



**2019 Annual Report
Facts and Figures**



CAM·CCBC

CENTER FOR ARBITRATION AND MEDIATION



About the Annual Report

The Annual Report is a digital publication that presents CAM-CCBC's most important data from the previous calendar year. The report aims to offer transparency and publicity for the community, providing a precise overview of CAM-CCBC's key activities that includes statistics, institutional developments and new rules and regulations.

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About CAM-CCBC

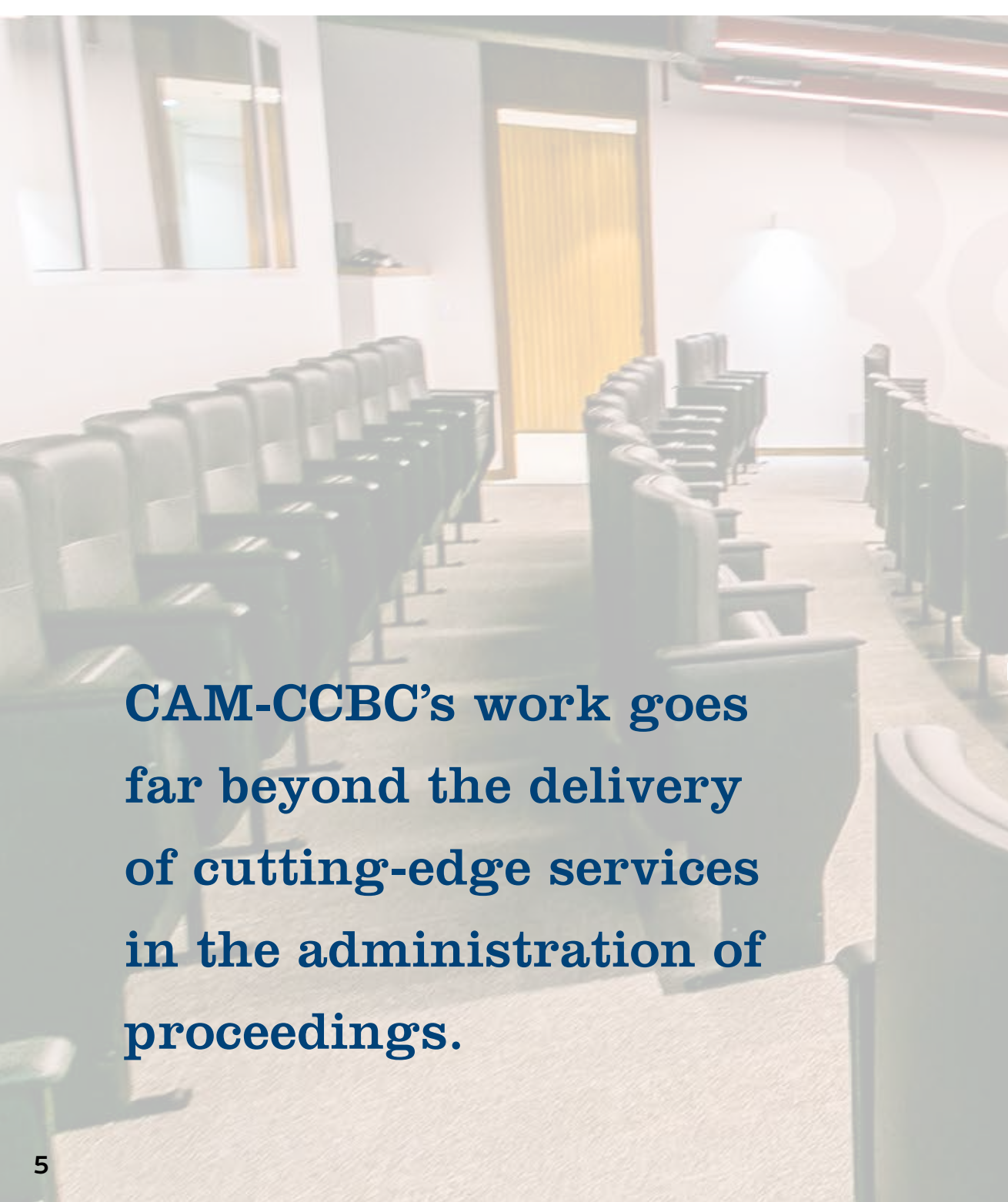
The Center for Arbitration and Mediation of the Chamber of Commerce Brazil-Canada (CAM-CCBC) is a Brazilian pioneer and leading institution dedicated to the administration and promotion of arbitration and other alternative dispute resolution (ADR) methods.

Including substantial experience in managing a wide range of business-related disputes in both domestic and international scenarios, some of CAM-CCBC's key service features are:

- ✓ unique case management formula, certified in accordance with ISO 9001:2015 – the international standard for quality in management systems;

- ✓ modern set of rules and regulations;
- ✓ administration of proceedings according to the UNCITRAL Arbitration Rules;
- ✓ infrastructure for meetings without extra costs in São Paulo - including a state-of-the-art hearing center and mediation room - and in Rio de Janeiro;
- ✓ a full-time team of specialized Case Managers with fluency in English and other languages;
- ✓ arbitrator and mediator lists comprised of well-recognized experts from distinct jurisdictions.

About CAM-CCBC



CAM-CCBC's work goes far beyond the delivery of cutting-edge services in the administration of proceedings.

According to the Queen Mary University and White & Case's 2018 International Arbitration Survey, the Center ranked 8th among the top of mind institutions worldwide.

CAM-CCBC's work goes far beyond the delivery of cutting-edge services in the administration of proceedings. The Center also has a well-constructed commitment to the development of ADRs worldwide, supporting students, professionals and other institutions in promoting the area's study and growth.

Among its institutional activities, CAM-CCBC provides strong incentives to student competitions and organizes its annual Arbitration Congress to address the present and future of arbitration.



