



The International Network of Women in Dispute Resolution

In this issue

- President's Column
- Leading Women in ADR:
Chiann Bao
Wenyng Wang
Cheng Yee Khong
- ArbitralWomen Kluwer
Arbitration Blog
- Vis Moot & Mediation
Moot
- ArbitralWomen Around
the World
- White & Case Women's
Initiative
- Kudos & Women
Practitioners at Key
Positions
- Mark your Agendas:
Honourable Men Award
ArbitralWomen
SpeedNet
Annual Breakfast
during IBA Conference
- New ArbitralWomen
Board:
Profiles and Roles
- ArbitralWomen
Activities & Services

Continuity and Novelty



*Australian barrister and arbitrator **Rashda Rana** has been elected the new president of ArbitralWomen, as the organisation marks two decades since its informal beginning, titled the [GAR](#) on 7 July 2014.*

President's Column

It is with great pleasure that I am writing this, my first President's Column for the ArbitralWomen Newsletter. I am taking over the helm at a very exciting time for ArbitralWomen and for dispute resolution around the world. My predecessors have left ArbitralWomen in very good shape for which I am sure you will all join me in thanking them.

The new Board provides for continuity with some valued members continuing to support ArbitralWomen by giving up their time to remain on the Board. The new Board also provides for novelty by introducing new members who have accepted the task that lies ahead. We welcome them all and thank them graciously. I have set out towards the end of the Newsletter the details about the new Board. I hope over the coming months you will get to know us all and join us pushing ahead with new activities as well as continuing with existing ones.

First, ArbitralWomen has achieved a very significant milestone – 20 years! We will be celebrating our 20th anniversary with a rolling series of events around the world, the first of which will be the Gala Dinner to be held at the Imperial War Museum in London on 9th September 2014. This has been made possible by the very hard work carried out by Melanie Willems, Partner at Andrew Kurth in London, alongside our retiring President Dominique Brown-Berset.

Presently, there are planned events taking place in Seoul and Sydney in August, Milan in September, a [breakfast talk in Tokyo](#) on the occasion of the IBA there and in Brazil in October, Geneva and other places. We will keep you posted on upcoming events so be sure to check the ArbitralWomen website regularly.

Dispute resolution is also in a phase of immense growth around the world. The use and practice of arbitration continues to grow at a fast pace reaching into more and more jurisdictions around the world. With Burundi recently acceding to the *New York Convention* means that over 75% of the world's jurisdictions are now signatories to the *New York Convention*, perhaps the single most important pillar of international arbitration.



The International Network of Women in Dispute Resolution

Mediation is also now increasingly being recognised as an important and effective tool in the ADR kit bag with countries embarking on an extensive plan to promote mediation through different avenues. In Singapore, for instance, a new centre is being established as well as the implementation of proposed legislation to support mediation through the enforceability of the result of mediation.

ADR remains innovative with techniques such as Dispute Boards continuing to gather momentum as a part of the burgeoning heavy engineering infrastructure projects being delivered in developing countries. Likewise, expert determinations are also on the rise in industries other than construction.

At ArbitalWomen, our aim is to ensure that as many women as possible can contribute to and participate in all forms of dispute resolution anywhere in the world. We want to make it more accessible to more women. I am hopeful that in recognition of this aim, our membership will continue to grow in line with practices around the world. I know the new Board is approaching the task of growth, promotion, support and mentoring with renewed vigour. I am honoured and privileged to be part of such a dynamic, diverse and dedicated team.

Gratitude to Members who have served on the Board

An important part of a successful Board of any organisation made up of volunteers is the work that the members are prepared to put into it, sometimes without any ostensible gratitude from the members that make up the organisation. ArbitalWomen is very fortunate to have members who strive to achieve the goals and aims of the organisation without recompense, praise or thanks. The work we do simply would not be possible without the willingness, selflessness and enthusiasm of the women who are a part of ArbitalWomen. ArbitalWomen has indeed benefited from the contribution of wonderful and dedicated women practitioners who have served on the various Boards since 2005.

ArbitalWomen members have not forgotten the support of all of these women. While we welcome a new Board, we remain particularly grateful to each of the past Board members for their hard work and dedication over their respective terms on the Board:

Yulia Andreeva (USA), **Lorraine Brennan** (USA), **Diana Droulers** (Venezuela), **Lorraine de Germiny** (France, USA), **Florence Gladel** (France), **Catherine Kessedjian**

(France), **Loretta Malintoppi** (Italy), **Debi Miller-Slate** (USA), **Amance Perrot** (France), **Carla Potok** (USA, UK), **Anne Pukszo** (Poland) **Ann Ryan Robertson** (USA), **Barbara Steindel** (Austria), **Salli Swartz** (USA), **Nancy Turck** (USA), **Dorothy Ufot** (Nigeria), **Vilija Vaitkute Pavan** (Lithuania), **Janet Walker** (Cana), **Carita Wallgren-Lindholm** (Finland), **Rabab Yasseen** (Switzerland), **Isabel Zivy** (Mexico).

In addition, I am indebted to all those who have gone before me as President: the founding co-presidents **Louise Barrington** (Canada & UK) and **Mirèze Philippe** (France & Lebanon), **Lorraine Brennan** (USA); **Dominique Brown-Berset** (Switzerland).

Lastly, my gratitude (which I know I express on behalf of all the members) goes to the two women who give so much to make everything possible, who have always been there to advise and guide and without whom we would not exist – Mireze Philippe and Louise Barrington.

ArbitalWomen 20th Anniversary

Issue n°10 of the Newsletter reported about the anniversary of ArbitalWomen which started on 22 November 1993. A series of anniversary celebrations will be organized around the world, the first one to be held in London on 9 September 2014 at the Imperial War Museum newly refurbished. It is an exceptional dinner and dance evening entirely sponsored. ArbitalWomen is grateful to the twelve generous sponsors who support this event and contribute to ArbitalWomen's projects:

Allen & Overy

Andrews Kurth

Brick Court Chambers

Clifford Chance

Debevoise & Plimpton

Freshfields Bruckhaus Deringer

Hogan Lovells

King & Spalding

Norton Rose Fulbright

Skadden Arps Slate Meagher & Flom

White & Case

Wilmer Cutler Pickering Hale & Dorr

Thomas Wälde Memorial Gift granted by his widow Charlotte Wälde

As the event was over-subscribed, we hope to see all persons who wished to participate and could not get tickets to join us in other celebrations.



The International Network of Women in Dispute Resolution

Leading Women in ADR

*Early this year, Louise Barrington, co-founder of ArbitralWomen ('AW') interviewed three arbitration institution leaders in Asia. In February she sat down with **Chiann Bao**, Secretary General of the Hong Kong International Arbitration Centre, then in March she interviewed, **Wenyng Wang**, Secretary General of CIETAC Hong Kong and **Cheng Yee Khong**, Director and Counsel, ICC International Court of Arbitration, Asia Office. Louise commented, "Doing these three interviews as a "trptych" was not only informative, but also quite fascinating to interview these three very impressive women, even though I've known all of them for years. As an arbitrator for all three organisations, I was struck by the common themes, as well as the different approaches in dealing with them. I hope you will enjoy reading the interviews as much as I did in doing them."*

CHIANN BAO

**Secretary General of the
Hong Kong International Arbitration Centre**



Chiann, can we begin with your personal background and the career path that led you to become the first woman Secretary-General of the Hong Kong International Arbitration Centre?

I grew up in Baltimore, Maryland, the child of first generation immigrants from Taiwan. After finishing college, I worked as a legal assistant at Cravath, Swaine & Moore in New York. After a year, I considered a move to Asia and Hong Kong seemed like the perfect fit. It had always intrigued me as the city where East

meets West, which in many ways mirrored very much my upbringing. I applied for a Fulbright scholarship and used the money I received from this scholarship to pursue an LLM at the City University (CityU) Arbitration Programme. I met Philip Yang and Christopher To, influential figures in the Hong Kong arbitration community, who were teaching a few of my courses. Others such as Neil Kaplan guest lectured. It was during this programme that I got my first taste of the Vis Moot experience! I competed on the CityU Vis Moot team for two years running and enjoyed it thoroughly.

A few years later, I wanted to spend some time in London, and through the MAA (Moot Alumni Association) newsletter, I learned that an international arbitrator who was looking for an assistant. I applied for the job via emails with Simon Greenberg, then the Vice President of the MAA. Simon and I had never met or spoken when he sent me for an interview to the arbitrator in question, who turned out to be Neil Kaplan.

I was Neil's first assistant, so naturally it took time for us to learn about the way in which I could best assist him. It ended up being an invaluable experience. I assisted him with his arbitrations, observed and learned from his practice as an arbitrator and had the opportunity to meet many international arbitration practitioners. What started out as a few months' assignment stretched into more than a year, until I had to go back to the US to start law school.

So, you did an LLM in Arbitration before you got your JD?

Yes.

When I arrived, the law school at the University of Wisconsin did not have a Vis Moot team, so I started one based on the experiences I had at CityU in Hong Kong. We started from scratch – we had no faculty coach and had to do everything for ourselves. I coached for the first two years and then former Moot team members coached the following year's teams. And that tradition has remained. I am happy to say that the Wisconsin programme is now a strong, stand-alone programme with support from the university.

After graduation, I worked with DLA Piper in New York. During this time, I also got married to law school classmate. In early 2010, Neil Kaplan mentioned that the Secretary-General position at HKIAC was open. My husband and I discussed the idea, and after a



successful interview I moved out to Hong Kong at the end of April 2010 and by the first of May, I was on the job. My husband had never even been to Asia when I accepted the job, so it was quite a leap of faith for him!

Perhaps you can tell us about the challenges you faced when you arrived at HKIAC?

There were many challenges, especially right at the beginning, because there were so many new things to learn. I was working with many well established board members - and trying to learn quickly and prioritise the work. Primrose was very welcoming, and as she has been at the HKIAC for decades, she taught me a lot about the Centre as well as the Hong Kong arbitration community. What I learned from her has been invaluable and I attribute my initial survival at this job to her good instinct.

One of my more unnerving experiences was when I found out I was pregnant. Here it was, my first year on the job, and I was going to have to announce to my board members, the large majority of whom were much more senior than me, that I was starting a family. I was worried that there would be the view that, as a mother, I would not be capable to handle the job. Or more likely, that some of assume that I would not take the job seriously once I had a child. However, the collection reaction was much better than I expected; everyone was very accepting and supportive.

As it happened, throughout the pregnancy and in the months following my daughter's birth, I was never really off-line, so if anyone was worried about me slowing down because of the baby, it just didn't happen as there were so many projects that were taking flight at the Centre. Actually I gave birth during the period when the Centre was being renovated, so many times I would be at home reviewing colour boards and fabric swatches as the construction work continued to transform the Centre.

My daughter Heli is now nearly three. While a frequent visitor to the Centre earlier on, now, her schedule is filled with playdates and fun activities and she very much has an active calendar!

Chiann, let's talk about your vision of the HKIAC and its role in the arbitration community.

Our primarily responsibility is to administer arbitrations and other forms of dispute resolution services. On top of that, HKIAC serves the community by offering resources to those who seeking information about the practice of arbitration. We

work with other arbitration institutions and organisations to develop international arbitration in the broader community.

I also see the Centre as a sort of welcoming committee, a point of entry, for foreign visitors and firms arriving in Hong Kong. It is important to me that people feel at home in Hong Kong and have the opportunity to enjoy the city as much as I do.

