

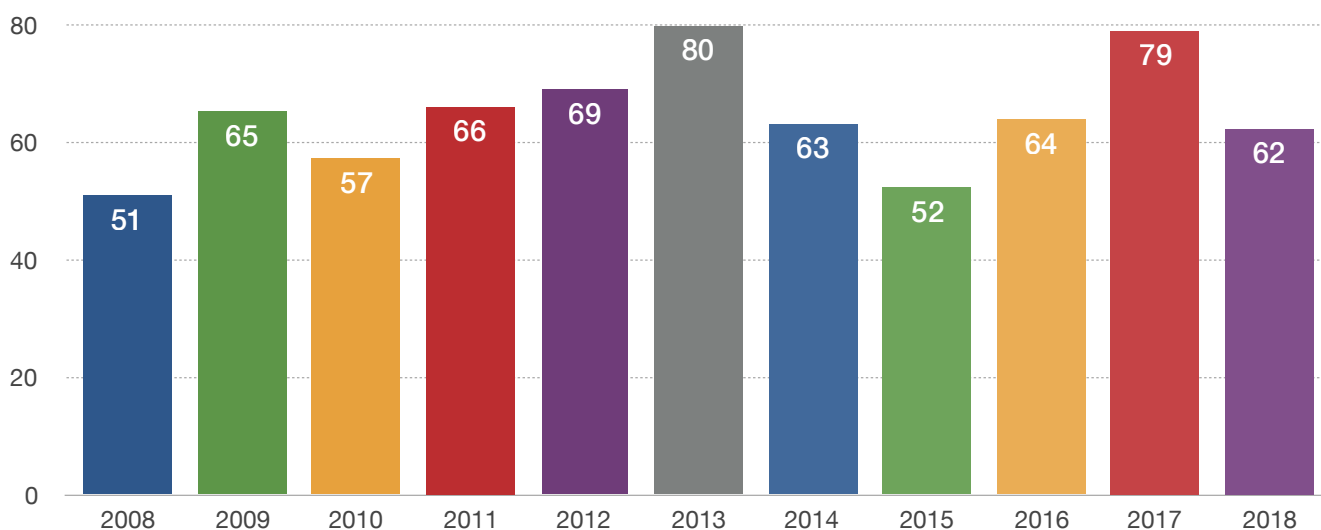
# THE FINLAND ARBITRATION INSTITUTE STATISTICS FOR 2018

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## Annual caseload reached a good level:

In 2018, 62 new cases were filed with the FAI, a figure close to the average level seen in the last decade, with record highs in 2013 (80 cases) and 2017 (79 cases).

### Number of cases by years

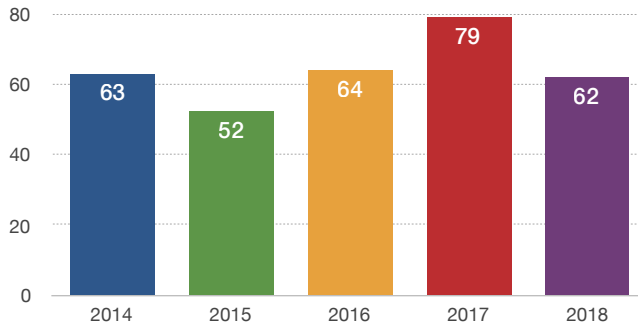


### Fast proceedings:

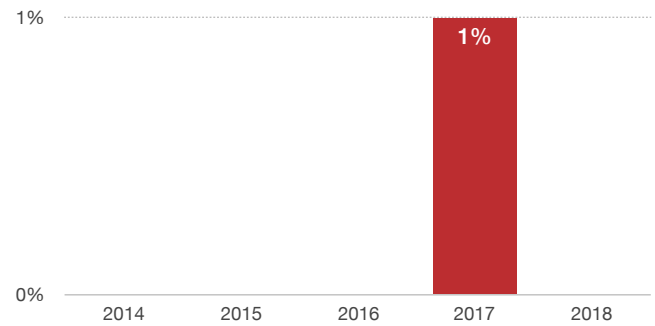
The median duration of FAI arbitrations and FAI expedited arbitrations is consistently within the time limits set in the FAI Arbitration Rules and FAI Expedited Rules for the rendering of the final award, i.e. 9 months and 3 months, respectively, although extensions have been requested and granted in some complex cases or pending settlement negotiations.

