



2022

Facts and Figures

The “CAM-CCBC’s Facts & Figures” is a digital publication of CAM-CCBC’s most important data and practices. The report aims to promote transparency and to provide the public with concrete data, displaying an overview of CAM-CCBC’s key activities, including statistics, institutional developments, and new regulations.

**CAM-CCBC
2022 FACTS & FIGURES**

**Center for Arbitration and Mediation of the Chamber
of Commerce Brazil-Canada**

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Message from the President

2022 has been a year of great change for CAM-CCBC. After over a decade of experience in applying the 2012 Arbitration Rules and the challenges imposed by over 1.000 arbitrations, it was time to revise the Rules.

I had the honor of witnessing the work and actively contributing for over 3 years to the special commission constituted to revise our Rules. During the public consultation process, we received nearly 300 generous comments on the proposed draft. All these contributions resulted in the 2022 CAM-CCBC Arbitration Rules, launched on October 2022, during the 9th edition of the CAM-CCBC Arbitration Congress.

In force since November 2022, our Secretariat has worked tirelessly to guarantee the adaptation of its internal practices and we are now facing a brand-new chapter of CAM-CCBC's history.

In 2022, CAM-CCBC remained conscious of its role to promote ADRs. Bearing this in mind, we developed new institutional projects and worked towards improving our most traditional initiatives.

Throughout the year we promoted, organized, and sponsored over 70 ADR events, assembled courses, workshops, releases of books as well as granted scholarships and funding to law students, counsels, and practitioners. Our team also conducted over 35 data research and contributed to relevant reports published by the Brazilian Arbitration Committee (CBAr), the International Council for Commercial Arbitration (ICCA),

Asociación Latinoamericana de Arbitraje (ALARB) and other major institutions and independent researchers.

In October 2022, we had another memorable edition of the CAM-CCBC Arbitration Congress and the Sao Paulo Arbitration Week, which allowed for a long-awaited in-person gathering after two years of virtual congresses.

In the following pages, we invite you to learn more about the core activities we conducted over the past year. All the institutional highlights and data progression are the result of the unparalleled dedication of our staff, Board of Directors and Advisory Board.

As I step down as CAM-CCBC's president, I hope to leave behind a contribution to transparency, progress and social responsibility that will last for several years to come. The road of development is not always easy, but it is certainly worth it.

Eleonora Coelho
President





ABOUT CAM-CCBC

The Center for Arbitration and Mediation of the Chamber of Commerce Brazil-Canada (CAM-CCBC) is the Latin American trendsetter in International Dispute Resolution. Seated in São Paulo, Brazil, it has promoted and administered ADR proceedings since 1979.

CAM-CCBC's experience has taken shape over the years resulting in:

- I.** A unique case-management formula, certified in accordance with ISO 9001 – the international standard for quality in management systems.
- II.** A cutting-edge set of rules and regulations, constantly updated in accordance with international best practice standards and the needs and expectations of users.
- III.** Administration of proceedings according to the UNCITRAL Arbitration Rules.
- IV.** Complete infrastructure in São Paulo (Brazil) without extra costs – including a state-of-the-art hearing center, mediation rooms and meeting spaces.
- V.** Offices in Rio de Janeiro (Brazil).
- VI.** Full-time specialized Case Managers, fluent in multiple languages and trained in CAM-CCBC's case-management style.
- VII.** Arbitrator and Mediator rosters comprised of recognized experts from several jurisdictions.

All CAM-CCBC activities have been built upon five major pillars: impartiality, independence, efficiency, transparency, and the continuous improvement of management system.

2022 HIGHLIGHTS

THE FACTS

CAM-CCBC 2022 Arbitration Rules

The CAM-CCBC 2022 Arbitration Rules are the reflection of arbitration's evolution, gathering the best and most up-to-date practices to ensure the best outcome possible for all the administered disputes.



Scan QR Code
to access the 2022
Arbitration Rules



The 2022 Rules provides for

- **EFFICIENCY**
- **CASE MANAGEMENT**
- **FLEXIBILITY**

- EXPEDITED
ARBITRATION RULES

- JOINDER; CONSOLIDATION; MULTIPLE
CONTRACTS; AND MULTIPARTY ARBITRATION

- EMERGENCY
ARBITRATOR

- THIRD-PARTY FUNDING; ARBITRAL TRIBUNAL
SECRETARY; AND DATA PROTECTION

CAM-CCBC Arbitration Congress and SPAW

After two years of 100% online events, the CAM-CCBC Arbitration Congress has finally returned to the face-to-face format. It was a most celebrated and long-awaited reunion with the public.

The IX CAM-CCBC Arbitration Congress had more than 500 registered delegates and 25 speakers, divided into 5 panels. The event's program was carefully drafted in order to provide quality debate and networking. Each year, the generous contribution of speakers, sponsors, institutional supporters, and the active engagement of attendees ensure the success of the CAM-CCBC's Arbitration Congress.

The event marked the launch of the 2022 CAM-CCBC Arbitration Rules. A panel featuring Adriana Braghetta (President of the Advisory Board) and Luíza Kömel (Deputy Secretary General) discussed the drafting process and main adaptations of newly minted rules.

Eleonora Coelho also paid an emotional tribute to former CAM-CCBC's President Frederico Straube, who passed in June 2022.

Frederico Straube was a remarkable figure that played an important role in the development of arbitration in Brazil and paved the way to CAM-CCBC's internationalization process by supporting ICCA initiatives, sponsoring the Willem C. Vis Moot, and drafting the 2012 CAM-CCBC Arbitration Rules in accordance with international standards.

The Congress itself followed several recommendations set forth by the Green Protocol for Arbitration Conferences, and the event even received a carbon neutral certification. As a tradition, CAM-CCBC Congress opened the São Paulo Arbitration Week (SPAW) held between 17 and 23 October 2022. A collaborative event conceived as an organized calendar for law firms, universities, associations and institutions to promote events in a productive environment in benefit of the development of ADRs. The 5th edition of the SPAW featured a record number of 36 events in different parts of the city.

SPAW
ARBITRATION WEEK



Moot Courts Competitions

CAM-CCBC has always prided itself on being a supporter of moot court competitions. The Center has been an annual sponsor of the Willem C. Vis International Commercial Arbitration Moot for over a decade. We also support other moot court competitions such as the Consensual Dispute Resolution Competition (CDRC) Vienna and local competitions organized by Brazilian universities. CAM-CCBC traditionally organizes two Vis pre-moots, one based in São Paulo and another based in Hamburg.

In 2022, CAM-CCBC also organized a webinar at the Vis East Moot Week shortening the distance between Brazil and Hong Kong.

