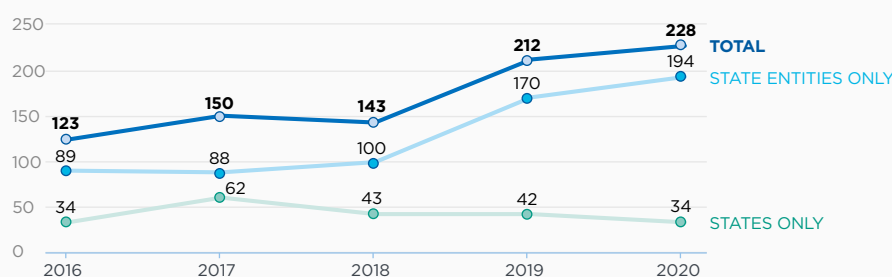
In 2020, 19.8% of new cases involved a state or state entity.

The group of 228 state and state-owned parties comprised 34 states and 194 state-owned parties from all parts of the world. The proportion of state and state-owned parties varied within regions, representing 21% of the overall Sub-Saharan and North African parties and 10-15% of parties originating from Latin America & the Caribbean, Central & East Europe, South & East Asia and the Pacific. The proportion of state and state-owned parties was below 10% among parties originating from Central & West Asia, North & West Europe, and North America.

TABLES

Number of states and state-owned parties by region

See annex - table 03, page 26



6. While disputes between parties of the same nationality are referred to as 'national' or 'domestic' for statistical purposes, many of these cases still involve a foreign element.

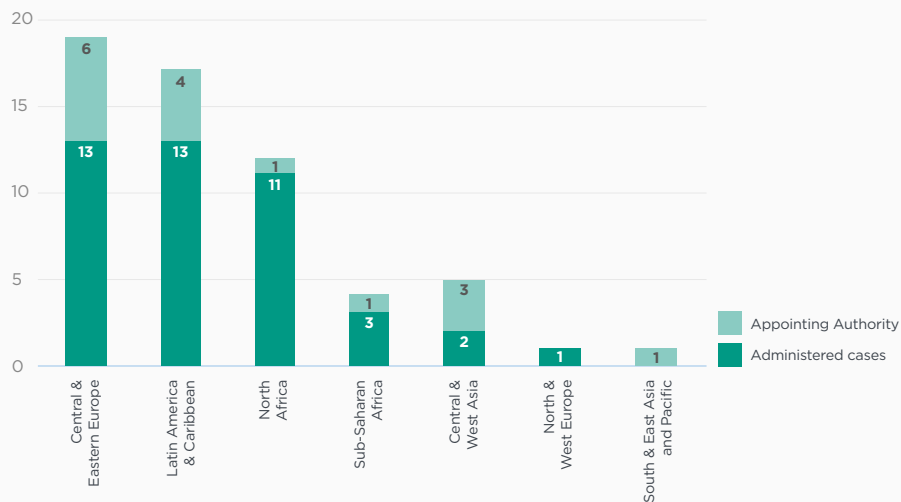
7. To facilitate the management of cases and ensure ease of access to the institution's trusted and reputed services, ICC today manages its growing arbitration caseload through 12 case management teams located on five continents. ICC's reputation as the world's [most preferred arbitral institution](#) has been upheld in a major survey of arbitration professionals and users worldwide; interviews confirmed the principal drivers behind choice of institution include the general reputation of the institution and the respondent's previous experience of that institution (see '2021 International Arbitration Survey: Adapting Arbitration to a Changing World', p. 10).

Investor-state disputes

Since 1996, when the first bilateral investment treaty (BIT) case was registered, ICC has administered **43** cases based on BITs. In **16** additional cases, ICC acted as appointed authority in *ad hoc* arbitrations.⁸

In 2020, one case involving parties from the Middle East was filed under the ICC Appointing Authority Rules pursuant to a BIT.

HOST STATES BY REGION IN ICC INVESTMENT CASES 1996 TO DATE

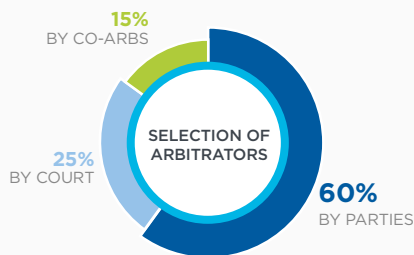


Arbitral tribunals

Following years of consecutive increase, 2020 marked several records in terms of number of arbitrators with **1,520** appointments and confirmations. Diversity was also in the spotlight, with arbitrators coming from **92** countries and comprising **23.4%** women arbitrators appointed or confirmed.⁹

Constitution of the arbitral tribunal

In principle, arbitrators acting in ICC cases are either (i) confirmed by the ICC Court Secretary General or by the ICC Court upon party nomination agreed by the parties, or (ii) appointed by the ICC Court in the absence of nomination. In the vast majority of cases during 2020, arbitrators were nominated by the parties or the co-arbitrators (75%).



TABLES

Selection of arbitrators

See annex - table 04, page 27



8. These cases were filed under the 2018 Rules of ICC as Appointing Authority in UNCITRAL or Other Arbitration Proceedings. The previous set of Rules are available in the [ICC Digital Library](#).

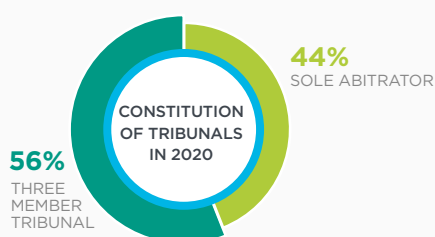
9. As of 1 January 2016, the online searchable directory [ICC Arbitral Tribunals](#) provides information on the name, nationality, role and method of selection of arbitrators, as well as on the status of the case, the industry sector involved and the party representatives, without compromising expectations of confidentiality.

Number of arbitrators

Article 12(1) of the ICC Arbitration Rules provide that '[t]he disputes shall be decided by a sole arbitrator or by three arbitrators'. In 2020, as in previous years, the parties agreed on the number of the arbitrators in the vast majority of cases (87%), either in the arbitration agreement or subsequently. They opted for a three-member tribunal in 62% of the cases and a sole arbitrator in 38% of the cases.

The ICC Court fixed the number of arbitrators in the remaining cases (13%). Where the parties have not agreed upon the number of arbitrators, the Court will, in general, appoint a sole arbitrator, except where it appears that the complexity of the dispute or the interests at stake warrant the appointment of three arbitrators.¹⁰ In 2020, the ICC Court submitted disputes to three-member arbitral tribunals in 22% of the cases and to sole arbitrators in 78% of the cases.

As a result, 56% of all cases were submitted to a three-member arbitral tribunal and 44% to a sole arbitrator.



Before being confirmed or appointed, prospective arbitrators are invited to complete a statement of acceptance, availability, impartiality and independence. As in previous years, approximately 30% of arbitrators made disclosures before being confirmed or appointed.¹¹ While disclosures do not imply the existence of a conflict, in the event of an objection, it is for the ICC Court to assess whether the matter disclosed is an impediment to service as arbitrator.¹²

Once an arbitrator has been confirmed or appointed, objections with regard to their impartiality, independence or other elements must be made by way of a challenge. The number of challenges filed in 2020, whether based on an alleged lack of impartiality, independence or otherwise, amounted to 92 (in a total of 41 cases),¹³ of which only five were accepted by the Court.

Pursuant to Article 15(1) of the ICC Arbitration Rules, an arbitrator shall be replaced upon (i) death, (ii) acceptance by the Court of the arbitrator's resignation, (iii) acceptance of a challenge, or (iv) acceptance by the Court of a request by all the parties. In this regard, a total of 43 replacements were made in 2020, following the resignation (in 38 cases) or passing (in three cases) of an arbitrator, the filing of a successful challenge (in five cases). In addition, one sole arbitrator was replaced on the ICC Court's own initiative pursuant to Article 15(2) of the Rules (i.e. when the arbitrator is (i) prevented *de jure* or *de facto* from fulfilling the arbitrator's functions, (ii) not fulfilling functions in accordance with the Rules or within the prescribed time limits).

10. See para. 40 of the [Note to Parties and Arbitral Tribunals on the Conduct of the Arbitration](#) (the 'Note'), which also provides: 'Without prejudice to other relevant circumstances that may lead to the constitution of a three-member arbitral tribunal, the Court will normally decide in favour of a sole arbitrator where the amount in dispute is less than US\$ 10,000,000 and in favour of three arbitrators where the amount in dispute exceeds US\$ 30,000,000'.

