ArbitralWomen *Newsletter*

ARBITRAL WOMEN **Uniting and promoting women in dispute resolution**

www.arbitralwomen.org

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Bringing ArbitralWomen Into its Third Decade

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President's Column

In this Spring edition, we feature an interview with ArbitralWomen Member, Lise Bosman, Executive Director of ICCA and Senior Counsel at the PCA. What an inspiration! We also explore the world of space arbitration, a hot topic spurred on by the increase in space activity, particularly in the telecoms and tourism industries. Read Allison Torline's insightful article to learn more about resolving space-related disputes.

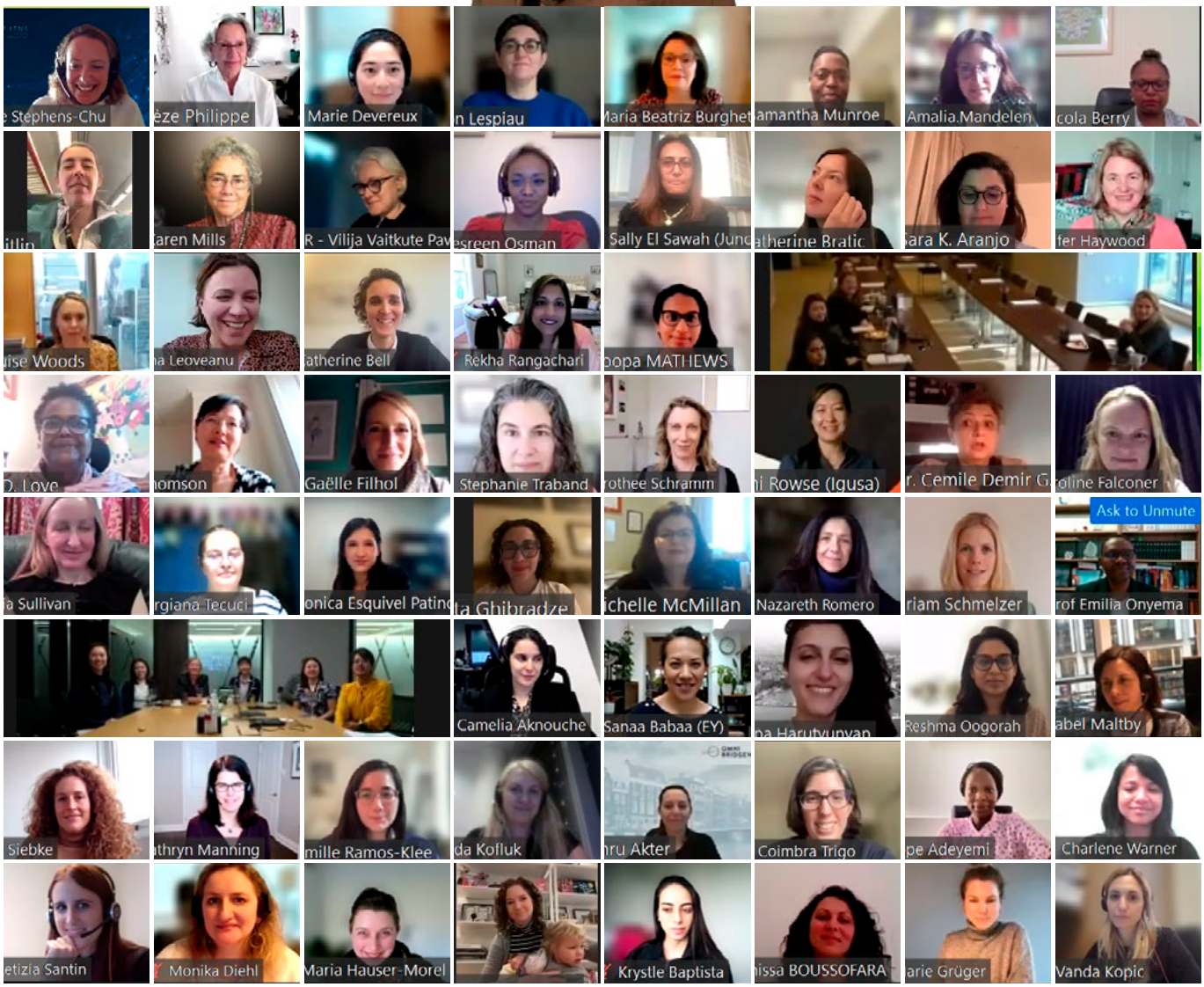
Back to earth (hopefully not with a thud!) and sticking with the future, we report on the QMUL and Pinsent Masons Report on the Future of Energy Arbitration.

Also included in this edition is a report on UNCITRAL Working Group III's 43rd session by ArbitralWomen former Board member Affef Ben Mansour, who represented ArbitralWomen at the session.

Last but not least, we highlight two of ArbitralWomen's fantastic initiatives: the ArbitralWomen mentorship programme and the ArbitralWomen Educational Funding Committee. The latter is calling for nominations for its New Initiative Award, a one-time lump sum grant for initiatives designed to further the goals and principles espoused by ArbitralWomen. We want to hear from you about initiatives deserving of ArbitralWomen's support!

My thanks, as ever, to our tireless Newsletter committee which includes AW Directors Mary Thomson, Katherine Bell, Maria Beatriz Burghetto and Gisele Stephens-Chu!

Louise Woods, Vinson & Elkins
ArbitralWomen President



Women Leaders in Arbitration

Lise Bosman

ArbitralWomen Board Member and YAWP Director, Lizzie Chan, interviews

ArbitralWomen Member, **Lise Bosman**. Based at the Peace Palace at The Hague, Lise is the Executive Director of the International Council for Commercial Arbitration (**ICCA**) and Senior Legal Counsel at the Permanent Court of Arbitration (**PCA**). She combines her work at ICCA and the PCA with teaching as Adjunct Professor in the Commercial Law Department at her alma mater, the University of Cape Town.

What inspired you to study law?

I started law school in South Africa in 1987, in the dying days of apartheid. In doing so, I was primarily motivated by a desire to achieve social justice, and the belief in the power of the law to protect the individual and contribute to a just transition.

Some of the most iconic figures in the South African transition process and in the post-transition reconstruction process were lawyers – such as President Nelson Mandela, Constitutional Court Justices Kate O'Regan and Albie Sachs, and Chief Justice Arthur Chaskalson. It was their example that inspired my choice of study and confirmed my belief in the potential of the law as a force for shaping our world.

What did you do right after law school?

My first job after graduating from the University of Cape Town Law Faculty was in the Johannesburg-based office of the Legal Resources Centre (**LRC**) — a public interest law firm with a large advice practice and a constitutional litigation practice, which at the time challenged apartheid legislation.

The LRC continues to champion sometimes unpopular social causes. Most recently, it was instrumental in halting seismic blasting along South Africa's untouched Wild Coast.

What was the career path that led you to international arbitration?

I found a path into the practice of international arbitration through my LLM in International Law at the University of Notre Dame

Policy work in the field of international arbitration [creates] a level and predictable playing field of international trade rules

in the US. During a memorable year at the Centre for Civil and Human Rights, I took part in a seminar given by a then-ICJ Judge. When I contemplated a move to The Hague the following year, he connected me to the Iran-US Claims Tribunal (IUSCT), and I spent 4 years as an adviser at the IUSCT learning about arbitral process, learning to navigate working in a highly politicized environment, and becoming familiar with the UNCITRAL Rules, as adapted for use by the IUSCT.

From the IUSCT it was a short and logical leap to private practice in the arbitral practice at Stibbe in Amsterdam with Albert Jan van den Berg, followed by a move a couple of years later in 1999 to the newly-established Freshfields office in Amsterdam. I remember those initial years at Freshfields as pioneering, with a practice spanning disputes arising out of commercial sale agreements and transport of goods all the way through to Investor-State Dispute Settlement (**ISDS**), and loved the collegiality of a well-functioning commercial arbitration practice.

After a period of setting up and lecturing the new commercial arbitration LLM course at the University of Cape Town (**UCT**) and working in-house on transport and infrastructure disputes, I moved to ICCA and the PCA in The Hague, where I am currently based. One of the attractions of working at the PCA is its obvious overarching commitment to the peaceful resolution of international disputes, complemented by ICCA's possibly unique position

Book launch 'Arbitration in Africa: a Practitioner's Guide' at ICCA Congress, September 2022
Left to right: Karel Daele, Ndanga Kamau, Sofia Martins, Funke Adekoya, Lise Bowman (General Editor), Emilia Onyema and Guled Yusuf

as an independent professional organization working to harmonize arbitral practices and develop the field.

Policy work in the field of international arbitration fulfils a need for social engagement and offers a pragmatic way of doing so. It does so by creating a level and predictable playing field of international trade rules, giving individuals and companies the space to operate in the secure knowledge that disputes can be resolved on known and fair terms. (As the parent of Montessori-educated children, I can't resist a reference to creating "the prepared environment" — translating in this context as creating the conditions in which individuals and companies can succeed when transacting across borders.)

