



Uniting and promoting women in dispute resolution

www.arbitralwomen.org

Issue 59 | January 2026



Young ArbitralWomen Practitioners Steering Committee: (left to right, top to bottom) Katherine Bell, Manini Brar, Özge Yazar, Nicole Grohmann, Cam Tu Vo Nguyen, Alina Aguilar, Melissa Hollenders-Brown

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New Steering Committee for Young ArbitralWomen Practitioners

Young ArbitralWomen Practitioners (YAWP) elect a new Steering Committee for the 2025-2027 term, ready to build on the exceptional commitments and achievements of the outgoing members.

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President's Column

“[They] will not make [us] stay in the position [they] want [us] to stay in”

Those words from Mireze Philippe, shared in the MyArbitralWomen 30th Anniversary Docuseries, have stayed with me. They capture the spirit of this organisation and the way we continue to move forward despite pressure, expectations, or limitations imposed by preconceived ideas.

As we settle into the first weeks of 2026, and as we step into the second year of the 2024-2026 term, it feels like the right time to reflect on more than thirty years of ArbitralWomen and the purpose that brought each of us here. All of us arrived with purpose, hope, intention, and commitment. That commitment is what holds this community together and what continues to push us forward.

When I told my then five-year-old daughter that I had become President of ArbitralWomen, she looked at me with wide mischievous eyes and asked, *“Mom, does that mean I can also be president?”* That moment reminded me that we carry the hopes of the next generation in everything we do, and we do it while supporting one another. None of this work can be done alone, and it should not be.

Now, with two daughters watching me, I feel this responsibility even more. They see what we can build when we stand together. The work we do as a community creates a ripple effect that reaches far beyond one Board term. Many of the pledges and women’s initiatives across our field trace their roots back to ArbitralWomen. Our impact is real and lasting.

But this is not just coincidence. ArbitralWomen’s reputation was not built overnight. It is the product of decades of work by women who believed in this mission. Women like our co-founders, who shaped an organisation that has supported generations of professional women in international dispute resolution. Louise Barrington once said she hoped ArbitralWomen would be remembered like the suffragettes, something that achieved lasting reform. The vision of the women before us was of a world where equality is so deeply rooted that our mission is complete. We are not there yet, and that is why the work we do continues to matter.

The 30th anniversary of ArbitralWomen carries personal



meaning for me. My second daughter was born around that time, and as I prepared to return from maternity leave, I was also stepping into the role of President of ArbitralWomen. That is not a common story. We hear far more about the **motherhood penalty** that firms and organisations impose on women than about recognition and leadership following maternity. Yet at

ArbitralWomen, my work and commitment were seen and valued. That is the kind of organisation we are and the kind of organisation we must continue to be: the one that sees you, recognises your leadership, and refuses to let your work go unnoticed when others look away.

My passion for ArbitralWomen does not come from my current title or my time on the Board. It comes from being a Member who has experienced what this community represents. A community that stands with you, lifts you, reminds you of your worth, and shines a light on your work and successes.

So here is our invitation. If you are already a Member, stay with us and remain engaged. If you are an ally of this organisation, support and champion us. If you are a woman practising dispute resolution and wondering whether you belong here, you do. ArbitralWomen is not simply an organisation, it is a community that lifts and protects and recognises leadership.

This community thrives when its Members take ownership. You will get from this membership what you invest in it, so do not stay on the sidelines. Reach out, contribute, step forward.

And, as you turn the page, I invite you to read this new instalment of our newsletter. Take a moment with the stories, the updates, and the work of our Members. There is so much happening across our community, and I hope you feel reminded of the impact we create together.

With gratitude,

*Rebeca Mosquera
President, ArbitralWomen*

Fostering the Next Generation: A Look Ahead for Young ArbitralWomen Practitioners (YAWP)



Katherine Bell

As Chair of Young ArbitralWomen

Practitioners (YAWP), I have the privilege of working alongside an inspiring group of early-career arbitration professionals from around the world. Chairing YAWP continues to be one of the most rewarding aspects of my involvement with ArbitralWomen. I am constantly inspired by the energy, creativity, drive and camaraderie of our members—women who bring fresh perspectives and a genuine passion for advancing our shared mission at ArbitralWomen. Watching young practitioners evolve from participants to leaders within this community is a continual reminder of why these efforts matter.