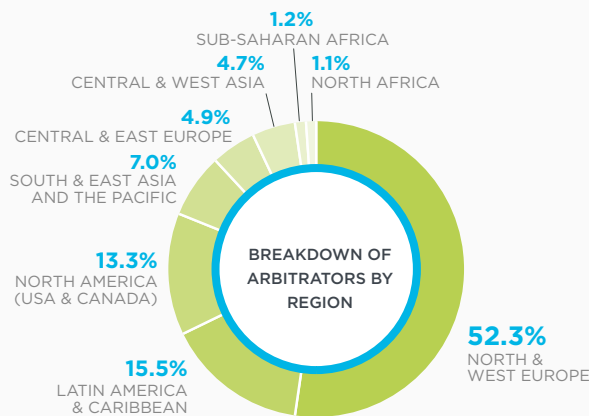
11. See paras. 22-36 of the Note, which list circumstances, among others, that should be considered by the prospective arbitrator as well as the scope of such disclosures.

12. Para. 26 of the Note.

13. In one case, one party filed 29 successive challenges, which were all rejected, against the president of the arbitral tribunal and all three members of the tribunal.

Geographical origins

Arbitrators confirmed or appointed in 2020 came from **92** jurisdictions – the widest geographical representation recorded to date – reflecting the continuous efforts of the ICC Court towards increasing diversity among ICC arbitral tribunals. Nationalities featuring for the first time were Afghanistan and Barbados.



In 2020, the most represented arbitrator nationalities were the UK with 220 arbitrators (14.5% of all confirmations/appointments), the United States with 153 arbitrators (10%), Switzerland with 135 arbitrators (8.9%), France with 101 arbitrators (6.6%), Brazil with 88 arbitrators (5.8%) and Germany with 81 arbitrators (5.3%).

Moreover, 2020 saw a significant rise in the number of arbitrators coming from the United States (153, compared to 107 in 2019), Brazil (88 arbitrators, compared to 62 in 2019), and Mexico (47 arbitrators, compared to 36 in 2019).¹⁴

The number of arbitrators from West Asia (i.e. the Middle East) also increased from 52 in 2019 to 68 in 2020.

TABLES

Most frequent nationalities

See annex - table 05, page 27

Breakdown of country of origin and status

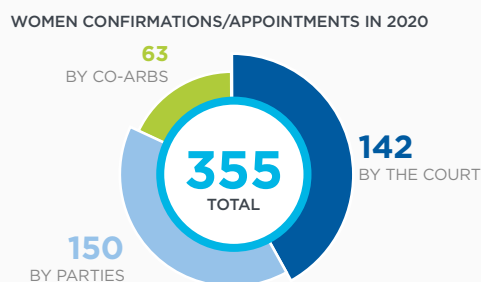
See annex - table 06, page 27



Gender diversity

In 2020, the number of confirmations and appointments of women arbitrators further rose to **355** (312 in 2019), representing **23.4%** (21.1% in 2019) of all confirmations/appointments.

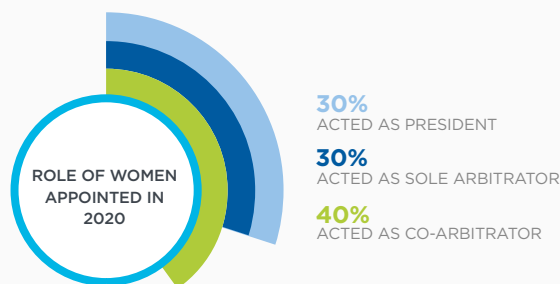
Of all women confirmed/appointed as arbitrators in 2020, 42% were nominated by the parties, 40% were appointed by the ICC Court, and 18% were nominated by the co-arbitrators to act as chair of the arbitral tribunal (compared to 12% in 2016).



14. Such increase is aligned with the significant increase of the parties coming from such jurisdictions: US parties went from 196, in 2019, to 232, in 2020, Brazilian parties from 133 to 150, and Mexican parties from 51 to 78.

For each nominating group (parties, co-arbitrators, the Court), the proportion of women arbitrators nominated or appointed has increased over the past five years, as a consequence of global awareness and joint efforts to bridge the gender gap in arbitral tribunals. In 2020, 16% of the arbitrators nominated by the parties were women (compared to 11% in 2016), 28% of the arbitral tribunal chairs nominated by the co-arbitrators were women (compared to 13% in 2016), and 37% of the nominations/appointment by the Court – either upon proposal of an ICC National Committee or Group, or directly – were women (compared to 23% in 2016).

As in previous years, 40% of the women confirmed/appointed acted as co-arbitrator, 30% as sole arbitrator, and 30% as president.

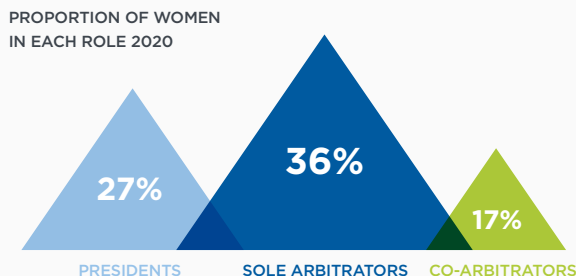


TABLES

Breakdown of men/women arbitrators appointed or confirmed by region (2010-2020)
See annex - table 07, pages 28-29



Of all sole arbitrators confirmed or appointed in 2020, 36% were women, whereas in three member arbitral tribunals 27% of presidents and 17% of co-arbitrators were women.



Age

In 2020, the average age of arbitrators confirmed or appointed by the ICC Court was 56 years. In total, 37% of the individuals confirmed or appointed as arbitrators were under the age of 50.

Arbitrators appointed by the ICC Court (directly or following a proposal by an ICC National Committee) were, as in previous years, approximately six years younger than the global average (50.5 years).

The average age of women acting as arbitrators in ICC Arbitrations was 49 years. Women appointed by the ICC Court were approximately three years younger (46 years).

Repeat confirmations/appointments

2020 saw 1,520 confirmations/appointments of 1,008 individuals. As in previous years, single and repeat confirmations/appointments within the year represented 66% and 34% of all confirmations/appointments respectively.

The same percentages applied within both groups of men and women arbitrators.

To foster diversity, when appointing arbitrators (directly or upon proposal of an ICC National Committee), the ICC Court does not generally appoint the same individual as arbitrator more

than once per year. Moreover, the Court encourages the proposal/appointment of (i) new and/or young arbitrators for less complex cases or cases involving relatively low amounts in dispute, as this may help the pool of potential arbitrators in that community to grow, and (ii) to favour gender diversity.¹⁵

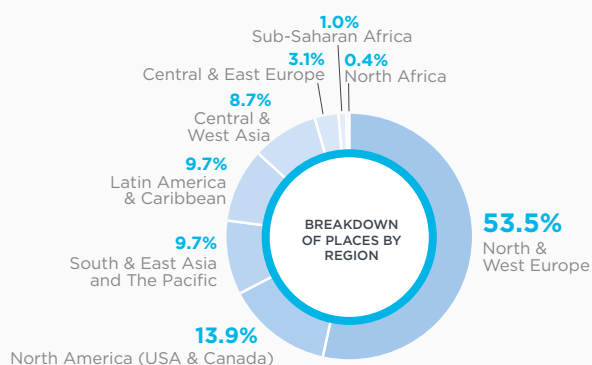
Reasons

To date, and since 2014 when the practice to communicate reasons for the ICC Court's decisions to the parties upon their request was first applied, the ICC Court has communicated reasons for **52** decisions, including **38** decisions on arbitrator challenges.

In 2020, the Court communicated reasons for 18 decisions, including 16 challenges and two decisions on *prima facie* jurisdiction under Article 6(4). According to Article 5(2) of Appendix II of the ICC Arbitration Rules, any request for the communication of reasons 'must be made in advance of the decision in respect of which reasons are sought'.

Places of arbitration

In 2020, ICC Arbitrations were seated in **113** different cities¹⁶ spread over **65** countries, the highest number of jurisdictions to date.



The top four countries selected as places of arbitration remained Switzerland (104 cases), France (88 cases), the United States (88 cases) and the United Kingdom (85 cases). Brazil (selected in 29 cases by the parties and fixed once by the Court) ranked fifth overall and remained the most selected country within Latin America and the Caribbean.

The United Arab Emirates (selected in 20 cases by the parties and fixed seven times by the Court) ranked sixth and was the preferred seat within the MENA region. Ten arbitrations were seated in Africa: in Algeria, Benin, Egypt (two cases), Kenya, Mozambique, Nigeria, South Africa (two cases), and Tanzania.

Singapore (selected in 24 cases by the parties and fixed twice by the Court) remained the most preferred seat in Asia, and ranked sixth among the most frequently selected cities after Paris (87), London (85), Geneva (60), New York (49) and Zurich (37).

Although in the large majority of cases the place of arbitration is chosen by the parties, the ICC Court fixes the place of arbitration where parties fail to agree. In 2020, the Court exercised this function in just 10% of all cases.

