



The International Network of Women in Dispute Resolution

President's Column

If your actions inspire others to dream more, learn more, do more and become more, you are a leader.

- John Quincy Adams

LEADERSHIP AS AN ALTRUISTIC CONCEPT

Leadership can be a nebulous concept. Sometimes it comes down to the use of skillful management techniques, sometimes adept psychological manipulation and sometimes pure charisma. All traits are important and all qualities probably combine to make a powerful leader. Globalisation brings with it complexities hitherto unknown to leaders of every kind whether political, economic, social, business or the law. Such complexities require a plethora of skills and expertise. No one person can have such skills and expertise. But all leaders have one trait that I believe marks them out as a leader and that is the ability to inspire. Inspiration is a very powerful tool, it can change lives, change countries and change the world. True, inspiration can be used for good as well as for evil. But my focus will always be the good. More particularly, the humble, creative leader whose contribution is an altruistic one.

For far too long, women leaders have not been given the recognition and respect that they deserve. I have just finished viewing the first USA Presidential Debate and as we go to press I am saddened by the misogynistic attacks on Hillary Clinton. No matter what your politics, it is an historical moment in the world's most powerful nation, when women should be able to be who they are without personal attacks on them merely because of their gender.

This is the fight we face every day; it is the reason we are a Movement; the reason why we are pushing with every fibre of our being to promote women; to fight for equality and diversity; to be better people, living in a better world for us all. Let's celebrate that. Let's celebrate the fact that a woman aspired to such heights and reached them. Let's be inspired by her achievements. Let's emulate her achievements and strength in modelling the path and future of our own lives.

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*ArbitralWomen thanks all contributors
for sharing their stories.*

Presently in the world we have a number of female leaders who wield significant power: Hillary Clinton, Presidential Nominee for the Democratic Party; Theresa May, Prime Minister of the UK; Angela Merkel, Chancellor of Germany; Erna Solberg, Prime Minister Norway; Sheikh Hasina Wajed, Prime Minister Bangladesh; Kolinda Grabar-Kitarović, President Croatia; President Marie-Louise Coleiro Preca, Malta; Prime Minister Saara Kuugongelwa-Amadhila, Namibia; President Bidhya Devi Bhandari, Nepal; President Ameenah Gurib-Fakim, Mauritius; Prime Minister Beata Szydło, Poland; State Councillor Aung San Suu Ky, Myanmar; Chairperson of the Commission of the African Union Nkosazana Dlamini-Zuma (South Africa) and many many more about whom we seldom hear any news.

We have many "leaders" in the membership of not only the Board but also our membership more generally. They deserve recognition, encouragement and support. Often it is regarded as a lonely role, a matter of steering an unruly crew. But I am very fortunate to have a Board made up of members, each of whom inspires and motivates every other member. We work well as a cohesive whole. This is partly because we enjoy the same vision. We are prepared

to work towards the goal of equality and diversity. We are unerring in our pursuit. We are making progress.

Mireze Philippe and **Louise Barrington** have for many years been the torch bearers, leading and inspiring even in the face of abject adversity. Each of us has taken and continues to take inspiration and strength from their achievements. They have given their time unflinchingly and continue to be the pillars upon which our substantial edifice is built. I and the Board can only dream to be the leaders they have been.

True leadership inspires others to do their best for themselves and for others. They do that and each Board and Committee member does that by their commitment to advancing the role of women.

We want each of you to be the leader, in everything you do: be the leader to your team mates; be the leader to your mentorees (whether formal or informal); be the leader in the court room; be the leader in the class room; be the leader in the mediation; be the leader in the arbitration; be the leader at home; be the leader with your friends. I am not urging you to be 'bossy'. I am urging you to be a visionary, inspire, motivate, manage and coach others to be the best they can be and be the best you can be, always.

According to the idea of transformational leadership, an effective leader is a person who:

1. Creates an inspiring vision of the future.
2. Motivates and inspires people to engage with that vision.
3. Manages delivery of the vision.
4. Coaches and builds a team, so that it is more effective at achieving the vision.

Leadership brings together the skills needed to do these things.

For centuries now, women have dared to pursue a vision of equality.

Be a transformational leader now to the team of global women surrounding you.

As well as our usual jam-packed events and news that promote women, this edition is dedicated to the concept of leadership. One such leader is **Lucy Reed** who was interviewed by one of our very committed members, **Amanda Lees** in Singapore. I am sure you will enjoy reading that interview and take inspiration from it, as I have done.

I leave you with my particular favourite quote on leadership:

"Ultimately, leadership is not about glorious crowning acts. It's about keeping your team focused on a goal and motivated to do their best to achieve it, especially when the stakes are high and the consequences really matter. It is about laying the groundwork for others' success, and then standing back and letting them shine." - Chris Hadfield, Astronaut.

I know that the AW Board and its Committees are laying the groundwork for the success of all our members and women in dispute resolution everywhere. Keep up the good work. Go well, go safely, always with your head held high.

Rashda Rana SC



*Rashda Rana SC, Essex Chambers,
President ArbitralWomen*

WOMEN LEADERS IN ARBITRATION: LUCY REED



Lucy Reed

Interview with Lucy Reed by Amanda Lees, Simmons & Simmons

Lucy Reed is one of the most recognizable practitioners in international arbitration, with over 35 years of experience in legal practice and a formidable reputation as a fine lawyer and fine person. Recently she retired as partner from Freshfields LLP after 18 years in the role, including many years as co-head of the international arbitration group and, in her words, confounded people by not becoming a full-time arbitrator. Instead Lucy has taken up the role of Director of the Centre for International Law at the National University of Singapore, to pursue her passion for public policy and teaching.