Highlights of 2019



The Center's celebration of 40 years of experience

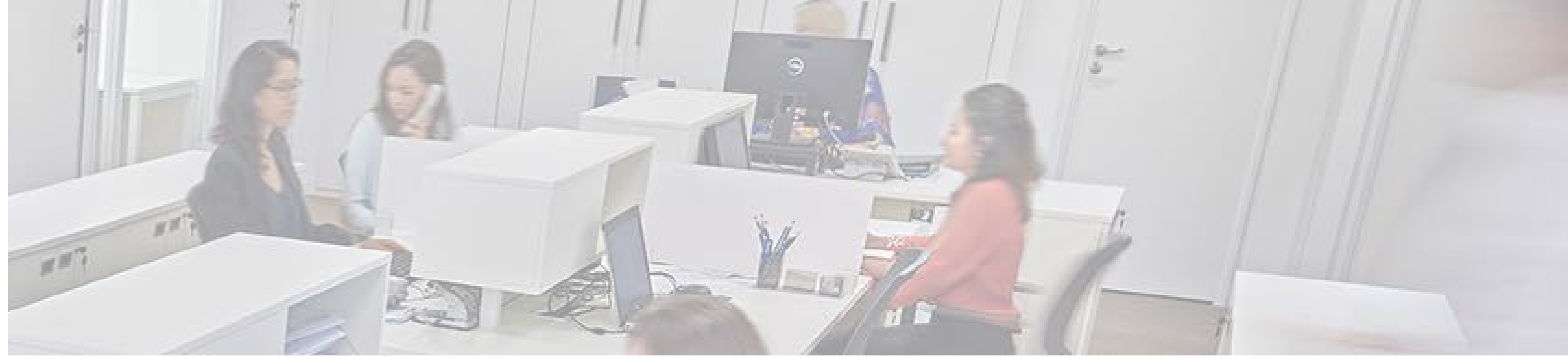
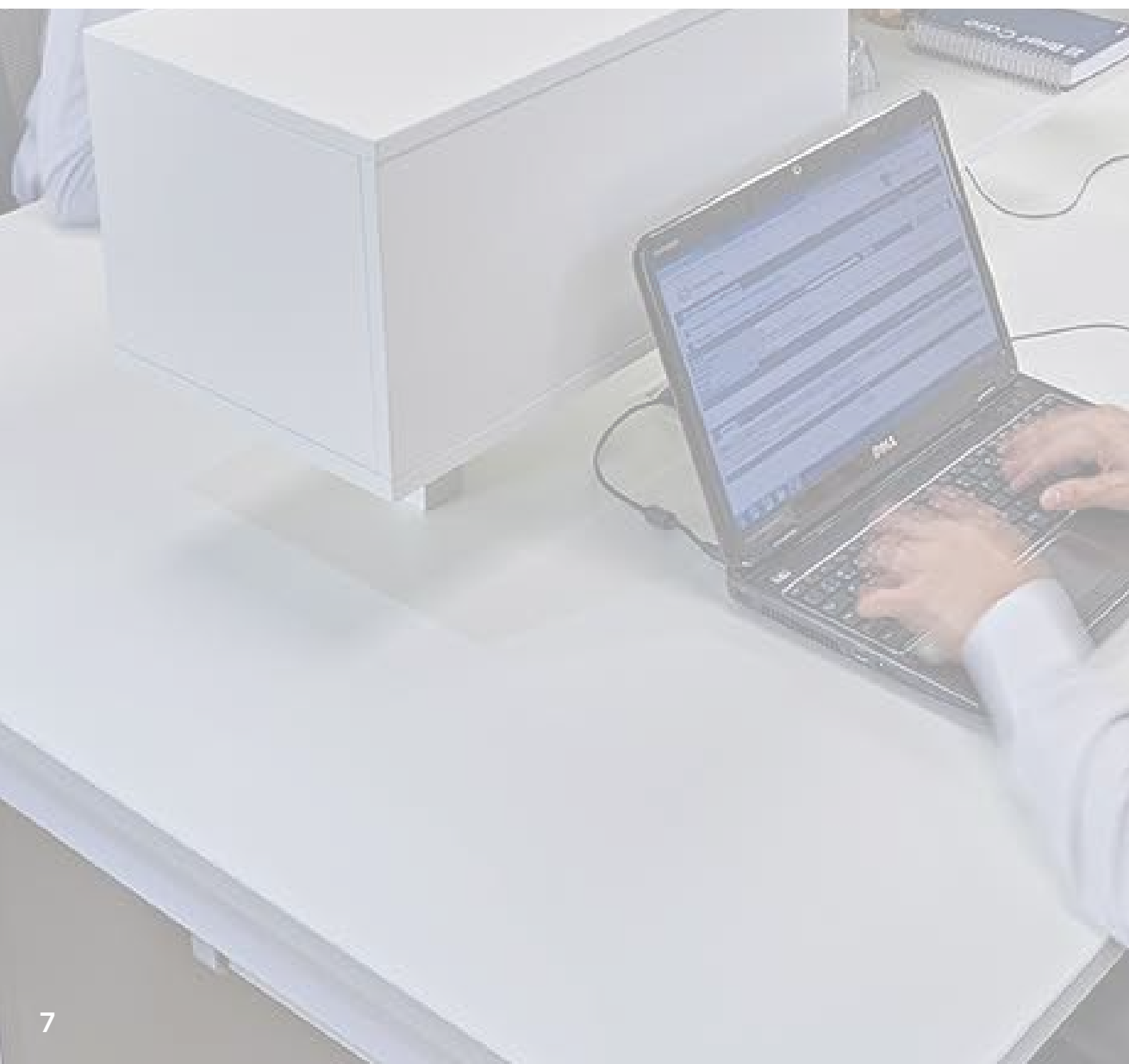
CAM-CCBC celebrated 40 years of history since its foundation in 1979. Over that period, the Center became a Brazilian pioneer, administering arbitration even before the Brazilian Arbitration Law, enacted in 1996. The Center also set the benchmark for unique administration services and established a solid reputation both in Brazil and internationally.



Election of the first female President

Eleonora Coelho is the first woman to take lead of the CAM-CCBC from 2019. Prior to her current position, she held the office of Secretary General of the Institution for four years. In addition, Eleonora, who is an attorney and arbitrator, has a strong academic background and extensive experience in arbitration and other ADRs.





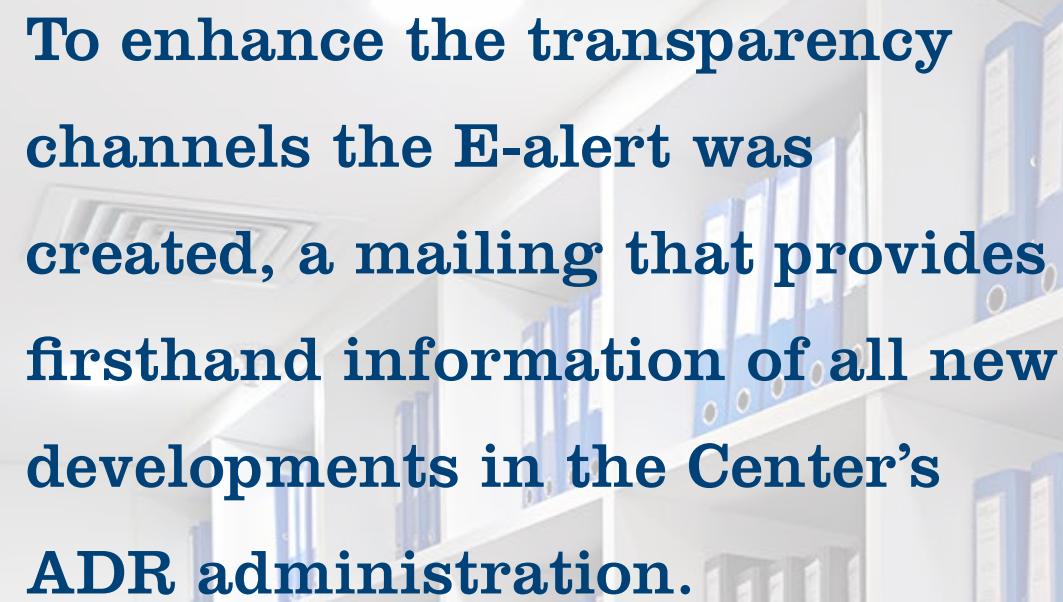
Secretariat developments

Several measures have been taken to develop CAM-CCBC Secretariat's work. A Secretariat Coordination was created to oversee the administration practices, organizational models for hearings were established and a biannual rotation program for Assistant Case Managers was set in motion, amongst other essential measures.



Expansion of scope of the ISO 9001 certification

Apart from the renewal of the ISO 9001:2015 certification of the quality in administration of arbitral proceedings, CAM-CCBC successfully certified all the ADR services provided: mediation, dispute boards and CCRD - Domain Name Dispute Resolution. With this development, the Center sought to further ensure excellence in every aspect of its services.



