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High Increase in Arbitration Cases for Swiss Arbitration in 2009

Georg von Segesser (von Segesser Law Offices) · Wednesday, March 31st, 2010

In its first newsletter of the year 2010, the Swiss Chambers' Court of Arbitration and Mediation was able to announce a high increase in arbitration cases submitted to the Court under the Swiss Rules of International Arbitration. A total of 104 new arbitration cases was submitted in 2009, an increase of more than fifty percent compared to 2008. According to the Court's statistics, 48% of the parties were from Western Europe, 24% from Switzerland, 6% from Eastern Europe and Russia, 12% from Asia/Middle East and 5% from Northern America. 43% of the new arbitrations were heard by a panel of three arbitrators, 53% by a sole arbitrator.

Apparently, the expedited procedures available under the Swiss Rules remained very popular for their cost-efficiency and speed. Pursuant to Article 42 of the Swiss Rules, cases involving amounts in dispute of less than CHF 1 million are referred to expedited arbitration. In expedited proceedings, the parties are, in principle, limited to one Statement of Claim and one Statement of Defence. The arbitral tribunal shall hold a single hearing for the examination of the witnesses and expert witnesses as well as for oral argument and the award shall be made within six months from the date when the file was transmitted to the arbitral tribunal. Furthermore, the arbitral tribunal shall state the reasons upon which the award is based in summary form only. The success of the expedited procedures confirms that they meet the need of parties for lean and efficient arbitration particularly in smaller cases.

Andrea Meier, Schellenberg Wittmer

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This entry was posted on Wednesday, March 31st, 2010 at 8:57 am and is filed under [Arbitration Institutions and Rules](#)

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