You've played a key role in bringing the current vision of ICCA to life – many congratulations! What have been your most satisfying achievements since arriving at ICCA – PCA?

The focus of my work at ICCA and the PCA has been in developing ICCA publications, and in building ICCA as an institution. ICCA has been through a fundamental transition in the past 10 years — from an elite by-invitation-only Council to a truly global organization with a modern structure and new activities.

This reimagining of ICCA has offered me so many opportunities: as a founding co-chair of Young ICCA and its mentoring programme; developing the capacity for ICCA to take on research and outreach projects; supporting the process of democratising the ICCA Governing Board; and establishing Working Groups on African Arbitral Practice and Chinese Arbitral Practice, to name a few. The institution-building aspect of my work has been the most satisfying aspect and has called for a collaborative management style.

Today, we have 1,000 ICCA members, over 10,000 Young ICCA members, a Governing Board with gender parity (having started with 7% female membership in 2011), a thriving projects capacity, the ability to serve our worldwide membership in a focused way, and a commitment to inclusiveness at every level of the organization.

Our publications have largely transitioned to digital formats, are regularly renewed and updated, and continue to curate the most relevant materials in the field (whether country reports, court decisions or arbitral awards), guiding users through the often-overwhelming and sometimes-irrelevant plethora of information now available at the touch of a button.

Today, we have [at ICCA] a Governing Board with gender parity (having started with 7% female membership in 2011) (...) and a commitment to inclusiveness at every level of the organization

(...) the PCA has a strong commitment to advancing female and younger arbitrators

What were the challenges you have faced in your career?

I have struggled most with combining the different aspects of a full life – professional work, academic teaching and mentoring, and raising a family. As a perfectionist, you want to do it all perfectly, but sometimes it just doesn't all fit into one day. After all this time, I'm still not sure what the right balance is.

What are your major challenges as a woman leader at this organisation?

My time at ICCA and the PCA — certainly compared to commercial practice — has offered an environment in which women can flourish and develop. As an employer, the PCA has been extremely supportive of its senior female lawyers over the years, having nurtured the careers of Judith Levine, Sarah Grimmer and many others. And ICCA has been a flexible employer, encouraging creative new ideas and committed to implementing new programmes and projects.

More of a challenge was the task of transforming a loose association of individuals into a functioning organisation with a full staff and operational capacity. ICCA leaders like Jan Paulsson, Albert Jan van den Berg, Donald Donovan, Gabrielle Kaufmann-Kohler and Lucy Reed consistently gave the support and space needed to grow both my career and the organization. And it has been a particular pleasure to work in recent years with women leaders like Gabrielle, Lucy, Meg Kinnear and Funke Adekoya — all of whom have reached a stage in their hard-won careers at which they are interested in giving back to the profession.

Advancing women is AW's core goal. Do the PCA and ICCA have policies on advancing women or practices to address the issue of increasing the number of women on panels or in programmes?

While always seeking to appoint the most suitable candidate for a given case, the PCA has a strong commitment to advancing female and younger arbitrators, in order to grow the overall pool of arbitrators.

I hope that practitioners will have noticed that emerging, younger and often women arbitrators now appear more frequently on lists provided to parties in list-based appointment procedures.

At ICCA, we have an established practice of maintaining gender parity at the governance and project levels and for speakers at the biannual ICCA Congress (the oldest and largest regular conference on the global arbitration calendar). We are currently collaborating with the International Bar Association (**IBA**) in drawing up a checklist for appointing conference speakers that will share some of our successful practices on inclusivity with other conference hosts.

From your own experience, what is your advice for women seeking to further their careers in dispute resolution?

All new practitioners are starting out on a voyage of discovery, and I would advise them to include self-discovery in that voyage. Ask yourself critically what you are good at, what you want to be good at, and where your natural talents lie. Are you a natural advocate, decision-maker, adviser, academic or policy-maker? Which environment will you best flourish in?

Each career is unique — don't try to live someone else's goals or life. And do build supportive networks — of which AW is a great example.

What continues to motivate you at this stage in your career?

I have a passionate interest in developing arbitral practice on the African continent, and a commitment to capacity-building of young African practitioners. This commitment is expressed in my teaching of the commercial arbitration course at UCT (now in its 18th year), engaging each year with 24-32 graduates and young professionals, largely drawn from the African continent.

Most graduates from my class return to their home

Each career is unique - don't try to live someone else's goals or life. And do build support networks

African Arbitration Association Conference, Ghana, 2022
Left to right: Emilia Onyema, Julius Nkafu, Lise Bosman, Emmanuel Amofa

Lise Bosman with University of Cape Town (UCT) LLM class 2022

countries to become (or to continue their careers as) judges, magistrates, government advisers or litigation/arbitration lawyers in local practices. Several have served internships at ICCA or the PCA. And I like to think that they all go home with a better understanding of the entire arbitral process and more inclination to support it.

I also recently negotiated a new collaboration between UCT and the PCA, through which UCT graduates serve annual Fellowships at the PCA, and the PCA has use of the spectacular O.R. Tambo Moot Court at UCT for Africa-based hearings.

You launched the 2nd edition of "Arbitration in Africa: A Practitioners" guide (Guide) at the ICCA Edinburgh Congress in September 2022. Can you tell us more about that?

This publication is the creation of a compendium of country reports and regional analyses of arbitral practice in Africa. We launched the 2nd edition at a celebratory event hosted by ICCA and Kluwer, and many contributors to and supporters of the project attended.

The Guide is used by practitioners, judges and students (and I am told was most recently cited in a court case in eSwatini as motivation for replacing outdated colonial-era legislation!).

More generally, ICCA's dedicated Working Group on African Arbitral Practice provides a forum for my Africa-based work, with a strong link to the African Arbitration Association, in the creation of which we played a key role.

Is there any particular issue that you feel needs immediate attention?

I have seen international arbitral practice from many sides now — commercial practice, in-house, academic, policy and case administration. Going forward, I would like to see more focus on harmonisation and less on developments that splinter the field.

I am also closely following recent initiatives around dispute avoidance — such as one potential and in my view sensible iteration of UNCITRAL Working Group III's proposed Advisory Centre. I hope to contribute to this area in the future.

Lise, thank you so much for an informative, entertaining and inspiring story about your career in international arbitration and your tremendous contribution to our community.

Looking Back While Looking Up

A Review of Space Arbitration Topics

Official SpaceX Photos | USSF-67 Mission

by Allison Torline

Over the past several years, interest in space-related activities has boomed. Countries increased the number of missions undertaken. Moreover, private actors have become increasingly interested in space activities, particularly in the field of telecoms and satellites but also advertising and space tourism. This increase in space activity brought with it a rise in discussions within the legal community concerning the resolution of space-related disputes. This article aims to provide an overview of the related discussions and developments.

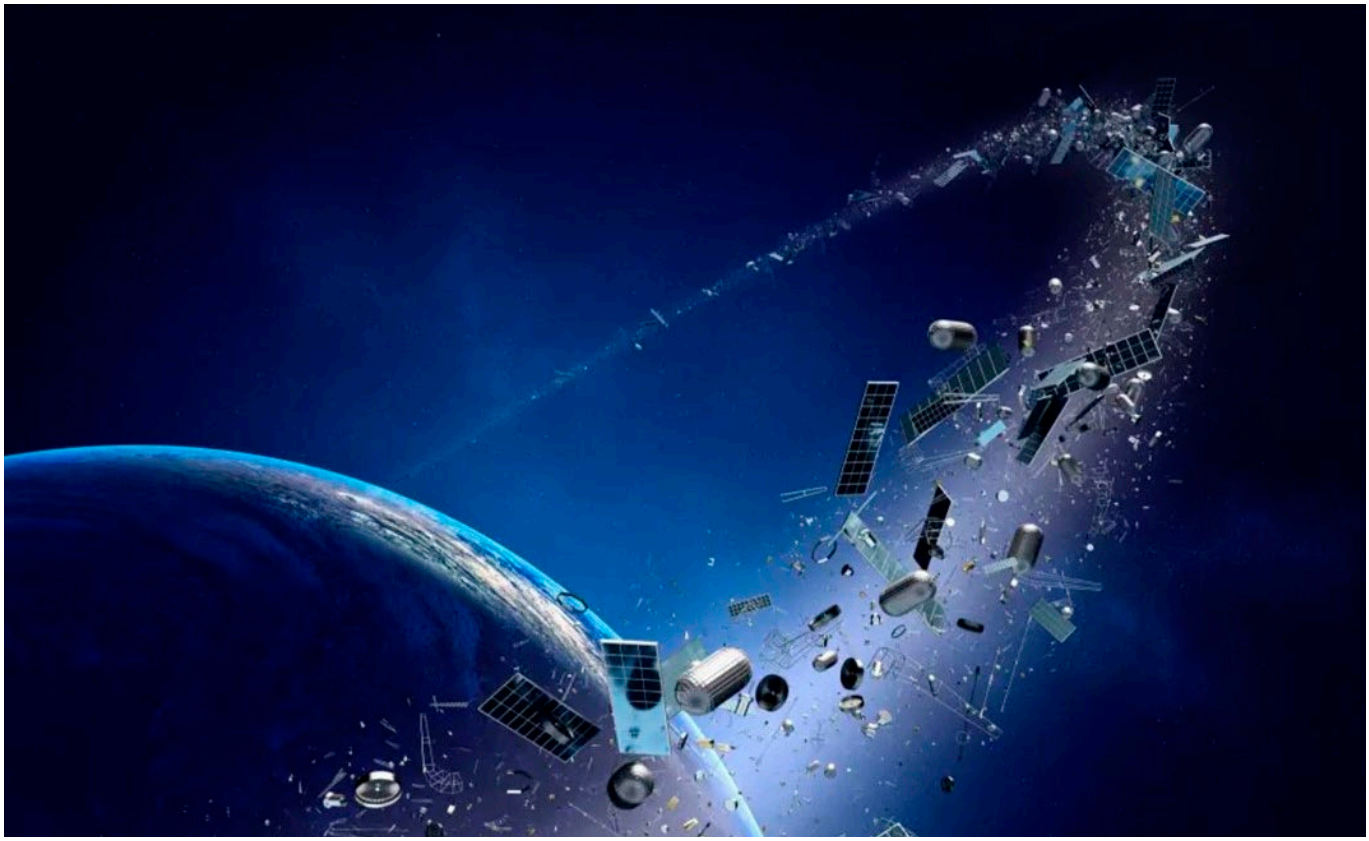
Investor-State Arbitration for Investments in Space

