

# ICC Dispute Resolution **2023 Statistics**



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## ICC International Court of Arbitration | **4-17**

**Parties 4**

**Arbitral tribunals 6**

**Places of arbitration 11**

**Choice of law 12**

**Nature of the disputes 13**

**Amounts in dispute 13**

**Expedited procedure 14**

**Awards 14**

**Emergency Arbitrator proceedings 16**

**ICC as Appointing Authority 17**

## ICC International Centre for ADR | **18-20**

**Mediation 18**

**Expertise 19**

**Dispute Boards 20**

**DOCDEX 20**



## Annex – Tables | **20-27**

# ICC International Court of Arbitration

2023 marked the **Centenary** of the International Court of Arbitration of the International Chamber of Commerce ('ICC Court'). In its **Centenary Declaration on Dispute Prevention and Resolution**, published in January 2023, ICC – the world's leading arbitral institution – sets out the vision and guiding principles that will shape the future of dispute prevention and resolution.

Since its establishment in 1923, the ICC Court has administered more than **28,000** cases<sup>1</sup> involving parties from all over the world and disputes from all sectors and of all sizes. In 2023, a total of **890** cases were registered with the Secretariat of the ICC Court ('Secretariat'), of which **870** cases were filed under the **ICC Arbitration Rules** and **20** under the **Rules of ICC as Appointing Authority**.

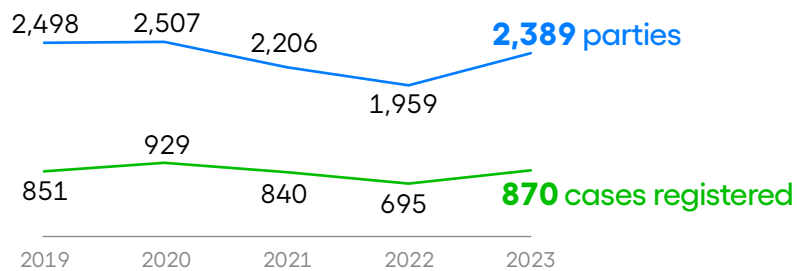
The diversity, knowledge, and experience of the **ICC Court members**<sup>2</sup> and the Secretariat's staff, as well as the flexibility of the ICC Rules, make ICC Arbitration well suited for the resolution of disputes arising from a wide range of transactions worldwide. At year-end 2023, a total of 1,766 cases were being administered via the **Secretariat's offices** in Paris, New York, Sao Paulo, Singapore, Hong Kong and Abu Dhabi Global Market.

## Parties

Of the **2,389** parties in cases filed in 2023 under the Arbitration Rules, 46% were claimants and 54% were respondents. As in previous years, approximately a third of the cases (**31%**) involved multiple parties.

Multiparty cases involved multiple respondents (58%), multiple claimants (25%) or multiple claimants and respondents (17%). Most multiparty cases involving three to five parties (84%), with one case involving as many as 32 parties.

### Parties and cases registered 2019-2023



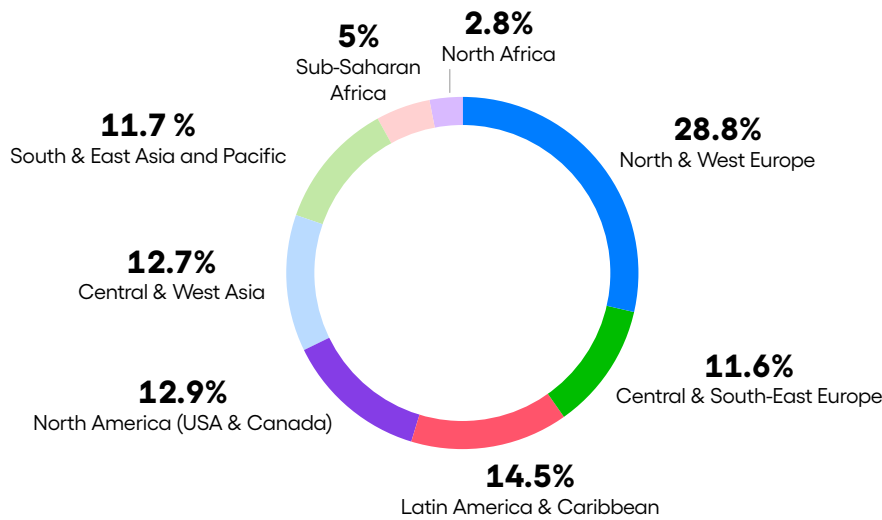
## Geographical origins

The new cases registered in 2023 involved **2,389** parties from **141** countries or independent territories.

1 The 28,000th case registered under the **Arbitration Rules** related to a major FIDIC infrastructure project that encountered alleged COVID-19 related delays. The arbitration involved a total of four parties, located in North and South Asia and was administered by the Secretariat's office in Singapore, which celebrated its fifth anniversary this year.

2 The ICC Court is comprised of 195 members from 121 countries (101 women and 94 men) appointed for a three-year mandate. The current ICC Court member mandate expires on 30 June 2024.

## Origin of the parties by region



### Tables

Most frequent nationalities among parties. See annex - table 01, page 21

Nationalities by region. See annex - table 02, pages 21

### Africa

Parties from North Africa (67) and Sub-Saharan Africa (120) accounted for 8% of the total party population.

Parties came from 32 countries in the region, with Morocco (34), the Democratic Republic of Congo (15), Egypt and Nigeria (14 each) and Algeria (11) being the most represented nationalities.

### Americas

Parties from the Americas accounted for 27% of the overall number of parties.

The United States maintained their first position in country rankings with 259 parties (11% of all parties worldwide). This is the second-highest number recorded for US parties behind the 2016 statistical findings (which included 554 US parties – a figure greatly influenced by a cluster of 135 small-claim cases).

Parties from Latin America and the Caribbean accounted for 346 parties, representing 14% of all parties. With 111 parties, Mexico was the first nationality represented in the region and reached the second rank worldwide (along with Germany) for the first time. Brazil followed with 80 parties.

### Asia and the Pacific

As in previous years, 25% of all parties came from Asia and the Pacific (584 parties in total).

Within this region, the most represented nationalities were China with 72 parties (including 18 parties from Hong Kong SAR) and India (52), followed by Singapore (32), Australia (27), South Korea (25 parties) and Japan (18).

With 288 parties, West Asia (i.e. the Middle East) represented 12% of the overall party population. The top five nationalities in the region were the United Arab Emirates (84 parties), Saudi Arabia (54 parties), Qatar (53 parties), Oman (30 parties) and Lebanon (20).

Central Asia accounted for 15 parties coming from Afghanistan, Azerbaijan, Georgia, Kazakhstan and Uzbekistan.

## Europe

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

Among the parties originating from North and West Europe (687), Germany led with 111 parties reaching second place worldwide (a tie with Mexico). Spain closely followed with 104 parties. Italy (78), France (69) and Switzerland (66) completed the top five in the region.

Parties from Central and South-East Europe (277) represented close to 12% of parties worldwide, with Türkiye remaining the most represented nationality within the region (56), followed by Russia (46), Greece (45), Romania and Poland (23 each) and the Czech Republic (20).

## International vs domestic cases

While the majority of ICC arbitrations involve cross-border and cross-regional disputes, 45% of newly-registered cases involved parties from the same region, and 29% involved parties of the same nationality.

Parties from 61 countries referred their domestic disputes to ICC Arbitration, with the top five countries being Mexico with 26 cases, Brazil and the United States (21 cases each), the United Arab Emirates (15 cases) and Qatar (10 cases).<sup>3</sup>

## State and state-owned parties

In 2023, 16% of the new cases involved a state or state entity. The total number of state and state entities (162) comprised 40 states and 122 state-owned parties from all parts of the world.

The proportion of state and state-owned parties varied significantly across regions, from no state or state-owned parties in the United States, to below 6% among parties coming from North and West Europe, Central and West Asia, and South and East Asia, between 10 to 16% of the parties within North Africa, Latin America and the Caribbean, and Central and South-East Europe, to 25% among all Sub-Saharan parties.

## Investor-state disputes

Two new cases were filed under the Arbitration Rules pursuant to a bilateral investment treaty (BIT) in 2023, bringing the number of investor-state disputes administered under the Arbitration Rules since 1996, when the first BIT case was registered, to 47. In addition, ICC has acted as Appointing Authority in 16 BIT *ad hoc* arbitrations to date.<sup>4</sup>



## Tables

Number of states and state-owned parties by region. See annex - table 03, page 23

## Arbitral tribunals

In principle, arbitrators acting in ICC arbitrations are either (i) confirmed by the ICC Court Secretary General or by the ICC Court upon party or co-arbitrator nomination ('confirmation'), or (ii) appointed by the ICC Court in the absence of nomination ('appointment'), either directly or upon the proposal of an ICC national committee or group.

