

# ANNUAL CASEWORK REPORT 2024

### **ABOUT THE LCIA**

The LCIA is a world leading international institution for commercial dispute resolution. It has a longstanding 130year history of providing efficient, flexible, and impartial administration of arbitration and other alternative dispute resolution proceedings regardless of location and under any system of law.

The LCIA administers arbitrations pursuant to the LCIA Arbitration Rules (LCIA Rules), which are universally applicable and suitable for all types of arbitrable disputes. In addition, the LCIA regularly acts as appointing authority and administers arbitrations conducted pursuant to the United Nations Commission on International Trade Law Arbitration Rules (UNCITRAL Rules). The LCIA also provides other services such as fundholding, and other Alternative Dispute Resolution (ADR) services including mediation, expert determination, and adjudication.

Disputes referred to the LCIA are managed by a sizeable and experienced Secretariat, headed up by a Registrar and Deputy Registrar and under the leadership of the Director General and Deputy Director General. The Secretariat comprises lawyers from, and gualified in, more than 10 jurisdictions. LCIA case administration is highly flexible. Every case is monitored, but the level of administrative support adapts to the needs and wishes of the parties and the tribunal, and to the circumstances of each case.

With access to the most eminent and experienced arbitrators, mediators, and experts, the LCIA appoints from a variety of jurisdictions, diverse backgrounds, and wide ranging expertise. The LCIA Court, which selects arbitrators and approves party nominations, is multi-national, comprising thirty-five members based worldwide. The LCIA's dispute resolution services are available to all contracting parties, with no membership requirements.

In order to ensure cost-effective services, the LCIA's administrative charges and the fees charged by the arbitrators it appoints are not based on the value of the dispute. Instead, a fixed registration fee is payable with the request for arbitration, and the arbitrators and LCIA apply hourly rates for services. This results in LCIA arbitration costs being lower than the estimated costs of other institutions across almost all amounts in dispute and the difference is especially notable for larger cases (as detailed in the Updated Costs and Duration Analysis - December 2024).

In addition to its dispute administration services, the LCIA conducts a worldwide program of conferences, seminars, and other events of interest to the arbitration and ADR community, with some 2,300 members from 100 countries. The LCIA also sponsors the Young International Arbitration Group (YIAG), a group for members of the arbitration community aged 40 or younger, with over 12,500 members from 146 countries.

### **ABBREVIATIONS**

| Appointment only referral | Referral whereby the LCIA agrees to appoint an adjudicator or an expert in proceedings that are not administered by an institution or agrees to appoint an arbitrator in arbitrations that are not administered by an institution and that do not fall within the scope of the LCIA UNCITRAL Terms and Conditions, pursuant to the LCIA Terms and Conditions for Appointments Only |
|---------------------------|--|
| Fundholding arbitration   | Arbitration whereby the LCIA holds funds pursuant to the LCIA Terms and Conditions for Fundholding   |
| LCIA mediation            | Mediation fully administered by the LCIA pursuant to the LCIA Mediation Rules  |
| LCIA arbitration          | Arbitration fully administered by the LCIA pursuant to the LCIA Rules  |
| UNCITRAL arbitration      | Arbitration whereby the LCIA agrees to administer an arbitration pursuant to the UNCITRAL Arbitration<br>Rules or provide other services in UNCITRAL arbitrations pursuant to the LCIA Terms and Conditions<br>for the Administration of and/or Provision of Specific Services in UNCITRAL Arbitrations  |

Published June 2025 © The London Court of International Arbitration (LCIA)

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### FOREWORD FROM THE DIRECTOR GENERAL



I am pleased to introduce the LCIA's 2024 Annual Casework Report. This report reflects another year of sustained growth and continued trust in the LCIA's services by parties from around the world.

In 2024, the LCIA registered 362 referrals, of which 318 were arbitrations conducted under the LCIA Rules. The LCIA's case portfolio remains truly international with 95% of cases being international in nature with parties from 101 jurisdictions in 2024 alone. The top five international users were Kenya, the United States, Switzerland, the United Arab Emirates, and the Russian Federation. Notably, parties from Western Europe and Africa made up a higher percentage of the LCIA's caseload than parties from the United Kingdom. The LCIA also administers some of the most complex and consequential disputes in all of arbitration, with a significant proportion of cases involving states and state-owned entities (accounting for 14 percent of the LCIA's caseload in 2024).

The most active sector in 2024 was Transport and Commodities, accounting for 29% of cases, followed by Banking and Finance, Energy and Resources, and Construction and Infrastructure. Sectors such as Technology, Healthcare and Pharmaceuticals, and Telecommunications continue to rise in prominence. Based on data from the LCIA's updated Costs and Duration Analysis, independently verified by The Brattle Group, the LCIA's arbitration costs are lower than the estimated costs at the compared institutions across nearly all amounts in dispute. These cost-savings are particularly pronounced in disputes exceeding USD 100 million, underscoring the impact of the LCIA's cost-effective model. The LCIA Rules 2020 are developing as a set of rules that are known for giving effect to party autonomy and promoting procedural efficiency. In 2024, there were 19 applications for Expedited Formation and Emergency Arbitration, and 16 applications for Early Determination. The LCIA's provisions on multi-contract and multi-party disputes are popular with users, with 29 composite requests, 40 applications for consolidation, three applications for concurrent conduct of proceedings, and eight applications for joinder. These trends reflect a growing awareness and strategic use of the procedural mechanisms available under the LCIA Rules.