A popular topic among disputes lawyers is whether arbitral tribunals can effectively resolve disputes over the interpretation of space treaties and the conduct of space operators through investor-state arbitration, i.e. arbitration claims pursued against a State by private actors pursuant to bilateral or multilateral investment treaties. In this context, however, one might wonder whether jurisdictional issues could arise for disputes related to satellites and spacecraft which limit the ability of private actors to enforce their claims via investor-state arbitration. This is because investment treaties generally only allow an arbitral tribunal to resolve disputes related to an "*investment*" made in the "*territory*" of a host State. For example, according to Article 25(1) of the ICSID Convention, the Convention applies to any legal disputes arising directly out of an "*investment*" between a Contracting State (i.e. the "*host State*") and a national of another Contracting State (the "*investor*"). Generally, the underlying investment treaty will stipulate that the term "*investment*" means assets invested by an investor in the "*territory*" of the host State.

Since space activities are not carried out within a host State's terrestrial borders, it becomes more complicated to determine whether the territoriality provisions of an investment treaty are satisfied. However, several arbitration tribunals have determined that activities carried out abroad may still satisfy an investment treaty's territorial requirements so long as the investment's territorial nexus concerns the host State (see e.g. Ambiente Ufficio S.p.A. v. Argentine Republic and SGS v. Philippines). If a satellite operator were to obtain a license from or sign concession agreements with States to use said State's orbital slot or frequency bands for satellites, this could provide the satellite operator with investment protection if the investor's home country has concluded an investment treaty with that State.

Resolution of Space Collision Disputes

Another area of particular interest for disputes practitioners concerns potential space collision cases. Opening outer space to an increasing number of private entities and multiplying the number of space objects launched correlates to a vastly higher risk of collision, including with space vehicles, asteroids, and debris. We can expect to see disputes related to forced avoidance manoeuvres and space collisions. Since arbitration is well adapted to resolve international disputes that touch upon international law issues and several jurisdictions, it is the preferable dispute resolution mechanism to deal with these matters. Commercial arbitration is a creature of contract and is highly adaptable based on agreements between contractual parties. However, space accidents can happen between parties that are not contractually bound and – once a dispute has arisen – it can be difficult to mutually resolve the dispute by way of an arbitration. In such instances, a party might seek to enforce its claims before state courts, but said party is likely to face lengthy arguments over jurisdiction and applicable law. These issues become even more complicated if a claim is directed against a state or state-owned entity which may lead to questions of bias and sovereign immunity as well as the investor-state arbitration limits already discussed above. Clearly, the current situation is not satisfactory. It should be remedied through a multilateral treaty (which involves as many players as possible) that addresses regulatory



lacunae within space law, including the establishment of arbitration as a means of dispute resolution.

Inter-State Space Arbitration

Another topic which has interested the legal community is inter-state disputes related to space activities. The existing international framework for space law consists of five international treaties. The Outer Space Treaty was opened for signatures in 1967 and constitutes up until today the most important treaty. The other treaties are the Rescue Agreement from 1968, the Liability Convention from 1972, the Registration Convention from 1975 and the Moon Agreement from 1978. However, none of the treaties provides for arbitration. The provision that comes closest to dealing with dispute resolution in the international framework is Art. 2(3) of the UN Charter which merely states that all Members shall settle their international disputes by peaceful means. That said, the International Law Association published a Draft Convention on the Settlement of Space Law Disputes in 1984. However, the text did not get beyond the drafting stage. Consequently, there is no international treaty that provides for binding inter-state space arbitration to this day.

It is striking to see that outer-space law is today where international investment law was in the mid-1900s as far as dispute resolution is concerned. It is widely accepted that more regulation of outer space activities is needed. Perhaps however, the development of investment arbitration can inspire confidence. After all, as a result of the increase in foreign investment in the 1950s, the international community was able to design an international investment framework. Thus, it is not unreasonable to expect the current and future increase in space activities will lead to a set of international rules dealing with outer space disputes in the near future.

Arbitral Institutions and Space Disputes

Commentators from the disputes community also expect that the increase in space activities will not only facilitate agreement on an international framework for outer space dispute resolution but will also further increase competition over the location of a centre for such dispute resolution. One proof of this is that earlier last year, the UAE announced the establishment of a "Court of Space", a tribunal dedicated to dispute resolution on matters related to space activities. Is it possible that, in the future, this Court of Space could be what the ICC, the LCIA, and the many other well-renowned arbitral institutions represent for international trade today? Or will these pre-existing institutions be able to adapt and encompass space-related disputes effectively?

The need for an effective dispute resolution mechanism for space-related disputes has aready been recognised by the PCA, which published the Optional Rules for Arbitration of Disputes Relating to Outer Space Activities in 2011 ("*PCA Outer Space Rules*"). However, States and private entities continue to rely on diplomacy and amicable settlement to solve their disputes. As regards the private sector this might be due to the small number of actors in the field which encourages each of them to maintain good relations to their future partners. However, this approach will become increasingly difficult as the number of private companies entering the commercial use of space increases. For them, arbitration offers the best way to enforce their claims.

Looking Ahead

Although the legal issues discussed above will continue to be present in the coming years, I hypothesize that two issues will be particularly interesting for disputes: space-mining and insurance of space-related investments.

One of the most important space activities that will develop in the coming years is space mining. The potential of exploiting rare materials from celestial bodies is large enough to attract investors and is expected to start occurring within the next few years. A plethora of legal questions arise concerning such activities:

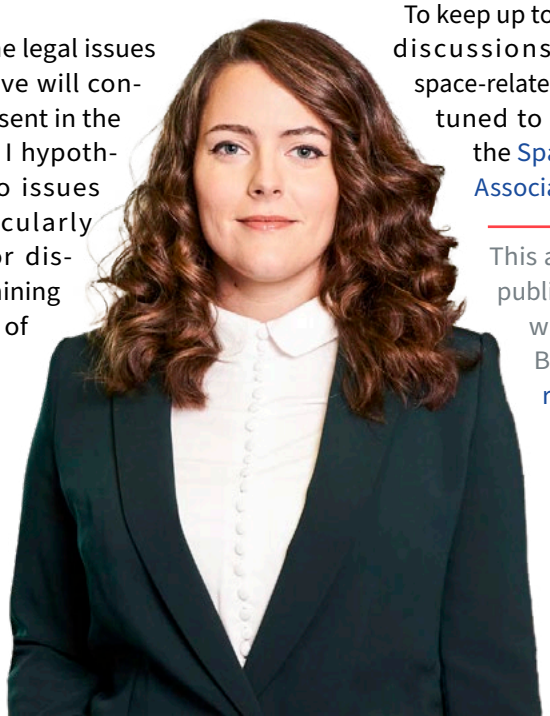
Who has the right to approach and explore a celestial body first? Can space enterprises acquire priority rights to get exclusive access to a certain celestial body or a certain area on a celestial body? Who would grant such exclusive access?

Who acquires property rights to the mined materials?

Without a guarantee that States will recognise their property rights, what incentive is there for entrepreneurs to invest in space exploration? As the extraction of rare materials in space is extremely expensive, investors need as much legal certainty as possible to facilitate their investments.