2023 saw a total of 1,342 confirmations and appointments of 935 individuals coming from 89 jurisdictions.<sup>5</sup>

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

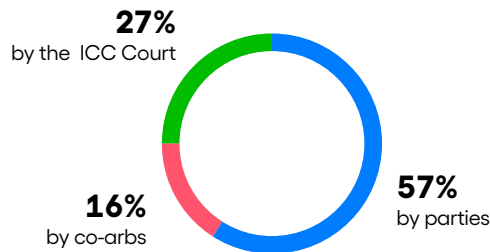
4 Whether for a contract or treaty, ICC provides for a variety of model clauses for [ICC Arbitration](#), [ICC Mediation](#), [ICC Expertise](#), [ICC Dispute Boards](#), or [ICC as Appointing Authority](#). Even if a clause is not included in the contract, parties can still subsequently agree to resort to any of the ICC Dispute Resolution Services presented in this report. In 2023, the ICC Commission on Arbitration and ADR released its [Guide to Effective Conflict Management and Report on Facilitating Settlement in International Arbitration](#) to increase awareness of the different alternative dispute resolution techniques and how to facilitate the settlement of disputes in international arbitration.

5 While observing confidentiality, the online searchable directory of [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.

## Constitution of the arbitral tribunal

In 2023, arbitrator nominations by the parties (770) or the co-arbitrators (210) accounted for 73% of the total confirmations/appointments, while the number of ICC Court appointments (362) accounted for 27% of all confirmed/appointed arbitrators.

## Selection of Arbitrators



## Tables

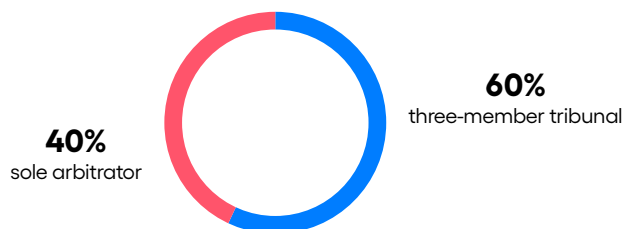
Selection of arbitrators. See annex - table 04, page 23

Article 12(1) of the Arbitration Rules provides that '[t]he disputes shall be decided by a sole arbitrator or by three arbitrators'. In 2023, as in previous years, the parties agreed on the number of arbitrators in the vast majority of cases (86%), either in the arbitration agreement or subsequently. Parties opted for a three-member tribunal in 66% of the cases and a sole arbitrator in 34% of the cases.

The ICC Court fixed the number of arbitrators in the remaining cases (14%). Where the parties have not agreed upon the number of arbitrators, the ICC 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.<sup>6</sup> In 2023, the ICC Court submitted disputes to three-member arbitral tribunals in 20% of the cases in which the parties did not agree on the number, and to sole arbitrators in 80% of such cases.

As in previous years, 60% of cases were submitted to a three-member arbitral tribunal and 40% to a sole arbitrator.

## Constitution of arbitral tribunals



Before being confirmed or appointed, prospective arbitrators must submit a statement of acceptance, availability, impartiality and independence. In 2023, 523 (or 39%) prospective arbitrators made disclosures prior to confirmation or appointment (compared to 32% in 2019).<sup>7</sup> 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.<sup>8</sup> In 2023, the ICC Court decided not to confirm 32 prospective arbitrators.

<sup>6</sup> See para. 40 of the [Note to Parties and Arbitral Tribunals on the Conduct of the Arbitration](#) ('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'.

<sup>7</sup> See paras. 22-36 of the [Note](#), which indicatively list circumstances that should be considered by the prospective arbitrator as well as the scope of any disclosures.

<sup>8</sup> Para. 26 of the [Note](#).

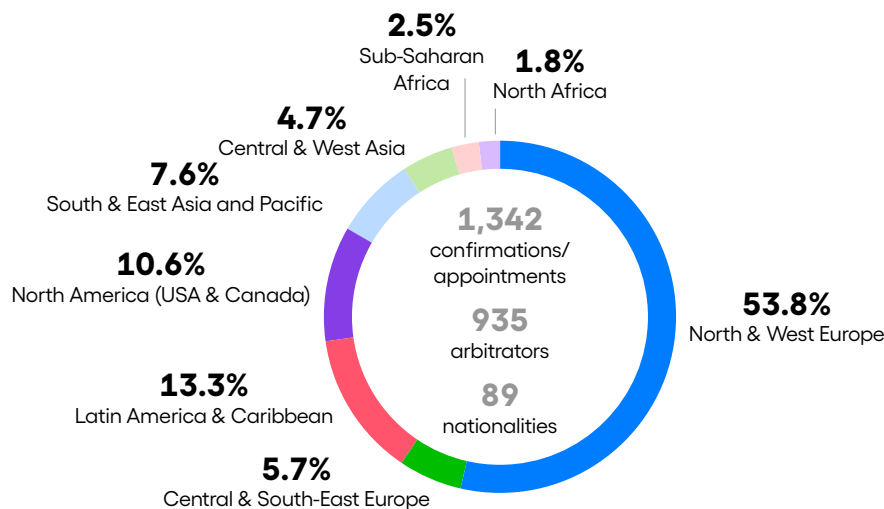
# ICC International Court of Arbitration

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 2023, whether based on an alleged lack of impartiality, independence or otherwise, amounted to 46 (in a total of 31 cases), of which only eight were accepted by the ICC Court. In 2023, 44 replacements were made pursuant to Article 15(1) of the Arbitration Rules,<sup>9</sup> and one replacement was made on the ICC Court’s own initiative pursuant to Article 15(2).

## Geographical origins

The **935** individual arbitrators confirmed or appointed in 2023 came from **89** jurisdictions.

### Confirmations/appointments of arbitrators by region



Close to 60% of all confirmations/appointments involved arbitrators coming from Europe, while 24% of arbitrators came from the Americas, 12% from Asia and the Pacific, and 4% from Africa.

As in previous years, the top 10 arbitrator nationalities included the United Kingdom (13% of all confirmations/appointments) and other European nationalities (France, Switzerland, Germany, Spain, and for the first time, Austria<sup>10</sup>), North America (USA and Canada), and Latin America (Brazil and Mexico).



### Tables

Most frequent nationalities. See annex - table 05, page 24

Breakdown by country of origin and role. See annex - table 06, pages 24-25

<sup>9</sup> Following the resignation (in 36 cases) or passing (in one case) of an arbitrator, or the filing of a successful challenge (in seven cases).

<sup>10</sup> The number of arbitrators from Austria increased from 25 in 2022 to 43 in 2023.



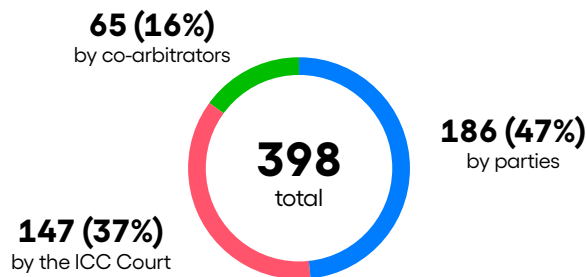
## Gender diversity

In 2023, confirmations and appointments of women arbitrators represented **29,7%** (or 398) of the total confirmations and appointments (up from 28.6% in 2022). Importantly, **41%** (or 147) of all appointments by the ICC Court – either directly or upon the proposal of an ICC national committee or group) – were women.<sup>11</sup>

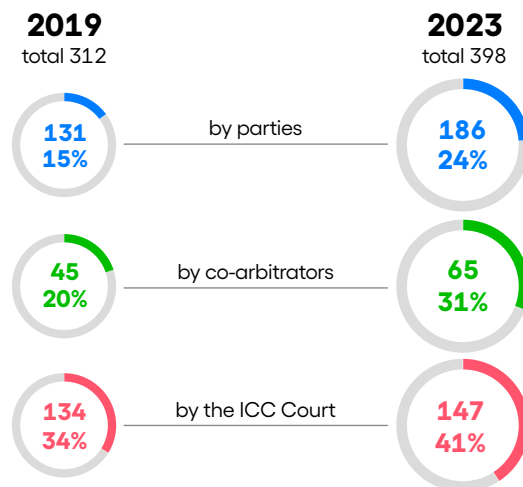
The **269** women individual arbitrators confirmed and appointed in 2023 came from **66** jurisdictions – the highest number of women arbitrators and countries represented so far.

Of all women arbitrators confirmed or appointed in 2023, 47% were nominated by the parties, 37% were appointed by the ICC Court, and 16% were nominated by the co-arbitrators.