Lucy has made a huge difference to the arbitration community in Singapore. She has brought a fresh approach and made sure that the conferences she has been involved in have had a diversity of speakers. I'm sure that in her new role she will continue to shake things up in her polite authoritative fashion while also demonstrating that it is possible to be a good human being and an international arbitration star.

I was fortunate to interview Lucy over gin and tonics overlooking the Padang in the Singapore twilight.

You have been the Director of the Centre for International Law at the National University of Singapore since July. What is your role at the CIL?

As Director of CIL I oversee the research and practice of the Centre. The CIL undertakes pure and applied research in the law of the sea, ASEAN law, investment treaty law and policies on international dispute resolution and avoidance. The Centre is a way for Singapore to provide thought leadership on these issues.

As a Professor at NUS I will be teaching students and also exploring how to bring early dispute resolution by way of settlement and mediation to investor state and state to state disputes.

I am also sitting as arbitrator. As part of the Centre we have practice fellows who, with permission of the other arbitrators and parties, shadow me in the arbitrator role and support me in that role in order to familiarize themselves with international arbitration. I have only taken on a modest number of cases so that I have more time to think and practice as arbitrator the way I think it should be done.

I am a consultant to Freshfields on a few ongoing cases but otherwise I am not taking on counsel work.

What led you to take up this role?

I find I have confounded people by not becoming a full-time arbitrator but I have always enjoyed teaching and working on broader policy issues. I also enjoy the people interactions you have at work.

I have had a long standing interest in public policy. This led me to work in the State Department, then on nuclear energy issues with the Korean Peninsula Energy Development Organization (KEDO) and as Commissioner on the humanitarian law-focused Eritrea-Ethiopia Claims Commission and now this.

Do you have any specific goals that you would like to achieve during your 3 year term at CIL?

In terms of research and policy, I hope I will be planting the seeds for greater mediation and settlement of investor state and state to state disputes. I am realistic about how difficult this goal will be to achieve but I feel that it is necessary given the high actual and opportunity costs of these disputes.

As arbitrator, I hope to be the type of good, involved, available arbitrator that I have advocated and live by the lessons I have preached. I expect this will go more smoothly when the NUS transition is fully done.

You had a varied career path prior to your time at Freshfields, is this something you would recommend to young lawyers?

In the US there is more flexibility to go in and out of government jobs and legal practice which makes this easier to achieve. It is good to experience different sectors - in house, private practice, government practice - as this makes you a well-rounded lawyer.

You spent 18 years at Freshfields, what kept you there?

I loved what I did at Freshfields. There were many challenges – like building a US practice from 1 person to being ranked the number 1 US practice, doing the first treaty case against Argentina and doing the first umbrella clause case for Pakistan, and other “firsts” like that.

I am very grateful to Freshfields as they let me serve on the Eritrea-Ethiopia Claims Commission and help direct the Claims Resolution Tribunal for Dormant Swiss Bank Accounts, the first Holocaust claims tribunal.

My role changed often during my time at Freshfields. There were some 5 lawyers total in the New York office when I joined and now there are 200 plus. I loved helping the international arbitration practice grow and developing the lawyers within the practice. In April 2012 I came to Asia to help expand and develop the team here.

I am very proud that so many partners in the international arbitration group are internally home grown partners – I think we made up a dozen in my time - and that so many Freshfields alumni have gone on to lead international arbitration groups in other firms.

I had a lot of fun and challenges at Freshfields but it is now time to give the stage to others. I have always enjoyed making room for others to blossom, which Alan Redfern, Martin Hunter and Jan Paulsson also did.

As senior women we need to make more room for others to speak and lead. I think it is great that Sylvia Noury is leading the Pledge initiative. When I was President of the American Society of International Law I introduced a young voices panel, but mainstreaming is even more important. I tried to make sure that we rotated speakers at conferences to ensure age, gender and viewpoint diversity.

How have you found arbitration in Asia?

Hong Kong and Singapore are still developing as international arbitration centres. It is important to remember that arbitration is still a small practice area with a lot of domestic work. There are few international arbitration clients based in Singapore, so it can be more of a parachute practice – and there is nothing wrong with that. In my view, Hong Kong is

more a finance city than an industrial city for disputes which limits the work.

At CIL we are helping to train Singaporeans (and other Asians) as commercial and treaty arbitration experts. You need to take a long term view on an international arbitration practice in Asia. It is the same position as New York 20 years ago.

That said, there is a fantastic level of energy in Asia. Asia matters. There is a new generation here. I enjoy the feel of so many possibilities in Asia.

I have been made very welcome in Singapore. I was honoured to be invited to the Prime Minister’s National Day Rally Address and other events.

You have been involved in international arbitration for over 30 years. How has the field changed during that time?

On the positive side, it has become deeper and broader in terms of the profiles of arbitrators and counsel.

On the negative side, it has become unnecessarily adversarial. There are too many procedural battles on minor issues, which are wasteful and tedious.

In the upcoming Queen Mary/Freshfields Lecture in London I will be talking about how due process is now being used as a sword not a shield. Parties are using the threat of setting aside for lack of due process in order to get their way on minor procedural points. Some arbitrators can be passive and hide behind what parties want - leading to long drawn out processes. This is not what due process protections are for.

What developments are you hoping to see for the future of international dispute resolution?

We need new models for mediation and early dispute settlement in cross border disputes. There may be a role for early neutral evaluation. This is something that I will be looking at as part of my research at CIL.

