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25th Anniversary Jubilee Celebrations Conclude

Jubilee events were organised throughout 2018 as reported in our Newsletters. To honour ArbitralWomen's Jubilee, special celebrations were organised in November 2018 in New York, city of ArbitralWomen's current president Dana MacGrath, and in Paris, the birthplace of ArbitralWomen.

Launch of the ArbitralWomen Diversity Toolkit™

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President's Column

ArbitralWomen is proud of the work that it has done over the past 25 years to promote women and diversity in dispute resolution. We celebrated those achievements and the progress made toward greater diversity in arbitration in connection with our Jubilee events at the end of 2018. (We previously reported on many of ArbitralWomen's achievements and projects in the August 2018 special issue n° 27 of the Newsletter, also [available here on ArbitralWomen's website.](#))

ArbitralWomen is delighted to have celebrated its 25th anniversary in both New York and Paris with its members, colleagues and friends who have supported ArbitralWomen over the years. This special edition of the ArbitralWomen Newsletter is dedicated to memorialising our Jubilee celebrations, and to recognising and thanking all those who made the events possible.

The Jubilee celebrations included the 8 November 2018 "*Diversity Dividend Conference: Moving from Bias to Inclusiveness in International Arbitration*" at the AAA-ICDR in midtown Manhattan. At the close of the conference, ArbitralWomen formally launched the **ArbitralWomen Diversity Toolkit™**, a bespoke diversity training programme created by a team led by ArbitralWomen cofounder, Louise Barrington, Independent Arbitrator and Mediator, ArbitralWomen co-founder. The ArbitralWomen Diversity Toolkit™ was made possible thanks to a generous grant from the **AAA-ICDR Foundation**, for which ArbitralWomen is grateful.

After the conference and reception at the AAA-ICDR, the celebrations continued with a **Jubilee Gala Dinner** to celebrate ArbitralWomen's achievements in the promotion of women and diversity over the last 25 years. **India Johnson**, CEO of the AAA-ICDR, delivered the keynote address. The Gala Dinner on 8 November 2018 also provided the opportunity to celebrate two other special events:

First, ArbitralWomen celebrated the launch of the second edition of the **Women Pioneers in Dispute Resolution**, generously funded by the **Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH**. Guests at the Gala Dinner received this beautiful book in their bags. The book is a tribute to the achievements of the many successful women featured, and an inspiration for younger generations.

Second, we presented the **2018 ArbitralWomen Champion for Change Award to Professor Benjamin G Davis**, a truly honourable man who has supported and promoted ArbitralWomen, as well as women and diversity generally, throughout his professional life and through his activities.

Finally, several ArbitralWomen Board members organised an elegant and festive **25th Anniversary Dinner** held on ArbitralWomen's actual birthday, 22 November 2018, in Paris



at **Le Thoumieux**, the birthplace of ArbitralWomen! The celebratory dinner honoured the birth of our organisation and celebrated how far ArbitralWomen has come in the past 25 years. **Jacomijn van Haersolte-van Hof**, Director General of the London Court of International Arbitration, delivered the keynote address. ArbitralWomen co-founders **Louise Barrington** and **Mirèze Philippe** and ArbitralWomen Vice-President **Asoid García Márquez**. The evening will be fondly remembered as a proud moment for ArbitralWomen with memories to be treasured.

The highlights and details of these events are described below, together with comments from attendees about what the events meant to them, and photos of these special occasions. We hope to have captured much of the magic in the air at these Jubilee events!

This special edition Newsletter was made possible by the tremendous effort by **Mirèze Philippe** with support of **Maria Beatriz Burghetto**, and we thank them for spending most of the 2018 New Year's holiday period memorialising these events and drafting this special edition. We are grateful for your tireless work to record and preserve these special 25th anniversary moments! Thanks also to the many who submitted quotes about what the events meant to you, which we shall see included in this Newsletter.

While this special edition "looks back" at the inspiring Jubilee celebrations of 2018, ArbitralWomen is already moving forward in 2019 with new activities to promote women and diversity – so stay tuned for future reports on what ArbitralWomen and our members are doing! Also, do not forget to visit our website www.arbitralwomen.org regularly for updates on news about diversity initiatives and our members' other activities. Finally, please consider signing up for an ArbitralWomen Diversity Toolkit™ training programme in 2019 – we are excited to share this bespoke diversity training programme with as many organisations and firms as possible! Let's make 2019 a great year!

New year, new look! We are delighted to present to you the new look of the ArbitralWomen Newsletter!

Last year we celebrated the past 25 years of ArbitralWomen and toasted to its future – upward and onward! One of our first steps in 2019 is to modernise the appearance and layout of our Newsletter, having previously modernised our [ArbitralWomen presentation flyer](#).

Dana MacGrath

Dana MacGrath, Partner, Sidley LLP
ArbitralWomen President

Memorable ArbitralWomen Jubilee Celebrations

ArbitralWomen’s origins date back to 22 November 1993, when it was first organised by co-founders **Louise Barrington** and **Mirèze Philippe**. Following an early period of initial gatherings from 1994 to 1999, since 2000 ArbitralWomen has developed into a highly successful network that now includes approximately 1,000 members from all parts of the globe. ArbitralWomen promotes women in dispute resolution through conferences, seminars, other events and social gatherings, mentoring, coaching students to

prepare them for practice moots, and providing funds and coaching to assist women law students participating in moot competitions. ArbitralWomen has led several projects and programmes and has become a leader in the efforts to educate lawyers and clients in recognising and overcoming gender bias in the legal profession. ArbitralWomen cooperates with organisations having similar objectives. Information about ArbitralWomen’s main activities can be found in Newsletter issues n°24 and 27, available on [its website](#).



New York Celebrations on 8 November 2018

To mark the 25th anniversary of ArbitralWomen special celebrations were organised in New York by ArbitralWomen President **Dana MacGrath**, Sidley Austin LLP, **Mirèze Philippe**, ArbitralWomen co-founder, Special Counsel ICC, and **Rekha Rangachari**, Executive Director, New York International Arbitration Centre (NYIAC), ArbitralWomen member. The three organisers were assisted by the members of an extremely helpful organising committee identified below and also the

Equal Representation in Arbitration (ERA) Pledge team from Freshfields, whose contribution to the preparation of the flyers and the conference booklet and event marketing efforts were invaluable. [Click here for event's booklet.](#)

The celebrations were attended by many dispute resolution practitioners from the New York community and abroad, at a full-day diversity conference followed by a Jubilee Gala Dinner on 8 November 2018.

The Diversity Dividend: Moving From Bias to Inclusiveness in International Arbitration



Louise Barrington

contributed to the success of the event.

A room packed with nearly 80 practitioners with diverse profiles participated in discussions on gender, diversity and unconscious bias in a series of panels and breakout sessions.

President **Dana MacGrath**, Sidley Austin LLP, delivered welcome remarks. She thanked all those who contributed to the organisation of the 8 November events, the sponsors, the speakers and all participants.

Then **Louise Barrington**, Independent Arbitrator and Mediator, ArbitralWomen co-founder, introduced the conference topics and observed that diversity will make the quality of arbitration better.

The first panel's topic was titled "Not



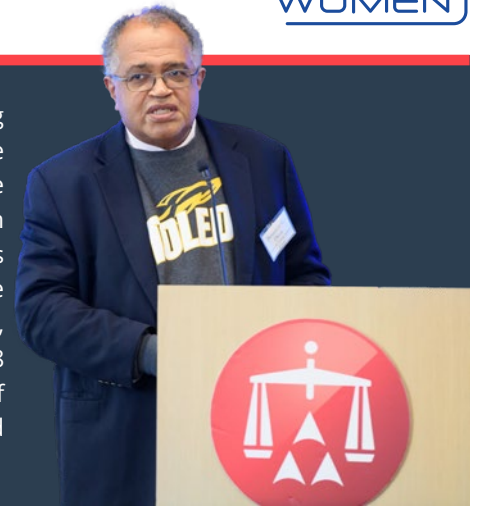
Conference attendants at NYIAC

ArbitralWomen partnered with the New York International Arbitration Centre (NYIAC), American Arbitration Association International Centre for Dispute Resolution (AAA-ICDR) and the Equal Representation in Arbitration

Pledge (ERA) to organise the conference on "Diversity Dividend Conference: Moving from Bias to Inclusiveness in International Arbitration", hosted by AAA-ICDR in midtown Manhattan. ArbitralWomen is grateful to its partners who have

Benjamin G. Davis, Professor of Law, University of Toledo College of Law, Immediate Past Chair ABA Section of Dispute Resolution, shared photos taken by his father during the times of segregation in the US and photos showing various forms of lack of diversity. These photos illustrated snapshots of the difficult road many have travelled. The photos included the meeting of

President Nixon and Martin Luther King in Ghana in 1957, as contrasted with the Gaudet day organised by Davis at the ICC in 1997, where practitioners from various horizons were gathered. Davis discussed the purpose and effect of the international law human rights standard, the ABA Resolution n° 105 August 2018 on diverse neutrals, and the nature of bias, cross-racial, cross-cultural, and cross-gender mentoring myths.



just a Women's Issue – Who is impacted by unconscious bias and how?'

As a warm-up for the day's discussions, the moderator of the panel, ArbitralWomen Board member **Laurence Burger**, Partner, Landolt & Koch, Geneva involved the audience with an Implicit Association Test (IAT) which was amusing and an excellent mind-opener. The IAT demonstrated the implicit association of men with career and women with family.

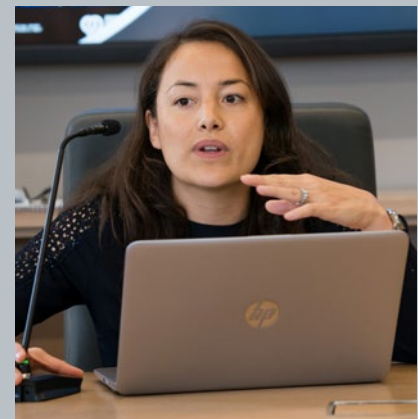
ArbitralWomen Vice-President **Asoid García Márquez**, in-house counsel at UNESCO, presented the most common types of biases and how they impact men and women and negatively affect gender equality and diversity. García Márquez indicated that women in dispute resolution have made strides towards eliminating unconscious bias to break the glass ceiling towards equality, and yet, despite the progress, we are still not yet there. The impact of unconscious bias in international arbitration is not only a women's issue, and it also does not only impact gender equality. Given the international nature and global reach of international arbitration, there is a need to understand that, in this industry, the issue goes beyond ensuring the equal representation of women. In international arbitration, it is of utmost importance to have diverse practitioners and arbitrators with different perspectives, experiences and backgrounds as the users of the system. Unconscious bias in international arbitration affects women and men, and not only concerns gender. It is not about having more women, it is about having the right balance of women and men practitioners at all levels, of diverse backgrounds, ethnic origins and

nationalities. Both men and women have a vested interest in promoting awareness of unconscious bias in international arbitration and how it negatively affects gender equality and diversity.

Rekha Rangachari, Executive Director, NYIAC, involved the audience in defining what in their view constitutes diversity. This interactive brain-storming discussion resulted in an extensive working list as a starting point on how to define diversity beyond the dictionary definition. The list demonstrated how our concept of diversity is constantly evolving.

It covered traditional notions of diversity, such as race, gender, age and religion, as well as less commonly discussed aspects of diversity, such as accent, appearance, marital status, socioeconomic status, community association, disability, scholastic background, culture and professional experience, illustrating how differences of almost any type can result in either the inclusion or exclusion of a person in a given group.

