

ARBITRALWOMEN

The International Network of Women in Dispute Resolution

President's Column

The Start of the Movement?

Looking back on the first half of this year, I wondered if in years to come, we will be tagging 2015 as the start of The Movement. So, what is **The Movement**, I hear you ask. I have borrowed the term from **Wendy Miles QC**, who mentioned it to me in private on a couple of occasions and then raised it again in her paper on initiatives to promote young women in international arbitration. The paper was presented at the joint ArbitralWomen/Chartered Institute of Arbitrators (**CIArb**) networking breakfast event organised to coincide with the CIArb's centenary celebrations at the Guildhall in London on 3 July 2015. The event was a huge success with nearly 100 attendees! As well as Wendy the panel of speakers included **Juliette Blanch** (of Weil, Gotshal & Manges) and **Tom Sprange QC** (of King & Spalding). You will find a more detailed report about the event in this Newsletter. You will also find photos from the event on the website.

The Movement is the ground swell of interest and activity in gender diversity/gender equality that seems to have gathered pace over the past few years but particularly so this year. I want us to adopt this as our own. We are that Movement.

Wendy referred to the TED YouTube clip of Derek Sivers on "How to Start a Movement." It is worth every second of its three minutes! Here are his key messages:

1. A leader needs to stand up and be prepared to be ridiculed;
2. When the first follower joins, it becomes about them (plural). A good leader nurtures the followers;
3. The first follower is an underestimated form of leadership itself – Sivers says it takes guts to stand out like that; the first follower is what transforms the 'lone nut' into a leader;
4. A third person joins them and it becomes a 'group';
5. A movement must be public, it's important to show not just the leader but the followers because new followers emulate the followers and not the leader;

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ArbitralWomen thanks all contributors for sharing their stories, and Alix Povey for her help in preparing this Newsletter.

6. As more people join in, you get momentum, a movement!
7. As more people join in, it becomes less risky such that those sitting on the fence before have no reason not to follow/join in – they won't stand out, they won't be ridiculed but they will be part of the 'in-crowd' if they hurry!
8. Have the courage to follow and show others how to follow: that's how you start a MOVEMENT.

You can access it here:

<https://www.youtube.com/watch?v=V74AxCqOTvg>

At ArbitralWomen, we **have** started The Movement and now we are looking to nurture our followers; our members; our supporters. Through The Movement, we are aiming to achieve our goals of gender equality and diversity in dispute resolution in all its forms globally. Now, you need to find that courage and show others how to follow.

It is evident that this year has seen an upsurge in the broader interest in gender diversity and gender equality. I have had the privilege of attending and speaking at celebratory events at my old College (Pembroke, Cambridge) to mark 30 years since women started being members of the college. I am an Original Old Girl! In addition, I have had the honour of speaking on gender diversity and equality at a number of different events, some of which are included in this Newsletter.

One of those significant events for ArbitralWomen was the preparation and launch of the joint AW Transnational Dispute Management (TDM) Special Issue on 'Dealing with Diversity in International Arbitration'. **Louise Barrington** and I co-edited the Special Issue which was launched officially on 2 July 2015 at the offices of Ashurst in London. My gratitude to the partners at Ashurst who agreed to be such gracious hosts: to **Helen Burton** who presented a fabulous paper on the importance of gender diversity, to **Ronnie King**, to **Mark Reid** and to **Mary Padbury** (the Managing Partner who was unavoidably detained and unfortunately missed the event) for supporting us and the event so magnificently. My thanks must also go to my three brilliant mentees who planned it and executed it so seamlessly: **Fran Worthington**, **Myfanwy Wood** (both of Ashurst) and **Rebecca Major** (then of Gide and now of White & Case).

We are very grateful to TDM for allowing us to participate in this fantastic edition and for giving us the opportunity to be a part of the global debate. My particular thanks must go to **Anton Hoenson** who has patiently dealt with all my failings, fits, quirks and queries; to **Mark Kantor** and **Sophie Nappert** for their continued support of ArbitralWomen and the marvellous job they do at OGEMID and to **Professor Charlotte Waelde** of Exeter University who first suggested this to me and then nurtured it (and us) through the process. You will find a full report on the launch in this Newsletter. Photos from the launch have already been uploaded on to the website.

On 2 July 2015, we also held our AGM (also at the offices of Ashurst). Minutes of the AGM and copies of the reports presented to the AGM have been circulated to members.

One of the changes that occurred on 1 July 2015 and was announced at the AGM was **Juliette Fortin's** appointment as the new Treasurer, replacing **Karen Mills**. Juliette was co-opted as co-treasurer in February 2015 following her great assistance to us with the accounts following the London Gala dinner of September 2014. We are lucky to have a forensic accountant expert on the Board. Amongst her various duties she will also assist **Mirèze Philippe** and **Ana Carolina Weber** on the payment section being built into the new website which includes the introduction of PayPal which will make payment easier for many.

This change will free up **Karen Mills** and allow her to focus on her new role, which in itself is a significant one: Executive Editor of AW publications (comprising Kluwer, the NL, our policy papers, flyers, etc). In addition to those publications, the new website will include a "News" section for which she will also be responsible. Congratulations to both Juliette and Karen.

A further development I wish to bring to the attention of members is the proposed AW Second Conference: Celebration of Women as ADR Leaders in Conflict Resolution: Peace, Practice, Perspectives, on Tuesday 8 March 2016, hopefully at UNCTAD, Geneva Switzerland.

Anne-Marie Blaney (who was recently appointed the Chair of the Irish Branch, CI Arb), **Maura Butler** (also from Ireland) and Mirèze organised the first CI Arb-AW event in Dublin in March 2013 to celebrate International Women's Day. It was a tremendous success and they agreed to organise the same event every two years to take stock of the progress and set new objectives. AW recently decided to organise the second conference in Geneva. **Chitra Radhakishun**, (Manager, UNCTAD Project on Dispute Settlement in International Trade, Investment and Intellectual Property) who was a panellist at the Dublin event, announced very welcome news at the AGM: we will most probably be able to hold the second conference at UNCTAD, hosted by UNCTAD.

The objective behind this second conference is to explore and celebrate the role of women as ADR leaders in the business and legal communities. Representatives from several jurisdictions and from different backgrounds will be asked to examine and debate the objective and to share their experiences with the audience. The sessions will be interactive allowing for full audience participation.

Workshops will be organised to allow all participants to discuss a variety of issues, the main points and conclusions of which workshops will then be presented at the plenary session.

Reports will be prepared afterwards to record the evolution of the role and status of women since the first conference in 2013 and to establish targets for greater equality for the third conference intended to be celebrated in 2018.

In keeping with the theme of the conference, ArbitralWomen will officially launch its Gender Equality Charter on that day.

We feel that the best venue for the discussion of an international forum for sustainable development of the role of women in the business and legal world is an internationally recognised organisation at an international venue - the United Nations in Geneva. We hope that, at a time of rapid change, this event will inspire the organisation of other events around the world to help raise awareness of the significant place and importance of women in these fields.

Please mark your diaries for this important date. We will be keeping you updated with the developments, including the call for papers.

Until next time, follow and by your actions become a leader; start a Movement!

Rashda Rana



Rashda Rana SC, Essex Chambers, AW President

Events

Since our last Newsletter ArbitralWomen members have been busy attending and speaking at a number of important events, as you will see below.

AW SpeedNet Events

ArbitralWomen SpeedNet was created by **Lisa Tomas** of Arnold & Porter (UK) LLP and a member of ArbitralWomen. The first SpeedNet event was organised by Lisa in London on 8 September 2014 (see Newsletter N° 12), and it has now been replicated in both Paris and Warsaw. Given its success, SpeedNet will be extended in the coming months to different cities around the world, by members of ArbitralWomen. Information about forthcoming SpeedNet events will be posted on the website.

Paris SpeedNet

On Monday 9 March 2015, an innovative networking event for women in the field of commercial dispute resolution was held at the premises of the law firm August & Debouzy. The event was jointly organised by August & Debouzy and ArbitralWomen. This event, marking Women's Day, was a big success, allowing participants to interact in a warm and friendly environment. Around fifty women working in arbitration and in all forms of dispute resolution had confirmed their attendance for the event.

