



THE DANISH
INSTITUTE OF ARBITRATION

DIA

A HUB FOR INTERNATIONAL
ARBITRATION IN THE NORDICS

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HÅKUN DJURHUUS

GREATER COMPLEXITY AND HIGHER FINANCIAL INTERESTS AT STAKE

When two parties must choose a seat for their arbitration, it will always be a strategic decision shaped by multiple considerations.

BY **HÅKUN DJURHUUS**, PARTNER DLA PIPER, CHAIR OF THE DIA

With a growing number of international cases at the DIA, we find that some of the strongest arguments are – beyond professional expertise, streamlined case management and the practical advantages that come with good infrastructure – Denmark’s top ranking in the World Justice Project’s Rule of Law Index. For more than a decade, we have held first place on the basis that we uphold fundamental principles such as legal clarity and certainty. To this can be added democratic accountability, transparency and the absence of corruption.

This zero tolerance towards corruption is documented annually in Transparency International’s Corruption Perceptions Index, where Denmark has likewise held a top ranking for years.

Yet another international barometer places Denmark at the forefront, namely the UN’s E-Government Development Index (EGDI), which is a global assessment of public digitalisation. As a nation, we have ranked as digital front-runner since 2018.

Together, these rankings reflect a legal system and a public sector characterised by integrity, propriety and transparency. And yes, that is the best conceivable foundation for the DIA.

Combined with robust arbitration legislation based on the UNCITRAL Model Law, arbitration-friendly courts and a solid network of Danish and international practitioners, we have the best possible conditions for providing the reassurance that parties need when choosing Denmark as their seat of arbitration.

And more parties are doing so. We are seeing an increase in international cases at the DIA. At the same time, complexity is growing and the financial interests at stake are becoming considerable. I see this as a testimony to the fact that we have a well-functioning framework for dispute resolution – but also that we are witnessing a rapidly developing market.

No success without responsibility. In recent years, we have placed strong em-

phasis on training a new generation of young arbitration talents. They must be equipped with the knowledge and experience passed down from the older generation. This is one of the reasons why we created our *Behind the Scenes* -initiative for young practitioners, which contributes to developing our community. Sharing knowledge makes us stronger, while also fostering a sense of cohesion that participants carry with them long after the programme has ended.

We have also devoted considerable resources to bringing more women into arbitration. Through a series of podcasts, two conferences and a broader attentiveness to ensuring that women have the opportunity to become arbitrators, we have sought to expand the pool of arbitrators. Diversity is not about favouring any particular group; it is about developing talent and ensuring that different perspectives and opinions contribute to better outcomes. ●



THE DIA HEADQUARTERS IN COPENHAGEN

Photo: Lars Schmitt

Q&A

TO MY MIND

Denmark is exceptionally well positioned for international arbitrations, as our legal tradition incorporates elements from both common and civil law, making it instinctively accessible to parties and counsel from across the globe.

Q&A WITH **HENRIETTE GERNAA**, PARTNER GORRISSEN FEDERSPIEL,
CHAIR OF THE DANISH ARBITRATION ASSOCIATION

How have you seen the Danish arbitration community evolve over the past decades, and what developments have been most significant?

When I started out, the Danish arbitration community was a rather small and intimate circle. Purely domestic arbitrations bore a close resemblance to court proceedings, where the chair of the arbitral tribunal was usually a judge or academic, who would apply the rules of our procedural code for litigation with only minor modifications. Only a handful of practitioners with an international practice had any meaningful exposure to international arbitration.

Much has changed over the past decades. The establishment of the DIA in 1981, born out of a demerger from the *Danish Building and Construction Arbitration Board*, likely set the process in motion. It was followed by the founding of the *Danish Arbitration Association* in 2002 and the launch of the Danish Arbitrators Training Course in 2006. Reform work led by the *Danish Bar and Law Society* culminated in the adoption of a modern, UNCITRAL Model Law-based Arbitration Act in 2005, providing Denmark with a robust international framework

for the conduct of arbitral proceedings. In 2018, the first Copenhagen Arbitration Day, organised jointly by the DIA and ICC Denmark, took place at the Old Stock Exchange cementing Denmark's place on the map of international arbitration.

These developments have collectively given rise to the vibrant and engaged arbitration community we have today. What is perhaps most remarkable is how decisively the younger generation has rejected the old adage that arbitration requires greyer hair. When Danish universities began supporting participation in the Vis Moot from 1993 and onwards, it prompted a lasting generation of commercially minded lawyers with international outlook, intimate command of arbitral procedure and genuine appetite for international commercial arbitration.

Arbitration is now the preferred mechanism for resolving commercial disputes among Danish companies. This is a testament to the DIA, lawyers, arbitrators, and the universities who have made Denmark an arbitration jurisdiction to be reckoned with.



HENRIETTE GERNAA

What role do you see Denmark playing in the international arbitration landscape over the next 5–10 years?

Denmark will not displace the big international arbitration centres such as London, New York, Paris, Singapore and Stockholm. I consider our ambition more targeted. To my mind, Denmark is exceptionally well positioned for international arbitrations, as our legal tradition incorporates elements from both common and civil law, making it instinctively accessible to parties and counsel from across the globe.

The Danish legal community has embraced arbitration as well as international norms and tools while retaining the Scandinavian pragmatism, which ensures that procedures are tailored to the dispute at hand without the procedural surprises that can afflict arbitrations in less international jurisdictions. Our pragmatic attitude also permeates how Danish practitioners manage cases: high legal expertise, sharp commercial instincts and up to date with international standards. Danish practitioners bring substantial legal expertise in commercial disputes and actively contribute to making Denmark an attractive international seat. They have earned genuine technical credibility across sectors such as energy, maritime, transport and IT, that are key economic drivers in Denmark as well as internationally.