ArbitralWomen co-founder **Mirèze Philippe**, Special Counsel ICC, addressed the issues of how biases invade our lives



Mirèze Philippe, Asoid García Márquez, Laurence Burger and Rekha Rangachari

Catherine Rogers, Professor of Law, Penn State Law, Co-Director of Institute for Regulation and Ethics, Queen Mary, University of London, and Founder & Director of Arbitrator Intelligence, explained the importance of the **Arbitrator Intelligence Questionnaire (AIQ)** and how it can assist in the arbitrators' selection process. She explained that 92% of arbitration practitioners surveyed want more information about newer and more arbitrators, while only 90% of people surveyed worldwide like chocolate! It thus would appear that information

about arbitrators is more popular than chocolate! Rogers introduced the Arbitrator Intelligence's Campaign for Women Arbitrators. Through its AIQ, Arbitrator Intelligence is collecting data about arbitrations in which women sat as arbitrators. Data collected will be used to develop Arbitrator Intelligence Reports on women arbitrators which parties and counsel can use in selecting women arbitrators for future appointments. The AIQ and Arbitrator Intelligence Campaign are available on its website: www.arbitratorintelligence.org.



and decision making processes, why diversity and inclusion matter and how biases can be overcome. Unconscious bias is universal. Human beings feel the need to belong to groups or communities and to be recognised by such groups or communities; anything that does not belong to such communities is naturally and automatically excluded. She explained that the IAT statistics prove

that almost no human being is immune from any bias and that stereotypes are our worst enemies. We do not see our world as it is in reality, we see it the way our society wants us to see it and the way the media tells us to see it. The science on unconscious bias is one of the best things that happened this century and it is not reserved to learned people; anyone can understand the rationale behind the IAT.

Our multitasking can be a handicap if we deal with matters under pressure and tend to choose the easiest way of decision-making, rapidly and routinely, categorising people and situations, without taking the time to analyse and make sure we are making the right decision. She added that diversity is a wealth that we must preserve by all means. Diversity must form part of our business plan and strategy, as it generates significant benefits to the overall performance of any group, thanks to its various perspectives, cultures, backgrounds, experiences and talents. Finally, she gave a few tips to help minimise our biases, and concluded that if we do not decide to address unconscious bias and to change, we will perpetuate unfairness, and our behaviour can generate conflicts.

The second panel on "Creating a New 'Normal' - Recognising and dealing with unconscious bias in ourselves and others" was moderated by **Theo Cheng**, arbitrator and mediator, ADR Office of Theo Cheng.

In his introductory remarks, Cheng noted that unconscious biases are natural neurological phenomena that everyone possesses in varying degrees and forms, and that it is important to continue raising awareness about them and to actively work on measures to counter their impact. He added, "Three extraordinary advocates/arbitrators offered insightful perspectives and anecdotes on how unconscious bias can arise throughout the arbitration process, along with specific strategies and techniques for overriding them."

Mélida Hodgson, Partner, Foley Hoag, and **Noiana Marigo**, Partner,



Noiana Marigo, Theo Cheng and Mélida Hodgson

Freshfields Bruckhaus Deringer, shared their experiences of bias, how they overcame discriminations, and spoke about inclusion programmes put in place in their firms, and the advice they give to young and newcomers, especially those from minorities groups.

Marigo said that they now have a policy in the firm to celebrate successes of women colleagues in order to try to ensure that they are recognised. Hodgson and Marigo provided first-hand accounts of discrimination, and their insights on ways to overcome discrimination were inspirational.

The third panel examined “*What (more) can institutions and organisations do?*” to promote diversity.

Olivier André, Vice President, International Institute for Conflict Prevention & Resolution (CPR), mentioned the various initiatives undertaken by CPR. He indicated that diversity is good for the quality of the decision-making process and for the legitimacy of that process.

Lorraine Brennan, arbitrator and mediator with JAMS, former President of ArbitralWomen, shared her unique experience drawn from three dispute resolution institutions, first the International Chamber of Commerce United States Council for International Business (ICC USCIB), then CPR and finally JAMS. She explained the importance of mentoring, which is time-consuming but rewarding when it results in successful outcomes.

Claudia Martin, co-director of the Academy on Human Rights and Humanitarian Law, American University Washington College of Law, and



Lorraine Brennan, Olivier André, Luiz Martinez and Claudia Martin

Member of the Secretariat of GQUAL, presented GQUAL Global Campaign which seeks to promote gender parity in international tribunals and monitoring bodies (for further information see www.gqualcampaign.org/home).

She explained how institutions’ role can be a significant factor to bring about change. GQUAL militates towards equality where women are underrepresented in international and institutional bodies, primarily at the level of the United Nations, to raise awareness about the role of

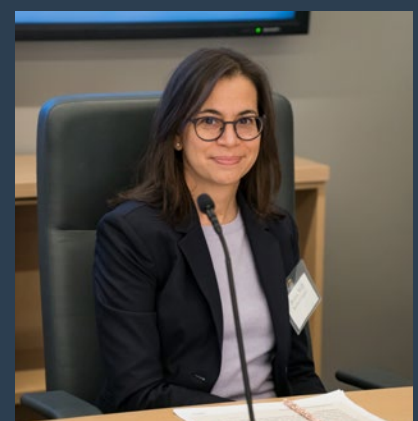
women in society and women’s rights.

Luiz Martinez, Vice President, AAA-ICDR, reminded women to make sure that their CVs are updated and that they should not let the difficulty of finding a CV become a barrier to their potential appointment as arbitrators. He added: “keep thinking about yourself and your promotion, the fellows are doing it, so should you!”.

The last session on “*Improving Diversity and Inclusiveness – What can each of us do?*” was dedicated to workshops

The **Burford Equity Project** was presented by **Aviva Will**, Senior Managing Director, Burford Capital. She observed that from the thousands of requests she has seen over the years, fewer than 10% were for matters run by women, and that in many cases there is not even a woman on the team. One way to help women generate business and retain clients is to support their initiatives by providing them funds. The Equity Project is a

groundbreaking initiative designed to help close the gender gap in law by providing an economic incentive for change through a pool of capital earmarked for financing commercial litigation matters led by women (for further information see <http://www.burfordcapital.com/customers/the-equity-project>). Will explained that Burford wants to incentivise women to step up and generate business, and to incentivise firms, knowing that the capital is there.



ArbitralWomen Diversity Toolkit™

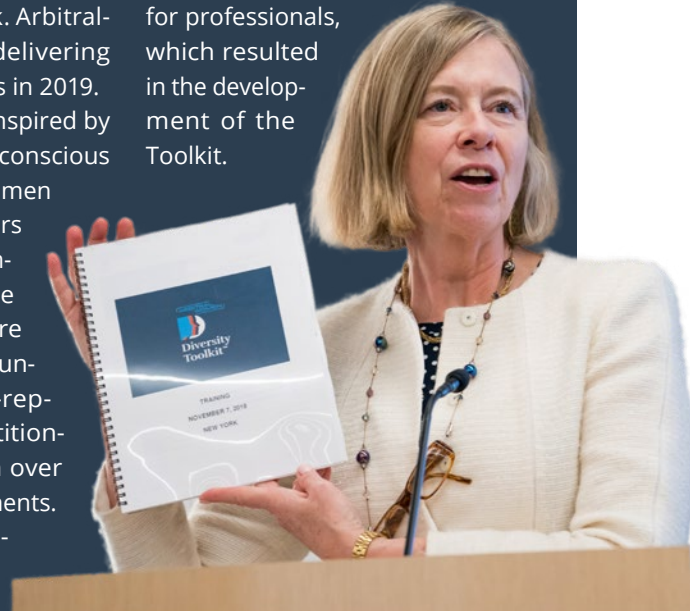


Following the reports from the various brainstorming groups, ArbitralWomen co-founder **Louise Barrington** formally launched the **ArbitralWomen Diversity Toolkit™** (Toolkit). The Toolkit was made possible thanks to a generous grant from the **AAA-ICDR Foundation**. Louise Barrington has led ArbitralWomen's work to develop the Toolkit.

The Toolkit is a bespoke training programme delivered by specially trained instructors, designed to help men and women recognise the role played by our own biases and explore ways to address and overcome bias. The development of the Toolkit is the culmination of years of work. ArbitralWomen looks forward to delivering Toolkit training programmes in 2019.

The Toolkit project was inspired by the numerous panels on unconscious bias organised by ArbitralWomen Board members and members around the world since November 2015, which became one of ArbitralWomen's signature events. Panels dealing with unconscious bias and under-representation of female practitioners have been organised in over 20 countries and on all continents. The success of these discussions led Board members

to deliver interactive presentations with practical exercises to law firms and universities. Questions and comments sparked during ArbitralWomen unconscious bias panels and workshops prompted reflection about the need to provide tools for professionals, which resulted in the development of the Toolkit.



In front, one of the working groups brainstorming on ways to overcome biases. L to R: Olivier André, Niyati Ahuja, Nadia El-Baroudi



Dana MacGrath and Edna Sussman

organised in seven groups that brainstormed about ways to overcome biases. The ideas and views exchanged by the participants were extremely enriching and demonstrated that any person can work towards inclusiveness.

Thereafter, **Edna Sussman**, independent arbitrator and mediator, gave a presentation regarding the AAA-ICDR Foundation, which funded the Toolkit.

At the close of the conference, Mirèze Philippe told the audience that this diversity conference and launch of the Toolkit illustrated the important work that ArbitralWomen does. She encouraged non-members to join ArbitralWomen and reminded members who wish to be active to contribute to the Newsletter, the News webpage and the Kluwer Arbitration Blog with which ArbitralWomen has partnered. She indicated that ArbitralWomen may support events that members wish to organise and projects they wish to undertake, and described the many other benefits of ArbitralWomen membership. She also described the Corporate Membership with discounted rate for firms


that wish to register at least 5 members. She highlighted that ArbitralWomen events are open not only to women members, but also to non-members and men. ArbitralWomen strives as much as possible to ensure that there is an equal gender representation on its panels and that local practitioners are invited to speak in any given country or region.

Before inviting the participants to enjoy the reception, in closing **Dana MacGrath** observed that the ArbitralWomen Diversity Dividend Conference had successfully brought together diversity leaders from many different sectors of dispute resolution to discuss ways to achieve meaningful change.

After the event, she commented: *"It was inspiring to hear from so many seasoned experts. We were fortunate to have incredibly talented and inspiring speakers throughout the day-long programme, and the substantial support of our partners and sponsors. The AAA-ICDR was incredibly supportive and graciously hosted the event at no charge. The input of the amazing ERA Pledge team was invaluable. The positive feedback and thanks from both conference participants and attendees has inspired ArbitralWomen to aim towards organising an annual diversity conference going forward."* She added, *"It was an absolute pleasure to work with Rekha Rangachari as Co-Chair*

of the conference."

Co-Chair **Rekha Rangachari**, Executive Director of NYIAC, remarked: "What ArbitralWomen accomplished in one day was a massive triumph. They took a concept diversity, and approached it from a practical perspective, offering a hands-on, scenario-laden toolkit that speaks to bias and achieving gender parity. Bravo to Dana, Mirèze, Louise, and the ArbitralWomen Board! It was and is my great honour to work with these dynamic innovators."

 [Click here for the photo gallery of the conference.](#)

Impressions of Attendees

Following the conference, we reached out to those who attended for feedback to further memorialise the events. Here is some:

Jeffrey T. Zaino, Vice President, AAA-ICDR, said that *"the AAA-ICDR was honoured to host the 2018 ArbitralWomen Diversity Dividend Conference and be a part of an important milestone year for ArbitralWomen, celebrating 25 years of promoting women in the field of alternative dispute resolution. We at the AAA-ICDR are proud partners and applaud the many efforts of ArbitralWomen, including the successful launch of the ArbitralWomen Diversity Toolkit™, and its leader Dana MacGrath."*

"I was honoured to be part of ArbitralWomen's dialogue about increasing diversity in arbitration; and what resonated so much with me was the focus on the pragmatic and practical steps we can all take to make that a reality," said **Aviva Will**, Senior Managing Director, Burford Capital.

Susan D. Franck, Professor, American University, Washington College of Law, commented, *"I wanted to say thank you for being so welcoming at last week's ArbitralWomen event in New York. I thoroughly enjoyed myself, and I thought the event was fantastic, with amazing discussions and such talents! I anticipate that, as you have convinced me how wonderful the group is, I will be submitting an application to join in the near future. In any event, I wanted to let*



Left to Right: Jeffrey Zaino, Ava Borrasso, Richard Mattiaccio

you know that I was particularly grateful for the Women Pioneers in Dispute Resolution book that you provided in the goody bag".