Can you say something about the HKIAC's administration of arbitration?

Our priority is to provide quality administration services without bureaucracy. To this end, our team works hard to ensure cases receive individual attention. We emphasize promptness and accuracy in our correspondence as well as efficiency of process. One of our most important roles is the appointment of the arbitrator. Thereafter, we monitor the correspondence between the parties and the arbitrators and assist either the parties or the arbitrators when there are issues as to delay from any of the players in arbitration.

How does HKIAC appoint arbitrators?

HKIAC emphasizes party autonomy when it comes to the arbitrator appointment process. Under our HKIAC Administered Arbitration Rules, HKIAC makes an appointment only if the parties cannot agree as to the sole arbitrator or the co-arbitrators cannot agree as to a president of the tribunal. As the statutory appointing authority under the Hong Kong Arbitration Ordinance, parties apply to the Centre when they cannot agree as to the arbitrators. In that case, parties have an opportunity to comment on the type of arbitrators they are seeking. HKIAC will take their comments into consideration when making an appointment. As the appointing authority under the UNCITRAL Rules, HKIAC may use the list procedure in making appointments.

For cases where the Centre appoints, we have an Appointments Committee. The Secretariat will propose to the Appointments Committee a few names who might be appropriate for the given case. The Appointments Committee will deliberate and determine the most appropriate arbitrator under the circumstances.

In recent years, I see that parties tend to appoint arbitrators by agreement, even if HKIAC is named as the appointing authority in the contract. Sometimes we will be asked for a list and parties will rank from the list. Parties have commented that our searchable

ARBITRALWOMEN

The International Network of Women in Dispute Resolution

database has been useful when looking for appropriate arbitrators.

What is the difference between the List and the Panel?

Both are vetted before they are accepted. The List is for those practitioners who may be quite senior but who have had only a few appointments, or for younger practitioners seeking their first few appointments. The Panel is for those who are more experienced as arbitrators; they will have done a fair number of cases.

HKIAC occasionally appoints from outside the List and Panel. We do this in cases where a special expertise is requested, or if there is a need for expertise, which we do not have among our arbitrators.

What proportion of the arbitrators on the List and the Panel are women?

Frankly, I've never counted. My guess is that, of the almost 500 names we have, 10-15% are women.

We see so many women working now, as counsel in arbitration. Many of them probably want to sit as arbitrators too. Has the Centre ever considered having a policy of including a higher proportion of women on its List and Panel, and in its appointments?

Actually, as far as I know, no one has ever raised the question before. But it is something we could consider. I understand that CPR in the United States has a policy of including on the candidate lists sent to parties, a number of women's names in proportion to the names on the CPR arbitrator list. This is an interesting policy that may be worth considering.

Do you have any suggestions about how women might increase their chances of being appointed?

This is not specific to women but I believe that the usual routes of publishing, teaching, and networking are all helpful. Based on my observations, I think it is also easier once you've had an appointment or two since it seems that appointments can sometimes come through co-arbitrators who enjoyed sitting with you. So doing a good job as an arbitrator and gaining the respect of arbitrators one works with may help.

Perhaps you could share with ArbitralWomen Newsletter's readers what you see as your most satisfying achievement since arriving at HKIAC?

This is not necessarily an achievement but one of the most satisfying aspects of my tenure with HKIAC thus far is the people with whom I work. I count myself

lucky to work with wonderful people within the Secretariat, with the Council and in the greater arbitration community. Despite not being from Hong Kong, I am passionate about the city – it has a lot to offer both as a vibrant metropolis as well as an arbitral venue.

Any parting thoughts or insights? Future challenges?

I see Asia as having a substantive role to play in the future of international arbitration. I hope that HKIAC can meaningfully participate in building arbitration capacity in the region and bring the Asian focus to the forefront. For arbitration to be sustainable in Asia and for it to grow as the accepted mode for resolving disputes, we need to continue to develop the base of international arbitration practitioners as well as international arbitrators originating from Asia who can command an international profile. We have the job of bridging cultures and connecting the traditional world with the new world. By achieving this, we can make the whole process stronger and more sustainable.

WENYING WANG

Secretary General of CIETAC Hong Kong



*Louise Barrington with Wenying Wang
at the CEITAC Headquarters in Hong Kong*

Wenying, our paths have crossed at various times since you and I both arrived in Hong Kong in 1997. But can you tell our readers something about your background, and the steps that led you to this very visible post at the head of CIETAC's first branch outside Mainland China?

My home city is Xi'an, which most foreigners know because of Emperor Qin's terra cotta warriors. His "ghost army" of 8000 warriors was discovered nearby



in 1974, after lying buried for 2000 years. Today the site is a major tourist attraction in China. I was one of two students from my province, Shaanxi, to be accepted to study at the Department of Library and Information (now is the Department of Information Management) Beijing University, where I received a BA in Library and Information Science. At that time, in the 1980s, most students for social science studied history, literature, philosophy or journalism; law was not a popular subject. Even judges didn't need law degrees and many were retired soldiers at that time.

When I graduated, I joined CIETAC. This was a particularly important time in the organization, with many changes. China had just signed the New York Convention in 1987. In 1988, the State Council approved renaming CIETAC as the China International Economic and Trade Arbitration Commission and decided that it could cover all disputes arising from international economic and trade transactions. In 1989, CIETAC established its first Panel of Arbitrators. From then on, the Panel of Arbitrators was separated from the List of Commissioners, and arbitrators from Hong Kong, Macao and foreign countries were first engaged.

In June 1989, an award made by Shenzhen Sub-Commission was executed by the Court of Hong Kong in accordance with the New York Convention of 1958, which was of great significance because it was the first successful example of a Chinese arbitral award being enforced in another jurisdiction. The South China Morning Post reported on March 5, 1990 that China had become the second largest international commercial arbitration center and that cases were settled fairly.

As a new graduate, I witnessed all these changes taking place, and learned about arbitration from the most experienced and famous arbitrators in China. It was an exciting and fascinating time, and got me deeply involved and interested in arbitration. In 1993, my first position at CIETAC was as one of three founding members of the Chinese Chamber of International Commerce (CCOIC) Arbitration Research Institute. The Institute was the first in the Mainland focusing on arbitration and arbitration-related law and practice. I worked with Wang Sheng Chang, then the Secretary General, and Chen Ming who has recently been named as Director of the China Maritime Law Association. We started the first Chinese language arbitration journal -Arbitration and Law. Meanwhile, I acted as case manager for CIETAC arbitrations. In this role,

aside from the administrative duties you would expect from any institution, we also acted as assistants to tribunals, drafted reports of hearings (instead of a verbatim transcript), and sometimes got to draft the procedural history part of awards. This was wonderful experience for young practitioners like us, and an important part of our formation. Many others who have worked as CIETAC case managers have gone on to become lawyers in the private practice of arbitration.

I studied very hard on my own, without attending law school, and was able to pass the bar examination and obtain the Law Qualification; with that I entered Renmin University to do an LLM part-time while continuing to work with CIETAC.

In 1997 I was assigned by CCPIT to its Hong Kong representative office, as the representative for legal and arbitration issues. There I met many international arbitrators, entertained colleagues. I introduced Chinese arbitration law and CIETAC arbitration practice to them, and provided advice to people considering arbitration. This period in Hong Kong was an amazing experience; it opened my eyes to new people, different systems of law, different procedures. My thought processes changed, and the responsibility of the job matured me professionally. I became a member of the Chartered Institute of Arbitrators, and helped to promote its training in Mainland China. My vision of arbitration, and the world in general, became broader.

In 2000, I took three years off to do an SJD (Doctorate of Legal Science) at Hong Kong University, and at the end of my studies returned to the Mainland, this time as Deputy Director, then Director of the Arbitration Research Institute. I did much of the organizational work for the 2004 ICCA Congress in Beijing, and had a major role in drafting the amendments to CIETAC's Rules in both 2005 and 2012. I was also appointed as arbitrator in many cases – around 70 so far. As an employee of CIETAC, I cannot accept party appointments, but I can arbitrate when appointed as chair or for a defaulting party by CIETAC's Chairman.

So, there you were in Mainland China. How did you come back to Hong Kong?

Then came the decision to open a sub-commission of CIETAC in Hong Kong, at the invitation of Hong Kong's Department of Justice. My earlier experience in Hong Kong and my Hong Kong degree put me in a good position for this posting. I was very happy to lead this historic project, and to return to Hong Kong. The



The International Network of Women in Dispute Resolution

official inauguration of CIETAC Hong Kong was 23 September 2013.

Perhaps you can tell us about the challenges you faced when you arrived in Hong Kong last summer?

Well, when I arrived the office space had already been chosen, but I had to hire staff and make the space into a working office. I interviewed many people, and chose a Hong Kong person as the office manager, and a Mainland Chinese lawyer who had graduated from HKU's ADR course as the first case manager. We have a very nice office overlooking the harbour, which is a good thing since I spend so much time in it!

This is a tough job, and we are just beginning. It takes a lot of persistence and patience to see results, to see that more and more people recognise the CIETAC HK name and begin to trust it.

The main task in the past year was to make CIETAC HK known by parties and practitioners both in HK and the mainland.

Can we talk about CIETAC arbitrations? What kind of caseload do you expect and how do cases come to CIETAC Hong Kong?

Well, CIETAC had 1256 new cases in 2013, and of those about 400 were foreign-related or international. The other 800 were domestic, but most are "foreign-related" because although a party may be a company incorporated in China, the investors could be of any nationality at all. Under Chinese law a dispute between a "WOFE" (wholly owned foreign enterprise) and a Chinese company is considered domestic.

As to how parties would get to CIETAC Hong Kong, it may happen in different ways. If the arbitration clause says "CIETAC Arbitration in Hong Kong", under current arbitration rules, it will be filed with the head office in Beijing, which will normally send the case to us in Hong Kong for oral hearings. On the other hand if the arbitration clause says "arbitration under CIETAC Hong Kong Arbitration Center" or "arbitration under CIETAC Hong Kong" or something similar, it may be filed directly with our office in Hong Kong and we will handle it.

Can you tell us something about the CIETAC's administration of arbitration?

CIETAC's case manager system is one of the most important reasons why CIETAC can handle the case efficiently. They take care of coordination between arbitrators, between parties, and between arbitrator

and parties. They make sure the arbitration is carried out in accordance with CIETAC arbitration rules and relevant arbitration laws.

They also assist when parties or lawyers before start of arbitration make enquires about everything on arbitration procedure, for example, how to draft a specified arbitral clause.

How does CIETAC appoint arbitrators?

According to Chinese arbitration law, arbitration institution should have a list of arbitrators. Parties in dispute should appoint arbitrators from among the list. If the parties failed to appoint arbitrators within the time limit, then the Chairman of CIETAC is the appointing authority. In the past CIETAC cases all arbitrators were appointed from CIETAC Panel of Arbitrators, but since the 2005 amendment to the CIETAC Rules, this is no longer true. Parties can agree on the number and identity of the arbitration panel. If they cannot agree on the number, CIETAC will usually appoint a sole arbitrator in cases where less than 2 million RMB (note: about US\$ 320.000), and for larger disputes, a panel of three. Parties tend to appoint sole arbitrators by agreement, either from the CIETAC list or from other sources, but if they cannot, then the CIETAC Chair will appoint one. For a panel of three, the two parties each can submit a list of 5 acceptable candidates to CIETAC, the chairman of CIETAC then appoints one of the names which appear on both lists. If no name appears on both lists, the Chair will choose someone, usually from the CIETAC Panel. I don't keep statistics about how often CIETAC is called upon to appoint arbitrators and how many times foreigners are chosen as CIETAC arbitrators, but I see a trend that more and more foreign arbitrators appear in cases as party-appointed arbitrators or even presiding arbitrators. In one case, three members of the arbitral tribunal are non-Chinese.