In addition, space-related insurance disputes will also be on the rise in the coming years. Insurance company Misui Sumitomo Insurance recently launched an agreement with ispace (a global lunar resource development company) to provide the world's first lunar insurance policy covering risks arising from ispace's Mission 1 (the first privately-led Japanese mission to land on the lunar surface). As private actors continue to engage in space endeavours, it is likely that more insurance companies will adapt their offers to cover such products. But as this is an entirely new realm for insurance issues, it is likely that this will also give rise to novel disputes.

To keep up to date on future discussions concerning space-related disputes, stay tuned to updates from the Space Arbitration Association.



Allison Torline

This article was first published in the Kluwer Arbitration Blog on 22 February 2023

QMUL & Pinsent Masons publish Report on the Future of Energy Arbitration

Clea Bigelow-Nuttall
and Nesreen Osman

A major study conducted by Queen Mary University of London (QMUL) in partnership with Pinsent Masons into the causes of energy disputes has found that the volatile price of raw materials and energy supply are predicted to be primary causes of disputes in the energy sector globally over the next five years.

The full findings from the study have been published in a new report on the future of international energy arbitration (“Report”), which was presented at the 11th ITA-IEL-ICC joint conference on international energy arbitration in Houston, US, on 20 January 2023.

At the heart of the study was a global survey, which ran from mid-July to mid-October 2022 and attracted more than 900 responses — from parties to energy-related arbitrations, leading disputes practitioners, arbitrators, academics, experts, and arbitral institutions. Input received during extended follow-up interviews with respondents further shaped the study.

This is the first arbitration survey by QMUL for the energy sector in nearly a decade and, given current geopolitical events set against the background of the energy transition agenda, commentators consider it could not be more timely.

The Report reveals that, according to the respondents to the survey, the impact of the Russia-Ukraine conflict will continue to affect the sector for years to come. It is expected to be a driver for an increase in energy dis-

putes over the short to medium term, with price volatility, security of energy supply, energy transition, sanctions, and supply chain risk all being major causes of disputes. The Report suggests these disputes will largely be resolved by arbitration, which end users still see as being the most effective forum for their resolution, albeit that improvements in how these arbitrations are conducted would be desirable.

According to ArbitralWomen member and partner **Clea Bigelow-Nuttall** of Pinsent Masons, the firm behind the Report, 'the insights of key stakeholders in energy and international arbitration are critical to whether arbitration continues to be fit for purpose and to how we, as practitioners, can engage with this tool to best meet the needs and expectations of our clients and communities'.

Among the issues that the study explored were the principal causes and types of energy disputes and what they are expected to be in the near to medium term. While the main cause of disputes in the past five years were issues arising from the construction of energy assets and the provision of equipment — including supply chain issues and raw material shortages —, price volatility of raw materials and energy is predicted to overtake them as the primary cause of disputes over the next five years. The greatest increase in energy-related disputes is expected to arise in Europe.

'It is apparent that the main issues now facing the sector are the fluctuating cost of the necessary raw material inputs to develop, operate, and maintain energy projects and the energy unit prices which the projects are able to attain once complete', according to the Report.

Unsurprisingly, the study found that the transition to cleaner sources of energy is at the forefront of the industry agenda. Respondents to the survey believe disputes associated with the energy transition will increase in the next five years, with factors such as the adoption of new technology, the emphasis on delivering projects quickly to satisfy government incentive schemes, and pressure to comply with changing regulations among those cited as likely causes of dispute.

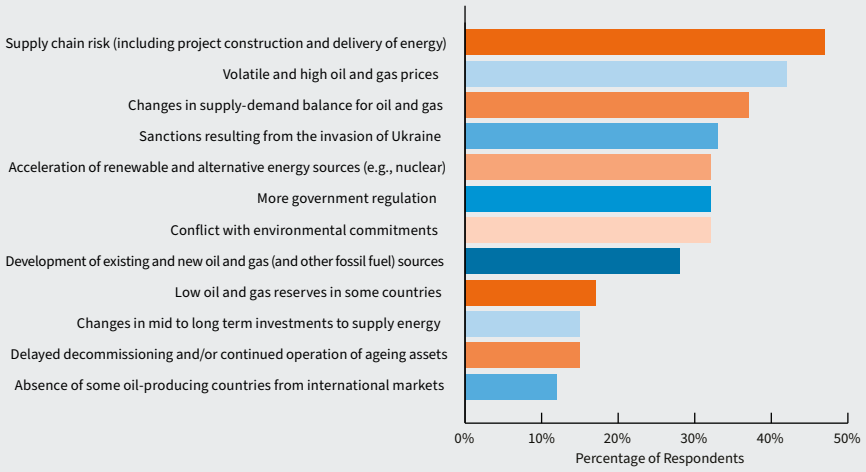


Chart showing responses to Question 22 of the survey ('Which of the following do you think will cause disputes relating to security of energy supply?' — source: Report on QMUL-Pinsent Masons' survey, p. 23)

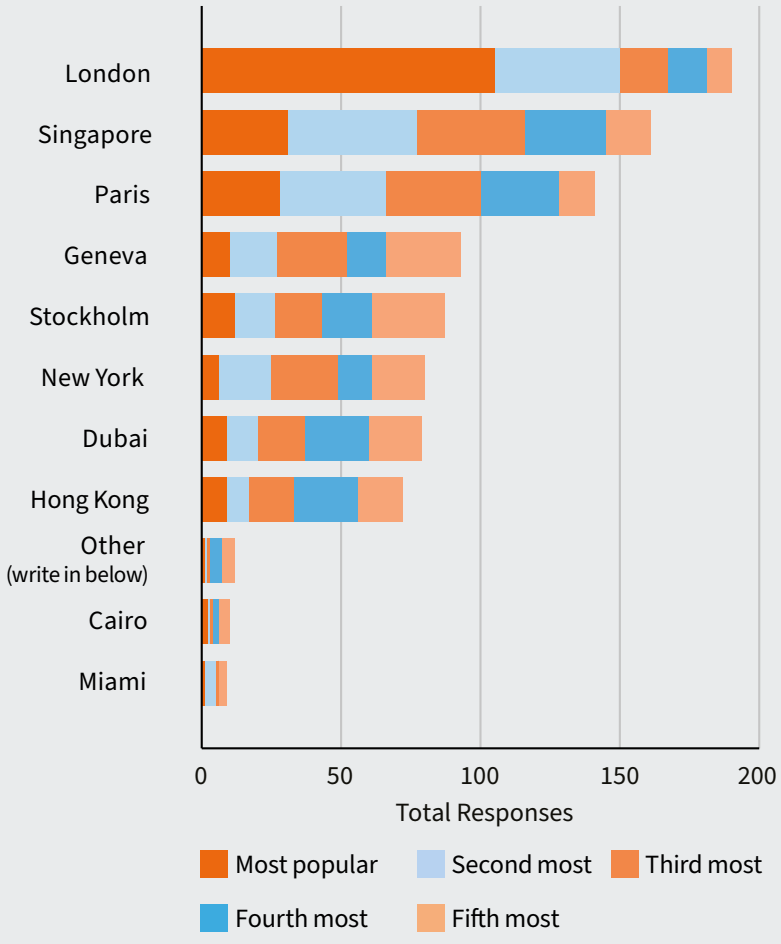


Chart showing responses to Question 29 of the survey ('Which arbitral seat(s) will be the most popular for energy-related disputes?' — source: Report on QMUL-Pinsent Masons' survey, p. 29)

However, respondents believe the main impact of the energy transition on disputes will not be seen until nearer 2030 — or perhaps even beyond that date if energy security issues arising in the wake of Russia's war in Ukraine lead to delay in the global energy transition.

When asked to rank factors that they think will cause disputes relating to the security of energy supply, 47% of

respondents identified supply chain risk – noting that the logistical hurdles caused by Covid-19 have been aggravated by the current geopolitical environment. Other prominent likely causes of security of supply disputes identified by respondents include price volatility and sanctions, with the latter highlighted by respondents as having already had a major impact on industry specifically in the context of the response of governments to Russia's invasion of Ukraine.

Approximately two-thirds of respondents believe the impact of international sanctions on the ability to perform pre-existing contracts will cause a rise in *force majeure* and hardship claims, and that suspension and termination of contracts have been and will continue to be on the increase due to sanctions too, in the short to medium term.

In considering what mechanism is most suitable for resolving cross-border energy disputes, 80% of survey respondents chose arbitration, while on a sliding scale designed to gauge the extent to which end users view international arbitration as suitable for resolving their cross-border energy disputes, a significant 72% were strongly in favour of arbitration.

The most important features of arbitration highlighted in the study were the neutrality it offers, the scope to choose arbitrators, and the enforceability of awards. The technical expertise of the tribunal, counsel, and experts, and the expedited procedures available, were the most important procedural elements of arbitration flagged by respondents.

According to the study, the most popular seat for energy arbitration is London, with Singapore second. In continental Europe, Paris and Geneva were also identified as popular choices for the arbitration seat.