Going forward, we will look for ways to further enhance the user experience and improve operational efficiency, including investments in digital infrastructure, expanded performance tracking, and direct user feedback mechanisms.

The LCIA remains committed to the values that define its identity: international reach, institutional independence, and excellence in service. As the international arbitration landscape continues to evolve amid a complex and shifting geopolitical and economic environment, the LCIA will continue to lead with clarity and conviction. Our priorities include shaping best practices, capacity building and training, supporting the development of emerging jurisdictions, fostering inclusive participation, and reinforcing confidence in arbitration as a fair and effective means of dispute resolution.

I would like to express my gratitude to the LCIA Board of Directors, the LCIA Court, the Users' Councils, the YIAG Co-Chairs and Regional Representatives, and all the parties, counsel, and arbitrators who worked with the LCIA over the past year. My particular thanks and appreciation to the LCIA Secretariat and the LCIA staff, who are the engine of the institution and the reason the LCIA continues to deliver 'gold standard' case management.

We look forward to working with you in the year ahead, and building on the user confidence and trust that have defined the LCIA's mission for more than 130 years.

L. M

Kevin Nash, Director General LCIA

# EXECUTIVE **SUMMARY**

### 362 total referrals

95%

of cases were international

### 101 different party

jurisdictions

# seats of arbitration

### 35 substantive governing laws

- The LCIA received a total of 362 referrals for its services, of which 318 are for LCIA arbitration.
- 95% of LCIA arbitrations were of an international nature (involving one or more international party), and 75% of cases involved only international parties (no UK parties).
- Parties in LCIA arbitrations originated from 101 different jurisdictions, and ٨ 85% of parties were from jurisdictions other than the United Kingdom.
- The LCIA administered arbitrations across 21 seats of arbitration (in 15 jurisdictions) and governed by 35 substantive laws (of 32 jurisdictions).
- London was the chosen seat in 89% of LCIA arbitrations and the substantive law was the law of England and Wales in 78% of arbitrations.
- The LCIA administered proportionally more cases involving states and stateowned entities in 2024 than in 2023 (14% in 2024, and 11% in 2023).
- Transport and commodity cases continued to dominate the LCIA's caseload, being the top sector in cases commenced in 2024 and making up 29% of cases, followed by banking and finance (17%), energy and resources (10%), construction and infrastructure (8%), and technology (6%).
- Over a third of the agreements (36%) out of which disputes arose in LCIA arbitrations in 2024 were sale of goods agreements, consistent with the prevalence of commodities cases.
- 59% of LCIA Court appointments were of non-British arbitrators. Approximately one third of appointments by parties and those by co-arbitrators were of non-British arbitrators.
- The majority of arbitrators in LCIA arbitrations (75%) were appointed only once in the same calendar year and the median number of appointments for arbitrators was one appointment.
- The LCIA Court selected first-time appointees in 14% of its appointments. First-time appointees were selected by parties 16% of the time, and by coarbitrators 17% of the time.

### 14%

#### of cases involved states/ state-owned entities

### 29%

#### of cases were transport and commodities

### 45%

of LCIA Court appointments were of women

84 published challenge decisions ٠ co-arbitrator appointments.

٠

- the arbitral process.
- ٠
- ٠
- ٠ in consolidation.

In relation to gender diversity, the LCIA Court selected women in 45% of its appointments. Women made up 21% of all party appointments and 39% of all

The LCIA Court continues to strive for diversity when it is tasked to appoint arbitrators. On 5 December 2024, the LCIA launched new Equality, Diversity, and Inclusion (EDI) Guidelines which provide non-binding recommendations for integrating EDI principles across various stages of arbitration, from candidate selection to conduct in hearings, and involving all participants in the process. The Guidelines incorporate the LCIA's best practice for selection of arbitrators as well as the input of the LCIA EDI Steering Group which comprises senior arbitration professionals acting in different capacities in

The LCIA received 10 arbitrator challenges under the LCIA Rules, all of which were rejected. Over the past six years, there has only been one challenge upheld.

On 16 December 2024, the LCIA released additional challenge decisions online bringing the total number of published decisions to 84. The additional batch of challenge decisions reinforces the robustness of the LCIA's appointment system, where disclosures are dealt with efficiently and transparently.

All consolidation applications were granted (save for one that was superseded), 77% of which were granted by the LCIA Court, demonstrating efficiency of the provisions allowing cases to be consolidated before the tribunal is appointed. The majority of Composite Requests (76%) resulted

Of the 135 cases pursuant to the DIFC-LCIA Rules (transferred from DIAC to the LCIA following the enactment of Decree No. (34) of 2021 of the Government of Dubai and the subsequent agreement concluded by the LCIA and DIAC) only 11 arbitrations remain to be concluded.

# CASELOAD

In 2024, the LCIA received a total of 362 referrals for its services (compared with 377 in 2023). The following chart shows a breakdown of referrals in respect of the different types of services provided by the LCIA.