Of course, language is an issue since most CIETAC arbitrations in the past have been conducted in Mandarin. However, the good news is that the use of English for CIETAC arbitrations is increasing, which will bring more opportunities for non-Mandarin speakers to arbitrate.

CIETAC has an ad valorem fee schedule doesn't it, much like the ICC?

Yes, but the rates are different. Also, we are bringing out a new type of fee schedule for CIETAC HK in 2014 which should make CIETAC arbitration even more

ARBITRALWOMEN

The International Network of Women in Dispute Resolution

appealing to parties, and we hope to arbitrators as well.

What proportion of the arbitrators on the Panel are women?

I checked and found that only 167 women are on our panel, which is less than 17% of the total of 997 arbitrators. The good news there is that of those 167 women, more than 80% have received appointments, a far higher proportion than among the men; and many women have been appointed multiple times, so parties must be happy with their work. Usually women arbitrators come through party appointments. A couple of women from outside Mainland China have acted as CIETAC-appointed arbitrators, for example Sally Harpole and Teresa Cheng. Both these women are fluent Mandarin speakers.

So many women now work as counsel or in the administration of arbitration. Many aspire to sit as arbitrators too. Has CIETAC ever considered having a policy of including a higher proportion of women on its Panel, and in making its appointments?

You're right about the many women in arbitration today. I sat as sole arbitrator in a case last year where the Claimant had three women lawyers and the Respondent had two. The contract provided for the language of the arbitration to be English which was a bit strange because all five counsel and I were native Mandarin speakers. Nevertheless the Claimant insisted on English, so we proceeded in English, even though the Respondent needed translation to present its case.

Do you have any suggestions about how women might increase their chances of being appointed as CIETAC arbitrators?

The qualifications of arbitrator are gender blind. I think the experienced, talented, professional arbitral women with proactive mindset and efficient habits are prone to be appointed by both parties and institutions.

Any parting thoughts or insights? Future challenges?

I'm really proud to be at the head of CIETAC's very first overseas branch here in Hong Kong. It is a real honour, but also a tremendous challenge. We are the newcomers to Hong Kong. So my work – the work of all of us at CIETAC Hong Kong – is to let people know about CIETAC and what we offer, and to encourage them to trust us.

CIETAC offers the advantage of Chinese rules which are modern and formulated with international cases in mind, and in our setting here in the Hong Kong legal system, which is familiar to common lawyers. If one party insists on CIETAC arbitration, the other can logically call to have the seat of the arbitration in the trusted neutral venue of Hong Kong.

I am very optimistic about the future. We had a multi-party arbitration last year in Hong Kong, and everyone was very happy with the procedure and with our lovely Hearing Centre. It is small, with just one large and one small hearing room, but if we need more space we can arrange that.

It is a tough job, but I am committed to it – to the arbitration process, to the CIETAC system, and to Hong Kong as a place for parties to choose the best possible alternative dispute resolution. I am sure that one day, not too long from now, many Chinese and non-Chinese parties will be happy to choose CIETAC Hong Kong arbitration.

CHENG YEE KHONG

Director and Counsel, ICC International Court of Arbitration, Asia Office



Cheng Yee, you've been at the helm of ICC's Asia Office for nearly six years now. Can you tell us something about the path that led you here to Hong Kong?

After I obtained my law degree in the UK, I decided to move to Paris, where I was fortunate enough to be offered a position as assistant counsel at the Secretariat of the ICC Court. After a few years there, I decided to enter private practice. I joined Freshfields and after I qualified as a solicitor in London, I moved back to their arbitration group in Paris. Some years later, I saw the opportunities in Asia and moved back



The International Network of Women in Dispute Resolution

to Kuala Lumpur, where I qualified as an advocate and solicitor with Shooklin & Bok. I was later contacted by the then Secretary General, to see if I would be interested in taking over the Asian sector for ICC Dispute Resolution Services. It was too good an opportunity to miss. After about 18 months in the position, ICC made the decision to open a new branch in Hong Kong to administer arbitrations and I moved to Hong Kong to set up the Asia Office. Since then, we have gone from strength to strength, and we are now one of the larger teams at the ICC Court.

Do you think your Asian background give you an advantage in landing the job?

I think my Asian background did help. I was born in Malaysia and grew up both there and in the UK.

Have mentors played a role in your professional advancement?

Yes they have, and I will always be grateful for their invaluable guidance. I am fortunate to have had good relationships with my bosses.

Now, after nearly six years in the role, can you describe the biggest challenges of the job?

At first, the challenge was creating something completely new in Asia. First we had to select the country in which base the Asia Office, which was not an easy choice, and then there were all the logistics of setting up the office, hiring staff and of course, case management.

Today the big challenge is administering approximately 200 arbitrations. The time difference and distance from the headquarters in Paris complicates matters sometimes, but technology has made it easier to communicate and stay in touch with colleagues in Paris.

As the only ICC office outside of Paris (until SICANA opened recently in New York), the Asia Office has become a contact point in Asia of all kinds of questions, not just about arbitration, but about other ICC dispute resolution services and ICC's non-dispute related services.

Is there anything about Asia that makes it different to work here from Paris?

We have a very diverse caseload in terms of the level of sophistication of party representatives and arbitrators, different legal, linguistic and cultural backgrounds, and there are also different attitudes of state courts toward arbitration. And, at any given

time, the ICC has about 1,500 pending arbitrations. Of those, some 200 are administered by the Asia Office.

In what proportion of its cases does the ICC name arbitrators?

I do not have the figures at hand, but I would say that most parties seize the opportunity to nominate arbitrators. The ICC Court will only appoint arbitrators where necessary.

Most readers will be aware that the ICC Court appoints sole arbitrators and tribunal presidents by asking one or more of its National Committees to propose names. How do you decide which National Committee to call upon?

Depending on the situation at hand, the ICC Court may appoint any member of the arbitral tribunal. The Secretariat usually suggests one or more National Committees to the ICC Court, which then decides which National Committee to approach.

Do you have any preference about which National Committees you call on?

No. We look at the circumstances of the case and start from there.

Of the appointments made by the Court, what percentage are women?

I do not have any statistics on this, although there are quite a few women appointed by the ICC Court. I recall that we did have one all-female tribunal a couple of years ago. I am always on the lookout for new potential candidates to act as arbitrator, whether they are women or men.

As a member of the ICC Hong Kong appointing committee, I am often frustrated at the small pool of experienced Hong Kong women available for appointments. Is this your experience as well?

It is true that there do not seem to be that many women in Hong Kong who are experienced arbitrators. That may be due to a proportion of women who leave legal practice to go in-house, or to take other roles.

What would you advise women to do, to increase their chances of being appointed?

One option could be to speak at conferences and publish articles. Those listening or reading form a view, and this may help to flag up your name when during the arbitrator selection process. It is also useful to be in contact with the National Committee of your own nationality and also of where you live, so that the



National Committee is aware of your interest in acting as an arbitrator.

As Counsel, are you in a position to suggest the name of someone that you think would be suitable for a particular case?

It might happen occasionally, where the National Committee has asked for suggestions or we think the National Committee would be receptive to a suggestion. But National Committees are free to propose whomever they consider suitable as candidates to the ICC Court, and in the end it is the ICC Court that decides whom to appoint.

Over the time you have been managing the Asia Office, is there any particular part of the job that gives you the greatest satisfaction?

It is very satisfying to see the office working well. We started with approximately 40 cases, transferred from Paris. Now we have about 200, most of them filed directly here in Hong Kong. People tell me they are satisfied with the service, and that it is a real help to have the office in Asia, on the same time zone, speaking the same languages and located close to them geographically.

Any thoughts about the future?

It is possible, if the current caseload continues to grow, that we may need a second team in Asia in the future.

Anything else? Any message you'd like to leave with our readers?

It seems to be getting easier for women to achieve their goals, as employers become more understanding about the challenges of women who try to balance their career and family life. Thanks to technology, more people are able to work away from the office, so that can provide more flexibility for women with young families. As more women become partners, hopefully they will serve as role models for younger generations. share their views on current trends.

ArbitralWomen Kluwer Arbitration Blog

ArbitralWomen started a cooperation with Kluwer Arbitration Blog since January 2014 and is blogging as ArbitralWomen group. Blog posts address current issues in international dispute resolution. Editorial commentary and candid views are particularly welcome. **Ileana Smeureanu** is in charge of this cooperation program and is assisted by an Editorial Committee including her and composed of **Gillian Lemaire, Karen Mills** and **Mirèze Philippe**. Members are encouraged to participate and to benefit from this opportunity to share their views on current trends.

Papers published by ArbitralWomen members are available under [Kluwer Arbitration Blog](#) or under [ArbitralWomen dedicated page](#), or also by clicking on the hyperlink of each of the blogs so far posted and summarized below.

[Lists, Checklists, Guidelines, Principles, Techniques, Protocols, Best Practices: Are They Useful?](#)

*By Karen Mills, Mirèze Philippe & Ileana M. Smeureanu
Posting of 16 January 2014*

The wealth of information available offers helpful and concise guidance and tools to assist practitioners in their daily practice. In an age where practitioners are short of time and are faced with a plethora of documentation to read, putting in place helpful guidance and tools may be of valuable assistance in ensuring that the basic issues for each stage of an arbitration are remembered. Lists, checklists, guidelines, principles, techniques, protocols, and best practices elaborated by organizations and working groups like UNCITRAL, IBA, ABA, ICC, or by law firms, facilitate the work of the parties in preparing and arguing their case, and help the arbitrators organize and conduct the proceedings.

[Paperless Arbitrations – Where Do We Stand?](#)

*By Gillian Lemaire, Avocat (Paris), solicitor (Scotland)
Posting of 19 February 2014*

Technology in arbitration is of course a vast subject which has been addressed extensively by a number of writers. This article focuses briefly on the issue of reducing paper in arbitrations. It considers: How are practitioners currently dealing with paper reduction at the various stages of an arbitration, especially the



The International Network of Women in Dispute Resolution

hearing ? (Although discovery can consume significant amounts of paper, it merits its own consideration and is not therefore addressed in this article.) Are any facilities, rules and/or guidance available on the subject? Are there any drawbacks to using technology to cut down on paper? What is the way forward?

[Efficiency at all cost – arbitration and consolidation?](#)

By Lara Pair, LP Legal

Posting of 14 March 2014

The views expressed are those of the author alone and should not be regarded as representative of or binding upon the author's law firm. Consolidation of multiple disputes into a single arbitration proceeding is considered progress with respect to the efficiency of the arbitration process. Consolidation is a procedural mechanism allowing for two or more claims to be united into one single procedure concerning all related parties and disputes.

[Arbitral Tribunals' decisions on costs sanctioning the parties for counsel behavior: A phenomenon expected to increase?](#)

By Eliana-Maria Tornese

Posting of 16 April 2014

Guidelines 26 and 27 of the IBA Guidelines on Party Representation in International Arbitration have again raised the debate on the extent that Arbitral Tribunals are entitled to deal with "guerrilla tactics". 1 The present contribution will in particular discuss Arbitral Tribunals' power to sanction parties for the behavior of their counsel in the proceedings by a ruling on costs.