TABLES

Most selected cities

See annex - table 08, page 30

Countries selected as place of arbitration

See annex - table 09, page 30

15. See paras. 38 and 39 of the [Note to the National Committees and Groups of ICC on the Proposal of Arbitrators](#).

16. Under the ICC Arbitration Rules, the place of arbitration must be a city. For the purposes of this report, places of arbitration are grouped per country.

Choice of law

Choice-of-law clauses were included in substantive contractual provisions in 95% of all cases registered in 2020. These covered the laws of **127** different nations, states, provinces and territories – the highest number to date.

The most frequently selected *lex contractus* was English law with 122 cases (13% of all cases registered), the laws of a US state (104 cases),¹⁷ followed by Swiss law (66 cases), French law (56 cases), and the laws of Brazil (42 cases).

Of the contracts, 2% included a reference to rules or instruments other than national laws, such as the United Nations Convention on Contracts for the International Sale of Goods, the UNIDROIT Principles of International Commercial Contracts, 'International commercial law', and the ICC Incoterms®.¹⁸ These instruments are also sometimes applied in the course of the arbitration, per automatic application (UN Convention on Contracts for the International Sale of Goods) or parties' subsequent agreement.

Nature of the disputes

As in previous years, newly-registered cases covered a wide range of sectors, divided into more than 20 categories, including agribusiness, business services, chemicals, construction and engineering, defence and security, education and culture, energy, environmental protection, financing and insurance, general trade and distribution, food and beverage, health/pharmaceuticals and cosmetics, industrial equipment and services, leisure and entertainment, media and publishing, metals and raw materials, packaging, public institutions and organisations, telecommunications/specialised technologies, textiles/clothing, and transportation.

Disputes arising from construction/engineering and energy historically generate the largest number of ICC cases. The trend was confirmed in 2020 with 194 and 167 cases respectively, accounting for approximately 38% of all cases.

Other sectors representing 5% to 7% of newly-registered cases included health/pharmaceuticals and cosmetic, general trade and distribution, industrial equipment and services, financing and insurance, telecoms and specialised technologies, and transportation.

Amounts in dispute

Over **50%** of the cases filed in 2020 and **50%** of the pending cases at the end of 2020 had an amount in dispute between US\$ 1 million and US\$ 30 million.

The average amount in dispute in cases filed during 2020 was US\$ 54 million, with the median being close to US\$ 6 million.

The aggregate value of all pending disputes at the end of 2020 was US\$ 258 billion, with an average value of US\$ 145 million and a median value of US\$ 10 million.

With regard to lower-value disputes, 38% of cases registered involved an amount in dispute not exceeding US\$ 3 million, the new threshold amount in dispute for the automatic application of the expedited procedure applicable to arbitration agreements concluded on or after 1 January 2021.¹⁹

TABLES

Amount in dispute

See annex - table 10, page 31



17. The contracts applying the laws of US states referred to the laws of 13 states, with New York law selected in half of the contracts.

18. [The Incoterms® rules](#) are a globally-recognised set of standards, used worldwide in international and domestic contracts for the delivery of goods. ICC published the first Incoterms® rules in 1936, has been maintaining and developing them ever since and has last updated the Incoterms® rules in [2020](#).

19. Art. 1(2) of Appendix VI of the 2021 Arbitration Rules.

Expedited procedure

The significant proportion of lower-value cases, as noted above, is indicative of the relevance and necessity of the ICC Expedited Procedure Provisions (Article 30 and Appendix VI of the ICC Arbitration Rules; ‘EPP’) which provide for a streamlined arbitration ending with a final award within six months of the case management conference under reduced scales of arbitrator fees.²⁰

Unless the parties have explicitly opted out, the EPP apply automatically in cases where the arbitration agreement was concluded post 1 March 2017 and the global amount in dispute does not exceed:

- US\$ 2 million for arbitration agreements concluded on or after 1 March 2017 and before 1 January 2021; and
- US\$ 3 million for arbitration agreements concluded on or after 1 January 2021.

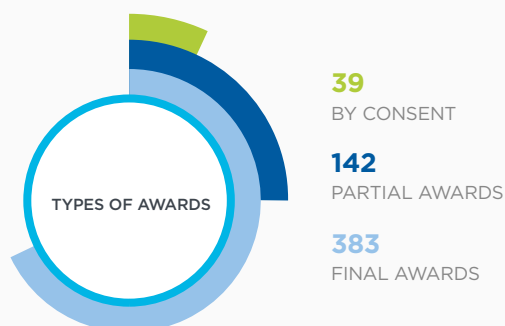
Parties may also expressly opt in to the EPP regardless of the amount in dispute or date of conclusion of the arbitration agreement. The number of opt-in requests and agreement by other party(ies) since 2017, when the EPP were implemented, reflect the need, suitability and success of the procedure.

To date, **261** cases have been or are being conducted under the EPP. The EPP applied automatically in **178** cases (i.e. in cases not exceeding the monetary threshold and based on contracts concluded on or after entry in force of the EPP). There have been **291** requests to opt-in to the EPP, of which **83** agreed to by the other party(ies).

Awards

All draft awards are submitted to the ICC Court for scrutiny and approval prior to notification to the parties. The ICC Arbitration Rules provide the Court with discretion to lay down modifications as to form and draw the tribunal’s attention to points of substance when scrutinising draft awards.

In 2020, the ICC Court approved **564** awards (142 partial awards, 383 final awards and 39 awards by consent).



The vast majority of draft awards were approved subject to certain points raised for the consideration of arbitral tribunals. Only four draft awards were approved without any comments at all. A further 47 draft awards (7% of the total awards scrutinized in 2020) were not approved when first scrutinized by the ICC Court and were returned to the arbitral tribunal for further consideration.

In 2020, 109 applications for correction and/or interpretation of awards were filed pursuant to Article 36 of the ICC Arbitration Rules, 72 of which led to the subsequent correction or interpretation of the award by way of addendum. In rendering decisions rejecting the other 37 requests, tribunals sometimes also issued addendums relating to the costs of the correction/interpretation proceedings.

20. The cost calculator for ordinary and expedited procedures is available [online](#) and on the [ICC DRS App](#).

Languages of awards

Awards approved in 2020 were drafted in a total of 13 languages. English remains the predominant language (80% of awards). Other languages were French (35 awards), Spanish (24 awards), Portuguese (21), Arabic and Turkish (four each), German, Dutch and Romanian (three each), followed by Russian, Slovak, Japanese and Greek (one each). In addition, bilingual awards were rendered in English/Spanish (three), English/Romanian (two), English/Russian (one) and English/Greek (one).

Awards rendered by majority/dissenting opinions

Pursuant to Article 32(1) of the ICC Arbitration Rules, 'when the arbitral tribunal is composed of more than one arbitrator, an award is made by a majority decision'. In 2020, of the 289 partial and final awards rendered by three-member tribunals, 46 awards (16%) were rendered by majority. All majority awards were accompanied by a dissenting opinion, incorporated in the award itself in 18 cases or made by way of a separate document in 28 cases.

The dissenting arbitrator was (i) a co-arbitrator nominated by a party in 39 awards, (ii) the president of the arbitral tribunal in two awards, and (iii) remained unidentified in five cases.

Length of proceedings

The average duration of proceedings in cases that reached a final award in 2020 was 26 months, and is calculated on the basis of all said cases, including those where the proceedings were suspended by the parties for any length of time. The median duration of proceedings was 22 months.

Delays

The 'Note to Parties and Arbitral Tribunals on the Conduct of the Arbitration' (the 'Note') provides that (i) sole arbitrators are expected to submit draft awards within two months, and (ii) three-member arbitral tribunals within three months after the last substantive hearing on matters to be decided in the award or the filing of the last written submissions concerning such matters (excluding cost submissions), whichever is later.²¹ Under the expedited procedure, draft awards are expected within five months from the case management conference.²²

Untimely submission of draft awards may cause a reduction of arbitrators' fees unless the delay is attributable to factors beyond the arbitrators' control.²³

In 2020, 152 draft final awards were submitted to the ICC Court for scrutiny beyond the above timeframe and a fee reduction was applied in 49 cases (i.e. where the delay was considered significant and the Court was not satisfied that the delay was attributable to factors beyond the arbitrators' control or to exceptional circumstances). While most delays in the submission of draft awards range from just a few days to less than three months, the number of final awards submitted with a delay of three to six months (25 awards in 2020) has decreased by half since this practice aiming at more efficiency in the submission of draft awards was implemented in 2016 (52 awards in 2016).