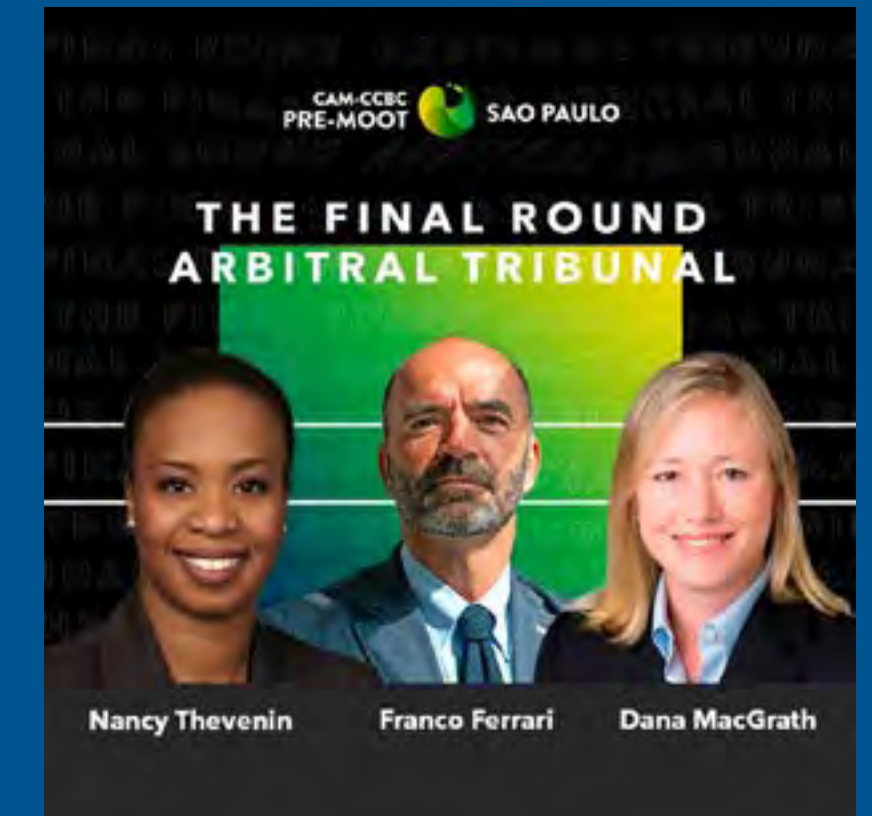


CAM-CCBC Pre-Moots

Once again CAM-CCBC hosted both the São Paulo and Hamburg pre-moots virtually. As expected, the online environment boosted the number of teams applying to participate and enabled several international teams to compete.

The São Paulo Pre-moot welcomed 40 teams from 8 nationalities and over 150 arbitrators, while the Hamburg Pre-Moot hosted 38 teams from 14 different countries.

The Sao Paulo Pre-Moot final featured Nancy Thevenin, Franco Ferrari and Dana MacGrath as arbitrators. The Federal University of Rio de Janeiro team was crowned champion.



HIGHEST RANKING TEAMS RECEIVED FINANCIAL SUPPORT TO FUND THE STUDENTS' PARTICIPATION IN ADR RELATED EVENTS.

Incentive to legal education: moot court room donated to the University of São Paulo Law School

CAM-CCBC donated the funds for the renovation of a Moot Court Room at the University of São Paulo Law School, Largo São Francisco. The donation was part of an initiative launched by the University named "Adopt a Room Program", in which several institutions and law firms contributed to the campus restoration and renovation.

Given CAM-CCBC's close connection with moot court competitions, creating an environment for practical simulations was a natural choice. Launched in May 2022, CAM-CCBC's room is the first space at the University of Sao Paulo fully dedicated to moot courts.



CAM-CCBC renovated room



This room not only represents the honor of being able to contribute to this University, but it is aligned with the purpose of contributing to Brazilian Legal Education and the training of students who are here and those who will come."

Eleonora Coelho
President of the CAM-CCBC



From Left to right: Ricardo Aprigliano (CAM-CCBC's VP), Eleonora Coelho (CAM-CCBC's President), Ricardo Mair Anafe (Court of Justice of São Paulo President), Silvia Rodrigues Pachikoski (CAM-CCBC's VP), José Rogério Cruz e Tucci and Patricia Shiguemi Kobayashi (CAM-CCBC's Secretary General)



From Left to right: Paula Forgioni, Floriano de Azevedo Marques, Cristiana Corrêa Conde Faldini, Eleonora Coelho, Ana Elisa Bechara and Carlos Alberto Carmona.

ADR Development

CAM-CCBC organized and took part in 75 events around the world.

CAM-CCBC conducted over 35 data research and contributed to relevant reports published by the Brazilian Arbitration Committee (CBAr), the International Council for Commercial Arbitration (ICCA), Asociación Latinoamericana de Arbitraje (ALARB) and other major institutions and independent researchers.



"M&A Arbitration" at CAM-CCBC Auditorium featuring, from left to right, Catarina Monteiro Pires, José Maria Pérez, Mariana Conti Craveiro, Cristiano de Sousa Zanetti."



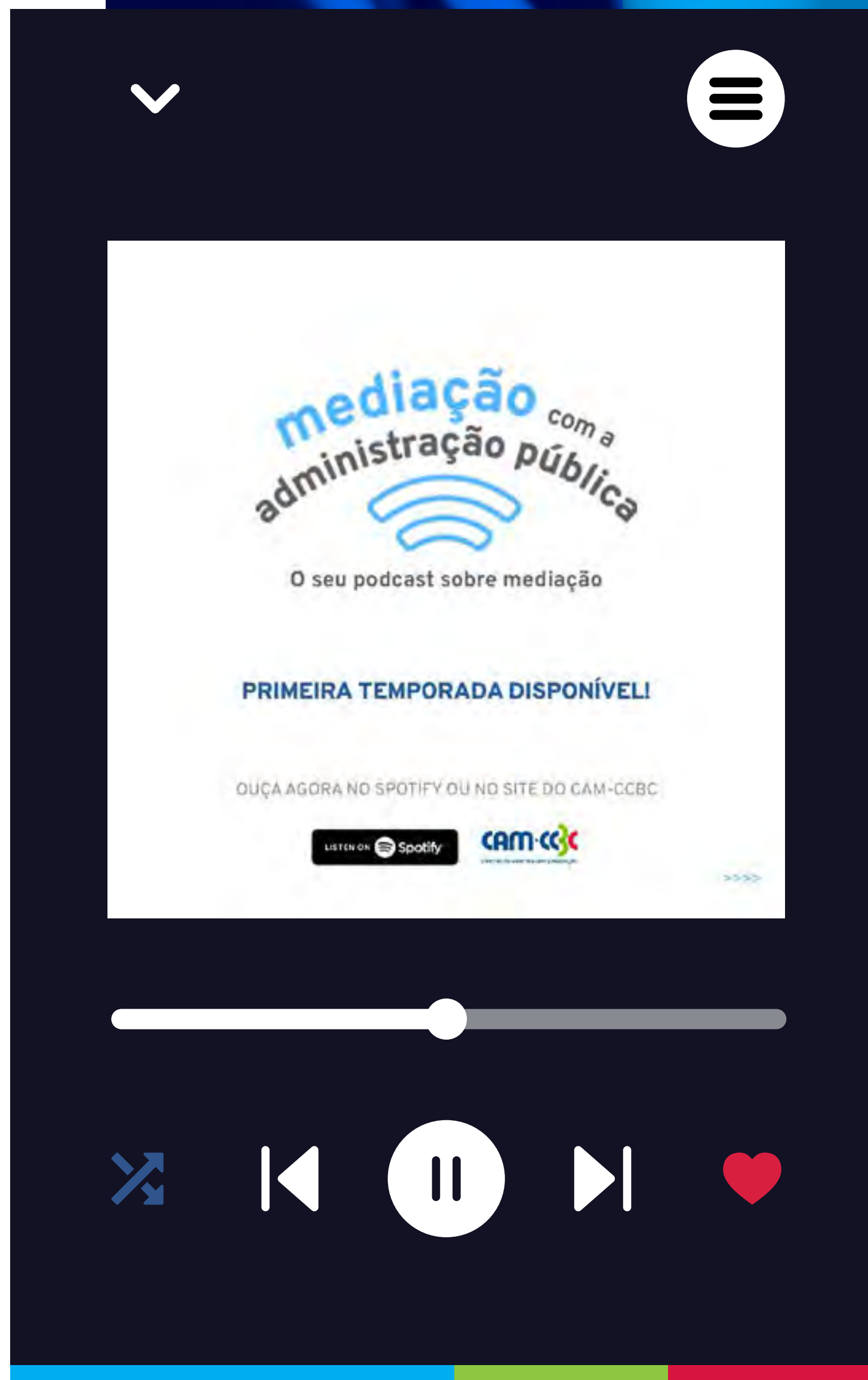
"CISG, Brazil and Portugal" Book Launch. From left to right: Prof. Vera Fradera, Ingeborg Schwenzer, Luíza Kömel and Cesar Pereira



Mediation with the Public Administration: CAM-CCBC Task Force

In 2022, the CAM-CCBC launched the podcast “Mediation with the Public Administration”. The initiative was conceived by a task force constituted by the Mediation Advisory Board, aiming to disseminate and expand the practice of mediation with state entities – both institutions and public companies - at the federal, state and municipal levels.