Overall, our pragmatic approach and tradition for leaning on the parties to find common ground on the conduct of the proceedings ensures efficiency and prevents procedural skirmishes from overshadowing the resolution of the key issues in dispute. This way of working resonates with users' expectations and strengthens Denmark's position as a compelling seat for international arbitration.

What are the key advantages of choosing Denmark as a seat for arbitration?

First, the legal framework is modern, UNCITRAL Model Law-based and backed by courts that are consistently and robustly pro-arbitration: they do not meddle, and they enforce awards reliably. Denmark's broader reputation as a transparent, uncorrupt, and high-trust rule-of-law jurisdiction reinforces that confidence materially.

Second, Denmark offers genuine neutrality, underpinned by a legal tradition that draws from both common law and civil law, making proceedings navigable for parties and counsel from across the globe. That hybrid character is more valuable than it is often given credit for. Add a highly competent bilingual bar (Danes across all ages speak English fluently), and the package is compelling. Third, and perhaps most distinctively, Scandinavian culture naturally shapes

proceedings in ways that international parties increasingly value: lean, pragmatic, actively managed, with less tolerance for procedural gamesmanship.

Why do commercial parties choose institutional arbitration over ad hoc proceedings?

Institutes provide a safety net that most parties will only appreciate when they need it. If a respondent obstructs the constitution of the tribunal, or an arbitrator becomes incapacitated mid-proceeding, an institute has clear mechanisms to intervene. Appointment mechanisms, scrutiny of awards and established procedural rules all reduce a risk materially. Institutes also do considerable work behind the scenes in providing ongoing administrative support to the tribunal, the invisibility of which, in many ways, is the mark of an institute doing its job well.

There is also the cost dimension: sophisticated commercial parties with experienced counsel and a pragmatic approach can make ad hoc arbitrations work very efficiently and cost-effectively. However, those conditions are the exception. For most arbitrations across the value range, the structure and predictability of institutional arbitration is worth the administrative fee. The stamp of an institute may also ease enforcement proceedings.

Which types of disputes are particularly well suited for institutional arbitration in Denmark, and why?

Naturally, international contracts, M&A-disputes and commercial contracts more broadly are well suited for international arbitration as Danish companies have a long tradition of international trade and their continued expansion abroad. Shareholders' agreements, cooperation agreements and M&A continue to be the most prevalent subject matters of the disputes filed with the DIA.

Three categories stand out where Danish practitioners' technical and regulatory expertise is world-class:

- 1) Energy and in particular green transition disputes, i.e. offshore wind, and hydrogen,
- 2) Maritime and shipping.
- 3) Life sciences and pharmaceutical licensing.

The common thread across all categories is the same: technically complex, high-value disputes require expertise developed over decades, and parties want disputes resolved by people who understand the subject matter in a jurisdiction they trust. ●

Institutes provide a safety net that most parties will only appreciate when they need it.

Henriette Gernaä



AT THE DIA HEARING CENTRE IN COPENHAGEN

LOTTE NOER

AN ACTIVE ARBITRATION COMMUNITY

Denmark has an active arbitration community, with a diverse range of stakeholders who contribute to the development of new ideas, the cultivation of talent, and the promotion of arbitration as an effective dispute resolution mechanism.

BY **LOTTE NOER**, PARTNER PUNCT, VICE-CHAIR OF THE DANISH ARBITRATION ASSOCIATION

Over the past 10 to 15 years, interest in arbitration in Denmark has grown significantly. Whereas enthusiasm was previously found mainly among the most seasoned practitioners, the efforts of many dedicated individuals have helped cultivate an environment in which both younger and more experienced practitioners actively exchange ideas, create opportunities for one another, and collectively advance the field of arbitration.

A number of initiatives have contributed to this development.

The Danish arbitration community has cultivated a range of initiatives that together reflect both the breadth and ambition of the field's development. *Young*

Arbitrators Copenhagen (YAC) provides a platform for emerging practitioners to engage with arbitration through events and networking, while the *Behind the Scenes* project offers younger talents insight into the practical workings of arbitral proceedings - including deliberative processes and case management aspects not ordinarily visible to junior practitioners. Alongside these, the podcast series *Women in Arbitration* highlights the perspectives of women in the field, promoting diversity and broader participation, and the *Danish Women in Arbitration Network (DWAN)* works to promote gender diversity within the Danish arbitration community. The DIA's newsletter keeps the community informed of recent developments and upcoming events. Together, these

initiatives have enriched the Danish arbitration landscape in ways that extend well beyond any single effort.

Under the auspices of the DIA and the *Danish Arbitration Association*, regular seminars are held on topical issues in arbitration law and practice. These events provide continuing education and afford practitioners the opportunity to build professional relationships across levels of experience.

Cross-border collaborations

Copenhagen Arbitration Days has established itself as a well-regarded arbitration conference, attracting both Danish and international practitioners. The conference offers panel discussions and presentations on current issues in international arbitration. In connection with the conference, a number of local law firms and organisations host side events, receptions, and seminars throughout the city, extending the programme well beyond the main venue. This combination of formal and informal gatherings offers visiting practitioners substantive legal discourse as well as a broader impression of Denmark's arbitration environment and the collegial spirit that characterizes the community.

In recent years, Danish arbitration practitioners have increasingly looked be-

yond national borders, participating in training and conferences abroad, and returning with new knowledge, perspectives, and international connections. The notion of a distinct Nordic approach to arbitration — characterised by pragmatism and flexibility — forms part of this broader trend.

As one example of such cross-border collaboration, I have together with colleagues from Norway, Sweden, and Finland initiated a cross-Nordic research project dedicated to collecting and analysing data on the setting aside of arbitral awards across the Nordic jurisdictions. The project aims to provide a comparative overview of the grounds on which national courts have annulled or set aside arbitral awards, contributing to greater transparency and understanding of the standards applied throughout the region.