### Nominations/appointments of women arbitrators



### Number and proportion of women nominations/appointments within each category



### Tables

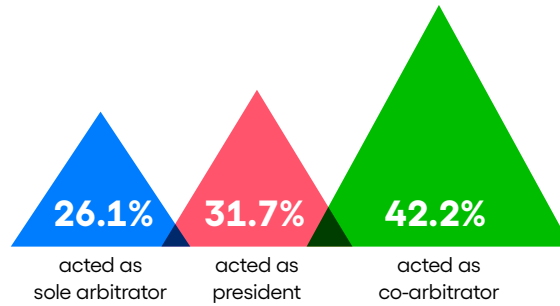
Number of men/women confirmations or appointments 2013-2023. See annex - table 07, page 25

Breakdown of men/women confirmations or appointments by region 2013-2023. See annex - table 08, pages 25-27

<sup>11</sup> ICC national committees, groups and direct members from the ICC global network can be found at [iccwbo.org/national-committees/](https://www.iccwbo.org/national-committees/).

In 2023, 42% of all women confirmed or appointed acted as co-arbitrator, 32% acted as president and 26% as sole arbitrator.

## Role of women arbitrators

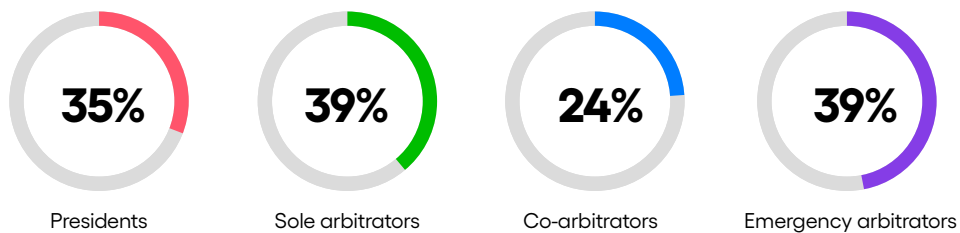


## Tables

Men/women arbitrators appointed or confirmed by region. See annex - table 08, pages 25-27

Of all sole arbitrators confirmed or appointed in 2023, 39% were women, whereas in three-member arbitral tribunals, 35% of presidents and 24% of co-arbitrators were women (compared to 31% and 23% in 2022, respectively). In addition, 11 women acted as emergency arbitrators in 2023, representing 39% of all emergency arbitrator appointments.

## Proportion of women in each role



## Age

The average age of arbitrators confirmed or appointed was 55 years. As in previous years, 38% of all 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 five years younger than the global average.

The average age of men acting as arbitrators was 57 years (51 years for men appointed by the ICC Court), while the average age of women arbitrators was 50 (47 years for women appointed by the ICC Court).<sup>12</sup>

## Repeat confirmations/appointments

Of the 1,342 confirmations/appointments in 2023 involving 935 individual arbitrators, 70% represented single confirmations/appointments and 30% repeat confirmations/appointments.

A similar proportion of single and repeat confirmations/appointments applied within both groups of men in 2022 (71%–29%) and women (68%–32%).

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 within the 12 months following

<sup>12</sup> The ICC Young Arbitration and ADR Forum (YAAF) comprises 89 regional representatives from 79 cities in 59 countries – reflecting ICC's continuous efforts to promote age and geographical diversity in arbitration. The YAAF network brings together over 27,000 members across seven regional chapters (Africa, Middle East and Türkiye, North Asia, South Asia, Europe and Russia, Latin and North America).

# ICC International Court of Arbitration

that appointment. Moreover, the ICC Court (i) encourages the proposal/appointment of candidates with less arbitrator experience 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 to grow, and (ii) favours diversity.<sup>13</sup>

## Communication of reasons

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 **99** decisions, including **78** decisions on arbitrator challenges.

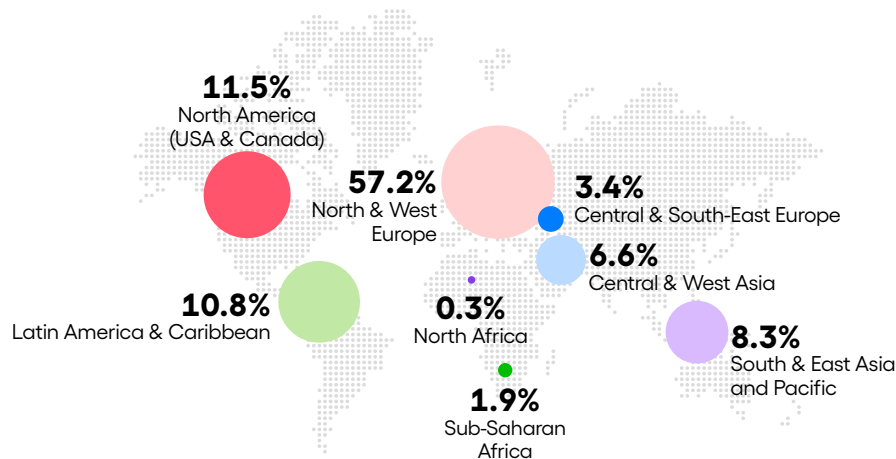
In 2023, the ICC Court communicated reasons for 24 decisions, including 19 challenges (13 under the Arbitration Rules and six under the Appointing Authority Rules), four decisions on *prima facie* jurisdiction under Article 6(4), and one decision on consolidation.

According to Article 5(2), Appendix II to the Arbitration Rules, a party's request for the communication of reasons must be made in advance of the decision in respect of which reasons are sought.<sup>14</sup>

## Places of arbitration

In the majority of cases, the place of arbitration is chosen by the parties, and the ICC Court only fixes the place of arbitration where parties fail to agree. In 2023, the ICC Court exercised this function in just 8% of all cases.

In 2023, arbitrations were seated in **116** cities across **63** countries worldwide.



In 2023, the top five countries selected as place of arbitration remained France (with 99 cases, representing 15% of the overall places), the United Kingdom (85), Switzerland (79), the United States (66), and Brazil (34), followed by Germany (33), Singapore (30), the United Arab Emirates (24), Mexico (19), and Spain (18).

The top five cities most frequently selected worldwide<sup>15</sup> were Paris (96 cases), London (85), Geneva (49), New York (39) and Singapore (30).



### Tables

Most selected cities. See annex - table 09, page 27

Countries selected as place of arbitration. See annex - table 10, pages 27-28

13 See the [Note to the National Committees and Groups of ICC on the Proposal of Arbitrators](#), para 38: 'For cases of lower complexity, Committees and Groups are encouraged to propose prospective arbitrators with experience in arbitration, but not necessarily as arbitrators (such as experience as counsel or as administrative secretary); and para. 40: 'When proposing arbitrators, Committees and Groups are encouraged to consider diversity, broadly defined, including but not limited to racial, ethnic, cultural, generational, and gender diversity.' In its [Centenary Declaration on Dispute Prevention and Resolution](#), ICC pledges 'to build on [its] ground-breaking work on diversity, equity and inclusion in all aspects of dispute prevention and resolution'. In addition, in 2023, the ICC Commission on Arbitration and ADR released its [Guide on Disability Inclusion in International Arbitration and ADR](#).

14 See paras. 46-49 of the [Note](#); see also '[Top 10 Services Provided by the ICC Court and Secretariat](#)', *ICC Dispute Resolution Bulletin*, 2023-2.

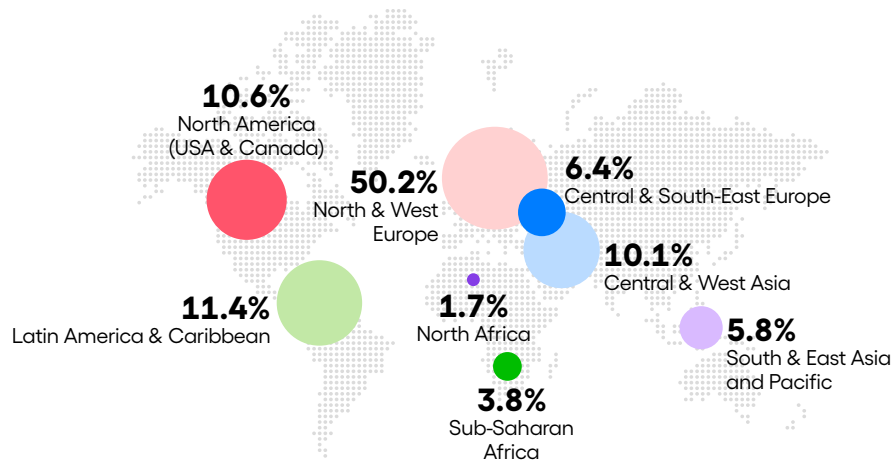
15 While the places of arbitration are grouped per country for statistical purposes, the place of arbitration must be a city.

## Choice of law

Choice-of-law clauses were included in contractual provisions in **95%** of all cases registered in 2023, covering the laws of **112** nations, states, provinces and territories.

As in previous years, English law was the most frequently selected *lex contractus* with 131 cases (15% of new cases). Swiss law rose to second place with 83 cases, followed by the laws of a US state (81)<sup>16</sup> and German law (62). The laws of Mexico (35), France and Spain (33 cases each), Brazil (29), Italy (25), the United Arab Emirates (22) and Austria (20) completed the top 10 applicable laws in cases registered in 2023.