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

Picking the right life partner is important. I was lucky that my husband, who was an editor and Chief of Foreign Correspondents at Newsweek magazine, decided to go freelance when our children were mid-teenagers. This made my Freshfields commitments and schedule much easier to balance with parenting. There is no recipe though.

Sometimes I say that women need to be *patiently ambitious and ambitiously patient*. Achievement doesn’t happen overnight. You have to stick at it, through bad days as well as good ones. Just staying in the game contributes to success.

On the work-family balancing dilemma, it is easy in those darkest days to forget that life and careers are pretty long. Comparatively the period when your children are young is short. When that hard juggling phase of raising children ends you will still have another 20-25 years of your career to go.

Yes, law firms ought to remember this as well and do more for those with young families, and, yes, the business model should change to make this easier. But it is not happening at a recognizable pace. So it is incumbent on senior women to help younger women up and make room for them. We can and should cover for the younger generation when they are going through that hardest juggling phase.

I wouldn't be where I am today if I had just started at Freshfields at 27 years' old (though many do not realize that I had almost 10 years at DC law firms before Freshfields). I have been able to do things that interested me without thinking of my long term career and taking those chances have led to other opportunities. So I urge others to give things a try.

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

I was at the first dinner meeting in Paris in, I think, 1993. It is important to be a member of ArbitralWomen as being a member shows support for the cause.

I find ArbitralWomen a good source of information. I really like the speed networking events as a way of meeting new women.

I would encourage young women to get involved; speak at young practitioner forums, publish. It is very important to be seen as a speaker/ expert on substantive arbitration issues not just gender issues.

We need to continue to ensure that there are more gender diverse panels at conferences rather than just invite the same old speakers. And when we do speak we need to show our human side.

I have done a lot of mentoring in the past but what women need now is more sponsoring. The idea is to invest in another woman's career and be accountable for the success of that woman.

Final words

I am unapologetic in saying that I am a committed feminist, and I consider it as important to be a caring human person as well as a good lawyer.

EVENTS

There have been a number of events over the last three months. Our members have provided a few highlights from these events to share with you.

São Paulo Breakfast Event on 2 June 2016



L to R: Jocelyn L. Burgos, Flavia Mange, Loukas Mistelis, Eleonora Coelho

On 2 June 2016, ArbitralWomen co-sponsored, together with the Brazilian Arbitration Committee, a breakfast event in Brazil entitled "Gender (in)Equality in International Arbitration" that took place at the Centre for Arbitration and Mediation in Sao Paulo. There were two panel discussions. The first was on "Unconscious Bias and the ArbitralWomen Pledge" and panelists included **Eleonora Coelho, Flavia Mange, Jocelyn Burgos** and **Loukas Mistelis**. The second panel was a roundtable discussion on "Initiatives to Promote Equality." Panelists included **Becca Shieh, Claudia Pitta, Fernando Serec** and **Sheila Neder**.

Dana MacGrath, Sidley Austin LLP, New York with contribution from Jocelyn Burgos.

Link to Flyer

<http://www.arbitalwomen.org/LinkClick.aspx?fileticket=NNZ4ZDEAE8%3d&portalid=0>

São Paulo Breakfast Event on 15 June 2016

On 15 June 2016, ArbitralWomen, in connection with ICC Brazilian Arbitration Day 2016 and with the support of TozziniFreire Advogados, organised a breakfast event at the São Paulo office of the International Court of Arbitration of the International Chamber of Commerce.

The panel discussion focused on the arbitral award from the perspectives of the lawyer, the arbitrator and the ICC, respectively. **Ana Carolina Weber**, ArbitralWomen Board Member, moderated the panel that included **Selma Lemes**, a lawyer at São Paulo who was responsible for the

project that resulted in today's Brazilian arbitration law; **Fernando Serec**, a partner at TozziniFreire and an enthusiastic supporter of the work of women in arbitration, and **Marcela Maffei**, a lawyer in Rio de Janeiro and São Paulo and a prominent representative of the young generation of arbitration lawyers in Brazil.

Each panelist offered insights and lessons learned based on their experience. **Selma Lemes** demonstrated, from the perspective of an arbitrator and a former ICC Court Member, ways to draft a good arbitral award. **Marcela Maffei** explained techniques that a lawyer can use to try to ensure that the client's position and arguments are best understood by an arbitral tribunal. **Fernando Serec** commented on several cases on which he worked and encountered some difficulties with the completion of the arbitral award.

During the presentation, the audience had the chance to make comments and ask questions, provide input on the panelists' remarks and share insights based on their own experience.

At the end of the discussion, **Katherine Gonzalez**, on behalf of the International Court of Arbitration of the International Chamber of Commerce, applauded initiatives like this one and provided some quantitative information regarding the number of women in arbitral proceedings before the ICC.

Ana Carolina Weber, Carvalhosa e Eizirik Advogados Associados, Brazil



L to R: Selma Lemes, Fernando Serec, Ana Carolina Weber (centre), Marcela Maffei

Report on ArbitralWomen (AW) SpeedNet Lagos 19 June 2016

The ArbitralWomen (AW) SpeedNet Lagos was held on the 10th day of May 2016 at the Taslim Elias Room of the International Centre for Arbitration and ADR, Lagos, Nigeria. The SpeedNet was attended by various prominent

Nigerian women in the legal and alternative dispute resolution (ADR) profession including **Chief Mrs Folake Solanke, SAN**, the first female Senior Advocate of Nigeria; **Chief Mrs Tinuade Oyekunle**, Honourary Vice President and Council Member of ICCA; and **Honourable Justice Mrs Akinlade** of the Lagos State High Court Judiciary.