The very pleasant evening commenced with a warm welcome by **Marie Danis** and **Carine Dupeyron**, both partners with the law firm August & Debouzy, and a vote of thanks by **Mirèze Philippe** on behalf of ArbitralWomen, of which she is a co-founder, to August & Debouzy for their support in organising and for hosting the event. Then came the highlight of the evening when **Rashda Rana**, President of ArbitralWomen, announced the rules of SpeedNet and encouraged all participants to join in the game. Very productive informal discussions were then initiated. The quick exchanges allowed participants to multiply their new contacts.

Another advantage of the format was that the participants benefitted from mixing with the variety of professions – lawyers, arbitrators, mediators, experts, advisors, professors, representatives of arbitral institutions – as well as generations that were represented. The informal discussions continued around a buffet. The event was hailed a success just like its previous edition in London.

*Juliette Fortin, FTI Consulting, Paris
Board Member*

This article has been slightly adapted from the version written by Juliette for Newsletter N° 7 of the Chambre Arbitrale Internationale de Paris (CAIP), see: http://www.arbitrage.org/admin/style/js/tiny_mce/uploaded/Newsletter_N°7_en_anglais_1.pdf and reproduced here with the kind permission of the CAIP. Irina Guerif, the CAIP's Secretary General, participated in the Paris SpeedNet event.



Clearly an enjoyable evening at Auguste & Debouzy! L to R: a participant, Marie Danis, Rashda Rana, Carine Dupeyron, Mirèze Philippe, Flore Poloni.



Top left: guests mingle at the Paris SpeedNet evening; Top right: Marie Danis and Maria Vicien-Milburn; Bottom left: Carine Dupeyron and Gillian Carmichael Lemaire; Bottom right: Flore Poloni, Claire Moléon and Alexandra Cohen-Jonathan



At the start of the evening President Rashda Rana SC explains the SpeedNet rules. L to R: Mirèze Philippe, Marie Danis, Carine Dupeyron, Rashda Rana.

Warsaw SpeedNet

On 27 May 2015, a further SpeedNet event was held in Warsaw at the Gessel law firm, organised in conjunction with Modzelweska & Paśnik.

Over twenty women practising in arbitration and litigation from across Europe and Asia were in attendance, and the novel formula of 'speed networking' proved to be a creative and enjoyable way of enabling participants to meet and get to know as many of their fellow professionals as possible in a short space of time.



Members and friends in Warsaw enjoyed the SpeedNet "formula".

SpeedNet was followed by a more relaxed drinks reception, allowing the discussions to continue to flow over some wine against the backdrop of the city's skyscrapers.

Małgorzata Modzelewska de Raad, Modzelweska & Paśnik, Warsaw

AW Other Events

Arbitral Secretaries – ArbitralWomen Weigh in on the Debate in Brazil

On 31 March 2015, ArbitralWomen members, **Ana Carolina Weber** and **Isabel Cantidiano**, co-chaired a debate in Rio de Janeiro regarding the Young ICCA Guide on Arbitral Secretaries. Kindly sponsored by Motta, Fernandes Rocha Advogados, a breakfast was offered, followed by a presentation from **Flavia Mange**, one of the members responsible for the translation of the Guide to Brazilian Portuguese. At the event, members of some of the most important Brazilian Arbitral and Mediation Chambers – CAM/BM&FBOVESPA, CAM/CCBC, CMA/CIESP and CBMA - took part in a very provocative debate in which they expressed the views of the institutions about the role of arbitral secretaries. The members of the Chambers manifested they are not always comfortable with the use of secretaries or assistants by arbitrators. There was a consensus among them that the establishment of clear guidelines indicating the tasks a secretary is allowed to perform is fundamental in a scenario where arbitrations are led by very busy and highly qualified arbitrators. The debate is not over and ArbitralWomen will be promoting a new event to discuss this subject in August 2015 in São Paulo, Brazil.

Ana Carolina Weber, Carvalhosa e Eizirik, Board Member, and Isabel Cantidiano, Motta, Fernandes Rocha Advogados



L to R: Rodrigo Garcia da Fonseca, Patricia Kobayashi, Leticia Abdala and Flavia Mange

“Falling oil prices: an increase in energy disputes?”

On Thursday 16 April, around sixty “ArbitralWomen” came together in the London offices of King & Spalding to listen to **Norah Gallagher** speak. The event was – like Norah – fun, informal and full of useful information!

Armed with a glass of bubbles, Norah set out her views on the subject of “Falling oil prices: an increase in energy disputes?” Key themes included her belief that, as oil prices decline, we are probably going to see an increase in natural resources disputes including gas and LNG disputes (given that the price formula within these agreements are often linked to oil prices). In essence, as margins tighten for parties in commercial relationships, there is more reason for them to pursue various forms dispute resolution (namely arbitration) to get out of bad commercial bargains. Her “intel” is that we are not yet seeing such influx, but she believes that – to the extent the oil price remains low - the trend will emerge over the coming years. Variables which she touched on – but mostly discounted as having no real fundamental impact – included: shale gas in US (unlikely to prove truly profitable for another decade or so); Saudi Arabia (playing the long game) and Russia. As matters stand, many of the disputes she is seeing / hearing about relate to the service agreements rather than the production agreements, but Norah believes this will evolve over time.

Once AW President **Rashda Rana SC** had thanked both Norah for a really engaging talk and King & Spalding for organising it, ArbitralWomen from London and beyond spent a very enjoyable evening catching up over drinks. The post event feedback was that London ArbitralWomen should get together much more often!

Sarah Walker
Partner
King & Spalding

Report on Paris Roundtable on Women in Arbitration: “Les femmes dans l’arbitrage: est-ce si différent?”

Lara Elborno published a report for ArbitralWomen in the Kluwer Arbitration Blog summarising the discussions which took place at the roundtable organised on 5 May 2015 by the *Université de Versailles* in cooperation with the ICC and ArbitralWomen. See: <http://kluwerarbitrationblog.com/blog/2015/05/20/round-table-report-les-femmes-dans-larbitrage-est-ce-si-different/>

Over 75 participants, both male and female, attended the event at the ICC to contribute to the growing discussions on gender equality within the arbitral community. The roundtable was moderated by **Sandrine Clavel** and featured leading Paris-based female practitioners and academics including **Claire Bouglé-Le Roux**, **Caroline Duclercq**, **Laurence Kiffer**, **Carole Malinvaud**, and **Mirèze Philippe**.



L to R: Caroline Duclercq, Sandrine Clavel, Claire Bouglé-Le Roux, Carole Malinvaud, Laurence Kiffer, Mirèze Philippe

Discussions commenced with historical observations on the role of women in arbitration. Female arbitrators were prohibited under Roman Law, but were permitted under Canon Law in limited circumstances (often familial disputes) as they were seen as favouring “peace” among other characteristics necessary for the resolution of such disputes. The dialogue evolved to encompass contemporary issues such as the role of women in arbitral institutions, noting that the first woman was only appointed to Counsel at the ICC in 1995.

Progress is slowly being made in increasing the visibility of women in arbitration, with some areas developing more quickly than others. For example female membership of the ICC International Court of Arbitration has seen a slow increase, from only one female member in the 1990s to 23 female members out of 130 today. Moreover, the majority of arbitral institutions today are, in fact, led by women.

Panellists also considered the gender equality laws adopted in 2011 in France which seek to establish quotas (of at least 40% women by January 2017) for the boards of directors and supervisory boards of companies employing over 250 people and generating more than €50 million in turnover. Germany has also introduced similar quotas (of at least 30% women by 2016) for the boards of large companies. This follows the trend set by Norway, which became the first country in the world to impose gender quotas for the boards of publicly listed companies in 2003. Commentators in the United States are now considering whether the U.S. should follow in Europe's footsteps. Such legislation will create a shift in corporate culture that may in turn encourage parties to appoint more qualified female arbitrators.

The entire arbitration community will need to be proactive in seeking out competent female arbitrators and mentoring the next generation of female arbitration attorneys to be successful in creating quality connections, a good reputation and visible work. The efforts of raising awareness started mainly by ArbitralWomen years ago must continue in order to make the arbitral community as diverse as its cases.

Lara Elborno, Winston & Strawn LLP

(this article has been summarised and slightly adapted from the version written by Lara for the Kluwer Arbitration Blog)

Reports on Events in Paris, Warsaw and New York by Mirèze Philippe

1. Cocktail event at Florence Gladel's Law Firm in Paris

ArbitralWomen member **Florence Gladel** hosted a cocktail event in her office in Paris on **11 May 2015** to gather members and lawyers from the French legal community - and not only the dispute resolution community. **Marie-Alix Canu-Bernard** and **Laurent Martinet**, vice-president of the Paris Bar, both candidates for the Bar elections, were also invited. They spoke about the gender equality programmes at the Bar.