To enhance the transparency channels the E-alert was created, a mailing that provides firsthand information of all new developments in the Center's ADR administration.



Development of new transparency channels

Publishing administrative resolutions (ARs) is one of CAM-CCBC's most important practices, as each resolution – complementary to the Center's Arbitration Rules – is the result of intense internal debate and study in order to inject transparency and increase predictability to CAM-CCBC's proceedings.

In line with international best practice, AR 35/2019 establishes rules for disclosure of data concerning sitting arbitrators in CAM-CCBC's ongoing cases, as the name, position taken in the Arbitral Tribunal, amongst other data. In compliance with the duty of confidentiality, no other information related to the arbitration proceedings is disclosed. CAM-CCBC also launched other transparency channels, as the E-alert, a mailing that provides firsthand information of all new developments in the Center's ADR administration.



Creation of a research group for publication of arbitral award extracts

A research group idealized by CAM-CCBC worked throughout 2019 to create a method for publicizing arbitral award extracts. This approach is in line with the Center's major pillar of transparency, identified as a trend of today's international arbitration market. The method of publication is expected to be released in 2020.



The VI CAM-CCBC Arbitration Congress was the largest in history, with over 500 attendees for two days of intense debates on the today and the tomorrow of arbitration and networking with the most important players in the market.



The inauguration of CAM-CCBC's unit in Rio de Janeiro

To attend the growth in local demand, the new CAM-CCBC unit in Rio offers a closer service and greater convenience for users based in Rio. The office is prepared to receive documents, provides meeting rooms and other amenities. The unit allowed CAM-CCBC to be included in the list of the Attorney General's Office of the State of Rio de Janeiro, which enables the Center to be selected in arbitrations involving that state and local state entities.



The largest CAM-CCBC Arbitration Congress in history

The VI CAM-CCBC Arbitration Congress was the largest in history, with over 500 attendees for two days of intense debates on the today and the tomorrow of arbitration and networking with the most critical players in the market. Professors Constantine Partasides and Gabrielle Kaufmann-Kohler, two of the most influential names in international arbitration, delivered keynote speeches. Another notable highlight was the interactive panel with real-time voting of the audience through CAM-CCBC's App.



Compliance with gender diversity standards in events

CAM-CCBC organized or supported over 81 events in several countries – as United States, Canada, France and Portugal –, aiming to promote the discussion and study of ADR. After signing the ERA Pledge and approving an Administrative Resolution on the subject, CAM-CCBC vowed to include at least 30% of women as panelists in all events, which was complied with in 2019. A highlight was the VI CAM-CCBC Arbitration Congress, which had 49% of women on panels, reflecting a growth of 10% in comparison with the 5th edition.



Launch of the New Generation commission

At the 2019 São Paulo Arbitration Week (SPAW), an initiative also idealized by CAM-CCBC, the New Generation commission of young professionals was launched. The commission is supported by the Center and managed by an independent group of young lawyers, which will innovatively promote actions for the new generation of dispute resolution practitioners by the exchange of experiences, worldwide integration, studies and other initiatives to assist the development of the newcomers, focusing on cultural, ethnical, regional, gender and, of course, age diversity.



Important academic incentives

CAM-CCBC is fully committed to supporting students, professionals and institutions worldwide for the development of ADR study and practice as one of its strategic objectives. In 2019, an international internship was offered, over ten scholarships were granted for courses and academic competitions in several countries, over 80 events were organized or supported and a special week of events, the SPAW, was organized by the Center with record numbers of registered activities.

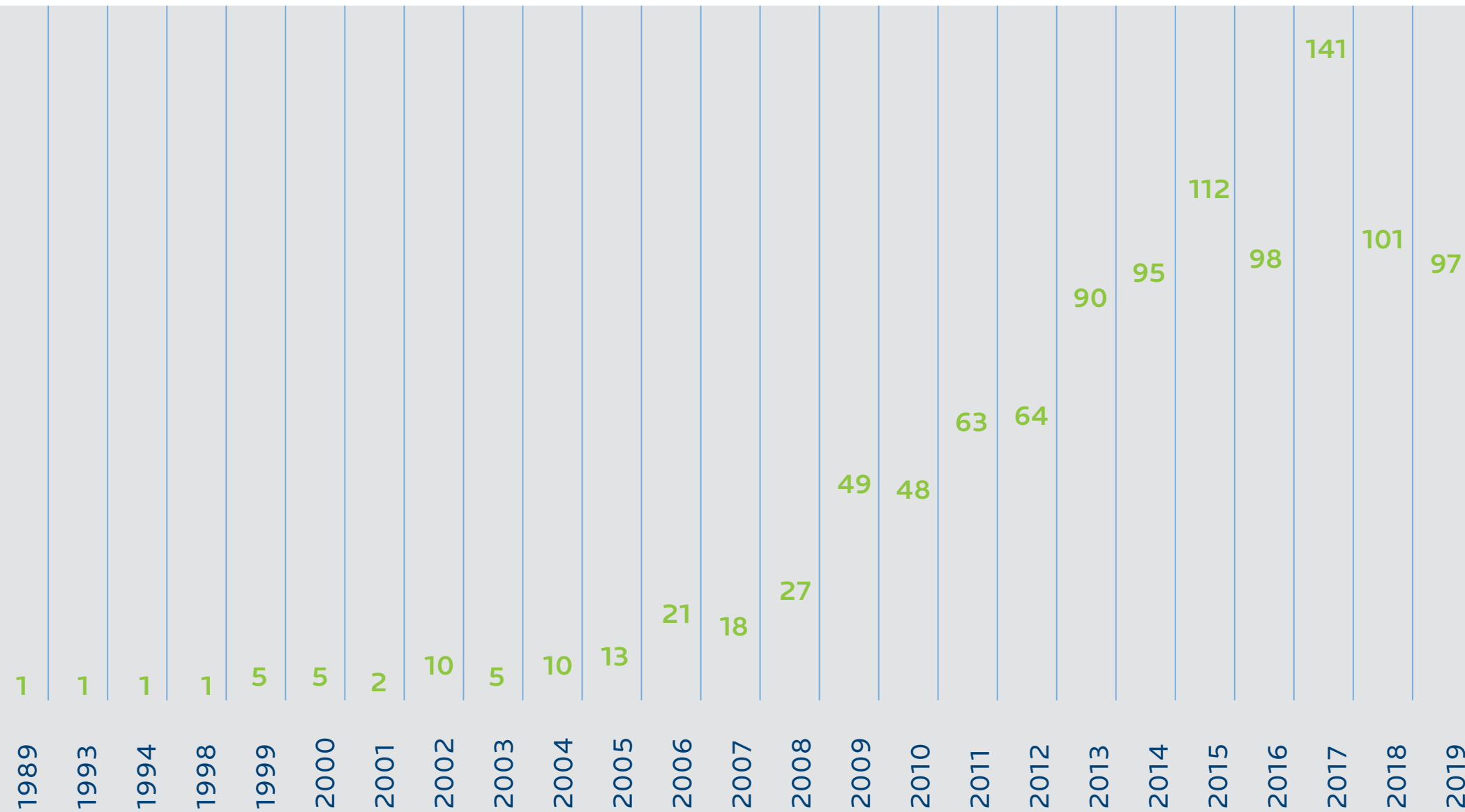


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Arbitration Caseload

Caseload Chart

By the end of 2019, CAM-CCBC had scored the historical figure of 1078 administered arbitrations following its own set of arbitration rules, and one according the UNCITRAL Arbitration Rules. 97 new cases were registered with CAM-CCBC in 2019 alone.