A cross section of participants at the AW SpeedNet event

In her welcome opening remarks, **Mrs Adedoyin Rhodes-Vivour** gave a brief précis of the objectives of ArbitralWomen. She stated that ArbitralWomen, an international non-governmental Organisation was conceived with the primary objectives of addressing the under representation of women in dispute resolution, advancing the interest of women and to promote female practitioners in international dispute resolution. She emphasised that *"ArbitralWomen is a veritable tool for networking among women and that irrespective of their different industries, women can be relevant in promoting arbitration and the female gender in the field. She stated that women should stand together for gender equality and equal representation"*. She informed participants of the Equal Representation in Arbitration Pledge which is a call for the international arbitration community to commit to increase on an equal opportunity basis the number of women appointed as arbitrators. She encouraged all persons to sign the pledge and advocate for the signature of the pledge.

Chief Mrs Solanke, SAN, was invited to make some remarks and she affirmed her pleasure in the progress Nigeria has recorded so far in the areas of ADR proliferation and gender balance in its various economic segments. *"In 1981 when I became the first female Senior Advocate of Nigeria (SAN), I was confident that in no distant future the number of female senior advocates will increase. Presently it has. I am honoured to have another female Senior Advocate of Nigeria at this event, in the person of Mrs Adekoya, SAN"*. Chief Mrs Solanke, SAN

expressed her pleasure that there now exists an international network of women in dispute resolution; an impetus for gender participation.

Sharing the position of Mrs Solake, SAN, **Chief Mrs Tinuade Oyekunle** applauded the efforts of African States in promoting arbitration and ADR within its jurisdictions. She eulogised the determination of women in ADR practice and institutions such as ArbitralWomen that continue to grant women all over the world platforms to share their experiences and knowledge. She noted the recent rise in women representation on arbitral tribunals and arbitral institutions and panel discussions. *“Seeing my colleagues here today gives me pleasure and validation that women are leading the dispute resolution campaign”*. Mrs Oyekunle advised participants to continuously seek out avenues to offer mentorship and knowledge transfer among peers.

Mrs Funke Adekoya, SAN reiterated the objectives of ArbitralWomen and stated that *“ArbitralWomen is a truly remarkable opportunity for women in alternative dispute resolution to advance in their career.”* She emphasized that all women should take an interest in ArbitralWomen and join the organisation. She referred to the cooperation and networking opportunities available in ArbitralWomen and clarified that the association is not only for lawyers but all women in dispute resolution.

Introducing the audience to the SpeedNet working activity, Mrs Rhodes-Vivour encouraged participants to seize the opportunity offered at the event to form new connections, reconnect with old acquaintances and follow up on established contacts. She emphasised that building an interconnected group of relationships with women in the arbitral sphere was key to collective effectiveness personally and professionally. Ladies were registered with different colour-coded badges and encouraged to mix with women with different colours, and given two minute intervals to interact before moving to a new person. In her closing remarks, Mrs Rhodes-Vivour advocated that women in dispute resolution should continue to expand their frontiers through networking, knowledge sharing, mentoring and training.

She also expressed gratitude to ArbitralWomen supporters of the event and the Lagos Court of Arbitration (LCA), particularly **Mrs Mirèze Philippe** co-founder of ArbitralWomen who co-organised this event with **Ms Megha Joshi**. Mrs Philippe had conveyed her concern about the absence or the lack of visibility of African female dispute resolution practitioners. She suggested the organisation of this event in order to enable women to

network and to make efforts towards becoming more visible.



L to R: Elizabeth Olger-gross, Megha Joshi, Alexandra A. Kerr Meise

Ms Megha Joshi, Executive Secretary LCA noted that the LCA is an organisation that is built on the premise of gender sensitivity. A demonstration is the significant female representation on its board of directors and staff. She enjoined the support of women in dispute resolution to promote ADR knowledge in Nigeria and Africa through joining the membership and panel of neutrals of the LCA.

Wine and canapés at the event was sponsored and brought to life by the Investment Climate for Africa (ICF), **Mrs. Funke Adekoya, SAN, Ijeoma Ononogbu, Doyin Rhodes-Vivour, Funke Agbor, Funmi Roberts and Yejide Osunkeye** (AW members based in Nigeria).

Doyin Rhodes-Vivour, Doyin Rhodes-Vivour & Co, Lagos

Hong Kong SpeedNet Event on 30 June 2016

On 30 June 2016, the Young ArbitralWomen Practitioners group co-sponsored an evening conference for female practitioners in Hong Kong entitled “Skills that Make a Difference: What it Takes to be Effective Counsel in International Arbitration/How to Get Your First Arbitrator Appointment” that was co-sponsored and hosted by Debevoise & Plimpton. **Inka Hanefeld** (Hanefeld Rechtsanwälte, Germany) delivered opening welcome remarks. A SpeedNet session followed, which was led by ArbitralWomen Board Member **Louise Barrington**. Participants enjoyed champagne and fine canapés while they circulated in the room during the SpeedNet, seeking out women with different coloured badges. While it was tempting to continue those initial conversations past the 7-minute mark, participants dutifully moved on when the bell rang, as required for an effective SpeedNet. Thereafter there was a panel discussion chaired by **Lucy Reed** (National University of Singapore). Panelists included **Jennifer Lim** (Debevoise & Plimpton, Hong Kong), **Olga**

Boltenko (Clifford Chance, Singapore), **Vanina Sucharitkul** (Herbert Smith Freehills, Hong Kong) and **Julia Yu** (Bae Kim & Lee, South Korea). Closing remarks were delivered by **Yoko Maeda** (City-Yuwa Partners, Japan). A networking reception followed the panel discussion.