## Applicable laws in contracts



### Applicable laws in contracts in newly-registered cases

<b>North &amp; West Europe</b>	Austria (20), Belgium (8), Denmark (6), England (131), Finland (3), France (33), Germany (62), Ireland (1), Italy (25), Liechtenstein (2), Luxembourg (6), Malta (3), Netherlands (12), Norway (5), Portugal (6), Spain (33), Sweden (2), Switzerland (83)
<b>Central &amp; South-East Europe</b>	Cyprus (1), Czech Rep. (5), Greece (17), Kosovo (1), Lithuania (1), North Macedonia (3), Poland (6), Romania (6), Russia (2), Slovakia (1), Slovenia (1), Türkiye (12)
<b>North Africa</b>	Algeria (4), Egypt (1), Morocco (9), Tunisia (1)
<b>Sub-Saharan Africa</b>	Cameroon (2), Chad (2), Dem. Rep. Congo (5), Cote d'Ivoire (1), Ethiopia (2), Gabon (1), Ghana (5), Kenya (4), Madagascar (1), Mozambique (1), Nigeria (2), Seychelles (3), South Africa (1), Togo (1), Uganda (1), Zambia (2)
<b>North America (USA &amp; Canada)</b>	<b>USA</b> Law(s) of (the State of): California (5), Delaware (6), Florida (4), Illinois (1), Maryland (1), Michigan (2), New Jersey (2), New York (50), Ohio (1), Pennsylvania (2), Texas (6), Virginia (1). <b>Canada</b> Law(s) of the Province of: Alberta (2), Nova Scotia (1), Ontario (5), Quebec (4)
<b>Latin America &amp; Caribbean</b>	Argentina (7), Brazil (29), Chile (20), Colombia (6), Ecuador (2), Mexico (35), Nicaragua (1), Panama (4), Paraguay (2), Peru (5), Salvador (1), Uruguay (2), Venezuela (1), Dominica (1), Jamaica (1), St Kitts & Nevis (1)
<b>Central &amp; West Asia</b>	Afghanistan (2), Georgia (2), Bahrain (1), Iran (1), Iraq (4), Israel (3), Jordan (1), Lebanon (3), Oman (12), Qatar (19), Saudi Arabia (17), United Arab Emirates (22), Yemen (2)
<b>South &amp; East Asia and Pacific</b>	Bangladesh (2), China (2), Hong Kong SAR (3), India (14), Indonesia (1), Japan (1), South Korea (3), Laos (1), Malaysia (1), Pakistan (1), Philippines (2), Singapore (9), Sri Lanka (1), Chinese Taipei (1), Thailand (3), Australia (5)

<sup>16</sup> The contracts applying the laws of US states referred to the laws of 12 states, with New York law selected in over half of the contracts.

In 2023, 2% of all contracts relied upon included reference to rules or instruments other than national laws, such as the United Nations Convention on Contracts for the International Sale of Goods (CISG), the UNIDROIT Principles of International Commercial Contracts, 'international laws and rules', *amiable composition*, and the ICC Incoterms®.<sup>17</sup> These instruments and rules are sometimes applied in the course of an arbitration, either automatically, because the parties subsequently agree to their application, or because the arbitral tribunal determines that they apply.

## Nature of disputes

As in previous years, cases filed in 2023 covered a wide range of sectors, divided into more than 20 categories.<sup>18</sup> Disputes arising from the construction/engineering and energy sectors, which traditionally generate the largest number of ICC cases, together represented just over 45 % of all new cases registered, or 219 (25.2%) and 179 new cases (20.6%), respectively.

Sectors representing 3% to 6% of new cases included, by order of frequency: industrial equipment and services; transportation; health, pharmaceuticals and cosmetics; metal and raw materials; general trade and distribution; telecoms and specialised technologies; business services; financing and insurance; leisure and entertainment.

ICC arbitrations arise from a very broad range of contracts with the five most frequent types being construction/engineering (21.2%), purchase and sale (16.3%), purchase/transfer of shares and shareholders' agreement (8.5%), distribution/franchising (7.4%), and joint venture/consortium/partnerships contracts (4%).

## Amounts in dispute

Approximately 50% of cases filed in 2023 and pending cases at the end of 2023 involved an amount in dispute between US\$ 1 million and US\$ 30 million. Close to 40% (39.5%) of the new cases registered involved an amount in dispute not exceeding US\$ 3 million, i.e. the threshold value for the automatic application of the expedited procedure provisions for disputes arising out of arbitration agreements concluded after 1 January 2021.<sup>19</sup>

In 2023, the average amount in dispute was **US\$ 65 million** in new cases and **US\$ 150 million** in cases pending at year end. The aggregate amount for disputes in new cases and for the total caseload pending at year-end was respectively **US\$ 53 billion** and **US\$ 255 billion**.

While the median amount in dispute remained steady in new cases registered (US\$ 5.5 million approximately) and in total cases pending at year-end (US\$ 13 million), the amount in dispute varied significantly from one case to another from below US\$ 2,000 at the low end and exceeding US\$ 6 billion at the high end.



### Tables

Amounts in dispute. See annex - table 11, page 28

17 The Incoterms® rules are a globally-recognised set of standards, used worldwide in international and domestic contracts for the delivery of goods across borders and domestically. They are essential for creating business-to-business sale contracts and ensuring a smooth flow of goods while minimising risks involved in the transport and delivery process from sellers to buyers. ICC published the first Incoterms® rules in 1936 and has been maintaining and developing them ever since, with the latest edition issued in 2020. In addition, the Incoterms® 2020 app is a vital tool for importers and exporters looking to remain updated with international trade terms.

18 Sectors include 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, household and office needs, industrial equipment and services, leisure and entertainment, media and publishing, metals and raw materials, public institutions and organisations, telecommunications/specialised technologies, textiles/clothing, and transportation.

19 See Art. 1(2)(b), Appendix VI of the Arbitration Rules and section 'Expedited procedure' immediately below.

## Expedited procedure

The ICC Expedited Procedure Provisions (Article 30 and Appendix VI of the Arbitration Rules; collectively referred to as ‘EPP’) provide for a streamlined arbitration ending with a final award within six months of the case management conference with reduced scales for arbitrator fees.<sup>20</sup>

Unless the parties have explicitly opted out,<sup>21</sup> 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.

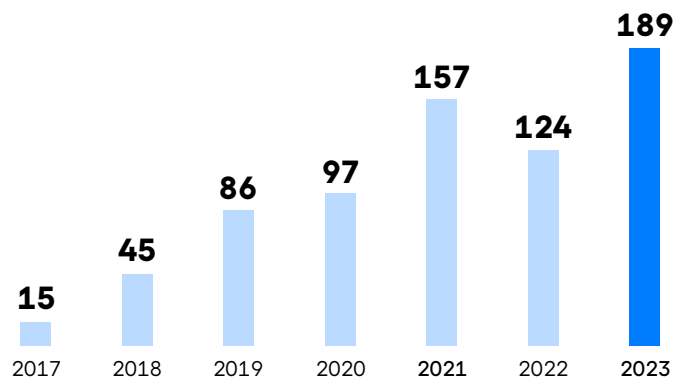
Parties may also expressly opt into the EPP regardless of the amount in dispute or date of conclusion of the arbitration agreement.

In 2023, a record number of **189** new cases were administered under the Expedited Procedure Provisions (‘EPP’), as a result of:

- the automatic application of the EPP: **174** cases;<sup>22</sup>
- the parties’ agreement in the arbitration agreement or subsequently (‘opt-in’): **15** cases.

ICC has administered a total of **713** cases under the EPP since the procedure was established in 2017.

## New cases administered under the EPP 2017-2023



## Awards

The scrutiny process – a distinctive feature of ICC Arbitration – provides parties and arbitrators with ICC’s expertise in reviewing draft awards, with the aim of ensuring quality, validity and enforceability.

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

In 2023, the ICC Court approved **520** awards, of which **512** were approved subject to points raised by the ICC Court for the arbitral tribunal’s consideration.

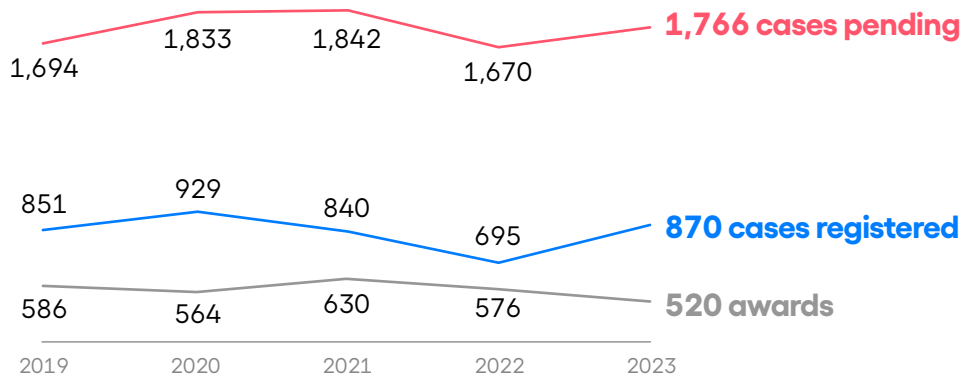
A further 42 draft awards (or 8% of the total draft awards scrutinised in 2023) were returned to the arbitral tribunal for further consideration before the ICC Court could approve them.