The podcast is available on streaming platforms, such as Spotify, as well as on CAM-CCBC’s website with no charges. Every episode is carefully curated by the members of the task force, making it a “must listen to podcast” for practitioners in all related areas, whether in the private or public sector.



The New Generation of ADR practitioners

Created in 2019, the New Generation of ADR practitioners (NewGen) promotes worldwide integration, provides academic opportunities, and coordinates other initiatives aimed at assisting the development of the upcoming names in ADRs, focusing on cultural, regional, ethnic and gender diversity. The NewGen is composed of young professionals aiming to innovatively promote the new generation of dispute resolution practitioners.



MISSION

Provide a platform for young practitioners to enable professional development, the exchange of information, ideas and experiences in shaping the future of dispute resolution.



VISION

Promote adequate dispute resolution methods by impacting new practitioners worldwide for the development of academic, leadership and practice skills.



VALUES

Leadership, Collaboration, Innovation, Transparency, Diversity, Evolution.

CAM-CCBC's NewGen has already welcomed over 480 members from diverse backgrounds. Become a NewGener: fill out the form [here](#)

2022 featured several initiatives promoted by CAM-CCBC's New Generation Commission

NEWGEN BLOG

NEWGEN NEWS

WORKSHOP CYCLES ON BREACH OF CONTRACT, DAMAGES AND ARBITRATION

NEWGEN SCHOLARSHIPS FOR PRACTICAL COURSES IN ARBITRATION, PARTICIPATION IN ADR RELATED EVENTS AND OTHERS

LEGAL WRITING COURSE FOR MOOT PARTICIPANTS

LAUNCH OF THE NEWGEN COUNCIL FOR DIVERSITY



2022 HIGHLIGHTS - THE FIGURES

CAM-CCBC's Caseload Overview 2022

ARBITRATION	115
EMERGENCY ARBITRATOR	1
MEDIATION	5

TOTAL **121**



Hearings at CAM-CCBC

The flexibilization of government health rules to control the spread of Covid-19 in 2022 allowed for the return of in-person hearings and meetings at the CAM-CCBC hearing center.

Despite this, the number of remote hearings held during the same period exceeded the number of in-person/hybrid hearings.

In the context of arbitration proceedings, a total of 166 hearings were held, with 136 of them being held remotely and 30 in-person/hybrid.

This highlights the growing trend towards remote hearings, even as restrictions related to Covid-19 are eased.

It is worth noting that virtual hearings have proven to be an effective and convenient alternative to in-person in many cases, offering flexibility and cost savings for parties involved.

ARBITRATION	
REMOTE HEARINGS	IN-PERSON/HYBRID HEARINGS
58 Meetings for signing Terms of Reference and amendments	22 Evidentiary hearings
18 Case presentation hearings	4 Case presentation hearings
21 Evidentiary hearings	3 Expert hearings
10 Expert hearings	1 Oral Closing Statements
29 Other hearings/meetings	

Along with the prevalence of remote hearings in arbitration proceedings, there was also a significant predominance of remote meetings in Dispute Board and Mediation proceedings. These alternative dispute resolution mechanisms have also adapted to the Covid-19 pandemic by relying more heavily on online communication.

In Dispute Board cases, a total of 3 meetings were held, with all of them being held remotely.

Similarly, in Mediation cases, a total of 35 meetings were held, with the majority of them being virtual.

DISPUTE BOARD	
REMOTE MEETING	HYBRID MEETING
1 Meeting for signing Terms of Reference	1 Meeting of the Board and Parties
1 Meeting of the Board and Parties	

MEDIATION	
REMOTE MEETING	HYBRID MEETING
3 Meetings for signing Terms of Reference	2 Private meeting with Party
5 Preceding meetings with Parties	
25 Individual meetings with Parties	

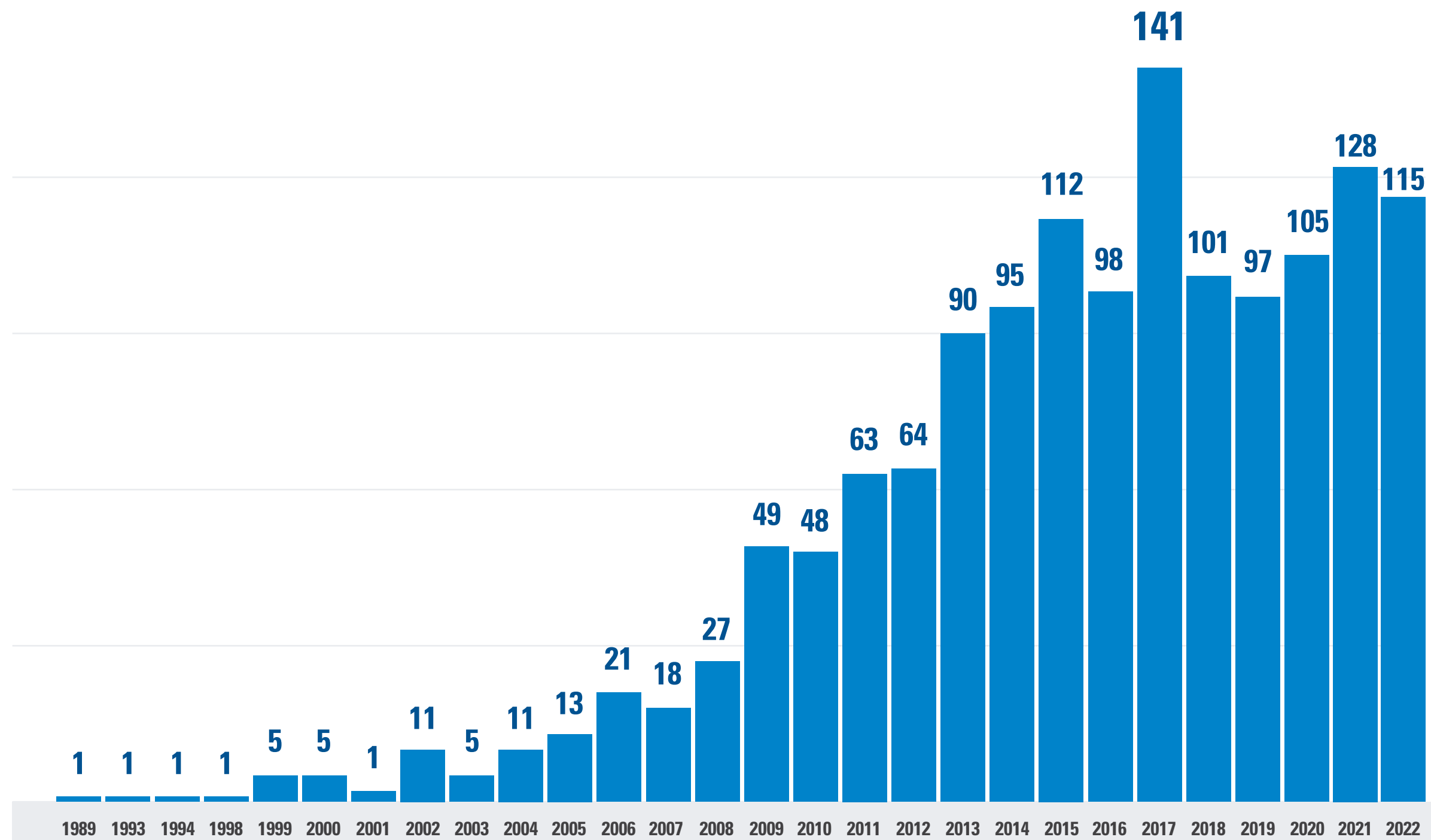
TOTAL ARBITRATION CASELOAD

Caseload Chart

At the end of 2022, CAM-CCBC reached the landmark figure of 1,427 administered arbitrations.