### LCIA ARBITRATIONS

There were 318 arbitrations administered under the LCIA Rules, representing the majority of LCIA referrals (88%). The chart at the top of the next page shows the long-term trend over the past 10 years, with the number of LCIA arbitrations in 2024 similar to that in 2023 (327 LCIA arbitrations).

Parties in LCIA arbitrations continue to utilise Composite Requests for Arbitration, to commence multiple arbitrations by a single document. In 2024, parties filed 29 Composite Requests commencing 69 arbitrations (22% of cases).

There were 44 groups of related cases (including the cases filed by Composite Requests), involving 110 arbitrations, the largest of which comprised six cases.

### LCIA arbitration referrals



### OTHER REFERRALS

The LCIA received five requests for mediation which were conducted under the LCIA Mediation Rules.

The LCIA also provides services for: (i) fundholding; (ii) administration of and/or provision of specific services in UNCITRAL arbitration; (iii) holding funds by way of security in arbitrations administered by the LCIA; and (iv) appointment services in adjudications, expert determinations, and ad hoc arbitrations, pursuant to the LCIA Terms and Conditions dated 1 December 2023.

The below table shows the number of other referrals received by the LCIA in 2024 services pursuant to the LCIA Terms and Conditions and for LCIA mediation, with the 2023 figures set out for comparison.

| Year | Fundholding<br>arbitrations | UNCITRAL arbitrations   | LCIA<br>mediations | Appointment only referrals                                     |
|------|-----------------------------|---|--------------------|--|
| 2024 | 35                          | 2 administered arbitrations;<br>1 appointment only arbitration  | 5                  | 1 adjudicator appointment                                      |
| 2023 | 32                          | 7 administered arbitrations;<br>2 appointment only arbitrations | 6                  | 1 adjudicator appointment; 2 expert determination appointments |

# **INDUSTRY SECTORS AND AGREEMENTS**

For both industry sectors and type of agreements, cases are categorised by the dominant sector or agreement.

### **INDUSTRY SECTORS**

The LCIA's caseload spans a range of sectors. Transport and commodity cases continue to make up the largest share of cases commenced in 2024, making up 29% of cases (compared with 36% in 2023).

The types of commodities that were the subject matter of the disputes are wide ranging, including LNG, coal, metals, cement, fertilisers, and agricultural products.

Banking and finance and energy and resources were the second and third largest sectors representing 17% and 10% of LCIA cases, respectively (16% and 14% in 2023).

Other leading sectors were construction and infrastructure (8%), technology (6%), healthcare and pharmaceuticals (5%), and professional services (5%).

In fundholding arbitrations, over half of the arbitrations were from the insurance sector, followed by banking and finance, and commodities.

The three UNCITRAL arbitrations all originate from the energy and resources sector.











Healthcare & **Pharmaceuticals** 





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### **AGREEMENT TYPES**

In 2024, over a third of the agreements (36%) out of which disputes arose in LCIA arbitrations were sale of goods agreements (5% higher than in 2023). The next mostcommon types of agreements in LCIA arbitrations were services agreements (19%), shareholders'/share purchase/ joint venture agreements (15%), and loan/other loan facility agreements (11%), each agreement type representing almost the same percentages as in 2023 (17%, 15%, and 10%, respectively).

The 6% of agreements classified as "Other" include construction agreements, and agreements relating to the development of cryptographic technology.

The agreement types out of which disputes arose in UNCITRAL arbitrations were in respect of concession agreements/joint operating agreements and services agreements.



### CONTRACT DATES



The above chart shows the contract dates for LCIA arbitrations in 2024, with 2023 shown for comparison.

Whereas in 2023 almost half of the agreements were dated within the two years prior to the year of referral, the comparative figure for 2024 cases dropped to around 40%. Of the 40% group of "younger" agreements, 51% were sale of goods agreements, a significantly higher percentage than the overall percentage of sale of goods agreements in cases commenced in 2024 (36%).

A high percentage of the younger sale of goods agreements were related to the sale of commodities (75%), either between commodities traders or between a commodity trader and the end user.

| % of agreements           | 2024   | 2023   | 2022   | 2021   | 2020   | 2019   | 2018   |
|---------------------------|--------|--------|--------|--------|--------|--------|--------|
| w/in the year             | 4.60%  | 5.69%  | 10.56% | 6.27%  | 4.60%  | 7.40%  | 8.30%  |
| w/in the previous year    | 22.70% | 30.84% | 31.39% | 20.71% | 25.58% | 20.45% | 22.59% |
| w/in the previous 2 years | 39.66% | 48.20% | 41.94% | 34.60% | 47.24% | 30.40% | 38.39% |
| w/in the previous 3 years | 54.31% | 58.38% | 58.33% | 54.77% | 60.14% | 46.02% | 53.49% |
| w/in the previous 4 years | 62.64% | 64.37% | 68.06% | 63.22% | 68.20% | 61.65% | 69.44% |
| w/in the previous 5 years | 70.98% | 70.66% | 74.17% | 74.11% | 74.65% | 69.89% | 77.41% |
| w/in the previous 6 years | 76.15% | 80.54% | 82.22% | 83.65% | 80.88% | 79.26% | 84.05% |
| w/in the previous 7 years | 83.05% | 83.23% | 87.50% | 86.38% | 87.10% | 86.08% | 88.04% |
| w/in the previous 8 years | 88.51% | 88.02% | 89.17% | 88.28% | 90.55% | 89.49% | 89.70% |
| w/in the previous 9 years | 90.80% | 90.42% | 91.67% | 92.92% | 92.63% | 93.75% | 91.03% |

Based on the data, the majority of disputes arise and are referred to arbitration within four years of the year of the agreement.