[Arbitration Clauses in Gas Supply Agreements](#)

By Sandra de Vito Bieri

Posting of 15 May 2014

One of the core elements of long-term Gas Supply Agreements are price review provisions (also called price reopener clauses), which allow parties to review the price of the gas during the life of the agreement. The importance of such clauses lies in the long-term nature of the agreements (often up to 30 years) and the changing nature of the markets. The price is usually defined in a formula and often, particularly in older agreements, linked to the oil price. The parties might also agree on a specific source for the oil price to which the gas price will be linked, e.g. Platt's Oilgram Report, a daily report that covers market changes, market fundamentals and factors driving prices.

[The Future of Class, Mass, and Collective Arbitration](#)

By Stacie Strong

Posting of 22 May 2014

At the Eleventh Annual ITA-ASIL Conference on class and mass claims in arbitration, the panelist Deepak Gupta, suggested that the best way to address large-scale arbitration in the future might be through legislative and regulatory action. The discussion arose in response to statements by keynote speaker Carolyn Lamm that class and mass claims would not only continue to arise in the coming years but might in fact increase as a result of the demands of a globalized economy. A case relevant to the discussion was handed down two weeks after the conferee closed. In her article, Professor Strong shares a few comments about *Department of Enforcement v Charles Schwab & Co., Inc.* and concludes that the law in this field is both diverse and evolving. In the coming years will doubtless see further challenges relating to class, mass and collective proceedings. However, the author notes, this does not appear to be an area of law that is going to disappear any time soon. Instead, if Ms. Lamm's prediction holds true, the number of large-scale arbitrations will only increase with time.

[Five Facts About Recognition and Enforcement of Foreign Awards in Central and Eastern Europe](#)

By Ileana Smeureanu

Posting of 26 June 2014

Arbitration has become an accepted dispute resolution mechanism in Central and Eastern Europe ("CEE") over the last two decades. Given the diversity of the countries in CEE, arbitral practice in the region is not entirely uniform despite the fact that most CEE countries are parties to international instruments meant to harmonize arbitration standards and court-related procedures. Though CEE's arbitration practice cannot be summarized in a few words, this piece gives a bird's eye view of the region, with a focus on five key facts or figures concerning recognition and enforcement of foreign awards.



The International Network of Women in Dispute Resolution

Vis Moot & Mediation Moot



Left to right: Julia Lotze, Ingeborg Schwenzer, Li Kaixu, Zhang Liming, Louise Barrington

Vis East Best Oralists: Winner, Li Kaixu (China EU school of law) - Runner up, Zhang Liming (China EU school of law) - Second runner up, Julia Lotze (Bucerius Law School)

Information from Hew R. Dundas

Hew R. Dundas, a faithful supporter of the Vis Moot, devotes significant time to the Vis, mainly the Vis East, each year (see ArbitralWomen Newsletter Special Issue n°3 on the Vis Moot and the support of Hew R. Dundas). Mr Dundas reported on the OGEMID list in April 2014, that the Vis East 11 was a huge success with 99 teams from 28 jurisdictions participating. The 100th team, from Kyiv (Ukraine) would have been the twenty-ninth, but was prevented from travelling by the domestic political situation). In all, approximately 1,200 students, coaches, arbitrators, administrators and others participated.

Vis East XII/Vis XXII

In order to accommodate the growing number of teams, VE12 will start one day earlier than usual i.e. on Sunday 15th March 2015; it will finish as usual on Sunday 22nd March, two weeks before Easter.

Vis XXII in Vienna will run from 28th March to 22nd April 2015, starting on the Friday nine days before Easter and finishing on Maundy Thursday.

ArbitralWomen Support to Students participating to Moot Competitions

Each year ArbitralWomen sponsors a few teams participating in the Vis Moot. To qualify for AW sponsorship, at least half of the members of a team must be women, the team must demonstrate the financial need, and priority is given to teams who have not previously participated, who have no support from their universities or no coach, who come from developing countries or jurisdictions which, in the sole discretion of the Board, are in the greatest need of support for the advancement of women in dispute resolution.

This year ArbitralWomen sponsored the Faculty of International Law, Diplomatic Academy of Vietnam (Vietnam), the National Law School of India University Bangalore (India), the Kenya School of Law in Nairobi.

Words of Thanks from the Students Demonstrate the Importance of ArbitralWomen Support

Letter from the moot team of International Law in Diplomatic Academy of Viet Nam

By Anh Linh Ngyuen

Sometimes we win, sometimes we learn – Lesson from the Vis Moot East

My name is Linh, a third-year student studying International Law in Diplomatic Academy of Viet Nam (DAV). I am writing in order to tell you the story about our Vis Moot Team in Hong Kong this year, an unforgettable memory to all members of the team, thank to your great sponsorship.

The Dav Vis Moot Team took part in the Vis East Moot for the first time in 2009. From that time, our seniors tried to create a Vis community and help us study ourselves about the Arbitration and CISG due to the fact that we don't have any CISG course in our university while the International Arbitration is just mentioned a little. Therefore, our team has been formed since May 2013 so that we could learn enough to prepare for the Moot. Learning by our own, we sometimes met troubles of language and source of knowledge also. As the result, before we received the Problems of Vis this year, two members of our team decided to quit due to the fact that they couldn't put up with the pressure of dealing with both Vis and our University in the same time.

ARBITRALWOMEN

The International Network of Women in Dispute Resolution

Receiving the Problem, we faced the hardest thing when making the memoranda: source of documents. We didn't have much documents related to Arbitration and therefore we had to use Google Book as our library. It happened several times when we were researching about the arbitration and found the great information in the Google book then could not see the needed part as the limitation of that book so that we had to re-started again.

Besides, we are student from a developing country so the fee for the Moot made us worry very much. Luckily, the day before paying the registration fee of the Moot, we received an email that the ArbitralWomen agreed to sponsor us and that new seemed to be miracle to us. We cannot find any word that can express how happy we were at that time.

After that, thank to your support, we believed more in our process of raising funds to travel to Hong Kong. We were honoured to receive sponsorship of 2.000 USD from Allens & Linklaters law firm in Hanoi and 1000 USD from the EP Legal law firm in HCM city.

However, when we didn't have to worry about the financial issue anymore, Ms. Nguyen Ngo Thuc Anh, a member of our team told us that she couldn't come with us to the Oral Hearing Round due to her health problem. It was a really bad new with us at that time. Nevertheless, we still tried to prepare as much as we could so that we can do the best as we can, not only for ourselves but also for Thuc Anh.



Left to right: Trinh Ba Duong, Hoang Thi Phuong Anh, Hew Dundas (coach of the team in Hong Kong), Nguyen Thi Mai Anh and Nguyen Hoang Anh Linh

Arriving in Hong Kong, it was really lucky for us that we met an awesome coach from Scotch land, Mr. Hew R. Dundas. He has been involved in coaching our DAV Vis Moot Team for 6 years since the time the DAV Vis

Moot Team's debut in 2009. However, due the some problems, he just can meet and then help us in the Oral Hearing round in Hong Kong. Every time we took part in the match, he met us, encouraged us, showed us how to oral then to be confident about ourselves. He were really busy at those days but still spent time hearing our matches then took note and gave us commend after each so that we could improve match by match. Actually, we do not know how to say it but Mr. Hew seems to be our grandpa, not just a coach and the way he took care of our team make us think that we are not only his adopted team in but his grandchildren also.

Letter from the moot team of the National Law School of India University

By Ashwini Vaidialingam



I write to you on behalf of the team that represented the National Law School of India University, Bangalore at the XXI Willem C. Vis International Commercial Arbitration Moot. After our return to India after the moot, exams and the rest of the academic term caught up with us. As the three of us have now finished our respective trimesters, we wished to take this opportunity to thank you and Arbitralwomen for the assistance provided.

With respect to the moot itself, our performance exceeded both our and others' expectations. As you might be aware, we managed to advance right till the finals, finishing as runners up. Both the speakers on the team also received honourable mentions. The moot was truly an extraordinary experience that all three of us will always treasure. Apart from the great privilege of representing our university and country at that platform, we had the opportunity to argue before extremely eminent panels. Meeting arbitrators and co-participants from across the world who had each understood the problem differently was really an eye-opener for us, and we learnt a great deal interacting with them.

As we had previously communicated to you, we had faced severe financial and other difficulties at the beginning of the year. Without your assistance, it would have been near impossible for us to have participated at all. We therefore wish to express our sincere thanks to you and ArbitralWomen for all the help provided to us.

ARBITRALWOMEN

The International Network of Women in Dispute Resolution

Best University participating for the first time in the ICC International Mediation Competition Sponsor Recipient – Kenya School of Law

By Njahira Gitahi



Jehaan-Ara Kassam and Njahira Gitahi

Going to an International Mediation Competition as the only participating African University is a daunting task. There is tremendous pressure to perform well in order to best represent African institutions, yet, as a first time participating university with a small team of two young ladies, Jehaan-Ara Kassam and Njahira Gitahi, the prospect of competing was nerve wracking.

By way of background, the competition is the ICC's biggest annual educational event, attracting 500 participants from more than 40 countries, and is devoted exclusively to international mediation. For our team, this was not the most daunting part; our primary fear was a lack of funding. Several months prior to the competition date, we began our largely futile task to secure funding to attend the competition. With a little bit of luck, we found the website of ArbitralWomen, an organisation that focuses on advancing the growth of women in arbitration and mediation. The organisation responded positively to our appeal for financial aid, and with further funding from Mr. Anthony Gross, a mediator practicing in Kenya, we were on our way.

The fears we had were temporarily abated upon arriving in Paris. The city was beautiful. It felt like we were in a living, breathing novel. We walked the streets of the picturesque Montmartre with our eyes greedily devouring all the sites: patisseries, boulangeries, wine stores and fromage shops. With some skill, we deftly navigated the metro and bus

stops to arrive at the International Chamber of Commerce for the registration process.

The registration process went smoothly and I was struck by the warmth and friendliness of the Organizing Committee. We felt very welcomed. Upon receiving our schedule, we realized that we would have to get to work right away to prepare for our moots for the next three consecutive days. Fortunately, work does not feel like "work" when done in a creperie drinking hot chocolate.

The next three days of mooting were immensely intellectually stimulating. The initial apprehension we felt was replaced by a desire to learn more and do better in each subsequent round. The first school we faced was the Polish Jagiellonian University, one of the oldest universities in Europe. This was followed by a moot the same afternoon with Eötvös Loránd from Budapest. I am proud to say that in both these sessions we stood our ground strategically and got praise from the other participants, as well as the judges. We received some constructive criticism from the judges too, which we earnestly listened to and incorporated into our other strategies. It was a learning experience.

Thrilled by the progress we had made on the first day, we worked even harder on our next two moots and implemented all we had learnt so far from the judges and mediators. We became more tactical and perceptive. Our third moot was against the Ecole de Formation du Barreau from France. With this team too, we cultivated a strong friendship through the competition. This moot went very well and we were pleased with ourselves while walking out.

When our final moot rolled around against Cornell University, we were rather sad that the preliminary experience was winding up. We had enjoyed ourselves so thoroughly and could have done more days of mooting if possible. However, we did remain hopeful that we would make it into the eighth finals and be one of the lucky 16 out of 65 Universities selected to progress.

The moot against Cornell was the most technical and difficult one due to the nature of the question we were answering. However, I daresay we performed the strongest in this moot. The complexity of the question only made us rise to greater heights. When the moot was over, the judges were astounded to learn that we were in fact a first time participating university with no coach.