Launched in 2016, YAWP is the “young practitioners” arm of ArbitralWomen and was the first young networking group established specifically for female arbitration professionals. All ArbitralWomen members under the age of 40 automatically become part of YAWP, joining a vibrant global network of professional women in the early stages of their careers in arbitration and a group committed to fostering professional growth, connection, female leadership and career visibility. Our mission at YAWP is clear: to build community, to unlock leadership

opportunities, and to ensure that the next generation of arbitral talent is not only present but actively shaping the future of our profession.

I am delighted to announce the new YAWP Steering Committee for the 2026–2027 term: **Alina Aguilar** (Chaffetz Lindsey, New York / Mexico), **Manini Brar** (Arbridge Chambers, New Delhi), **Nicole Grohmann** (Hanefeld, Hamburg), **Melissa Hollenders-Brown** (Clifford Chance, London), **Cam Tu Vo Nguyen** (A&O Shearman, Singapore) and **Özge Yazar** (Roschier, Helsinki). All of these exceptional young lawyers bring a wealth of experience and diversity—both professional and geographical—to YAWP’s leadership. I am especially pleased that **Manini Brar** will continue in her Steering Committee role, providing valuable continuity and mentorship to the incoming team.

I would like to extend my heartfelt thanks to the outgoing Steering Committee members—**Marie Devereux** (King’s College London), **Magda Kofluk** (Stephenson Harwood), **Anamaria Marin** (SLCG), **Jae Hee Suh** (A&O Shearman) and **Allison Torline** (Busse Disputes)—for their exceptional commitment and achievements. Through their creativity, enthusiasm, and hard work, they brought ambitious projects to life, creating real opportunities for young women practitioners and increasing their visibility within the field.

Looking ahead, our ongoing YAWP initiatives include the **YAWP Speaker Panel**, which broadens opportunities for YAWP members to participate as speakers or in other relevant roles in arbitration events;

the **ArbitralWomen-YAWP Parental Mentorship Programme**, which provides a supportive forum for members to share experiences and strategies for balancing professional and family life; and the **“Midweek Brief” webinar series**, featuring candid conversations with leading arbitration professionals who excel in business development.

YAWP also holds various networking events, training sessions, and fireside chats with accomplished female practitioners in cities worldwide. We are particularly excited to launch the second edition of YAWP’s **Meet the Arbitral Institutions** series, which enables aspiring arbitrators to meet and ask questions to the representatives of numerous arbitral institutions in a variety of jurisdictions in small-group discussions.

In the hands of our new Steering Committee, YAWP will continue to strengthen its role as a platform for voice, leadership, and influence. Our focus will remain on empowering young women practitioners not just to participate, but to lead—whether through panels, webinars, mentorship or international collaboration. I look forward to working with the new Steering Committee to expand YAWP’s reach and deepen its impact across the ArbitralWomen community and beyond. Together, we will continue to foster the next generation of leaders in international arbitration.

Submitted by Katherine Bell, Vice-President of ArbitralWomen, Chair of Young ArbitralWomen Practitioners (YAWP) and Partner at Schellenberg Wittmer.

Our mission at YAWP is clear: to build community, to unlock leadership opportunities, and to ensure that the next generation of arbitral talent is not only present but actively shaping the future of our profession.

YAWP Steering Committee

2026–2027 term

Alina Aguilar is a Foreign Associate at Chaffetz Lindsey LLP in New York, where she focuses on international arbitration. Before joining the firm, she practised for six years at Asali, a leading arbitration and commercial litigation boutique in Mexico City. There, she led high-value commercial arbitrations under various arbitral institutions, including the ICC and LCIA, and handled complex court proceedings related to arbitration. Her experience spans disputes in the energy, telecommunications, insurance, and construction sectors. She has also assisted a Mexican law expert in investment arbitration proceedings against Mexico. Alina earned her LL.M. from Columbia Law School with honours and is admitted to practise law in Mexico.



