

ARBITRALWOMEN

The International Network for Women in Dispute Resolution

Professor Mark Kantor named ArbitralWomen's Honorable Man

The ArbitralWomen Honorable Man Award is symbolic and is meant to express that we recognize our male colleagues' contribution who share our goal in promoting women and speaking publicly of ArbitralWomen.

The first Honorable Man Award was given in 2010 to two reputed practitioners who actively supported ArbitralWomen at the occasion of ICCA Montreal and Dublin, Donald Francis Donovan and Klaus Reichert. This year the award went to Professor Mark Kantor who serves as an arbitrator and mediator, and teaches courses in International Business Transactions and in International Arbitration as an Adjunct Professor at the Georgetown University Law Center.

He received the award in Dubai, at the ArbitralWomen Breakfast co-organized by Lorraine Brennan, President of ArbitralWomen, and Gabrielle Nater-Bass, partner at Homburger, Zurich. The breakfast attended by some 70 persons was held during the week of the IBA Conference in Dubai and sponsored by the Bahrain Chamber for Dispute Resolution and the ICDR, the international division of the AAA. and Homburger, Zurich. A panel discussion on "International Commercial Arbitration, in Times of Rapid Political Change" was moderated by Gabrielle Nater-Bass with panelists Mireille Bouzols Breton, former senior legal vice



Mark Kantor receives his award from Lorraine Brennan at the AW Breakfast in Dubai, 2 November, 2012

president of Technip, a judge and arbitrator, Fiona Campbell, senior associate, special projects & dispute resolution, Al Tamimi & Company, and Nayla Comair-Obeid, arbitrator, managing partner Obeid Law Firm.

The topic of the panel discussion called for a reflection on the combination of politics and international commercial arbitration, and on the impact of the recent political developments in the region on arbitration practitioners. Against this background, the panel addressed the question whether the series of political changes in the region will in fact trigger a growth in the number of international arbitrations, or whether

INSIDE THIS ISSUE

WOMEN IN ARBITRATION IN CANADA

PAGE 3

EUROPEAN ARBITRATION 2011 SUMMIT

PAGE 4

SWEDISH CLIENTS AND WOMEN LAWYERS

PAGE 5

AW DINNER - PARIS -

PAGE 6

COMMUNITY NEWS

PAGE 6

SAVE THE DATE:

**ArbitralWomen Round
Table
Discussion --
Singapore at ICCA Site
10, June 2012
See Page 7**

companies will be reluctant to invest in the region given the existing political uncertainty. The political context also gave rise to the question whether it will impact the enforcement of arbitral awards in the region. The influence of Sharia or Islamic laws on the legal affairs of the region and its impact on arbitration was also addressed.

The panel further discussed gender related questions such as whether women will play an increasing role in arbitration as a result of the fall of authoritarian regimes.

More generally, the panelists shared their thoughts on how arbitration could be promoted in the countries affected by the political change and what the current needs of arbitration practitioners in the MENA region are.

The discussion was well received by the audience, which participated actively.

Gabrielle Nater-Bass

The following remarks were made by Lorraine Brennan during the presentation of the AW Honorable Man Award on November 2, 2011

“Today it is my pleasure and my privilege to present the ArbitralWomen “Honorable Man” award to Professor Mark Kantor. This is only the second occasion on which AW has bestowed this award- created to acknowledge a man who has supported us in our work, even when it might not necessarily have been the most popular thing to do.

Mark Kantor has been a tireless supporter of AW and its efforts, through his willingness to promote consideration of women for arbitral appointments on the OEGMID list-serve, his tireless mentoring of students for the Vis Moot Competition, and his vigilant watch over and willingness to object to programs which consistently featured all male speakers despite the many talented and accomplished women. We honor him for his sage advice and support, and ever-listening ear for those of us who often sought his wise counsel. And although they could not be here today, I wanted you to know Mark, that Louise Barrington and Mireze Philippe, founders and former co-presidents of AW, send their support and good wishes for you here today.

When I knew I would be presenting the “Honorable Man” Award to Mark today, I reflected on what it meant to have honor and to be an Honorable Person. To me, having honor is doing the right thing, even when no one else is watching. Doing the right thing, as last year’s Honorable Man Klaus Reichert said “simply because it’s the right thing to do”. Having honor means leading by example, and Mark, you have surely done that. There is no better friend, mentor or confidante. You are indeed, an Honorable Man.

The great French writer St. Exupery said “It is only with the heart that one can see rightly. What is essential is invisible to the eye”. My very good friend, Mark, your heart has always seen rightly. Please accept this award with our deep gratitude and appreciation.