ARBITRALWOMEN

The International Network of Women in Dispute Resolution

For this reason, when the grand ceremony was held at the prestigious social club, Cercle de l'Union Interalliée, announcing the 16 progressing universities, we were extremely pleased to receive a Special Award. We were declared the "Best University participating in the competition for the first time". We both held our heads high as we went up to claim our award, because we knew we had earned it.

Unfortunately, we did not make it to the eighth finals. This disappointment was somewhat cured by the fact that we did not return home empty handed, and we would have the opportunity to sightsee and tour Paris.

As expected, we spent the next few days getting lost in the awe-inspiring streets of Paris.

Upon our return to Nairobi, we immediately began contacting the many people we met at the competition and the generous sponsors who made our trip possible. The award we won will be handed over to the Kenya School of Law. It is our sincere hope that when the school sees how well we did, they will be encouraged to send a team to the competition next year. Africa has much to contribute and the Competition will benefit from more international participation. It is our great and sincere hope that this competition will become an annual event for the Kenya School of Law.

ArbitralWomen Members sponsor Moot Teams

ArbitralWomen members were invited to contribute to the support ArbitralWomen provides to moot teams. ArbitralWomen thanks the members who contributed to such sponsoring, namely:

Michelle Bradfield, Béatrice Castellane, Kirstin Dodge, Carine Dupeyron, Gabrielle Farina, Yvonne Junyent, Bronwyn Lincoln, Elizabeth Oger-Gross, Noradèle Radjai, Sabina Sacco, Shelly Skeen, Mercedes Tarrazon Rodon, Liz Tout, Clarisse von Wunschheim, Ana Carolina Weber, Jane Wessel, as well as other members who wished to remain anonymous.

ArbitralWomen around the World

BRAZIL



Left to right: Ana Carolina Weber, Marina Mendes Costa, Anna Serra e Moura, Isabel Cantidiano, Amanda Fernandes, Maria Fernanda Gedeon, Mathilde Vital Durand

An ArbitralWomen Group started in Brazil

ArbitralWomen member, **Ana Carolina Weber**, and newly elected member of the Board, has started an ArbitralWomen group in Brazil. A Brazilian happy hour which was the first official event organized on **13 May 2014**, was the occasion to present ArbitralWomen and allow participants to present themselves. More than 15 women participated to the very pleasant evening, from top senior law firm partners to recent graduated lawyers who exchanged experiences. Most of the women have been acting as counsel in arbitration, mainly domestic, and some had also been nominated as arbitrators. This first gathering was determined to be the start for developing ArbitralWomen in Brazil, as a vehicle for women acting in domestic and international arbitration.



The International Network of Women in Dispute Resolution

Women in Arbitration in Brazil

Excerpts from a paper to be soon published on Kluwer Arbitration Blog

ArbitralWomen group in Brazil participated in a seminar organized on **17 March 2014** in Sao Paulo by 'Legal in Skirts' (an organization of in-house counsel promoting women at work), Chambers and Partners, and CCBC. A report on women practitioners in dispute resolution in Brazil was presented by **Eleonora Coelho**.



Ana Carolina Weber



Eleonora Coelho

Although arbitration has developed very quickly in Brazil in recent years – the Brazilian Arbitration Act was enacted in 1996 – scholars and practitioners have not discussed much about gender diversity in the arbitration field in our country. A research initiative to analyze the present situation regarding women in arbitration in Brazil has been conducted and here are the preliminary findings.

In order to understand the role of women in arbitration, it is important to first analyze the current situation of women in the legal field. Law schools in Brazil were created in 1827. However, women were only allowed to study law after the enactment of Decree n. 3.903, in 1901 – almost 80 years later.

Regarding the presence of women in law school, in 2012, from the 2442 students who were enrolled at the University of São Paulo, women represented only 37% (968 students). Women graduates represented 45% of all active lawyers in Brazil, according to the Brazilian Bar Association.

Although the proportion of men and women in law schools and in the market could not be considered a concern, it is worth emphasizing that just a few women reach the top of their career. This phenomenon is called the “pipeline leak” (Lucy Greenwood & Mark

Baker “*Getting a Better Balance on International Arbitration Tribunals*” *Journal of the London Court of International Arbitration*, 2012, volume 28 number 4, pp 653-667), where identified causes are (i) a sexist working environment; (ii) difficulties in administering more than one career such as working both as a lawyer and as a mother or manager of the household; (iii) absence of women as role models or mentors; and (iv) absence of flexibility at work or, even where there is some, women are not encouraged by the companies or by other employees to achieve leading positions.

Looking at the field of arbitration it is important to first consider the international scenario. In 1995, the International Chamber of Commerce (ICC) appointed or confirmed 766 arbitrators: 22 women (3%) and 744 men (97%) (*footnote 9 of Lucy Greenwood & Mark Baker article*). Three years later, this proportion had not significantly changed: the London Court of International Arbitration (LCIA), for example, nominated 66 arbitrators, but only one arbitrator was a woman (1.5%). Although things are changing, it remains slow. In 2011, from the 318 arbitrators appointed by the Court, 36 were women, i.e. 11,32% (this number was provided by Mirèze Philippe, Special Counsel, ICC International Court of Arbitration).

The lack of women acting as arbitrators is not just a problem in international commercial arbitrations. Investment arbitrations also tend to have fewer women than men as members of arbitral tribunals. From the 254 proceedings concluded by the Centre for Settlement of Investment Disputes (ICSID) between 1972 and 2012, of the 746 arbitrators who served, only 42 were women (6%), while 704 were men (94 %).

Brazil, unfortunately, follows the same scenario. When analyzing the list of arbitrators of the most prominent Brazilian chambers, the percentage of women who are part of these lists is very low and it has not changed very much in recent years. From 2013 to 2014, for instance, not only was the average of women present in these lists was between 8% and 26 %, but in some chambers the number of women *decreased* between these years.

Nevertheless, even if there are women who are part of arbitration chambers’ lists, only few women are effectively nominated to act as arbitrators. In March 2014, for example, the Center for Arbitration and Mediation from the Chamber of Commerce Brazil-Canada (CCBC) had, from 129 arbitral proceedings, 48 women served as arbitrators, which represented 37%

ARBITRALWOMEN

The International Network of Women in Dispute Resolution

of the total nominated arbitrators. On the other hand, from a total of 23 arbitrations administered by the Arbitration Chamber of the Stock Exchange (CAM), only 3 women participated as arbitrator or 17%.

As the full article regarding the research's results (to be soon published) will show, a lot of work needs to be done in order to encourage the young women to pursue the arbitration path and also to encourage parties and co-arbitrators to designate women as arbitrators or head of the arbitral tribunals in order to avoid the "pipeline leak" of talented women in the field.

Ana Carolina Weber, Carvalhosae Eizirik, and Eleonora Coelho, Castro Barros Sobral Gomes Advogados

BELGRAD

On **4 April 2014** an arbitration conference was organized in Belgrade before the Willem C. Vis International Commercial Arbitration Moot by the Belgrade Faculty of Law, the Deutsche Institute for Schiedsgerichtsbarkeit (DIS) and GIZ. ArbitralWomen Board Member **Beata Gessel-Kalinowska vel Kalisz** represented the organization and spoke about 'ArbitralWomen, ArbitralMen ... ArbitralPeople' in her opening speech for the conference. The closing remarks were made by **Maxi Scherer**. Women from Albania and Serbia participated to this conference.

MELBOURNE

An informal breakfast was held at the offices of Herbert Smith Freehills on the morning of **27 March 2014**, on the occasion of the Asia Pacific Regional Arbitration Group (APRAG) conference held in Melbourne, Australia on 26-28 March 2014. Since this was an international conference, it presented an opportunity to meet more ArbitralWomen who might be travelling to such a conference. It was hosted by **Bronwyn Lincoln**, director of ArbitralWomen and **Rashda Rana**, then Treasurer and now President. There were 12 other women in attendance, including a few who were new to ArbitralWomen.

A general discussion took place over the breakfast about what ArbitralWomen aims to do and how we can help those new members. There was a lively discussion of the different, but sometimes awkward, work experiences of some of those present and

comments about issues affecting women generally. It was a pleasure to see the more senior women share their experiences of how they had or would have handled certain awkward moments.

It was a lovely opportunity to meet more ArbitralWomen in a more relaxed atmosphere than a conference allows.

PARIS

ArbitralWomen and White & Case organized a special gathering for members of the ICC Counsel Alumni, members of the Secretariat of the ICC Court of Arbitration and members of ArbitralWomen on **14 May 2014** in Paris.

Traditionally, on the eve of the ICC Arbitration & ADR Commission, **Mirèze Philippe** organizes drinks or dinner for ArbitralWomen members who are present in Paris. This year was the first anniversary of the ICC Counsel Alumni she launched in 2013. To take advantage of this gathering it was an opportune time to organize drinks and to invite former and current members of the Secretariat of the Court, together with ArbitralWomen members who are in Paris. White & Case Paris kindly offered to host and to offer the drinks. The informal gathering allowed the one hundred participants to mingle and get to know each other.



Left to right: Ileana Smeureanu, Marily Paralika, Asoid Garcia Marquez, Mirèze Philippe, Gillian Carmichael Lemaire, Alina Leoveanu



The International Network of Women in Dispute Resolution

In her welcome address **Marily Paralika** said how pleased White & Case is to welcome ArbitralWomen at their offices. "Before giving the floor to Mirèze who is at the origin of tonight's triple celebration, I wanted to say that, as a former member of the ICC Secretariat, I am also particularly pleased to welcome the former and current members of the ICC Secretariat to this joint gathering" said Marily. "As a member of ArbitralWomen, I have watched the organization starting as a 'baby' and growing steadily thanks to Mirèze's indefatigable efforts to become a major forum for women in dispute resolution. This is an extraordinary achievement, because arbitration remains today, for its most part, male-dominated and particularly at the arbitrators' level" she added. This is why ArbitralWomen plays an important role through promoting the interests of women in dispute resolution and their involvement at every level, both for experienced female practitioners and for more junior members through its mentorship program, and through organizing conferences or social gatherings and networking events, using every possible opportunity to bring the women forward on the scene. "Ancient Greeks had chosen a man, Aris, as the god of war, but a woman, Athina, as the goddess of wisdom, strategy, law and justice. This is indicative of what women can offer in the world of arbitration, both as counsel and as arbitrators" she added.

Mirèze expressed special thanks to **Matthew Secomb** and **Marily Paralika** who welcomed the initiative of the joint event; Matthew spontaneously offered White & Case premises and Marily welcomed all participants so warmly as the hostess for this special gathering. "White & Case has not only former ICC colleagues among its members and but has also many ArbitralWomen members. Marily represents the perfect combination for this triple celebration as she is a former member of the Secretariat of the ICC International Court of Arbitration, member of ArbitralWomen and lawyer at White & Case" said Mirèze. In addition, White & Case is among the very first law firms who have put in place a [Women's Initiative](#) to promote women practitioners in the legal field. Therefore, tonight's first gathering in its like is no wonder taking place in an environment that has opened the doors to women in the dispute resolution field. It was simply natural to gather the three communities at White & Case. What was once a small group of women who gathered to try to build something together has become an impressive network of talents with women practitioners coming

from all continents and from 48 countries. Mirèze recommended learning about ArbitralWomen's activities through its Newsletter published quarterly.