The study's findings provide insight into the innovation and greater efficiencies stakeholders in energy arbitration would like to see introduced. Better case management at the initial stages of an arbitration and greater use of technology — including virtual hearings and the provision by arbitral institutions of new or improved online case management platforms — were cited in this regard. Other feedback focused on the perception that arbitration was overly legalistic and unnecessarily confrontational, and that practitioners and arbitrators are not making use of the flexibility afforded to them, resulting in a lack of commerciality.

Further findings also highlighted that while arbitrations are becoming 'greener', green credentials have only a minimal influence currently on end users' choice of arbitral service providers. However, some respondents said they expect this to change in the future — with one suggesting that having green credentials will become a 'license to operate'.

For further information on the Report or its findings, please do not hesitate to reach out to any of Pinsent Masons' ArbitralWomen members.

Submitted by ArbitralWomen members Clea Bigelow-Nuttall (Partner, Pinsent Masons, London) and Nesreen Osman (Partner, Pinsent Masons, Dubai)

Clea Bigelow-Nuttall and Nesreen Osman

UNCITRAL WORKING GROUP III (ISDS Reform)

43rd session, from 5 to 16 September 2022, in Vienna

From 5 to 16 September 2022, the United Nations Commission on International Trade Law (UNCITRAL) Working Group III (WGIII) held its forty-third session in Vienna, as part of the second half of 2022. Participants were able to attend in person and remotely.

The session, chaired by **Shane Spelliscy** (Canada), with **Natalie Yu-Lin Morris-Sharma** (Singapore) as Rapporteur, was attended by 60 Member States of WGIII and 40 State observers, observers from the European Union and other international organisations along with invited non-governmental organisations, including ArbitralWomen, represented by **Affef Ben Mansour**, current member and former Board member.

Affef Ben Mansour

WGIII has reached its fifth year of work on a possible reform of the investor-state dispute settlement ('ISDS') system (For a summary of WGIII's background, *see* ArbitralWomen members' reports in previous issues of our newsletter). The 43rd session lasted two weeks, according to the General Assembly's decision of 24 December 2021 to allocate to WGIII an additional one-week session per year for a single period of 4 years, from 2022 to 2025 (A/RES/76/229, par. 15).

At this session, and following Shane Spelliscy's letter of 22 July 2022, WGIII considered the following topics during the first week: selection and appointments of ISDS tribunal members in a standing multilateral mechanism (A); the Advisory Centre (B) and the multilateral instrument to implement ISDS reform options (C). Questions related to procedural rules reform including regulation of third-party funding, damages and calculation of compensation as well as identification of other procedural rules and cross-cutting issues were to be addressed in future sessions (D). During the second week of the session, WGIII addressed the draft provisions on mediation and the draft guidelines (E); and the second reading of the code of conduct for adjudicators (F). WGIII intends to deal with the latter two questions at the Commission's session during the summer.

A. Appointments of ISDS tribunal members in a standing mechanism

As a reminder, at its 42nd session, WGIII considered draft provisions 1 to 7 of the draft articles on the selection and appointment of ISDS tribunal members, particularly in the context of a standing multilateral mechanism. Hence, at the 43rd session, WGIII continued its consideration of provisions 8 to 11 (appointment; terms of office, renewal and removal; conditions of service and assignment of cases). Concerning draft provision 8 (Appointment) and pursuant to the general feeling that the classification of candidates into regional groups should be based on their nationality rather than on the State or States nominating them, three suggestions emerged:

i. that the grouping in the United Nations could be a starting point for discussion;
ii. that the grouping could be determined on the basis of contracting States to the tribunal;
iii. that it should be a combination of the two.

Further, on candidates with multiple nationalities, the Secretariat was invited to develop some options including the test to be applied and the body responsible for the determination.

On several points regarding the appointment of ISDS tribunal members, WGIII considered that it was premature to determine the content of a provision as the discussion and its outcome would largely depend on other decisions to be made before, such as the structure of the tribunal, including whether or not the appellate level was to be part of the tribunal; or the initial number of initial members and their allocation among the regional groups as the composition of the Committee of the Parties was yet to be known. Following the debates, WGIII invited the Secretariat to prepare a revised version of draft provisions 1 to 7 and 8 to 11 in light of the discussions.

B. The Advisory Centre

At its 38th session, WGIII had declared itself in favour of undertaking preparatory work for the creation of an Advisory Centre on International Investment Law ('Advisory Centre') to provide services to State beneficiaries, as outlined in document A/CN.9/WG.III/WP.168, including assistance in organising the defence, support during the proceedings, including in the selection and appointment of arbitrators, general advisory services, as well as capacity-building and sharing of best practices.

The Advisory Centre would also address concerns identified by WGIII, such as the cost of ISDS procedures, the need for uniform and regular decisions, access to justice and improvement of the transparency of the system of ISDS (A/CN.9/1004, par. 28).

WGIII's discussions were based on three notes issued

by the Secretariat: A/CN.9/WG.III/WP.168, A/CN.9/WG.III/WP.212 and A/CN.9/WG.III/WP.212/Add.1 . The scope of services to be provided by the Advisory Centre (draft provisions 5 to 8) and the determination of beneficiaries (draft provision 9) were discussed at length. On beneficiaries, the general view was that they should not be restricted to less developed countries and developing States, although these must be given priority access. On the contrary, views differed on whether to include micro, small and medium enterprises (MSMEs) among beneficiaries. It was argued that subsidizing the claims of investors would run contrary to the objectives of the Advisory Centre. It was further noted that conflict of interests could arise if the Advisory Centre were to provide services to both investors and States, particularly with regard to legal representation. WGIII invited the Secretariat to prepare a revised set of provisions on the Advisory Centre.

C. The Multilateral Instrument to implement ISDS reform options

At its 38th session, WGIII had asked the Secretariat to undertake preparatory work on possible ways to implement the reform options and to prepare a paper on a multilateral instrument on ISDS reform. Since the 39th session, two informal meetings have been held on 9-10 December 2021 and 10 June 10, 2022) and the Secretariat has also required the assistance of the Treaty Section of the United Nations Office of Legal Affairs, as well as of public international law and treaty law experts. Two notes from the Secretariat have been published on the United Nations website A/CN.9/WG.III/WP.194 and A/CN.9/WG.III/WP.221.

At WGIII's 43rd session, discussions focused on the possible structure of said instrument. Two similar options were put forward: a framework convention with protocols or a single convention with annexes. In any event, a consensus emerged on a single legal instrument that could include core provisions and optional protocols and annexes, with provisions authorising the implementation of future reforms. WGIII also addressed the possibility of provisions on coherence and flexibility of the multilateral instrument on ISDS. With respect to coherence, the establishment of a set of core provisions binding on all State Members to the instrument was proposed, but it was generally felt that it was difficult at the current stage of the deliberations to set out other concrete objectives, which could only follow after the reform elements have been fully developed and agreed upon. Hence, the Secretariat was invited to elaborate on several principles such as transparency, efficiency and sustainable development goals to put WGIII in a position to discuss this item at a later stage. On flexibility, the objective appears to be to elaborate an instrument sufficiently flexible to accommodate future developments and endure the passage of time. Treaty reservations were also raised as a mean to achieve flexibility, although with caution, as they could lead to legal uncertainty.

Further, WGIII addressed the scope of the instrument and its relationship with existing treaties. The Vienna Convention on the Law of Treaties (1969) was the starting point for reflections on the relationship between the instrument and existing investment agreements. In addition, it was suggested that a compatibility clause could be inserted in the instrument. Ultimately, the Secretariat was invited

i. to prepare an updated note based on the discussions and to outline the relevant issues that could arise with regard to existing investment agreements, as the respective reform elements were developed, and
ii. to develop a standardised language that could apply in different situations.

D. Procedural rules reform, including regulation of third-party funding, damages and calculation of compensation

At the outset of this part of the session programme, WGIII discussed the issue of assessment of damages and compensation based on document A/CN.9/WG.III/WP.220. WGIII addressed several issues among the complexity of the legal issues at stake, such as the question whether the standards of compensation were within the WGIII's mandate and whether some issues relate to procedural or to substantial issues. Divergent views were also expressed on the form of possible work: guidelines or model clauses. At the end, WGIII invited the Secretariat to draft text comprised of draft provisions and guidelines that could address concerns about correctness and consistency, as well as cost and duration, that damages and compensation presented. It was said that such provisions and guidelines could draw on existing provisions in treaties that sought to address those concerns through the conduct of dispute settlement proceedings.