Two of the agreements in UNCITRAL arbitrations are dated over 10 years prior to the year of referral and one is dated three years prior to the year of referral.

Year of Agreement

## PARTIES

The LCIA has a truly international reach, with 95% of LCIA arbitrations being of an international nature (involving one or more international party), and 75% of cases involve only international parties (no UK parties).

Unless otherwise stated, in the map and in the remainder of this section, the figures reported represent the percentage of parties that are from a particular region/jurisdiction, rather than the percentage of cases involving parties from a particular region or jurisdiction<sup>1</sup>. The figures representing a region are rounded to the nearest percentage.

Parties in LCIA arbitrations originated from 101 jurisdictions in 2024, and 85% of parties were from jurisdictions other than the United Kingdom. Parties from the United Kingdom, Kenya, the United States, Switzerland, the United Arab Emirates, and the Russian Federation were the most common.

## Top five nationalities following the United Kingdom:



Parties from the United Kingdom remains a low percentage (15% in 2024, the same as in 2023). Only 5% of LCIA arbitrations involved parties who were all from the United Kingdom, and 20% involve one or more UK party and one or more international party.

Consistent with previous years, around one fifth of parties were from Western Europe (18% in 2024, 21% in 2023). In 2024, the top five countries in Western Europe from which parties in



LCIA arbitrations originated (other than the United Kingdom) were Switzerland (5.1%), The Netherlands (1.9%), Luxembourg (1.6%), Germany (1.6%), and Ireland (1.5%). Around half of the Swiss parties (49%) were commodity traders.

The percentage of parties from Africa represents the second highest proportion of parties in LCIA arbitrations. The most significant increase in this region was the percentage of parties from Kenya, from 1.1% in 2023 to 7.7% in 2024. The high number of Kenyan parties has been impacted by three groups of cases, one involving 51 Kenyan parties and two related cases each involving seven Kenyan parties. The percentage of parties from Nigeria, Zambia, and Sierra Leone also increased in 2024.

In the MENA region the percentage of parties from Saudi Arabia dropped from 4.2% in 2023 to 1.6% in 2024, while the percentage of parties from the United Arab Emirates remained steady (4.8% in 2023 and 4.18% in 2024). In line with previous years, parties from North America represented 10% of all parties in 2024.

Other

The percentage of parties from Asia in 2024 is 9% similar to 2023 (8%).

In Latin America region, there were proportionately fewer parties from Brazil (4.8% in 2023 to 1.4% in 2024), but the number of different jurisdictions in the region from which parties originated was nine compared to five in 2023.

There has been an increase in cases involving states (including government bodies) and state-owned entities,

2.0%

2.8%

|              |              | 2024         | 2023 | 3          |           |            |      |
|--------------|--------------|--------------|------|------------|-----------|------------|------|
|              | CIS          | 3%           | 5%   | 6          |           |            |      |
|              | Russia       | 2.6%         | 2.89 | %          |           |            |      |
|              | Belarus      | 0.7%         | 0.49 | %          |           |            |      |
|              | Other        | 0.1%         | 1.29 | %          |           |            |      |
|              |              | $\backslash$ | -    |            |           |            |      |
|              |              |              |      |            |           | 2024       | 2023 |
|              |              |              |      | Asia       |           | <b>9</b> % | 8%   |
|              |              |              |      | Singapo    | re        | 1.8%       | 2.3% |
|              |              |              |      | Pakistar   | ı         | 1.5%       | 1.3% |
|              |              |              |      | Hong Ko    | ong       | 1.2%       | 1.2% |
|              |              |              |      | India      |           | 1.2%       | 0.5% |
|              |              |              |      | South K    | orea      | 0.9%       | 0.5% |
| -            |              |              |      | China      |           | 0.7%       | 1.3% |
|              | a second     |              |      | Other      |           | 2.1%       | 2.2% |
|              |              |              |      |            |           |            |      |
|              |              |              |      | The second |           | 2024       | 2023 |
|              |              | -            |      |            | Oceania   | 1%         | 1%   |
|              |              | 100          |      |            | Australia | 1.1%       | 0.6% |
|              |              |              | A.   |            | Other     | 0.1%       | 0.7% |
| $\backslash$ |              | 2.4          |      | £          |           |            |      |
|              | $\backslash$ |              |      |            | 2         |            |      |
|              |              |              |      |            |           |            |      |
|              | \            |              |      | 2024       | 2023      |            |      |
| м            | IENA         |              |      | 11%        | 16%       |            |      |
| ۰U           | nited Arab E | mirates      |      | 4.2%       | 4.8%      |            |      |
|              | audi Arabia  |              |      | 1.6%       | 4.2%      |            |      |
|              | urkey        |              |      | 1.2%       | 0.2%      |            |      |
|              | ther         |              |      | 2.1%       | 5.1%      |            |      |
|              |              |              |      |            |           |            |      |

which made up 14% (43 cases) of cases in 2024 (11% in 2023). States and state-owned entities in LCIA arbitrations were from 19 nations or states and accounted for 5% of parties (the same as in 2023).