We stand today on the shoulders of those who over the course of many years have contributed to building the arbitration community in Denmark into what it is today. With the continued commitment of both established and emerging practitioners, and the growing range of initiatives fostering collaboration and knowledge-sharing, there is every reason to look to the future with optimism. ●

“***In recent years, Danish arbitration practitioners have increasingly looked beyond national borders, participating in training and conferences abroad, and returning with new knowledge, perspectives, and international connections. The notion of a distinct Nordic approach to arbitration — characterized by pragmatism and flexibility — forms part of this broader trend.***”

Lotte Noer

THE LEAST CORRUPT COUNTRY IN THE WORLD

Denmark ranks at the top of two major international indexes, Transparency International's Corruption Perceptions Index and the World Justice Project's (WJP) Rule of Law Index. These are important benchmarks in an uncertain world, where transparency and the rule of law have taken on ever greater significance, says Satnam Kaur Nanda-Jørgensen, Chair of the Danish chapter of Transparency International.

In 2025, Denmark secured first place in Transparency International's Corruption Perceptions Index for the eighth time in a row. The index, which assesses perceived levels of corruption across 182 countries, was published on 10 February 2026.

Countries are awarded a score on a scale to 100. With a score of 89, Denmark ranks at the very top.

The choice of the seat of arbitration is a strategic decision influenced by a range of factors. For international parties, the absence of corruption is a highly important consideration when selecting the seat of arbitration.

Denmark also takes first place on the World Justice Project's (WJP) Rule of Law Index. This index refers to a global measurement initiative that ranks countries based on how they uphold the rule of law in practice, not just in theory.

Denmark has consistently secured this number one ranking by abiding by fundamental principles such as legal clarity and certainty, procedural fairness and equality before the law, independence and impartiality, democratic accountability, transparency, and the absence of corruption.

Satnam Kaur Nanda-Jørgensen, Chair of the Danish chapter of Transparency International, sees the index as increasingly significant in today's uncertain world.

"The index is an indicator of how the outside world perceives Denmark, and it speaks to the competitive advantage that comes with a high score. It paints a picture of a country where things are in order – where society is well-functioning, crime is low, and where you cannot simply pay your way to a favourable outcome. That predictability is something investors appreciate" she says.

"When we look at the countries that rank at the top of our index, we find a consistent set of values. They all have well-functioning Rule of Law systems and independent courts," adds Satnam Kaur Nanda-Jørgensen.

Both rankings reflect a judiciary and public sector characterised by integrity, independence, and an exceptionally low risk of conflicts of interest.

Denmark is also a digital frontrunner. The UN's E-Government Development Index has ranked Denmark number one globally since 2018 regarding progress of public digitalisation. In practical terms, this translates to streamlined, transparent, and highly efficient processes – influencing even complex, cross-border disputes. ●



Photo: Mads Teglers

SATNAM KAUR NANDA-JØRGENSEN,
CHAIR OF THE DANISH CHAPTER OF TRANSPARENCY INTERNATIONAL

EXPANDING THE POOL OF ARBITRATORS

For the past seven years, the DIA has pursued a strategic commitment to strengthen diversity within arbitration. Knowledge-sharing is central to the DIA's Women in Arbitration project, which began as a series of interviews and podcasts but has since grown to encompass conferences and a list of female arbitrators. In the longer term, the project also aims to inspire the next generation to take an interest in the field.



JULIE ARNTH JØRGENSEN, SUPREME COURT JUSTICE

Diversity in the pool of arbitrators not only supports the selection of the most suitable arbitrator for the parties, but also enhances the quality of the arbitral process and the awards rendered.

With this commitment in mind, the DIA signed the *Equal Representation in Arbitration Pledge*, an international initiative that commits the signatories to increase the visibility of women in arbitration.

This has given rise to a range of initiatives, including a podcast series in which prominent women in the field share their personal accounts of how their careers have developed. They speak openly about the barriers they have encountered and about what proved most decisive in reaching the top.

Visibility emerges as one of the defining themes in the podcast series, and one of the most effective ways of achieving it is through participation in networks.

”Networks play an important role, both because women can help other women advance – and because they can offer younger women role models to look up to. Someone who can inspire others and say: if I can do it, there is room for you too,” as one of the podcasts put it.

From the podcast project grew a new initiative, the first of two conferences held in partnership with The Dreyer Foundation, which has supported the publication of the DIA’s podcasts. The first conference took place in conjunction with Copenhagen Arbitration Days 2024.

The panellists - comprising Supreme Court Justice Julie Arnth Jørgensen, independent arbitrator Nina Lauber-Thommesen, Regitze Aalykke Hansen from Poul Schmidt, independent arbitrator Ndanga Kamau and moderator Henriette Gernaa, Gorrisen Federspiel - discussed how to increase the participation of women in arbitration.

Look under the table!

Visibility is essential for anyone seeking to increase their participation in arbitration.

It is often claimed that it is difficult to find a female arbitrator for a panel in a huge and complex arbitration, Julie Arnth Jørgensen noted.

“There are many qualified women. Yes, sometimes you have to look under the table, but the women are there. It’s all about visibility and challenging the prevailing mindset,” she said.

Following the podcasts and the conferences held in conjunction with the Copenhagen Arbitration Days in both 2024 and 2025, an initiative was taken to create a list of female arbitrators, which has been well received. The list is intended to serve as a source of inspiration when appointing arbitrators and is available on the DIA’s website.

This creating of a platform to discuss career opportunities in the field to inspire young lawyers to take an interest in a fascinating area of practice. ●

“*There are many qualified women. And yes, sometimes you have to look under the table, but the women are there. It’s all about visibility and challenging the prevailing mindset.*”

Julie Arnth Jørgensen

THE NEXT GENERATION

International arbitration in Denmark is experiencing remarkable growth. In the years ahead, this will require a broader pool of arbitration professionals. Against this backdrop, the DIA, together with several Danish law firms and universities, is making a concerted effort to share knowledge, build networks and create the conditions for the next generation of arbitration talent to develop.