Other cross-cutting issues were also discussed and identified as needing further work. These issues include: Binding joint interpretation by the Treaty Parties and submissions on interpretation by non-disputing Treaty Parties; waiver of claims in other forums with regard to the same claim, as well as within the company chain; 'fork in the road' clause and other means to address the relationship between domestic and international remedies; exhaustion of local remedies; limitation periods for raising claims; limiting the scope of claims that may be brought by certain investors and in certain circumstances; domestic courts' decisions not being the subject of ISDS; discontinuance of abandoned claims; limitations on treaty shopping; taking of evidence (including fabrication thereof) and burden of proof; consolidation of proceedings; transparency of the proceedings; non-disputing party submission as well as third-party participation, including of affected parties; exclusive jurisdiction of domestic courts with regard to domestic law interpretation and precedence of decisions rendered by domestic courts; regulatory chill and possible use of State-to-State dispute settlement to resolve investment disputes. The Secretariat was requested to prepare draft provisions on the above-mentioned issues, taking into account recent treaty practice, the recently amended ICSID Arbitration Rules, as well as studies conducted by other organisations, with a view to identifying best practices.

Further, WGIII addressed draft provisions on procedural reform on the following topics: Early dismissal of claims

manifestly without legal merit; allocation of costs and third-party funding.

E. The draft provisions on mediation and the draft guidelines

WGIII dedicated the second week of the session to the draft provisions on mediation and the draft guidelines. Discussions were based on the Secretariat's notes A/CN.9/WG.III/WP.217 and A/CN.9/WG.III/WP.218. At the outset, views concurred to consider that the work on the draft provisions should aim at drafting treaty language, rather than a complete set of mediation rules and to avoid duplication of work, in light of existing mediation rules (including the 2021 UNCITRAL Mediation Rules, the 2022 ICSID Mediation Rules and the 2012 International Bar Association (IBA) Rules on Investment for Investor-State Mediation). WGIII then considered draft provisions 1 to 7 and invited the Secretariat to revise the draft provisions, based on the deliberations of WGIII.

A wide support also emerged for the preparation of the draft guidelines on investment mediation as a stand-alone document independent form the draft provisions on mediation. The aim of such document would be to serve as an educational and awareness-raising tool.

F. The second reading of the code of conduct for adjudicators

The second reading of the code of conduct for adjudicators ('Code') was based on a note from the Secretariat issued on 5 July 2022 (A/CN.9/WG.III/WP.216). It is a revised version of the code developed jointly by the ICSID and the UNCITRAL Secretariats. As a reminder, provisions 1 to 8 were discussed at WGIII's 41st session. The deliberations resulted in a revised version of these articles. Provisions 9 to 11 of the Code were considered at WGIII's 42nd session, but WGIII was unable to submit a draft to the Commission.

During the 43rd session, attendees discussed first how to present the Code to the Commission, mainly whether it should be presented as a single text applicable to both arbitrators and judges of a standing mechanism, or as two separate texts. WGIII agreed to consider the Code as if it would apply to both arbitrators and judges, but that it would work towards presenting two separate texts to the Commission for its consideration in 2023 — a code of conduct for arbitrators for adoption by the Commission, and a code of conduct for judges for adoption in principle, as adoption in principle would provide flexibility to revisit any pending issues and make any necessary adjustments once the deliberations on the standing mechanism had progressed. Then WGIII addressed draft provisions 1 to 9

1. Definitions;
2. Application of the Code;
3. Independence and Impartiality;
4. Limitation on Multiple roles:
5. Duty of diligence;
6. Integrity and competence;
7. *Ex parte* communication;
8. Confidentiality;
9. Fees and expenses.

Draft provision 4 was the source of debates, in particular with respect to the double-hatting issue and the question whether to prohibit it or to authorise it. At the end of the session, the Secretariat was invited to prepare, based on WGIII's deliberations and decisions, two separate texts, a code of conduct for arbitrators and a code of conduct for judges, to be accompanied by commentary. The Secretariat was asked to hold informal meetings to further WGIII's common understanding with regard to issues that were not resolved at the current session.

WGIII gathered subsequently in person and remotely on 23-27 January 2023 in Vienna. Next session (45th) will be held in New York on 27-31 March 2023. WGIII is expected to continue its deliberations on the articles in the code of conduct for arbitrators relating to limits on multiple roles and on the topics of mediation and dispute prevention and mitigation.

WGIII's formal reports on the 43rd and the 44th sessions are available here and here, respectively.

Submitted by ArbitralWomen member Affef Ben Mansour, Independent Counsel and Arbitrator, based in Paris, France

New Initiative Award

ArbitralWomen calls on its members to nominate programmes for its ***New Initiative Award*** by 31 July 2023 by submitting a detailed application by email with 'ArbitralWomen's New Initiative Award 2023' in the subject line and two nomination letters attached, to: awards@arbitralwomen.com (see report on page 16)

Arbitralwomen Offers Special Education Award and Calls for New Initiatives to Commemorate its 30th Anniversary



Left to right: Louise Barrington, Mary Thomson, Sally El-Sawah

The ArbitralWomen Educational Funding Committee (formerly the Awards Committee), consisting of ArbitralWomen Board members Mary Thomson, Louise Barrington and Sally El Sawah, broadened its mandate with two new funding initiatives: the special award, and the New Initiative Award.

Special Award

Over the past decade, ArbitralWomen has granted awards to law school teams consisting of at least 50% female students who wish to compete in the Vis Moot in Vienna or the Vis East Moot in Hong Kong ('Team Award'). Each Team Award covers the registration fee for the team. In recent years, these Team Awards have also gone to law school teams competing in other arbitration-related events. Although each Team Award represents a small portion of the total expenses for a team to travel and compete, teams report that receiving an award often encourages other benefactors to contribute. In several cases, schools have added women to their teams to ensure they qualified for an award. The Board delegated to the Educational Funding Committee the task of reviewing applications to decide who shall receive Team Awards. The Committee received 37 applications between July 2022 and January 2023, and granted a record number of 29 Team Awards (totalling EUR 23,000). Payments for registration fees were made directly to the organisers of each moot or event.

This year, the Committee received urgent enquiries from some law school teams who, despite their best efforts, were unable to raise the necessary funds to cover the travel expenses to attend the competition or event . These teams were without exception from countries where money is scarce and knowledge of and support for ADR is often minimal. In some countries, discrimination against women in public or professional roles made their education difficult if not impossible.

To provide further support to teams facing such challenges, ArbitralWomen has introduced a Special Award, aimed at covering certain costs not covered by Team Awards. ArbitralWomen granted four Special Awards to female, or mostly female, teams competing in Vis East or Vis Vienna Moot who demonstrated their need and their ability to benefit from additional financial assistance. The Special Awards covered expenses such as travel, accommodation, visas, and a small subsistence allowance for teams from Nepal, Lesotho, Tanzania and Iran.

New Initiative Award

The ArbitralWomen Board considers education to be a top priority when allocating the organisation's resources. In 2021-2022, ArbitralWomen awarded

"When we received the email and got to know of all the help ArbitralWomen was providing us, we were ecstatic. This is not just assistance in terms of a moot, it meant being part of a legacy, a movement and we were touched that our cause aligned with that of ArbitralWomen."

— Testimonial by Damodaram Sanjivayya National Law University team, India – ArbitralWomen Newsletter Issue 46

"Participating in this moot left us with a sense of accomplishment and a lifetime experience we could never forget. It was a chance, a challenge and an experience all at once; and for that, we will forever be grateful to ArbitralWomen."

— Testimonial by Banaras Hindu University team, India – ArbitralWomen Newsletter Issue 46

grants to two organisations dedicated to the legal education of young women who would normally not have access to it. In 2021, ArbitralWomen awarded approximately USD 15,000 each to Cambodian Legal Education for Women ('CLEW') and the Vis East Capacity Building Project ('CBP'). Both programmes are multi-year undertakings. CLEW supports female students year-round while CBP takes place each autumn in three-year cycles coinciding with the Vis and Vis East arbitration competitions.

CLEW brings young high school graduates from the provinces of Cambodia, registers them at law school and provides English language instruction. Selected graduates then enrol in a US Business Law JD programme at the same university. Throughout their studies, the young women live together in a dorm, are provided with food, a computer, a bicycle, and a small monthly stipend. After 5 years, many graduate and go on to further education, government service or join the Cambodian Bar.

CBP sends a team of experts to jurisdictions which lack basic knowledge and infrastructure for arbitration. The team visits once a year for 10 days of intensive training and practice using the current Vis Moot problem. The students come from two or more law schools. At the end of the third year, the CBP team moves on to another jurisdiction, leaving behind three cohorts of enthusiastic grads from several law schools, who can continue the training with those who follow.

Both are established programmes brought to the attention of the ArbitralWomen Board by an ArbitralWomen member.

ArbitralWomen calls on its members to nominate further programmes deserving of support.

The New Initiative Award will be a lump sum support (i.e., for a one-time event or project, or as seed-money for a new programme) for initiatives designed to further the goals and principles espoused by ArbitralWomen. To apply for the grant, an event or programme must be nominated by two ArbitralWomen members, both in good standing for two years as of the date of the application. A nominator may, but need not, be one of the organisers of the event or programme being nominated. Each nominator should provide ArbitralWomen with a detailed letter of support. Additional requirements for eligibility include the following:

1. The programme or event must further the goals of ArbitralWomen, namely the education and promotion of women in arbitration and other forms of ADR. It is not limited to events or programmes aimed exclusively at women provided the women in the programme would benefit substantially from the programme.
2. Programmes must have an established track record, OR the programme organisers must have proven experience in organising and administering events like the one being proposed.
3. Depending on the nature and amount of the expenses to be funded, the New Initiative Award may be delivered in one or more instalments.
4. Other conditions may apply, depending on the nature of the event or programme.