In fundholding cases, parties from Australia made up the largest group of parties by jurisdiction (30%), followed by parties from Armenia (20%).

In the three UNCITRAL arbitrations, parties were from Brazil, Mali, and Australia.

<sup>&</sup>lt;sup>1</sup>Some jurisdictions have been included in different regions in this report and the total percentage of each region for 2023 have been adjusted accordingly.

# **RELIEF SOUGHT**

# Relief sought (as a percentage of cases with quantified monetary claims)



In 2024, claimants in 95% of cases sought monetary relief. In cases where the amount in dispute was quantified, 36% involved claims of more than USD10 million. There is no significant difference in the percentage of cases in each bracket of claim value as compared with the cases in 2023.

The above charts display a snapshot of the claims as they are filed in the requests for arbitration. Where a Request includes multiple monetary claims, these are totalled, excluding costs and interest. The LCIA's hourly rate-based system, which is in large part driven by the complexity and/or significance of a case, provides less incentive to quantify claims at the outset of a case in comparison with institutions charging on an ad valorem basis. Therefore, claims are often subject to subsequent amendment and additional quantification (and these changes are not captured by this report).

#### Type of relief sought



# SEAT AND APPLICABLE LAW

The LCIA administered arbitrations across 21 seats of arbitration (in 15 jurisdictions) and governed by 35 substantive laws (of 32 jurisdictions).

In one arbitration, the substantive law of the agreement was specified as CISG (not reflected in the below map) and in another it was stated to be CISG and French law (reflected as France in the below map).

London was the chosen seat in 89% of LCIA arbitrations, similar to 2023 (86%).

Parties chose the law of England and Wales in proportionally fewer arbitrations compared with 2023 (78% of LCIA arbitrations in 2024, compared with 83% in 2023).

Other than combining English law and London as seat, parties in some specific jurisdictions matched the law and seat, such as Ukraine, Nigeria, Pakistan, and New York.

In cases where the seat was not London, the parties chose laws other than the law of England and Wales as the substantive law, except for three instances. In cases where



the substantive law was not English law, 37% of cases were seated outside of the United Kingdom and 63% were seated in London.

The majority of fundholding arbitrations (57%) were seated in London. Other seats include Bermuda, Bucharest, Delaware (USA), Dublin (Ireland), Seychelles, Sydney (Australia), Uganda, and Zagreb.

In 46% of fundholding arbitrations the governing law was English law and in 18% the law was the law of the state of New York. There were nine other laws applying to fundholding cases including the law of the Bahamas, Croatia, state of Delaware (USA), Ireland, New South Wales (Australia), Romania, Saudi Arabia, Seychelles, and Uganda.

Where the fundholding arbitration was seated in London and governed by the law of England and Wales, the majority were insurance cases.

The three UNCITRAL arbitrations were seated in Paris, London, and Rio de Janeiro, and the applicable substantive law was Brazilian law, English law, and Brazilian law, respectively.

## ARBITRATOR **APPOINTMENTS**

In 2024, the LCIA made a total of 455 appointments of 318 different arbitrators in LCIA arbitrations. This includes the appointment of one emergency arbitrator. The 455 appointments made by the LCIA Court include five replacement arbitrators. The following sections provide more details about the nature of these appointments.

#### Arbitrator selection 2024



While the default position under the LCIA Rules is for the LCIA Court to select arbitrators, parties and co-arbitrators may select their own arbitrators. Formal appointment by the LCIA Court is contingent on the Court's approval of the candidate following a review of the candidates' independence and impartiality, and of their availability.

The following overview shows that the preference is for parties to select their own arbitrators directly or indirectly (through chair appointments nominated by coarbitrators). This is consistent with the past five years where the percentage of LCIA Court appointments each year was between 33% - 42%.

More often than not, the LCIA Court is required to select the sole arbitrator (85% of all sole arbitrator appointments), and in some cases the chair where the parties have nominated arbitrators.

The first chart on the next page shows the split between three-member tribunals and sole arbitrators appointed in 2024 in LCIA arbitrations, and the second chart depicts the long-term trend, showing a relatively even split over the ten-year period.

#### Three-member tribunals vs sole arbitrators 2024



#### Three-member tribunals vs sole arbitrators 2014 - 2024



In fundholding arbitrations where the LCIA Court has no involvement in the appointment of arbitrators, the LCIA was informed of 94 appointments of 58 different arbitrators. The vast majority of these cases involved three-member tribunals.

The LCIA Court selected one arbitrator in an UNCITRAL arbitration where the LCIA is the designated appointing authority.

### **DIVERSITY IN ARBITRATOR APPOINTMENTS**

The LCIA Court continues to strive for diversity when it is tasked to appoint arbitrators. On 5 December 2024, the LCIA launched new Equality, Diversity, and Inclusion (EDI) Guidelines which provide non-binding recommendations for integrating EDI principles across various stages of arbitration, from candidate selection to conduct in hearings, and involving all participants in the process. The Guidelines incorporate the LCIA's best practice for selection of arbitrators as well as the input of the LCIA EDI Steering Group which comprises senior arbitration professionals acting in different capacities in the arbitral process.