Olivier André, Senior Vice President, CPR Institute, said *"It was a pleasure and an honour to participate in the ArbitralWomen diversity conference*

and to have the opportunity to discuss additional initiatives that institutions can take to continue promoting diversity in international arbitration. Participating in this excellent full-day conference made me realize the continuing importance of ArbitralWomen's mission. Kudos to

"We at the AAA-ICDR are proud partners and applaud the many efforts of ArbitralWomen, including the successful launch of the ArbitralWomen Diversity Toolkit™, and its leader Dana MacGrath."

— Jeffrey T. Zaino

“... the conference provided a venue to engage with women and men who believe in gender parity in the law, both at the domestic and international level, and who are willing to strive together to raise awareness ...”

— **Claudia Martin**

ArbitralWomen and all its members for the fantastic work they have done over the past 25 years to promote gender diversity in international arbitration!”

Claudia Martin, co-director of the Academy on Human Rights and Humanitarian Law, American University Washington College of Law and Member of the Secretariat of GQUAL, commented: *“Thank you to our colleagues of ArbitralWomen for inviting GQUAL to participate in the Diversity Conference held on 8 November 2018. The conference was an exceptional opportunity for GQUAL to spread the word on the goals of our campaign and share the strategies and activities implemented to achieve them. Also, the conference provided a venue*

to engage with women and men who believe in gender parity in the law, both at the domestic and international level, and who are willing to strive together to raise awareness and take action by putting into practice those beliefs. GQUAL looks forward to a continued collaboration with ArbitralWomen and other sister campaigns to ensure that women are equally represented in all areas of international law. Cooperation is the foundation of our strength and future success!”

“The conference brought together speakers from North America, Latin America and Europe to share experiences, insights and strategies for achieving gender parity”, said **Louise Barrington**, Independent Arbitrator and Mediator, ArbitralWomen

co-founder. *“Not that gender parity is more important than the inclusion of other under-represented groups; but women are visible and countable, we are like the canary in the coalmine. What we do for women will also help people of colour and indigenous persons, those whose religion, physical limitations or sexual preferences set them outside the upper ranks of the arbitration community.”*

“The conference and the gala were a truly inspiring celebration of diversity and inclusiveness. It was a great pleasure to meet the women featured in the second edition of Women Pioneers in Dispute Resolution and to be able to share our pioneering stories not only with each other, but also with younger practitioners. I look forward to what the next 25 years of ArbitralWomen brings!”, said **Noiana Marigo**, Partner, Freshfields Bruckhaus Deringer.

Submitted by Mirèze Philippe, ArbitralWomen co-founder, Special Counsel, Secretariat of ICC International Court of Arbitration



Left photo L to R: Susan Franck, Mirèze Philippe, Louise Barrington, Claudia Martin, Asoid Garcia Marquez. **Right photo L to R:** Olivier André, Mary Concilia Anchang



Left photo L to R: Asoid Garcia Marquez, Louise Barrington, Dana MacGrath. **Right photo L to R:** Rekha Rangachari, Kathy Ibarra; Kathy's contribution to the preparation of the flyers and the conference booklet and event marketing efforts were invaluable



New York Celebrations on 8 November 2018

Gala Dinner: Celebrating 25 Years of Promoting Women And Diversity In International Dispute Resolution

The celebrations then continued

with a Jubilee Gala Dinner at Upper Story by Charlie Palmer, gathering one hundred guests to celebrate ArbitralWomen's achievements for the promotion of women and diversity over the last 25 years. Guests were welcomed with Luke Fleming String Quartet music in a beautiful room overlooking the Manhattan skyline for a pre-dinner reception.

Guests were then invited to take their seats. The formal dinner opened with ArbitralWomen President **Dana MacGrath**, who welcomed the guests and announced the programme of the evening. She thanked the many sponsors of the event, remarking that it was the most highly sponsored event ArbitralWomen has organised to date.

The keynote was delivered



Mirèze Philippe, India Johnson, Dana MacGrath

by **India Johnson**, President and CEO of AAA-ICDR, who observed that we are making steady progress in diversity but are still facing headwinds.

Benno Kimmelman, Partner, Sidley Austin commented "Sidley was honored to be a Jubilee sponsor of the ArbitralWomen events in New York. Congratulations



Thereafter, Mirèze Philippe launched the second edition of the book **Women Pioneers in Dispute Resolution**, generously funded by the **Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH**.

The GIZ had granted funds to develop programmes supporting initiatives by women and in favour of women. The first book about women published by the GIZ in 2013 was titled **Behind the Masks**. It featured anonymous Albanian women wearing Venetian masks and telling their true-life stories. It was later decided to continue featuring women, this time

within a more specific project related to the promotion of alternative dispute settlement.

Mirèze Philippe took this project forward with **Adela Llatja** for the first edition and with **Rezarta Viejaj** for the second edition; both Llatja and Viejaj work with the GIZ.

The main objective of the book is to share success stories of women pioneers in dispute resolution. In addition to being role models, they demonstrate that despite the obstacles female practitioners had to overcome, many women have succeeded and have been recognised by their peers.

This book is a tribute to the women

featured in this book and to all women who militated for women's rights and equal treatment, especially the ones who remained anonymous. It is an inspiration for younger generations.

Philippe then invited those present at the Gala Dinner who are featured in the book to stand up, including **Mary Concilia Anchang, Louise Barrington, Lorraine Brennan, Diana Droulers, Cecilia Flores Rueda, Elena Gutierrez Garcia de Cortazar, India Johnson, Samaa Haridi, Noiana Marigo, Catherine Rogers and Edna Sussman**.

[For further information about the 3 books, click here.](#)



Luke Fleming, Artistic director of the String Quartet Manhattan Chamber Players



L t R: Debi Miller Slate, Louise Barrington, Mirèze Philippe, Bill Slate



Left photo L to R: Nadia El Baroudi Kostrikis, Laurence Burger, Diana Droulers. Right photo L to R: Natalie Reid, Sarah Lee, Deborah Enix-Ross, Donald Francis Donovan (standing)



Left photo L to R: Benno Kimmelman, Susan Franck. Right photo: Dana MacGrath, Mirèze Philippe, Rekha Rangachari, the three organisers of the New York Jubilee Events



Left photo L to R: Benno Kimmelman, Susan Franck. Right photo: Dana MacGrath, Mirèze Philippe, Rekha Rangachari, the three organisers of the New York Jubilee Events



Left photo L to R: Benno Kimmelman, Susan Franck. Right photo: Dana MacGrath, Mirèze Philippe, Rekha Rangachari, the three organisers of the New York Jubilee Events



L to R: ICC Secretariat members, past and present, catching up at the Gala Dinner: Mary-Katherine Wagner, Benjamin Davis & Louise Barrington (former colleagues), Mirèze Philippe, Alexandra Akerly & Camille Ng (in front). Jubilee banner, Board of Sponsors, Board of Organising Committee



L to R: ICC Secretariat members, past and present, catching up at the Gala Dinner: Mary-Katherine Wagner, Benjamin Davis & Louise Barrington (former colleagues), Mirèze Philippe, Alexandra Akerly & Camille Ng (in front). Jubilee banner, Board of Sponsors, Board of Organising Committee

Champion for Change Award



Benjamin Davis and Dana MacGrath

Finally, ArbitralWomen awarded its traditional Champion for Change Award –formerly known as Honourable Man – to **Benjamin Davis**, Professor of Law at the University of Toledo, who has supported and promoted ArbitralWomen and women in general in his professional life and through his activities. See below the speeches of Dana MacGrath and Benjamin Davis.

MacGrath thanked the two first recipients of the Champion for Change Award, who were also

in attendance at the Gala: **Donald Francis Donovan** and **Klaus Reichert**, for their continuous support, as well as additional former award recipients who were not present, including **Mark Kantor**, **Geoffrey M. Beresford Hartwell**, **Arthur Marriott QC †** and **Michael McIlwrath**.

Mark Kantor, arbitrator, ArbitralWomen Champion for Change, who could not be present, sent his greetings and said "Let us all work to make diversity an ordinary circumstance within Arbitral Women's next 25 years."



L to R: Klaus Reichert, Louise Barrington, Donald Francis Donovan, Mirèze Philippe, Benjamin Davis

to everyone who contributed to their outstanding success! Sidley is very proud that Dana MacGrath is President of ArbitralWomen and to be a corporate member of the organisation. Looking forward to further progress for women and diversity in 2019."

At the close of the Gala, guests were handed gift bags that contained a copy of the **Women Pioneers in Dispute Resolution** book, a special issue of ArbitralWomen's Newsletter describing the 25 year history of ArbitralWomen authored by **Mirèze Philippe**, an elegant **MZ Wallace** pouch, ArbitralWomen souvenir coasters and an ArbitralWomen Jubilee tote bag bearing the Jubilee logo.

Recalling the Gala Dinner weeks later, ArbitralWomen President **Dana MacGrath** commented:

"The elegance of the evening was entirely thanks to Rekha Rangachari and Mirèze Philippe. It was truly inspiring to see the international arbitration community come together in New York to celebrate ArbitralWomen's 25th anniversary. I felt so honoured to be part of ArbitralWomen's leadership at this momentous time in its history. It was also amazing to be in the presence of such important leaders of change."

ArbitralWomen co-founder **Louise Barrington** observed:

"The Gala Dinner was a triple celebration – the 25th anniversary of when it all began for ArbitralWomen, the launch of the Toolkit, and the presentation of the Champion for Change Award to Ben Davis. Aside from the fun and celebration, it was an emotional evening for old friends and new to commemorate how far we have come by working together towards our common goal."

Thanks to all who attended and supported these special ArbitralWomen events in New York – it was definitely a highlight of our Jubilee year!



[Click here for the photo gallery of the Gala Dinner.](#)

Submitted by Mirèze Philippe, ArbitralWomen co-founder, Special Counsel, Secretariat of ICC International Court of Arbitration

2018 ArbitralWomen Champion for Change Award

Remarks by Dana MacGrath

It gives me great pleasure to recognise the 2018 ArbitralWomen Champion for Change Award recipient.

First, for those of you unfamiliar with the ArbitralWomen Champion for Change Award, I will provide a brief background.

ArbitralWomen events have been open to both women and men since the beginning of ArbitralWomen. However, ArbitralWomen is an organisation whose membership base consists only of women. There has been a continuing dialogue about how ArbitralWomen can recognise the important contributions made by men in promoting diversity. As today's diversity conference made clear, we all have a role to play in furthering diversity and everyone's contributions are important.

In 2009, ArbitralWomen co-founders Louise Barrington and Mirèze Philippe decided to honour men who were particularly supportive of ArbitralWomen activities and the promotion of women. Initially known as the "Honorable Man Award", since 2017 the Award has been referred to as "Champion for Change Award."

The ArbitralWomen Champion for Change Award is awarded periodically to a man who has distinguished himself as a supporter of diversity and the advancement of women in dispute resolution. It is not awarded every year.

Previous Champions for Change recipients – some of whom I am so pleased to see are with us this evening – include (in chronological order):

- **Donald Donovan** and **Klaus Reichert SC** (in 2010)
- **Mark Kantor** (in 2011)
- **Arthur Marriott QC †** and **Geoffrey Beresford Hartwell** (in 2014)
- **Michael McIlwrath** (in 2017)

I am pleased to share with you that the 2018 ArbitralWomen Champion for Change Award goes to Professor Benjamin G Davis.

Benjamin Davis is Law Professor at the University of Toledo College of Law in Ohio, where he has been tenured since 2008. He obtained his undergraduate degree from Harvard, his law degree from Harvard Law School and an MBA from Harvard Business School.

He teaches in the areas of Contracts, Alternative Dispute Resolution, Arbitration, Public International

Law, International Business Transactions, and Bar Exam Preparation. He has held many leadership positions, including Chair of the American Bar Association (ABA) Section of Dispute Resolution, a member of the Africa Council of the ABA Rule of Law Initiative, a Board Member of the Society of American Law Teachers and a Member of the ABA Standing Committee on Law and National Security. Davis is a founder of Advocates for U.S. Torture Prosecutions. He led the preparation of shadow reports to the United Nations human rights bodies for the periodic review of U.S. compliance with its obligations under human rights treaties. He oversees the Guantanamo Bay Human Rights Observer for Military Commissions programme at the College of Law.