Ladies and Gentlemen, please join me in thanking ArbitralWomen’s Honorable Man, Professor Mark Kantor.

NEWSLETTER EDITORIAL BOARD

Debora Miller Slate, Editor, Mireze Phillippe, Louise Barrington, Lorraine Brennan, Asoid Garcia-Marquez,

2010-12 ARBITRALWOMEN BOARD Executive Board

Lorraine Brennan, Pres. USA, Louise Barrington, Founding Co-Pres., Canada, UK, Mireze Phillippe, Founding Co-President, France, Lebanon, Yulia Andreeva, Vice Pres. Russian Federation, Asoid Garcia-Marquez, Sec., Mexico, Rashda Rana, Treasurer, Australia

Board of Directors

Beata Gessel, Poland, Browyn Lincoln, Australia, Debora Miller Slate, USA, Karen Mills, USA, Ann Ryan Robertson, USA, Dorothy Ufot, Nigeria, Rabab Yasseen, Switzerland

Find a Practitioner

Visit our website to search for appropriate and qualified dispute resolution practitioners.

Membership

Women who wish to join the organization may submit an application with a C.V. directly to the website.

Newsletter

ArbitralWomen Newsletter is a publication presenting information about international dispute resolution and women practitioners in this field. For questions or comments, select “Contact Us” on the homepage.

Women in Arbitration in Canada and Beyond

Founding AW co-President Louise Barrington and former Board member Janet Walker spoke in December at a Canadian Bar Association seminar dedicated to the changing status of



Louise Barrington

women, with audiences participating in Montreal, Toronto, Ottawa and Vancouver. Former ICC Secretary General Anne Marie Whitesell (whose mother

is a Canadian) travelled from Washington to join the event, and Tina Chicchetti, the chair of the Young Canadian Arbitration Practitioners (YCAP) participated by videolink from her Vancouver office. Barrington observed a marked change over two decades: “At my first international arbitration conference, in Bahrain in 1992, among the nearly 250 participants there were just 9 women; of about 40 speakers only one was female. Fast forward to the ICC’s Latin American conference in Miami this year, where of 360 participants, over 40% were women, with female speakers on nearly every panel. Most of these women are younger and at the early stages of their careers, so it will be interesting to see how many

will stay in the field to become arbitration leaders in 10 or 20 years.” Professor Walker agreed that there has been progress: “We may not have gone from zero to sixty, but change has come.” Walker was appointed in 2004 to the first all-female ICC arbitration panel: “When I saw that letter addressed to ‘Cheres Mesdames’, I knew we had arrived.” Anne Marie Whitesell recalled being only the second female counsel at the ICC in 1996. She rose in the ranks to become the first woman Secretary General of the ICC Court, and observed that today almost two thirds of counsel are women, and the ICC Court itself has 4 female vice-chairs. Tina Chicchetti was optimistic, noting that exactly half the membership of YCAP is female. She also commented on the number of Canadian women who practice successfully abroad: Barrington’s tri-continental practice, Meg Kinnear, the Secretary General at ICSID, Patricia Peterson in Paris, Sophie Nappert in London, and Julie Bedard in New York are some examples. Panel members agreed that there remains much to be done. Barrington’s informal poll of ArbitralWomen members yielded positive responses from all continents, but noted that women’s roles in the top echelons of practice – either as heads of arbitration

departments or senior partners in smaller boutique arbitration firms, or doing high value arbitrations as arbitrators – is still limited. Panel members and audience commentators alike acknowledged the opportunities for women to excel publicly at the Vis Moot and the Vis East Moot each year, and praised the contribution of ArbitralWomen in encouraging schools to choose women to represent them through the AW Awards. Speakers were also unanimous in crediting their (often male) mentors with their rise in the profession. Advice was universal: find a mentor who appreciates your skills and background, and can introduce you to the right people and recommend you for opportunities to make your way. This may be as a speaker, a research assistant, tribunal secretary or some other role, but a mentor is often the difference between success and stagnation. Barry Leon, chair of ICC Canada, who organized the event, and Sheryl Beckford, Dispute Resolution chair of the CBA’s International Law Section moderated the discussion, which was hosted by ASAP, an Ontario-based court reporters organization which is launching Arbitration Place, a Canadian arbitration resource centre, in early 2012.

Louise Barrington

Report on the 2011 Summit of European Arbitration Institutions

International Arbitration in Europe in the 21st Century Beyond Splendid Isolation?



Beata Gessel-Kalinowska

"Arbitration – an emblem of the civil society" was

a public debate from which the Summit of European Arbitration Institutions in Sopot (Poland) was developed. It took place on 28 September 2011 within the European Forum for New Ideas. Leaders of the most important European arbitration institutions were present. Arbitrators, usually competing with each other, joined forces, with representatives of the EU Commission and Business Europe.