Of the total 115 final awards rendered under the Expedited Procedure Provisions (EPP) since 2017 when the EPP were implemented, 77 (67%) were delivered on or around the six-month time limit.²⁴ When incurred, delays were minimal. The delay exceeded one month in 38 cases and, in most cases, was due to justified circumstances. In five cases, parties agreed to a new procedural timetable. In eight cases, the delay resulted in a fee reduction.

21. [Note to Parties and Arbitral Tribunals on the Conduct of the Arbitration \(1 Jan. 2021\)](#), para. 153.

22. See the Note, paras. 157, 159.

23. The timeframe and fee reduction rates are set out at paras. 155 (ordinary procedure) and 161 (expedited procedure) of the Note.

24. Six months as from the case management conference pursuant to Art. 4(1), Appendix VI to the Arbitration Rules, and paras. 157, 159 of the Note.

As prescribed by the Note, scrutiny of all awards rendered under the EPP was made within two to three weeks, and within 14 days on average.²⁵

In early April 2020, the ICC Court released a Guidance Note outlining a range of potential measures to help mitigate the effects of the COVID-19 pandemic on arbitral proceedings and guidance on the possibility to organise virtual hearings (including a checklist for a protocol on virtual hearings, suggested clauses for cyber-protocols and procedural orders dealing with their organisation).²⁶

In 2020, the arbitral tribunal referred to the COVID-19 pandemic as a (sole or additional) reason for its delay in submitting the draft award in 40 cases. When deciding whether to reduce the fees, the ICC Court looked at all the circumstances in the case, including whether there were any delays during the proceedings prior to the current exceptional circumstances.

Emergency Arbitrator proceedings

During the course of 2020, **32** Emergency Arbitrator ('EA') applications were filed, involving parties of **33** nationalities. Of these applications, **14** involved multiple parties (with as many as 12 responding parties in one domestic dispute), and **seven** involved states or state entities in commercial disputes.

Of the 27 EA orders rendered in 2020,²⁷ the requested relief was dismissed in 14 cases, granted in five cases, and partially granted in six cases; one EA proceeding resulted in an order by consent and another in a 'termination order'.

Since their introduction in 2012, the ICC EA Rules have enabled parties to apply 154 times for 'Emergency Measures' prior to the constitution of the arbitral tribunal and receive a decision within a 15-day time limit (Article 29 and Appendix V to the Arbitration Rules). While half of the EA applications relate to the construction/engineering and energy sectors, other disputes originated from the chemical industry, general trade and distribution, health and pharmaceuticals, industrial equipment, telecommunications/specialised technologies, transportation, and leisure and entertainment.²⁸

ICC as Appointing Authority

Under the Rules of ICC as Appointing Authority in UNCITRAL or Other Arbitration Proceedings (the 'Appointing Authority Rules'), the ICC Court may decide on requests for appointment or challenges in UNCITRAL, other institutional and *ad hoc* arbitration proceedings, and provide a range of administrative services as requested by interested parties. Such services include maintaining the file, assisting the parties with logistical arrangements for meetings and hearings, assisting with the notification of documents and correspondence, administering funds, proofreading draft documents and acting as repository.²⁹

In 2020, the ICC Court was called upon to act as appointing authority on 17 occasions. Of the services requested, eight related to the appointment of an arbitrator in *ad hoc* proceedings under the UNCITRAL Arbitration Rules and five to the appointments in other *ad hoc* proceedings. The Court was also requested to decide on an arbitrator's challenge in two *ad hoc* arbitration proceedings under the UNCITRAL Arbitration Rules and to administer funds in two other *ad hoc* arbitration proceedings.

25. [Note to Parties and Arbitral Tribunals on the Conduct of the Arbitration \(1 Jan.2021\)](#), para 169.

26. [Guidance Note on Possible Measures Aimed at Mitigating the Effects of the COVID-19 Pandemic \(9 April 2020\)](#).

27. Of the 32 EA applications in 2020, three EA applications were withdrawn, one was dismissed by the President of the Court pursuant to Art. 1(5) of Appendix V of the Arbitration Rules due to a lack of recorded arbitration agreement, and one case is still in pending a decision of a national court.

28. The ICC Commission on Arbitration and ADR Report '[Emergency Arbitrator Proceedings](#)' provides an analysis of the first 80 ICC EA applications, with contributions from ICC National Committees on the status of EA proceedings under local law and contributions from other arbitral institutions on their respective EA mechanisms (ICC Publication n°895, 2019, also available in the [ICC Digital Library](#)).

29. [Rules of ICC as Appointing Authority in UNCITRAL or Other Arbitration Proceedings](#), in force as from 1 January 2018.

International Centre for ADR

In 2020, the International Centre for ADR (the 'Centre') received a total of **77** new cases registered under the Mediation Rules, Expert Rules, Dispute Board Rules and DOCDEX Rules – the largest number of cases registered in a year.

The Centre offers a range of dispute resolution services, including (i) administering mediations and other forms of amicable dispute settlement, (ii) proposing/appointing experts and administering expert proceedings, (iii) assisting parties in setting up and running dispute boards, (iv) administering DOCDEX proceedings, i.e. expert decisions on trade finance instruments, including documentary credits.

The Centre not only handles the settlement of disputes but also provides support in drafting dispute resolution clauses in accordance with ICC Rules.¹ A Standing Committee supports the ICC International Centre for ADR in administering ADR cases filed under ICC Expert Rules and ICC Dispute Board Rules.²

Mediation

In 2020, a record number of 45 new requests were filed with the Centre under the ICC Mediation Rules. The term 'mediation' used in the Mediation Rules includes any amicable settlement technique or combination of techniques that the parties may prefer. All requests filed in 2020 referred the dispute to 'mediation'.³

Cases in 2020 involved 112 parties from 39 countries of all continents. Countries accounting for the highest number of parties were the USA (17), France (10), the UAE (7) and Germany (5).

Nine parties were state entities, originating from China, the Dominican Republic, France, the USA and Qatar.

Origin of the parties in ICC Mediation

| Region/country | No. of parties | % of total no. of parties |
|---|----------------|---------------------------|
| Africa Democratic Republic of the Congo, Mauritius, Morocco | 3 | 3% |
| Americas Brazil (3 parties), Canada (2 parties), Cayman Islands, Dominican Republic (2 parties), Haiti (4 parties), Mexico (2 parties), Panama (2 parties), USA (17 parties), Venezuela | 34 | 30% |
| Asia & Pacific China, India (4 parties), Iran, Iraq (3 parties), Israel, Kuwait (3 parties), Qatar (2 parties), Saudi Arabia (4 parties), Singapore, UAE (7 parties), UK (3 parties) | 30 | 27% |
| Europe Austria, Belgium (2 parties), Croatia, Cyprus (3 parties), Czech Republic, Denmark (3 parties), France (10 parties), Germany (5 parties), Italy (4 parties), Netherlands (2 parties), Poland (2 parties), Russian Federation, Slovakia, Spain (3 parties), Switzerland (3 parties), Turkey (3 parties) | 45 | 40% |
| Total | 112 | 100% |

1. Whatever service or combination of services is required; it is important to include the most relevant dispute resolution clause in a contract or treaty. ICC provides a variety of model clauses for [ICC Mediation](#), [ICC Expertise](#), and [ICC Dispute Boards](#) exactly for this purpose. Even if a clause is not included in the contract, parties can still agree on ICC later on.

2. In April 2021, ICC announced [new additions](#) to its ADR Standing Committee, and a new president and vice-presidents.

3. The [ICC Mediation Guidance Notes](#) offer guidance on issues that deserve attention when choosing and organizing mediations. 'In keeping with the spirit of mediation, the Mediation Guidance Notes do not dictate solutions, but encourage parties to work out the best arrangements for their particular case in light of common mediation practices and the flexibility offered by the ICC Mediation Rules.' (Foreword, p. 1)

2020 saw a total of 29 confirmations or appointments of neutrals (13 confirmations following the parties' joint nomination and 17 appointments by the Centre). In addition, one neutral was confirmed to act as mediator under the ICC Expert Rules following the parties' joint nomination.⁴

The 30 mediators appointed or confirmed in total, including eight women, came from Europe (Belgium, Denmark, France, Germany, Greece, Poland, Spain, Switzerland and United Kingdom), the Americas (Brazil, Canada, Mexico and United States), Africa (Morocco) and Asia (India).