Each recipient of a New Initiative Award will be required to provide a report following the guidelines provided by the Educational Funding Committee, by 31 December of the year in which the funding is provided, or within three months after the end of the programme or event, whichever is earlier. In the case of long-term programmes, a quarterly report may be required.

Submitted by the members of ArbitralWomen Board's Educational Funding Committee, Louise Barrington, ArbitralWomen Co-Founder, International Arbitrator, Hong Kong, Sally El-Sawah, Co-Founder, Junction Law, El Cairo, Egypt, and Paris, France, & Mary Thomson, International Arbitrator & Mediator, Pacific Chambers Hong Kong, 36 Stone, London, UK & Singapore

Applicants or Programme organisers are invited to submit their detailed application by email with '***ArbitralWomen's New Initiative Award 2023***' in the subject line and the two nomination letters attached, to: awards@arbitralwomen.org. This year's deadline is 31 July 2023.

"This has not only been crucial to our participation in the competition but, in addition, it has great importance in promoting the participation of women in the legal community."

— Testimonial by Federal University of Rio Grande do Sul team, Brazil – ArbitralWomen Newsletter Issue 46

Have you chosen your Mentor yet?
Join the ArbitralWomen Mentorship Programme

Since its inception by Louise Barrington in 2006, the ArbitralWomen Mentorship Programme has paired aspiring juniors with experienced seniors in the arbitration realm to cultivate a symbiotic exchange of valuable knowledge and experiences. The Mentorship Programme offers a learning experience for both mentors and mentees.

Left to right: Alina Leoveanu, Nesreen Osman & Sally El Sawah

For mentees, the Programme pro-vides an avenue for support in tackling various challenges — regardless of what stage of their career they may be in — such as setting and achieving career goals, learning new skills, or gaining insightful perspective from experienced women in the field.

For mentors, it provides the opportunity to create an impact within their industry by passing valuable knowledge to the next generation of specialists. Mentor Alison Pearsall, Senior Group Counsel at Veolia Entertainment and former co-lead of the Programme, shares her experience in this regard: '*I had the opportunity this year to mentor two bright and ambitious young practitioners from very different backgrounds and sectors… I am grateful for the opportunity to coach and support these future leaders in the field of dispute resolution*'.

Mentors may also benefit from the prospective learning experience of the Programme, as junior mentees may be able to offer greater insight to newer technological advances in the field. Dana MacGrath, independent arbitrator, former ArbitralWomen President and mentor at the Programme, noted about one of her mentees: '*While I was technically her mentor, in many respects I feel she mentored me…There is much to be learned from any mentee, and while the AW Mentorship Programme cycle technically is for a year, the relationship is for a lifetime*'.

Members of ArbitralWomen that sign up for the Programme seeking a mentor, or looking to serve as one, are paired on the basis of geographical proximity and jurisdiction, sector, or professional background. Once paired, mentors and mentees are encouraged to autonomously establish the scope and nature of the mentorship in a way where the benefits of the Programme can be maximised based on individual needs. Mentors and mentees may set up face-to-face or virtual meetings at frequencies that are convenient for both parties for the duration of one year. Each mentor is assigned one or two mentees, depending on availability.

In its 2022–2024 cycle, the ArbitralWomen Mentorship Programme committee is led by Board members Alina Leoveanu, Nesreen Osman and Sally El Sawah. The ongoing 2022-2023 Mentorship Programme has matched 44 mentees with 38 mentors and has benefited from a wide geographical outreach – applications were received from 38 countries across the globe for the mentors and from 44 countries for the mentees, with over 18 different countries outside of Europe as a result of the Programme's social media visibility. Applicants ranged from a diverse variety of dispute resolution sectors, such as independent arbitrators, private practice lawyers, law clerks, experts, and more experienced lawyers in career transitions.

In order to further enrich the experience for Programme participants, the Mentorship Programme committee organises an exclusive networking event for mentors and mentees each year. Stay tuned for details of this year's event which will be published shortly!

Interested ArbitralWomen members are encouraged to apply for the 2023–2024 season of the Mentorship Programme by the end of August 2023 via the online application form, which will be made available during the application window this summer.

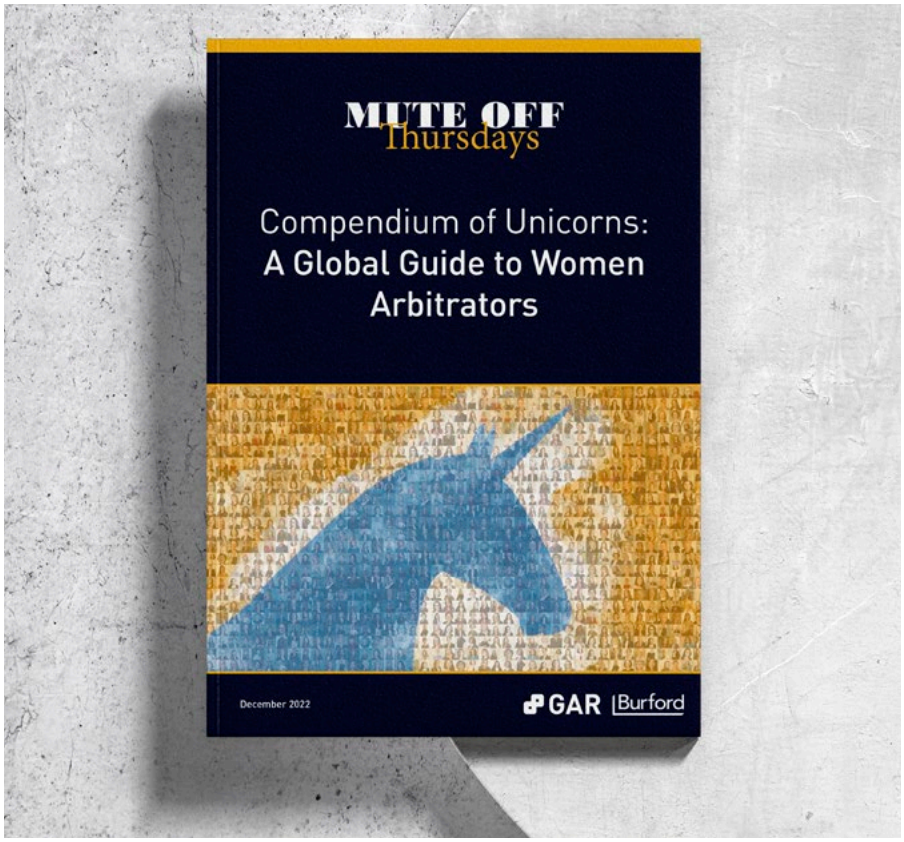
Submitted by the members of ArbitralWomen Board's Mentorship Programme committee, Alina Leoveanu Counsel, ICC International Court of Arbitration, Paris, France; Nesreen Osman, Partner, Pinsent Masons, Dubai, UAE & Sally El Sawah, Co-Founder, Junction Law, El Cairo, Egypt, and Paris, France

News you may have missed from the ArbitralWomen News webpage

This section of the ArbitralWomen Newsletter reports on news posted recently on the ArbitralWomen News webpage that readers may have missed.

Mute Off Thursdays Releases *Compendium of Unicorns – A Global Guide to Women Arbitrators*

By Dana MacGrath, former ArbitralWomen President and current ArbitralWomen Advisory Council
5 January, 2023



On 15 December 2022, Mute Off Thursdays released the first edition of its **Compendium of Unicorns – A Global Guide to Women Arbitrators**, profiling more than 170 women arbitrators from around the globe, with diverse professional, cultural and ethnic backgrounds, industry and geographical focus, and procedural and substantive skills. The project was led by ArbitralWomen member **Ema Vidak Gojković** (Independent Arbitrator & Counsel, Vidak Arbitration) and former ArbitralWomen Board member **Elena Gutierrez García de Cortázar** (Partner, MGC Arbitration).

The Compendium was compiled in response to the continued significant underrepresentation of women on arbitral tribunals. The large number of women included in the Compendium demonstrates that there are many highly qualified women arbitrators. The Compendium is anticipated to serve as a valuable resource for parties, counsel and institutions committed to gender equity in the appointment of arbitrators.

The Compendium is user-friendly, with several categories such as experience (number of cases handled), industry and geographical focus, procedural experience, and familiarity with substantive laws. The Compendium also includes the completed arbitrator questionnaires of all the women. You can download an electronic copy of the Compendium here. Additionally, thanks to the generosity of Global Arbitration Review (GAR) and Burford Capital, 1,500 copies of the Compendium will be published in hard copy and distributed.