YEAR	PROCEEDINGS
1989	1
1993	1
1994	1
1998	1
1999	5
2000	5
2001	1
2002	11
2003	5
2004	11
2005	13
2006	21
2007	18
2008	27

YEAR	PROCEEDINGS
2009	49
2010	48
2011	63
2012	64
2013	90
2014	95
2015	112
2016	98
2017	141
2018	101
2019	97
2020	105
2021	128
2022	115



The chart shows consistent growth in new cases filed per year over the last decade. This increase reflects CAM-CCBC's expansion, focusing on Latin American-based contracts. Over 2022, CAM-CCBC administered a total of 438 arbitration proceedings.

Closed Cases

In 2022, 100 arbitration proceedings were terminated, of which 70 were closed with arbitral awards: 11 consent awards and 59 final arbitral awards.

In 2022, 76% of the arbitral awards rendered were subjected to requests for clarification.

2022	
CLOSED BY	%
Arbitral Award	59%
Award by consent	11%
Settlement Agreement	10%
Withdrawal	14%
Discontinuance (e.g. lack of payment of costs, consolidation)	6%

Average Length

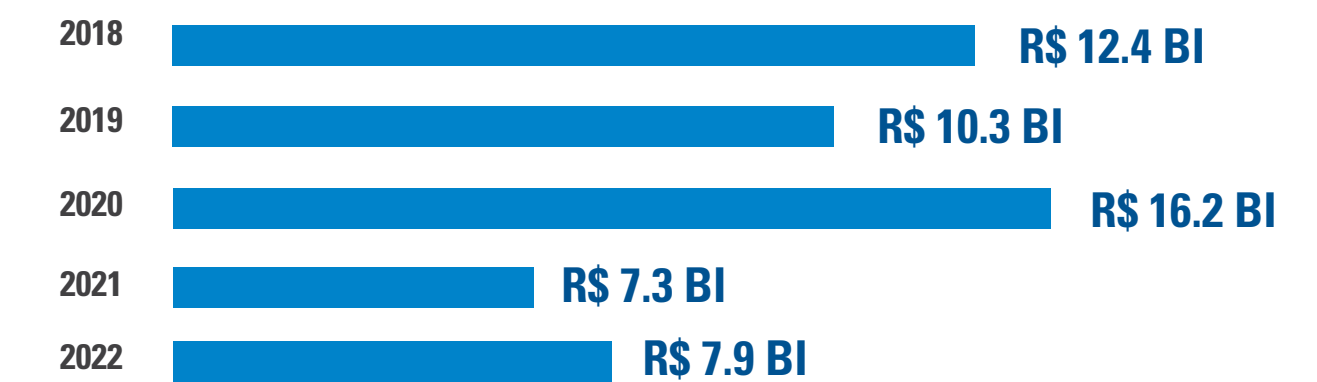
The average length of proceedings closed in 2022 and initiated between 2018 and 2022 was 20 months, considering the period between the terms of reference and the closing of the case.



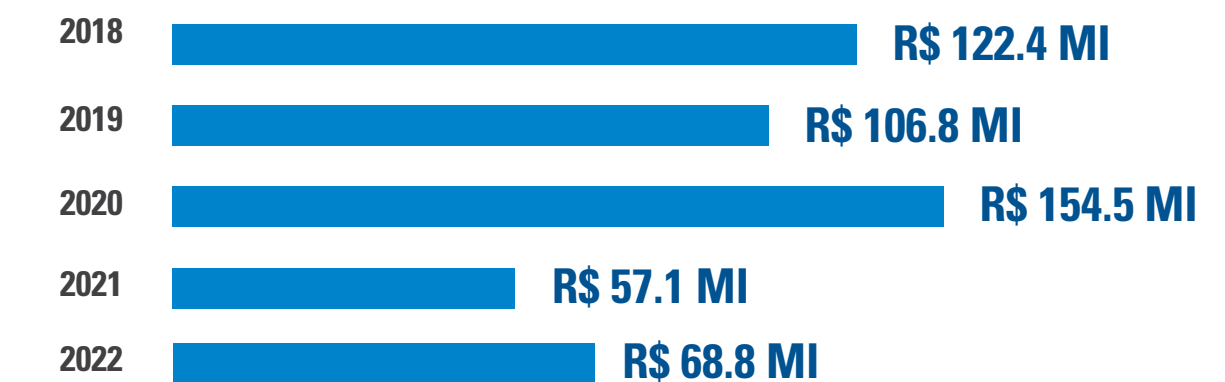
Amounts in Dispute

Arbitration cases initiated in 2022 amounted to BRL 7.9 billion.

AMOUNT IN DISPUTE TOTAL (BRL)



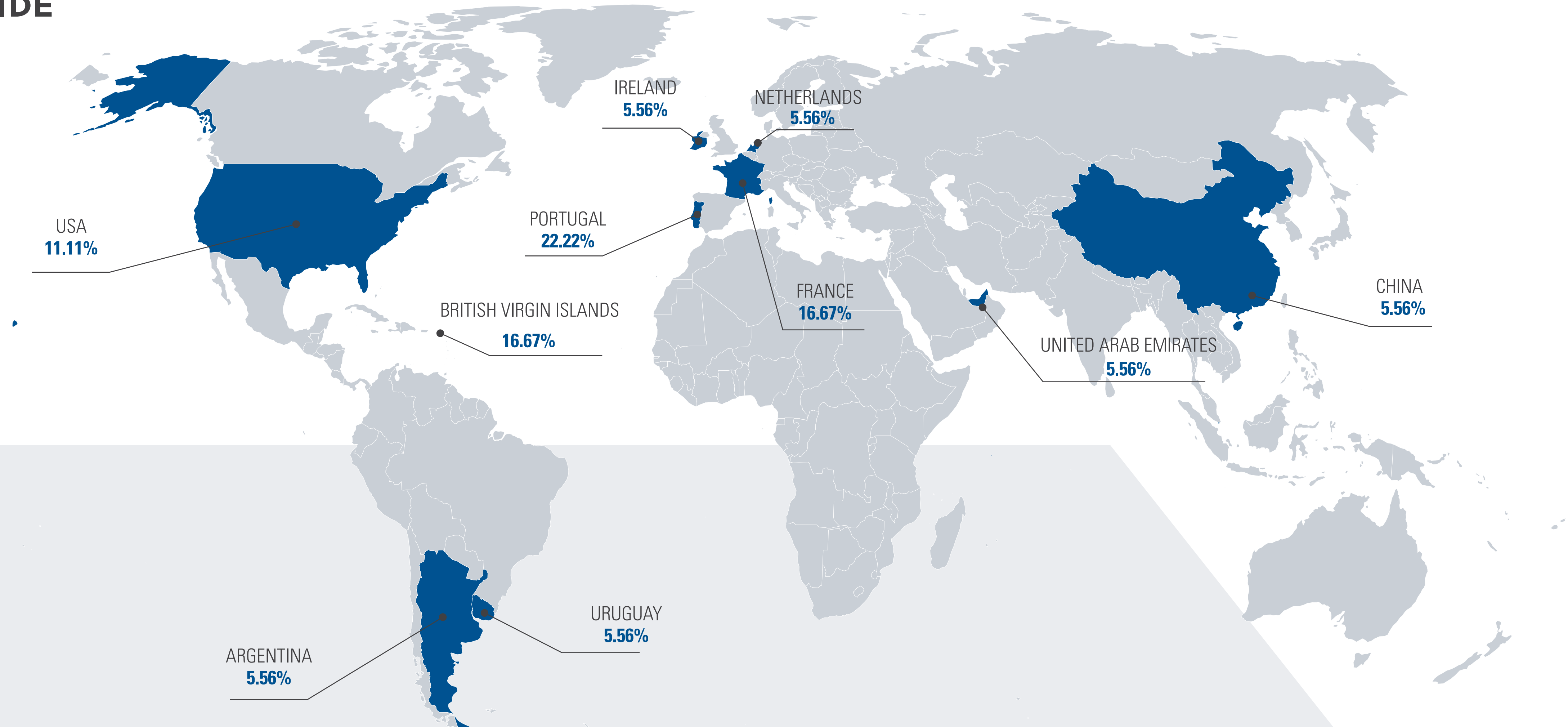
AMOUNT IN DISPUTE AVERAGE (BRL)