The disputes concerned a wide range of business sectors. Construction and engineering disputes were the most frequent, accounting for almost 24% of cases, followed by disputes relating to energy and telecommunication. In 2020, the value of disputes ranged from a few thousand to over US\$ 800 million (with an average amount in dispute of US\$ 66 million), thus confirming the suitability of mediation for lower and high-value disputes. The costs of proceedings in which mediators were appointed were US\$ 25,900 on average, with a median cost of US\$ 21,900.⁵

Expertise

ICC expert services include (i) proposing experts and neutrals – requesting party is free to accept or reject the person proposed; (ii) appointing experts and neutrals – ICC acts as appointing authority and the appointment is binding on the parties; (iii) administering expert proceedings – services available include coordinating between the parties and the expert, monitoring deadlines, supervising costs, and reviewing the expert's report.⁶

A total of 22 requests for services related to experts were filed with the Centre in 2020. Of these, four concerned the *proposal* of experts, 14 the *appointment* of experts, and four the *administration* of expert proceedings.

Two of the four requests for the proposal of an expert came from an ICC arbitral tribunal, such service is provided free of charge.⁷

One request for the appointment of an expert was made for the appointment of a dispute board member.⁸

The 58 parties involved in the 2020 filings came from 27 countries of all continents.

Nine states or state entities from Africa, Asia, Europe, and the Middle East requested the services of the Centre in relation to experts.

Geographical origins of parties in ICC Expertise

| Region/country | No. of parties | % of total no. of parties |
|--|----------------|---------------------------|
| Africa | | |
| Gabon (2 parties), Ghana (2 parties), Cape Verde, South Africa | 6 | 10% |
| Americas | | |
| Bermuda, Brazil (3 parties), British Virgin Islands (2 parties), Canada, USA (2 parties) | 9 | 16% |

4. The Centre can also propose or appoint a neutral to act as mediator pursuant to the Expert Rules. In such case, the Centre will not administer the mediation proceedings, but its role is limited to the proposal or appointment. Where such proposal or appointment is made at the joint request of all the parties in ongoing proceedings pursuant to ICC Rules of Arbitration, the proposal or appointment shall be free of charge (Article 3 of Appendix II to the Rules for Proposal of Experts and Neutrals/ the Rules for Appointment of Experts and Neutrals).

5. The costs of an ICC Mediation include (i) the Filing Fee and ICC administrative expenses fixed at the Centre's discretion depending on the tasks carried out by the Centre and normally not exceeding amounts set forth in the Appendix (Art. 2(1)) to the Mediation Rules and (ii) the fees and expenses of the neutral which are calculated on the basis of the time reasonably spent by the Mediator in the proceedings, unless otherwise agreed by the parties (Appendix, Art. 3(1)).

6. General guidance regarding issues that should be considered by individuals who have been retained to serve as an expert in proceedings under the ICC Expert Rules or the ICC Rules of Arbitration, or who are contemplating such an engagement, can be found in the updated report of the [ICC Commission on Arbitration and ADR](#) 'Issues for Experts Acting Under the ICC Expert Rules or the ICC Rules of Arbitration'. A related report addresses the 'Issues for Arbitrators to Consider Regarding Experts'.

7. Appendix II (Art. 3) of the Rules for the Proposal of Experts and Neutrals provide that if the request for proposal of an expert is made by an arbitral tribunal acting pursuant to the ICC Rules of Arbitration or jointly by the parties to such proceedings, the services of the Centre shall be provided free of charge.

8. The Centre may appoint dispute board members either under the [ICC Expert Rules](#) or the [ICC Dispute Board Rules](#).

| Region/country | No. of parties | % of total no. of parties |
|--|----------------|---------------------------|
| Asia & Pacific China, Jordan (2 parties), South Korea, Singapore, Saudi Arabia (3 parties), UAE (8 parties), Vietnam | 17 | 29% |
| Europe Andorra, Austria, Belgium, Finland, France (6 parties), Germany (2 parties), Hungary, Montenegro (5 parties), Poland (4 parties), Spain (2 parties), States of Guernsey (2 parties) | 26 | 45% |
| Total | 58 | 100% |

In 2020, the Centre proposed four experts and appointed or confirmed 15 experts (19 experts in total) originating from Brazil, Egypt, France, Italy, Netherlands, Nigeria, United Kingdom, Poland, Spain.

Requests related to expert services under the ICC Expert Rules covered various business sectors. The majority of the requests filed in 2020 related to technical expertise, often overlapping with financial expertise. In the remaining cases, parties sought financial and/or legal expertise. As in other areas of ICC dispute resolution, the highest demand arose from the construction and energy sectors.

Dispute Boards

Under the ICC Dispute Board Rules and upon the parties' request, the Centre may appoint dispute board members, decide on challenges against dispute board members, review their decisions and fix their fees. Moreover, as a result of the collaborative efforts of ICC and FIDIC over the years, ICC is the dispute settlement body to decide on challenges filed against a Dispute Adjudication/Avoidance Boards (DAAB) member under the FIDIC's 2017 suite of contracts.⁹

The ICC Dispute Board Rules, which comprise a 'Model Dispute Board Member Agreement', may be applied without recourse to ICC. However, the administrative services listed above are provided exclusively by the ICC ADR Centre to facilitate the application of the Dispute Board Rules.

In 2020, three requests were filed for the appointment or confirmation of ten dispute board members on the basis of an agreement referring to the ICC Dispute Board Rules.

DOCDEX

ICC DOCDEX (Documentary Instruments Dispute Resolution Expertise) is a rapid, document-based dispute resolution service for trade finance. Initially designed for letters of credit, it has since been extended to include other trade finance instruments, undertakings and agreements (documentary credits, collections and demand guarantees, etc.). For proceedings under the DOCDEX Rules, the Centre appoints experts to render an independent, impartial and prompt decision settling the dispute.¹⁰

In 2020, seven requests for a DOCDEX decision – involving a total of 15 parties – were filed with the Centre. Although the use of the service is traditionally stronger in Asia, parties to the 2020 requests were, in order of importance, from Europe (seven parties), Asia (four parties), Africa (three parties) and North America (one party).

Disputes are decided by a panel of three experts appointed by the Centre, usually of different nationalities. As an illustration of ICC's broad expert network, the 18 experts appointed in 2020 originated from Europe (Belgium, Czech Republic, Denmark, Finland, Germany, Italy, Sweden, Turkey and United Kingdom), Asia & the Pacific (Australia, Bangladesh, Bahrain, India, Pakistan, Singapore) and Africa (South Africa).¹¹

9. See Appendix III to the [ICC Dispute Board Rules](#), in force as from 1 October 2018.

10. The publication '[Collected DOCDEX Decisions 2013-2016](#)' compiles expert decisions rendered under the [ICC DOCDEX Rules](#) (ICC Publication n°786, also available in the [ICC Digital Library](#) /Trade Finance).

11. The remaining three DOCDEX experts were appointed in 2021.



[↩](#) - Back to the report

Parties

Table 01 Most frequent nationalities among parties



| Country of origin | Number of parties | % of total no. of parties in all 2020 filings |
|----------------------|-------------------|---|
| USA | 232 | 9.25% |
| Brazil | 150 | 5.98% |
| Spain | 125 | 4.99% |
| France | 112 | 4.47% |
| Italy | 112 | 4.47% |
| United Arab Emirates | 90 | 3.59% |
| Germany | 83 | 3.31% |
| China* | 80 | 3.19% |
| India | 79 | 3.15% |
| Mexico | 78 | 3.11% |
| Saudi Arabia | 64 | 2.55% |
| Turkey | 57 | 2.27% |
| United Kingdom | 55 | 2.19% |
| Netherlands | 50 | 1.99% |
| South Korea | 48 | 1.91% |
| Switzerland | 48 | 1.91% |
| Qatar | 47 | 1.87% |
| Belgium | 39 | 1.56% |
| Canada | 39 | 1.56% |
| Romania | 35 | 1.40% |
| Portugal | 30 | 1.20% |
| Austria | 27 | 1.08% |

* Including Hong Kong and Macau.