Mirèze Philippe briefly presented ArbitralWomen and the pioneering role of the organisation, which has succeeded in gathering women practising dispute resolution from around the world, as no other forum existed for them. Florence added a nice touch to this gathering: cocktails were offered in small glasses bearing ArbitralWomen's logo and all guests received a glass to take away as a souvenir. Florence announced the launching in January 2016 of the Mediation and Arbitration Online Platform specialised in employment law that she is putting in place (see for further formation www.medarb.fr).



Florence Gladel in the centre



Glass bearing ArbitralWomen's name and logo of the cocktail sponsor

2. Warsaw Arbitration Days: Five Events from 27 to 29 May 2015

The Warsaw Arbitration Days started on 27 May 2015 with a half-day conference on [Arbitration in Times of International Conflicts](#). Two panels discussed investment treaty arbitration and international commercial arbitration. **Maria Kostytska**, ArbitralWomen member, addressed issues related to EU and US sanctions as a defence to non-performance of legal obligations.

An [ICC Young Arbitrators Forum \(YAF\) panel discussion on disputes arising from M&A and JV projects](#) was then hosted at the Gessel Law Firm and gathered over 30 participants. The moderator, Mark Kantor, led an interesting debate on various topics: selection of arbitrators in multi-party disputes, effective management of multi-party/multi-contract M&A/JV disputes, and expert determination in M&A contracts.



L to R: Beata Gessel, Mark Kantor, Volodymyr Yaremko, Maria Hauser-More, Thomas Granier, Michal Pochodyla



L to R: Beata Gessel, Crenguta Leaua, Agnieszka Lizer-Klatka, Ruth Mosch, Alice Fremuth-Wolf, Mirèze Philippe; behind Louise Barrington, Maria Hauser-More, Marie Berard, Sarah Kimberley Hughes

The YAF was followed by a [SpeedNet](#) event as reported in this Newsletter, gathering twenty women practitioners for this networking event organised by ArbitralWomen member **Malgorzata Modzelewska**.

The main event of the Warsaw days was the [Dispute Resolution in M&A/JV Transactions](#) conference. The third edition of this international conference for promoting arbitration in mergers and acquisitions disputes was held on 28 & 29 May 2015 at the magnificent Royal Castle in Warsaw. The conference gathered over 200 people from Austria, France, Germany, Poland, UK, USA and the Balkans. **Beata Gessel-Kalinowska vel Kalisz**, ArbitralWomen Board Member, succeeded for the third time in putting together a challenging programme.

In her dual role as Special Counsel at the ICC International Court of Arbitration and as Co-founder and Board Member of ArbitralWomen, both being supporting organisations, as well as in her role as member on the Advisory Committee to the conference, **Mirèze Philippe** indicated in her opening remarks: *"I have the honour and the pleasure to welcome you, and to thank Beata Gessel for keeping with the tradition of this conference, which she succeeded to raise to the level of THE international rendez-vous on Dispute Resolution in Mergers & Acquisitions, as demonstrated by the number of participants. It is a pleasure to continue cooperating with Beata on this conference since the first edition in 2010."*

The conference programme included hot topics in M&A, settlement of M&A disputes and evidence problems.

A case study was also used as in previous editions of the conference. In addition, two special round table discussions were held on Challenges & Future of Investment Arbitration. Mirèze stated: *“We are delighted once again to have world-class arbitration experts coming from major jurisdictions to share their experience and expertise with us. We hope you will enjoy the conference, the social events and Warsaw”*. ArbitralWomen panel members were **Noradèle Radjai**, **Crenguta Leaua**, **Malgorzata Surdek** and **Wendy Miles QC**. The gala dinner was hosted at the fortified arched entrance of the Royal Castle facing the river, a very pleasant setting for a spring dinner.



L to R: Ruth Mosch (DIS), Maria Hauser-Morel (ICC), Alice Fremuth-Wolf (VIAC), Gary Born (Wilmer Hale), Mark Appel (AAA/ICDR), Beata Gessel

A final half-day conference took place on 29 May and was organised by the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ). Panellists, **Louise Barrington**, founding Co-president ArbitralWomen, **Adela Llatja** from the GIZ and **Judith Kneiper**, international expert, discussed the [Situation of Arbitration in the Western Balkans](#).

3. ODR in New York and JTIA Remotely

Every year since 2000, a group of practitioners in Online Dispute Resolution (“ODR”) has met to share their experience and to take stock of developments in this field. ODR has been an interesting phenomenon for the last fifteen years because it was born from both the dispute resolution world, which is constantly growing despite the economic crisis, and from Information Technology which is also constantly developing.

The first meeting was launched in 2000 by **Professor Gabrielle Kaufmann-Kohler** and was held in Geneva. Since then we have met in various cities such as Sydney, Montreal, Cairo, Prague, Israel and San Francisco. The 14th edition, [“ODR 2015”](#), was held in New York on 4 and 5 June 2015, with an opening cocktail reception hosted by JAMS on 3 June. **Vikki Rogers**, AW member and Director at the Institute of International Commercial Law, organised an excellent programme and hosted the conference at Pace Law School. Over 80 practitioners attended, including several AW members, **Lorraine Brennan**, **Petra Butler**, **Jacqueline Nolan-Haley**, **Vikki Rogers** and myself. Our yearly meetings are like a family reunion; we are happy to meet again and learn about the advancement of our projects, platforms, academic research, teaching, etc.

The topic of the conference was “Access, Efficiency & Quality: Modern Challenges for the Bench, Bar & Public”. Various aspects of ODR were discussed, including how the ODR Regulation impacted the European dispute resolution landscape, convergence between ADR and ODR, B2B cross-border dispute resolution as well as ODR and Trustmarks.



L to R: Lorraine Brennan, Mirèze Philippe and Vikki Rogers at the cocktail reception at JAMS



ODR 2015 Conference

The following week a live online conference on technology in international arbitration took place on 11 June 2015 by video-link in over a dozen locations across all continents. It was the first conference powered by Cisco TelePresence. The debate was about "[The Virtual Arbitration: Undesirable or Inevitable \(or both\)?](#)" and the purpose was to test if, and how, arbitrations can be conducted in a virtual world. A mock cross-examination was conducted by an all-female tribunal chaired by **Sophie Nappert** in London, with **Karen Mills** in Singapore and **Kristen Campbell-Wilson** in Stockholm as co-arbitrators. The speakers' impression at the inaugural conference of the **Journal of Technology in International Arbitration** was that it is doable, but some considered that we are missing the atmosphere in the room (See *GAR's report "Virtual arbitration spells an end to air miles?"* dated 23 June 2015).



At Cisco Paris, screen showing Karen Mills during the mock cross-examination

ArbitralWomen Speak at Women in Dispute Resolution Conference In London

ArbitralWomen **Louise Barrington, Juliet Blanch, Beata Gessel, India Johnson, Wendy Miles QC, Sherina Petit, Jane Player** and **Vasanti Selvarathnam QC** were featured speakers in a star-studded line up presented by the C5 Conference Group in London in June.

The discussions were exciting and informative. Unfortunately, the 35 high-powered speakers (including three men) who did an excellent job, outnumbered the audience. Those women who could have benefitted most from the conference were absent due to its two-day format and very expensive entry price.

The speakers agreed that this kind of event needs to be more focused - to get the diversity message out into more firms and corporations, and to assist younger women in climbing the dispute resolution ladder. ArbitralWomen will be looking at the topic for its own conference next year.

Louise Barrington, Co-founder Arbitral Women, FCI Arb, Chartered Independent Arbitrator

Reports on ArbitralWomen London Events by Rashda Rana SC

July saw a series of ArbitralWomen events take place in London: our AGM, the preliminary launch of our new website, the launch of a special joint ArbitralWomen/Transnational Dispute Management (TDM) Special Issue on "Dealing with Diversity in International Arbitration" and a networking breakfast. These events were organised to coincide with the Chartered Institute of Arbitrators' Centenary celebrations at the London Guildhall. Gender diversity was at the forefront of the AW/TDM launch and the networking breakfast.

1. AGM

Ashurst's London office kindly allowed us to hold our AGM there in the afternoon of 2 July 2015. The AGM was attended by 14 members, some of whom joined the meeting by telephone conference. The minutes of the AGM and the reports that were presented to the AGM have been circulated to members. All members are encouraged to read the minutes and reports, as they contain important information on what ArbitralWomen is doing for all members and how the involvement of members in our activities is essential. The AGM minutes will be approved at next year's AGM.