Cam Tu Vo Nguyen is a member of the International Arbitration Group at A&O Shearman and is triple-qualified to practise in Paris, New York, and as a solicitor in England & Wales. Before joining A&O Shearman, she worked at The Arbitration Chambers in Singapore, where she served as tribunal secretary in a wide range of commercial disputes governed by leading institutional rules, including SIAC, HKIAC, ICC, LCIA, AIAC, DIFC-LCIA, and SCMA, as well as in ad hoc arbitrations under the UNCITRAL Rules. She also practised as counsel in international arbitration at the Singapore office of a leading Vietnamese law firm and gained experience at the ICC International Court of Arbitration in Paris. Actively involved in the international arbitration community, Cam Tu served as Vice Chair of the CIarb Young Members Group Global Steering Committee in 2023, is a Group Advisor for the Young ICCA Mentoring Programme (2023–2024), and co-founded the ICC YAAF series *Le Salon Français*.

Melissa Hollenders-Brown is a Senior Associate in Clifford Chance's international arbitration team in London. She joined the firm in 2012 after completing an LL.M. at the University of Cambridge. Melissa has over a decade of experience handling complex international arbitrations conducted under the LCIA, ICC, LMAA, UNCITRAL, ICSID, and AAA rules. She has worked on cases seated in major arbitral hubs, including London, Paris, Geneva, and Dubai, and her practice focuses on high-stakes disputes in the energy, resources, and construction sectors. She has acted in numerous joint venture and shareholder disputes for multinational corporations and high-net-worth individuals. In addition to her role on the YAWP Steering Committee, Melissa serves on the City of London Law Society's Shadow Committee for Arbitration and has been recognised as a "Leading Associate" in the 2026 edition of *The Legal 500*.





Dr Nicole Grohmann is an Associate at HANEFELD in Hamburg. She acts as counsel in arbitration and state court proceedings, serves as arbitrator in both international and domestic disputes (under institutional rules and in ad hoc proceedings), and regularly acts as secretary to arbitral tribunals in high-value commercial cases under the DIS, ICC, and DIA rules. She has developed particular expertise in construction disputes, post-M&A matters, and commercial and trade law. Nicole earned her doctorate in international civil procedure law from the University of Freiburg, where she also served as a research assistant and coached the Freiburg team for the Willem C. Vis International Commercial Arbitration Moot. Her practice is complemented by strong academic engagement in private international law and civil procedure, and she lectures regularly on commercial arbitration.



Manini Brar is the Founder and Head of Chambers at Arbridge Chambers & Solicitors, a boutique arbitration practice based in New Delhi, India. She is a qualified Advocate (India) and Solicitor (England & Wales). Manini has acted as arbitrator in both ad hoc and institutional arbitrations and has been appointed *amicus curiae* in matters of public importance by the Hon'ble High Court of Delhi. She previously served as Deputy Counsel at the ICC Court of Arbitration in Hong Kong, as tribunal secretary in Singapore-seated arbitrations, and as a legal consultant on investment arbitration matters with India's Ministry of Finance (DEA, 2020–2021) and Ministry of Commerce (DPIIT, 2022–2024). Her experience covers disputes involving investment treaties, foreign direct investment, infrastructure development and lending, shareholder agreements, trademarks, real estate, and service agreements. She holds positions with several leading global institutions, including the ICC Commission on Arbitration and ADR and the AAA-ICDR's National Committee (India), and is an empanelled arbitrator with SIAC (Reserve Panel), THAC (Thailand), and IIAC (India).



Özge Yazar is a Senior Associate at Roschier in Helsinki. She is a barrister and solicitor qualified in British Columbia, Canada, and is based in Finland. She advises clients in commercial arbitration proceedings across various jurisdictions and industries. Özge has experience in international arbitrations seated in Helsinki, Stockholm, Geneva, Vancouver, and Toronto, conducted under institutional rules such as ICC, FAI, and VanuAC, as well as in ad hoc proceedings under various applicable laws. She has advised on claims related to major energy and infrastructure projects, mining, finance, and shareholder rights and remedies. Prior to joining Roschier, she represented clients as lead counsel before all levels of court in British Columbia, in commercial arbitrations, and before administrative tribunals. She is an editor for the *Kluwer Arbitration Blog*, organises the Helsinki Arbitration Runners events, and is actively involved in the international arbitration community.