Table 02 Nationalities represented by region



Africa

| Country/Territory | Claimants | Respondents | Total |
|---------------------------|-----------|-------------|------------|
| Algeria | 4 | 5 | 9 |
| Egypt | 6 | 7 | 13 |
| Libya | 1 | 4 | 5 |
| Mauritania | 2 | 1 | 3 |
| Morocco | 3 | 3 | 6 |
| Tunisia | 7 | 3 | 10 |
| North Africa | | | 46 |
| Angola | 2 | 6 | 8 |
| Benin | 1 | 1 | 2 |
| Burundi | 0 | 2 | 2 |
| Cameroon | 0 | 2 | 2 |
| Chad | 1 | 0 | 1 |
| Congo Dem. Republic | 5 | 4 | 9 |
| Congo Republic | 0 | 1 | 1 |
| Cote d'Ivoire | 0 | 1 | 1 |
| Equatorial Guinea | 0 | 1 | 1 |
| Ethiopia | 0 | 1 | 1 |
| Gabon | 3 | 6 | 9 |
| Gambia | 1 | 0 | 1 |
| Ghana | 2 | 2 | 4 |
| Guinea | 2 | 2 | 4 |
| Kenya | 1 | 2 | 3 |
| Liberia | 0 | 1 | 1 |
| Madagascar | 0 | 1 | 1 |
| Mali | 0 | 1 | 1 |
| Mauritius | 4 | 5 | 9 |
| Mozambique | 3 | 3 | 6 |
| Nigeria | 12 | 10 | 22 |
| Rwanda | 2 | 2 | 4 |
| Seychelles | 1 | 2 | 3 |
| Sierra Leone | 1 | 1 | 2 |
| South Africa | 2 | 5 | 7 |
| Tanzania | 3 | 5 | 8 |
| Uganda | 3 | 2 | 5 |
| Zambia | 3 | 2 | 5 |
| Zimbabwe | 1 | 1 | 2 |
| Sub-Saharan Africa | | | 125 |
| Africa | | | 171 |



- Back to the report

Americas

| Country/Territory | Claimants | Respondents | Total |
|--------------------------------------|-----------|-------------|------------|
| Canada | 17 | 22 | 39 |
| USA | 116 | 116 | 232 |
| North America | | | 271 |
| Argentina | 8 | 11 | 19 |
| Bahamas | 2 | 2 | 4 |
| Barbados | 1 | 0 | 1 |
| Belize | 1 | 0 | 1 |
| Bermuda | 2 | 3 | 5 |
| Bolivia | 2 | 2 | 4 |
| Brazil | 74 | 76 | 150 |
| British Virgin Islands | 12 | 7 | 19 |
| Cayman Islands | 10 | 6 | 16 |
| Chile | 7 | 7 | 14 |
| Colombia | 3 | 9 | 12 |
| Costa Rica | 0 | 1 | 1 |
| Curaçao | 2 | 5 | 7 |
| Dominica | 0 | 1 | 1 |
| Dominican Republic | 1 | 2 | 3 |
| Ecuador | 2 | 2 | 4 |
| El Salvador | 1 | 1 | 2 |
| Guatemala | 2 | 2 | 4 |
| Haiti | 3 | 0 | 3 |
| Honduras | 0 | 4 | 4 |
| Jamaica | 0 | 5 | 5 |
| Mexico | 37 | 41 | 78 |
| Nicaragua | 1 | 2 | 3 |
| Panama | 6 | 3 | 9 |
| Peru | 5 | 4 | 9 |
| Uruguay | 1 | 3 | 4 |
| St Kitts and Nevis | 0 | 1 | 1 |
| Turks & Caicos Islands | 2 | 1 | 3 |
| Venezuela | 6 | 4 | 10 |
| Latin America & Caribbean | | | 396 |
| Americas | | | 667 |

Asia & the Pacific

| Country/Territory | Claimants | Respondents | Total |
|--|-----------|-------------|------------|
| Afghanistan | 1 | 3 | 4 |
| Armenia | 1 | 0 | 1 |
| Azerbaijan | 1 | 1 | 2 |
| Bahrain | 3 | 3 | 6 |
| Georgia | 1 | 3 | 4 |
| Iran | 4 | 12 | 16 |
| Iraq | 2 | 6 | 8 |
| Israel | 9 | 10 | 19 |
| Jordan | 4 | 5 | 9 |
| Kazakhstan | 3 | 3 | 6 |
| Kuwait | 5 | 3 | 8 |
| Lebanon | 10 | 7 | 17 |
| Oman | 6 | 6 | 12 |
| Qatar | 28 | 19 | 47 |
| Saudi Arabia | 21 | 43 | 64 |
| United Arab Emirates | 44 | 46 | 90 |
| Central & West Asia | | | 313 |
| Australia | 5 | 7 | 12 |
| Bangladesh | 1 | 0 | 1 |
| Cambodia | 1 | 3 | 4 |
| China* | 42 | 38 | 80 |
| Chinese Taipei | 13 | 6 | 19 |
| India | 33 | 46 | 79 |
| Indonesia | 2 | 8 | 10 |
| Japan | 7 | 9 | 16 |
| Lao | 0 | 3 | 3 |
| Malaysia | 4 | 3 | 7 |
| Mongolia | 2 | 2 | 4 |
| Myanmar | 2 | 3 | 5 |
| New Zealand | 0 | 2 | 2 |
| Pakistan | 4 | 5 | 9 |
| Philippines | 2 | 2 | 4 |
| Singapore | 12 | 7 | 19 |
| Solomon Islands | 1 | 0 | 1 |
| South Korea | 21 | 27 | 48 |
| Thailand | 7 | 7 | 14 |
| Vietnam | 2 | 3 | 5 |
| South & East Asia and Pacific | | | 342 |
| Asia & Pacific | | | 655 |

* 46 from Mainland China (19 claimants, 27 respondents); 33 from Hong Kong (22 claimants, 11 respondents); 1 from Macao (1 claimant).



- Back to the report

Europe

| Country/Territory | Claimants | Respondents | Total |
|----------------------------------|-----------|-------------|-------------|
| Austria | 11 | 16 | 27 |
| Belgium | 21 | 18 | 39 |
| Channel Islands | 2 | 3 | 5 |
| Denmark | 2 | 13 | 15 |
| Finland | 5 | 5 | 10 |
| France | 57 | 55 | 112 |
| Germany | 42 | 41 | 83 |
| Gibraltar | 0 | 2 | 2 |
| Iceland | 0 | 1 | 1 |
| Ireland | 10 | 3 | 13 |
| Isle of Man | 0 | 2 | 2 |
| Italy | 71 | 41 | 112 |
| Luxembourg | 12 | 12 | 24 |
| Malta | 1 | 11 | 12 |
| Monaco | 1 | 1 | 2 |
| Netherlands | 25 | 25 | 50 |
| Norway | 8 | 5 | 13 |
| Portugal | 14 | 16 | 30 |
| Spain | 61 | 64 | 125 |
| Sweden | 6 | 12 | 18 |
| Switzerland | 20 | 28 | 48 |
| United Kingdom | 28 | 27 | 55 |
| North & West Europe | | | 798 |
| Albania | 2 | 2 | 4 |
| Bosnia & Herzegovina | 1 | 0 | 1 |
| Bulgaria | 0 | 3 | 3 |
| Croatia | 2 | 3 | 5 |
| Cyprus | 8 | 6 | 14 |
| Czech Republic | 2 | 4 | 6 |
| Estonia | 1 | 0 | 1 |
| Greece | 5 | 7 | 12 |
| Hungary | 3 | 1 | 4 |
| Kosovo | 0 | 2 | 2 |
| Latvia | 0 | 1 | 1 |
| Lithuania | 0 | 1 | 1 |
| Montenegro | 2 | 2 | 4 |
| Poland | 8 | 13 | 21 |
| Romania | 18 | 17 | 35 |
| Russian Federation | 11 | 10 | 21 |
| Serbia | 6 | 6 | 12 |
| Slovakia | 2 | 1 | 3 |
| Slovenia | 1 | 0 | 1 |
| Turkey | 25 | 32 | 57 |
| Ukraine | 4 | 4 | 8 |
| Central & East Europe | | | 216 |
| Europe | | | 1014 |

Table 03 Number of states and state-owned parties by region

| Region | Number of state and parastatal parties | % of all parties from the region |
|-------------------------------|--|----------------------------------|
| South & East Asia and Pacific | 52 | 15.6% |
| Latin America & Caribbean | 50 | 12.6% |
| North & West Europe | 30 | 3.8% |
| Sub-Saharan Africa | 28 | 22.4% |
| Central & East Europe | 28 | 13.0% |
| Central & West Asia | 26 | 8.3% |
| North Africa | 8 | 17.4% |
| North America | 6 | 2.2% |



[↶](#) - Back to the report

Arbitral tribunals

Table 04 Selection of arbitrators

| | Sole arbitrators | Co-arbitrators in three-member tribunals | Presidents of three-member tribunals | Total |
|--|------------------|--|--------------------------------------|-------------|
| Nominations by parties, confirmed by Court/Secretary General | 84 | 782 | 40 | 906 |
| Nominations by co-arbitrators, confirmed by Court/Secretary General | N/A | N/A | 227 | 227 |
| Appointments by Court upon proposal from ICC National Committee or Group | 162 | 12 | 72 | 246 |
| Appointments directly by Court | 50 | 26 | 63 | 139 |
| Appointments by an authority other than the Court | 2 | 0 | 0 | 2 |
| Total | 298 | 820 | 402 | 1520 |