VIENNA

The Lewiatan Court of Arbitration, presided by ArbitralWomen Board member **Beata Gessel-Kalinowska vel Kalisz**, held on **11 April 2014** in Vienna during the Vis Arbitration Moot, a Conference on "Generations in Arbitration: expanding Horizons - How to Profit from the 'Multi' Developments in Arbitration". The theme of the Conference was multilateral and corporate disputes. The conference was organized by the Moot Alumni Association, Linklaters, the ICC International Court of Arbitration and the Lewiatan Court of Arbitration.

WASHINGTON

DC Women in International Arbitration held their second event on **8 May 2014** at the offices of Foley Hoag LLP. More than 40 women practicing in various branches of international arbitration, including arbitral institutions, academics, economic experts, and law firms gathered to share experiences and to hear **Meg Kinnear**, Secretary-General of ICSID give brief comments on the importance of mentoring. Ms. Kinnear, in a comprehensive, but also amusing presentation, talked about her experience as both a mentee and mentor, as well as her efforts to lead an effective mentoring "program" in her current role. She spoke about understanding the different dimensions of a mentoring relationship – such as the importance of a "formal" mentor as well as a sponsor (taking note of the temporal difference between the two); and of the benefits to seeking different, more informal methods and opportunities for mentoring depending on the issues one is facing – for example, suggesting coffee to address a more immediate issue, rather than waiting for a formal setting.

Ms. Kinnear's comments sparked a lively discussion between participants ranging from junior associates to diplomats, to a former practitioner now law school dean (Dr. Karamanian), to senior practitioners. The discussion ranged from how to take advantage of top-down mentoring programs (complete with "contracts"), to choosing and managing internal and external mentees, or as one practitioner put it, viewing



The International Network of Women in Dispute Resolution

it as creating a board of advisors. The group also discussed the possibility of forming informal groups that could get together more frequently to talk about pressing issues, as well as how to handle long-term career and family goals in the practice of international arbitration. There was a lot of enthusiasm expressed for planning future get-togethers.



Meg Kinnear

DC Women in International Arbitration was organized by **Jean Kalicki** of Arnold & Porter, **Patricia Saiz of Weil**, **Claudia Frutos-Peterson** of Curtis, and **Mélida Hodgson** of Foley Hoag (the host), and held its inaugural event in February 2013. The group plans to hold at least a summer event, at Arnold & Porter, and probably also a Fall/Winter event (which already has volunteers) in 2014.

By Mélida Hodgson

White & Case Women's initiative

[Women's Initiative is about developing and advancing Talents](#)

White & Case global Women's initiative, which was born in White & Case's US offices in 2004, is dedicated to developing women leaders and providing them with the experience and tools they need to succeed.

The main focus is understanding how women in the firm are performing and ensuring they have all the

training, opportunities and sponsorship they need over the course of their career to achieve their maximum potential. We have local office women's networks in almost all of our offices around the world which provide their lawyers with a platform from which to connect with clients and build networks both within and outside the Firm.

Through their local office women's networks, they also support participation in external networking and training programs. Each of the larger offices sponsors or hosts several events annually, which include client events. In addition, we broadcast periodic videoconferences across multiple offices, which feature interviews, presentations or panel events led by partners, associates, outside experts or clients.

The Paris Women's Initiative was launched in 2010 and it has been very successful. It has hosted several internal events in the past years as well as client events. Typical events include workshops, speaker engagements, and networking activities. Guest speakers or partners from other offices are invited to speak at breakfast meetings to share their experience and best-practices. The recent Paris event was connected with the global Women's Initiative.

White & Case also dedicates substantial resources to promote women's rights through their 'Pro Bono and Social Responsibility initiatives.'

Partner **Denise Diallo** is a member of the Global Women's Initiative Committee in Paris and **Maja Hazell** is Director of Diversity and Inclusion in New York and also member of the [Global Women's Initiative Committee](#).

Nathalie Makowski, lawyer at White & Case





Kudos and Women Practitioners at Key Positions

This column is intended to highlight some nominations and promotions of women practitioners, including ArbitralWomen members, which demonstrate that the situation is evolving towards more gender balance although this evolution remains very slow.

Lorraine Brennan, Arbitrator and Mediator at JAMS

Former AW President of the Board, 2010 – 2012, **Lorraine Brennan** has become a full-time arbitrator and mediator at JAMS in New York after stepping down as managing director of the US dispute resolution provider's international arm. Brennan joined the institution's panel of neutrals beginning 2014 after three years as managing director of JAMS International, which she helped establish in London in 2011.



President of the Lewiatan Arbitration Court in Poland

The Lewiatan Board of the Polish Confederation nominated Dr **Beata Gessel-Kalinowska vel Kalisz** (ArbitralWomen Board member) for a second mandate of three years as President of the Lewiatan Court of Arbitration, effective 9 April 2014. The mandate may be extended for subsequent periods.

Paris Boutique promotes Partner

Carine Dupeyron was promoted in March 2014 to the partnership of August & Debouzy in Paris.

London Court of International Arbitration New Director General

Jacomijn van Haersolte-van Hof named as the new director general of the London Court of International Arbitration (LCIA) began her tenure on 30 June 2014. It is the first time that a non-UK national will hold this role.

ArbitralWomen appointed to the LCIA Court

The LCIA Court added in June 2014 eight new members with four women, among others are three ArbitralWomen members **Jean Kalicki** partner at Arnold & Porter, **Hilary Heilbron** QC of Brick Court Chambers and **Alison Pearsall** in-house counsel at Royal Dutch Shell; and **Anne Véronique Schlaepfer** of Schellenberg Wittmer. Other bodies will hopefully follow this balance of gender.

ArbitralWomen appointed to ICCA Governing Board

Carolyn Lamm, partner at White & Case in Washington, DC, **Anke Sessler**, formerly a chief counsel at Siemens, now with Skadden Arps Slate Meagher & Flom, **Adrianna Braghetta**, co-head of arbitration at LO Bastista Schmidt Valois Miranda Ferreira Agel in San Paolo, were appointed to the International Council for Commercial Arbitration (ICCA) Governing Board in March 2014.

ICCA under-40 group co-chair

Kate Brown de Vejar, counsel at Curtis Mallet-Prevost Colt & Mosle in Mexico City was elected in April 2014 as co-chair of the ICCA under-40 group. She was the co-coordinator of Young ICCA's mentoring programme for 2013 to 2014.

IBA Arb-40 co-chair

The International Bar Association's (IBA) arbitration committee has launched beginning 2014 its own under-40 group and appointed **Catherine Amirfar**, partner at Debevoise & Plimpton in New York, as co-chair for the first two years. The group had already around 200 members when it was launched.



New York International Arbitration Centre Advisory Board

In February 2014 a global advisory board was appointed to the New York International Arbitration Centre (NYIAC) including a number of women: **Chiann Bao** HKIAC Secretary General (Hong Kong), **Teresa Giovannini** partner at Lalive (Geneva), **Meg Kinnear** ICSID Secretary General (Washington DC), **Jacqueline Nolan-Haley** professor at Fordham Law School (NY; also ArbitalWomen member), **Seok Hui Lim** chief executive officer at SIAC (Singapore; also ArbitalWomen member), **Catherine Rogers** professor at Penn State University (USA), **Josefa Sicard-Mirabal** adjunct professor at Fordham Law School (USA), **Linda Silberman** professor at New York University (USA), **Stacie Strong**, associate professor at the University of Missouri (USA; also ArbitalWomen member). The NYIAC is chaired by **Judith Kaye** former chief judge of the state of New York and now of counsel at Skadden Arps Slate Meagher & Flom (USA), with vice-chair **Edna Sussman** arbitrator and mediator (USA, also ArbitalWomen member). Board of Directors members also comprise a few women, **Catherine Amirfar** partner at Debevoise Plimpton (USA), **Hagit Elul** partner at Hughes Hubbard & Reed (USA), **Gabrielle Farina** partner Thompson & Knight (USA; also ArbitalWomen member), **Claudia Salomon** partner at Latham & Watkins (USA; also ArbitalWomen member).

MARK YOUR AGENDAS

Information regarding events organized or co-organized by ArbitalWomen are available on its [Events & Sponsoring page](#).

Honourable Man Award

London, 9 september 2014

Before the celebration of the 20th anniversary at the Imperial War Museum, ArbitalWomen will remit an Award to two men, who have both made important contributions to the development of women's place in international dispute resolution. The names of the Honourable Men will be revealed at the ceremony. The venue will be soon announced on the website.

ArbitalWomen SpeedNet

London, 8 september 2014

ArbitalWomen is launching a new concept inspired by the speed dating concept. The purpose is to invite women practicing dispute resolution of every age, stage and role, and to have 5 minutes to talk to someone before the bell rings, after which the person moves to meet another practitioner. The idea is to ensure mingling and empower people to talk to others they may not have met before or have the chance to meet otherwise.

The SpeedNet will be followed by cocktails. The venue will be soon announced on the website.

Lisa Tomas, of the host firm **Arnold & Porter (UK)** and member of ArbitalWomen, is the initiator of this original event.

[Breakfast in Tokyo on Monday 20 October 2014](#)

The traditional ArbitalWomen Breakfast and Panel Discussion before the IBA Day:

"Asian perspectives on Party Representation in Arbitration"

Open to Men and Women – Free of charge

Registration: aw@homburger.ch

Sponsored by: ICDR – BCDR – Homburger – Nagashima Ohno & Tsunematsu



The International Network of Women in Dispute Resolution

2014-2016 ArbitralWomen Board

The new elected Board by ArbitralWomen members started its office on 30 June 2014 and is composed as follows:

Executive Board

President



Rashda Rana (Australia)
Barrister, 39 Essex Street Chambers, London

Vice President



Gabrielle Nater-Bass (Switzerland)
Partner, Homburger, Zurich

Secretary



Asoid García-Márquez (Mexico)
Legal Officer, UNESCO, Paris

Treasurer



Karen Mills (Indonesia, USA)
Founding Member, Karim Syah Law Firm, Jakarta

Founding Co-Presidents



Louise Barrington (Canada, UK)
Director, Aculex Transnational Inc., HK



Mirèze Philippe (France, Lebanon)
Special Counsel, ICC Int'l Court of Arbitration, Paris

Immediate Past President



Dominique Brown-Berset (Switzerland)
Brown&Page, Geneva

ARBITRALWOMEN

The International Network of Women in Dispute Resolution

Board of Directors

Programs & Events



Beata Gessel-Kalinowska vel Kalisz (Poland)
Managing Partner, Gessel Attorneys at Law, Warsaw

Newsletter



Gillian Carmichael Lemaire (Scotland, France)
Carmichael, Paris

Marketing



Lucy Greenwood (USA)
Lawyer, Norton Rose Fulbright (Texas, USA)

Mentorship Program

Karen Mills (Indonesia, USA)
Founding Member, Karim Syah Law Firm, Jakarta

Awards



Bronwyn Lincoln (Australia)
Partner, Herbert Smith Freehills, Melbourne

Membership

Gillian Carmichael Lemaire (Scotland, France)
Carmichael, Paris

Kluwer Arbitration Blog



Ileana Smeureanu (Romania)
Associate – Global Disputes, Jones Day, Paris

Website Project



Ana Carolina Weber (Brazil)
Carvalhosae Eizirik
and
Lucy Greenwood (USA)
Lawyer, Norton Rose Fulbright (Texas, USA)



Brief Description of the Roles

Executive Board

President: Rashda Rana

Profile

Rashda was previously the Treasurer of ArbitralWomen and is strongly committed to promoting women in dispute resolution around the world.