### **ARBITRATOR NATIONALITIES**

The profile of arbitrators appointed in LCIA arbitrations is diverse. In 2024, arbitrators from 47 different jurisdictions were appointed.

Despite the prevalence of English law in LCIA arbitrations, 45% of appointments (204 out of 455) were of non-British arbitrators, a higher percentage than in 2023 (42%). More non-British arbitrators were appointed in 2024 than in 2023 (164 and 140, respectively).

Of the 204 appointments of non-British arbitrators, 50% were made by the LCIA Court, 38% by the parties, and 11% by the coarbitrators. The LCIA Court selected more non-British arbitrators as a percentage of its total appointments than the parties and the co-arbitrators, as shown in the below chart, and a higher percentage than in the previous year (59% in 2024, 55% in 2023).



Fifty-five percent of appointments were of British arbitrators, of which 28% were selected by the LCIA Court, 53% were selected by the parties, and 19% were selected by the co-arbitrators. In two LCIA arbitrations, where the sole arbitrators were selected by third parties as provided for in the arbitration agreement, one arbitrator was British and the other was not British. These

Non-British arbitrator appointments as a percentage of all appointments in LCIA arbitrations by selection method

The above statistics count only the primary nationality indicated to the LCIA by the arbitrators. When making appointments, the LCIA Court considers all relevant nationalities indicated by the

In fundholding arbitrations, most appointments were of British arbitrators (74%), followed by Croatian (6%) and German (4%). Other nationalities include American, Australian, Colombian,

In the one case where the LCIA Court was requested to appoint an arbitrator pursuant to the UNCITRAL Rules, the LCIA Court

### GENDER DIVERSITY

The LCIA Court continues to achieve near gender parity in its appointment of arbitrators, with 45% of all arbitrator appointments by the Court in 2024 being of women (48% in 2023).

As the percentage of appointments of women appointed by parties and co-arbitrators remained the same as the previous year (21% and 39%, respectively), the overall percentage of appointments of women also remained similar to the previous year at 33%.

In two LCIA arbitrations, the sole arbitrators were selected by third parties as provided for in the arbitration agreement. One sole arbitrator appointed was a woman and one was a man. This is not reflected in the below chart.

A total of 104 different women were appointed (in respect of 151 appointments). Further information can be found in the Repeat Appointments section that follows.

To provide a more comprehensive overview in relation to gender diversity, the LCIA reports on the roles in which women are appointed on a tribunal. Of the sole arbitrator appointments, 41% were women, of which the vast majority (88%) were direct appointments by the LCIA Court. In three-member tribunals, women comprised 27% of co-arbitrator appointments and 38% of chair appointments. Of the women appointed as chair, 61% were by co-arbitrators, 32% by the LCIA Court, and 7% by the parties (including by parties from a list provided by the Court).

In fundholding arbitrations, 19% of appointments were of women and 81% were of men.

#### Gender diversity

Appointments of women as a percentage of all LCIA arbitration appointments by selection method



### **REPEAT APPOINTMENTS**

The majority of arbitrators in LCIA arbitrations (75%) were appointed only once in the same calendar year (72% in 2023).

Sixteen percent of arbitrators were appointed twice, and 4% of arbitrators were appointed three times (compared with 18% and 6%, respectively, in 2023). The remaining 5% of arbitrators were appointed more frequently (4% in 2023), the majority of whom were appointed by nominations from parties and co-arbitrators.

The median number of appointments for arbitrators was one appointment, regardless of gender (as in 2023).

The percentage of repeat appointments of men was 30% of all appointments of men, and the percentage of repeat appointments of women was 31% of all appointments of women. This compares to 30% for men and 35% for women in 2023.

### FIRST-TIME APPOINTEES

Diversity is improved by widening the pool of arbitrators. In 2024, 14% of the LCIA Court's appointments were of arbitrators who had not previously been appointed by the LCIA (compared with 14% in 2023). The percentage of first-time appointments out of all appointments by the parties was 16%, and by co-arbitrators was 17%. Both arbitrators appointed by third parties were first-time appointees. These appointments are not reflected in the below chart.

The overall percentage of appointments of candidates not previously appointed by the LCIA Court was 16% (72 out of 455) (same as in 2023).

The majority of the arbitrators appointed for the first time in an LCIA arbitration were appointed as co-arbitrators (58%, or 42 out of 72). Sixteen first-time appointees (22%) were appointed as chairs of threemember tribunals, 12 of whom were nominated by the co-arbitrators. Fourteen first-time appointees were appointed as sole arbitrators (eight selected by the LCIA Court, four by the parties and two by third parties).

There was almost gender parity in first-time appointments (49% of first-time appointees were women and 51% were men).

#### First-time appointees

Appointments of first-time appointees as a percentage of all LCIA arbitration appointments by selection method



20%

# TRIBUNAL SECRETARIES

In 2024, tribunals made 57 appointments of tribunal secretaries in LCIA arbitrations. Of the 57 appointments, 56% were of men (including nine instances of repeat appointments) and 44% were of women (including four instances of repeat appointments).