Arbitration is a field in which practical experience and the sharing of professional knowledge are essential. To ensure its continued strength, it is vital to build bridges between experienced arbitration practitioners and the next generation of professionals seeking to pursue a career in arbitration.



Steffen Pihlblad
Secretary-General of the DIA

It was with this in mind that Julie Arnth Jørgensen, Supreme Court Justice and awarded as *arbitrator of the year* in 2025, Jacob Møller Dirksen, Board Member of the DIA, and Steffen Pihlblad DIA

Secretary-General welcomed a group of young arbitration talents in 2026, who will help ensure that Denmark remains competitive when arbitrators and counsel are appointed in the years ahead. The network is called *Behind the Scenes*, and its purpose is to open new doors for talented younger attorneys, who wish



Jacob Møller Dirksen
Partner Accura,
Board Member of the DIA

to pursue a career in arbitration. The first group will complete the programme by the end of 2026, after which a new group of young practitioners will have the same opportunity.

“Through the network, we can help create an environment in which we pass on the experience we have built over the years” says Jacob Møller Dirksen, one of the founders of the network.

“The internationalisation that is taking place – and growing markedly in arbitration – means that we must be able to compete beyond our national borders, and here we have to face the facts, that we need to be razor-sharp,” he says and continues: “If Danish arbitration is to remain attractive both locally and internationally, we must ensure that we continuously have a generation of qualified professionals. My experience is that my younger colleagues are eager to take the plunge but perhaps do not always have the confidence to do so. Through the network, we can help create an environment in which we pass on the experience we have accumulated over the years, because this is not a discipline you can learn from a book. The aim is to lay the foundation for a new and strong generation of arbitrators.”

“At the same time, the network contributes to building a broader professional community,” says Steffen Pihlblad.



“Through the network, the project supports the DIA’s ambition to foster a community within the field of arbitration, and helps to drive the necessary internationalisation, as well as the dynamic and professional development, of the Danish arbitration community,” he says.

Young arbitration enthusiasts

The universities in Aarhus, Odense and Copenhagen are equally focused on fostering interest in arbitration. Each year, teams of students undertake months of intensive preparation for the international Vis Moot competition traditionally held in Vienna in the days leading up to Easter.

In 2026, the DIA supported both the main competition in Vienna and the Pre-Moot at Aarhus University for the tenth consecutive year.

The interest in Vis Moot as an educational platform has grown steadily over the years. The most recent competition, held in the spring of 2026, brought together 400 teams from more than 90 countries, with around 2,500 students taking part. More than 1,000 practitio-

ners had signed up as coaches, and a further 1,100 practitioners and academics participated as arbitrators.

At the Danish law firm Plesner, the activities surrounding an annual Pre-Moot have grown considerably over the past years.

“It started with four registered teams when Plesner hosted a Pre-Moot for the first time in 2017. Today, the number of teams has grown to 12, and spots are highly sought after. Applicants come from around the world to prepare for the main competition in Vienna,” says assistant attorney Hjalte Struve Selcuk of Plesner.

It began with a desire to pass on experience and spark a greater interest in arbitration among law students.

“It is perhaps an environment that not everyone is familiar with, and one that requires an introduction. That is why we started with four Pre-Moot teams back in 2017. We just about had enough applicants – except one team withdrew at the last minute, which we resolved by splitting one of the other teams into two.”

Since then, the number of teams has grown to 12.

“At Plesner we’re seeing enormous interest in our Pre-Moot. In 2026, for instance, 55 teams applied to participate. Applications come from across the world – in addition to European countries, we receive applications from India, Australia, South America, the United States and New Zealand. We select the teams, to ensure that we have a broad representation, and to give new teams the opportunity to come to Denmark, as there are quite a few teams who apply year after year,” says Hjalte Struve Selcuk.

According to Plesner Partner Jimmy Skjold Hansen, part of the reason Plesner’s Pre-Moot is so popular is that Denmark enjoys a good reputation in the arbitration community.

“We hear from participants, both immediately after Pre-Moot has taken place, and when we occasionally receive messages from applicants who have either participated themselves or had the event recommended to them. They often highlight that it is a well-organised Pre-Moot. And there is no doubt

“*The internationalisation that is taking place – and growing markedly in arbitration – means that we must be able to compete beyond our national borders, and here we have to face the facts, that we need to be razor-sharp.*

Jacob Møller Dirksen

that many people are interested in coming to Denmark. It is easy to get here, and spending an extended weekend in Copenhagen is an attractive prospect.”

Advice on pursuing a career

The DIA’s podcast series *Women in Arbitration* is about more than gender. The series also aims to pass on advice from practitioners of all generations to young people who wish to find their way into arbitration but find it difficult to enter what can, from the outside, appear to

be a closed professional community.

In the series, Norwegian-Swiss arbitrator Nina Lauber-Thommesen, among others, says:

“My most important experience is that you can go all the way if you want to and have a good deal of patience. Believe that it is absolutely within reach.”

“Find a mentor who does not hold back their experience and make peace with the fact that you will likely encounter male colleagues along the way who are

surprised by how competent you are.

There is no getting around the fact, that I over the years, have felt that I have had to prove my worth to a greater extent than my male colleagues. Many women do not believe in themselves but recognise that you have just as much right to be in the room as anyone else. You are good enough.” ●



Jimmy Skjold Hansen
Partner, Plesner



Hjalte Struve Selcuk
Assistant Attorney, Plesner



Nina Lauber-Thommesen
Independent Arbitrator, Geneva



COPENHAGEN ARBITRATION DAYS 2025

THE VALUE OF COLLABORATION

The desire for a stronger community concerning arbitration in the Nordic region has grown in recent years. The DIA is among those who advocate for this and sees clear advantages in working together to strengthen arbitration across the region.