Dana MacGrath, Sidley Austin LLP, New York and Louise Barrington, Aculex International Inc., Canada, Hong Kong

London SpeedNet Event on 7 September 2016

On 7 September 2016, in London, ArbitralWomen and Vinson & Elkins welcomed women working in arbitration to another highly successful SpeedNet event. The evening was opened by **Rashda Rana**, President of ArbitralWomen, who explained the rules of speed networking. Inspired by speed dating, SpeedNet encourages women in arbitration to meet and exchange ideas by pairing participants for short five-minute discussions.

The SpeedNet event was a great success. Approximately 25 women attended, including some travelling-in from overseas, with lively discussions taking place all round. The participants came from different professions and ranged in experience from those at the beginning of their careers to those well-established in arbitration circles. Coming on the eve of the inaugural Queen Mary University and ICSID Joint Arbitration Symposium, SpeedNet provided an ideal platform for participants to meet colleagues attending the Symposium and future arbitration events.

Catriona Paterson, Latham & Watkins, London

CPR Y-ADR Mock Arbitration Procedural Conference in Washington D.C. on 8 September 2016

On 8 September 2016, CPR's Y-ADR co-sponsored a Mock Arbitration Procedural Conference that took place in Washington, D.C. at the offices of co-sponsor Williams & Connolly LLP. **Dana C. MacGrath**, ArbitralWomen Board Member, served as chair of the mock arbitral tribunal together with co-arbitrators **Allan B. Moore** and **Patrick Norton**. **C.J. Mahoney** and **David Earnest** served as counsel for the Claimants and Respondent, respectively. **Mallory B. Silberman** and **Laura J. Stipanowich** acted as clients. The fact pattern was based on an international energy dispute submitted to arbitration pursuant to the CPR Rules for Administered Arbitration of International Disputes. **John J. Buckley** of Williams & Connolly LLP gave introductory remarks. **Olivier P. André**, Vice President, International and Dispute Resolution Services, CPR presented the fact pattern for the mock and also gave a brief overview of the Y-ADR group and its upcoming activities in the fourth-quarter of 2016. During the mock, counsel presented their divergent views on important procedural aspects of the arbitration, including whether

the proceeding should be bifurcated, the sequence of events, timing and scope of document disclosure, and the possibility of mediation or settlement discussions. The mock was followed by "out of role" comments and insights from the lawyers who had participated in the mock, including the ways in which the mock reflected what often takes place at a real arbitration procedural conference and important takeaway lessons. A networking reception was held after the event.

Dana MacGrath, Sidley Austin LLP, New York



L to R: Allan B. Moore, Dana C. MacGrath, Patrick Norton

Link to flyer <http://www.cpradr.org/EventsEducation/Y-ADR/Y-ADRinDC2016.aspx>

YAWP event in New York on 15 September 2016

On 15 September 2016, Young ArbitralWomen Practitioners organized an evening conference for female practitioners in New York entitled "*Skills that make a Difference: What it Takes to be Effective Counsel in International Arbitration / How to Get Your First Arbitrator Appointment.*" The event was co-sponsored by Bryan Cave and New York University School of Law. **Gabrielle Nater-Bass** (AW Board Member) from Switzerland delivered the welcome remarks.



L to R: Claudia Salomon, Emma Lindsay, Yasmine Lahlou, Rocio Digon, Anna Tevini

There was a short SpeedNet session, during which attendees had the opportunity to meet colleagues and panelists. Following the SpeedNet, there was a panel discussion on career advice for young women in international dispute resolution. **Claudia Solomon** of Latham & Watkins chaired the discussion. The panelists included **Emma Lindsay** of Bryan Cave, **Anna Tevini** of Shearman & Sterling, **Rocío Digón** of the International Chamber of Commerce/SICANA and **Yasmine Lahlou** of Chaffetz Lindsey. Panelists responded to questions about their career paths and offered professional advice for young women interested in pursuing a career in international dispute resolution as either counsel or arbitrator. **Katie Hyman** of Akin Gump delivered closing remarks, which were followed by a networking reception.

Dana MacGrath, Sidley Austin LLP, New York with contributions from panelists

ICC YAF Event in London on 19 September 2016

Redressing the balance: the path ahead for gender diversity on arbitral tribunals

On 19 September 2016, Freshfields hosted an ICC YAF event at its London offices on gender diversity in arbitration and the Pledge for Equal Representation in Arbitration (“Pledge”). Gender diversity is a topic which has been the centre of discussions on panels organised by ArbitralWomen all around the world, and the Pledge initiative launched in May this year addresses issues related to under-representation of female arbitrators on arbitral tribunals. The Pledge orchestrated by **Sylvia Noury** from Freshfields has had a positive effect as practitioners including men and women have joined the debate all across the board. The purpose of this panel was meant to have an interactive debate about the reasons for the barriers to gender diversity and how to overcome them.

Welcome words were first addressed by **Ania Farren**, ICC YAF Representative, London. Noury then provided the audience of sixty young practitioners, men and women, an overview of the Pledge initiative and the projects of the Pledge Steering Committee to bring it forward.

The panel debate was introduced by **Leilah Bruton**, Senior Associate from Freshfields. Together with Bruton the panel was composed of strong female voices **Samantha Bakstad**, Counsel BP Legal, London, **Kate Davies**, Partner Allen & Overy, London, **Mirèze Philippe**, Special Counsel ICC, Paris, and also of **Chris Parker**, Partner Herbert Smith Freehills, London, the male voice on the panel.