2. Launch of ArbitralWomen & Transnational Dispute Management Special Issue on "Dealing with Diversity in International Arbitration" at Ashurst LLP, London

On 2 July 2015 Ashurst's London office hosted the launch of the joint ArbitralWomen/Transnational Dispute Management Special Issue on "*Dealing with Diversity in International Arbitration*" and the preliminary launch of ArbitralWomen's new website.

The event coincided with the Chartered Institute of Arbitrators' Centenary celebrations at the London Guildhall and was well attended by a range of legal practitioners and academics from all over the world, including prominent arbitrators, barristers, legal professors, in-house lawyers and lawyers from private practice.

The launch kicked off with drinks and canapés followed by introductory talks by **Rashda Rana SC** (President of ArbitralWomen and Co-Editor of the Special Issue), **Louise Barrington** (Co-Founder of ArbitralWomen and Co-editor of the Special Issue), **Helen Burton** (Ashurst's global head of Financial Institutions and Funds, a partner in the banking department and also one the founding partners of the Ashurst Diversity Committee many years ago) and **Charlotte Waelde** (TDM and Professor at Exeter University).



During the launch

I welcomed everyone to the event and introduced the panel contributing to the launch, stating:

"As the premier international organisation promoting women in international dispute resolution, ArbitralWomen is delighted to take a lead role in the production of this very special publication of Transnational Dispute Management. We recognize that women must engage with all the stakeholders in order to succeed in our goals. We need to attract the attention and the collaboration of arbitration professionals of every type, of professionals drawn from the whole spectrum of geographical, ethnic and gender backgrounds. TDM casts its net wide, appealing to an international readership that crosses borders and attracts a vast and varied community of stakeholders, all of whom have a role to play in the evolution and improvement of international arbitration. ArbitralWomen are delighted to be a part of a movement that promotes equality and diversity."

By way of editorial, **Louise Barrington** introduced the motivation behind the Special Issue as well as providing a summary of the contributions finally accepted by me and Louise.

In particular, Louise introduced the topic with reflection:

"Twenty-five years ago, no one was talking about 'diversity' in international arbitration. If the word came up at all, it was likely to have been in reference to the diversity of the claims that came before arbitral tribunals. No one ever thought to wonder about the people involved in deciding those claims or representing parties in international arbitration. And to paraphrase a well-known international arbitration counsel/arbitrator: 'When we choose an arbitrator, diversity is the last thing on our minds. We're not trying to make a statement; we simply want the best person for that particular case.'"

Before introducing the contributors and the scope of their contributions, Louise referred to the general scope of the Special Issue:

"In this special issue of the TDM journal, authors from around the globe place the arbitration community under a microscope, analyse critically what they find, ask whether we can do it better with diversity, how diversity will improve the process and how to bring diversity into the mainstream of the arbitration world."



Webpage introducing the special issue

For the full Introduction to the Special Issue please see the TDM website:

<http://www.transnational-dispute-management.com/>

Helen Burton who followed Louise dealt with the importance of diversity and why it matters.

“Our roles as lawyers must first and foremost be to represent our clients or, as tribunal members, to represent society. And do to that we must therefore ensure that we are able to reflect society and its composition, whether that be racial, gender, religious or any of the other strands which comprise diversity in the world today.”

She suggested that putting hard measures to the task of meeting aspirations focuses attention on the issue. She pointed out the steps that Ashurst is taking to meet the global diversity challenges. She said:

“We have many networks, mentoring schemes, sponsorship programmes, tailored sections in our development programmes, talks, newsletters and reports - but there is still much to do.

One key area of focus for us is unconscious bias and the challenge of assumptions, expectations, stereotypes, implicit associations and even the language of the workplace (I think it is fair to say we have stopped looking for the "Best Man" for the job and everyone (or nearly everyone) acknowledges we are looking for the "Best Person" – but male, racial, heterosexual norms continue to underlie so much of how we think about merit and potential).

Almost every partner in the firm has now attended a session to raise awareness of the potential impact of unconscious bias. As I became more involved in diversity I realised my tendency to have teams comprised entirely of loud, opinionated females was just as bad as my public school educated male partners pulling together their teams in their image. It was undoubtedly easier, I could speak the same language, but it was just as discriminatory as the actions of men I was trying to stop. And so armed with this awareness I now consciously ensure my teams are diverse.”

Charlotte Waelde then followed to close off the launch. She referred to the importance of education in the field of diversity. She emphasised the need for continual research and exploration of ideas to the benefit of society as whole. A particular point of note was the importance of diversity in international arbitration and indeed in the legal profession as a whole and the need to keep pushing the diversity agenda forward.

I closed the session by repeating how important all efforts are in this field. I stated what I regard as a universal truth: *education can change lives but more importantly it can change the world.* ArbitralWomen aims to do that with everything it does for and on behalf of women.



The clock that started for launching officially the special issue

Table of Contents of the AW/TDM Special: 'Dealing with Diversity in International Arbitration'***Editorial***

- [ArbitralWomen/TDM Special Issue on 'Dealing with Diversity in International Arbitration'](#) L. Barrington, Aculex Transnational, R. Rana SC, 39 Essex Chambers

Dealing with Diversity in International Arbitration

- Keeping up Appearances: the Diversity Dilemma, K. Claussen
- The Diversity Challenge: Exploring the "Invisible College" of International Arbitration, S.D. Franck, Washington & Lee University School of Law
- The Pervasion of Patriarchy in the Life Cycle of Arbitration - A Feminist Critique, A. Kurlekar, West Bengal National University of Juridical Sciences
- The Performance of Teams in International Arbitration: Gender Diversity and the Female Factor, U. Cartwright-Finch, Herbert Smith Freehills LLP
- Diversity and Lack Thereof Amongst International Arbitrators - Between Discrimination, Political Correctness and Representativeness, I.A. Müller
- Gravitas: Persuasion and Legitimacy, E. Oger-Gross, White & Case LLP
- Gender and International Commercial Arbitrators: Contributions to Sex Discrimination in Appointments D.R. Demeter, School of Law & Justice, University of Canberra, P. Eastal, School of Law, University of Canberra, N. Nelson
- An Empirical Analysis of Diversity in Investment Arbitration: the Good, the Bad and the Ugly R. Kovacs, Linklaters, A. Fawke, Linklaters
- Diversity in Arbitration in Europe: Insights From a Large Scale Empirical Study A.N. Cole, Brunel Law School, P. Ortolani, Max Planck Institute Luxembourg
- Female Legal Professionals in the Islamic Republic of Iran: An Emerging Generation of Female Arbitrators, N. Nasrollahi Shahri, Bayan Emrooz International Law Firm
- Africa and International Arbitration: from Accommodation and Acceptance to Active Engagement, U. Ewelukwa Ofodile, University of Arkansas School of Law
- Achieving Gender Diversity for Future Generations in Appointments to International Commercial Arbitration Tribunals - A Focus on Scotland, G. Carmichael Lemaire, www.carmichael-lemaire.com
- Increasing Diversity among Arbitrators and Mediators: The Magic Bullet B. Leon, High Court of the Virgin Islands (Commercial Division), Eastern Caribbean Supreme Court
- Could "Blind" Appointments Open Our Eyes to the Lack of Diversity in International Arbitration?, L. Greenwood, Norton Rose Fulbright
- Beyond the Pale: A Proposal to Promote Ethnic Diversity Among International Arbitrators, C. Dolinar-Hikawa, Sidley Austin LLP
- A Proposed Solution to Increase Diversity Among International Arbitrator Appointments Through a Five Step Adoption of the "Rooney Rule" by Law Firms, Clients and Institutions in the Form of a Voluntary Written Pledge, B.S. Vasani, Jones Day
- When Did the Doors to Dispute Resolution Open for Women?, M. Philippe, ICC International Court of Arbitration
- Islamic Finance Arbitration: Is It Possible for Non-Muslims to Arbitrate Islamic Financial Disputes?, A. Alrajhi, American University Washington College of Law

Following this session, a preliminary launch of the new ArbitralWomen website was made by **Mirèze Philippe** (Co-Founder of ArbitralWomen). Mirèze displayed some of the new webpages of the website which should be fully functioning within the next few months.

The discussion on diversity in international arbitration continued over a further drinks reception. The issue of diversity, and having a pool of arbitrators that reflects the diverse background of those using arbitration, is one that is being looked at by several institutions. This is just the beginning of the debate.