<sup>20</sup> The cost calculator for ordinary and expedited procedures is available [online](#) and in the [ICC DRS app](#).

<sup>21</sup> The [ICC standard arbitration agreement](#) provides recommended wording should the parties wish to exclude the application of the EPP or agree to a higher monetary threshold than the one applicable under the [Arbitration Rules](#).

<sup>22</sup> According to Art. 30(2)(b) of the [Arbitration Rules](#), the EPP apply by default in cases (i) not exceeding the monetary threshold under Art. 1(2) of Appendix VI, (ii) based on contracts concluded on or after entry in force of the EPP, and where the parties have not agreed to opt out of the EPP.

## Awards and cases registered or pending 2019-2023



## Types of Awards



Of the 520 awards approved by the ICC Court, 384 were final awards, 104 partial awards, and 32 awards by consent.

In 2023, 107 applications for correction and/or interpretation of awards were filed pursuant to Article 36 of the Arbitration Rules, 71 of which led to the subsequent correction or interpretation of the award by way of addendum. In rendering decisions rejecting the other 36 requests, tribunals sometimes also issued addenda relating to the costs of the correction/interpretation proceedings.

## Languages of awards

While English remains the predominant language (77% of awards), many of the 520 awards rendered in 2023 were drafted in 12 other languages. As in the previous year, Spanish is the second most frequent language (43 awards), followed by French (35), Portuguese (24), German (5), Polish and Italian (2 each), and one award each in Japanese, Korean, Romanian and Swedish. In addition, two bilingual awards in Spanish/English and Mandarin/English were rendered in 2023.

## Awards rendered by majority/dissenting opinions

Pursuant to Article 32(1) of the Arbitration Rules, ‘when the arbitral tribunal is composed of more than one arbitrator, an award is made by a majority decision’. In 2023, of the 294 partial and final awards rendered by three-member tribunals, 40 awards (14%) were rendered by majority.

Dissenting opinions were made by way of a separate document in 32 cases and incorporated in the award itself in four cases. In four majority awards, no dissenting opinion was submitted.

Dissenting arbitrators were co-arbitrators nominated by a party in 35 cases, appointed by the ICC Court on behalf of a party in one case and remained unidentified in four cases.

## Length of proceedings

In cases that concluded by way of final award in 2023, including where the proceedings were suspended by party agreement for any length of time, the average duration was 27 months and the median duration was 25 months.

In 2023, 364 cases were withdrawn before a final award was rendered: 90% of withdrawals followed the parties’ joint request or a request by one party with no objection from the rest of the parties, whereas 10% of withdrawals followed a lack of payment.<sup>23</sup> 53% of withdrawals occurred prior to the appointment of

<sup>23</sup> Pursuant to the non-payment of the advance on costs (Art. 37(6), Arbitration Rules).

the arbitral tribunal, 8% between the appointment of the tribunal and the establishment of the Terms of Reference, 31 % following the Terms of Reference or Case Management Conference,<sup>24</sup> and 8% following a partial award. One case was withdrawn after the final award was approved and prior to its notification to the parties. In addition, 32 proceedings ended with an award by consent.<sup>25</sup>

## 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;<sup>26</sup> and (iii) under the EPP, draft awards are expected within five months from the case management conference.<sup>27</sup> Untimely submission of draft awards may cause a reduction of arbitrator fees unless the delay is attributable to factors beyond the arbitrators' control or exceptional circumstances.<sup>28</sup>

In 2023, 47% of draft final awards rendered in the ordinary procedure were submitted to the ICC Court for scrutiny within the above timeframe. While most delays ranged from a few days to one month (in 56 cases), delays ranged from one to two months in 46 cases, and exceeded two months in 49 cases. Among the draft final awards submitted late, a fee reduction was applied in 76 cases (or 47%) where the delay was not *de minimis* and the ICC Court was not satisfied that the delay was attributable to factors beyond the arbitrators' control or to exceptional circumstances.

Of the total 341 final awards rendered under the EPP since the procedure was established in 2017, 224 (or 65%) were delivered on or around the six-month time limit.<sup>29</sup> When incurred, delays were minimal. The delay exceeded one month in 76 cases and, in most cases, was due to justified circumstances (e.g. in 35 cases, parties agreed to a new procedural timetable). The delay resulted in a fee reduction in just 20 cases. As prescribed by the Note, scrutiny of all draft awards rendered under the EPP was made within two to three weeks.<sup>30</sup>

## Emergency Arbitrator proceedings

In 2023, 28 Emergency Arbitrator ('EA') applications were filed, bringing the total of EA applications to 240 since 2012, when the ICC EA were introduced, allowing parties to apply for urgent interim or conservatory measures that cannot await the constitution of the arbitral tribunal and to obtain a decision within 15 days (Article 29 and Appendix V to the Arbitration Rules).

With 43% of EA applications involving multiple parties, parties came from 33 jurisdictions spanning all continents: Africa (Cameroon, Chad, Democratic Republic of Congo, Ivory Coast); Asia (Chinese Taipei, India, Singapore); the Middle East (Bahrein, Saudi Arabia, United Arab Emirates); the Americas and the Caribbean (Canada, the United States, Bahamas, Bermuda, Cayman Islands, Chile, Mexico); and Europe (Austria, Australia, Belgium, Denmark, France, Croatia, Germany, Greece, Israel, Italy, Malta, the United Kingdom, Spain, Romania, Russia and Switzerland).

25% of EA applications involved a state or state entity and 25% of the EA applications were filed in the context of domestic disputes.

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24 For provisions on the 'Terms of Reference' and 'Case Management Conference', see [Arbitration Rules](#), Arts. 23 and 24.

25 Appendix IV(h)(i) of the [Arbitration Rules](#) provides: 'Settlement of disputes: (i) encouraging the parties to consider settlement of all or part of the dispute either by negotiation or through any form of amicable dispute resolution methods such as mediation under the [ICC Mediation Rules](#); (ii) where agreed between the parties and the arbitral tribunal, the arbitral tribunal may take steps to facilitate settlement of the dispute, provided that every effort is made to ensure that any subsequent award is enforceable at law'. See also the 2023 [ICC Guide to Effective Conflict Management and Report on Facilitating Settlement in International Arbitration](#). The appointment of a mediator by the ICC ADR Centre made at the joint request of all the parties in an ongoing ICC Arbitration is provided free of charge, Art. 3 of Appendix II of the [Rules for the Appointment of Experts and Neutrals](#), and para. 273 of the [Note to Parties and Arbitral Tribunals on the Conduct of the Arbitration](#).

26 Para. 153 of the [Note](#).

27 Paras. 157, 159 of the [Note](#).

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

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

30 Para. 169 of the [Note](#).



## ICC International Court of Arbitration

While more than half of all EA applications filed in 2023 related to the construction/engineering and energy sectors, several other sectors were represented such as transport, food industry, agribusiness, health/pharmaceuticals, finance and insurance, media and publishing, metals and raw materials, telecommunications and specialised technologies.

Of the 27 Emergency Arbitrator orders rendered in 2023, the requested relief was fully granted in three cases, partially granted in nine cases, and dismissed in 13 cases, including one case where the application was found to be inadmissible.<sup>31</sup> In two other cases, the emergency arbitrators rendered a consent order and a termination order.

### Outcome of the Emergency Measure requested



### ICC as Appointing Authority

Under the [Rules of ICC as Appointing Authority in UNCITRAL or Other Arbitration Proceedings](#), the ICC Court may decide on requests for appointment or challenges in UNCITRAL, other institutional and *ad hoc* arbitration proceedings.

The ICC Court may also provide a range of administrative services as requested by interested parties, including 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.

In 2023, the ICC Court was called upon to act as appointing authority under the UNCITRAL Arbitration Rules and other *ad hoc* proceedings on 20 occasions. Of the services requested, 10 related to the appointment of an arbitrator, six concerned a challenge, and four the administration of funds.

<sup>31</sup> On the issue of admissibility (para. 82 et seq.), and generally for an analysis of the first 80 ICC EA applications, see the ICC Commission on Arbitration and ADR Report on [Emergency Arbitrator Proceedings](#) (2019). See also S. Besson, 'Emergency Arbitrator Proceedings under the ICC Rules - An Update', *ICC Dispute Resolution Bulletin*, 2024-1.