Davis has a long history of promoting women and diversity. As Counsel at the International Court of Arbitration of the International Chamber of Commerce (ICC), he supported female colleagues by contributing to their promotion, proposing that female staff join working groups, and contributing to the promotion of his then female deputy counsel to the position of counsel.

In his position as the ICC Director of Conference Programmes and Manager of the Institute of World Business Law, Davis invited female colleagues from the Secretariat of the Court and in the wider legal community to speak at conferences and workshops.

In 2006, he led the successful effort at the American Society of International Law (ASIL) to pass the 8th resolution in its history entitled the ASIL Centennial Resolution on Laws of War and Detainee Treatment.

For many years, Davis was the liaison of the ABA Section of Dispute Resolution to the ABA Council for Racial and Ethnic Diversity in the Educational Pipeline. In his various roles with the ABA, he has led programmes to address issues related to gender, diversity and discrimination and has encouraged greater participation of women, minorities, lawyers with disabilities, and LGBT lawyers in the ABA's work. He has published many articles on diversity in alternative dispute resolution.

Davis has consistently supported and promoted ArbitralWomen and its members in the dispute resolution community. We are grateful to Davis for his work to promote diversity and long-time support ArbitralWomen and its members.

It is an honour to award the ArbitralWomen Champion for Change Award to Ben Davis.

2018 ArbitralWomen Champion for Change Award

Benjamin G. Davis Acceptance Speech

Being in New York City for the 25th Jubilee

Year Conference and Gala of ArbitralWomen taught me so much. Seeing all of these wonderful women from around the world sharing the passion for international arbitration really struck me as to how much things have changed since 1986 when I first entered the field. Catching up with people I had not seen in 15-20 years and seeing how they have blossomed like Mary Anchang and Nancy Thevenin was such a joy. Seeing what Louise Barrington and Mirèze Philippe had conceived of blossoming into a network of over 1000 members in 40 countries 25 years later is a testament to these founders' joint forward vision in this world.

Each of the persons I saw at the Conference and Gala dream of what they wish to become. Sometimes it is possible to wonder whether one should dare to dream of reaching the highest levels of a field like international commercial arbitration – a long and steep climb. Might I suggest that people take heart from a statement of Martin Luther King, Jr. that I only recently heard for the first time (one would think that one would have heard everything available years ago – but that is not true). He is quoted in an interview as saying about the civil rights struggles that 'one not only has the right to be free', but 'one has the DUTY to be free'.

Adapting that idea to the dream of being in the top echelons of international arbitration, I hope that each of the persons in ArbitralWomen will remember that they not only have the right to have such great dreams, but the DUTY to have such great dreams and make them come to pass. While recognising all the hard work it takes to be at the top of the field means none of this path will be easy, it is nevertheless important not to limit one's vision of the possible to only what you see. Dream of places you have not seen people like you acting and imagine yourself in those roles.

It is important also, as I say to my students, to not let oneself be intimidated. There are many persons along the way who may make one feel that one is inadequate or unprepared. I have never held a job where there were no naysayers on my intellect and ability. But, one must not let the naysayers get into your spirit to the point where one does not dream and work toward big things.

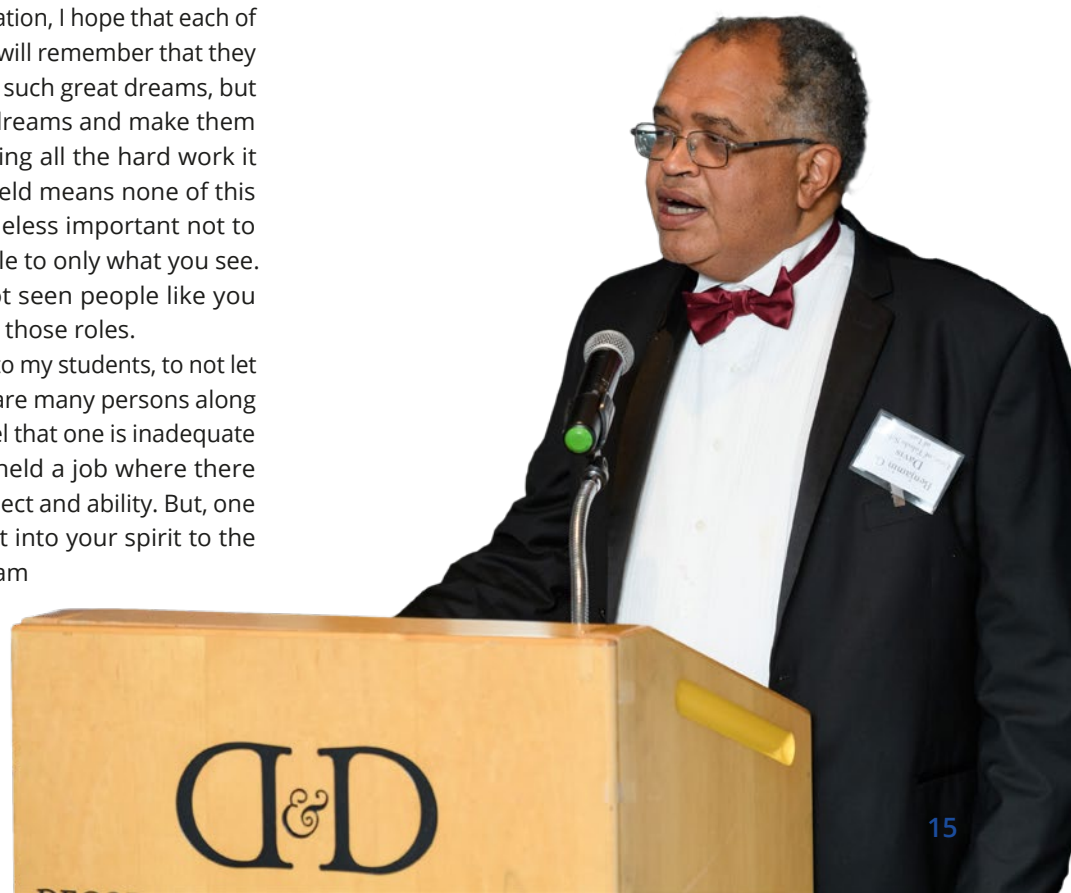
There are important gifts each of us brings to this world, and to not share those gifts because one is made timid is a loss for the person and a loss for world society as a whole. At least, that is what I have come to believe.

Finally, whatever your age, time is passing. 1986 to 2018 has passed like a blink of an eye. Go toward that place and do that thing that one wants to do. Be insistent without being obnoxious. Be confident without being arrogant. Make one's way on the path even if it is rocky at times. It seems that for some reason as time goes on, the meaning of all things is revealed to each of us.

What a wonderful occasion we had in New York! And what wonderful things will be done by these ArbitralWomen for years to come! Thank you for the kindnesses shown me and for the honour bestowed for my modest efforts on diversity. I am deeply moved by the confidence you have shown. Let me end by thanking my wife, Odette Lagacé, for all the support she has given, as well as that of our children Anne-Laure, Daniel, and Lana.

Stay strong! Keep on keeping on!

[\(See web story published on 26 November 2018 on the University of Toledo College of Law website\)](#)



Book Review of the Second Edition of Women Pioneers in Dispute Resolution

It was a typical Monday mid-morning when I attended my first meeting to discuss this book. With the mammoth task of making relevant edits and proofreading, I decided to include it on my to-do list right after “get coffee”. If memory serves me well, I was filled with anticipation from the minute I laid my eyes on the book’s Table of Contents. Undoubtedly, it entailed a rich and diverse list of women!

The book is a tribute to women who have succeeded in this competitive industry. Additionally, it sets a stage where upcoming women in the field can be celebrated as well as the global progress towards gender diversity and equality. This 2nd Edition draws inspiration from two previous books that were also published by GIZ, i.e Behind the Masks and the first edition of Women Pioneers in Dispute Resolution. For this reason, I prefer to begin with a review of the first two books that inspired the spirit and letter of the 2018 Edition.

Behind the Masks, being the first book, was published in 2013. It was sponsored and published with the support of the GIZ and United Nations–UN Women organisation. It centered around the theme of ‘Compromise’ with regards to the then political situation that determined whether Albania would attain official candidate status for accession to the EU. Most importantly, the book recognised that women were greatly affected by the trickle-down effect of the political tides. The book aimed at giving women a voice to express their daily struggles, hopes and fears. Subsequently, 34 Albanian Women from various backgrounds and walks of life were featured.

Each of their stories is accompanied with a special element: a photograph of each woman in a white Venetian mask. In my opinion, the mask is not only symbolic but also allows the reader to connect to the story-teller only through their eyes. It is said that the eyes are the windows to the soul. This

is a saying which I believe rings true as you absorb the weight of each woman’s real-life experiences. Immense feminine strength is illustrated by their resolve to safeguard their families’ well-being while performing outstandingly either at work or studies.

It also features heart-wrenching contributions of women who have overcome the trauma caused by years of physical violence and emotional abuse. It is deeply moving to imagine the selflessness of the resilient survivors who have harnessed their inner power and used their stories to advocate for communication and understanding for the common good of society.

The first edition of *Women Pioneers in Dispute Resolution* was propelled by the success of the *Mask* book. The 2015 edition was once again funded by GIZ in collaboration with ArbitralWomen. Although it only featured 25 pioneers, the theme of gender equality and diversity strongly featured and set a solid foundation for the conception of the second edition.

From my perspective, the second edition is a bigger, bolder and louder version of the book. First, it entails contributions from 78 women who represent every continent. It is bolder through the personal quotes of each contributor. Above all, it is louder thanks to the fact that its release is aligned right in time for commemoration of ArbitralWomen’s 25th Anniversary.

I was particularly inspired by a contribution that featured **Judith Kaye**. Judith Kaye’s contribution is a posthumous award that celebrates her warmth, humour and most importantly her impact in the world of international arbitration. Kaye is described as a ‘towering figure who left an indelible imprint on the New York Courts and on New York Society’. The contributor of Kaye’s story, **Edna Sussman**, through her eyes and words gives us a unique sense of who Kaye was. Sussman considered

the retired judge a staunch defender of equality. She also remembers her as a visionary who championed for the implementation of mediation with the court systems.

In my opinion, the crown of Kaye’s story was the inclusion of an excerpt from one of her articles titled ‘Déjà vu: A personal Reflection on Women in International Arbitration’ (published in the *New York Dispute Resolution Lawyer*, Vol. 5, N° 1, Spring 2012). The article takes us back to the 1960s where Kaye was one of ten women in a class of 300 law students. As she narrated her route to success, it now stands out for me that she did more than take note of women’s progress. She was optimistic that the road ahead is more promising!

I drew a few lessons from the stories, namely, that there are other important goals in life that also demand great devotion to succeed, some women pride themselves in their role as mother and wife; and that diversity builds strength. Our diversity as women is in our ability to wear many hats; as women, wives, mentors, mothers and lawyers (for some). One of the contributors credits this as essential to building strength of character, true passion, perseverance and capacity.

In a nutshell, I describe this book in three words... ‘Rich’, ‘Diverse’ and ‘Inspirational’. This book far exceeds the purpose for which it was intended. It does this by dispelling the misconception that women are always against fellow women. On the contrary, women have managed to break glass ceilings and will continue to scale greater heights through the support and encouragement of other women.

The three books are available in digital format and can be downloaded from ArbitralWomen website ([click here](#)).

Assunta Ndami, text editor of the 2nd Edition. A Certified Mediator and Advocate of the High Court of Kenya.

ArbitralWomen's Gratitude to all Sponsors' Invaluable Support

ArbitralWomen is grateful for its sponsors' invaluable support past and present, which continues to help us organise events and undertake some of our more ambitious projects. We would like to convey our gratitude to all sponsors who contributed to the success of ArbitralWomen

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ArbitralWomen Diversity Dividend Conference & Gala Dinner
8 November 2018, New York



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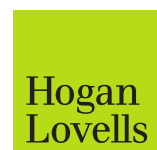
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ArbitralWomen's Gratitude to the Organising Committee

ArbitralWomen extends special thanks to all who contributed to the organisation of the New York celebrations on 8 November 2018. We are grateful to ArbitralWomen Board Member and Treasurer **Juliette Fortin**, who handled all aspects of the finances for the 8 November 2018 events, ArbitralWomen Board Member **Laurence Burger**, who coordinated the sponsorship issues, **Donna Ross** who assisted with the creation of the event webpage and promoting our sponsors, **Pak Suen**, ArbitralWomen's administrator, whose

assistance with the registration details for the conference and the Gala Dinner was invaluable, and **Diego Souza Mello**, ArbitralWomen's website administrator who worked behind-the-scenes in many ways supporting the events webpage and ArbitralWomen news alerts regarding the events.