The, by international standards, short duration of FAI arbitrations may probably explain why FAI arbitration users have not seen a need to use expedited arbitration more often. As in previous years, in 2018, most of the cases were administered under the FAI Arbitration Rules (89%), while only 3% of the cases were administered under the FAI Expedited Rules. Ad hoc arbitrations—where the FAI was merely called upon by the parties to nominate the arbitral tribunal—accounted for 8% of all the cases. In 2018, no mediation cases were filed.

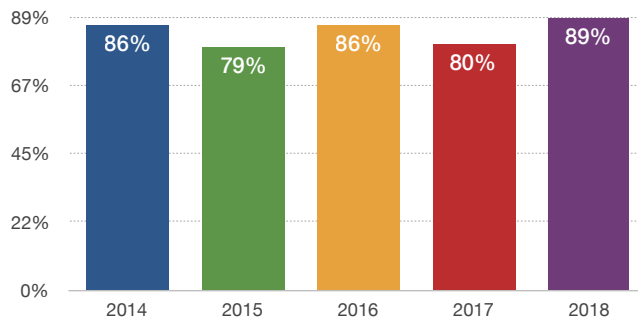
Number of Requests



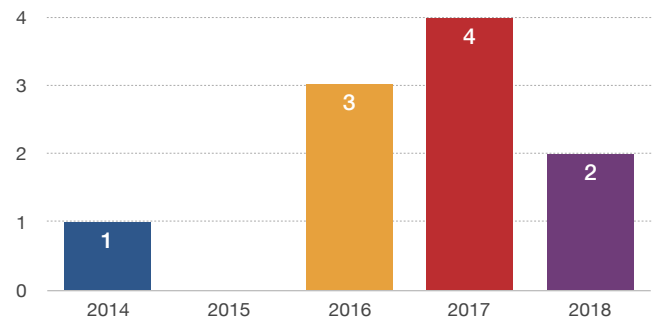
Meditation



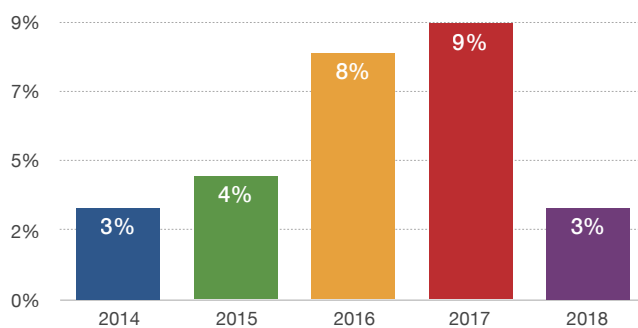
Cases under the Arbitration Rules



Requests for consolidation of arbitrations



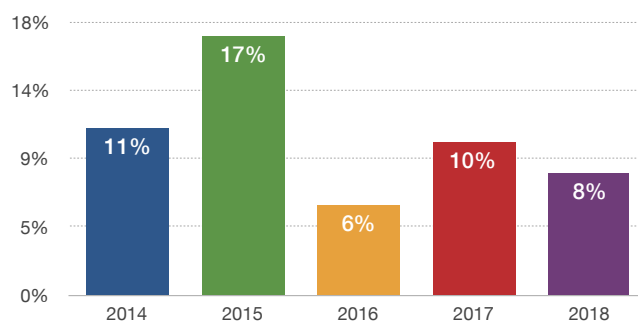
Cases under the Rules for Expedited Arbitration



