



# *2018 Statistical Report*



## INTRODUCTORY NOTE

This yearly report provides a statistical overview of **CEPANI** arbitration in 2018 and the evolution in comparison with past years.

In this report, you will find information about proceedings administered by **CEPANI** such as the origin of the Parties, the language, the constitution of Arbitral Tribunals, women in arbitration and more.

The 2018 statistics show that, regarding the geographical origin of the Parties, the challenges of Arbitrators, or the average duration of proceedings, the trends mostly remain the same as in previous years.

However, other parameters such as language, nature of the dispute and the constitution of the Arbitral Tribunals have evolved slightly in 2018 as compared to 2017.

**CEPANI** continues its commitment to ensure that each case is handled with the requested efficiency, rapidity, and efficacy, and in accordance with the specific needs of the Parties.

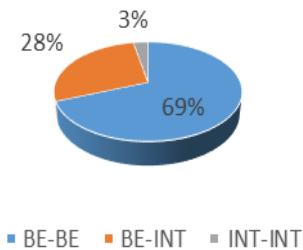
## PARTIES

### GEOGRAPHICAL ORIGIN

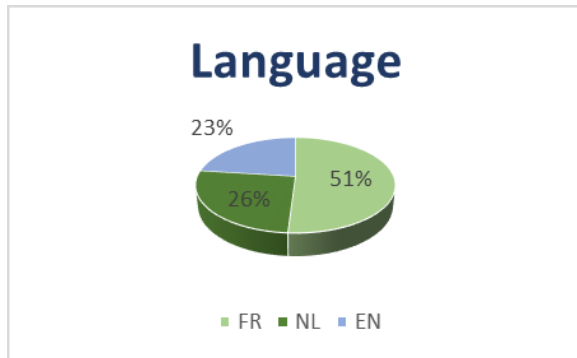
Bahrein	1
France	1
Italy	2
Iran	1
Luxembourg	5
Netherlands	5
Switzerland	1
United Kingdom	2

In 2018, 69 % of the cases were introduced between Belgian Parties, 28 % between at least one Belgian and an International Party, and 3% of the cases were introduced between only International Parties.

### Origin of the Parties

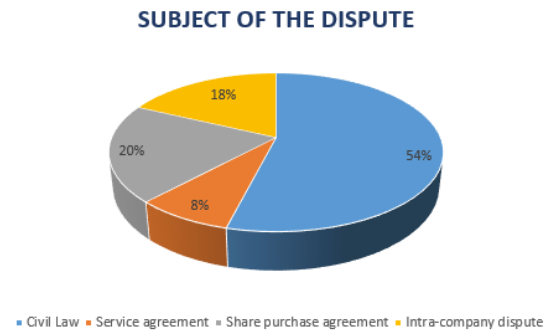


## LANGUAGE



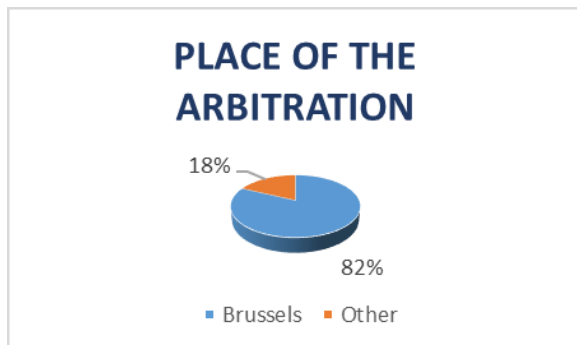
In 2018, there has been an increase of French cases compared to 2017. Indeed, 51% of the cases were introduced in French, 26% in Dutch and 23% in English.

## NATURE OF THE DISPUTE



In 2018, 54% of the cases concerned general issues of contract law. 8% related to a service agreement. 20% related to a share purchase agreement. 18% related to an intra-company dispute.

## PLACE OF ARBITRATION

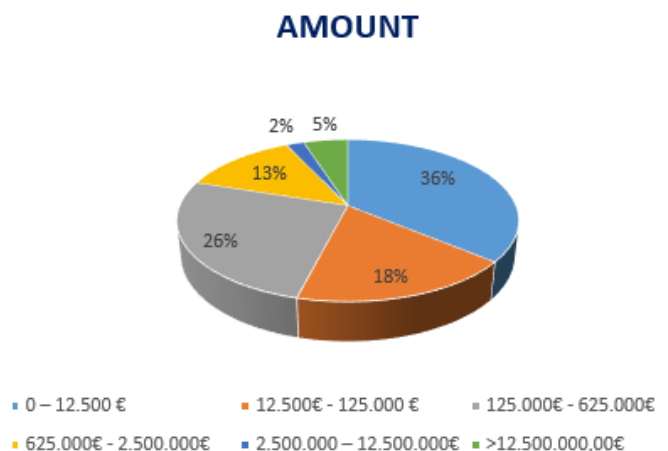


Brussels as place of arbitration is a steady trend.