ArbitralWomen Mourns the Passing of Founding Member Karen Mills (1942–2025)

Karen was one of the Founding Members of ArbitralWomen. Her vision, dedication, and leadership were instrumental in shaping two of ArbitralWomen's cornerstone initiatives — the Mentoring Programme and the Moot Funding Programme.



KarimSyah Law Firm

It is with profound sadness that ArbitralWomen announces the passing of **Karen Mills** (5 May 1942 – 11 August 2025), a pioneering figure in arbitration in Asia, an esteemed international arbitrator, and Partner at KarimSyah Law Firm in Jakarta, Indonesia.

Karen was one of the Founding Members of ArbitralWomen and served on its inaugural Board of Directors. Over the years, she continued to play an active and influential role in the organisation, including as Executive Board Treasurer, Executive Editor, and as a Director on the Mentorship, Moot, Kluwer Arbitration Blog, and Newsletter Committees.

Her vision, dedication, and leadership were instrumental in shaping two of ArbitralWomen's cornerstone initiatives — the Mentoring Programme and the Moot Funding Programme — which continue to flourish today, empowering members and supporting the next generation of ADR professionals.

In recent years, Karen served on the ArbitralWomen Advisory Council, where she remained a source of guidance, wisdom, and inspiration. She was deeply loved and respected by all who worked alongside her. Her generosity of spirit, commitment to mentoring others, and tireless efforts to advance women in arbitration have left a lasting legacy that continues to inspire our community.

In accordance with local customs,

Karen's funeral took place on Tuesday, 12 August, and she was laid to rest at her property in Bohul, outside Jakarta.

Karen is mourned by her colleagues and friends across ArbitralWomen, as well as by members of the wider arbitration community — particularly in Asia, where she was a prominent leader within the Chartered Institute of Arbitrators and a devoted supporter of the Vis East Moot Foundation.

ArbitralWomen will publish a special edition of the Newsletter dedicated to Karen Mills, celebrating her life, her contributions to the field, and the many people she touched. Those wishing to contribute an article, reflection, or personal tribute are warmly invited to contact newsletter@arbitralwomen.org.



Karen Mills with colleagues and friends

Diversity in International Arbitration: Where Are We and What Can Be Done?



Dr Eva Litina

Recent Data on Diversity

The issue of diversity in international arbitration has been widely discussed, with numerous resources, studies, and initiatives seeking to address it.¹ Several recent efforts focus on specific aspects of diversity, including LGBTQIA+ representation and the inclusion of persons with disabilities.²

The International Bar Association (IBA) has recently published an empirical study on ethnic diversity in international arbitration (the “**IBA Study**”).³ This article highlights some of the study’s key findings, explores recent developments, and considers practical steps to strengthen diversity in the field.⁴

Currently, there is no comprehensive data on overall arbitrator diversity — in part because there are no universally agreed criteria for measurement. Available information largely concerns the number of cases and awards per year at leading arbitral institutions, the proportion of female arbitrators, and some data on the nationality of arbitrators.

¹ See eg the Report of the Cross-Institutional Task Force on Gender Diversity in Arbitral Appointments and Proceedings (2022 Update), available [here](#). See *Diversity in International Arbitration: Why it Matters and How to Sustain It*, Shala Ali et al (eds), Edward Elgar (2022).

² See eg “ICC LGBTQIA+ Network Opens to Wider Legal Community”, International Chamber of Commerce, 2 June 2023, available [here](#), and the 2023 ICC Guide on Disability Inclusion in International Arbitration and ADR, available [here](#).

³ Study on Ethnic Diversity in International Arbitration, IBA Arbitration Committee, 2025, available [here](#).