Table 05 Most frequent nationalities

| Country of origin | Number of appointments/confirmations | % of total number of appointments/confirmations |
|-------------------|--------------------------------------|---|
| United Kingdom | 220 | 14.47% |
| USA | 153 | 10.07% |
| Switzerland | 135 | 8.88% |
| France | 101 | 6.64% |
| Brazil | 88 | 5.79% |
| Germany | 81 | 5.33% |
| Canada | 50 | 3.29% |
| Mexico | 47 | 3.09% |
| Belgium | 40 | 2.63% |
| Netherlands | 40 | 2.63% |
| Spain | 37 | 2.43% |
| Austria | 36 | 2.37% |
| Italy | 34 | 2.24% |
| Argentina | 32 | 2.11% |
| Singapore | 31 | 2.04% |
| Lebanon | 30 | 1.97% |
| Portugal | 28 | 1.84% |
| Turkey | 23 | 1.51% |
| Australia | 21 | 1.38% |
| India | 20 | 1.32% |
| Ireland | 18 | 1.18% |
| Chile | 16 | 1.05% |

Table 06 Breakdown by country of origin and status

| | Sole arbitrator | Co-arbitrator | President of tribunal | Total |
|--------------------|-----------------|---------------|-----------------------|------------|
| Afghanistan | 1 | 0 | 0 | 1 |
| Algeria | 0 | 2 | 0 | 2 |
| Argentina | 2 | 20 | 10 | 32 |
| Armenia | 0 | 1 | 0 | 1 |
| Australia | 7 | 9 | 5 | 21 |
| Austria | 8 | 20 | 8 | 36 |
| Azerbaijan | 1 | 0 | 0 | 1 |
| Bahrain | 1 | 0 | 0 | 1 |
| Barbados | 0 | 1 | 0 | 1 |
| Belgium | 5 | 18 | 17 | 40 |
| Bolivia | 0 | 2 | 0 | 2 |
| Brazil | 3 | 58 | 27 | 88 |
| Bulgaria | 1 | 0 | 0 | 1 |
| Cameroon | 0 | 2 | 0 | 2 |
| Canada | 16 | 22 | 12 | 50 |
| Chile | 1 | 11 | 4 | 16 |
| China | 2 | 5 | 0 | 7 |
| Chinese Taipei | 0 | 2 | 0 | 2 |
| Colombia | 0 | 8 | 5 | 13 |
| Costa Rica | 0 | 2 | 3 | 5 |
| Croatia | 1 | 0 | 1 | 2 |
| Cyprus | 1 | 1 | 0 | 2 |
| Czech Republic | 0 | 2 | 1 | 3 |
| Denmark | 3 | 3 | 1 | 7 |
| Dominican Republic | 0 | 1 | 1 | 2 |
| Ecuador | 0 | 0 | 1 | 1 |
| Egypt | 1 | 9 | 2 | 12 |
| El Salvador | 0 | 0 | 1 | 1 |
| Finland | 0 | 2 | 1 | 3 |
| France | 33 | 43 | 25 | 101 |
| Germany | 11 | 41 | 29 | 81 |
| Greece | 2 | 7 | 4 | 13 |
| Guatemala | 1 | 0 | 1 | 2 |
| Hungary | 0 | 1 | 0 | 1 |
| India | 3 | 15 | 2 | 20 |
| Indonesia | 0 | 1 | 0 | 1 |
| Iran | 1 | 5 | 1 | 7 |
| Iraq | 1 | 1 | 0 | 2 |
| Ireland | 5 | 4 | 9 | 18 |
| Israel | 0 | 6 | 0 | 6 |
| Italy | 6 | 18 | 10 | 34 |
| Jamaica | 0 | 1 | 1 | 2 |
| Japan | 3 | 0 | 0 | 3 |
| Jordan | 2 | 5 | 1 | 8 |
| Kazakhstan | 0 | 1 | 0 | 1 |
| Kenya | 2 | 0 | 0 | 2 |
| Kuwait | 0 | 1 | 0 | 1 |
| Latvia | 1 | 1 | 2 | 4 |
| Lebanon | 10 | 17 | 3 | 30 |



- Back to the report

| | Sole arbitrator | Co-arbitrator | President of tribunal | Total |
|---|-----------------|---------------|-----------------------|-------------|
| Lithuania | 0 | 0 | 1 | 1 |
| Malaysia | 2 | 1 | 0 | 3 |
| Malta | 0 | 2 | 0 | 2 |
| Mauritius | 0 | 0 | 1 | 1 |
| Mexico | 4 | 33 | 10 | 47 |
| Morocco | 1 | 0 | 0 | 1 |
| Nepal | 0 | 1 | 0 | 1 |
| Netherlands | 5 | 18 | 17 | 40 |
| New Zealand | 2 | 5 | 2 | 9 |
| Nigeria | 1 | 2 | 2 | 5 |
| Norway | 1 | 0 | 0 | 1 |
| Pakistan | 0 | 1 | 0 | 1 |
| Panama | 0 | 2 | 1 | 3 |
| Peru | 1 | 5 | 0 | 6 |
| Philippines | 1 | 0 | 0 | 1 |
| Poland | 2 | 2 | 2 | 6 |
| Portugal | 6 | 13 | 9 | 28 |
| Romania | 1 | 3 | 0 | 4 |
| Russian Federation | 2 | 1 | 1 | 4 |
| Saudi Arabia | 0 | 3 | 0 | 3 |
| Serbia | 0 | 5 | 0 | 5 |
| Singapore | 9 | 13 | 9 | 31 |
| Slovak Republic | 0 | 1 | 0 | 1 |
| South Africa | 1 | 3 | 0 | 4 |
| South Korea | 0 | 1 | 2 | 3 |
| Spain | 5 | 16 | 16 | 37 |
| Sri Lanka | 0 | 1 | 0 | 1 |
| St Kitts & Nevis | 0 | 2 | 0 | 2 |
| Sweden | 2 | 6 | 4 | 12 |
| Switzerland | 36 | 65 | 34 | 135 |
| Syria | 0 | 1 | 0 | 1 |
| Tanzania | 0 | 1 | 0 | 1 |
| Thailand | 1 | 1 | 0 | 2 |
| Tunisia | 1 | 0 | 0 | 1 |
| Turkey | 6 | 14 | 3 | 23 |
| Ukraine | 2 | 2 | 0 | 4 |
| United Arab Emirates | 2 | 5 | 1 | 8 |
| United Kingdom | 38 | 123 | 59 | 220 |
| Uruguay | 0 | 5 | 2 | 7 |
| USA | 29 | 87 | 37 | 153 |
| Venezuela | 1 | 4 | 1 | 6 |
| Yemen | 0 | 1 | 0 | 1 |
| Zimbabwe | 1 | 2 | 0 | 3 |
| Total of nominations/ appointments | | | | 1520 |

Table 07 Breakdown of men/women arbitrators appointed or confirmed by region

| Region | Year | Men | Women | | |
|--------------------|-------------|------------|------------|-----------|------------|
| North Africa | 2010 | 20 | 95% | 1 | 5% |
| | 2011 | 9 | 75% | 3 | 25% |
| | 2012 | 11 | 92% | 1 | 8% |
| | 2013 | 15 | 94% | 1 | 6% |
| | 2014 | 9 | 90% | 1 | 10% |
| | 2015 | 11 | 73% | 4 | 27% |
| | 2016 | 18 | 86% | 3 | 14% |
| | 2017 | 31 | 91% | 3 | 9% |
| | 2018 | 23 | 92% | 2 | 8% |
| | 2019 | 20 | 83% | 4 | 17% |
| | 2020 | 12 | 75% | 4 | 25% |
| Sub-Saharan Africa | 2010 | 19 | 100% | 0 | 0% |
| | 2011 | 20 | 91% | 2 | 9% |
| | 2012 | 12 | 92% | 1 | 8% |
| | 2013 | 31 | 100% | 0 | 0% |
| | 2014 | 27 | 96% | 1 | 4% |
| | 2015 | 17 | 100% | 0 | 0% |
| | 2016 | 10 | 83% | 2 | 17% |
| | 2017 | 23 | 96% | 1 | 4% |
| | 2018 | 18 | 86% | 3 | 14% |
| | 2019 | 25 | 83% | 5 | 17% |
| | 2020 | 15 | 83% | 3 | 17% |
| North America | 2010 | 130 | 90% | 15 | 10% |
| | 2011 | 133 | 87% | 19 | 13% |
| | 2012 | 113 | 89% | 14 | 11% |
| | 2013 | 111 | 88% | 15 | 12% |
| | 2014 | 157 | 92% | 13 | 8% |
| | 2015 | 158 | 91% | 15 | 9% |
| | 2016 | 193 | 86% | 32 | 14% |
| | 2017 | 114 | 82% | 25 | 18% |
| | 2018 | 139 | 84% | 27 | 16% |
| | 2019 | 110 | 75% | 37 | 25% |
| | 2020 | 147 | 72% | 56 | 28% |