The concept of the debate was developed by Dr. Beata Gessel-Kalinowska vel Kalisz, the President of the Lewiatan Court of Arbitration and Sophie Nappert, independent arbitrator. "I am excited to see what can occur as a result of the debate among such honorable guests, representing the vital interests of the whole arbitration community" said Dr. Gessel. She also added that arbitration institutions must be prepared to "get closer" to the reform process – "or other people



Speaking on the challenge of creating a harmonized law from 37 different contract law systems needed to bolster the single market, create a level playing field for investors and protect the effectiveness of arbitration agreements in the EU.

From the left: Dr. Beata Gessel-Kalinowska vel Kalisz, President of Lewiatan Court of Arbitration (Poland), Jacek Krawczyk, Vice President of European Economic and Social Committee (Poland) and Philippe de Buck, General Director of BUSINESSEUROPE (Brussels).

will end up deciding these questions."

The debate itself covered the idea of arbitration as a whole – either a mission or business. In the course of panel discussion panelists tried to address the questions of how should arbitration in the EU better respond to the needs of the business community.

- Should entrepreneurs be afraid of arbitration in the context of such cases as Vivendi or Eureko?

- How should the arbitration community perform: proactively or reactively, independently or integrated?

The debate provided arbitrators a unique opportunity to discuss their expectations of the EU with the European decisionmakers.

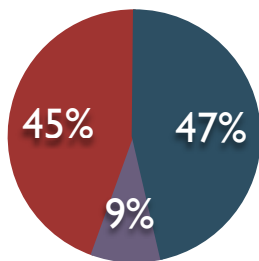
Swedish Clients more Satisfied with Women Lawyers

Every year, Regi, a Swedish research and strategy company, compiles a client satisfaction index, measuring client satisfaction in relation to Sweden's major business law firms. This year, the client satisfaction survey also focused on gender diversity. The Swedish 2011 client satisfaction survey was larger than ever and was based on approx. 1,400 answers from Swedish clients. As part of the survey, clients were asked two questions on their thoughts on gender diversity at law firms:

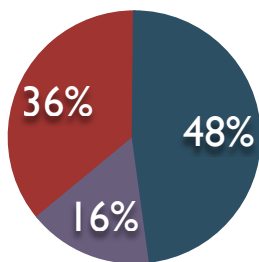
Question: Do you think that it is important that the law firm that you use has an evenly balanced mix of men and women? Answer:

Yes: 47 %, I do not know: 9 %, No: 45 %.

● Yes ● I don't know ● No



Question: Do you think that it is a problem for the law firm industry that there are few female partners? Answer: Yes: 48 %, I do not know: 16 %, No: 36 %.



The survey also measured several different aspects of client satisfaction, which aspects were compiled to a client satisfaction index with results split between male and female lawyers. Aspects measured were knowledge about

the client's market, ability to express oneself, knowledge about the problems of the matter, advisor and speaking partner, commitment to the assignment, argumentation and negotiation, proactivity, presentation of one's offer, availability, usefulness for the business, value for money, ability to deliver and administrative routines. *The result of the client satisfaction index 2011 showed that Swedish clients, on average, are more satisfied with female lawyers than with male lawyers on every point measured. In total, male lawyers scored 8.28 while female lawyers scored 8.40 (on a scale of 1 - 10).*

In connection with the presentation of the survey at the Law Firm of the Year event held in December 2011 in Stockholm, a panel debate was held on the topic "Do you have the optimal mix?" where, inter alia, the panelists discussed why so many young women leave the law firms and what can be done to make a change. Today approximately only 11 % of the partners at the 50 largest Swedish law firms are women while less than 50 % of associates hired by law firms are men. Christina Blomkvist, one of the co-founders of Swedish Women in Arbitration Network (SWAN), member of ArbitralWomen and today legal in-house counsel at one of Sweden's largest insurance companies, Folksam, participated in the panel. The outcome from the debate was that partners need to support the female associates who want to get ahead and the partners need to become mentors and sponsors to them. Foremost, the partners need to ensure that the female associates believe that they indeed can become partners at the firm in order for them to stay on board. They need to give the female associates the opportunity to take leading roles in client matters and to meet with clients. Female associates also need to actively build their business case from early on in their careers. Law firms who want to have an evenly balanced mix among the partners but who only have few female partners today need to set up bold goals and actively strive to meet them. It is a strong signal to the law firm industry that so many of the buyers of legal services have identified the lack of senior women in the law firms as a problem in itself.