# ICC International Centre for ADR

The International Centre for ADR ('ICC ADR Centre') offers a range of dispute resolution services, including (i) administering mediations and other forms of amicable dispute settlement, (ii) proposing/appointing experts and neutrals and administering expert proceedings, (iii) assisting parties in setting up and running dispute boards, and (iv) administering DOCDEX proceedings, i.e. expert decisions on trade finance instruments, including documentary credits.<sup>1</sup>

A Standing Committee supports the ICC ADR Centre in administering cases filed under the Expert Rules and Dispute Board Rules.

In 2023, the ICC ADR Centre registered a total of 75 cases under the ICC Mediation Rules, ICC Expert Rules, ICC Dispute Board Rules and ICC DOCDEX Rules.<sup>2</sup>

## Mediation

In 2023, 37 requests were filed under the Mediation Rules. The term 'mediation' used in the Mediation Rules includes any amicable settlement technique or combination of techniques chosen by the parties.<sup>3</sup> In 2023, 34 requests filed referred the dispute to 'mediation', while three referred to 'conciliation'.<sup>4</sup>

Newly-registered mediation cases involved 90 parties from 28 countries. Countries accounting for the highest number of parties were the United States (21), France (10) and Italy (8).

Six parties were state-owned, originating from Africa, the Americas, Europe and the Middle East.

### Origin of the parties in ICC Mediation

Region/country (no. of parties)	Total no. of parties	% of total no. of parties
<b>Africa</b> Algeria (2), Eswatini (1), South Africa (1), Tunisia (2), Zambia (2)	8	9%
<b>Americas</b> Colombia (3), Mexico (2), Trinidad and Tobago (2), United States (21)	28	31%
<b>Asia &amp; Pacific</b> Australia (1), Singapore (3)	4	5%
<b>Europe</b> Austria (2), Denmark (2), France (10), Greece (2), Italy (8), Luxembourg (3), Malta (1), Netherlands (1), Portugal (2), Romania (2), Russia (2), Serbia (2), Spain (5), Switzerland (1), Türkiye (5)	48	53%
<b>Middle East</b> Iraq (1), United Arab Emirates (1)	2	2%
<b>Total</b>	<b>90</b>	<b>100%</b>

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 for this purpose. If such clause is not included in the contract, parties can always subsequently agree on ICC as their dispute prevention and resolution one-stop shop.

2 The ICC Guide to Effective Conflict Management, published by the ICC Commission on Arbitration and ADR in July 2023 offers guidance in selecting the most appropriate ADR technique and explains how to efficiently use them to avoid escalation, resolve disputes and reduce the cost of unavoidable disputes, before and after the commencement of arbitration proceedings. It describes the available ICC Dispute Resolution Services and gives examples of how they can be used either as standalone mechanism or combined.

3 See Art. 1(3) of the Mediation Rules. The Mediation Guidance Notes (Foreword, p. 1) offer guidance on issues that deserve attention when choosing and organising 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.'

4 See the ICC Guide to Effective Conflict Management at p. 16, note 27: 'Internationally, the terms 'conciliation' and 'mediation' are used sometimes to describe the processes that are substantively the same and sometimes to describe processes that are similar but have some differences. Where there are differences, there is no uniform understanding of what those differences are. That is why ICC Mediation, as referred to in the ICC Mediation Rules, is sufficiently broad to encompass both mediation and conciliation.'

In 2023, the ICC ADR Centre confirmed/appointed 24 mediators.<sup>5</sup> The 24 mediators, of which seven were women, came from Europe (France, Germany, Greece, Italy, Spain and the United Kingdom), Asia (China, Singapore and Malaysia), the Americas (Mexico and the United States), and Africa (South Africa).

While disputes concerned a wide range of economic sectors, disputes in relation to construction and engineering prevailed (30% of cases) followed by the finance and insurance, industrial equipment, and energy and transport sectors.

In 2023, the value of disputes ranged from US\$ 65,000 to over US\$ 75 million (with an approximate average amount in dispute of US\$ 10 million), confirming the suitability of mediation for both low and high-value disputes. The costs of proceedings in which mediators were confirmed or appointed were approximately US\$ 20,000 on average, with a median cost of US\$ 15,300.<sup>6</sup>

## Expertise

ICC Expert services include (i) proposing experts and neutrals (non-binding proposal); (ii) appointing experts and neutrals (binding appointment); and (iii) administering expert proceedings, with the available services including coordination between the parties and the expert, monitoring deadlines, supervision of costs, and review of the expert's draft report.<sup>7</sup>

A total of 30 requests under the **Expert Rules** were filed with the ICC ADR Centre in 2023. Of these, 19 requests were made for the appointment of experts or neutrals, six for the proposal of experts or neutrals, and five for the administration of expert proceedings.

Of the six requests for proposal of an expert, one came from an ICC arbitral tribunal – a service that is provided free of charge.<sup>8</sup> Of the 19 requests for appointment, seven were made in relation to the appointment of dispute board members,<sup>9</sup> one in relation to the appointment of a neutral to act as a conciliator and one in relation to the appointment of an adjudicator.

The 2023 filings under the Expert Rules involved 81 parties from 27 countries, of which 26 states and state-owned parties from Africa, Asia, Europe and the Middle East.

### Geographical origins of parties in ICC Expertise

Region/country (no. of parties)	No. of parties	% of total no. of parties
<b>Africa</b> Ethiopia (4), Gabon (1), Guinea (2), Benin (1), Morocco (2), Nigeria (4)	14	17.3%
<b>Americas</b> Brazil (11), United States (2)	13	16%
<b>Asia &amp; Pacific</b> China (11), Georgia (1), India (2)	14	17.3%
<b>Europe</b> Albania (1), Austria (1), Belarus (1), Germany (2), Italy (3), Finland (1), France (5), Lithuania (1), Netherlands (2), Russia (2), Spain (2), Switzerland (1)	22	27.2%
<b>Middle East</b> Kuwait (2), Oman (8), Saudi Arabia (4), United Arab Emirates (4)	18	22.2%
<b>Total</b>	<b>81</b>	<b>100%</b>

5 Eight mediators were confirmed following parties' joint nomination and 16 mediators were appointed by the ICC ADR Centre.

6 The costs of an ICC Mediation include (i) the filing fee and ICC administrative expenses fixed at the ICC ADR Centre's discretion depending on the tasks carried out by the ICC ADR Centre and normally not exceeding amounts set forth in Art. 2(1) of the Appendix to the **Mediation Rules** and (ii) the expenses and the fees of the mediator, 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)).

7 General guidance regarding issues that should be considered by individuals who have been retained to serve as an expert in proceedings under the Expert Rules or the Arbitration Rules, 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'.

8 See Art. 3(1), Appendix II of the **Rules for the Proposal of Experts and Neutrals**.

9 The ICC ADR Centre may appoint dispute board members either under the **Expert Rules** or the **Dispute Board Rules**, depending on the parties' agreement.

## ICC International Centre for ADR

In 2023, the 37 experts and neutrals proposed or appointed<sup>10</sup> by the ICC ADR Centre came from Brazil, Cyprus, the Czech Republic, Egypt, France, Germany, Greece, Ireland, Italy, the Netherlands, New Zealand, Nigeria, Poland, Peru, Romania, Spain, Switzerland, the United Kingdom and Zambia.

Requests under the ICC Expert Rules mostly related to technical expertise, often overlapping with financial expertise. Parties also 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

The **Dispute Board Rules** consist of a comprehensive set of provisions for establishing and operating a dispute board. Under the Dispute Board Rules and upon the parties' request, the ICC ADR Centre may (i) appoint or confirm dispute board members, (ii) decide on challenges against dispute board members, (iii) review their decisions, and (iv) fix their fees.

The Dispute Board Rules, which also 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 2023, three requests were filed with the ICC ADR Centre under the Dispute Board Rules, involving a total of six parties originating from the Americas and Asia. Two requests related to the appointment of dispute board members. One request involved the first challenge against a DAAB member under the FIDIC's 2017 suite of contracts and Appendix III of the Dispute Board Rules,<sup>11</sup> which the ICC ADR Centre found to be inadmissible.

The eight dispute board members<sup>12</sup> appointed or confirmed by the ICC ADR Centre came from Brazil, Costa Rica, Chile, Nicaragua, Peru and the United States.

### 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. For proceedings under the **DOCDEX Rules**, the ICC ADR Centre appoints experts to render an independent, impartial and prompt decision settling the dispute.<sup>13</sup>

In 2023, five requests for a DOCDEX decision were filed involving a total of 15 parties. In order of frequency, the parties came from Asia (five parties), the Americas and Europe (three each), Africa and the Middle East (two each).

DOCDEX disputes are decided by a panel of three experts appointed by the ICC ADR Centre, usually made up of different nationalities. As an illustration of ICC's broad expert network, the 15 experts appointed in 2023 originated from Europe (Greece, France, Italy, Türkiye and the United Kingdom), Asia and the Pacific (Australia, China, Georgia, Malaysia, Singapore), the Americas (Mexico) and the Middle East (Bahrain and Saudi Arabia).