The chart shows consistent growth in new cases per year over the last decade. This increase in CAM-CCBC numbers reflects the expansion of arbitration in Brazil, which has a considerably growing market. Throughout 2019, CAM-CCBC has administered 413 arbitration proceedings.



Arbitration Caseload

Closed Cases

A total of 101 cases were closed in 2019, of which 58.4% were closed by arbitral awards. 72% of the arbitral awards rendered in that year were subjected to request(s) for clarification.



Throughout 2019, CAM-CCBC has administered 413 arbitration proceedings.

Closed by	Number of cases	%
Arbitral Award	50	49
Award by consent	9	9
Withdrawal	30	30
Discontinuance (e.g. lack of payment of costs)	12	12

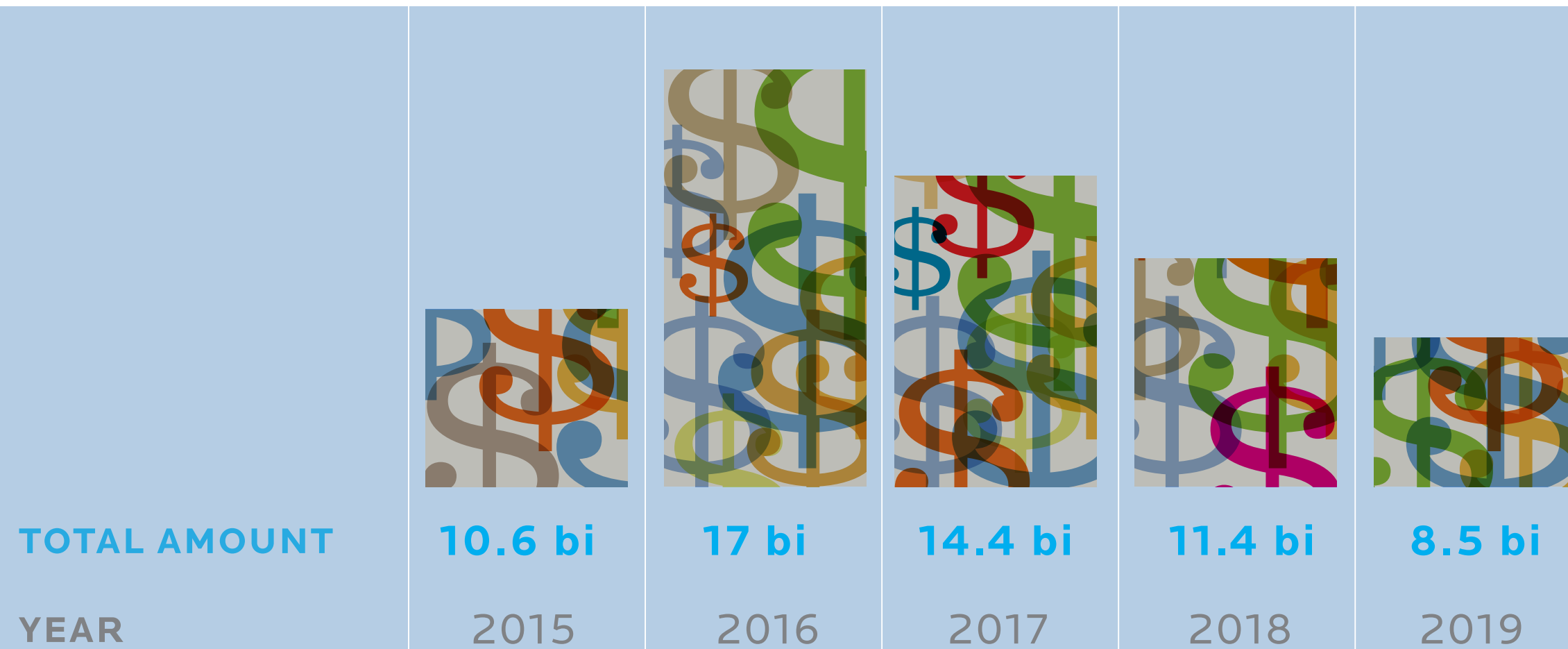
Average Length

The average length of proceedings initiated between 2017-2019 before CAM-CCBC and already closed is of 13.2 months.

Amounts in Dispute

The cases filed in 2019 amount to a total of 8.5 billion Brazilian Reais and an average of 88 million Brazilian Reais.

Over the last five years, the evolution curve regarding the total disputed values are considered stable.



The chart is subject to variation, once the amounts in dispute can be altered during the course of the arbitration proceedings.



Disputes' profile

Nature of Contracts

In 2019, the most common agreement types submitted to arbitration under the CAM-CCBC Rules were (i) share purchase agreements, shareholders' agreements, and other corporate-related agreements; (ii) sales of goods and services agreements; and (iii) construction contracts, mainly in the form of Engineering, Procurement and Construction.



Shareholders' agreements
Share purchase agreements
Other corporate related agreements