Our very special thanks to **Kathy Ibarra**, Frenshfields, and **the ERA Pledge design team**, who tirelessly worked with us behind-the-scenes to prepare the flyers and the event booklet distributed at the conference and the Jubilee Gala Dinner.

ArbitralWomen Diversity Dividend Conference & Gala Dinner
8 November 2018, New York



Co-Chairs

Dana MacGrath
ArbitralWomen President
Sidley Austin LLP

Rekha Rangachari
New York International Arbitration
Center (NYIAC)

Organising Committee

Ulyana Bardyn
Louise Barrington
Elizabeth (Liz) Bigham
Lorraine Brennan
Laurence Burger
Eva Chan
Juliette Fortin

Katherine (Kathy) Ibarra
Floriane Lavaud
Guadalupe (Lupe) López
Mirèze Philippe
Donna Ross
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Luke Fleming
Artistic director of the Manhattan Chamber Players

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Deutsche Gesellschaft für Interna-
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Book on Women Pioneers in Dispute
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Rekha Rangachari
Gala Dinner Gifts

Gala Gifts Bags

ArbitralWomen Totes, Coasters, Newsletter and Conference booklet
Women Pioneers in Dispute Resolution book published by **Deutsche
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Paris Celebrations on 22 November 2018

After the celebrations in New

York, ArbitralWomen celebrated its Jubilee in Paris on the actual 25th birthday of the nascence of ArbitralWomen (22 November 1993) at restaurant le Thoumieux where it all began! The festive dinner honoured the original launch of the ArbitralWomen initiative to promote women in dispute resolution, and how far it has come in the past 25 years.

"Valentine Chessa, Board member, Castaldi Partners, Juliette Fortin, ArbitralWomen Treasurer, FTI, Asoid Garcia Marquez, ArbitralWomen Vice President, in-house counsel at UNESCO, Elena Gutierrez Garcia de Cortazar, Board member, arbitrator, have organised a festive celebration that all guests enjoyed", said Mirèze Philippe. It was a memorable night to celebrate the 25 years. The guests present in this charming restaurant were impressed by the warm and friendly atmosphere. *"We can be proud of both celebrations, in New York and in Paris",* added Mirèze. United



L to R: Mirèze Philippe, Asoid Garcia Marquez, Valentine Chessa (standing), Juliette Fortin, Diana Paraguacuto-Mahéo, Elena Gutierrez (sitting)

actions are always successful and as Louise Barrington said: *"gathering several generations is by itself an achievement"*.

More than eighty ArbitralWomen members, colleagues and friends attended, some of whom flew from as far as Albania, Canada, Finland, Germany, Lebanon, Nigeria, Switzerland, United Kingdom and United States to take part

in this magical evening.

Some of the 60 original members present at the first dinner on 22 November 1993 joined the party, including: **Geneviève Augendre, Laurence Mitrovic, Jacomijn van Haersolte-van Hof**, and of course ArbitralWomen co-founders **Louise Barrington** and **Mirèze Philippe**.

Asoid Garcia Marquez, ArbitralWomen Vice President, **Louise Barrington**, **Mirèze Philippe**, co-founders, and **Rezarta Viejaz** made brief

remarks. Garcia Marquez gave a short retrospective speech on the successful 25 years of ArbitralWomen.

Barrington recalled the first dinner,

held at the same restaurant with 60 women who wanted to advance their careers in international arbitration. It was a novel idea then, as no one had ever noticed or cared that there were only a handful of women involved among scores of established males. The energy of that first night was inspiring, and from it, thanks to the quiet dedication and persistence of Philippe, lines of communication and cooperation opened, and in 2005 ArbitralWomen was legally established. Even then, many people criticized or demeaned the idea and some women were hesitant to join an "activist" group, but today we have become an established and rapidly growing movement.

For Philippe and me personally,



L to R: Jacomijn van Haersolte-van Hof, Louise Barrington, Mirèze Philippe



Some board members present, from L to R: Alison Pearsall, Vanina Sucharitkul, Elena Gutierrez, Alexandra Johnson, Maria Beatriz Burghetto, Louise Barrington, Mirèze Philippe, Asoid Garcia Marquez, Valentine Chessa, Juliette Fortin

said Barrington, it was an evening of high emotion as we remembered the effervescence of that first evening at Thoumieux. Twenty-five years later, we were so excited to be meeting up with others who were there to channel that energy, and who have made such progress in their arbitration careers. Hundreds of hugs were exchanged over the course of that evening, acknowledging the efforts of our sisters around the world in creating a new perspective on and for women in dispute resolution.

Veizaj who came especially from Albania for this celebration spoke about the cooperation between AW and GIZ.

Philippe presented the second edition of the *Women Pioneers in Dispute Resolution* already presented in New York. As in New York, she invited women pioneers featured in the book and present at the dinner to stand up. These were **Geneviève Augendre, Louise Barrington, Nayla Comair-Obeid, Renate Dendorfer-Ditges, Elena Gutierrez Garcia de Cortazar, Christine Lecuyer-Thieffry, Heidi Merikalla-Teir, Brigitte Stern, and Jacomijn van Haersolte-van Hof.**

Philippe then welcomed the keynote speaker, van Haersolte-van Hof, Director General of the London Court of International Arbitration. Philippe

said that van Haersolte-van Hof, has been an ambassador of diversity for quite a while, promoting diversity on the many panels on which she speaks. *"We were particularly delighted to have van Haersolte-van Hof with us, not only because she is a diversity ambassador, but also because she was one of the 60 originals who gathered with us, in this very same restaurant on 22 November 1993, 25 years ago"* Philippe said.

Before giving the floor to van Haersolte-van Hof, Philippe recounted the relation between ArbitralWomen and the Equal Representation in Arbitration Pledge. She noted that she and Dominique Brown-Berset, ArbitralWomen President at that time, who was unfortunately not available to join this celebration, announced in ArbitralWomen Newsletter of April 2013, that ArbitralWomen intended to launch an inclusiveness programme and for gathering hard data from major organisations on

appointments of female arbitrators. *"We have not had the opportunity to work on that project on time because of the many ongoing projects. Luckily, van Haersolte-van Hof, was inspired by a similar idea – that apparently others also had – which she suggested at ICCA Miami in 2014. Sylvia Noury picked up on that idea and launched the Equal Representation in Arbitration Pledge campaign in 2015. Van Haersolte-van Hof, then co-launched the Pledge with Sylvia Noury and is on the Pledge Steering Committee. ArbitralWomen immediately supported the Pledge because it shares the same objective: the promotion of women and offering women equal opportunities"* Philippe added. She told the guests that if they had not yet taken the Pledge, they should really do so.

Van Haersolte-van Hof, then delivered inspirational remarks (see speech below) about the achievements of ArbitralWomen, the Pledge and other initiatives such as the Burford Equity Project. She said that of course Barrington and Philippe launched ArbitralWomen, but what is quite interesting is to see how that in turn has been the catalyst for other efforts.

"I was delighted to attend the ArbitralWomen 25th anniversary dinner in Paris. What a lovely evening we had! The success of the event demonstrates the importance of ArbitralWomen's work and the impact of initiatives such as the book "Women Pioneers in Dispute Resolution" as well as the significant support and promotion it undertook for the Equal Representation in Arbitration Pledge all of which contribute to changing mindsets in dispute resolution. It is important that the under-representation of women on arbitral tribunals and in other key positions in dispute resolution be made visible and recognized. There are so many talented women who should be afforded an opportunity to show their expertise in the field of arbitration, on an equal opportunity basis. The ongoing

The ongoing discussion and efforts to increase the fair representation of women, and diversity in all its forms, benefits the whole arbitration community and especially arbitration end users.

— Heidi Merikalla-Teir

discussion and efforts to increase the fair representation of women, and diversity in all its forms, benefits the whole arbitration community and especially arbitration end users. Dispute resolution is a service that should reflect the changes in society, including diversity considerations. Moreover, as the skillset required from dispute resolution lawyers is becoming more diversified, we need to actively rethink how to meet the end users' needs in the future" observed Heidi Merikalla-Teir, Secretary General, Arbitration Institute of the Finland Chamber of Commerce.

"It was indeed a very emotional dinner, that congregated more than 80 attendees from more than 20 countries, among them, true pioneers like Brigitte Stern (who told me last week she uses her 25th anniversary mug for her daily coffee), or our guest speaker, Jacomijn van Haersolte-van Hof. Attendees were not focused on the French arbitration community, but rather the international arbitration community. And this is what makes ArbitralWomen global", said Elena Gutierrez.

"Such a splendid evening, with many original attendees of the first women's dinner on 22 November 1993 at Thoumieux, the very same place where it all began. Celebrating with those we have worked with over the decades – especially Mirèze of course! – and the younger generations of women who are here to take their rightful places; and the wonderful men who have supported us all these years. Remembering the struggles, the mockery, the support and the thrills at seeing progress. For me it was a touching, gratifying and unforgettable night. I congratulate and thank Asoid, Marily, Juliette, Elena and Valentine, talented and beautiful young ArbitralWomen who put it all together in record time", said Louise Barrington.

"I can hardly realize that 25 years have passed since Louise and I started this crazy project that required to be daring and perseverant", said Mirèze Philippe. "I have dedicated my nights, week-ends, holidays to



Some of the guests present at the dinner

build and bring ArbitralWomen forward, but I never thought about that, I just invested the time necessary to create the website, the Newsletter, the policies, the marketing, the emails to the members to keep the network live, the events, the women pioneers book and many other projects. Seeing the worldwide success of our organisation is rewarding. It has always been a labour of love, and I am happy to observe that things have tremendously changed in the last decades, even if there remains a lot to do and the change has been extremely slow, but the many initiatives have speeded up the process in the recent years. I was honoured to work with amazing women, first my co-founder Louise Barrington, and all Presidents who succeeded us, namely Lorraine Brennan, Dominique Brown-Berset and Rashda Rana, as well as all Board members (see AW [Newsletter issue 24 for details](#)) and ArbitralWomen members in general. I am also honoured to keep cooperating with amazing women at ArbitralWomen but also the ERA Pledge Steering Committee, GQUAL and

with many other role models in dispute resolution. It is wonderful to see that ArbitralWomen has grown in a huge variety of profiles and generations from all regions. I look forward to the many other successful years and to the day where gender equality will be achieved and talented women will be given the right place in all fields and all areas of the world."

We also had the pleasure to have ArbitralWomen administrator, Ms Pak Suen, present at the celebration and meeting all those with whom she corresponds by email. We thank her for her invaluable assistance over the many years. Thanks to her we were also able to have many photos.

Guests were handed gift bags that contained a copy the **Women Pioneers in Dispute Resolution** book, a special issue of ArbitralWomen's Newsletter describing the 25-year history of ArbitralWomen authored by Mirèze Philippe, ArbitralWomen souvenir coasters and an ArbitralWomen mug with the Jubilee logo designed and organised by ArbitralWomen Board Member and Social Media Director Elena Gutierrez.



Jubilee Mug and Bag

Submitted by Mirèze Philippe, ArbitralWomen co-founder, Special Counsel, Secretariat of ICC International Court of Arbitration

Impressions of Attendees

“I had goose pimples seeing with my own eyes the growth and success of Arbitral Women. Nothing made me happier than to see the number and diversity of our members and the distance everyone had come to celebrate our success and future.”

— Shared by Salli Swartz, Partner, Artus Wise

“It was lovely being at the ArbitralWomen Dinner in Paris, which I thought was a brilliant event. I left in awe of all the inspiring women you invited to speak and participate in the publication – so hats off to all the organisers, and a heartfelt thanks for offering us young attorneys this unique opportunity to share our experiences with so many other talented women in the community.”