I would like to thank all the Ashurst partners but in particular **Ronnie King, Tim Reid** and **Helen Burton** for their marvellous generosity and hospitality. I'd also like to thank my mentees who made this possible: **Myfanwy Wood** and **Fran Worthington** (of Ashurst) and **Rebecca Major** (formerly of Gide but now of White & Case), all excellent ArbitralWomen!

Rashda Rana



Before the AW/TDM launch. L to R: Chitra Radhakishun, Professor Charlotte Waelde, Mirèze Philippe, Rashda Rana SC.



Three of AW President's mentees who made the event possible. L to R: Fran Worthington (mentee), Rashda Rana SC, Myfanwy Wood (mentee) and Rebecca Major (mentee).

3. The Future of Young Women in International Arbitration

A Joint AW-CI Arb Networking Breakfast Event held on Friday 3 July 2015 at the Guildhall, London - "inspired!"

ArbitralWomen joined forces with the Chartered Institute of Arbitrators to hold a special networking breakfast as a part of the CI Arb's centenary celebrations. **Rashda Rana SC**, President of ArbitralWomen, chaired the event with **Wendy Miles QC** (of Boies, Schiller & Flexner), **Tom Sprange QC** (of King & Spalding) and **Juliet Blanch** (of Weil Gotshal & Manges) as panellists. The topic was the very important and increasingly popular issue of debate: the future of young women in international arbitration.



The Panel of Rashda Rana SC, Wendy Miles QC, Tom Sprange QC and Juliet Blanch.

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As President, I welcomed over 90 guests, introduced the session and the speakers. I made specific reference to the continuing waste of, at least, half of the legal community's excellent resources: young women. The attrition rate amongst women remains too high and the reasons for the attrition rate remain the same: lack of support, lack of encouragement and the actual and perceived inequality of treatment in promoting women to the higher echelons of the legal world. I reiterated something that I have said repeatedly, that time alone cannot bring about the changes necessary for gender equality. There has to be a positive, proactive and constant push for action to bring about the change. There has to be a societal and psychological shift to viewing the advantages of gender equality.



A full house for the breakfast event.

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To get the ball rolling, **Wendy Miles QC** was asked to provide a framework against which the more general discussion could take place. She presented the problem and ways in which we might tackle the issue. She made reference to a text, published in 1993, that had inspired her many years ago:

“The law mirrors society with all its imperfections and it therefore reflects the subordination of women, even today. But holding up a mirror can never be its sole function. The law affects as well as reflects, and all of those involved in the administration of justice have a special obligation to reject society's irrational prejudices.

The law is symbolic, playing an important role in the internalising of ideas about what is right and natural. If the men of law say sexily dressed women have it coming to them, they reinforce that view in the man on the street. The law constructs beliefs about the roles of men and women in the home and at work which feed back into the generally held attitudes about women.” (Eve was Framed: Women and British Justice' by Helena Kennedy (now Baroness Kennedy) Vintage 1993, at 30-31.

Wendy then called for action for the start of a movement of change brought about by lawyers: men and women. She quoted further from the inspirational text:

“The process of women becoming judges and reaching the top of the legal profession cannot be left to chance or the passage of time. Positive action has to be taken to get women on the bench in real numbers, and that will only be achieved by removing blinkers about what constitutes merit and experience. Most women lawyers, who can manage a home and a reasonably successful career, can manage a court. When asked what skills are required for judging, male barristers always cite intelligence, judgement, integrity and 'standing'.”

In addition, to further strengthen the point, she made reference to the Gqual Campaign, to be launched shortly with the support of a diverse group of women from different parts of the world that work in or are interested in international law, human rights, and international relations. She pointed out that she is one of many women who support the campaign and the pledge to improve the representation of women sitting on and appearing before international courts and tribunals.

“Women remain wholly underrepresented in virtually all international bodies responsible for monitoring and developing international law, human rights, and international relations, both in the United Nations and in regional organisations in the Americas, Asia, Africa, and Europe.

As of June 1, 2015, women occupied only 26% of all positions within international and regional tribunals. For example, only three out of 15 judges on the International Court of Justice are women; none of the seven members of the Inter-American Court of Human Rights are women; the International Tribunal for the Law of the Sea has 21 judges and only one is a woman; and the International Criminal Tribunal for Rwanda has 13 members and only two women.

Additionally, women comprise no more than 30% of the United Nations Human Rights Committee, the Committee on Economic, Social, and Cultural Rights, and the Committee against Torture. The United Nations Committee on Enforced Disappearances counts with the participation of only one woman among its 10 constituents; while the Working Group on Arbitrary Detentions has five members, none of them female. 13 of the United Nations Special Procedures that have been occupied by more than one mandate-holder have never been led by a woman. Some of these positions have been in existence for decades.”

She pointed to three main reasons why the push for equality is of paramount importance:

1. Firstly, it is a human rights issue. Article 8 of the Convention on the Elimination of all forms of Discrimination against Women (CEDAW) guarantees women, on equal terms with men and without discrimination, the opportunity to represent their governments at the international level and to participate in the work of international organisations. Our current reality demonstrates a failure to comply with this obligation by member states.
2. Secondly, we should care about the continued underrepresentation of women in international dispute resolution because the underrepresentation means we are overlooking 50% of the affected population which potentially skews the result. If 50% of the population is not participating in the peace-building, international dispute resolution process, 50% of the population is not being heard. And that 50% has something that you might want to listen to.

3. Thirdly, the world’s population is a melting pot of cultural, gender, age and other diversity. If we want the best form of dispute resolution for permanent resolution of major investment conflicts and armed conflicts, we need to involve representatives from every dimension of that melting pot.

The session then moved on to exploring these issues raised by Wendy with the other speakers. **Tom Sprange QC** was asked to deal with the problem of the attrition rate amongst young female practitioners generally. Despite the diverse nature of international arbitration practitioners around the world, young women are still not getting the opportunities. What can law firms do to change that?

Those who know Tom will readily agree that Tom is very supportive of his female colleagues. He put the male perspective on what the future for young women looks like. It was positive. He stated that in the past the challenges that women in the law faced were overt. For example, it was not until 1922 that the first female was called to the Bar. Thankfully, those days are well gone and women now rightly occupy numerous positions in the highest echelons of the law. According to Tom the challenges now are more covert, but more down to ignorance than sinister prejudices. In his view the alarming attrition rate that sees a 50/50 split at the trainee stage and ends up badly skewed at the senior partner level with the split around 75/25 or worse in many firms can and should be overcome as ignorance is replaced by the realities of talent. He cited the example that clients, Judges and Arbitrators are focused on excellence. Consistent excellence overcomes all, including ignorance. Therefore relentless excellence is the pathway to overcoming the imbalance.

Juliet Blanch was asked to expand upon this in terms of how can young female practitioners be assisted in moving up the law firm ladder – especially in international arbitration? How can we encourage them to get to the position of lead counsel/partner? Will diversity initiatives help or hinder?

Juliet said that younger women need to help themselves more by learning to ask for what they want and not sit back believing that their excellent work will be noticed, they need to take risks, question injustice and believe in themselves.

It is important that younger women understand it is completely achievable to have a very successful career in international arbitration as a woman. She pointed to the number of arbitration practices led or co-chaired by women, for example, **Judith Gill QC**, **Lucy Reed**, **Paula Hodges QC**, **Karyl Nairn QC**, **Wendy Miles QC** and **Sylvia Noury** just to name a few and of course on the bench we have **Lady Justice Gloster** and at the bar **Hilary Heilbron QC**. We need to show these younger women that we are not super human and that what we have achieved is perfectly possible for them. We may be tenacious, hard-working and stubborn but younger women should not be intimidated by our achievements – they are no different to us and equivalent careers are achievable. Diversity initiatives help highlight the problem and compel people to look at the position within their own organisations. They will help bring about change as they have done in other sectors, such as the Board room.

Many of the attendees made very useful and interesting contributions to the discussions, all willing us to continue the push upwards and forwards.



Judge Joyce Aluoch, First Vice-President of the International Criminal Court, contributing during the discussion.

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I asked **Lady Justice Elizabeth Gloster** (Court of Appeal) to make a few remarks about the session. Her Ladyship vehemently disagreed with some of what had been said, for instance, concerning the rise in the future of the Alpha Female. Her Ladyship's view was that there were plenty of them in that very room! In addition, her Ladyship reiterated what had been said by the panel, in effect, that women have to grasp the nettle and shout from the highest steeples. Standing back waiting for something to happen means exactly the opposite will happen – nothing!