An important factor is that the Nordic countries share a long and robust legal tradition, dating back to the late nineteenth century, when common legislation was introduced in areas such as contract law and private international law. Company law across the Nordic countries is also highly similar. At the same time, the Nordic region now benefits from a security policy-based framework for cooperation, underlining how the Nordic community is growing and gaining greater significance in relation to the EU.

Today, the Nordic arbitration institutes compete with one another in many respects. At the same time, they recognise the value of the Nordic arbitration brand and the benefits of closer alignment, which gives them a competitive advantage over institutes outside the Nordic region. And yes, when choosing the seat of arbitration, it really matters that you can have confidence in the courts - that they function as they should, that they are efficient, and that accountability cannot be bought.

A report taking the pulse of Nordic arbitration shows that arbitration is well established across the Nordic countries. In 2024, more than 400 cases were filed with arbitration institutes in the Nordics, and approximately a third of these cases were commenced at the DIA.

The DIA has asked four leading figures in Denmark and other Nordic countries how they view the prospect of closer collaboration in the Nordics. ►



JESPER LAU HANSEN,
Professor, University of Copenhagen

Nordic Credibility Carries over into Arbitration

“When we speak about the Nordic countries – Norway, Sweden, Finland, Iceland and Denmark – we share many fundamental legal values, and we consistently rank at the top of international indices measuring everything from transparency to the Rule of Law. Beyond that, we are known for having strong economies, a well-regarded civil service and, not least, well-ordered civil societies. These are things we take for granted. When I participate in EU contexts, it makes me proud – and I always mention it, because in those circles I sense an enormous degree of recognition, and Scandinavia has in many ways become a role model.

The credibility that the Nordic counties collectively represent naturally carries over into arbitration as well. I believe that everyone stands to benefit from greater cross-border collaboration. Norway does not have institutional arbitration, which makes cooperation an obvious step – because once you have access to institutional arbitration, you tend to use it.”



JACOB SKUDE RASMUSSEN,
Managing Partner, Gorrissen Federspiel

Backed by a Strong Arbitration Culture, You Can Attract Some of the Major International Cases

“Today, we find that almost all major contractual disputes are handled through arbitration, because it is more efficient. Arbitration is gaining ground across the business sector, where there is a strong demand for a professionalised approach to dispute resolution.

In the long run, I believe that a joint Danish-Norwegian initiative is what it will take to create a larger arbitration community in the Nordic region. It is worth remembering that parties are still free to appoint arbitrators from other parts of the world, such as Germany or England.

I understand why there is growing interest in closer Nordic collaboration, including Nordic Arbitration Day and a joint Nordic event in connection with IBA in Copenhagen. Backed by a strong arbitration culture, you can attract some of the major international cases that ad hoc arbitration struggles to secure – for instance because you have to negotiate fees directly with the arbitrators yourself. That is not always an easy conversation to have with the person who is going to decide your dispute, at a point in time when there is a degree of dependency in the relationship.”



OLE SPIERMANN,
Partner, Bruun & Hjejle

If I were to Describe Danish Arbitration in One Word, it would be Quality

“Historically, Denmark has seen a shift towards a more international perspective on arbitration, meaning that disputes are today resolved according to norms that differ from those of the national courts. This internationalisation has been driven in particular by the DIA – representing a shift away from ad hoc arbitration – and is evident today in the choice of arbitrators, the organisation of proceedings and the taking of evidence, as well as in the emphasis on efficiency.

The more internationally oriented an institute is in the way it manages cases, the easier it becomes to accept arbitration as a means of dispute resolution, regardless of where in the world the parties come from. This is in addition to a strong culture, good infrastructure and a generally international business environment, all of which can create a competitive advantage over other international providers.

If I were to describe Danish institutional arbitration in one word, it would be quality. If we can promote the Nordic region as a centre for arbitration, we will not only stand stronger internationally but also raise the standard of dispute resolution across the region.”



CHRISTIAN FRIGAST,
Founder of Axcel and Co-initiator of Nordic Compass

A United Nordic Region Lifts Us All

“The Nordic region is home for some of the world’s strongest companies, most responsible investors and a tradition of close political cooperation. Our new association, Nordic Compass, aims to strengthen Nordic competitiveness and, with it, the welfare model that makes the Nordic region unique. Through closer collaboration on industry and investment, we can take on an even greater collective responsibility – together.”

“We have talked about this for thirty years, but it has remained just that – talk. Now we have actually acted on it. Because the Nordic region has something special to offer. Together, we in fact represent the world’s tenth largest economy. It is important to emphasise that we do not see ourselves as an alternative to the EU, but as a strong community in which decision-making processes are less cumbersome. In that way, we can help ensure that promising companies do not quickly find themselves heading across the Atlantic.” ●

THE INDIA-DENMARK ARBITRATION CORRIDOR

In January 2026, India and the EU concluded negotiations on an ambitious and commercially significant free trade agreement, which is the largest concluded by either party. With this as a backdrop, the DIA has entered into a Memorandum of Understanding with Indian parties. The cooperation may play a role in companies' considerations when choosing the seat of arbitration in disputes arising from the growing number of commercial contracts expected between Indian and European companies.

In May 2026, the DIA signed a historic agreement with the Indo Danish Business Council (IDBC) and the Indian organisation Trust Legal. The agreement was subsequently officially released at the Indian Embassy in Denmark.

Following the conclusion of the trade negotiations on 27 January 2026, the President of the European Commission, Ursula von der Leyen, stated that history was now being made as regards the free trade agreement between the two of the world's biggest democracies, India and EU.

President von der Leyen has stated:

"The EU and India make history today, deepening the partnership between the world's biggest democracies. We have created a free trade zone of 2 billion people, with both sides set to gain economically. We have sent a signal to the world that rules-based cooperation still

delivers great outcomes. And, best of all, this is only the start - we will build on this success and grow our relationship to be even stronger."