51%

Construction contracts

13%

Sales of goods and / or services

15%

Concession contracts 4%

Other

11%

Credit/loan agreement 1%

Insurance 1%

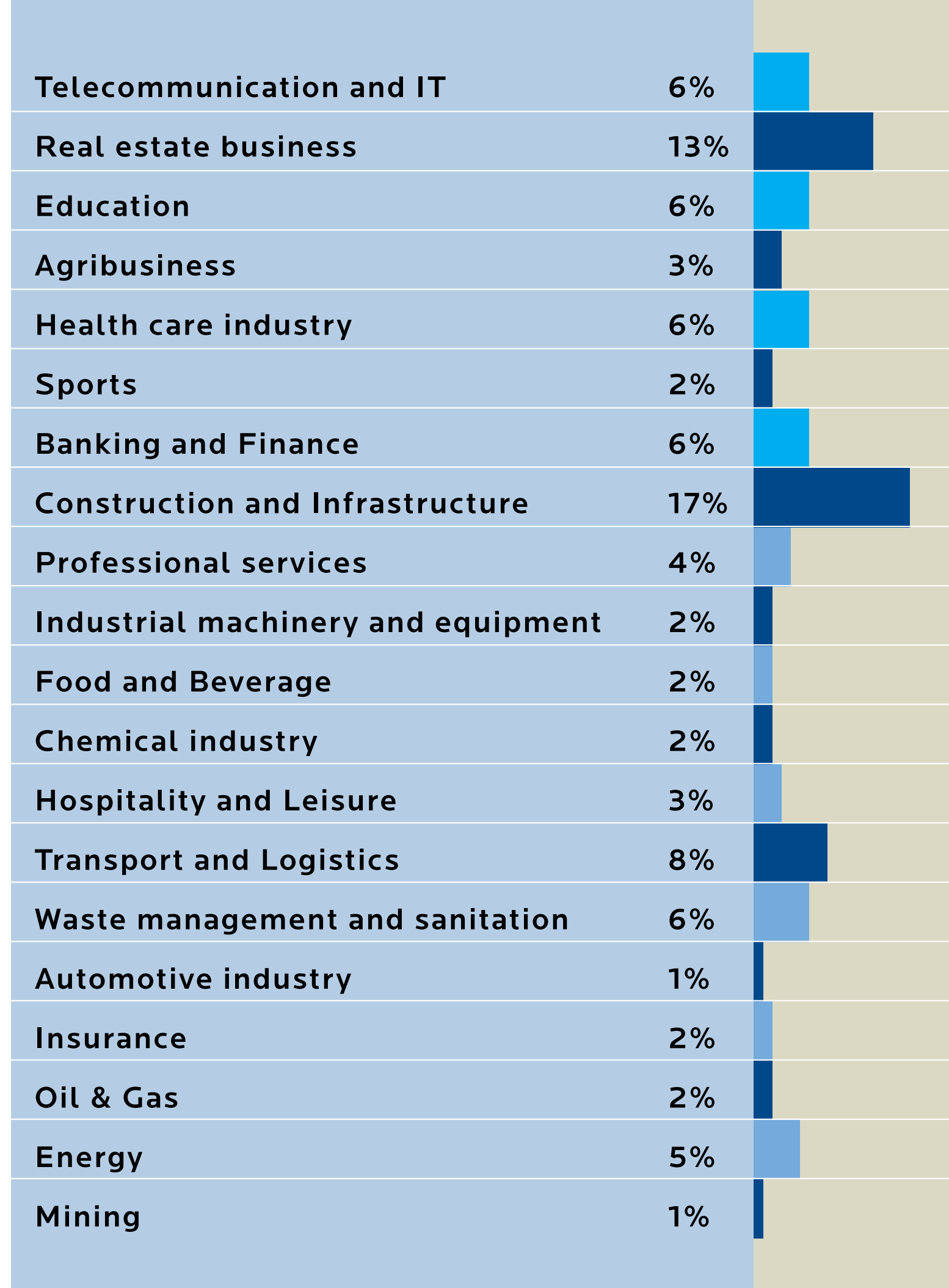
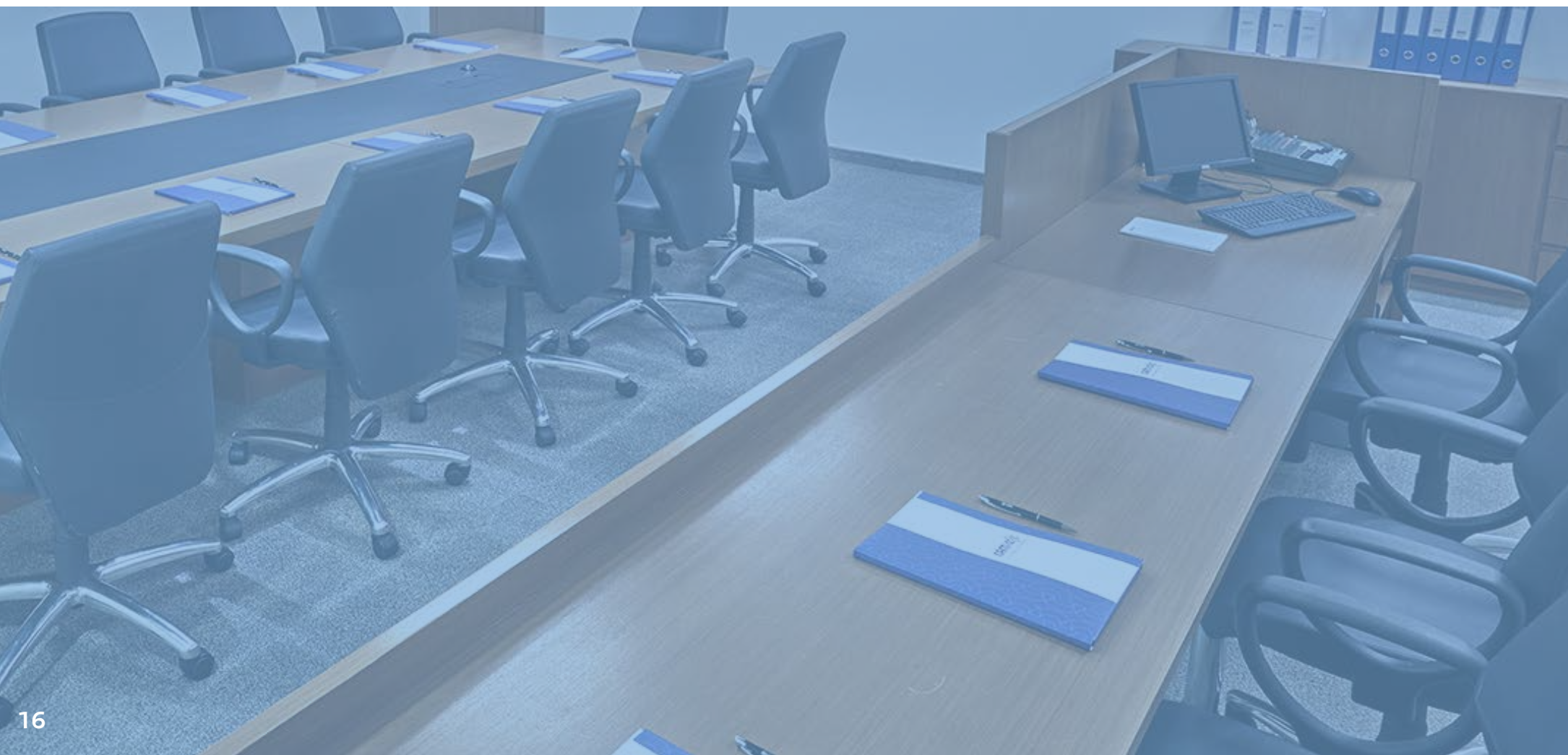
Real Estate contracts 4%

Business Sectors

CAM-CCBC has the potential and structure to receive all kinds of disputes involving distinct business sectors, from complex infrastructure projects to professional consulting.

In 2019, the arbitrations filed with the Center span a full spectrum of sectors divided into various categories.

In the chart, the wide variety of segments involved in arbitrations before the Center:



Brazilian Public Administration

In line with the best doctrine and practice, the Brazilian Arbitration Act incorporated in 2015 the possibility of participation of the Brazilian Public Administration in arbitral proceedings.

In the following years, the public entities and representatives were structuring themselves to be prepared to act in arbitrations.

The Public Administration is the main speculation in the Brazilian Arbitration market with massive potential in terms of volume and value.

In those years of development, CAM-CCBC has contributed significantly to this promising sector.

In 2019, there were 41 ongoing arbitral proceedings involving the Brazilian Public Administration, living up to the tendency of growth of arbitration with the Public sector since the 2015 Arbitration Act reform.

In 2019 alone, seven new cases were registered with CAM-CCBC involving a state entity or state-controlled company.

Arbitral Proceedings
Initiated in 2019 (97 cases)

7

arbitral proceedings
involving
a state entity or
a state-controlled
company

Arbitral proceedings
administered throughout 2019
(413 cases)

41

arbitral proceedings
involving a
state entity or
a state-controlled
company

Multi-Party

In 2019, 28.86% of the new cases involved multiple parties as Claimants and/or Respondents with distinct claims and/or perspectives of the dispute.

The new cases involve a total of 642 Claimants and Respondents.