Nationality of Parties

The CAM-CCBC registered cases in 2022 with parties from 11 different nationalities. Brazilian parties represent 96.2% of the parties and the other 10 nationalities were as follows:

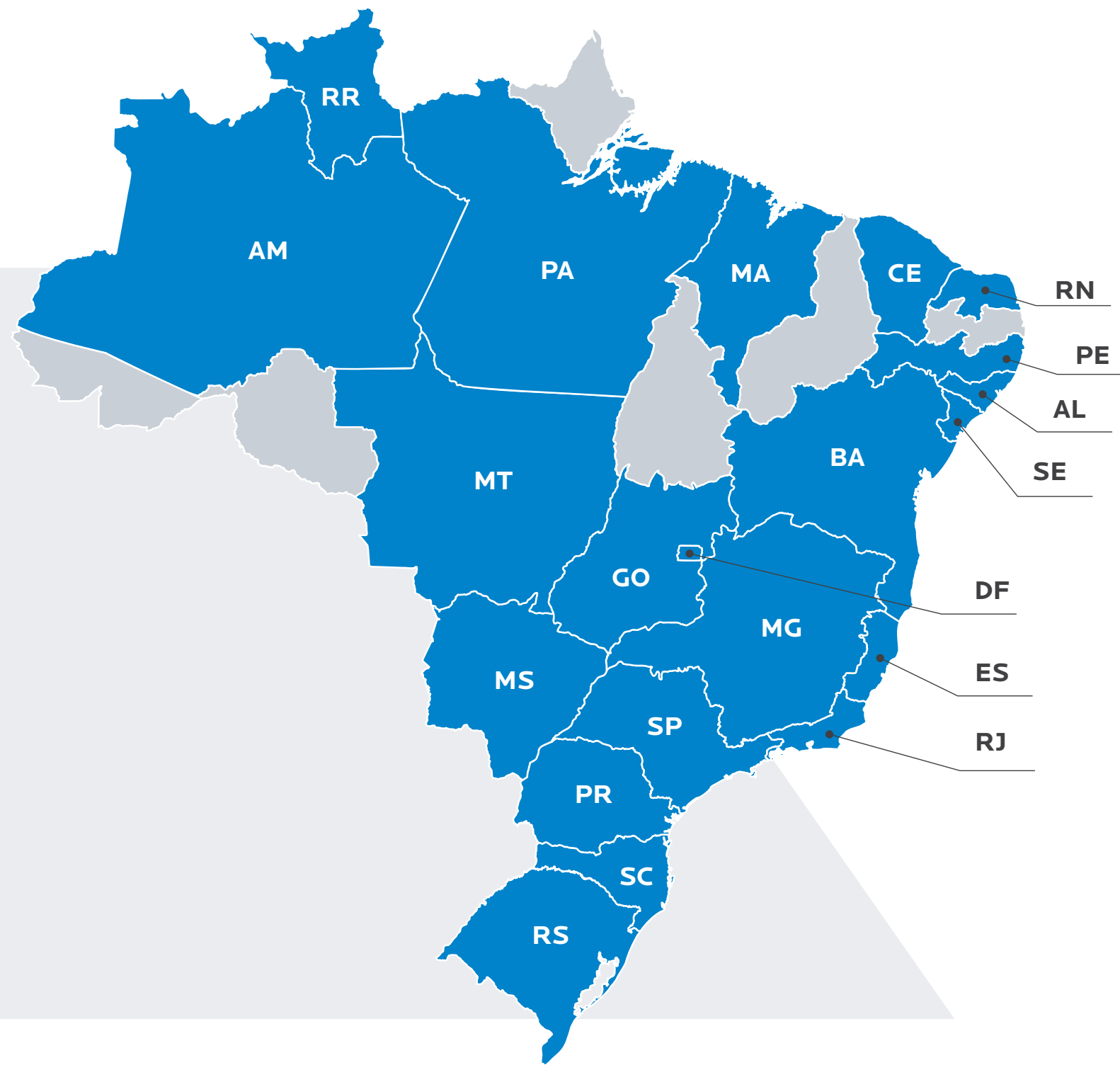
2022 WORLDWIDE REACH



EXPERIENCE WITH (AND WITHIN) BRAZIL

Brazilian Parties

Parties come from different regions within Brazil:



CASES REGISTERED IN 2022	State	Percentage
	AL	0.66%
	BA	3.54%
	CE	2.43%
	DF	1.55%
	ES	2.88%
	GO	1.33%
	MT	0.44%
	MS	0.22%
	MG	4.42%
	PA	0.44%
	PR	3.76%
	PE	0.88%
	RJ	11.28%
	RN	0.22%
	RS	4.42%
	RO	0.22%
	SC	3.98%
	SP	57.08%
	TO	0.22%

Brazilian State and State-Owned Enterprises

In 2022, CAM-CCBC registered 9 new arbitrations involving Brazilian State and State-Owned Enterprises. There were 35 ongoing arbitral proceedings involving Brazilian State and State-Owned Enterprises, showing signs of growth of arbitration in the public sector.

In accordance with the principle of publicity of acts involving the Public Administration, and as provided in Article 3 of Administrative Resolution No. 15/2016, the CAM-CCBC publishes on its [website](#) the arbitration proceedings involving the Direct Public Administration, including the date of the requests for arbitration and the names of the Parties involved.

Arbitrator Challenges

The number of special committees constituted in 2022 to decide on arbitrators' challenges was the largest one yet. While in 2020 only 4 decisions were rendered and, in 2021, a mere 3, there were 10 special committee decisions on arbitrators' challenges rendered in 2022. On a more global perspective, however, since the CAM-CCBC administered 438 arbitration cases in 2022 (the largest number of cases administered in a year), special committees were constituted in only 2% of the total of cases.

Prior to 2022, CAM-CCBC's historical statistics already pointed to a low percentage (less than 50%) of challenge decisions resulting in favor of removing the arbitrator. Surprisingly, in 2022, even with a record amount of special committee decisions rendered, the challenged arbitrators were maintained in all of those 10 cases.

In 2 cases, the three members of the arbitral tribunal were challenged but in the remaining 8 cases, only one arbitrator's challenge was decided. Therefore, the 10 special committees analyzed challenges to 14 arbitrators in total. Out of those 14 challenged arbitrators, only 1 was female.

In one particular arbitration, 2 special committees were consecutively constituted in 2022. The first one decided on a challenge to the presiding arbitrator (which was maintained) and the second special committee decided on a challenge of the three members of the arbitral tribunal (also maintained).

Even though it is a rare occurrence, in 1 case the special committee's decision was accompanied by a dissenting opinion.

PROFILE OF DISPUTES

The arbitration proceedings initiated in 2022 registered disputes that took on average between 5 and 6 years from the execution of the underlying agreement signed by the parties until the request for arbitration was filed.

Types of Disputes

Corporate disputes involving shareholders' agreements and share purchase agreements were the most common types of disputes submitted to arbitration under the CAM-CCBC rules in 2022, representing more than a third of all cases. Business contracts and construction projects were the second and third most common types of disputes, respectively.