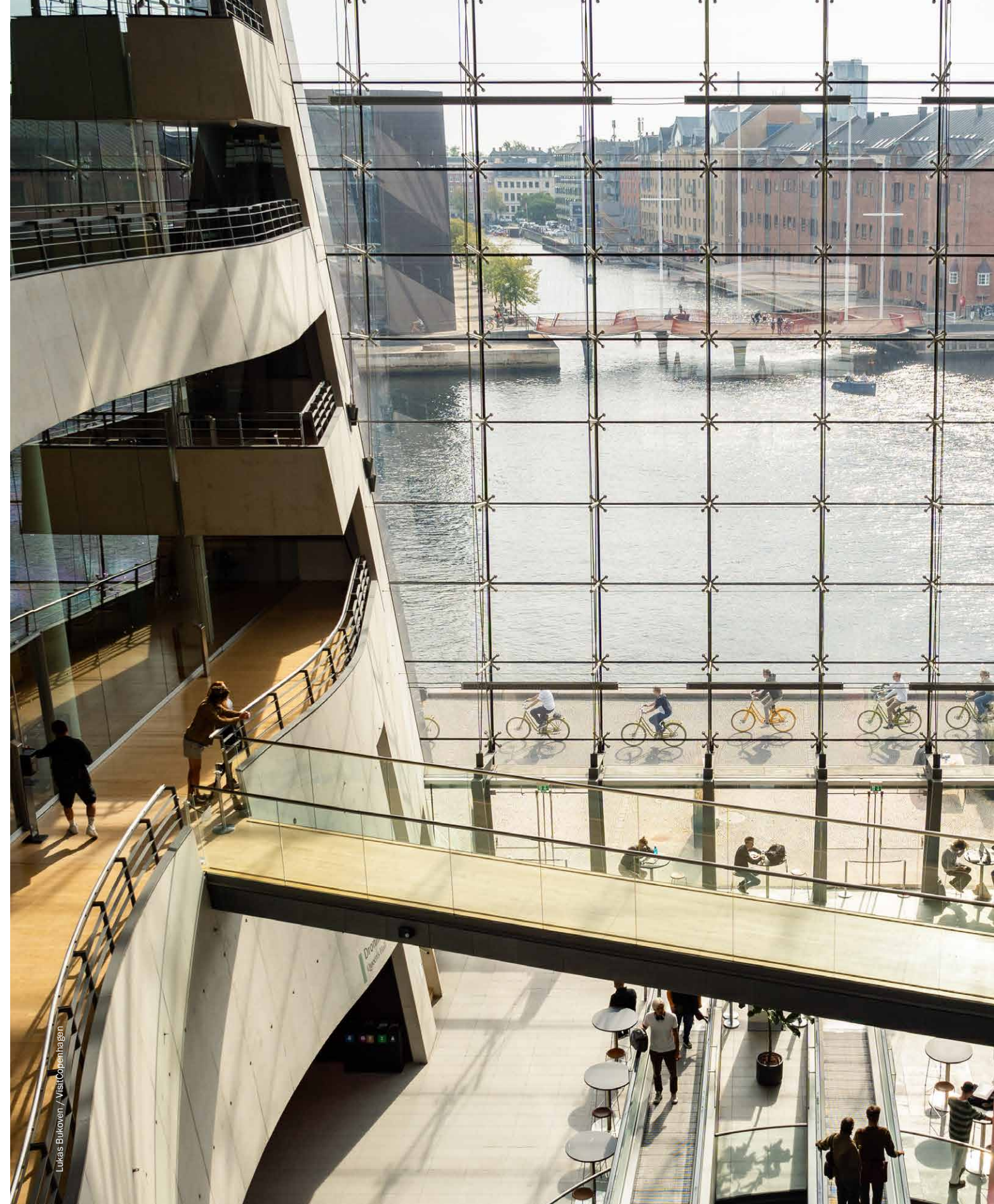
From a Danish perspective, the free trade agreement is enormous. The agreement is expected to double EU goods exports to India by 2032 by eliminating or reducing tariffs in value of 96.6 percent of EU goods exports to India. Moreover, the tariff reductions are expected to generate annual savings of approximately EUR 4 billion in duties on European products.

When the DIA now becomes a piece of the increased trade between India and EU, it assists in building confidence in relation to concrete agreements between Indian and European companies. According to the Confederation of Danish Industry (DI), Denmark hopes that the trade agreement will bring new drive and substance to the Indo-Danish

green partnership.

The DIA is prepared to assist with resolving efficiently and effectively the disputes that may arise owing to the expected increased trade between Indian and European companies. The DIA can provide a safe and neutral haven in connection with disputes.

Disputes that may arise from the significantly increased trade can be resolved neutrally and effectively by the DIA in accordance with the DIA's Rules of arbitration and mediation. The confidence of resolving disputes at the DIA follows from, among other points, that Denmark, like India, are both UNCITRAL Model Law jurisdictions, i.e. both countries have developed their arbitration legislation in accordance with the UNCITRAL Model Law on International Commercial Arbitration. ●



Q&A

AI IN ADR

AI IN ADR

AI is no longer a future and intangible concept. It is already transforming the way we think, work, communicate, and make decisions. But what impact will it have on dispute resolution, and how can practitioners in the field best leverage its potential without compromising fundamental values?

Q&A WITH **NIELS CHR. ELLEGAARD**, PARTNER, PLESNER, PH.D. FELLOW

Where do you see AI being particularly useful for arbitrators?

AI offers assistance to a number of use cases. As an example, arbitrators often deal with very large cases with documents - sometimes running to several thousand pages. AI offers good opportunities for filtering such material, for example by extracting information relevant to support or reject a certain allegation raised by a party.