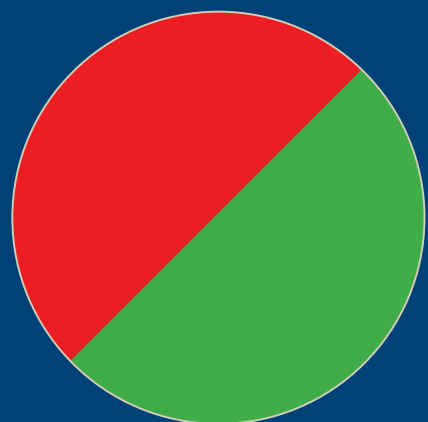


Nationality of the Parties

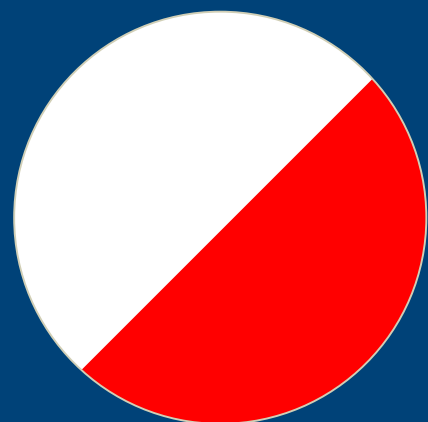
Brazilian



Portuguese



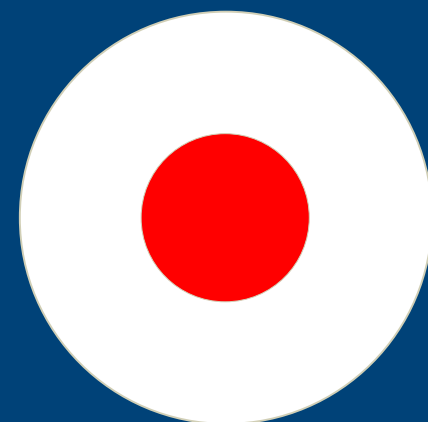
Canadian



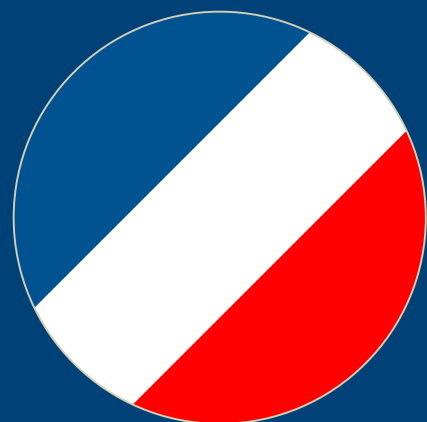
American



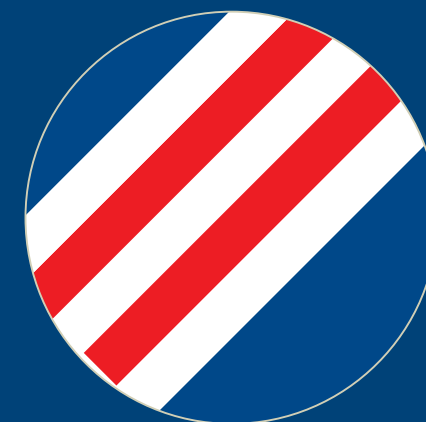
Japanese



French



Caymanian



Indian



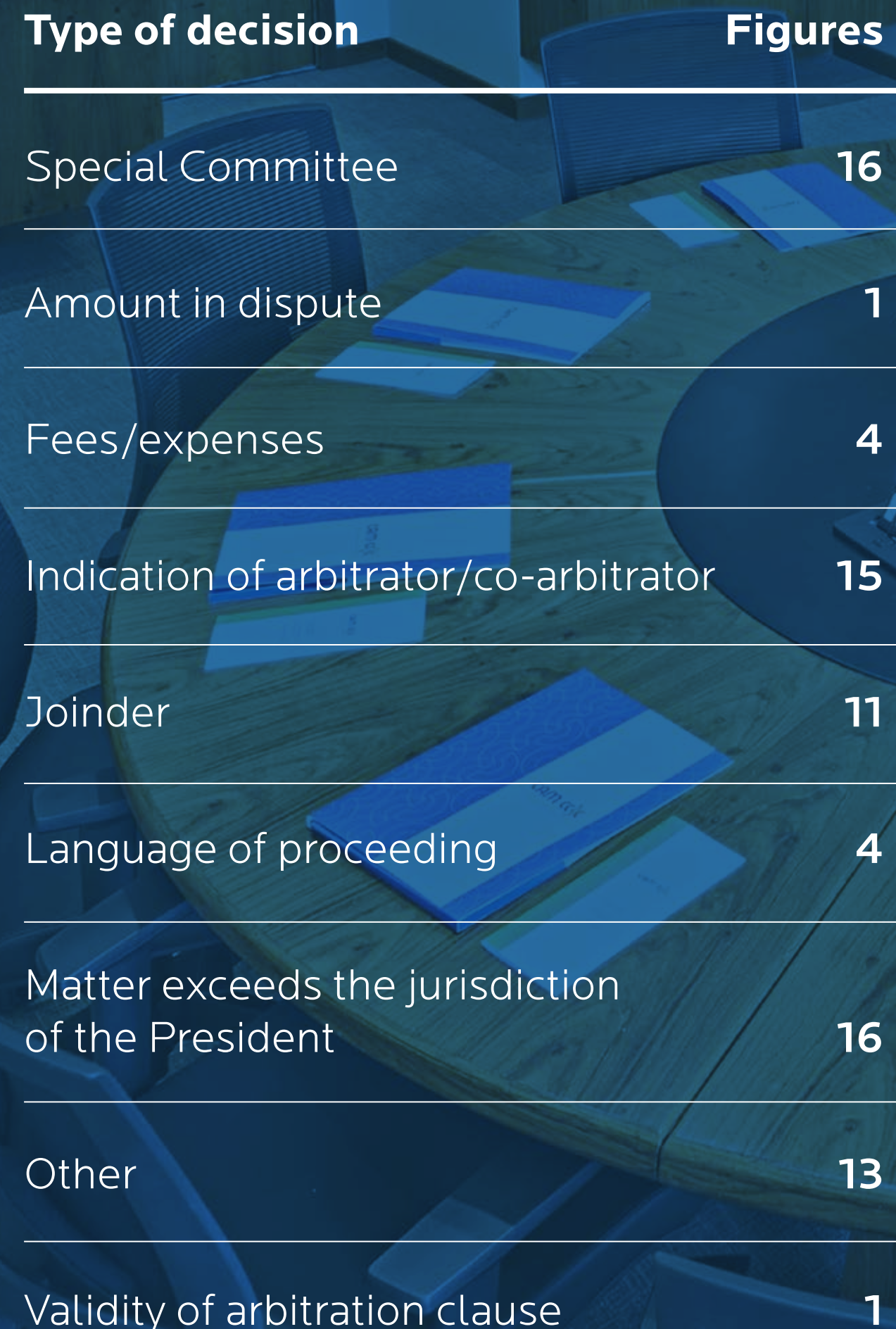
Administrative Decisions

As per CAM-CCBC's Arbitration Rules, one of the main attributions of the institution is to oversee and manage arbitral proceedings, especially in the early stages leading up to the appointment of the Arbitral Tribunal. The CAM-CCBC board is highly experienced in conducting the preliminary stages of proceedings reliably and with the aim of ensuring the perfect constitution of arbitral tribunals.

Although the Secretariat plays a more intensive role in the initial stages of proceedings, before the constitution of the Arbitral Tribunal, on some occasions, it is necessary for the Center to decide on administrative aspects or other specific matters provided in the Rules.