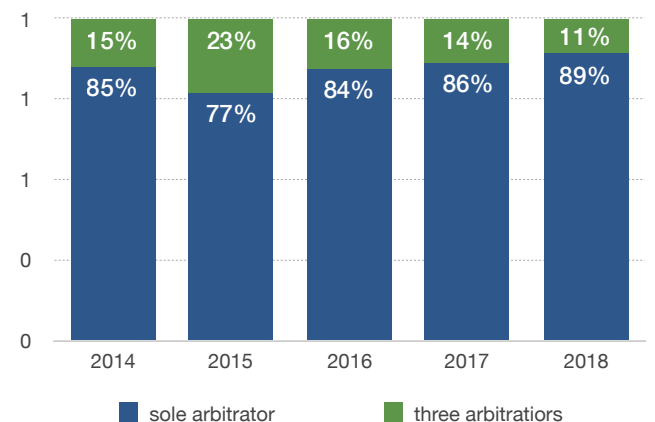
Requests for Joinder



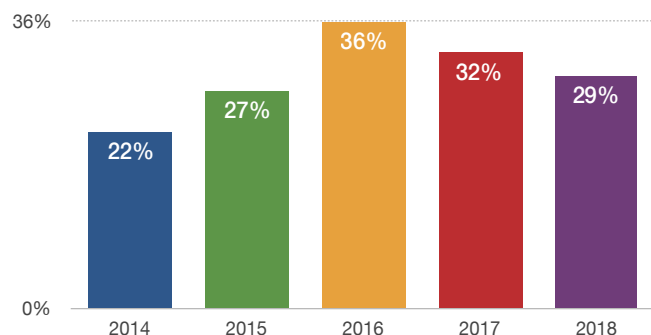
Ad hoc cases



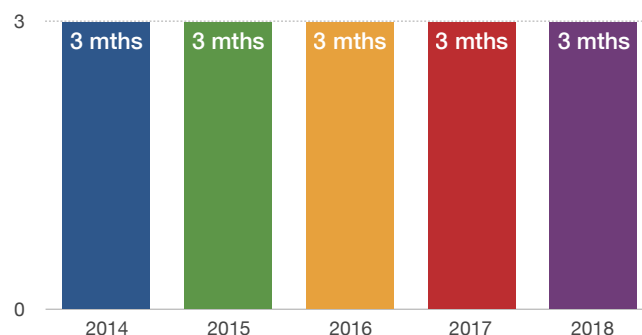
Composition of the Arbitral Tribunal - 2014



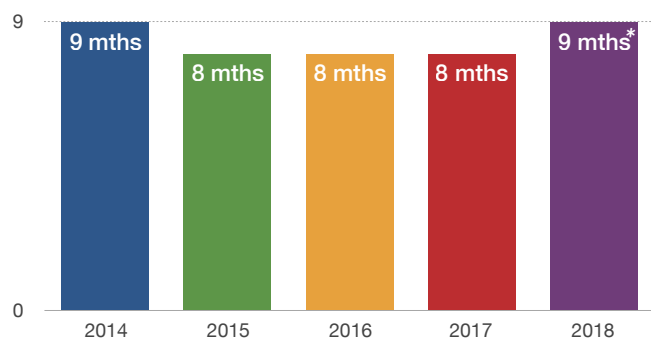
### International cases



### Median duration of arbitrations under the Rules for Expedited Arbitration

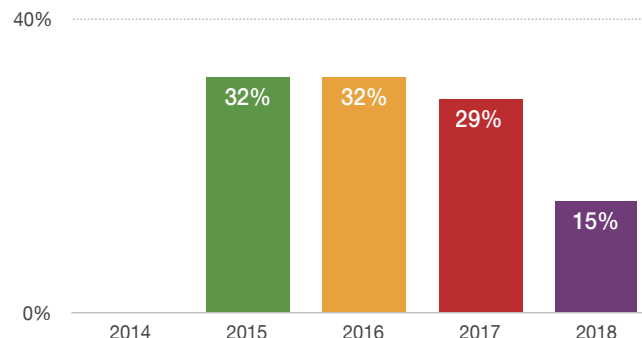


### Median duration of arbitrations under the Arbitration Rules



\* In 2017, the median duration of arbitrations conducted under the 2013 Arbitration Rules was 8 month