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10 Six experts and neutrals were proposed under the [Rules for the Proposal of Experts and Neutrals](#) and 31 were appointed under the [Rules for the Appointment of Experts and Neutrals](#).

11 In accordance with Appendix III of the Dispute Board Rules (in force as from 1 Oct. 2018), and 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.

12 Two dispute board members were appointed following a request for appointment filed in December 2022.

13 Collected DOCDEX decisions are available in the [ICC Trade Finance Library](#).

[↩](#) – 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 2023 filings
USA	259	10.84%
Germany	111	4.65%
Mexico	111	4.65%
Spain	104	4.35%
United Arab Emirates	84	3.52%
Brazil	80	3.35%
Italy	78	3.26%
China (incl. Hong Kong SAR)	72	3.01%
France	69	2.89%
Switzerland	66	2.76%
Türkiye	56	2.34%
Austria	54	2.26%
Saudi Arabia	54	2.26%
Qatar	53	2.22%
India	52	2.18%
Canada	49	2.05%
United Kingdom	47	1.97%
Russia	46	1.93%
Greece	45	1.88%
Netherlands	36	1.51%
Morocco	34	1.42%
Singapore	32	1.34%
Oman	30	1.26%
Australia	27	1.13%
South Korea	25	1.05%

**Table 02** Nationalities represented by region

## Africa

Country/Territory	Claimants	Respondents	Total
Algeria	1	10	11
Egypt	11	3	14
Libya	1	0	1
Mauritania	0	2	2
Morocco	14	20	34
Tunisia	1	4	5
<b>North Africa</b>			<b>67</b>
Angola	0	2	2
Burkina Faso	0	1	1
Cameroon	1	4	5
Chad	0	3	3
Congo Dem. Republic	4	11	15
Congo Republic	0	1	1
Cote d'Ivoire	2	5	7
Equatorial Guinea	2	1	3
Ethiopia	2	1	3
Gabon	0	1	1
Ghana	3	5	8
Kenya	3	5	8
Liberia	1	0	1
Madagascar	1	4	5
Malawi	1	1	2
Mali	0	1	1
Mauritius	4	2	6
Niger	1	1	2
Nigeria	5	9	14
Senegal	1	1	2
Seychelles	2	4	6
South Africa	4	3	7
Tanzania	0	2	2
Togo	1	1	2
Uganda	1	7	8
Zambia	1	4	5
<b>Sub-Saharan Africa</b>			<b>120</b>
<b>Africa</b>			<b>187</b>

[↶](#) – Back to the report**Americas**

Country/Territory	Claimants	Respondents	Total
Canada	22	27	49
USA	144	115	259
<b>North America</b>			<b>308</b>
Anguilla	0	1	1
Argentina	10	8	18
Bahamas	5	4	9
Barbados	1	0	1
Bermuda	2	3	5
Bolivia	0	1	1
Brazil	44	36	80
British Virgin Islands	6	8	14
Cayman Islands	7	14	21
Chile	6	4	10
Colombia	6	7	13
Costa Rica	0	1	1
Dominica	1	0	1
Dominican Republic	0	3	3
Ecuador	1	2	3
El Salvador	1	1	2
Guatemala	2	1	3
Guyana	1	0	1
Jamaica	0	2	2
Mexico	47	64	111
Panama	4	8	12
Paraguay	3	1	4
Peru	9	7	16
Saint Kitts & Nevis	1	1	2
Uruguay	1	1	2
Venezuela	3	7	10
<b>Latin America &amp; Caribbean</b>			<b>346</b>
<b>Americas</b>			<b>654</b>

**Asia & the Pacific**

Country/Territory	Claimants	Respondents	Total
Afghanistan	4	3	7
Azerbaijan	2	1	3
Georgia	1	2	3
Kazakhstan	1	0	1
Uzbekistan	0	1	1
Bahrain	2	6	8
Iran	7	2	9
Iraq	2	4	6
Israel	8	5	13
Jordan	3	3	6
Kuwait	0	2	2
Lebanon	12	8	20
Oman	12	18	30
Qatar	17	36	53
Saudi Arabia	26	28	54
Syria	1	0	1
United Arab Emirates	45	39	84
Yemen	2	0	2
<b>Central &amp; West Asia</b>			<b>303</b>
Australia	10	17	27
Bangladesh	0	2	2
Cambodia	1	1	2
China*	22	50	72
Chinese Taipei	4	2	6
India	19	33	52
Indonesia	0	1	1
Japan	11	7	18
South Korea	6	19	25
Laos	0	1	1
Malaysia	7	6	13
Marshall Islands	1	1	2
Myanmar	1	0	1
Nepal	0	1	1
Pakistan	2	2	4
Philippines	4	2	6
Singapore	17	15	32
Sri Lanka	2	1	3
Thailand	4	8	12
Vietnam	0	1	1
<b>South &amp; East Asia and Pacific</b>			<b>281</b>
<b>Asia &amp; Pacific</b>			<b>584</b>

\* 54 parties from Mainland China (12 Claimants, 42 Respondents);  
18 parties from Hong Kong SAR (10 Claimants, 8 Respondents).



[←](#) – Back to the report

## Europe

Country/Territory	Claimants	Respondents	Total
Austria	19	35	54
Belgium	6	9	15
Denmark	6	6	12
Finland	1	4	5
France	27	42	69
Germany	56	55	111
Gibraltar	1	1	2
Ireland	3	4	7
Italy	32	46	78
Liechtenstein	0	3	3
Luxembourg	9	13	22
Malta	7	3	10
Monaco	1	0	1
Netherlands	20	16	36
Norway	8	3	11
Portugal	5	14	19
San Marino	0	1	1
Spain	56	48	104
Sweden	5	5	10
Switzerland	34	32	66
United Kingdom	15	32	47
Channel Islands	4	0	4
<b>North &amp; West Europe</b>			<b>687</b>
Belarus	1	0	1
Bulgaria	3	4	7
Croatia	3	5	8
Cyprus	6	5	11
Czech Republic	11	9	20
Estonia	1	1	2
Greece	14	31	45
Hungary	1	5	6
Kosovo	0	3	3
Latvia	0	1	1
Lithuania	2	0	2
Macedonia	1	1	2
Moldova	0	2	2
Poland	12	11	23
Romania	13	10	23
Russia	16	30	46
Serbia	3	3	6
Slovakia	3	1	4
Slovenia	3	2	5
Türkiye	33	23	56

Country/Territory	Claimants	Respondents	Total
Ukraine	4	0	4
<b>Central &amp; South-East Europe</b>			<b>277</b>
<b>Europe</b>			<b>964</b>

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

Region	Number of state and parastatal parties	% of all parties from the region
Central & South-East Europe	45	16.2%
Latin America & Caribbean	37	10.7%
Sub-Saharan Africa	30	25.0%
South & East Asia and Pacific	16	6.3%
Central & West Asia	13	4.3%
North & West Europe	13	1.9%
North Africa	8	11.9%
North America (USA & Canada)	0	0.0%

## 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 ICC Court/ Secretary General	78	660	32	<b>770</b> 57%
Nominations of presidents by co-arbitrators, confirmed by ICC Court/ Secretary General	NA	NA	210	<b>210</b> 16%
Appointments by ICC Court upon proposal from ICC National Committee or Group	142	10	58	<b>210</b> 16%
Appointments directly by ICC Court	46	50	56	<b>152</b> 11%
Appointments by an authority other than the ICC Court	0	0	0	0
<b>Total</b>				<b>1,342</b>

[↶](#) – Back to the report**Table 05** Most frequent nationalities

Country of origin	Number of appointments/confirmations	% of total number of appointments/confirmations
United Kingdom	175	13.04%
France	114	8.49%
Switzerland	106	7.90%
USA	99	7.38%
Germany	86	6.41%
Brazil	60	4.47%
Spain	60	4.47%
Austria	43	3.20%
Canada	43	3.20%
Mexico	40	2.98%
Italy	35	2.61%
Belgium	33	2.46%
Lebanon	32	2.38%
Singapore	25	1.86%
Greece	19	1.42%
India	18	1.34%
Australia	17	1.27%
Argentina	16	1.19%
Egypt	16	1.19%
Portugal	16	1.19%
Türkiye	16	1.19%
Chile	15	1.12%
Netherlands	15	1.12%
Ireland	14	1.04%

**Table 06** Country of origin and role

	Sole arbitrator	Co-arbitrator	President of tribunal	Total
Algeria	0	1	0	1
Argentina	3	10	3	16
Australia	5	8	4	17
Austria	10	23	10	43
Azerbaijan	0	1	0	1
Bangladesh	1	1	0	2
Belgium	8	13	12	33
Bolivia	0	1	0	1
Brazil	4	36	20	60
Brunei	0	0	1	1
Bulgaria	0	0	1	1