TYPE OF DISPUTE	%
Shareholders' Agreement, Share Purchase Agreements, Other Corporate Related Agreements	45
Business Contracts (loan, leasing, real estate, insurance)	24
Construction and Energy	17
Sale of Goods and Supply of Services	8
Concession Contracts	3
Intellectual Property Contracts	3

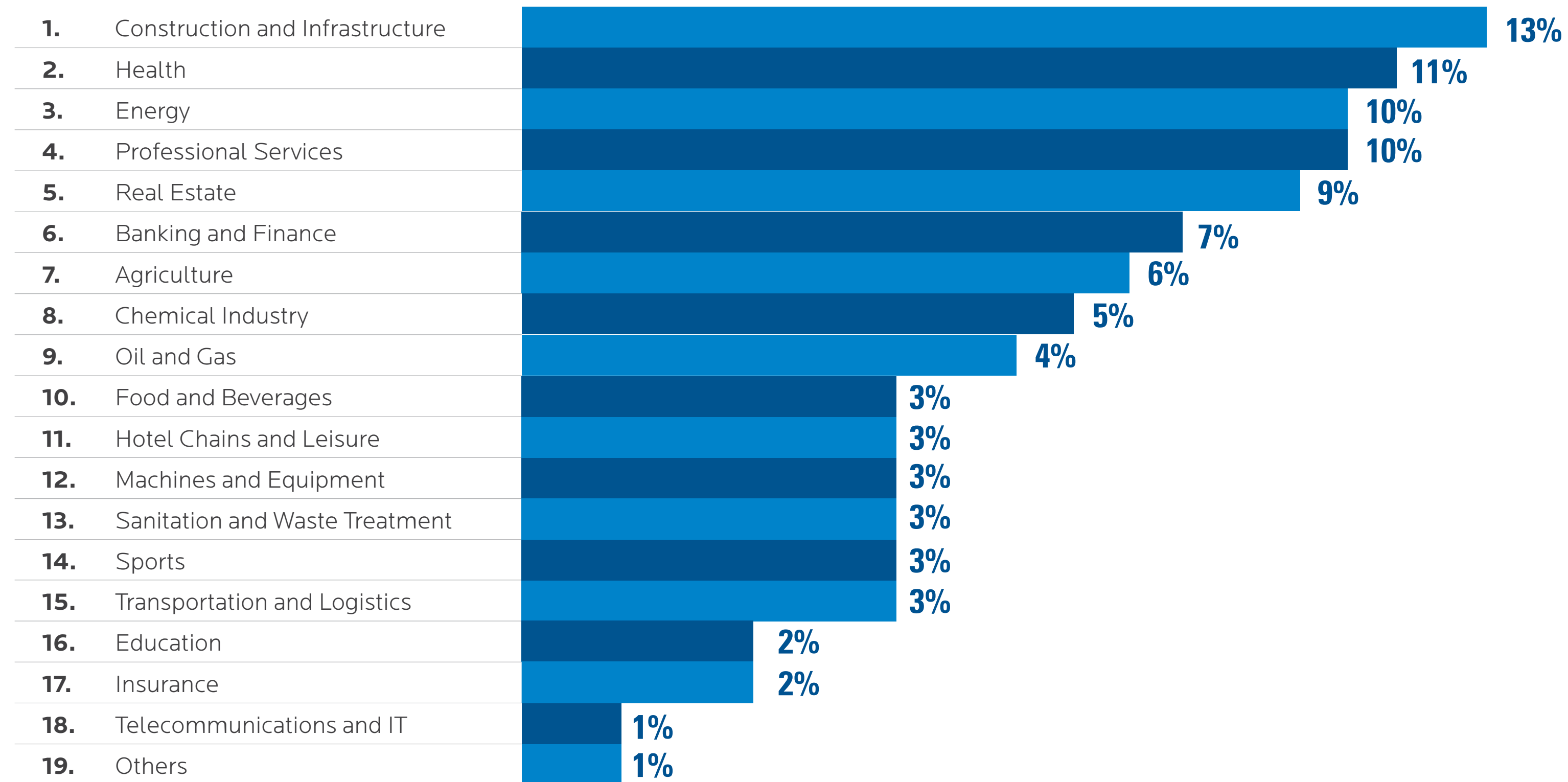


Business sectors

CAM-CCBC is known for administering disputes from a wide variety of business sectors. The Secretariat has experience managing complex cases that may arise from a broad spectrum of industries, from deep-sea drilling activities to banking or biochemical transactions.

In 2022, CAM-CCBC registered cases involving a plethora of industries:

2022



Multi-Party

In 2022, **64.35%** of the new cases involved multiple parties as Claimants and/or Respondents. The 2022 cases involved a total of **470** Claimants and Respondents.

64.35%

OF NEW CASES INVOLVED MULTIPLE PARTIES AS CLAIMANT AND/OR RESPONDENT

470

OVERALL NUMBER OF PARTIES

Arbitral Tribunals Constituted in 2022

In 2022, 92 Terms of Reference were signed, and 256 arbitrators were appointed. In these cases, CAM-CCBC appointed 3% of the arbitrators, while parties and co-arbitrators were responsible for the remaining 97% appointments.

Gender statistics 2022

TYPES OF ARBITRAL TRIBUNALS

89.13% TRIBUNAL
10.87% SOLE ARBITRATOR

COMPOSITION OF TRIBUNALS (INCLUDING SOLE ARBITRATORS)

61.96% MIXED TRIBUNALS
23.91% MALE ONLY
14.13% FEMALE ONLY

PERCENTAGE BY TYPE OF TRIBUNAL

61.79% MEN
38.21% WOMEN

40% MEN
60% WOMEN

PRESIDENTS OF TRIBUNALS

45.12% WOMEN
54.88% MEN

Gender Diversity

The number of mixed-gender tribunals went from 59.7% in 2020 to 61.3% in 2021. In 2022, the number of mixed-gender tribunals reached 61.96%. The number of women presiding over these tribunals went from 44.2% in 2020 to 50% in 2021. In 2022 we have registered a slight decrease to 45.12% of

women appointed as chairperson or sole arbitrator. But women appointed as co-arbitrators registered an increase, from 22.7% in 2021 to 34.76% in 2022. Women make up for 39.06% of all appointments in 2022.

CAM-CCBC'S EFFORTS TO PROMOTE GENDER EQUALITY

CAM-CCBC is dedicated to promoting gender equality and representation. This commitment has been reflected in the cases in which CAM-CCBC has acted to appoint arbitrators. In 2021 alone, 60% of CAM-CCBC's direct appointments promoted and spotlighted female arbitrators. In 2022 the number of CAM-CCBC female appointees rose to 75%.

CAM-CCBC also appoints members of the roster to act in special committees responsible for deciding arbitrators' challenges. In the ten challenge decisions rendered in 2022, the special committees' members appointed by the institution were around 60% female.

While CAM-CCBC's appointments take gender diversity as a fundamental criterium, true changes over the long-term may only be made possible by a whole-hearted shift in mindset by everyone involved.

In 2020, the number of female arbitrators in the Center's list reached the 33% mark. In 2022, the number of female arbitrators in the Center's list reached the 35.03% mark.

This positioning extends equally to events organized, supported or sponsored by CAM-CCBC. Since the approval of Administrative Resolution 30/2018, which set the parameters for equal opportunities for women within the scope of arbitration, at least 30% of the speakers are slated to be female. In practice, this innovative policy has led to advances with the participation of 50% of women among the speakers at the 7th, 8th and 9th Arbitration Congress in 2020, 2021 and 2022.