### Percentage of female arbitrators and mediators directly appointed by the FAI

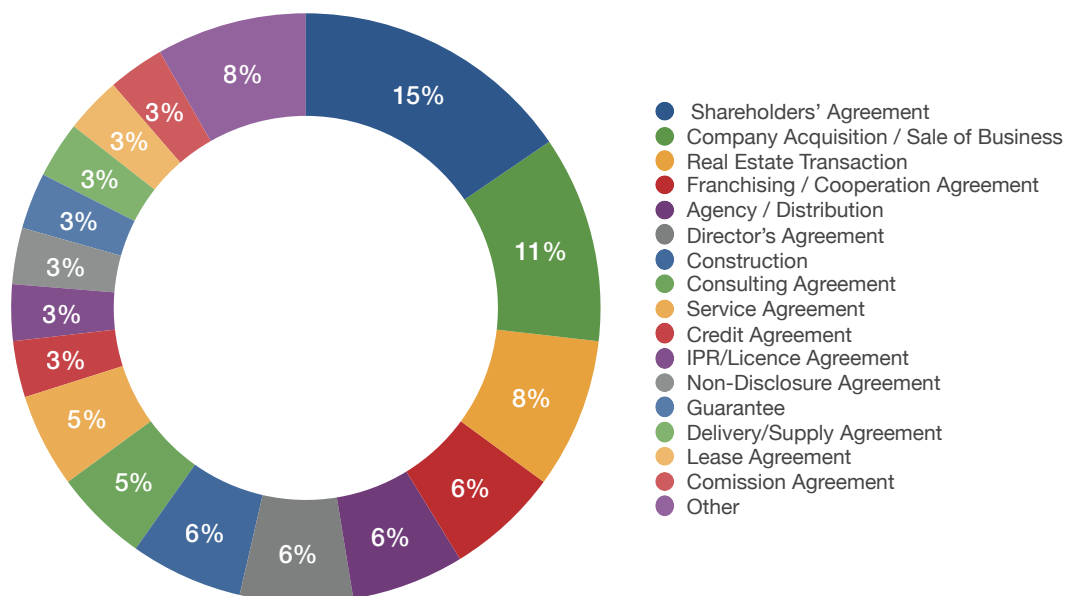
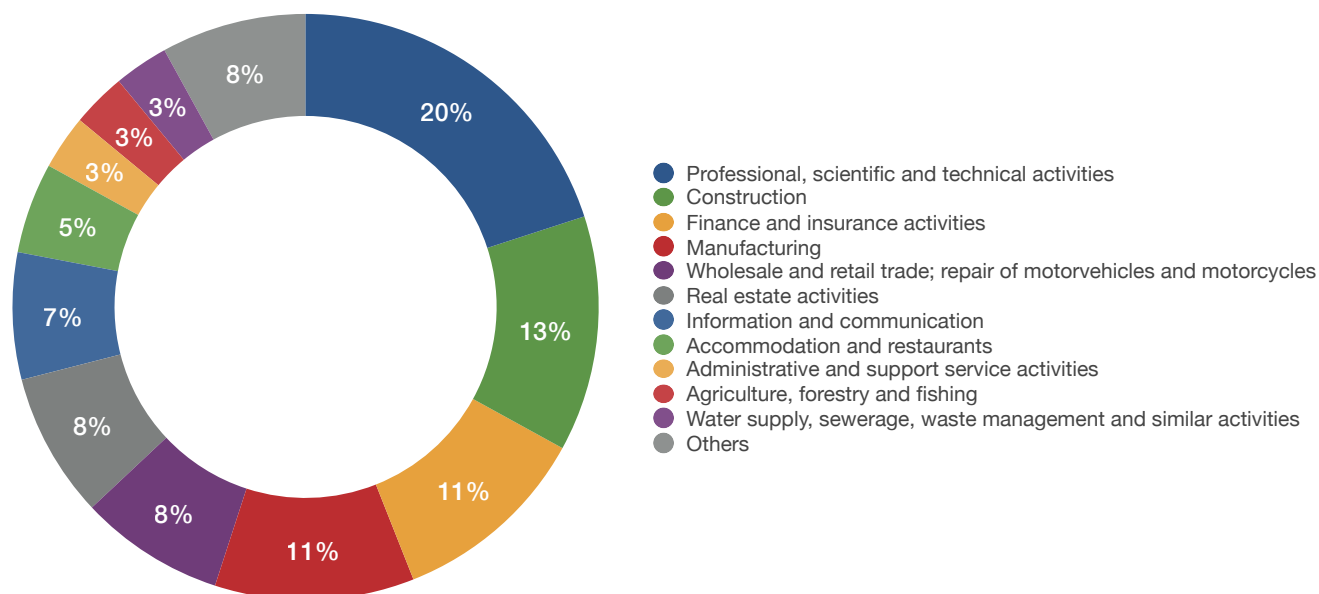


