Swiss Chambers releases gender diversity stats

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The Swiss Chambers’ Arbitration Institute has unveiled its 2015 caseload statistics, for the first time including data on female arbitrators following its decision to sign the Equal Representation in Arbitration Pledge earlier this year.

According to the report circulated yesterday, 47 per cent of the arbitrators appointed by the institute in 2015 were women.

However, the institute only appointed 35 per cent of all the arbitrators that heard the cases it administered in that year. The remaining 65 per cent of appointments came from parties and co-arbitrators, who were notably less inclined to appoint women: men made up 95 per cent of those appointments, while only 5 per cent were women.

The data continues a new trend among arbitral institutions to increase transparency over the appointment of female arbitrators in response to the Pledge, which was launched at GAR Live London in May. The Pledge calls for the international arbitration community to increase the number of women appointed as arbitrators on an equal opportunity basis.

Other institutions that have released gender diversity statistics in light of the Pledge include the Arbitration Institute of the Stockholm Chamber of Commerce, which unveiled its stats in July, showing that only 27 per cent of appointments made by the institute were women.

The latest report states that 63 per cent of cases administered by the Swiss Chambers in 2015 were heard by a sole arbitrator, while the remainder were heard by a tribunal.

Like previous years, an overwhelming majority of the arbitrators were Swiss (80 per cent). The remaining arbitrators came from the UK, France, Germany, Italy, Belgium, Canada, Iran, Latvia, New Zealand and the US.
International disputes continue to form the majority of the institute’s caseload, though there was a slight drop in the number of cases submitted to the institute in 2015 (from 105 in 2014 to 100).

Of the 100 cases submitted to the institute, 89 per cent were international with 115 claimants from 35 countries and 118 respondents from 36 countries. The parties were most commonly Swiss (36 per cent) or western European (24 per cent) with an uptick in the number of parties from Asia and the Middle East (17 per cent).

In addition to hearing new disputes, the institute issued 58 final awards and seven interim awards in 2015. Sixteen cases were settled, seven were withdrawn and nine were closed through a termination order.

The statistics also demonstrated that most arbitrations administered by the institute were seated in Switzerland: 97 per cent of parties chose a Swiss city with Geneva (47 per cent) and Zurich (29 per cent) as the most popular seats and Swiss law remained the top choice for parties selecting an applicable law (73 per cent).

Parties conducted arbitrations in several languages. While the number of English arbitrations remained the same in 2014 and 2015 (67 per cent), French was the second most popular language (16 per cent) followed by German (11 per cent), Italian (6 per cent) and other languages (2 per cent).

In 2015, the institute witnessed a slight dip in the average value of its disputes: the average amount was US$10.4 million (10 million Swiss francs) compared to US$15.6 million (15 million Swiss francs) at stake from the period of 2004 to 2015.

In addition to its unveiling its 2015 statistics, the Swiss Chambers’ Arbitration Institute has welcomed one new member to its court of arbitration and said farewell to three others.

Boris Vittoz, partner at CPV Partners Lausanne, is the newest member of the court; meanwhile, Pierre Müller, judge and vice-chair of the Vaud Cantonal Court, Olivier Freymond and Pierre-André Oberson of Freymond, Tschumy & Associés in Lausanne have stepped down after serving three terms.

Three new legal counsel have also joined the secretariat of the arbitration court. Stella Sakellaridou and Jennyfer Dreyfuss will work under the direction of Valériane Oreamuno, who will lead the team as senior legal counsel.