Lady Justice Elizabeth Gloster speaks from the floor.

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It was apposite that the session started with a written quote from Baroness Kennedy and ended with encouraging and inspirational words from **Baroness Kennedy**. Baroness Kennedy suggested that much has changed since she was a young barrister starting out. There is, however, she cautioned, a long way to go. The Baroness recounted a humorous story of blatant discrimination by a client – not on the grounds of her gender but her height and physical stature! Discrimination can come in many guises. A fight for equality means a fight to eradicate all those forms.



Baroness Kennedy closes the debate.

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It was a lively and exciting session. My thanks to the panel, to all the attendees, to Lady Justice Gloster for her continuing support for ArbitralWomen, to Baroness Kennedy for stepping in at short notice to close the session and to the CI Arb for military-like precision in the organisation of the event. We look forward to many more thought-provoking events of this kind in the future in conjunction with CI Arb.

Rashda Rana SC

Leading Women in ADR and Promotions

Anne-Marie Blaney Elected Chair of Irish Branch of the Chartered Institute of Arbitrators

Anne-Marie Blaney, an AW member and Solicitor (Ireland, Northern Ireland, and England and Wales), was recently elected Chair of the Irish Branch of the Chartered Institute of Arbitrators AW co-founder **Mirèze Philippe** interviewed her for this Newsletter.



Anne-Marie Blaney

You have been the Chair of the Irish Branch of the Chartered Institute of Arbitrators since May 2015. What influenced you on the career path that led you to this post?

I was elected Chair of the Irish Branch of the Chartered Institute of Arbitrators in May 2015 and have served on the Irish Branch Committee since 2011. The Irish Branch is the fourth largest branch globally with almost 700 members.

The influences guiding my career path began at school. As a child of the 'Troubles' in Northern Ireland, I developed a desire to understand how we interpret and manage conflict. Law was a natural progression. I was awarded my BCL degree from University College Dublin where I was active in the student Law Society. I was admitted as a Solicitor by the Law Society of Ireland, the Northern Ireland Law Society (1993) and later by the Law Society of England and Wales.

My early career as a newly qualified solicitor began in Northern Ireland and this experience also contributed to my professional and personal road map (Derry and Newry, 1993-1997). In those years, I represented innocent victims of the horrors of the Northern Ireland conflict or the families of deceased when processing Criminal Injury compensation claims. I also developed an interest and experience in civil litigation and family litigation.

My first formal dispute resolution course related to 'Transforming Conflict' run by Mediation Northern Ireland in Belfast in the mid-1990s. This was followed by a 60-hour training in family mediation. Then in the late 1990s, I discovered the Chartered Institute of Arbitrators through the Arbitration pathways and later became an accredited CI Arb Mediator. I also lived, worked and studied in Utrecht (the Netherlands) and was awarded my first Master's Degree (LLM) in 2004, studying International Commercial Arbitration and Theories of Conflict. Various part time consultancies also strengthened my background in rule of law, dispute resolution and justice issues.

I was contracted as a Law Consultant by the Office of Law Reform, Northern Ireland; as a panel researcher at the Ombudsman for Children's office Ireland and as an expert witness trainer for a number of years. Most of these consultancies were combined with legal practice. As a result of my Masters in Ethics (2013), my research and interest in applied ethics within dispute resolution is on-going. On the rule of law front, I spent time in Malawi providing Judicial Training in Human Rights and ADR under the UN Democratic Governance programme. My colleagues there are an inspiration working within a successful although undoubtedly challenging Irish Rule of Law programme.

Law is still my primary profession. Since 2006, I continue to practise as a civil legal aid lawyer and build my private dispute resolution work. The Law School at the Law Society of Ireland invites me to adjudicate trainee competitions and contribute to the activity of student lawyers and I value the chance to do so.

I am very honoured to be elected as Chair and to lead the Irish Branch at such an interesting time for the development of dispute resolution in Ireland.

Is your appointment for a specific term?

Yes – it is generally for a one year term.

Do you have specific goals that you would like to achieve during your term of office?

Yes - I recently led a strategy development workshop with the new Irish branch committee in early July 2015.

The chosen theme is one of 'Creating Value'. That is my overall objective and in all activities, the Branch Committee hopes to ensure a measure of value for members and for potential ADR users.

My interest in policy and public affairs work has led me to contribute and make submissions to government on a Mediation Bill and on the transposition of Directive 2013/11/EU on alternative dispute resolution for consumer disputes in conjunction with colleagues. A new special interest group on Policy and Public Affairs is now set up and I plan to strengthen this work. My goal is to work hard to persuade government to publish the Mediation Bill before my term ends.

I plan to review membership needs. There are strategies ongoing to increase younger membership through engagement with university students and graduates and provide opportunity for members to move to fellow status. One primary challenge is to increase female membership numbers. This year sees Solicitor numbers of women going beyond parity with men and this provides some hope that we can attract more women members to the Institute.

Finally, we will be hosting our CI Arb Centenary Conference in Dublin on 9 October 2015, so please save the date.

Can you tell us more about your Branch? Do you appoint arbitrators or neutrals? Do you provide training?

The Irish Branch Chair can appoint arbitrators under a number of domestic arbitration schemes. The Branch regards these schemes as a valuable opportunity for members to build arbitral experience. Alongside these established domestic arbitration schemes I also receive

requests for arbitrators, mediators, and other ADR neutrals or expert assessors. The Branch has established training, assessment and certification of Adjudicators and has built a reputation for environmental Mediators and workplace mediators and is working hard to build reputation in diverse areas of dispute resolution.

What were the challenges you faced when you arrived at CI Arb Irish Branch? What are your major challenges as a woman at the head of this organisation?

There are a number of challenges I face on being elected to office. It is a challenge to convince potential ADR users and policy makers of the relevance and benefit of dispute resolution in the absence of widespread empirical data. The Irish Branch is engaging with all possible opportunities to promote mediation in particular. We want the government to publish the Mediation bill and progress legislation. Due to the private and confidential nature of arbitration and especially mediation, there is an absence of detail related to cost savings, effectiveness, process satisfaction and overall benefits that could make the business case. It is promising that more international empirical data is emerging that can be leveraged to make a convincing case for potential users.

I am only the third woman to be elected Chair of the Irish branch of the CI Arb in 33 years since it was established. This inevitably means that I have a particular responsibility to demonstrate the effectiveness and skill with which women can lead important professional bodies in Ireland. My task is made easier by the support and encouragement I have received from my colleagues on the committee of the Irish branch.

What is the percentage of women in your opinion acting as arbitrators, mediators, lawyers or other dispute resolution professionals in your country?

Ireland has scored a world first because women solicitors now outnumber male colleagues. Just 92 years ago the first woman solicitor was admitted to the profession. At the end of 2014, there were 4623 female solicitors to 4609 male solicitors. Women dominate the State's senior appointments with a female Minister for Justice, Chief Justice, Attorney General, Director of Public Prosecutions and the first female Garda (Police) Commissioner.

There are a very small number of women acting as arbitrators although some highly regarded women are partners in law firms and specialise in dispute resolution.

Advancing women is the goal for AW. Does your organisation have a policy on advancing women or a practice to address the issue of increasing the number of women on panels or in programmes?

I am conscious that competent, knowledgeable and qualified women must have opportunity. The data confirms that this has not been the case. I plan to find ways to encourage women members to join and become active within the Institute. It has encouraged me that the numbers of newly qualified female solicitors exceed the number of male counterparts this year and this provides a chance for the Irish Branch to drive up female membership. Advancing women is a goal I share with AW and look forward to exploring ways to achieve this goal.

What do you see as the future of international dispute resolution?

I am encouraged by the Global Pound Conference Series, “Shaping the Future of Dispute Resolution and Improving Access to Justice”. My view is that all dispute resolution processes are justice “options” just as much as litigation has emerged over centuries as the primary justice option. I believe that we can loosen the litigation grip and widen the embrace of mediation, arbitration and adjudication then we will have a healthy justice system.

What was/is your most satisfying achievement since election to the Branch committee or as Chair of the CI Arb Irish Branch?

My election as Chair of the Irish Branch is very satisfying and is the culmination of four years engagement and work at various levels in the development of the Branch. However I realise that I must work hard to achieve my goals in the short period ahead. The most significant contribution that I have made is the International Women’s Day Conference planned jointly with AW, the Irish Women Lawyer’s Association and sponsored by the Law Society in March 2013.