Tribunal secretaries were appointed more often to assist three-member tribunals than to assist sole arbitrators. Thirty-two percent of tribunal secretary appointments were to assist sole arbitrators and 68% were to assist three-member tribunals.

As with arbitrator nationalities, the following statistics count only the primary nationality indicated to the LCIA by the tribunal secretaries. The tribunal secretaries held 29 different nationalities. Singaporean nationals were most frequently appointed (accounting for 12% of tribunal secretary appointments), followed by British and Italian nationals (each accounting for 9% of appointments). France and Romania were the third highest represented countries, with each accounting for 7% of appointments.



## EXPEDITED FORMATION OF TRIBUNALS AND EMERGENCY ARBITRATOR

Pursuant to the LCIA Rules, parties seeking expedited/emergency procedures have three options under Article 9, namely expedited formation of the tribunal (Article 9A); appointment of an emergency arbitrator (Article 9B); and expedited appointment of a replacement arbitrator (Article 9C).

In 2024, there were 15 applications for expedited formation of the tribunal, one of which was granted, 12 were rejected and two were superseded.

There were four applications for the appointment of an emergency arbitrator, one of which was granted.

As in previous years, more parties sought expedited formation of the tribunal, which is unique to the LCIA Rules, where in a successful application the tribunal deciding the dispute will be appointed as soon as possible, rather than the appointment of a temporary emergency arbitrator.

As was the case in the past three years, no applications for expedited appointment of a replacement arbitrator were made by parties in LCIA arbitrations.



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### CHALLENGES



In 2024, there were 10 arbitrator challenges in LCIA arbitrations, seven of which were rejected, in one case the arbitrator resigned, and in two cases the challenge was superseded/withdrawn.

On 16 December 2024, the LCIA released additional challenge decisions online bringing the total number of published decisions to 84. The additional batch of challenge decisions reinforces the robustness of the LCIA's appointment system, where disclosures are dealt with efficiently and transparently. Objections based on pre-appointment disclosures were made by parties in relation to 16 appointments in 2024. The LCIA Court proceeded in relation to five of those appointments, the Court did not proceed in relation to seven appointments and the circumstances were superseded in respect of four appointments.

There were also four challenges in 2024 in arbitrations pursuant to the UNCITRAL Rules in which the LCIA is providing administrative services. Two challenges were rejected and two are pending.

<sup>2</sup>The total number of challenges and the number of rejected challenges in 2020 were reported incorrectly in the 2023 annual report. The total number was six (instead of five), and the number that were rejected was five (instead of four).

# EARLY DETERMINATION

In 2024, there were 16 applications for early determination, of which one was granted, eight were rejected, five were withdrawn, one superseded and one application remains pending. The following chart shows the number of applications since the introduction of the early determination provisions in 2020:

| Year | No. of applications | No. of new LCIA arbitrations | No. of applications as a percentage of new cases |
|------|---------------------|------------------------------|--|
| 2021 | 15                  | 322                          | 5%   |
| 2022 | 15                  | 293                          | 5%   |
| 2023 | 25 <sup>3</sup>     | 327                          | 8%   |
| 2024 | 16                  | 318                          | 5%   |

On 24 February 2025, the English Arbitration Bill received Royal Assent, which will be enacted as the Arbitration Act 2025. The Act introduces a new Section 39A which provides that a tribunal may make an award on a summary basis if a case meets certain criteria. Looking ahead, with these provisions set out in both the legislation and the LCIA Rules, there may be a positive uptick in applications given the stronger footing for tribunals to make awards on a summary basis.

## MULTI-PARTY AND MULTI-AGREEMENT ARBITRATIONS

In 2024, 18% of LCIA arbitrations involved more than two parties, and 1% of arbitrations involved more than 10 parties. There were three arbitrations involving 27, 34 and 52 parties, respectively. In 2023, 24% of LCIA arbitrations involved more than two parties, and 2% of arbitrations involved 10 or more parties.

The percentage of cases arising out of more than one agreement at commencement remains low following the introduction of provisions in the 2020 LCIA Rules allowing Composite Requests for arbitration and broader powers for the LCIA Court and tribunals to consolidate arbitrations. In 2024, 3% of LCIA arbitrations involved more than one agreement, compared with 2% in 2023.

One of the three UNCITRAL arbitrations involved more than two parties. There were eight fundholding arbitrations (23%) involving more than two parties.

This section of the report looks at a snapshot of the arbitration as it commenced. It does not consider arbitrations which have subsequently been consolidated or arbitrations where a third party has been joined after the request for arbitration, thereby becoming multi-agreement/multi-party arbitrations.

<sup>&</sup>lt;sup>3</sup>The total number of applications for early determination in 2023 was underreported by one application in the Annual Casework Report 2023. The correct figures are as follows: in 2023 there were a total of 25 applications for early determination, of which three were granted, one was partially granted, 17 were rejected, and four were either withdrawn/ superseded/pending.

### CONSOLIDATION AND CONCURRENT CONDUCT OF ARBITRATIONS

In 2024, 40 applications for consolidation were made by parties in LCIA arbitrations (13% of LCIA arbitrations commenced in 2024 (15% in 2023)). All applications for consolidation were granted, with the exception of one application which was superseded by a settlement.