⁴ For a more detailed discussion of the points raised in this article, see Eva Litina, “Diversity in International Arbitration and the Role of Arbitration Institutions”, *The International Journal of Arbitration, Mediation and Dispute Management* 91(2) 2025, pp 202-218, available [here](#).

The IBA Study offers valuable empirical insight into the impact of ethnic diversity and user perceptions. With responses from 305 participants across 76 countries and 230 self-identified ethnicities, the study confirms that diversity within arbitral tribunals not only reflects the international nature of disputes but also enhances fairness, legitimacy, and the quality of arbitral decision-making. However, the findings also highlight a persistent gap between the perceived importance of diversity and the actual representation seen in practice — a trend mirrored in the 2024 SIDRA Survey.⁵

How to Promote Diversity?

One proposed method for promoting diversity is through legislation. The Law Commission of England and Wales, in its Review of the Arbitration Act 1996, considered this issue but concluded that legislative intervention would not necessarily improve diversity and could increase challenges to arbitral awards.⁶

Elsewhere, some institutions have taken proactive steps. The Hong Kong International Arbitration Centre (HKIAC) has introduced a specific diversity provision in its 2024 Administered Arbitration Rules (Article 9A).⁷ Although concerns were raised during public consultation, the provision finally made its way in the Rules. The Belgian Centre for Arbitration and Mediation (CEPANI) and the Scottish Arbitration Centre (SAC) took similar initiatives.⁸ By contrast, the proposed diversity requirement for the Singapore International Arbitration Centre (SIAC) Rules 2025 was not adopted in the final text.⁹

These proactive steps may be having an impact. According to the HKIAC’s 2024 statistics, the number of female arbitrators appointed by parties or co-arbitrators increased by 6%, and the number of new arbitrators (not previously designated by parties or co-arbitrators) rose by 25% compared to 2023.¹⁰ The long-term impact of the HKIAC diversity clause remains to be assessed. The London Court of International Arbitration (LCIA) has

⁵ Singapore International Dispute Resolution Academy, International Dispute Resolution Survey: 2024 Final Report, available [here](#).

⁶ See Law Commission, Review of the Arbitration Act 1996: Final Report and Bill, available [here](#).

⁷ 2024 HKIAC Administered Arbitration Rules, available [here](#).

⁸ CEPANI Arbitration Rules, available [here](#); Rules of the Scottish Arbitration Centre, available [here](#).

⁹ See Arbitration Rules of the Singapore International Arbitration Centre, Consultation Draft Version 7, available [here](#).

¹⁰ HKIAC Releases Statistics for 2024, available [here](#).

also published Equality, Diversity and Inclusion (EDI) Guidelines, encouraging the integration of EDI principles throughout the arbitral process.¹¹

A second proposed method for promoting diversity is to publish more data on arbitrator appointments. Access to reliable data is essential for progress. Asking institutions to publish diversity statistics could help increase transparency, though such measures must balance the flexibility and party autonomy central to arbitration.

Even assuming these two proposed measures are adopted, challenges remain. Parties and their counsel typically select their own arbitrators, and these appointments continue to show lower levels of diversity. For example, the LCIA's 2024 Annual Casework Report reveals that while women comprised 45% of LCIA Court appointments, only 21% of party appointments were women.¹² Thus, even where diverse arbitrators are included in an arbitral institution's panel, diverse candidates do not appear ultimately to be selected.

The reasons for this are varied. Parties often prioritise experience and seniority, and may be influenced – consciously or unconsciously – by gender, cultural, or national biases. This dynamic limits opportunities for new and diverse arbitrators to gain the experience needed to be appointed more widely in the future.

Institutions are in a stronger position to diversify appointments. They are typically called upon to appoint chairs or sole arbitrators, where prior experience and nationality restrictions (as found in the HKIAC, ICC, LCIA, and SIAC Rules) apply. This structural limitation perpetuates the experience gap. To foster diversity and inclusion, institutions might consider appointing less experienced but qualified candidates – particularly younger or under-represented arbitrators – in smaller or less complex cases. The ICC Court already encourages such appointments, taking into account candidates' arbitration experience (whether as counsel or tribunal secretary) and diversity more broadly defined.