### Provisions concerning multi-party and multi-contract proceedings are used to a certain extent:

Like in previous years, an important number of FAI arbitrations involved complex disputes, including many multi-party and multi-contract proceedings. Since the adoption of the 2013 FAI Rules, the FAI has received 10 requests for consolidation: eight of these were accepted and two denied. In four cases, all parties to all the arbitrations specifically agreed to and jointly requested consolidation. In 2018, two applications for consolidation were filed and granted. Only one request for joinder has been filed with the FAI.

### More diversification in the subject matter of disputes:

Compared to previous years, in 2018, more diversification was seen in the subject matter of disputes filed with the FAI. The top three categories of disputes were disputes relating to shareholders' agreements (15%), company acquisitions/sales of business (11%) and real estate transactions (8%), followed by disputes relating to franchising and co-operation agreements (6%), agency and distribution agreements (6%), director's agreements (6%) and construction agreements (6%). Moreover, 55% of the disputes related to the following sectors: manufacturing (11%), finance and insurance (11%), construction (13%), and professional, scientific and technical (20%).

**Categories of disputes****Dispute Sectors****Consistent share of international cases:**

In 2018, the share of international cases (in which at least one of the parties is not Finnish) continues to be approximately one third of the total caseload (29% in 2018).

| Participant              | As Claimant | As Respondent | Total Number of Parties |
|--------------------------|-------------|---------------|-------------------------|
| Finland                  | 57          | 81            | 138                     |
| Sweeden                  | 2           | 1             | 3                       |
| Luxemburg                | 0           | 3             | 3                       |
| United States of America | 2           | 1             | 3                       |
| The Netherlands          | 2           | 0             | 2                       |
| Belgium                  | 1           | 0             | 1                       |
| France                   | 1           | 0             | 1                       |
| Italy                    | 1           | 0             | 1                       |
| Latvia                   | 1           | 0             | 1                       |
| Lithuania                | 1           | 0             | 1                       |
| Norway                   | 1           | 0             | 1                       |
| United Arab Emirates     | 1           | 0             | 1                       |
| Estonia                  | 0           | 1             | 1                       |
| Russia                   | 0           | 1             | 1                       |
| Taiwan R.O.C.            | 0           | 1             | 1                       |
| Turkey                   | 0           | 1             | 1                       |
| Total                    | 70          | 90            | 160                     |

### Confirmation of Arbitrators:

In 2018, the confirmed arbitrators included Finnish, French, German, Lithuanian, Swedish and Swiss nationals. According to the FAI Rules, all nominations of an arbitrator made by the parties or party-appointed arbitrators as well as the appointments by the FAI Board are subject to confirmation by the FAI. Since the adoption of the 2013 FAI Rules, the FAI has made more than 350 decisions on confirmation. In 19 cases, one of the parties objected to confirmation. The FAI Board was called upon to decide the objection in 12 cases; in seven instances, the arbitrator candidate voluntarily withdrew. Objections were dismissed in 11 cases and sustained in one. After the objection procedure was introduced in the FAI Rules, there have only been five challenges to an arbitrator. Two challenges were denied on the merits; one was denied without examining the merits as it was filed after the sole arbitrator had already rendered the final award; one was not decided because of the termination of the proceedings; one was sustained.

FAI continued to fulfill its commitment to gender diversity: During 2018, the FAI continued with its tradition of equal appointment of male and female arbitrators, a long-lasting commitment to gender diversity reaffirmed in 2016 by the signing of the Equal Representation in Arbitration Pledge, a global initiative to promote gender diversity in arbitration. The drop in the share of women arbitrators—15% in 2018, while 29% in 2017—can be explained by conflicts of interest and lack of availability of several female arbitrator candidates contacted for appointments. As in previous years, more gender diversity was observed in appointments/nominations made by the FAI Board (15% of the appointees/nominees were female) than in nominations made by the parties (6% of the nominees were female) or party-nominated co-arbitrators (no female nominees).