A total of 553 administrative decisions were rendered in 2019, among which approximately 80% were simple procedural decisions such as an extension of specific periods, extinction by withdrawal and costs-related issues.

CAM-CCBC rendered 81 decisions with a more complex degree of evaluation. 20% of the cases submitted to the Center exceeded its powers of decision, i.e., matters regarding the merits of the dispute. Moreover, the chart shows the same portion of decisions regarding the formation of a Special Committee, which has the competence to analyze challenges brought up against arbitrators according to the Rules.



Type of decision	Figures
Special Committee	16
Amount in dispute	1
Fees/expenses	4
Indication of arbitrator/co-arbitrator	15
Joinder	11
Language of proceeding	4
Matter exceeds the jurisdiction of the President	16
Other	13
Validity of arbitration clause	1

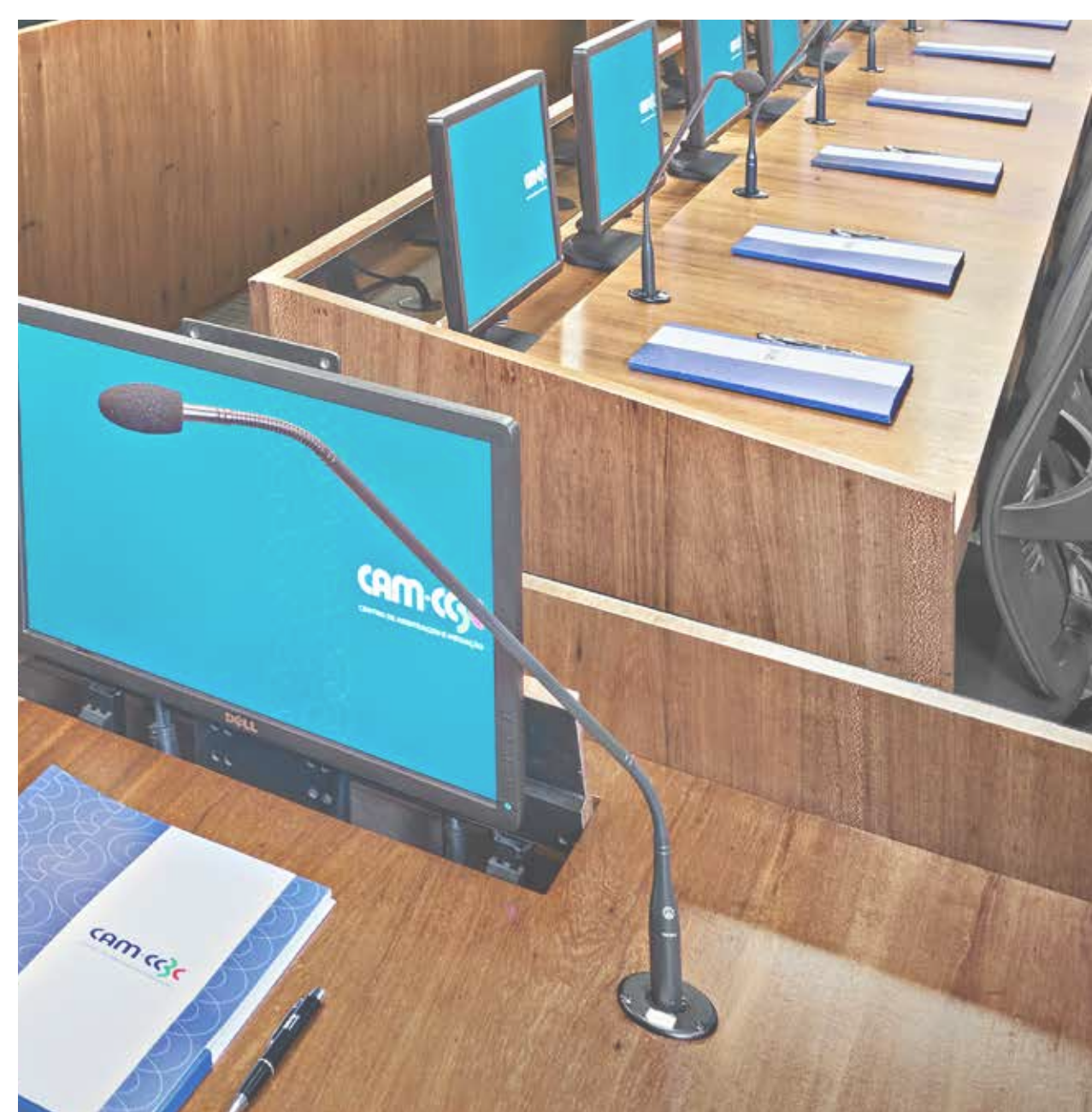
Disclosure of Arbitrator-related Data

In line with the international agenda, AR 35/2019 was an important development of 2019 to address the transparency issue in the constitution of arbitral tribunals under CAM-CCBC administration.

Despite being strictly confidential, exception made to the arbitrations involving the Public Administration, as of 2019, CAM-CCBC may disclose certain information about the arbitrators constituted in the case, unless parties disagree, i.e.name, nationality, date of execution of the Terms of Reference, position in the Arbitral Tribunal, appointed by whom (whether the parties, arbitrators or CAM-CCBC) and status of the proceedings.

The availability of such data may be of help in understanding the Arbitration market, enabling a better-informed decision on whether to appoint or not a specific arbitrator.

The chart containing the up-to-date information about the arbitral tribunals is available at <https://ccbc.org.br/cam-ccbc-centro-arbitragem-mediacao/en/arbitration/arbitral-tribunals/>.



Gender Diversity

In 2019, 72 Arbitral Tribunals were constituted. 56.94% were mixed i.e., composed of both female and male arbitrators, 40.27% were exclusively male and 2.77% were exclusively female.

Only 5.5% of the cases were submitted to the President of CAM-CCBC for the appointment of the members of the Arbitral Tribunal, and the other 94.5% followed the procedure chosen by the Parties.

The appointments made by the President respected the gender diversity idea, seeking to increase the number of women appointed as arbitrators. Regardless of the Center's commitment to the gender diversity cause, a more solid change will happen when all the players become engaged.