	Sole arbitrator	Co-arbitrator	President of tribunal	Total
Cameroon	0	1	0	1
Canada	14	16	13	43
Chile	4	5	6	15
China	0	7	1	8
Colombia	1	4	8	13
Costa Rica	0	1	1	2
Croatia	1	1	0	2
Czech Republic	0	3	1	4
Denmark	0	4	2	6
Ecuador	1	2	1	4
Egypt	2	10	4	16
El Salvador	0	1	2	3
Finland	1	1	1	3
France	22	60	32	114
Germany	14	55	17	86
Ghana	2	2	0	4
Greece	2	10	7	19
Guatemala	1	2	1	4
India	6	11	1	18
Iran	2	3	3	8
Ireland	8	5	1	14
Israel	0	3	1	4
Italy	7	20	8	35
Jamaica	0	2	1	3
Japan	0	1	0	1
Jordan	0	4	1	5
Kazakhstan	0	2	0	2
Kenya	0	2	2	4
Latvia	0	1	1	2
Lebanon	13	13	6	32
Lithuania	0	1	1	2
Luxembourg	0	1	0	1
Malaysia	2	0	0	2
Mauritius	1	1	0	2
Mexico	2	28	10	40
Morocco	1	1	0	2
Nepal	0	1	0	1
Netherlands	2	5	8	15
New Zealand	4	5	0	9
Nigeria	4	1	1	6
North Macedonia	0	1	0	1
Norway	1	0	1	2



 – Back to the report

	Sole arbitrator	Co-arbitrator	President of tribunal	Total
Pakistan	0	1	0	1
Panama	0	4	1	5
Peru	0	6	2	8
Philippines	0	2	1	3
Poland	5	1	2	8
Portugal	1	9	6	16
Qatar	0	1	0	1
Romania	0	2	0	2
Russia	2	9	0	11
Saudi Arabia	0	3	0	3
Senegal	0	1	0	1
Serbia	1	0	1	2
Singapore	8	11	6	25
Slovakia	1	1	0	2
Slovenia	2	0	1	3
South Africa	0	5	4	9
South Korea	1	4	2	7
Spain	11	38	11	60
Sri Lanka	0	3	1	4
St Lucia	0	2	0	2
Sweden	4	5	4	13
Switzerland	29	42	35	106
Syria	1	3	0	4
Thailand	0	2	0	2
Togo	0	2	0	2
Tunisia	2	3	0	5
Türkiye	0	12	4	16
Ukraine	2	0	0	2
United Arab Emirates	2	1	0	3
United Kingdom	21	103	51	175
Uruguay	0	0	2	2
USA	23	50	26	99
Venezuela	1	0	0	1
Vietnam	0	1	0	1
Zambia	0	2	1	3
Zimbabwe	0	0	1	1
<b>Total</b>				<b>1,342</b>

**Table 07** Number of men/women confirmations or appointments 2013-2023

Year	Men	Women		
2013	1210	91%	119	9.0%
2014	1198	90.3%	129	9.7%
2015	1177	89.6%	136	10.4%
2016	1202	85.2%	209	14.8%
2017	1239	83.3%	249	16.7%
2018	1211	81.6%	273	18.4%
2019	1164	78.9%	312	21.1%
2020	1165	76.6%	355	23.4%
2021	1154	75.7%	371	24.3%
2022	910	71.4%	364	28.6%
<b>2023</b>	<b>944</b>	<b>70.3%</b>	<b>398</b>	<b>29.7%</b>

**Table 08** Men/women confirmations or appointments by region 2013-2023

Region	Year	Men	Women		
<b>North Africa</b>	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%
	2021	37	84%	7	16%
	2022	25	83%	5	17%
<b>2023</b>	<b>14</b>	<b>58%</b>	<b>10</b>	<b>42%</b>	
<b>Sub-Saharan Africa</b>	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%



## Annex – Tables

[↶](#) – Back to the report

Region	Year	Men	Women
	2018	18 86%	3 14%
	2019	25 83%	5 17%
	2020	15 83%	3 17%
	2021	23 79%	6 21%
	2022	27 87%	4 13%
	<b>2023</b>	<b>25 76%</b>	<b>8 24%</b>
<b>North America</b>	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%
	2021	126 76%	40 24%
	2022	110 82%	24 18%
	<b>2023</b>	<b>106 75%</b>	<b>36 25%</b>
<b>Latin America &amp; Caribbean</b>	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%
	2021	147 72%	57 28%
	2022	151 63%	87 37%
	<b>2023</b>	<b>125 70%</b>	<b>54 30%</b>
<b>Central &amp; West Asia</b>	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%

Region	Year	Men	Women
	2018	61 80%	15 20%
	2019	33 62%	20 38%
	2020	55 76%	17 24%
	2021	55 71%	22 29%
	2022	35 71%	14 29%
	<b>2023</b>	<b>40 63%</b>	<b>23 37%</b>
<b>South &amp; East Asia and Pacific</b>	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%
	2021	135 88%	19 12%
	2022	76 81%	18 19%
	<b>2023</b>	<b>83 81%</b>	<b>19 19%</b>
<b>North &amp; West Europe</b>	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%
	2021	580 75%	188 25%
	2022	442 72%	171 28%
	<b>2023</b>	<b>507 70%</b>	<b>215 30%</b>
<b>Central &amp; South-East Europe</b>	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%



[↶](#) – Back to the report

Region	Year	Men	Women
<b>Central &amp; South-East Europe</b>	2018	57 62%	35 38%
	2019	53 67%	26 33%
	2020	45 61%	29 39%
	2021	51 61%	32 39%
	2022	44 52%	41 48%
	<b>2023</b>	<b>44 57%</b>	<b>33 43%</b>

### Places of arbitration

**Table 09** Ten most frequently selected cities

City	Number of cases	% of all places of arbitration
Paris	96	14.3%
London	85	12.7%
Geneva	49	7.3%
New York	39	5.8%
Singapore	30	4.5%
Zurich	27	4.0%
Sao Paulo	19	2.8%
Mexico City	18	2.7%
Dubai	17	2.5%
Madrid	15	2.2%
Vienna	15	2.2%

**Table 10** Countries selected as place of arbitration

Country/Territory	Place chosen by the parties	Place fixed by the Court	Total
Algeria	1	0	1
Argentina	5	1	6
Australia	3	0	3
Austria	17	0	17
Bahrain	0	1	1
Bangladesh	1	0	1
Belgium	6	0	6
Bosnia & Herzegovina	1	0	1
Brazil	34	0	34
Canada	7	4	11
Chile	0	1	1

Country/Territory	Place chosen by the parties	Place fixed by the Court	Total
China (Mainland)	1	0	1
China (Hong Kong SAR)	5	1	6
Colombia	2	0	2
Costa Rica	1	0	1
Cyprus	1	0	1
Czech Republic	1	0	1
Denmark	3	0	3
El Salvador	1	0	1
Ethiopia	1	0	1
Finland	3	0	3
France	90	9	99
Germany	31	2	33
Ghana	2	0	2
Greece	6	0	6
India	3	2	5
Israel	1	0	1
Italy	11	0	11
Japan	3	0	3
Jordan	1	0	1
Kenya	2	1	3
Lithuania	1	0	1
Luxembourg	4	0	4
Malaysia	1	0	1
Malta	1	0	1
Mexico	19	0	19
Montenegro	1	0	1
Morocco	1	0	1
Netherlands	8	0	8
Norway	2	0	2
Oman	4	0	4
Panama	1	1	2
Peru	1	0	1
Poland	1	0	1
Portugal	3	0	3
Qatar	5	2	7
Romania	1	0	1
Saudi Arabia	5	1	6
Seychelles	0	2	2
Singapore	26	4	30
South Africa	4	0	4
South Korea	2	0	2
Spain	1	0	18
Sri Lanka	1	0	1
St Kitts & Nevis	0	1	1
Sweden	11	0	11
Switzerland	76	3	79



– Back to the report

Country/Territory	Place chosen by the parties	Place fixed by the Court	Total
Thailand	1	1	2
Türkiye	10	0	10
United Arab Emirates	22	2	24
United Kindgom	78	7	85
Uruguay	4	0	4
USA	59	7	66
Zambia	1	0	1

## Amounts in dispute

**Table 11** Amounts in dispute



Amounts in dispute in cases registered in 2023 (US\$)		% of total number of cases
≤ 50,000		0.9%
> 50,000	≤ 100,000	2.0%
> 100,000	≤ 200,000	4.7%
> 200,000	≤ 500,000	7.9%
> 500,000	≤ 1 million	8.7%
> 1 million	≤ 3 million	15.3%
> 3 million	≤ 5 million	6.3%
> 5 million	≤ 10 million	10.8%
> 10 million	≤ 30 million	16.1%
> 30 million	≤ 50 million	5.6%
> 50 million	≤ 80 million	3.3%
> 80 million	≤ 100 million	1.7%
> 100 million	≤ 500 million	8.5%
> 500 million		2.2%
Not quantified		5.9%