— Shared by Saadia Bhatti, Counsel, Gide Loyrette Nouel

“Many years ago, I recall a female partner at a leading law firm (then quite a rare beast) calling out the world of arbitration as “male, stale and pale”. It no longer is and it was a pleasure and honour to be one of the few men present at dinner to celebrate 25 years of ArbitralWomen in the place that it all started. The prominence in the arbitral community of many of the women present at dinner and featured in the Women Pioneers in Dispute Resolution book are testimony to the success of the movement.”

— Shared by Andrew Flower, Managing Director, Alvarez & Marsal France

“I had the great pleasure of attending the Paris 25th Anniversary Dinner at Le Thoumieux Restaurant, the same place where 60 women met 25 years ago and where everything started. The evening served to truly commemorate the strength and sheer scale of what ArbitralWomen has accomplished

in the past 25 years, with speeches from founding board members Mirèze Philippe and Louise Barrington, and from Asoid Garcia Marquez. With attendees hailing from all corners of Europe, the Middle East, Africa, and Asia, it was a microcosm of what ArbitralWomen has become: a global network of highly accomplished female professionals that are fully committed to making their profession more representative of the composition of the world. This was particularly exemplified at the table which I was lucky to sit at. I was accompanied by a construction arbitration lawyer from London (Joanne Clarke, Counsel at Corbett & Co International Construction Lawyers), an institution director from Finland (Heidi Merikalla-Teir, the Director of the Finland Chamber of Commerce and the Secretary General of the Finland Arbitration Institute), an arbitrator and ArbitralWomen Board member based in Bangkok (Vanina Sucharitkul), an engineering expert witness (Sandrine Coste, Partner at LYNKEA), and a fellow associate in international arbitration (Marie-Claire Da Silva Rosa, Associate at DWF France). (see photo on next page).

“When Jacomijn van Haersolte-van Hof gave her keynote remarks, I could not help but see the resonance between her words about the challenges of striving for further diversity, beyond increased female representation, and the strides that ArbitralWomen has already accomplished towards ensuring greater representation of women from all parts of the world. Just having a look at the Second Edition of the Women Pioneers in Dispute Resolution book featured at the dinner and generously provided to each attendee is proof enough of that fact. As we toasted to another 25 years, I imagined what the room might look like as we further strive towards greater representativeness.”

— Shared by Cherine Foty, Associate, Jones Day



L to R: Saadia Bhatti, Monica Fonseca, Brigitte Stern



Andrew Flower and Marlena Harutyunyan

“I was very happy indeed to be able to attend the Paris evening and to see some old friends and to meet some new ones. It was wonderful to meet such inspiring people and to see so many women professionals in one room together (not something you see every day!). I was struck by the warmth and friendliness of everyone I talked to and came away feeling inspired and renewed by the amazing people I had met. Thank you so much for all your amazing work in making this happen.”

— Shared by Joanne Clarke, Corbett & Co


“What a night!! The warmth, friendship, collegiality, gratitude, pride and determination that filled Thoumieux Restaurant in Paris on 22 November 2018 for the ArbitralWomen 25 Jubilee Dinner was truly wonderful. The women present were at a wide range of stages of their careers, sharing feelings of accomplishment – as ArbitralWomen has accomplish so much; feelings of gratitude for the vision, determination and endless hard work of Louise, Mirèze and many others; and feelings of hope and determination for the progress to be achieved in the coming months and years towards equality in arbitration. One can only imagine what the 60 women who gathered together at Thoumieux 25 years ago were thinking and feeling during the evening when ArbitralWomen began ... and what they were thinking and feeling 25 years later. For the women and men in the room who joined in the special celebratory dinner, it was a wonderful opportunity to support and recognise the important work of ArbitralWomen; increase our insights into both the challenges overcome and the challenges that lie ahead; be inspired by the words spoken by Van Haersolte-van Hof, Louise, Mirèze and Asoid; catch up with friends and colleagues and meet new ones; and share in this significant milestone for arbitration.”

— Shared by Barry Leon,
Independent Arbitrator and Mediator

“What a joyful and meaningful celebration for ArbitralWomen’s 25th anniversary, involving both men and women from all over the globe! I was not born a feminist. I was not raised a feminist. But I became one as soon as I realised that men and women are not given equal opportunities to succeed in the workplace. It took several years for me to become aware of this, and a couple more before I decided to do something about it, by creating a women’s network at my previous law firm. Well done to ArbitralWomen for understanding that improving gender diversity is not a women-only issue: men are our best allies in overcoming gender bias!”

— Shared by Shaparak Saleh, Partner, Teynier Pic

The New York and Paris events were reported by GAR on 10 December 2018 ([click here to see report](#)).

 [Click here for the photo gallery of the Paris Dinner.](#)

Submitted by Mirèze Philippe, ArbitralWomen co-founder, Special Counsel, Secretariat of ICC International Court of Arbitration



L to R: Vanina Sucharitkul, Joanne Clarke, Heidi Merikalla-Teir, Marie-Claire Da Silva Rosa, Sandrine Coste, Cherine Foty



L to R: Barry Leon, Louise Barrington, José Feris



L to R: Mirèze Philippe, Asoid Garcia Marquez, Shaparak Saleh, Laurie Ahtouk-Spivak



Assunta Ndami

Jacomijn van Haersolte-van Hof Keynote at ArbitralWomen Anniversary Dinner in Paris on 22 November 2018

It has been a pleasure, in preparing to address a few words to you this evening, to cast my mind back to our inaugural event in 1993 and to consider the achievements of ArbitralWomen and other organisations inspired by ArbitralWomen over the course of the last 25 years, all against a backdrop of momentous cultural, political and societal change.

The arbitration community showed great enthusiasm for the ArbitralWomen initiative from the outset. 25 years ago, we were pre-email of course. I recall receiving numerous letters from **Louise Barrington** and **Mirèze Philippe** each informing me of a change in venue for the dinner as more and more women indicated their wish to participate. We ended up here at Le Thoumieux, who were kind enough to accommodate 60 of us that evening.

The hard work and commitment of ArbitralWomen over the years, and most notably that of Mirèze and Louise, has inspired others to beat the gender equality drum. Concrete initiatives include, perhaps most notably, the Equal Representation in Arbitration (ERA) Pledge, and, more recently, the Burford Equity Project which has a fund dedicated to the financing of disputes in which women play a key role. When fine words are backed by money, we can be sure that real change is taking place.

Publications also attest to the growth of interest in gender equality in international arbitration, including, recently, Women Pioneers in Dispute Resolution, a copy of which we all received in our “goodie bags” this evening, and the forthcoming MENA Leading Arbitrators Guide to International Arbitration which focuses on gender diversity in the Middle East.

With respect to the ERA Pledge – this was originally conceived of by certain lawyers in the US in the face of increasing client demand for inclusive legal teams, prior to my advocating for the adoption of something similar in the arbitration-sphere at ICCA 2014 in Miami. Of course the idea was

a simple one in principle – in practice less so. It is thanks to the efforts of **Sylvia Noury** and her team at Freshfields that the Pledge took shape, with the purpose of improving the profile and representation of women in international arbitration and, specifically, to appoint more women as female arbitrators. The Pledge has over 3.000 signatories from all over the world. Only last week, spearheaded by Sherina Petit, it was launched in India. India is a particularly interesting and challenging jurisdiction, because despite the fact that there are many formidable women, including in the law, they are very much underrepresented, certainly when it comes to arbitral appointments.

What does the Pledge do? It forces stakeholders to take gender diversity seriously. In her introduction Mirèze rightly explained to how the Pledge become a feature of nomination processes with people nominating female arbitrators and in doing so explicitly mentioning that they are signatories of the Pledge. That is one of the success factors of the Pledge. It has become a sort of badge of honour, something that people are proud to reference, and they can identify as support for and perhaps justification all a change of behaviour which they might otherwise struggle with.

I appreciate that institutions have a particular role when it comes to the Pledge, in terms of reporting numbers of female arbitrator appointments. I am proud to say that the LCIA took the lead on this, well before I took up my present role, but the ICC and other institutions have followed suit.

The Pledge has, amongst other initiatives, raised awareness levels of the importance of language. For instance, the use of “he/she” when referring to an arbitrator in the abstract. Does this really make a difference? On the whole — yes, in my view. Consistently referring to an arbitrator as “he” reinforces the idea, albeit subconsciously, that an arbitrator is male. Which is why we have adopted gender neutral language in our correspondence at the LCIA.

The appointment of women in senior roles is also an opportunity to show that women can be leaders. Again I am proud that women are very well represented at the LCIA. In addition to the Director General, the outgoing and incoming Presidents of the Court are also women, and formidable ones at that. Such is the shift in culture and the justified focus on women that anyone in our organisation who draws up a shortlist of arbitrators which fails to include duly qualified women has me to answer to. And it is rarely the case that there is no such suitable candidate.



In considering appointments, the LCIA pays particular attention to the Chair of the tribunal. While as institution we are frequently able to do this in our capacity as nominating body, it is vital that women who act as co-arbitrator and are responsible for nominating a Chair, are aware of senior practitioners in the field who are qualified to sit as Chair, so that the most senior member of the tribunal is not always a man. Accordingly, we have enabled women practitioners to get to know one another by hosting networking events. For instance, the LCIA jointly hosted two dinners with the Stockholm Chamber of Commerce, in London and in Stockholm, which had the added benefit of facilitating introductions between women in different jurisdictions.

Where have these efforts led? Today, 25% of all arbitrators appointed in LCIA arbitrations are women. Where appointments are made directly by the LCIA, that percentage rises to 43% women. Thus, remarkably, we are approaching parity. And I should stress that the institution selects proportionately more sole arbitrators and Chairs, i.e. the more “difficult” slots, which further highlights that direct appointments by parties are lagging behind. In that sense, there is little more we – as an institution – can do, or at least do directly. Sadly, our recent numbers actually suggest that while overall appointments of women have increased, there has been a decrease in the number of female arbitrators nominated by co-arbitrators compared to the previous year. Evidently there is therefore still much work to be done in this regard. We must therefore direct our efforts at encouraging others to nominate more women. And other stakeholders must take up the mantle of driving change.

I would like to conclude my comments by focusing on future challenges. The ERA Pledge focuses on gender diversity. Going forward I would wish for us to focus on diverse diversity, which is also what I advocated at the time in Miami when I launched the idea of a pledge in arbitration. The scope of the ERA Pledge was discussed at length by its drafters. Ultimately, it was decided and I wholeheartedly accepted that in order to make tangible changes, it made sense to focus on gender equality in the first instance. Difficult as it may be, relatively speaking, gender equality is “low hanging fruit”, also given that half of the population is female.

When it comes to other forms of diversity, the challenges are even greater. What are the relevant factors to consider and how do you measure these? Should we look at age, race? Is the data even available to make meaningful comparisons? When I started to explore this issue I reviewed data on judicial appointments and it struck me that in some countries data are provided on the judiciary which are not collected in other countries and might even be illegal to use as a basis for discrimination or even to include in reporting. If it is illegal or impossible to distinguish or discriminate on the basis of some factors, how do you factor this into your metrics when you are trying to be truly inclusive? How do you identify the goal or goals? Does one form of diversity come at the expense of another?

Being inclusive is important for a number of reasons. Simply put, if we are not inclusive, we are inefficient, because we lose out on appointing good candidates. Being inclusive means getting better tribunals, which is supported by scientific research. Having different perspectives and decision makers with different hats on, lead to better decisions.

I am sometimes confronted with the accusation that arbitral stakeholders are obsessed with gender diversity and that they champion gender diversity at the expense of other more pressing demands such as regional diversity. Such comments may be unfair but do raise important considerations.

In any event, we should stress that women have qualities and characteristics beyond their gender, and sometimes a focus on one particular aspect of diversity will also address diversity in another area. An example may illustrate this point. On one occasion, when the LCIA was hosting a panel event in Mauritius, I was very keen to ensure a fair representation of African speakers. Without paying any attention to gender, we nonetheless achieved a gender-balanced panel.