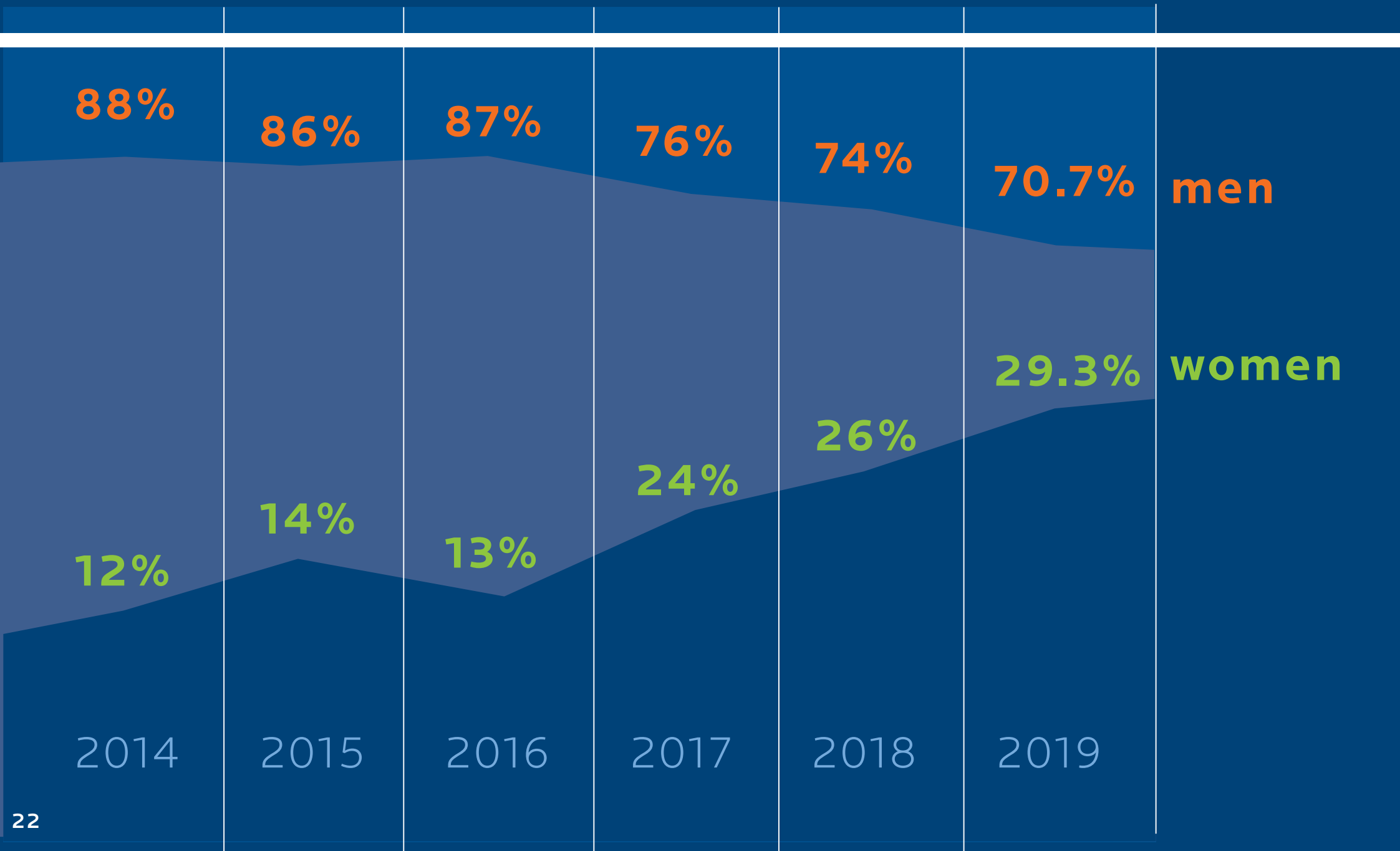
Cases submitted to the President of CAM-CCBC who appointed mixed Tribunals

Appointments made by the President of CAM-CCBC

Appointments followed the Parties'/Coarbitrators choice

List of Arbitrators

As a result of CAM-CCBC's recent efforts to ensure gender equality in the formation of arbitral tribunals, the female portion of members of its Arbitrators' List has increased 5% over the last couple of years, jumping from 12% in 2014 to 29.3% in 2019.



Background Diversity

CAM-CCBC's List of Arbitrators has also developed in terms of diversity of members' jurisdictional backgrounds. The arbitrators are mostly South Americans, but there is a significant representation of Europeans. This development is in line with one of CAM-CCBC's main strategic objectives i.e., to expand its services internationally, presenting a wide variety of professionals that are acquainted with the Rules and may add different perspectives.

German



Swedish



American



Colombian



Argentinian



Costa Rican



Belgian



Spanish



Brazilian



French



English



Greek



Chilean

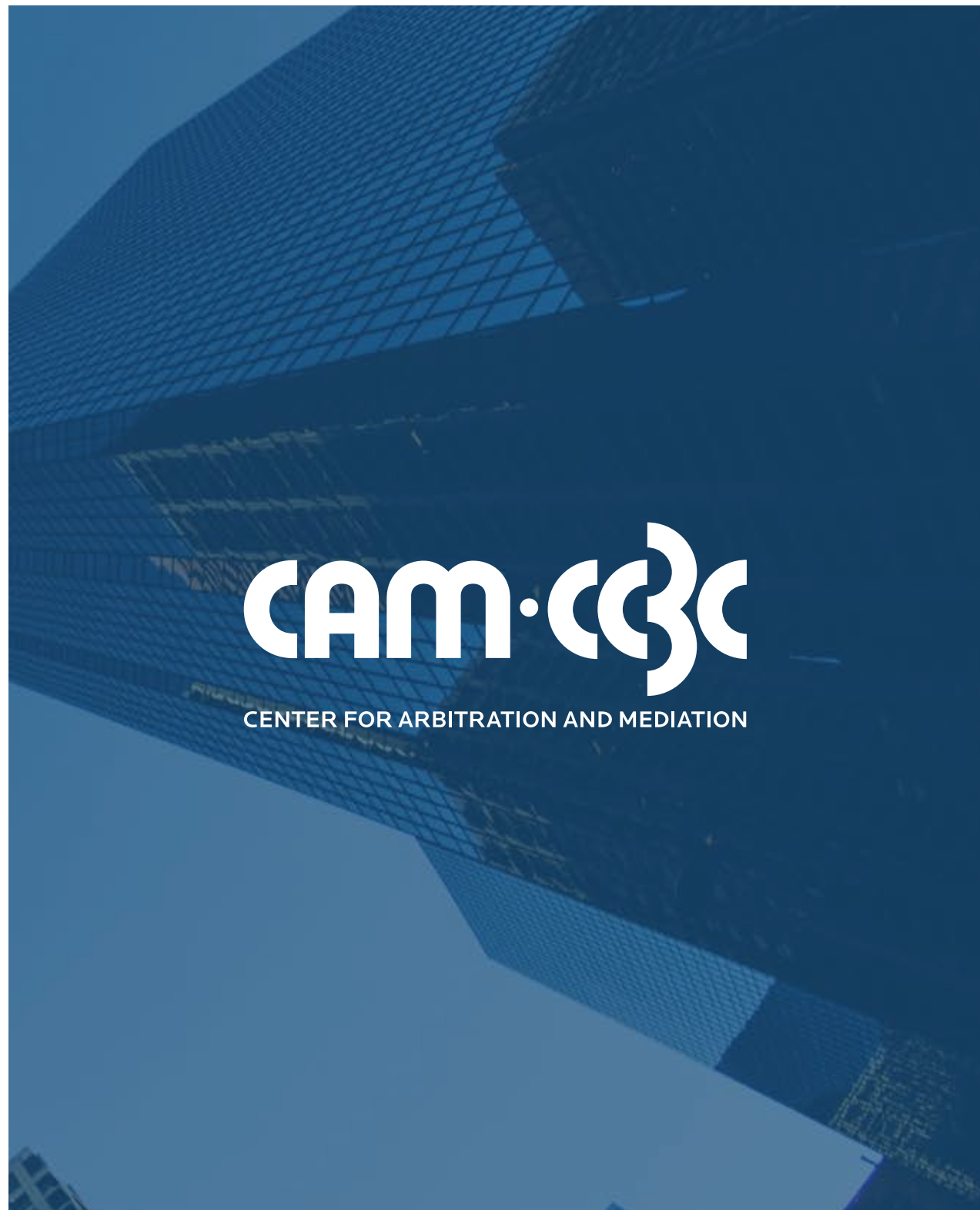


Peruvian



Portuguese





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