From your own experience do you have advice for women seeking to further their careers in dispute resolution?

My own experience suggests that a readiness to learn, listen and trust wise experienced colleagues or friends within the allied professions can enhance career opportunity. Networking is valuable. However, my advice is to work hard and trust in one’s ability to express opinion, having gained professional and/ or academic credentials.

There are so many opportunities to consider - perhaps within professional bodies or by writing an article or delivering a paper at a conference. The Law Society of Ireland offers a chance to adjudicate in mediation, negotiation or arbitration competitions or tutor and lecture and these are recommended activities for women seeking to further their careers in dispute resolution as they will arise in many other countries. I think it is important to gain professional accreditation that is recognised worldwide. This is why I value my CI Arb accreditation, membership of AW and other professional bodies.

How can a woman practitioner use AW to advance her career?

I believe that AW is of immeasurable benefit because of the international and diverse membership, up to date knowledge, upskilling and networking opportunity and excellent reputation as a membership body.

Can you share with us what are the particular characteristics of AW in your view?

This personal view emerges from my collaboration with AW in 2013. The characteristics evident to me from that collaboration are that AW is participative, engaged, supportive, detail driven and a passionate membership association.

Anne-Marie, two years ago you organised a very successful conference in Dublin on Women’s Day about diversity? Could you tell us what inspiration this subject inspired in you, whether you had any difficulties to organise it, if you found any support and the result of your efforts?

The conference was organised in conjunction with CI Arb Ireland, AW and the Irish Women’s Lawyers Association to celebrate International Women’s Day in March 2013. The inspiration came from that fact that I had reached an opportune point in my professional life that enabled me to propose and progress this Conference project and thankfully I discovered very willing partners. I think that the chance to enable a project where delegates would engage in discussion, reflection and idea exchange formed an important impetus for me. These aspects were a wonderful part of the conference dynamic.

The theme focused on the relevance and significance of women as an important contributory factor towards conflict resolution and peace.

The inspiration derived from my time spent as a volunteer in the charity sector, initially as Director of Women’s Aid, an organisation solely managed by women and focused on women’s rights, to legal aid and rule of law programmes focusing on gender in mediation and now as a volunteer within CI Arb in Ireland.

The unflinching dedication and trust in the conference proposal by AW - **Mirèze Philippe** in particular and **Maura Butler**, Chair of the Irish Women Lawyer’s Association, brought this together. Law Society Skillnet provided sponsorship of the conference facility at the Law Society of Ireland. The Chairman of CI Arb, **Jim Halley** and the Branch Committee not only supported the project fully but also contributed speakers. It all came together very nicely. I look forward to cooperating on the second edition planned for 2016 with AW.

Judith Gill QC Appointed First Female LCIA President

AW Members on the LCIA Court and Board of Directors

On 8 May 2015, AW member **Judith Gill QC** of Allen & Overy was appointed as the first female president of the **LCIA**, and will commence her role once the current president, **Professor William W (Rusty) Park**, has completed his second term in office. **Alison Ross's** full report in the Global Arbitration Review can be found here: <http://globalarbitrationreview.com/news/article/33783/lcia-first-female-president>



Judith Gill QC

As reported in GAR, Judith will perform the role from Singapore, where she is soon expected to relocate with her firm. No stranger to ground-breaking moves, Judith became the second female solicitor to be appointed as a QC in 2009 – and the first in international arbitration. Among her accolades, Judith was named the second most highly regarded individual in the field of international arbitration in the 2014 edition of *Who's Who Legal: Arbitration*. Judith has also headed Allen & Overy's global international arbitration practice for over ten years.

In her interview with GAR, **Jacomijn van Haesolte-van Hof**, who was appointed as director general of the LCIA last year, was said to be "delighted" by Judith's selection. "Having had the pleasure of working with [Judith] as an LCIA Board Member, I look forward enormously to working with her in this new capacity. I have no doubt she will be an inspiring president who brings to the role vast experience as counsel and arbitrator."

The Court has two new Vice Presidents, including **Paula Hodges QC** (Herbert Smith Freehills, London) (AW member). New Court Members include **Dr Yas Banifatemi** (Shearman & Sterling, Paris), former AW President and Advisory Board Member **Dominique Brown-Berset** (Brown & Page, Geneva), **Dr Inka Hanefeld** (Hanefeld Rechtsanwälte, Hamburg) and **Karyl Nairn QC** (Skadden Arps Meagher & Flom, London) (the last three being AW members).

The 13 member Board of Directors at the LCIA now includes four AW members, **Juliet Blanch**, **Judith Gill QC**, **Dr. Jacomijn van Haersolte-van Hof** and **Paula Hodges QC**.

Maria Chedid Nomination as Baker & McKenzie partner

International disputes practitioner **Maria Chedid** joined Baker & McKenzie as a partner in their North American Litigation Practice in San Francisco in March 2015. Maria previously led Arnold & Porter's West Coast international arbitration practice. Her experience includes international disputes in relation to licensing, intellectual property, energy, political risk insurance, construction, breach of government contracts and joint ventures.

Maria has acted for clients in disputes concerning business in Asia, Europe, the Middle East, Africa and Latin America, and is fluent in Arabic. In 2014 she was named one of California's Top 100 Women Lawyers. She presently serves as President of the Northern California International Arbitration Club. Maria acts as counsel in arbitrations before a number of arbitral institutions and represents clients in U.S. courts in multijurisdictional and cross-border issues.



Maria Chedid

Maria Kostytska Promoted Partner at Winston & Strawn, Paris

Maria Kostytska was promoted to partner in the Paris office of Winston & Strawn, effective 1 July 2015. For **Tom Jones's** full report click here: [Global Arbitration Review](http://globalarbitrationreview.com).



Maria Kostytska

As reported in GAR, Maria is of Ukrainian origin and joined the Washington, DC office of her firm as an associate in 2007. She moved to the firm's Paris office in 2011, and was promoted to counsel at that time. She is fluent in English, French, Spanish, Russian and Ukrainian. Before joining her present firm, Maria worked at the US Court of Federal Claims, the World Bank's Legal Department and the European Parliament. Maria has been involved as counsel and arbitrator in proceedings under ICSID, UNCITRAL, ICC, LCIA and other rules, including ad hoc arbitrations. She also serves on the six-person council of the Georgian International Arbitration Centre. Maria obtained her Juris Doctor from The Catholic University of America in Washington, DC, in 2005. As well as Paris, she is licensed to practice in New York and DC. She is also a lecturer at Versailles University in investment arbitration.

Discussing her promotion with ArbitralWomen co-founder **Mirèze Philippe**, Maria said: "I am excited about this development, which is in line with a new trend and improved statistics in terms of women partners in international arbitration - the topic that was discussed at a recent conference organised by ArbitralWomen in Paris. We still remain a minority and together we can pave the way for more women to occupy key positions in international dispute resolution."

Arbitration Boutiques on the Increase

Recent years have seen the creation of arbitration/dispute resolution boutique practices by a number of women. The following ArbitralWomen members have recently set up their own practices.

ArbitralWomen Board Member **Gillian Carmichael Lemaire** has founded Carmichael Lemaire, Paris. Gillian is a member of the Paris Bar (1994) and a solicitor (Scotland – 1984). She focuses on dispute prevention through her work on international contracts, and on dispute resolution via international arbitration, mediation and transnational litigation. Before setting up her own firm Gillian spent most of her career practising arbitration in international law firms in Paris and has also worked in the in-house legal department of a French-based international utilities company. Gillian is a Fellow of the Chartered Institute of Arbitrators and is accredited for mediation by the Institut d'Expertise d'Arbitrage et de Médiation (IEAM) and the Paris Bar Mediation School. In addition to her activity as counsel, Gillian accepts appointments as arbitrator and mediator.



Gillian Carmichael Lemaire

Eleonora Coelho, a former vice president of the Brazilian Arbitration Committee and one of the drafters of Brazil's recent arbitration law reforms, opened her own new boutique in São Paulo, on 11 May 2015. Eleonora practices in civil and commercial litigation as well as arbitration, acting as both counsel and arbitrator. As arbitrator, she is hearing cases at the Commercial Arbitration Chamber Brazil; the Mediation and Arbitration Chamber of the Engineering Institute; the Chamber of Conciliation, Mediation and Arbitration CIESP/FIESP; the Getúlio Vargas Foundation (FGV) Chamber of Conciliation and Arbitration; the American Chamber of Commerce for Brazil (Amcham), and at the Brazil-Canada Chamber of Commerce where she was also appointed secretary general in May.