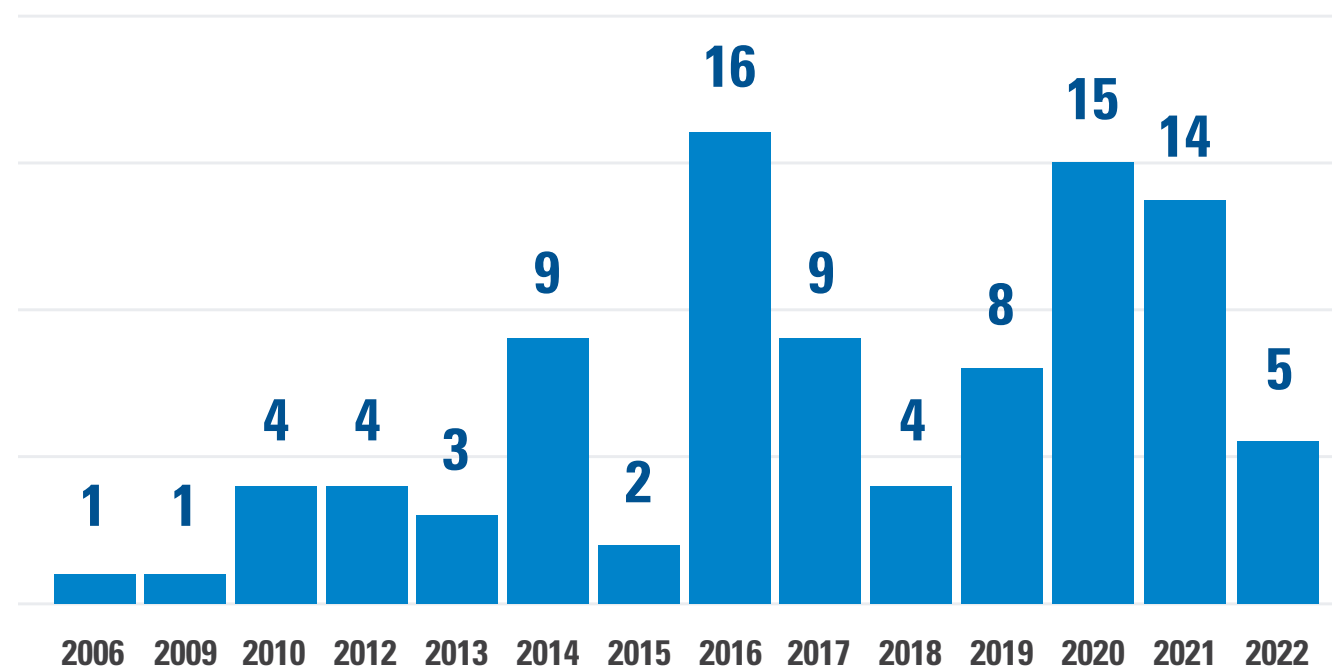
TOTAL MEDIATION CASELOAD

The Years of Mediation: An Overview

From 1998 to 2021, CAM-CCBC oversaw a total of 92 mediation proceedings. In 2021 alone, there were 14 requests for mediation, and a total of 23 proceedings were administered by the Center.

In 2022, the Center received 5 requests for mediation and administered 12 proceedings throughout the year.

2003	1
2005	1
2006	1
2009	1
2010	4
2012	4
2013	3
2014	9
2015	2
2016	16
2017	9
2018	4
2019	8
2020	15
2021	14
2022	5

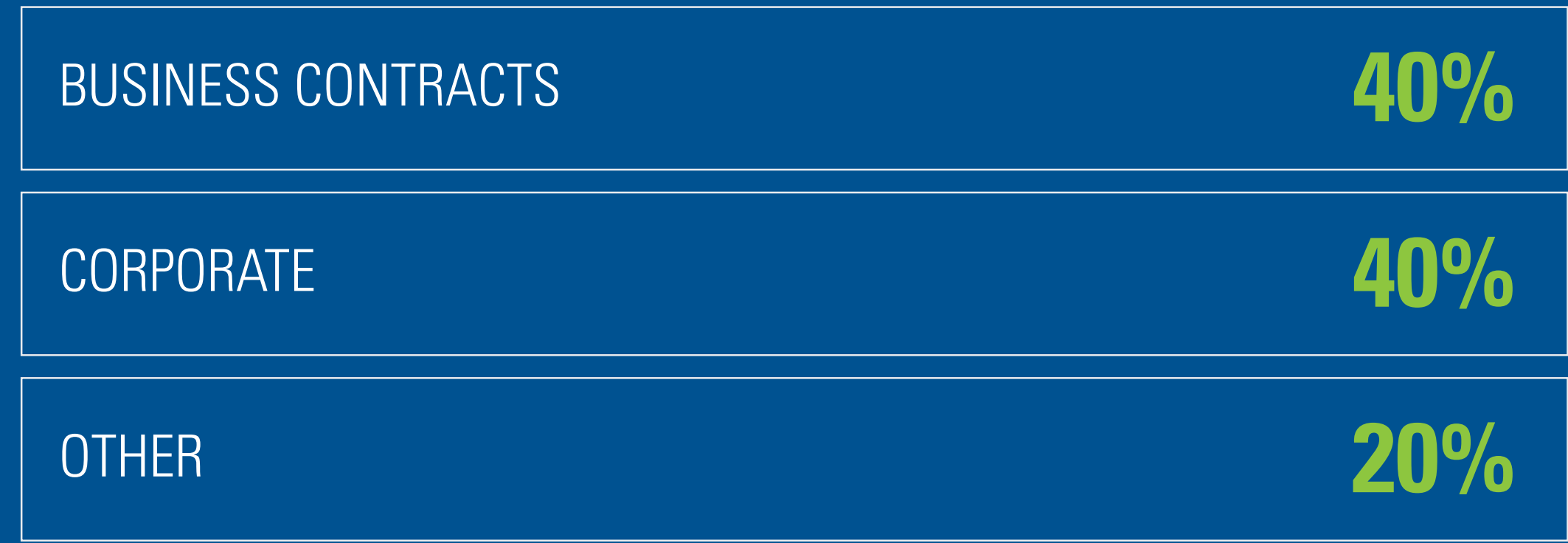


CAM-CCBC continues to promote mediation as an effective and cost efficient dispute resolution method.