| Region | Year | Men | Women | | |
|-------------------------------|-------------|------------|------------|-----------|------------|
| Latin America & Caribbean | 2010 | 112 | 95% | 6 | 5% |
| | 2011 | 100 | 94% | 6 | 6% |
| | 2012 | 120 | 93% | 9 | 7% |
| | 2013 | 120 | 89% | 15 | 11% |
| | 2014 | 123 | 94% | 8 | 6% |
| | 2015 | 169 | 91% | 16 | 9% |
| | 2016 | 145 | 88% | 19 | 12% |
| | 2017 | 165 | 82% | 36 | 18% |
| | 2018 | 167 | 84% | 31 | 16% |
| | 2019 | 148 | 83% | 30 | 17% |
| | 2020 | 186 | 79% | 50 | 21% |
| Central & West Asia | 2010 | 42 | 95% | 2 | 5% |
| | 2011 | 55 | 85% | 10 | 15% |
| | 2012 | 43 | 90% | 5 | 10% |
| | 2013 | 49 | 89% | 6 | 11% |
| | 2014 | 40 | 87% | 6 | 13% |
| | 2015 | 40 | 83% | 8 | 17% |
| | 2016 | 46 | 84% | 9 | 16% |
| | 2017 | 43 | 68% | 20 | 32% |
| | 2018 | 61 | 80% | 15 | 20% |
| | 2019 | 33 | 62% | 20 | 38% |
| | 2020 | 55 | 76% | 17 | 24% |
| South & East Asia and Pacific | 2010 | 97 | 98% | 2 | 2% |
| | 2011 | 94 | 95% | 5 | 5% |
| | 2012 | 109 | 92% | 9 | 8% |
| | 2013 | 153 | 97% | 4 | 3% |
| | 2014 | 96 | 88% | 13 | 12% |
| | 2015 | 102 | 91% | 10 | 9% |
| | 2016 | 109 | 89% | 14 | 11% |
| | 2017 | 123 | 87% | 18 | 13% |
| | 2018 | 112 | 89% | 14 | 11% |
| | 2019 | 119 | 90% | 13 | 10% |
| | 2020 | 90 | 85% | 16 | 15% |

| Region | Year | Men | Women | | |
|-----------------------|-------------|------------|------------|------------|------------|
| North & West Europe | 2010 | 729 | 93% | 58 | 7% |
| | 2011 | 756 | 94% | 46 | 6% |
| | 2012 | 715 | 93% | 51 | 7% |
| | 2013 | 666 | 91% | 63 | 9% |
| | 2014 | 684 | 90% | 78 | 10% |
| | 2015 | 635 | 90% | 67 | 10% |
| | 2016 | 617 | 86% | 103 | 14% |
| | 2017 | 679 | 85% | 119 | 15% |
| | 2018 | 634 | 81% | 146 | 19% |
| | 2019 | 656 | 79% | 177 | 21% |
| | 2020 | 615 | 77% | 180 | 23% |
| Central & East Europe | 2010 | 86 | 88% | 12 | 12% |
| | 2011 | 71 | 86% | 12 | 14% |
| | 2012 | 76 | 86% | 12 | 14% |
| | 2013 | 65 | 81% | 15 | 19% |
| | 2014 | 62 | 87% | 9 | 13% |
| | 2015 | 45 | 74% | 16 | 26% |
| | 2016 | 64 | 70% | 27 | 30% |
| | 2017 | 61 | 69% | 27 | 31% |
| | 2018 | 57 | 62% | 35 | 38% |
| | 2019 | 53 | 67% | 26 | 33% |
| | 2020 | 45 | 61% | 29 | 39% |



- Back to the report

Places of arbitration

Table 08 Ten most frequently selected cities



| City | Number of cases | % of all places of arbitration |
|-----------|-----------------|--------------------------------|
| Paris | 87 | 12.2% |
| London | 85 | 12.0% |
| Geneva | 60 | 8.4% |
| New York | 49 | 6.9% |
| Zurich | 37 | 5.2% |
| Singapore | 26 | 3.7% |
| Dubai | 23 | 3.2% |
| Doha | 22 | 3.1% |
| Sao Paulo | 20 | 2.8% |
| Hong Kong | 19 | 2.7% |
| Dubai | 12 | 1.8% |

Table 09 Countries selected as place of arbitration



| Country | Place chosen by the parties | Place fixed by the Court | Total |
|-------------------|-----------------------------|--------------------------|-------|
| Albania | 1 | 0 | 1 |
| Algeria | 1 | 0 | 1 |
| Argentina | 6 | 0 | 6 |
| Australia | 1 | 0 | 1 |
| Austria | 11 | 2 | 13 |
| Belgium | 5 | 1 | 6 |
| Benin | 1 | 0 | 1 |
| Bolivia | 1 | 0 | 1 |
| Brazil | 29 | 1 | 30 |
| Canada | 11 | 0 | 11 |
| Chile | 3 | 0 | 3 |
| China (Hong Kong) | 16 | 3 | 19 |
| China (Macau) | 1 | 0 | 1 |
| Chinese Taipei | 1 | 0 | 1 |
| Colombia | 1 | 0 | 1 |
| Costa Rica | 1 | 0 | 1 |
| Curaçao | 0 | 1 | 1 |
| Cyprus | 1 | 0 | 1 |
| Czech Republic | 1 | 0 | 1 |
| Denmark | 1 | 0 | 1 |
| Egypt | 1 | 1 | 2 |
| Fiji | 1 | 0 | 1 |
| Finland | 3 | 0 | 3 |
| France | 80 | 8 | 88 |
| Germany | 14 | 2 | 16 |
| Greece | 1 | 0 | 1 |
| Guatemala | 2 | 0 | 2 |
| India | 6 | 1 | 7 |
| Ireland | 1 | 0 | 1 |

| Country | Place chosen by the parties | Place fixed by the Court | Total |
|----------------------|-----------------------------|--------------------------|-------|
| Israel | 4 | 0 | 4 |
| Italy | 10 | 1 | 11 |
| Japan | 2 | 0 | 2 |
| Jordan | 1 | 1 | 2 |
| Kenya | 1 | 0 | 1 |
| Lebanon | 2 | 0 | 2 |
| Luxembourg | 2 | 0 | 2 |
| Malaysia | 2 | 0 | 2 |
| Malta | 1 | 0 | 1 |
| Mexico | 18 | 0 | 18 |
| Mongolia | 1 | 0 | 1 |
| Mozambique | 0 | 1 | 1 |
| Netherlands | 19 | 2 | 21 |
| New Zealand | 1 | 0 | 1 |
| Nigeria | 1 | 0 | 1 |
| Norway | 1 | 0 | 1 |
| Oman | 1 | 1 | 2 |
| Panama | 4 | 0 | 4 |
| Poland | 4 | 0 | 4 |
| Portugal | 6 | 2 | 8 |
| Qatar | 17 | 5 | 22 |
| Romania | 4 | 0 | 4 |
| Saudi Arabia | 3 | 0 | 3 |
| Serbia | 1 | 0 | 1 |
| Singapore | 24 | 2 | 26 |
| South Africa | 2 | 0 | 2 |
| South Korea | 2 | 1 | 3 |
| Spain | 11 | 0 | 11 |
| Sweden | 8 | 0 | 8 |
| Switzerland | 98 | 6 | 104 |
| Tanzania | 1 | 0 | 1 |
| Thailand | 3 | 1 | 4 |
| Turkey | 7 | 2 | 9 |
| United Arab Emirates | 20 | 7 | 27 |
| United Kingdom | 80 | 5 | 85 |
| Uruguay | 2 | 0 | 2 |
| USA | 73 | 15 | 88 |

[↩](#) - Back to the report

Amounts in dispute

Table 10 Amounts in dispute

| Amounts in dispute in cases registered in 2020 (US\$) | | % of total number of cases |
|--|---------------|-------------------------------|
| ≤ 50,000 | | 1.7% |
| > 50,000 | ≤ 100,000 | 2.3% |
| > 100,000 | ≤ 200,000 | 2.9% |
| > 200,000 | ≤ 500,000 | 5.7% |
| > 500,000 | ≤ 1 million | 8% |
| > 1 million | ≤ 2 million | 10.5% |
| > 2 million | ≤ 5 million | 14.5% |
| > 5 million | ≤ 10 million | 12.1% |
| > 10 million | ≤ 30 million | 15.7% |
| > 30 million | ≤ 50 million | 6.1% |
| > 50 million | ≤ 80 million | 3.8% |
| > 80 million | ≤ 100 million | 2% |
| > 100 million | ≤ 500 million | 6.6% |
| > 500 million | | 1.9% |
| Not quantified | | 6.1% |