Eleonora Coelho

Dr. Lara M. Pair, JD MCI Arb has recently founded Legal Partners in Zürich. Legal Partners focuses its dispute resolution practice on international arbitration and acts for clients in civil and common law jurisdictions. It acts in commercial cases in the USA and Europe and takes on debt collection cases in Switzerland and Germany. Lara also accepts appointments as arbitrator or mediator in commercial disputes.



Lara Pair

Mentorship Programme

Board Member **Karen Mills**, in charge of ArbitralWomen's Mentorship Programme, has recently pointed out to members that we are short of mentors, in particular those located in Southern Europe, the U.S. east coast, Brazil and the Middle East. There is also a general demand for mediation mentors. Those with some good experience please consider helping your younger colleagues!



Karen Mills

We are grateful to one of our members for her feedback as a previous mentee and we hope that her account will underline the way the programme works: the onus is on our mentees to invest the time to contact and correspond with their mentors, who will gladly be open to their approaches and will do their very best to make of the programme what the mentees hope to achieve. This former mentee believes that the programme has a lot to offer and that what participants get out of it depends entirely on what they put in. She points out that it is not a step ladder to help get a job, but rather a true exchange of views. A mentor can tell you about her experiences and how, with these experiences in mind, she may recommend you act in a given situation. This, our member thinks, can "avoid years of doing the wrong thing or even open up paths". And, just as importantly, the mentor can obtain a fresh perspective. The programme shows where young women are now, what problems they encounter and what successes we can celebrate. Many AW members are experienced and are willing to share their precious time. This former mentee found that it is important to invest time in making contact with your mentor. She said: "if you come to them, with respect for their time and with clear and concise questions - no need for flattery! - these women are willing to help and they are brilliant in their field."

ARBITRALWOMEN KLUWER ARBITRATION BLOG

Issue N°13 of the Newsletter published in Spring 2015 reported about the papers published between July 2014 and February 2015 by ArbitralWomen members in the Kluwer Arbitration Blog: kluwerarbitrationblog.com. These papers may also be found either on [ArbitralWomen's dedicated web page](#), or also by clicking on the hyperlink of each of the blogs so far posted and summarised below. In this issue, we provide a brief summary of postings from March to July 2015.

Conduct of Legal Representatives under the 2014 LCIA Arbitration Rules: How to Apply the New Provisions

*By Maxi Scherer
Posting of 17 March 2015*

Issues relating to the conduct of legal representatives in international arbitration have attracted significant attention in recent years. The author notes that there is a lively debate as to whether and how counsel conduct can or should be regulated. The new LCIA Arbitration Rules, which entered into force on 1 October 2014 are at the core of this debate since they are the first institutional rules that have included provisions regulating the legal representatives' conduct. Article 18 of the Rules deals with the parties' fundamental right to choose legal representatives, as well as with the consequences of any change or addition to the parties' legal

representation after the formation of the arbitral tribunal. In their Annex, the Rules contain ‘General Guidelines for the Parties’ Legal Representatives’ (hereafter the ‘Guidelines’). Without discussing whether the LCIA's decision was an opportune one, the post focuses on how these provisions will apply in practice, in particular with respect to (i) the Guidelines’ scope, (ii) their content, and (iii) the tribunal’s powers in the case of a violation thereof.

[The Role of Young Arbitrators in the Rule of Law](#)

Conference report on Wendy Miles’ keynote speech at the YAF/YAPP conference in Vienna (28 March 2015)

*By Ileana Smeureanu
Posting of 27 April 2015*

This year, Wendy Miles delivered the keynote speech at the YAF/YAPP Annual Conference on the second day of the Vis Moot. Attuned to the audience, the speech began with a note of encouragement and ended on a counterpoint of responsibility: though the future belongs to the young arbitrators, they are entrusted with nothing less than the future of the rule of law. Following and taking into account recently expressed views from distinguished legal minds of our time, Miles noted that international arbitration serves implementing the rule of law from prominent arbitral seats to emerging markets in Africa, Asia, and Latin America, whose importance in international arbitration is currently increasing. Miles urged young generations to continue nurturing this important role that arbitration plays by preserving accessibility, predictability and equality in the

application of law, human rights, time and cost efficiency, and compliance with international obligations by states and state officials. As a final word, Miles reminded participants to serve their clients loyally while never forgetting that we are called to a greater purpose: serving the “Rule of Law”.

[Roundtable Report : “Les femmes dans l’arbitrage, Est-ce si différent?”](#)

*By Lara Elborna
Posting of 21 May 2015*

The article explores some of the issues that were the focus of a recent roundtable on women in arbitration organised on 5 May 2015 by the Université de Versailles and its Master Arbitrage et Commerce International in cooperation with the ICC and ArbitralWomen. Taking place at the ICC, more than 75 participants, both women and men, attended the event, which was moderated by Sandrine Clavel and featured leading Paris-based women practitioners and academics including Claire Bouglé-Le Roux, Caroline Duclercq, Laurence Kiffer, Carole Malinvaud, and Mirèze Philippe. The roundtable commenced with engaging observations on the role of women arbitrators historically and quickly evolved to encompass contemporary issues from the role of women in arbitral institutions and law firms through recent gender equality laws in France and other countries. The roundtable concluded that increasing the visibility of women in arbitration requires a pro-active approach from the entire arbitration community through promotion of women arbitrators, mentoring and, not in the least, self-marketing.

[The Evolution of Arbitration in the Arab World](#)

*By Cherine Foty
Posting of 1 July 2015*

Arbitration in the Arab World is a hot topic these days. Over the past few decades the Arab World has become a region at the forefront of international arbitration expansion. With increasing numbers of commercial actors coming out of the Arab World and with regional arbitration centers being established in many Arab states, large numbers of international arbitration cases are now linked to the Arab World. While a few decades ago the application of modern international arbitration has not proceeded in an entirely positive manner, in time its benefits began to touch Arab States and commercial entities, reversing the previous trend. After exploring a few significant developments of arbitration in the region, the author concludes that the greater presence of Arab actors as respondent states, as well as claimants and investors, and hopefully in the future increasingly as arbitrators and counsel, will result in the continuing confidence of the Arab World in the system of international arbitration as a mechanism for dispute resolution that is closely connected to its historical roots in the region.

CALL FOR CONTRIBUTIONS

ArbitralWomen members who wish to contribute to the Kluwer Arbitration Blog may contact Board Member Ileana Smeureanu and indicate the subject and the date on which they commit to send us their contributions.

ArbitralWomen on Social Media

Lucy Greenwood, Board Member in charge of Marketing, has reinvigorated ArbitralWomen's LinkedIn Group and created a Twitter Group in June 2015. Follow us on:

- LinkedIn: <https://www.linkedin.com/groups/ArbitralWomen-8319875/about>
- Twitter: <https://mobile.twitter.com/hashtag/arbitralwomen>

ArbitralWomen considered that it may reach a far wider and more diverse audience by capitalising on its marketing and promoting its events on social media. Our work on the Kluwer Arbitration Blog is a good example. Since the Twitter account was set up, we have acquired several followers, including male and female arbitration professionals, institutions, corporate disputes magazines and organisations.

Mark Your Agendas

The end of the Summer and the Autumn and beyond will see the following events, which are organised or sponsored by AW or at which AW members are panellists, being held in various locations worldwide. Save the dates!

Date	Venue	Event
3 – 4 September 2015	Singapore	CI Arb Centennial Conference
10 September 2015	New York	Benchmark Women in Litigation Forum
21 September 2015	Berlin	SpeedNet
23 September 2015	White & Case, London	Experts & Lawyers: Building a Winning Combination
25 September 2015	New York	4th Annual GAR Live New York
5 October 2015	Vienna	AW Breakfast at IBA
9 October 2015	Dublin	CI Arb Centenary Conference
29 October 2015	Milan	AW Event
29 October 2015	Hong Kong	5th Annual GAR Live Hong Kong
3 November 2015	Miami	AW-ICC Breakfast
12 November 2015	London	CDR Autumn Arbitration Symposium 2015
17 November 2015	Dubai	AW Evening Cocktail Event
19 November 2015	Dubai	2nd Annual GAR Live Dubai
20 November 2015	Paris	3rd Annual GAR Live Paris
8 March 2016	Geneva	AW Second Conference: Celebration of Women as ADR Leaders in Conflict Resolution: Peace, Practice, Perspectives.

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