In 2018, 82% of the cases had Brussels as seat of arbitration and 18% of the cases had their seat in another city.

In comparison to 2017, 70% of the cases had Brussels as seat of arbitration and 30% of the cases had their seat in another city.

## AMOUNT IN DISPUTE

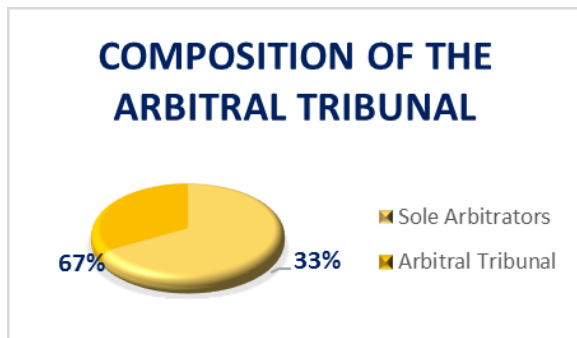


0 – 25.000 €	36%
25.000€ - 125.000 €	18%
125.000€ - 625.000€	26%
625.000€ - 2.500.000€	13%
2.500.000€ – 12.500.000€	2%
> 12.500.000€	5%

	Proposed and appointed by the Appointment Committee	Proposed by the Parties / confirmed by the Appointment Committee
Chairman of the Arbitral Tribunal composed of three arbitrators	43 %	57 %
Arbitral Tribunal composed of a sole arbitrator	93 %	7 %

## ARBITRAL TRIBUNAL

### CONSTITUTION



The majority, i.e. 67%, of the Arbitral Tribunals were composed of a Sole Arbitrator. 33% of the Tribunals were composed of three Arbitrators.

The trend marks an important change when compared to 2017, when a majority of the Arbitral Tribunals were composed of three Arbitrators.

In 2018 one emergency Arbitrator was appointed.

### WOMEN IN ARBITRATION

In 2018, 23% of the Arbitrators appointed by CEPANI were women, 87,50% of which were nominated by CEPANI and 12,50% by the Parties.

### CHALLENGES AND REPLACEMENTS OF ARBITRATORS

In 2018, no arbitrator was challenged nor replaced.

## AVERAGE DURATION OF CEPANI PROCEEDINGS IN 2018

In 2018, as in 2017, an arbitration procedure administrated under the CEPANI Rules lasted an average **15 months**, calculated as follows:

- ❖ Introduction to the constitution of the Arbitral Tribunal = 2 months.

The CEPANI Rules normally provide for a one-month deadline. The delay in practice is generally due to delays in the payment of the provision for arbitration costs by the Parties. Under CEPANI Rules, the Appointment Committee shall only appoint the Arbitral Tribunal when the provision for arbitration costs is paid in full.

- ❖ Constitution of the Arbitral Tribunal to the Terms of Reference = 2 months.
- ❖ Terms of Reference to the Award = 11 months.

When drawing up the Terms of Reference, or as soon as possible thereafter, the Arbitral Tribunal will organize a case management meeting between the Arbitral Tribunal and all Parties involved in the proceedings. This meeting may take place in person or via telephone or video conference. After having consulted the Parties, the Arbitral Tribunal will draw up in a separate document the Procedural Timetable.

It is recommended that the Parties not only send their Counsel to attend this meeting, but to also be present themselves. This may positively influence the time limits agreed upon. In any case, the Parties themselves are likely to have a better understanding of the arbitration process and to be in a better

position to estimate what time limits are realistic.

The CEPANI Rules grant the Arbitral Tribunal a deadline of six months to render its Award as from the signature of the Terms of Reference. The average time limit of 11 months is due to the fact that, with the Parties' consent, Arbitral Tribunals often establish procedural timetables exceeding – and thus extending – the six month deadline provided for in the CEPANI Rules.

Constitution of the Arbitral Tribunal to the Award = **13 months**

Total average duration of CEPANI arbitrations in 2018: **15 months**

### Average duration in days