While the inaugural Compendium includes more than 170 women, it does not purport to be comprehensive. Mute Off Thursdays recognises that there are many more qualified women arbitrators than appear in the inaugural edition of the Compendium, and encourages women who wish to be featured in future editions to contact the current Mute Off Thursdays' co-chairs: Elena Gutierrez García de Cortázar, **Shreya Aren**, **Jennifer Bryant** and **Lindsay Gastrell**.

Mute Off Thursdays is a group which gathers more than 600 senior women in arbitration. It was established in March 2020 by Ema Vidak Gojkovic, **Gaëlle Filhol**, **Claire Morel de Westgaver** and **Catherine Anne Kunz** to help women stay connected during the COVID-19 pandemic. It has since grown into an initiative with goals that have outlasted the pandemic. Mute Off Thursdays' core activity is a weekly 30-minute Zoom meeting on Thursdays, during which women deliver short, fifteen-minute presentations on an arbitration-related issue. In 2020, Mute Off Thursdays won the ERA Pledge GAR Award for the best diversity initiative of the year.

Young ArbitralWomen Practitioners' (YAWP) will soon launch its "Meet the Arbitral Institution" Series

1 February, 2023

In March 2023, the Young ArbitralWomen Practitioners' group will launch the "YAWP Meet the Arbitral Institution" series, an initiative to benefit its young female members who wish to further their careers as arbitrators in international arbitration.

Several arbitral institutions are in a position to make arbitrator appointments and are actively looking for young female arbitrators to further improve their diversity scorecards. YAWP benefits from a vibrant and diverse membership with women from varying legal and linguistic backgrounds who would make excellent arbitrators. The aim of the series is thus to connect YAWP's dynamic female membership with the institutions.

As part of the Meet the Arbitral Institution series, representatives of different arbitral institutions worldwide will share the following:

- the process to be considered for an appointment with the concerned institution;
- what skills and qualifications the institution is looking for in an arbitrator; and
- how to make one's profile stand out vis-à-vis the concerned institution.

Participating institutions

Participating institutions include SIAC, ICSID, HKIAC, Swiss Arbitration Centre, LCIA, SCC, Finnish Arbitration Institution, PCA, the Vancouver International Arbitration Centre, JAMS, the Madrid International Arbitration Centre, KCAB International, CAM-CCBC, the International Arbitration and Mediation Centre (Hyderabad), the BAIAC, the CPR, Vienna International Arbitration Centre, Delos, TIArb, the Silicon Valley Arbitration & Mediation Centre, IAMCH, CIETAC Hong Kong Arbitration Centre, Thailand Arbitration Centre, Asian International Arbitration Centre, DIS, CEPANI, Milan Chamber of Arbitration, Dubai International Arbitration Centre, IAMCH, Cayman International Mediation and Arbitration Centre, Georgian International Arbitration Centre, Tashkent International Arbitration Centre, CAM (Brasil), WIPO (and counting).

How each session will run

Each session will last for approx. 60 minutes and include a Q&A session with the participants at the end. It will involve a representative of the arbitral institution who will be interviewed by a YAWP member. The sessions will be held online.

Participant selection process

Each session will only be open to a pre-selected group of approximately 20-30 YAWP members, who have been selected based on their experience, legal and linguistic background, geographical location and motivation. The application process is expected to open in February 2023. For more details and information, follow YAWP and ArbitralWomen on LinkedIn.

The series is only open to paid-up ArbitralWomen members.

Questions/queries

If you are affiliated with an arbitral institution that is not yet part of the series and would like to join or have any other questions, then please reach out to Dilber Devitre (dilber.devitre@homburger.ch) or Olga Sendetska (olga.sendetska@freshfields.com).

ArbitralWomen Members Encouraged to Participate in LCAM and Royal Holloway, University of London Survey on Diversity & Inclusion in ADR

By Farad Asghari, Manager, London Chamber of Arbitration and Mediation (LCAM)
9 March, 2023

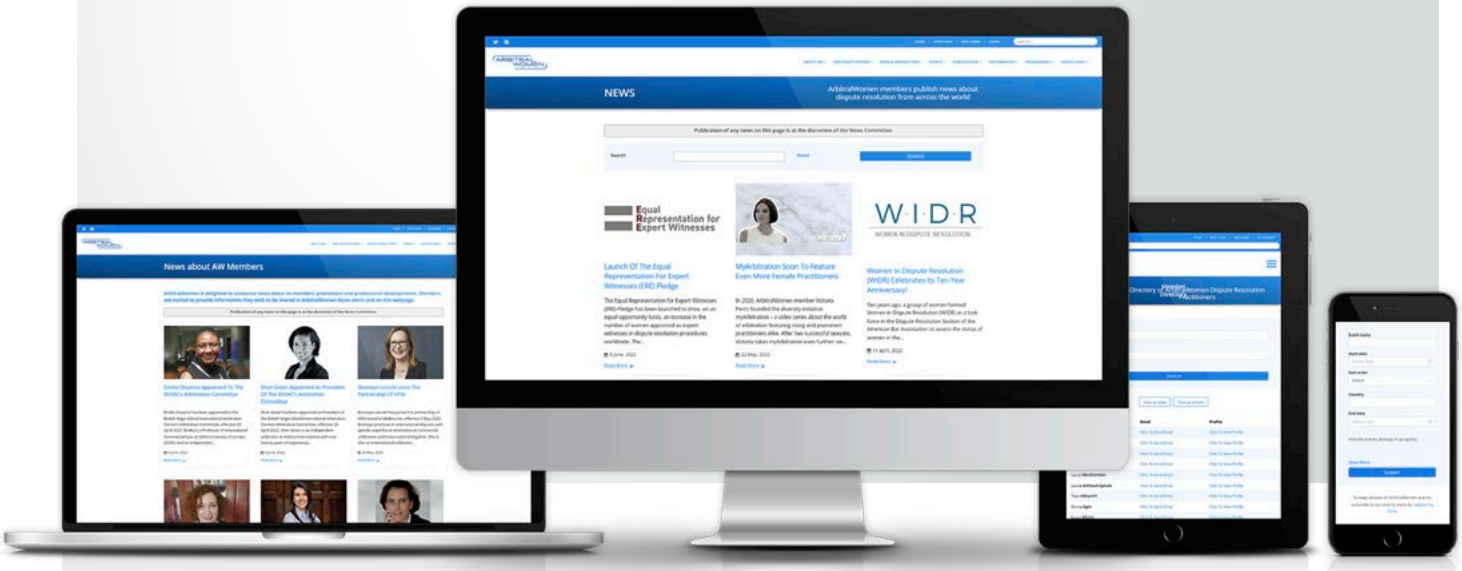
ArbitralWomen members are encouraged to participate in a new study on diversity and inclusion in alternative dispute resolution being conducted by the London Chamber of Arbitration and Mediation (LCAM) and Royal Holloway, University of London.

The objective of the survey is to investigate the current levels of diversity and inclusion in the ADR industry.

The survey is available here.

Keep up with ArbitralWomen

Visit our website on your computer or mobile and stay up to date with what is going on. Read the latest News about ArbitralWomen and our Members, check Upcoming Events and download the current and past issues of our Newsletter.



ArbitralWomen & Kluwer Arbitration Blog

ArbitralWomen has a long-standing collaboration with Kluwer Arbitration Blog, the leading publication of its kind presenting a high-quality examination of hot topics and latest developments in international arbitration, with an impressive global readership of 120,000 views per post.

As part of this collaboration, ArbitralWomen liaises with Kluwer Arbitration Blog to ensure priority publication of articles submitted by its members. Published contributions will also feature on the AW website.

We strongly encourage our members to make use of this great opportunity! Please send your article or idea for a topic to the AW-Kluwer Arbitration Blog Committee, consisting of ArbitralWomen Board Members Katherine Bell and Alina Leoveanu, at kluwer@arbitralwomen.org.

We kindly ask you to take note of the Kluwer Arbitration Blog editorial guidelines.

We look forward to receiving your ideas and submissions!

ArbitralWomen thanks all contributors for sharing their stories.

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AW Activities at a Glance: click here

Membership Runs Now Annually from Date of Payment

ArbitralWomen Individual & Corporate Membership

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

The many benefits of ArbitralWomen membership are namely:

- Searchability under Member Directory and Find Practitioners
- Visibility under your profile and under Publications once you add articles under My Account / My Articles
- Opportunity to contribute to ArbitralWomen's section under Kluwer Arbitration Blog
- Promotion of your dispute resolution speaking engagements on our Events page
- Opportunity to showcase your professional news in ArbitralWomen's periodic news alerts and Newsletter
- Visibility on the News page if you contribute to any dispute resolution related news and ArbitralWomen news
- Visibility on the News about AW Members to announce news about members' promotions and professional developments
- Ability to obtain referrals of dispute resolution practitioners
- Networking with other women practitioners
- Opportunity to participate in ArbitralWomen's various programmes such as our Mentoring Programme

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

Individual Membership: 150 Euros.

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

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

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

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