Bruton first invited the panel to share their views about whether gender diversity in arbitral appointments matter. The panellists confessed that like many practitioners they

did not think about gender diversity when nominating arbitrators and that the recent efforts undertaken to raise awareness about the under-representation of women on arbitral tribunals made them realise that everyone must contribute to redressing the balance because gender diversity matters for several reasons. Panellists agreed that the most important is to find talents where they are, and make honest efforts to look for a broader pool of talents.

Philippe said that half if not more of the world population is composed of women and that it would disconnecting from reality if we deny gender diversity in arbitration and in any field in general. Women have contributed to building the society throughout the world and throughout history, and in spite of that, the world remains male-oriented and male-dominated which is unfair. Women are as important as men in contributing to build the society in all its social, political, educational and professional components, and their absence is even detrimental because they have their views, their experience, their talents and we would be missing this wealth of input. Gender diversity brings to the room essential components because men and women approaches, views, analysis of situations are different. Neither is better than the other, they work differently but they are complementary and both are indispensable.

The issue of whether greater diversity help improve legitimacy of international arbitration was then addressed. Pale, male and stale do not reflect the composition of the society and there lies the problem. Everyone bears a responsibility in cultivating diversity. Promoting the talents in dispute resolution should be the sole objective, and this by itself includes women and young practitioners who are often excluded for no logical reason.

However, the barriers to gender diversity are numerous. Some are subtle while others are clearly visible. Stereotypes are probably the worse enemy. The business and legal communities are still male-dominated and there was no willingness to bring women onto the stage. Gender diversity was a non-issue; it may have been unconscious although Philippe thinks it was also conscious. The situation may have continued if women did not rise their head to show that they exist, that they are talented, and that they are entitled like their male colleagues to be considered for certain positions. The discrimination towards female practitioners in any field is an old story but which is perpetuated despite the progress of the society. The situation has been changing in the last two decades although insufficiently and very slowly.

Some barriers may take time to overcome and depend on efforts lead by all stakeholders, whereas others are a matter of changing attitudes by the victims themselves. Many women are not visible and Philippe took the example of ArbitralWomen members who do not complete their profile although the website is a hub for locating female candidates. One of the most significant problems is that women in general do not promote themselves as men do. It is difficult to find female practitioners who do not showcase themselves on websites and networks such as ArbitralWomen. Philippe added that co-arbitrators, corporate, lawyers, institutions, will think about female practitioners if they have met them, heard them, read their publications or awards, learned about them and that it is everyone's responsibility to promote each other.

We must start turning things around by using all means available to us, namely by continuing to raise awareness about the under-representation of female arbitrators whether in private meetings or in conferences, by promoting female practitioners, and by reminding our colleagues of everyone's duty to get to a better representation. Raising awareness is powerful when many join the movement said Philippe. The more you make noise about under-representation, the more people will hear and hopefully understand the message.

Pretending that, as often heard, no female practitioners were found to fill a position is not a serious argument. Websites such as ArbitralWomen offer a 'Find Practitioners' facility and practitioners in general have their contacts that they may call on to ask for referrals. This problem was addressed by the Pledge Steering Committee who decided to offer a service to persons seeking assistance to find female practitioners as recently announced through a Kluwer post '[One Step Further after the Launch of the ERA Pledge: A Search Service for Female Arbitrators Appointments](#)'. A Search Committee was constituted to address requests posted on the Pledge website at www.arbitrationpledge.com via the 'Arbitrator Search' tab.

The panelists were also invited to share views about whether the Pledge address gender barriers and if it goes far enough. It was considered that the Pledge deals with gender barriers by proposing concrete actions including measuring such actions. One of the commitments listed in the Pledge concerns the assessment of the efforts undertaken by the stakeholders, mainly arbitration institutions and corporate who are requested to publish statistics in order to measure evolution. To the question about whether the Pledge should have covered further

diversity issues, Philippe responded that redressing the balance must start somewhere and gender diversity was the most pressing.

Philippe added that the Pledge was the right action Noury has taken to encourage stakeholders to take their responsibilities, because the success for better representation of women on arbitral tribunal depends on everyone. The simple fact of having gathered players in dispute resolution to discuss about the dearth of women on arbitral tribunals and potential solutions has already had a positive effect to address the barriers. ArbitralWomen's efforts in the last two decades were directed at promoting women in dispute resolution. The Pledge is now another concrete and important step and is timely. It is a crucial milestone to build better cooperation and strive for inclusiveness. We should continue building on this momentum.

It was recommended to the young practitioners to use all available means to become visible, by participating to meetings like this YAF event and other related dispute resolution conferences, registering with the ICC National Committees of which they are nationals, being active in working groups such as IBA, ICC, UNCITRAL, publishing, speaking, arbitrating at the Vis pre-moots, showing their talents and becoming more and more visible.

Finally, Philippe added that it is imperative to continue making noise about the Pledge and gender equality in order to rally more stakeholders and to achieve the purpose of equal representation on arbitral tribunals.

*Mirèze Philippe, Special Counsel, ICC
ArbitralWomen Co-Founder,
Membership and Website Director
Member of the ERA Pledge Steering Committee*



L to R: Leilah Bruton, Samantha Bakstad, Kate Davies, Mirèze Philippe

MEMBERS ON THE MOVE AND DISTINCTIONS

Sophie Lamb has joined the partnership at Latham & Watkins in London to head up its international arbitration practice. Sophie was previously a partner at Debevoise & Plimpton.