Rashda practises almost entirely as counsel or arbitrator in international arbitrations, in the Asia-Pacific region, notably Hong Kong, Singapore, Malaysia and China. In particular, she has worked hard in significantly increasing exposure of ArbitralWomen to women in the Asia Pacific market through her work in the region. Rashda also teaches international commercial arbitration and has published widely in the field. Through her teaching she helps promote the role of women in dispute resolution through selecting female tutors and presenters and encouraging young female candidates to strive to get to higher levels and to emulate those more senior role models.

Rashda has herself been involved as Mentor in mentoring schemes operated by a number of different organisations including NSW Bar; Australian Commercial Law Association, UNSW, Sydney University, UTS, ArbitralWomen and National Association of Women in Construction (NAWIC). In 2012, she was a Finalist (as the only barrister nominee in Australia) in the Inaugural Lawyers Weekly Mentoring Awards.

Role

Her role as President will be to represent ArbitralWomen vis-à-vis the press and public. In consultation with the Board, she will be formulating strategies and policies for the association and, with the secretary, will be following up on the planning and actions to be undertaken by the Board Members.

She will also be responsible for supervising all actions and activities of ArbitralWomen with the assistance of the vice president and the co-presidents.

Vice President: Gabrielle Nater-Bass

Profile

Gabrielle Nater-Bass is a founding member of ArbitralWomen and previously served as Marketing Director on the board. She has been actively involved in promoting ArbitralWomen around the world and organized many events and get-togethers, most notably the ArbitralWomen breakfast meetings on the occasion of the IBA annual conferences.

Gabrielle is a partner in Homburger's litigation and arbitration practice team. She studied at the University of Zurich where she graduated in 1994 (lic iur). In 1999, she received an LLM degree from the University of Virginia School of Law. Before joining Homburger in 1997, she worked as a law clerk with a district court. She also practiced as an attorney at WilmerHale in London and Washington, DC.

Her practice focuses on international commercial arbitration. Recognized as one of "45 under 45" leading arbitration practitioners and elected one of the "all-female top 30" women of arbitration by Global Arbitration Review, she has acted as party counsel, sole arbitrator, co-arbitrator, chairperson and legal expert in numerous international arbitration proceedings, both institutional (ICC Rules, Swiss Rules and others) and ad hoc, which were governed by a variety of procedural and substantive laws.

Gabrielle is listed on the panel of arbitrators of the ICC national committee (Switzerland). She is a member of



the Arbitration Court of the Swiss Chambers' Arbitration Institution, a board member of the Swiss Arbitration Association (ASA) (former co-chair of ASA below 40) and a member of the international board of the Arbitration Institute of the Finland Chamber of Commerce.

She has published numerous articles in the field of commercial arbitration. Among others, she is co-author of the commentary on the Swiss Rules of International Arbitration (Articles 22 to 25).

Role

As Vice-President, Gabrielle will be representing ArbitralWomen in Rashda's absence. In this role, Gabrielle will be looking to reach out to other groups with similar values and aims and conducting possible joint activities with them. She will respond to overtures from other women's groups and from young practitioners groups. Gabrielle will, to some extent, be continuing on what she has been doing already by way of examining the merits of cooperation, partnership or cross-referrals of other groups of women involved in various projects including dispute resolution but not limited to that field and to recommend to the Board actions to be supported or undertaken in association with other like-minded groups.

Secretary: Asoid García-Márquez

Profile

Asoid García-Márquez specializes in international dispute resolution and provides in-house legal advice on complex public international law issues and contractual disputes arising from the Organization's activities. She is a guest lecturer at the Nanterre University and the Essec Business School in Paris, where she has taught the course "International Commercial Arbitration" since 2009.

Prior to joining UNESCO, Ms. García-Márquez was Associate at the International Arbitration Practice of White & Case LLP in Paris, where she advised governments, international organizations and private clients with regard to international dispute resolution in various industries, with a particular focus on construction disputes.

Ms. García-Márquez is admitted to the Paris Bar (2007) and is authorized to practice law in Mexico since 2005.

Ms. García-Márquez joined ArbitralWomen in 2005 because she believed that ArbitralWomen played (and continues to do so) a very important role in the promotion of and networking between women in international arbitration and dispute resolution all over the world. In her role of in-house counsel and lecturer, she believes that her international background, motivation, and experience can strongly contribute to the work of ArbitralWomen. Since 2010, Ms. García-Márquez has been Secretary of the Board of ArbitralWomen and would be honored to continue contributing to the mission of ArbitralWomen.

Role

Asoid will be responsible for organising the General Meeting, and any extraordinary meetings, preparing and sending out notices, agendas for the AGM and recording and distributing minutes of meetings. Asoid will also be assisting the President in following up on the planning and the actions to be undertaken by the Board Members. She will also be calling for candidates for the elections and ensuring compliance with the voting procedure.

Treasurer: Karen Mills

Profile

Karen Mills has been a Board member since the inception of ArbitralWomen. Her specific duties include administering the Mentorship Program, editing the Kluwer Blog articles and administering the awards for Vis



teams. She also coaches many of the Indonesian teams for the Vis and other moots. A founder of the KarimSyah Law Firm of Jakarta, Karen has practiced in Indonesia for over 30 years. She is a Chartered Arbitrator and Fellow of the Chartered Institute of Arbitrators (“CIArb”) and of the Singapore and Hong Kong Institutes. She founded and co-chairs the Indonesian Chapter of CIArb and is on the panel of arbitrators of most arbitral institutions in the region, including those in Indonesia, China, Malaysia, Singapore, Hong Kong, Korea, New Zealand and the Philippines, as well as the AAA/ICDR panel, and is recognized at the top tier of every professional rating publication.

Ms. Mills sits on the first appointing authority of the Chinese-European Arbitration Institution, the IBA task force on investor-state mediation, and the editorial board of the Journal of World Energy Law & Business, as well as others, is an approved tutor for all CIArb courses and teaches and speaks widely on arbitration and ADR related topics throughout the Asia-Pacific region. A graduate of NYU School of Law and member of the New York Bar, Ms. Mills’s substantive fields of specialization include: investment treaty and other international arbitration, financing and restructuring, oil, gas, mining and energy matters, hotel and leisure management, insurance, maritime law, and general cross-border investment and transactions. She frequently acts as lead counsel for the Indonesian government in investor-state disputes, and has published more than 130 papers in international professional books and journals.

Role

Karen will be responsible for following up on the accounts of the association and establishing a budget for the year and for each event or action and for authorizing payments from the account of the association. Karen will make recommendations to the Board regarding the financial administration of the association and will assist the accountant in establishing balance sheets.

Founding Co-Presidents

Louise Barrington

Profile

After starting her career as a lawyer in Ontario, Canada, Louise earned an LLM in Paris and later qualified to practice law in New York and in England. She joined the ICC in Paris as Director of the Institute of World Business Law and then moved to Hong Kong in 1997 as Founding Director of ICC Asia. After leaving the ICC, Louise practiced with an English construction firm in Hong Kong and then taught at City University and Chinese University of Hong Kong. She left Hong Kong for a stint as director of the Construction Law and Dispute Resolution Programme at King’s College London, after which she began working as an arbitration consultant and counsel in the field of construction. Louise has since expanded her arbitration practice to include commercial transactions, real estate, insurance, franchises, agency, CISG and M&A cases and now works as an independent arbitrator in Asia, Europe and America. She has served as sole arbitrator, co-arbitrator and chair in dozens of arbitrations around the world, and is listed on the panels of HKIAC, CIETAC, CIArb, SCIA and many other internationally recognised institutions. Louise has arbitrated in many ICC cases as sole arbitrator or as chair. She is a Member Arbitrator of Arbitration Place in Toronto and on the panel of the ADR Institute there.

One of the first Chartered Arbitrators (2001), Louise continues to teach international arbitration in a number of law faculties, is a regular trainer and course director for the Chartered Institute of Arbitrators, and is a regular panellist at international conferences around the world. She speaks fluent French and passable Spanish, with some basic knowledge of German and Chinese.

Many people will know Louise as the founder and director of the Vis East Moot in Hong Kong, now in its twelfth year. She currently serves on the Hong Kong ICC arbitrator nomination committee, and welcomes contacts from qualified female arbitrators living in Hong Kong. As initiator of the ArbitralWomen group, Louise co-founded the organization with Mirèze.



Mirèze Philippe

Profile

Before becoming a French lawyer, Mirèze started her career in business as she holds a degree in Management and Business Administration. She joined the ICC in 1984. After having administered arbitration procedures she was appointed special counsel and led several projects. She cooperated with the ICC Institute of World Business Law on drafting moot cases and moderating arbitration workshops. She was in charge of promoting ICC arbitration in the Arab region. She is specialized in online dispute resolution and is a member of working groups in this field, having built the ICC NetCase platform. Mirèze is currently in charge of coordinating internal practices and oversees a legal training program.

She is founding co-president of ArbitralWomen and member of the Board, founder of the ICC Court Counsel Alumni, a member of the Editorial Board of the International Journal of Online Dispute Resolution, a member of the Board of the Association Française Amis de l'OIDD (International Development Law Organization, Italy), and an honorary member of the Association des Juristes en Arbitrage. She has written and spoken on arbitration and online dispute resolution, taught contract and commercial law, and arbitration, and participates in the Willem Vis International Commercial Arbitration Moot.

Louise Barrington and Mirèze are the founders of ArbitralWomen. The group started informally in 1993; then Mirèze initially created a Yahoo electronic group in 2000 to facilitate communication within the group. When the group started growing, it became indispensable to have a permanent forum for communication within the group but also to become visible. Louise and Mirèze founded the legal structure in 2005 and Mirèze created the website. Together with Louise, Mirèze has actively contributed to enlarging the group and attracting members from more than 40 countries. Mirèze monitors the activities and work of the group and updates information on the website. She initiated the Newsletter and contributes significantly to its publishing. As the group has continued to grow, Mirèze established policy papers and determined with other Board members the terms and conditions for the various activities of the group. She recently started a cooperation program intended to cooperate with other bodies involved in international dispute resolution and hopes to develop this project with the new Board. She actively supports members who wish to start a new activity, such as the cooperation with Kluwer Arbitration Blog. She organizes gatherings and conferences and also assists other members who organize these events.

Together with Louise and the previous and current Board members, she is proud to have brought ArbitralWomen into the international arena, and to have earned ArbitralWomen international recognition.

Role of the Founding Co-Presidents

As Founding Co-Presidents, Mirèze and Louise provide support to the Board. They represent ArbitralWomen in the absence of the president or the vice-president, chair official meetings in the absence of the president or the vice president and assist the president as may be required.

Immediate Past President: Dominique Brown-Berset

Profile

Dominique Brown-Berset is a partner of Brown&Page, a law firm based in Geneva and Nyon (Switzerland) specialising in dispute resolution, contract and commercial law, and public international law. She is ArbitralWomen immediate past President.

While in office from 2012 to 2014, Dominique focused on ensuring the 20 year-old AW would reach out to a new generation of talented and highly professional women in arbitration. To this effect, together with Melanie Willems and Mirèze Philippe, she raised more than £ 30,000 from leading London firms and



chambers to fund various projects (including a new AW website) and programs which are being developed by AW's new Board. Thanks to these efforts, and to Dominique's delight, AW for the first time will have the full means of its ambitions, which is exciting news.