MEDIATION IN 2022

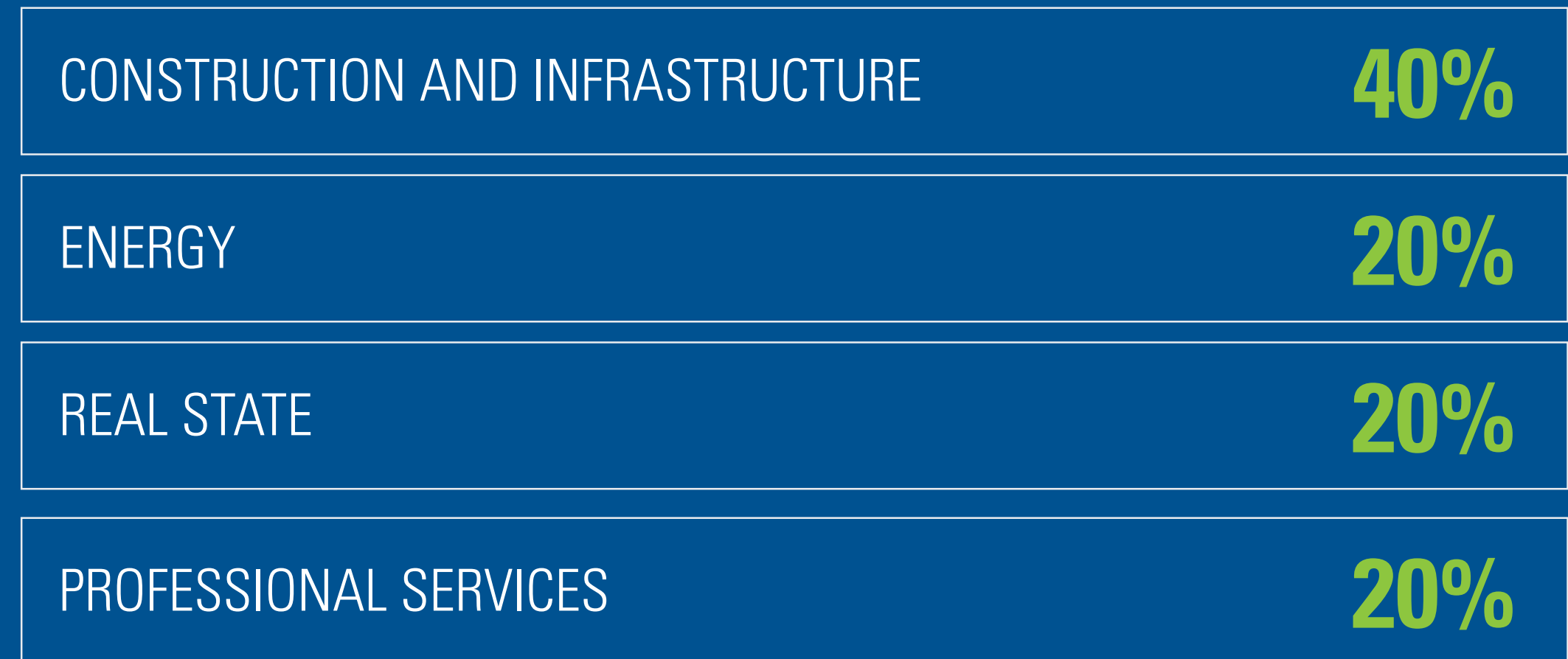
TYPES OF DISPUTES

NUMBER OF PROCEEDINGS



BUSINESS SECTOR

NUMBER OF PROCEEDINGS



Amount in Dispute

In 2022, the mediations initiated at CAM-CCBC registered an average of BRL 13.8 Mi, all cases related to large, complex disputes.



Closed Cases

7 Mediations were closed in 2022.

3 resulted in settlement.

2 ended without settlement.

In 2 cases, the proceeding ended before the Mediator was appointed.

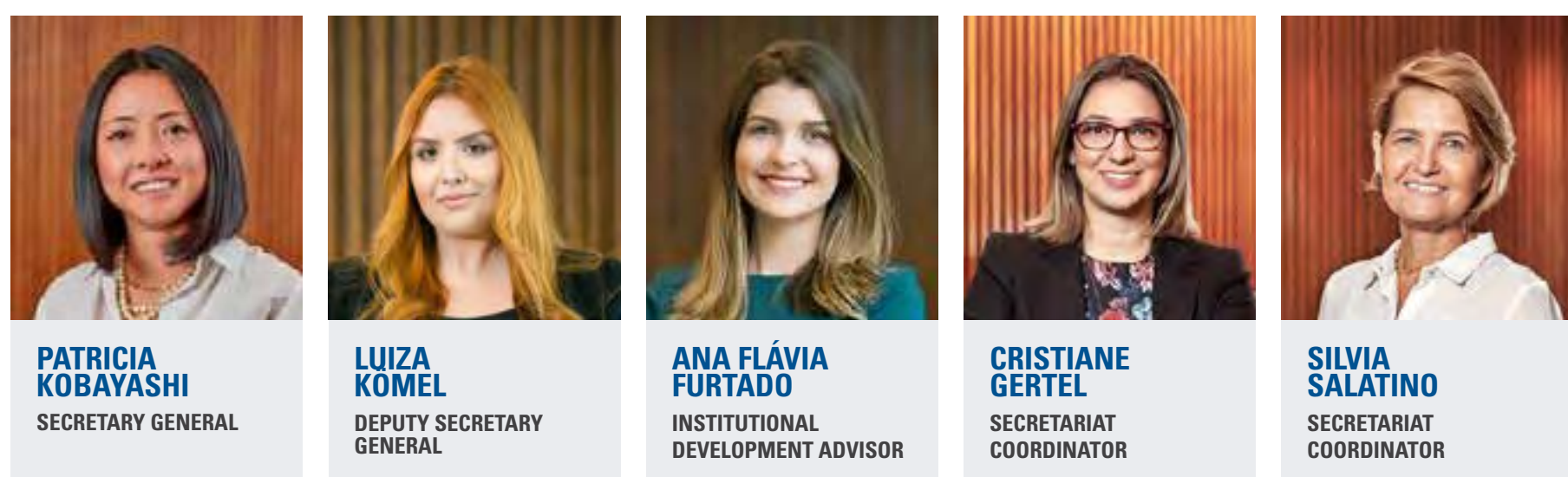
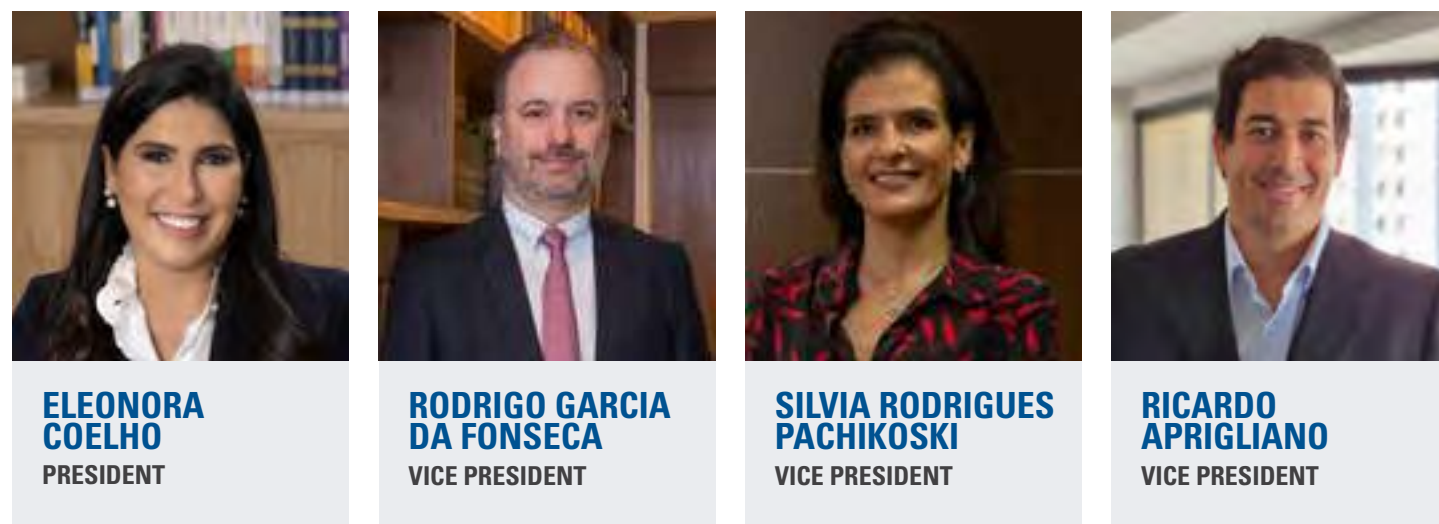
Settlement	42,8%
Withdrawn	28,6%
Mediation not initiated	28,6%

Starting a Mediation

YEAR OF MEDIATION REQUEST	NO CLAUSE	MED-ARB CLAUSE	ARBITRATION - ONLY CLAUSE	MEDIATION CLAUSE
2020	9	3	3	0
2021	3	6	5	0
2022	0	2	2	1



CAM-CCBC



CAM-CCBC'S TEAM



ADVISORY BOARD

President

Adriana Braghetta

Vice-President

Carlos Suplicy de Figueiredo Forbes

PERMANENT MEMBERS

Carlos Suplicy de Figueiredo Forbes

Fábio Nusdeo

José Carlos de Magalhães

Marcos Paulo de Almeida Salles

ELECTED MEMBERS

Adriana Braghetta

Antonio Luiz Sampaio Carvalho

Carlos Alberto Carmona

Gilberto Giusti

Hermes Marcelo Huck

João Bosco Lee

Paula Forgioni

Pedro Antônio Batista Martins

Selma Maria Ferreira Lemes

MEDIATION ADVISORY BOARD

President

Vera Cecília Monteiro de Barros

Members

Adolfo Braga Neto

Alexandre Palermo Simões

Amedeo Papa

Diego Faleck

Silvia Maria Costa Brega

Silvia Rodrigues Pachikoski