Although the filing of a Composite Request does not lead to automatic consolidation of the arbitrations, a Composite Request is a useful tool for parties to demonstrate links between cases where a party seeks consolidation at an early stage of the arbitration. The majority of Composite Requests filed in 2024 resulted in consolidation (22 out of 29, or 76%).

The following table shows a breakdown of the successful applications for consolidation by the authority that granted the application (the LCIA Court or the Tribunal) and whether there was party agreement in writing to the consolidation (and therefore the provision under which the application was granted).

|                            | LCIA Court  | Tribunal (with approval of the LCIA Court)      |
|----------------------------|---|---|
| Agreement in<br>writing    | 18<br>(17 pursuant to Article 22.8(i), 2020 Rules; and 1 pursuant<br>to Article 22.6, 2014 Rules) | 5<br>(pursuant to Article 22.7(i), 2020 Rules)  |
| No agreement in<br>writing | 12<br>(pursuant to Article 22.8(ii), 2020 Rules)  | 4<br>(pursuant to Article 22.7(ii), 2020 Rules) |

The figures show that 77% of the successful applications for consolidation were granted by the LCIA Court.

An alternative procedure to consolidation available to the parties under the LCIA Rules 2020 is Article 22.7(iii) under which the same tribunal is appointed in two or more arbitrations which are then conducted concurrently. In 2024, the LCIA recorded three requests for concurrent conduct of proceedings pursuant to the LCIA Rules. Two applications were granted by the Tribunal and approved by the LCIA Court, and one was subsequently superseded by consolidation. The uptake of this provision has been consistently low since its introduction in the 2020 Rules.

# JOINDER

Eight applications were made for the joinder of a third party in 2024 (double the number received in 2023), one of which was granted, four were rejected and three were superseded or remain pending. In 2023, there were four applications, three of which were rejected, and one of which was granted.



# INTERIM RELIEF

In 2024, parties made 65 applications for interim and conservatory measures pursuant to Article 25 of the LCIA Rules, involving 48 arbitrations. Tribunals granted the requested relief in 14 instances and rejected the application in 28 instances, 10 applications were partially granted, 10 were superseded or withdrawn, and three are pending.

Security for costs was the most common interim relief sought by the parties. In one of the successful applications for security for costs and for the claim, the LCIA agreed to hold the security pursuant to the LCIA Terms and Conditions for Holding Funds by Way of Security, effective 1 December 2023.



# **DIFC-LCIA UPDATE**

The LCIA continues to conclude the 135 cases pursuant to the DIFC-LCIA Rules that were transferred from DIAC to the LCIA for administration from London, following the enactment of Decree No. (34) of 2021 of the Government of Dubai and the subsequent agreement concluded by the LCIA and DIAC.

Since March 2022, the LCIA has closed 111 cases, with an additional 13 in the final stages of closing, and only 11 arbitrations remain either active or stayed.



# OTHER ADR SERVICES

The LCIA received five requests for mediation pursuant to the LCIA Mediation Rules and one request for the appointment of an adjudicator.

Three mediators were appointed by the LCIA Court, all of whom were British. One mediator was a man and two were women. The LCIA Court also appointed one adjudicator, a man of British nationality.

The disputes concerned a range of industry sectors including construction and infrastructure, professional services, technology, energy and resources, healthcare and pharmaceuticals, and commodities shipping.

# CONTACT THE LCIA

### LOCATION

The LCIA Secretariat is based at the International Dispute Resolution Centre (IDRC), in the heart of Central London.

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# LCIA EVENTS IN 2024



The LCIA hosted a West Africa Roadshow in February 2024 with the support of the African Users' Council.



The European Users' Council led a "Tylney-style" symposium during Paris Arbitration Week.



The LCIA co-hosted a seminar in May to celebrate the legacy of Johnny Veeder QC.



The North American Users' Council supported an LCIA Tylney-style symposium in Toronto in June.



Former Director General, Prof Jacomijn ("Jackie") van Haersolte-van Hof is pictured giving the after dinner speech at the LCIA's flagship symposium in September.



Prof Maxi Scherer (Vice President of the LCIA Court at the time) is pictured at an LCIA event coinciding with IBA Arbitration Day in Mexico, facilitated by the Latin America & Caribbean Users' Council.

For further information on the LCIA's 2025 event schedule, visit https://www.lcia.org/lcia-events/events\_schedule.aspx



Paula Hodges KC (President of the LCIA Court at the time) is pictured at the flagship Tylney Hall symposium in May.



Deputy Director General, Jamie Harrison, spoke at a panel session at Singapore Convention Week on construction arbitration in Singapore in August, supported by the Asia-Pacific Users' Council.



Jamie Harrison is pictured at the LCIA's Meet and Mingle ahead of the Opening Drinks for Dubai Arbitration Week (November) arranged by the Arab Users' Council.



With support from the Young International Arbitration Group (YIAG) the LCIA piloted its Event Mentorship Programme in May as part of its wider EDI programme.



The LCIA Secretariat are pictured at YIAG's lunch during September's Tylney Hall symposium.



Christopher Style KC (Chair of the LCIA Board) is pictured giving a farewell speech to Jackie at her leaving dinner in December.