Christina Blomkvist

AW Dinner during the ICC Mediation Moot in Paris

Every event around the world is an occasion for members and women non-members to mingle and meet members from the ArbitralWomen network. It is also an opportunity to meet women who are not yet members of ArbitralWomen and who participated to the event which motivated the gathering, or heard about us from a member and joined the gathering.

Several members participated to the 7th ICC International Commercial Mediation Competition which took place from 2 to 8 February 2012 in Paris. They were either professors or coaches of one of the 66 teams who participated to the competition, or mediators. Like each year, this event allowed members to get together. This year members shared a dinner on Sunday 5 February at a typical French restaurant "L'Aubrac". We were happy to meet new faces and young members. The members came from Egypt, France, Germany, United Kingdom, United States and Sweden.

One of the wonderful achievements of the ArbitralWomen network is the mixing of generations from the international dispute resolution community. It was for instance rewarding for Lorraine Brennan to see one of her old student from Cornell Law School, Florence Forster.

Some of the members present will get together again at the next ArbitralWomen gathering in Sweden on March 9. The meeting will be hopefully attended by members from Sweden, members who will participate to the IBA Arbitration Day taking place on March 8-9, 2012 in Stockholm, as well as other women who wish to join.

Members are encouraged to follow the information communicated from time to time by emails about gatherings and to regularly check ArbitralWomen website to learn about events taking place around the world which are often an occasion to get together.

Mirèze Philippe



Left to right: Nagla Nassar (not visible), Laura Kaster, Katharina Meckelnborg, Gretta Walters, Elodie Sigaux, Florence Forster, Lorraine de Germiny, Athina Papaefstratiou Fouchard, Audrey Weissberg, Jennifer Brandt, Lorraine Brennan, Mirèze Philippe, Elayne Greenberg, Jacqueline Nolan-Haley

Of Note, of use, kudos!

Community News

Sandra De Vito Bieri wishes to remind us:

AJJA's next Annual Arbitration Conference will take place in Venice from 24 to 26 May 2012. I would very much love to see you all there. You can register here: <http://www.aija.org/modules/events/index.php?id=324>

Lisa Spagnolo wishes to remind us:

The Annual MAA Peter Schlechtriem CISG Conference: Globalization versus Regionalization on 18 March 2012, organized by the Moot Alumni Association (MAA) with the support of UNCITRAL is hosted by the City University of Hong Kong at the Connie Fan Multi-Media Conference Room will focus on 'Globalization versus Regionalization' to discuss issues pertaining to regional versus global harmonization of trade law, with the focus on developments in the Asia-Pacific Region, Africa, Latin America, Europe and beyond.

Lorraine Brennan wishes to remind us-- on March 27th there will be an AW Dinner in London with guest speaker Juliet Blanch.

This is a PDF so the link to register is not enabled please
go to www.arbitralwomen.org

ARBITRALWOMEN



ArbitralWomen Forum

Date: Sunday 10 June 2012

Time: 2:00 to 4:00 pm

Venue: Melati Room 4102, Level 4

Marina Bay Sands Convention & Exhibition Centre
10 Bayfront Avenue, Singapore

Registration desk for ICCA is at level 5 and
ArbitralWomen Forum at level 4

ArbitralWomen invites you to an Interactive Round Table Forum on
*The Third Eye – understanding and using cultural differences
to aid effective dispute resolution*

Are cultural differences an issue in international dispute resolution?

What is your approach in arbitration or mediation in Asia?

Is mediation different in Asia and why?

Does it make a difference if you speak the same language?

How much do you need to be prepared before arbitrating or mediating in Asia?

What other issues arise? Why? What are your concerns? Your experience....

Your experience counts! Come and share it with us!

Forum open to Men and Women

Free of charge but seats are limited and will be allocated
on a first come, first served basis

[Click here to register](#)

Opening words: Lorraine Brennan, President of ArbitralWomen

Moderator: Karen Mills

Panelists: Louise Barrington, Bronwyn Lincoln, Rashda Rana, Sitpah Selvaratnam

This is a great opportunity for women non-members of ArbitralWomen and for men to meet ArbitralWomen members and learn about the organization.

You may send your question or topic in advance to Rashda Rana on rana@wentworthchambers.com.au. Please ensure that you mention "Singapore Round Table" in the Subject line.

ArbitralWomen is open to all women practising in the field of international dispute resolution. If you are not yet a member, visit our website at www.arbitralwomen.org. For any questions, please post a message under "Contact us".

This event was organized by Louise Barrington, Asoid Garcia, Bronwyn Lincoln, Karen Mills, Mirèze Philippe, Rashda Rana.