Sophie has led numerous investment disputes around the world and acted as adviser and advocate in more than 100 international commercial arbitrations across a range of industries.

Bronwyn Lincoln, a member of the Board of ArbitralWomen until recently, has moved to the Litigation & Disputes Resolution practice of Corrs Chambers Westgarth in Melbourne, Australia. Bronwyn was previously a partner with Herbert Smith Freehills.



Bronwyn is named in Who's Who Legal: Arbitration 2016 as one of the world's leading practitioners and identified in Chambers Asia Pacific 2016 as Band 1 in Dispute Resolution, Arbitration - Australia.

Erika Williams, a current member of the Board of ArbitralWomen, has taken the role of Senior Associate in the Arbitration and Alternative Dispute Resolution practice of McCullough Robertson in Brisbane, Australia.

Erika was previously an associate at Baker & McKenzie in Sydney, Australia.



Erika was awarded the 2015 Australian Young Lawyer Award for her contribution to establishing the publication of The Practitioner's Guide to International Law of the New South Wales Young Lawyers International Law Committee.

AW KLUWER ARBITRATION BLOG

We report below in summary about the paper published since the last newsletter by ArbitralWomen members in the Kluwer Arbitration Blog: www.kluwerarbitrationblog.com. The full paper may be found either on our dedicated web page <http://www.arbitralwomen.org/Media/Kluwer-Arbitration-Blog> or by clicking on the hyperlink for each title below.

[One Step Further after the Launch of the ERA Pledge: A Search Service for Female Arbitrators Appointments](#)

By Mirèze Philippe

Posting of 8 September 2016

The Equal Representation in Arbitration (ERA) Pledge ("Pledge") launched on 18 May 2016 in London had the effect of a snowball that grew bigger and bigger over the last few months. Three months after the official launch, over a thousand signatories have joined the players committing to improve numbers. In her recent post, Mirèze Philippe reports about some recent developments: the constitution of a **Pledge Steering Committee**, with the objective of spreading the word and the launch of a pilot project to offer assistance through an '**Arbitrator Search**' page on the Pledge website, intended to assist any person seeking assistance for finding female arbitrators by providing names of potential profiles without making official recommendations. The author informs us that the results of the pilot project will be examined after a while to assess whether such service is helpful and whether it should be maintained and potentially improved. This facility is now available via the 'Arbitrator Search' tab on the Era Pledge website at www.arbitrationpledge.com.

ArbitralWomen Corporate Membership

ArbitralWomen launched a new initiative in November 2015 aimed at offering corporate membership to be provided to all female lawyers in the dispute resolution groups of the GAR30 firms as a first target.

Initially offered only to firms listed in the Global Arbitration Review top 30 arbitration practices worldwide, other law firms have asked to benefit from this offer. The corporate membership tier entitles firms to a discount on the cost of individual memberships. For 650 Euros annually, firms can designate up to five individual women from their practices to become members, and for each additional member a membership at the rate of 135 Euros.

ArbitralWomen is delighted that the response has been overwhelmingly positive with nineteen firms having subscribed a corporate membership for 2016 which include: Allen & Overy, Baker & McKenzie, Bonelli Eredi, Clifford Chance, CMS-CMCK, DLA Piper, 4 New Square, Freshfields Bruckhaus Deringer, Herbert Smith Freehills, Hogan Lovells, King & Wood Mallesons, Knoetzel, Latham & Watkins, Norton Rose Fulbright, Skadden Arps Slate Meagher & Flom, Squire Patton Boggs, Vinson & Elkins, White & Case, Wilmer Cutler Pickering Hale and Dorr.

The number of members having benefited from this rate is 123, adding 92 new members with 31 having benefited from a renewal of their membership at a discounted rate.

We have been delighted with the successful outcome of this first step. We plan to extend the programme further and hope that other law firms will demonstrate their commitment to diversity in 2017 and beyond. Our objectives are:

- Encourage the firms who have taken the corporate membership to renew their commitment for 2017.
- Offer the corporate membership to other law firms and in house counsel teams at major corporations.
- Prepare a flyer of information about the corporate membership programme and invite firms to distribute it to all members of their dispute resolution teams to make sure that all lawyers wishing to benefit from the discounted rate are duly informed of this advantage. It happens very often that members from law firms having subscribed a corporate membership are not aware about the programme their firm subscribed and subscribe individually.

Members and readers are encouraged to spread the information about the corporate membership to benefit from the many advantages ArbitralWomen offers in terms of visibility and of availability of profiles available on its website.

ArbitralWomen is the only prominent networking organisation exclusively for women in dispute resolution and very much a pioneer in this field. Its website is one of a very few websites which [lists details of potential dispute resolution practitioners](#) from arbitrators to marine surveyors. The '[Find Practitioners](#)' feature offers visitors the possibility to search for profiles by completing search criteria in various fields. The website is regularly visited to search for potential candidates including speakers, as many prominent practitioners reveal on various list serves. This feature should be heavily promoted to all members to encourage them complete their profiles and add their publications, and to visitors seeking candidates.

For any information, you can use the 'Contact us' service available at the bottom of ArbitralWomen webpages on www.arbitralwomen.org.

Lucy Greenwood, Norton Rose Fulbright US LLP, AW Marketing Director & Mirèze Philippe, Special Counsel ICC, AW Co-Founder, Membership & Website Director

THE AW PARTNERSHIP WITH THE GLOBAL POUND CONFERENCE



GLOBAL POUND CONFERENCE SERIES 2016-17 GLOBAL PARTNER

We reported in Newsletter N° 18 that ArbitralWomen is delighted to be partnering with the Global Pound Conference Series (the “GPC Series”). This involves each organisation promoting the other on their respective websites.