Dominique remains a member of the management board and the supervisory council of the Swiss Institute of Comparative Law (appointed by the Swiss government in 2006) and the Swiss Society of Jurists. She is a former co-chair of the arbitration committee of the International Bar Association (2004-2005) and former international vice president of the Chartered Institute of Arbitrators (1996-2004). She is a member of the Editorial Boards of *The Journal of International Arbitration*, *Arbitration*, *Global Arbitration Review* and a member of the Advisory Board of the Institute for Transnational Arbitration, Dallas. She is listed, *inter alia*, on the HKIAC, JCAA, KLRCA and SIAC panels of arbitrators.

Dominique has been acting as counsel, co-counsel and arbitrator (also sole arbitrator and chairperson) in over 195 cases covering a broad range of international arbitration cases, in particular in arbitration involving states and international organisations both at private and governmental levels, in cases relating to *inter alia*, transfer of technology, construction of turnkey factories and other major projects, procurement contracts, licence agreements, distribution, agency, joint venture and shareholders' agreements, sale and purchase contracts, telecom, post M&A disputes and the like. Her industry experience includes telecommunications, computers (software and hardware), satellites, aviation, avionics, glass and paper production, steel, chemicals and petrochemicals, LNG projects, oil and gas (and other energy sectors), mining, food, pharmaceuticals and biotechnology, shipping and shipbuilding, intellectual property rights, luxury goods, textiles and arts, financial services, beverages and real estate.

Role

The Immediate Past President remains on the Board in an advisory role to assist as an when her past experience as President is sought by the President.

Board of Directors

Each member of the Board assumes main responsibility for a Committee through which the work of ArbitralWomen is carried out. The head of each Committee is assisted by other Board members as well as co-opted members.

Programs & Events: Beata Gessel-Kalinowska vel Kalisz

Profile

Leader practitioner in M&A, private equity, commercial law. To this date Beata has participated in more than 80, both domestic and international, arbitration cases (including Lewiatan, ICC, UNCITRAL and other ad hoc) dealing with issues concerning M&A transactions, other commercial contracts, construction law (including FIDIC regulations). Dr. Gessel is a member of numerous organizations, and in particular: CIArb European Branch Committee, the International Bar Association, the Board of Directors of ArbitralWomen, ICC Poland and ICC Arbitration Commission. For the last years she has been an active member at the Board of Directors of Arbitral Women involved in promotion of women in arbitration in Poland and abroad. Her recent tasks include promotion of Arbitral Women in Balkan countries. More information about her in Arbitral Women newsletter: <http://www.arbitralwomen.org/files/founder/03082028272499.pdf>

Role

Beata will make recommendations to the Board about events to be organized and will co-organise, co-ordinate or support, including one major event each year. Beata will also coordinate and assist members in organising events, as well as non-members for events co-organized or supported by AW. In respect of these



events, she will ensure that ArbitralWomen policy is respected at public events including authorization to use the name of AW, and to use AW logo on flyers when AW is involved.

Newsletter: Gillian Carmichael Lemaire

Profile

Gillian Carmichael Lemaire, a UK national, is an international disputes lawyer and handles arbitration, mediation and transnational litigation, as counsel and also as arbitrator and mediator. Based in Paris, she is a member of the Paris Bar (1984) and a solicitor in Scotland (1984). Most of her career has been spent in Paris in major international law firms. Latterly she acted as Paris correspondent for a Cairo law firm and is now practising from her own firm. Her experience spans a number of cultures and jurisdictions. Gillian has been a member of ArbitralWomen since 2007 and has recently worked as a member of the editorial committee which reviews articles written by members for the Kluwer Arbitration Blog. As a Board member, she is looking forward to playing a more active role in promoting the role of women in all areas of dispute resolution.

Role

Gillian will be taking over from Debi Miller-Slate in coordinating and following up with the planning and themes of the Newsletters. She will be responsible for following up on activities involving members, collecting information and reports for the Newsletter from other members and following up on events and potentially interesting subjects for the Newsletter, mainly involving women in the business and dispute resolution community. Gillian will also be drafting and coordinating the Newsletter with the editorial board.

Marketing: Lucy Greenwood

Profile

Active in the international arbitration field since 1999, Lucy practised in London and Paris (with Linklaters) and is now based in Houston (with Norton Rose Fulbright). Lucy serves as counsel and is a member of the ICDR Panel of Arbitrators. She qualified in 1998 as a Solicitor in England and Wales, in 2008 as a Foreign Legal Consultant through the State Bar of Texas, in 2011 was appointed a Fellow of the Chartered Institute of Arbitrators, is a member of the faculty for the Chartered Institute of Arbitrator's Fellowship training and a Vice Chair of the Board of the North American Branch of the Chartered Institute of Arbitrators. In 2012, Lucy published a study of gender diversity in international arbitration: "Getting a Better Balance on International Arbitration Tribunals" in *Arbitration International*, which was nominated for an OGEMID award later that year. Since then, Lucy has been in demand as a speaker on diversity issues, has published a number of further comments on the lack of diversity in the international arbitration field and plans to publish an update to "Getting a Better Balance" later this year.

Role

Lucy will be responsible for drafting marketing material used by AW: flyers, policy papers, programs, announcements on the website, contacting the media to publicize events organized, co-organized, or sponsored by AW and drafting press-releases regarding events or in conjunction with the Board regarding policy issues of interest to AW. Lucy will report to the Board and for the Newsletter on the marketing actions of the year.

Mentorship Program: Karen Mills

Role

In this role, Karen will be calling for mentors and mentees and matching them up. She will also be following up and collecting feedback from mentors and mentees about the program.



Awards: Bronwyn Lincoln

Profil

Bronwyn is a founding member of ArbitralWomen and a partner of Herbert Smith Freehills specialising in international commercial arbitration and trans-national litigation. As a leading practitioner in international arbitration in Australia, Bronwyn has worked to promote international arbitration in the Asia Pacific region and, specifically, to encourage women in this field. Bronwyn was instrumental in establishing the Women in Business program at Herbert Smith Freehills, regular speaks at events for junior female lawyers and mentors a number of practitioners. Amongst other roles and in addition to her current role with ArbitralWomen, Bronwyn is a Councillor of the London Court of International Arbitration Asia-Pacific Users' Council, a director of the Australian International Disputes Centre, an alternate director of the Australian Centre for International Commercial Arbitration and a member of the Project Board for the Melbourne Arbitration and Mediation Centre opened in 2014. Bronwyn also cofounded and was an inaugural co-chair of the Asia-Pacific Forum for International Arbitration which celebrates its ten year anniversary in 2014.

Role

Bronwyn will be the central person receiving requests from applicants for financial support, examining the requests for support for the Vis Moot according to the Protocol in place and in conjunction with others recommending to the Board the projects to be supported. She will also follow up and collect feedback from the beneficiaries of the support.

Membership: Gillian Carmichael Lemaire

Role

In this role, Gillian will be supported by others. She will be responsible for contacting potential members and following up on invitations to join AW, contacting previous members who did not renew their membership. She will plan and execute strategy to attract and retain members and follow up on activities of the various chapters of members around the world.

Kluwer Arbitration Blog: Ileana Smeureanu

Profile

Ileana concentrates her practice in international dispute resolution, with a focus on commercial arbitration, particularly ICC, LCIA, and SIAC arbitrations. She has represented clients in the oil and gas industry throughout the whole arbitral process, covering a wide range of disputes and a variety of jurisdictions.

Before joining Jones Day, Ileana worked in London as a research assistant to a renowned international arbitrator and was also an associate with the International Law Institute (ILI) in Washington, D.C., where she provided training to government officials in international arbitration, mediation, and public procurement, and assisted in the founding of the ILI International Investment Law Center.

Ileana is author of the book *Confidentiality in International Commercial Arbitration* (Kluwer Law International, 2011) and has lectured on the topic in Washington, D.C. and Bucharest, Romania. She is a member of the New York State Bar and Bucharest Bar Associations.

Knowing the difference that ArbitralWomen has made in her career since she joined the organization back in 2007, Ileana would like to return the favor by helping other young women now making their own way into the arbitration community.



Role

Ileana has already been the key person managing and planning the contributions. She will manage the editing with a reading committee and post the contributions on Kluwer. This was one of the new activities undertaken by ArbitralWomen for which we are grateful to Ileana for getting this up and running.

Website Project: Ana Carolina Weber and Lucy Greenwood

Ana Carolina Weber

Profile

Ana Carolina Weber is partner at Carvalhosa e Eizirik Advogados since 2008 and has been working with arbitration as secretary of several arbitral tribunals and as counsel. She is also involved with corporate law. She has a Master in Laws, in which she analyzed if arbitrators have the power to exercise the constitutional control of laws. In the last 5 years, Ana has acted as Professor of corporate law and arbitration at the Brazilian Stock and Exchange Commission (2011) and of conflicts of law at the State University of Rio de Janeiro (2006- 2008). She acted as coach for of the Pontifical Catholic University team at 19th Willem C. Vis Moot (2011-2012). She is also member of the Brazilian Arbitration Committee, ICCA, YIAG and ICC YAF.

Ana Carolina believes that with her youth and spirit of change, she will be able to help ArbitralWomen spread its influence by attracting women to pursue a career in arbitration. She is already organizing the first ArbitralWomen events in Brazil. She hopes as a member of the Board to develop AW in new territories by organising meetings and seminars, and by publicizing our work through reviews and articles related to women's interests.

Role of Ana Carolina Weber and Lucy Greenwood

ArbitralWomen is initiating changes to bring the Website up to date and to make it an attractive portal through which we can communicate with all our members – both existing and potential – as well as with users and visitors of the website. Ana Carolina, together with Lucy, will be consulting members about the needs for the website, preparing a report about the needs for the website, calling for bids from providers, examining the bids and submitting proposals to the Board. Ana and Lucy will also be responsible for working on revamping the website with the selected provider.



The International Network of Women in Dispute Resolution

ArbitralWomen Activities & Services

Newsletter

ArbitralWomen Newsletter is a trimestrial publication presenting information about international dispute resolution and women practitioners in this field.

Editorial Board: Louise Barrington, Debora Miller Slate, Mirèze Philippe, Rashda Rana

Find a Practitioner

Find appropriate and qualified dispute resolution practitioners through the [multi-search tool](#).

Become a Member

Women practitioners in dispute resolution who wish to join the group may submit an application with a CV and a photo directly on the website.

Events and Sponsorship

Firms and organisations who would like to co-organise events with ArbitralWomen or have their events supported by ArbitralWomen may post a message under "[Contact us](#)".

Cross-References and Cooperation

Firms and organisation who wish to cross-reference with ArbitralWomen on their website and cooperate with ArbitralWomen may post a message under "[Contact us](#)".

Mentorship Program

[Click here](#) for the application form to be completed, to be mentor or mentee.

Awards

[Click here](#) for the application form to be completed, by moot competition teams consisting of at least 50% women, to submit a request for financial assistance for the Vis Moot.

Training and Competitions

ArbitralWomen publishes information about dispute resolution programs, scholarships, training etc. If you are interested to promote such programs you may post a message under "[Contact us](#)".

Job offers

ArbitralWomen publishes job offers. You may communicate any offer in the dispute resolution field and legal field in general by posting a message under "[Contact us](#)".

Copyright and reference

If you use any information from our Newsletters including bibliography communicated for information, we request that you refer to ArbitralWomen and any of the Newsletters referred to.

Questions?

For any question, information, proposal, you may post a message under "[Contact us](#)".