Being inclusive is important for a number of reasons. Simply put, if we are not inclusive, we are inefficient, because we lose out on appointing good candidates. Being inclusive means getting better tribunals, which is supported by scientific research. Having different perspectives and decision makers with different hats on, lead to better decisions. Furthermore, it is important to make sure that people represent the market that they come from. I think of a case I did as an arbitrator for the LCIA, where one of the teams was represented by a female solicitor, a female silk and a female CFO; how weird would it have been for this group, if not at least one of the arbitrators had been a woman?

For the legitimacy of the progress, we need to be truly inclusive. That means for me, in the next couple of years, focusing on the other stakeholders, and it means that for the next 25 years, focusing on diverse diversity. As far as I am concerned, it means, I hope, expanding the Pledge to do what I initially hoped, and to make it more diverse and include other forms of diversity to tackle some of these challenges.

What I then hope is to be back here in 25 years, and to drink another glass of champagne hopefully raising the toast to at least many of you and look back to hopefully another successful 25 years.

Thank you all. To the next 25 years!

A Week of Events Around the Jubilee Celebrations

What Does Diversity Bring to Arbitration?, on 6 November 2018 in New York



L to R: Angela Vallot, John Mbiti, Laurie Achtouk-Spivak, Mirèze Philippe, Louise Barrington

The panel discussion “What Does Diversity Bring to Arbitration?” was held at Cleary Gottlieb Steen & Hamilton’s New York office on 6 November 2018. **Laurie Achtouk-Spivak**, an ArbitralWomen member whose practice in Cleary’s Paris office centers on international arbitration and public international law, served as the panel’s moderator. After acknowledging that we all exhibit conscious and unconscious biases in our personal and professional lives, Laurie opened the floor to the panelists for discussion of the ways diversity can be improved throughout the legal profession, in particular in arbitration.

Angela Vallot, co-founder and partner at VallotKarp Consulting in New York City, gave a presentation on the ways that biases manifest themselves in the workplace and profoundly mark professionals’ experiences. Few statistics

illustrate the legal industry’s gender problem more clearly than the fact that over half of law school graduates for the past 30 years have been female, yet only 17% of equity partnerships are women, and Catalyst estimates that it will take women 100 years to achieve parity with men in law firms at the partnership level. The most prevalent type of bias in the workplace is ‘affinity’ or ‘similarity bias’, in which you are likely to favour someone who has a similar background as your own, be it a shared gender, religion, racial, or geographic background. This produces a cycle in which those in senior positions mentor associates with whom they share similarities, while female and African American associates are deprived of the same mentorship opportunities and ultimately fail to reach senior positions in equal numbers as a result. Angela explained that similar implicit biases are at play in arbitration.

John Mbiti, in-house counsel at Credit Suisse, who founded the Lawyers for Empowerment and Advancement of Diversity (LEAD) mentorship programme, in response to the lack of investment in diverse young professionals across law firms and financial institutions, discussed at the outset the business case for diversity. John explained that by approaching diversity as a business proposition rather than a moral one, workplaces will be more inclined to institute reforms by mitigating the idea that improving diversity outcomes is a zero-sum game, and instead see that it serves as an impetus for company-wide growth. Providing incentives to senior managers, such as taking diversity into account as a reflection of their overall work performance, encourages investment in associates from an array of different backgrounds, and it benefits the firm overall through the development

and retention of talent. Clients have an additional opportunity to stress diversity as a priority in electing an arbitral tribunal when consulting with their outside counsel, rather than deferring completely to choices based largely on a law firm's past experience or familiarity with certain arbitrators. Conversations between a client and their counsel as to how to create the most effective, fair, and representative tribunal is a valuable mechanism through which the industry can continue cultivating greater diversity in arbitrator appointments, thereby fostering better outcomes due to the integration of perspectives that a more diverse arbitral panel lends to disputes.

Looking outside the organisation, clients can emphasize diversity as a factor that should be taken into account when appointing counsel and arbitrators, which encourages diversity in the broader industry. **Aviva Will**, an attendee at the event and leader of the Equity Project at Burford Capital, echoed the importance of creating incentives to spur industry-wide gains in diversity, and the project has earmarked a specific line of capital for matters in which a woman serves as the client relationship manager or lead counsel.

Angela echoed the sentiment that leaders are responsible for developing and retaining intellectual capital within their organisation. Law firms like to claim that they are colour or gender blind, but she noted that this is the exact opposite approach that should be taken; instead, firms should acknowledge ideas such as, *"You can't solve what you can't see" and "If you have a brain, you have some bias"*. Enduring progress in improving diversity will only be achieved by meticulously tracking demographics to remain accountable to diversity goals and ensure that law firms are both attracting and retaining diverse talent.

Louise Barrington, independent arbitrator and mediator, with experience chairing ICC and *ad hoc* panels, emphasized that the most significant progress in improving diversity in the field has largely occurred over the past 5 years, due to a heightened focus on the lack of women in positions at the top of the field and the "shame" in having low diversity numbers. However, when

outside counsel (as opposed to an institution) is responsible for electing an arbitrator, male arbitrators remain far more likely to be selected, due both to the larger pool available and the perceived risk of appointing a female arbitrator with less experience. She noted that the legal field as a whole needs to stress the advantages of a more diverse tribunal in order to bridge this gap in representation, and this responsibility largely falls on the parties who appoint arbitrators. Arbitration panels comprised of members from diverse backgrounds are able to reach more fair and effective decisions due to the multitude of perspectives and backgrounds that lend themselves to a more well-rounded discussion and, ultimately, decision-making process, rather than one steeped in the perspectives of like-minded individuals.

Mirèze Philippe, Special Counsel at the ICC, spoke of the concerted efforts that institution has made in encouraging diverse arbitrator appointments. The ICC began publishing detailed statistics regarding the number of females serving as arbitrators and counsel within the ICC in 2015, after Mirèze encountered years of pushback on conducting research into this question and heard claims that it was a "non-issue". Mirèze noted that the total number of female arbitrators could be counted on one hand when she entered the field in the 1980s, and even by 2010, only 7.2% of ICC-nominated or party-appointed arbitrators were female. This increased to 16.7% in 2017, but even that statistic leaves significant room for progress.

As the ICC has begun tracking these numbers, the discussion surrounding the lack of female representation in senior arbitral appointments has grown across institutions, highlighting the idea that with greater accountability and attention comes gains in progress. ArbitralWomen and the ERA Pledge have largely participated in fostering greater accountability. By remaining vigilant throughout the industry in tracking and publishing these numbers, the legal profession can work to ensure that diversity in senior appointments across the legal industry including on arbitral tribunals will remain at the forefront of the conversation.

Overall, the panelists expressed tempered optimism for a more diverse legal profession in the future, including when it comes to arbitration, stressing the need for institutions and leaders in the field to prioritize diversity through mentorship and other profile-raising initiatives and a conscientious approach to tracking and retaining men and women from diverse backgrounds, which will have ripple effects throughout the industry. As John had mentioned, "Diversity is not just for diverse people" – all have something to gain from a more diverse workplace, and the event's attendees were left with a number of ways to reflect on their own decision-making, biases, and approaches to fostering diversity.

Submitted by Kendall Huennekens,
Cleary Gottlieb Steen & Hamilton LLP,
New York



ArbitralWomen Diversity Toolkit™ (Toolkit): Train the Trainers, on 7 November 2018 in New York



Train the Trainer session

The Toolkit is as explained above, a bespoke training programme which will be delivered by specially trained instructors. An interactive Train-the-Trainers day-long instruction was delivered by Louise Barrington and **Suno Danju-Dhillon**, Partner, Torkin Manes LLP. Those attending the Train-the-Trainers instruction are now qualified and

equipped to deliver the Toolkit training programme.

The AAA-ICDR generously hosted the Train-the-Trainers day-long instruction at their midtown Manhattan offices.

"After nearly a year of research and preparation it was a joy to share the results with an enthusiastic group of ArbitralWomen who will now go on to take the Toolkit's

message of diversity to their own cities", said **Louise Barrington**.

"Participating in the inaugural Toolkit Training Programme was very rewarding," commented Dana MacGrath. *"It was evident that Louise applies her decades of experience in diversity training in the Toolkit seminar. I liked the highly interactive nature of the programme. We all learned a lot about ourselves and each other and ways to address bias. Working through the hypothetical scenarios as a group was an excellent teaching technique and we benefited from the input of all participants. It was a full-day programme but didn't feel that long. It was fun and I also made some valuable new professional colleagues."*

Submitted by Mirèze Philippe, ArbitralWomen co-founder, Special Counsel, Secretariat of ICC International Court of Arbitration

ArbitralWomen Board Retreat on 9 & 10 November 2018 in New York



Board Retreat hosted by Vinson & Elkins in New York

ArbitralWomen Board members held their annual two-day retreat and board meeting to discuss the strategy of the organisation and many on-going projects. ArbitralWomen Board Member and Secretary **Louise Woods** organised the two-day board meetings and generously hosted them at Vinson & Elkins in New York. The Board's strategic discussions covered a number of topics, including revision of By-Laws. The ongoing projects and work of our various committees will continue to be discussed at our monthly telephonic Board meetings.

Submitted by Mirèze Philippe, ArbitralWomen co-founder, Special Counsel, Secretariat of ICC International Court of Arbitration

Greenberg Traurig, P.A., hosts cocktail reception to celebrate the 25th Anniversary of ArbitralWomen, on 12 November 2018 in Miami



Louise Barrington

Greenberg Traurig, P.A., hosted a cocktail reception in its Miami office on 12 November 2018, to celebrate the 25th Anniversary of ArbitralWomen.

The reception took place on the eve of the joint AW-ICC Diversity

Toolkit Breakfast Panel during the 16th Annual ICC Conference in Miami, moderated by ArbitralWomen member **Angelika Hunnefeld**, Greenberg Traurig Shareholder. ArbitralWomen Co-founder **Louise Barrington** and ArbitralWomen Vice-President **Asoid Garcia-Marquez** addressed the guests at the reception, sharing their views on the diversity landscape at the time ArbitralWomen was created, commenting on some of the milestones achieved to date, and

reminding everyone that complacency is not an option, as much work remains to be done to achieve full diversity in international arbitration.

The reception was well attended by both male and female practitioners, and everyone had a wonderful time.

Submitted by Angelika Hunnefeld, ArbitralWomen member, Shareholder, Greenberg Traurig, Miami



Guests at the Reception



ICDR Director Ana Lombardia and Angelika Hunnefeld

ArbitralWomen-ICC Joint Panel on ArbitralWomen Diversity Toolkit™ (Toolkit) - From Bias to Inclusivity in Arbitration, on 13 November 2018 in Miami

ArbitralWomen and the International Chamber of Commerce (ICC) collaborated once again on a joint panel during the ICC Annual Conference in Miami this past November. The joint panel focused on the Toolkit – From Bias to Inclusivity in Arbitration, and was a complete success. It was attended by over 80 male and female practitioners who were actively engaged in the discussion of the topics presented by a top rate panel of speakers, composed of ArbitralWomen co-founder **Louise Barrington**, independent arbitrator and mediator, ArbitralWomen co-founder, **Santiago Soria** of Marval O’Farrell y Mairal Argentina, and **Eduardo Damião Gonçalves** of Mattos Filho, Verga Filho, Marrey Jr. e Quiroga Advogados, Brazil.

Barrington remarked that it was particularly striking to see that the audience was comprised of nearly 50% men. These men are our supporters and our allies, because they recognise that diversity is not just a women’s issue. It is important for the future of arbitration itself.

The panel was led by ArbitralWomen member **Angelika Hunnefeld** of Greenberg Traurig, Miami. The panel discussion began with an overview of the highlights of the Toolkit, including the progress made in the area of diversity since ArbitralWomen was founded in 1993. As a first step, early efforts involved the gathering of data to create awareness of the problem—a problem that was illustrated by the 2002 Garth and

Dezalay Study that found international arbitration was dominated by “*pale, stale males*.” The discussion continued with a recognition that, while there has been some progress, it would take over 100 years to reach gender parity in arbitral appointments at the current pace. Accordingly, we are far from reaching our goal and efforts need to be redoubled. The panel then proceeded to discuss the moral case and the business case for diversity in arbitration. Striving for diversity is not only the right thing to do—it is also good business. Companies with gender-diverse boards, for example, show 15% greater profit than the homogenous boards’ average. Companies with ethnically diverse boards show 35% greater profits than



L to R: Eduardo Damião Gonçalves, Louise Barrington, Santiago Soria, Angelika Hunnefeld

the homogeneous boards' average. Specifically, in the field of arbitration, diverse viewpoints encourage debate and testing of different opinions, and, consequently, result in better decisions and greater legitimacy.