The GPC Series 2016-2017 was initiated by the International Mediation Institute. It is a global project that aims, through a series of conferences currently being held throughout the world and involving a broad range of dispute resolution stakeholders, to find out what dispute resolution users need and want and to shape the future of commercial dispute resolution.

For those unfamiliar with the GPC Series, I highly recommend a visit to their website, www.globalpoundconference.org, where you can sign up for or become involved in a GPC event in your region of the world. So far, events have been held in Singapore, Lagos, Mexico City and New York. Next up are Geneva, Toronto, Madrid and Karachi.

The GPC Series also has a blog platform focusing on dispute resolution and access to justice. <https://blog.globalpoundconference.org>. AW member and GPC Series Blog Editor Natasha Mellersh is currently looking for contributors to the blog and editing assistance. The ideal candidate would be someone looking to gain experience in writing and editing who could assist on a voluntary basis. The work would involve editing articles, writing and researching relevant news items and short feature articles on themes/trends (300-800 words) and interviewing prominent professionals in the field. The suggested commitment would be approximately 1-2 hours a week. Any AW member interested should email blog@gpcseries.org and include a short writing sample (200-300 words). The Contribute page can be viewed here: <https://blog.globalpoundconference.org/about/contribute>.

Gillian Carmichael Lemaire, advisory member of the AW Board and executive member of the Paris GPC committee (The Paris GPC event will take place on 26-27 April 2017).

MARK YOUR AGENDAS

The following events will be held in various locations worldwide. Save the dates and follow us on our website for further information on such events and other that we regularly add.

Date	Venue	Event
1 October 2016	Montevideo, Uruguay	Unconscious bias in International Arbitration panel event
5 October 2016	Sydney, Australia	Evening seminar on international developments for women in arbitration, followed by dinner
6 October 2016	Lima, Peru	Unconscious bias in International Arbitration panel event
7 October 2016	Istanbul, Turkey	Global Pound Conference Series
7 October 2016	Vilnius, Lithuania	Vilnius Arbitration Day 2016
9 October 2016	Atlanta, Georgia	Fifth Annual Conference of the Atlanta International Arbitration Society: International Arbitration in a “Flat” World: Practical Considerations for Counsel and their Clients
14 October 2016	New York, New York	ArbitralWomen breakfast and panel on ‘Unconscious Bias: Consequences and Possible Solutions’ on the occasion of the Fordham Annual Conference on International Arbitration and Mediation
15 October 2016	Toronto, Canada	Global Pound Conference Series
19 October 2016	Paris, France	7 th ICC International Mediation Conference
20-21 October 2016	Madrid, Spain	Global Pound Conference Series
21 October 2016	Vienna, Austria	ArbitralWomen/VIAC Panel on Unconscious Bias Part II
8 November 2016	Dubai, UAE	Global Pound Conference Series
13 November 2016	Miami, Florida	14 th ICC Miami Conference on International Arbitration
14 November 2016	Dubai, UAE	ArbitralWomen Breakfast on the occasion of the Dubai Arbitration Week
15 November 2016	Miami, Florida	ArbitralWomen panel on “Should Arbitrators disclose their preference regarding the organisation and the conduct of the procedure?” on the occasion of the 14 th ICC Miami Conference
17 November 2016	Cluj-Napoca, Romania	Global Pound Conference Series
18 November 2016	London, England	ArbitralWomen YAWP/CIArb Networking Breakfast
24 November 2016	Sydney, Australia	ArbitralWomen breakfast event
25 November 2016	Sao Paulo, Brazil	Global Pound Conference Series

ARBITRALWOMEN ACTIVITIES & SERVICES

Find a Practitioner

Find appropriate and qualified dispute resolution practitioners and speakers through the multi-search tool.

Newsletter

ArbitralWomen Newsletter is an online publication produced quarterly. It reports on news from the international dispute resolution community mainly about women and about ArbitralWomen activities.

Kluwer Arbitration Blog

Regular blog contributions concerning dispute resolution news from ArbitralWomen members.

Events and Sponsorship

ArbitralWomen organises formal and informal events and gatherings, to coincide with and in conjunction with major international conferences. Firms and organisations who would like to co-organise events or have their events supported by ArbitralWomen may post a message under "[Contact us](#)" on the homepage.

Cross-References and Cooperation

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

Mentorship Program

ArbitralWomen offers a mentorship program to its members to encourage more experienced members to share their experiences with more junior members so that the role of women in the field can continue to grow and strengthen.

Bursary for Moot teams

We encourage teams consisting of at least 50% women to apply for financial support of the registration fee. Application forms for moot competition teams are available online.

Training and Competitions

ArbitralWomen publishes information about dispute resolution programs, scholarships, training etc. If you are interested in promoting 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 or legal field in general by posting a message under "[Contact us](#)".

Questions?

ArbitralWomen enjoys a global presence in dispute resolution related field. For any questions, information proposal, you may post a message under "[Contact us](#)".

How can I join ArbitralWomen?

To become a member, you can be proposed by a current member or you may apply on your own. Submit your application directly on the homepage under "[Become a member](#)" together with your CV and a photo. Payments are made online.

- Annual membership fee: 150 Euros
- Corporate membership fee for 5 members: 650 Euros (for each member in addition to the corporate membership fee: 135 Euros)

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