In general, most AI-tool are reasonably accurate, but the output stability vary significantly. What I always do is test the platform first. I do that by initially using material I already know and the output that I want to see. If I agree with its selection of the output, I have greater confidence that the same can be done with other material, but I also see a need to make repetitions to test stability.

For the arbitrator - or counsel - there is also the possibility of recording a witness statement, for example one given on Teams. AI applications such as Co-Pilot can then help transcribe the statement, giving you a written version

on which AI can be used to filter facts and carry out analyses by asking questions about specific situations.

In a case involving many witness testimonies, an AI-tool, with its greater bandwidth, may be better than humans at identifying patterns and inconsistencies. Once you have the AI-tool's analysis, it is very important to remain critical. AI often understands the context, but not always.

For example, you may want to analyse what one or more witnesses say about a meeting held on 17 January with Mr. Jensen. In this example, it may be difficult for the AI-tool to determine whether the witnesses are referring to the same meeting which took place on 17 January, if the date is not expressly mentioned by the witness but is merely implied. That context is not necessarily something the AI-tool will be able to detect, even though it is often surprisingly good at doing so.

Where should arbitrators exercise particular caution?

Always remember to opt out of *training*

in the settings, so that the AI-tool does not scrape the information you enter.

Unless you are sure that you operate in a closed environment, I would never share confidential or sensitive personal information, whether acting as counsel or as an arbitrator. There is, in principle, a risk that your information may appear in other contexts, even if you have chosen not to allow your content to be scraped.

The risks also lie in the opportunities. So, avoid what I call "lazy lawyer syndrome" and remember that there is a reason why legal decision-making in arbitration falls within the scope of high risk use cases under the EU AI Act.

Where do you see the development heading?

In the short term, we will see the present AI-tools becoming more and more sophisticated - both general purpose and legally oriented AI-systems. Whether acting as an arbitrator or as counsel, I expect to get considerable value from using such AI-tools, for example, to test the strength of my best

arguments and to challenge myself and my own biases. Perhaps the arguments are not as strong as I imagine.

Over time, we will also get AI-tools that allow us to credibly edit documents in dialogue with AI (and this is already possible although the output stability may be questioned). That is exciting, but again, remember: always take a generic approach, so that you do not compromise confidentiality. ●

In connection with Copenhagen Arbitration Days 2026, the DIA launched its Regulatory Guide for Arbitrators on the Use of AI in Arbitration. The purpose of the Guidelines is to provide arbitrators with an introduction to the regulatory framework governing the use of AI in arbitration under the EU AI Act. If an arbitrator uses AI contrary to the EU AI Act this may ultimately provide grounds for challenging the award.



NIELS CHR. ELLEGAARD



VIEW FROM THE BERNHARD GOMARD ROOM
AT THE DIA HEARING CENTRE IN COPENHAGEN



INTERNATIONAL CASES ON THE RISE

The DIA has seen a rise in international cases. The robust figures demonstrate continued confidence in the DIA and its default seat of Copenhagen.

Growing recognition abroad of the DIA's services

The international use of the DIA in 2025 increased compared with the year before. The number of international arbitrations grew 20 percent, and there were more party nationalities. This reflects the growing international recognition of the DIA's services. Services such as modern rules that include the scrutiny of awards, appreciated by parties and arbitrators alike, and a default seat in the jurisdiction of Denmark, which is consistently ranked first globally for the Rule of Law and for lack of corruption.

Higher proportion of three-member tribunals

For reasons that may include the growing internationalisation, the percentage of three-member tribunals grew compared to sole arbitrator cases (42 percent compared to 35 percent). Three-member tribunals are often preferred to provide "checks and balances" in more complex and higher-stakes cases.

Shorter arbitrations ending in awards

Contrary to what may have been expected owing to more international cases and a higher proportion of three-member tribunals, durations decreased by two months. These durations relate to arbitrations that ended with an award. In 2025, international arbitrations ending in an award lasted 15 months and domestic arbitrations ending in an award lasted nine months, as a median.

Increase in gender diverse arbitrator appointments

A greater proportion of arbitrator appointments were of women. 27 percent of all arbitrator appointments were of women, breaking down into 13 percent for party-appointments and 39 percent for DIA-appointments. Compared to the 20 percent, 8 percent and 27 percent respectively last year, efforts to promote gender diversity look to have been recognised. ●

PLUG AND PLAY: THE **DIA** HEARING CENTRE

When parties consider their options for a seat of arbitration, many factors come into play. One consideration is, how it can affect where to conduct the hearing. DIA offers modern facilities designed for privacy, efficiency and ease of use, with comfortable hearing rooms and practical breakout areas.

The DIA hearing centre provides outstanding facilities, including private breakout rooms with some of the best harbour views in Copenhagen, all at competitive rates. The centre is air-conditioned, has lift access and is close to public transport. Convenient parking is also available.

The hearing centre is soundproofed and equipped with user-friendly digital solutions for in-person, hybrid and virtual proceedings. Lunch and other catering can be arranged and served in private breakout rooms, while a dedicated support team is available to assist with practical arrangements before and during the hearing.

The centre is available for all types of meetings, not only those involving arbitration or mediation.

Access to Denmark

Copenhagen Airport offers excellent international connectivity, with direct flights from major cities across Europe and other global destinations, making Copenhagen easy to reach from abroad.