Soria then shared some thoughts on the importance of diversity from the Argentinian perspective. He noted that there are more women leading legal departments but that women arbitrators remain underrepresented in Argentina. He shared the story of the first female lawyer in Argentina, **Angelica Barreda**, who was initially denied the right to practice law in an opinion by the Attorney General of Argentina who noted that, "in the legal situation in which

our legislation places women, [it] is not risky to say that the registration of this diploma means throwing away all the legal principles consecrated by the Argentine State and the current organisation of the family, in which women are assigned the most transcendental function." (Argentina Attorney General 1910). This opinion was subsequently rejected, but it illustrates one of the root causes of a fundamental obstacle to reaching gender parity: unconscious bias. Fortunately, much progress has been made in Argentina since then, as more than 50% of newly enrolled law students and law school graduates in Argentina are women. Soria also shared his personal view that women lawyers bring a unique set

of skills to the table, often presenting their arguments with the voice of reason, keeping calm and collected in the face of aggressive argument by their male counterparts.

Gonçalves then shared his experience with the efforts to achieve diversity in Brazil. At this point, the entire panel collaborated on a presentation and discussion of unconscious bias, recognising the need to identify unconscious bias as a fundamental problem that must be addressed to achieve meaningful change. Soria and Goncalves both shared some of the diversity initiatives at their respective firms, which are also necessary for change. Specific examples were discussed, and the audience actively participated, sharing personal experiences, sharing their approach to overcoming some of the challenges and committing to take action in a meaningful way to be more vigilant and actively engaged in the promotion of diversity initiatives. The discussion extended well beyond the allotted time, and everyone left the room energized and eager to continue the dialogue and be part of a joint effort to effect change.

Submitted by Angelika Hunnefeld, ArbitralWomen member, Shareholder, Greenberg Traurig, Miami

Live Debate and MENA Introduction of the ArbitralWomen Diversity Toolkit™ (Toolkit), on 14 November 2018 in Dubai

As part of the Dubai Arbitration Week, ArbitralWomen in collaboration with Baker McKenzie Habib Al Mulla, held a breakfast networking event, in the form of a live debate at Capital Club in the iconic Gate Village in the Dubai International Financial Centre. The attendees included several practitioners, both women and men, from Dubai and abroad, including ArbitralWomen Board Member **Affef Ben Mansour**.

The topic of the event was "Gender diversity in arbitration: tipping the balance through national laws?". **Andrew Mackenzie**, Partner and Head of Arbitration and Construction

Practice, Baker McKenzie Habib Al Mulla, delivered the opening speech, setting the background necessary to address the issue of appointment of arbitrators who are 'male, pale and stale'.

ArbitralWomen Board Member **Sara Koleilat-Aranjo**, Senior Associate, Al Tamimi & Company, served as moderator of the event and kicked off the debate by conducting a live poll within the audience on the question: "What are the most significant barriers to having more female practitioners to act as arbitrators or lead counsel?". The majority of the attendees attributed such barriers to the lack of women in the selection pool.

This led to a debate questioning whether a lack of females in the selection pool is really the barrier to having more women sit as arbitrators and lead counsels and specifically, whether the gender diversity balance should be tipped through national laws.

Arguing for the motion and in favour of introducing national legislation to promote and guarantee gender diversity in international arbitration were ArbitralWomen member **Sally Kotb**, Senior Associate, Baker McKenzie Habib Al Mulla, and **Mercedes Torres Lagarde**, Case Manager, Dubai International Financial Centre. Opposing arguments

were made by **Roberta Calarese**, Chief Legal Officer, Majid Al Futtaim Properties LLC, and **Jacob Grierson**, Partner, McDermott Will & Emery, Paris.

Kotb and Lagarde stated that the key players in international arbitration; the arbitral institutions, the counsels and the clients, do take effective measures to encourage diversity, and that the appointment of women to act as arbitrators and legal counsels had seen a growth in numbers but at an extremely slow rate. Despite awareness programmes and continued discussions on the matter, there nonetheless remains the issue that women are still highly underrepresented in arbitration, which could be alleviated through the introduction of specific national laws.

Their argument remained that affirmative action is required to make a notable change. Importantly, the argument was not that national laws should directly address the question by way of setting out a mandatory quota for appointment of women or similar requirements, but rather a set of guidelines and criteria for appointment of arbitrators. This way, it could ensure that there is a large number of women who necessarily have met the standard, making them eligible for their respective appointments. They were of the view that there are hidden barriers that are difficult to overcome, such as cultural opinions

and unconscious bias, when it comes to making the decision to appoint women arbitrators. They strongly suggested that the introduction of supportive provisions and specific parameters in the national legislations themselves would set a uniform standard, promote and guarantee gender diversity in international arbitration and ensure that the goal be met.

Calarese and Grierson opposing the motion that introduction of national legislation is the move forward to guarantee gender diversity, stated that such a move would be impractical. Both of them agreed and supported gender diversity but believed national legislation is not the proper tool to ensure gender diversity in international arbitration. They stated that although it is slow but steady, awareness is the way forward to achieving gender diversity. They believed that the introduction of national legislation as a means to promote gender diversity would destroy the independence of arbitration and its cornerstone principle: party autonomy. They advocated that key players, including stakeholders, arbitral institutions, counsels and clients should continue to work towards promoting and ensuring gender diversity.

To mark the end of the live debate, Koleilat-Aranjo gave the floor to the audience by conducting a live poll with

the participants on the question whether national legislation should adopt an affirmative approach towards gender diversity and promotion of women in arbitration. Interestingly, and given that the majority of the attendees were women, the resulting answer was negative by 66%.

Concluding the event, Koleilat-Aranjo introduced the Toolkit to the audience and encouraged the attendees to take part in one of the training sessions in 2019.

Affef Ben Mansour, ArbitralWomen Board Member, Independent Dispute Resolution Lawyer, observed: *"The live debate jointly organized by ArbitralWomen and Baker McKenzie Habib Al Mulla during the Dubai Arbitration Week was very stimulating and inspirational. It confirmed to the attendees, the majority of which were women, that while things and mentality are changing in a sense that the arbitration landscape includes today more women as arbitrators, experts, counsels etc. than was the case before, a lot still needs to be done. In order to reach the highest positions in the field, women should also change their own views and not limit themselves because of an alleged incompatibility of occupying a high position in a law firm or an arbitration institution and having a family."*

Submitted by Jayaliya De Silva and Maria Darwish, Al Tamimi & Company, Dubai



L to R: Mercedes Torres Lagarde, Sally Kotb, Andrew MacKenzie, Sara Koleilat-Aranjo, Roberta Calarese, Jacob Grierson

Planning Past Unconscious Bias: ArbitralWomen Diversity Toolkit™ (Toolkit), on 14 November 2018 in Mexico



The launch of the Toolkit

continues with its successes, this time in Mexico City. After its launch in New York on 8 November 2018, **Louise Barrington** and **Asoid Garcia-Marquez** successfully presented for the first time the Toolkit as a full day training programme. The first training programme, generously hosted by Von Wobeser & Sierra took place on 14 November 2018 in Mexico City and was open to women and men,

not only from that firm but also from other organisations.

The training was enthusiastically received by participants (foreign and local practitioners), most of which suggested further training in the country. Participants actively contributed during lively debates about how to identify their unconscious biases, as well as their impact at a personal and professional level and, most importantly, about how

to address and overcome bias with an individual plan of action.

Participants concluded that this learning experience is particularly valuable in Latin America where diversity is greatly needed to promote change. We plan to deliver many more Toolkit trainings across the globe. Keep an eye for future dates and locations in the ArbitralWomen website and Newsletters.

"Presenting the first public Toolkit in Mexico was a real eye-opener; the audible reactions among the participants made it clear how the scenarios written in Canada and Europe and filmed in Asia resonated with the Latin American group. Diversity may be recognised in some regions more than others, but the issue is global", said Louise Barrington.

Submitted by Montserrat Manzano, ArbitralWomen member, Partner, Von Wobeser y Sierra, Mexico and Asoid Garcia-Marquez, ArbitralWomen Vice President, In-house counsel at UNESCO, Paris

To celebrate the beginning of this 26th year we asked

the assistance of a professional to help us with the presentation of one of our communication tools. After having launched last year a new look for the [presentation flyer of ArbitralWomen](#) designed by Zephyr (UK), we are launching a new look for the Newsletter designed by Diego Souza Mello (SmartFrog Criações, Brazil).

Our Newsletter was launched in January 2010 by Mirèze Philippe who has always been behind the Newsletter, with new ideas and themes, investing substantial time in this tool and preparing all special issues. The Newsletter Board Directors were successively **Debi Miller Slate, Gillian Carmichael Lemaire, Jo Delaney and Erika Williams**. The latter continues as Newsletter Director on the Board, assisted by a committee constituted of Board Directors: **Maria Beatriz Burghetto, Affef Ben Mansour, Gaëlle Filhol, Sara Koleilat-Aranjo, Amanda Lee, Vanina Sucharitul**. We are grateful to all those who invested and those who continue investing time in memorialising ArbitralWomen activities.

ArbitralWomen thanks all contributors for sharing their stories.

Social Media

Follow us on Twitter [@ArbitralWomen](#) and our LinkedIn page: www.linkedin.com/company/arbitralwomen/

Newsletter Editorial Board

Dana MacGrath, Karen Mills, Mirèze Philippe, Erika Williams

Newsletter Committee

Affef Ben Mansour, Maria Beatriz Burghetto, Gaëlle Filhol, Sara Koleilat-Aranjo, Amanda Lee, Vanina Sucharitul

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AW Board at a Glance: [click here](#)
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Time
to renew
your
Membership
for 2019



Arbitralwomen Individual & Corporate Membership

ArbitralWomen website is the only hub offering a database of female practitioners in any dispute resolution role including arbitrators, mediators, experts, adjudicators, surveyors, facilitators, lawyers, neutrals, ombudswomen and forensic consultants. It is regularly visited by professionals searching for dispute resolution practitioners.



The many benefits of ArbitralWomen membership are namely:

- Searchability under [Members Directory](#) and [Find Practitioners](#): therefore please complete all criteria under your profile
- Highlight/promote your speaking engagements in our [Events section](#) if you speak at an event organised or co-organised by ArbitralWomen
- Visibility under [Publications](#) once your articles have been added under My Account / My Articles
- Showcase your news and events in [ArbitralWomen Newsletter](#)
- Exposure on the [News](#) page if you contribute to any dispute resolution related news and ArbitralWomen news
- Exclusive opportunity to contribute to ArbitralWomen's section under [Kluwer Arbitration Blog](#)
- Ability to **obtain referrals** of dispute resolution practitioners
- **Networking** with other women practitioners

We encourage female practitioners to join us either individually or through their firm. Joining is easy and takes a few minutes: go to '[Apply Now](#)' and complete the application form.

[Individual Membership](#): 150 Euros.

[Corporate Membership](#): ArbitralWomen Corporate Membership entitles firms to a **discount on the cost** of individual memberships. For 650 Euros annually (instead of 750), firms can designate up to five individuals based at any of the firms' offices worldwide, and for each additional member a membership at the rate of 135 Euros (instead of 150). Over **forty firms** have subscribed a Corporate

Membership: [click here](#) for the list.

ArbitralWomen is globally recognised as the leading professional organisation forum for advancement of women in dispute resolution. Your continued support will ensure that we can provide you with opportunities to grow your network and your visibility, with all the terrific work we have accomplished to date as reported in our Newsletters.

ArbitralWomen membership has grown to approximately one thousand, from over 40 countries. Forty firms have so far subscribed for corporate membership, sometimes for as many as 30 practitioners from their firms.



Do not hesitate to contact membership@arbitralwomen.org, we would be happy to answer any questions.