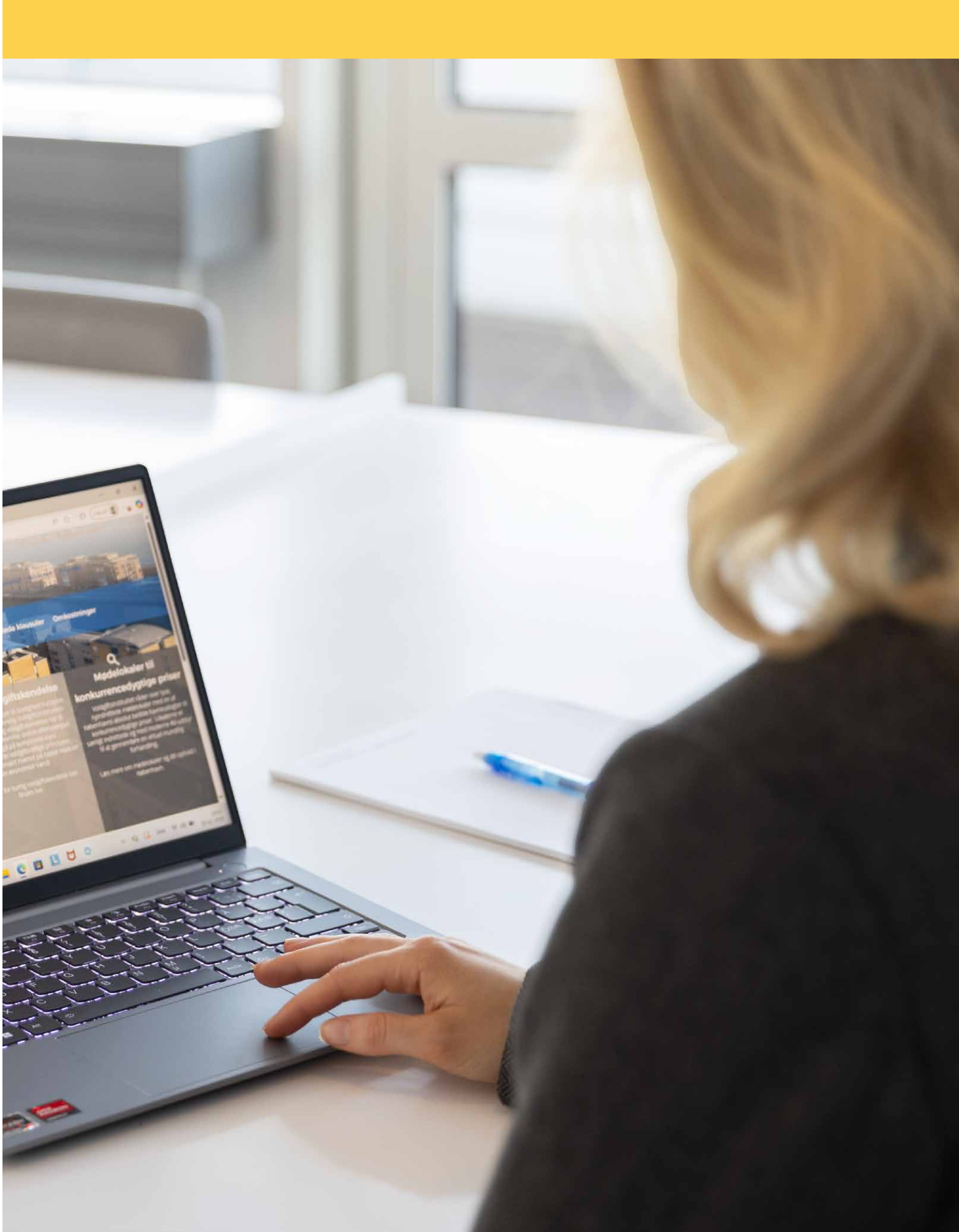
DIA is located approximately 25 minutes by metro from Copenhagen Airport. Taxis are readily available at the airport, are licensed and accept credit cards.

Denmark is a member of the Schengen Area. A Schengen visa or visa-free entry allows access to Denmark for up to 90 days within any 180-day period.

When in Copenhagen ...

As Denmark's capital, Copenhagen offers exceptional architecture, from historic castles to modern landmarks by some of the world's leading architects. Many of the city's best-known attractions are within easy reach of DIA's hearing facilities, including the Little Mermaid, Rosenborg Castle, Christiansborg Palace, the Nyhavn waterfront, Tivoli Gardens, Designmuseum Danmark and the National Museum of Denmark. Visitors can also enjoy a boat tour through the city's waterways.

Copenhagen offers a wide range of experiences and activities. The city is internationally known for its Nordic gastronomy, waterfront setting, intimate streets and distinctive neighbourhoods. ●





A close-up photograph of a person's hand resting on the back of a modern, grey leather office chair. The chair has a silver armrest. In the background, there are more similar chairs and a bright, modern office environment with large windows and a blue patterned wall.

CHOOSING DENMARK AS THE SEAT OF ARBITRATION

In short, Denmark is a leading place to resolve arbitrations, not least owing to its consistent number one in important rankings.

Although top rankings for digitalisation, perceived lack of corruption and the rule of law have growing importance, especially in unstable and unpredictable times, choices regarding the seat of arbitration are not based on rankings alone. Other considerations may include:

Denmark is a UNCITRAL Model Law country

The DIA is internationally oriented with over 40 years' experience.

Danish courts have repeatedly recognised the autonomy of the arbitration system and supported decisions rendered by arbitral tribunals.

Denmark has a large pool of arbitrators and counsel, who are highly experienced and skilled in international cases, many with legal qualifications from abroad.

RECOMMENDED CLAUSES

The DIA provides different recommended clauses. The clauses provide different alternatives for parties wishing to have recourse to either DIA mediation, DIA arbitration or both. See more information on www.danisharbitration.dk

RECOMMENDED ARBITRATION CLAUSE

“Any dispute arising out of or in connection with this contract, including any disputes regarding its existence, validity or termination, shall be finally settled by arbitration administered by the Danish Institute of Arbitration in accordance with the Rules of Arbitration adopted by the Board of the Danish Institute of Arbitration.”

Drafters of arbitration clauses may wish to go into more detail and to take into account the following additions:

“The arbitral tribunal shall be composed of [one arbitrator] [three arbitrators].”

“The place of arbitration shall be [...].”

“The language to be used in the arbitral proceedings shall be [...].”

“This contract shall be governed by the substantive law of [...].”