Mentorship programmes offered by organisations such as ArbitralWomen,¹³ Young ICCA and Young ITA, as well as by institutions such as HKIAC,¹⁴ also play an important role in connecting emerging practitioners with senior mentors. However, because arbitral proceedings are confidential and often conducted online, opportunities for direct observation are limited. Developing a protocol for observer participation (as proposed by Amanda Lee¹⁵),

11 LCIA EDI Guidelines, available [here](#).

12 The LCIA's 2024 Annual Casework Report is available for download [here](#).

13 For more information about ArbitralWomen's mentorship programme, please visit: <https://arbitralwomen.org/programmes/mentorship>.

14 See HKIAC's WE GROW Mentorship and Coaching Programme, [here](#); Young ICCA Mentoring Programme, [here](#); Young ITA Mentorship Programme, [here](#).

15 See "How an Arbitrator Shadowing Protocol Could Promote More Diversity", JAMS ADR Insights, 20 October 2021, available [here](#).

including conflict checks, could enable aspiring arbitrators to gain practical exposure while maintaining confidentiality and integrity.

Diversity enriches arbitral decision-making. A more varied pool of arbitrators brings a wider range of perspectives, analytical approaches, and professional experiences. According to respondents in the IBA Study, this enhances both the quality of decisions and the legitimacy of the arbitral process.

Nevertheless, improving diversity in arbitration also depends on developments within the legal and business professions from which arbitrators are drawn. Since many arbitrators enter the field later in their careers, progress in gender, ethnic, and other forms of diversity at senior professional levels will influence arbitration's long-term inclusivity.

Governments and international organisations have an important role to play by encouraging the professional advancement of women and under-represented groups through targeted funding, mentorship, and capacity-building initiatives. Law firms and chambers should likewise embed diversity within their recruitment, promotion, and partnership structures.

In this context, recent reports that some US law firms have removed diversity commitments from their public communications are concerning, as they risk undermining progress towards a more equitable profession.¹⁶

Conclusion

Meaningful progress towards diversity in international arbitration has begun, but much remains to be done. As the IBA Study recognises, arbitral institutions are best placed to drive systemic change.

Key steps forward include:

1. Expanding institutional panels to include more qualified, diverse arbitrators.
2. Providing these arbitrators with opportunities to gain experience and visibility.
3. Increasing diversity in all forms of appointments.
4. Collecting and publishing detailed diversity statistics to promote transparency, awareness, and education.

By continuing to strengthen diversity and inclusion, the arbitration community can ensure that the process it champions remains fair, representative, and legitimate in the eyes of all who use it.

Submitted by Dr. Eva Litina, ArbitralWomen Member, Legal Advisor at the Ministry of Maritime Affairs in Greece; Attorney-at-law, Athens, New York; Fellow of the Chartered Institute of Arbitrators.

16 See eg Same Levine, "US Law Firms Quietly Scrub DEI References from Websites to Appease Trump", The Guardian, 11 April 2025, available [here](#).

UNCITRAL Working Group III Report

22-26 September 2025, Vienna

Between 22 and 25 September 2025, I attended the 52nd session of UNCITRAL Working Group III on Investor-State Dispute Settlement (ISDS) Reform. The discussions primarily focused on the draft provisions on procedural and cross-cutting issues (Articles 5 to 8) and subsequently on the draft statute of the standing mechanism. The debate on Article 5 (Security for Costs) was particularly extensive, lasting nearly a day and a half, as delegations expressed divergent views on whether States should also be subject to this provision and how it should interact with third-party funding. The examination of possible models for the standing mechanism, prepared by the Secretariat, also generated substantial discussion, especially regarding the structure, statutes, and jurisdictional scope of such mechanisms.

The following sections provide a summary of the key discussions and interventions during the session.



Legislative Offices of UNCITRAL

A. Day 1 – 22 September 2025, Draft Provision 5 (“DP 5”) – Security for Costs

[Draft Provision 5: Security for costs

1. The Tribunal may, at the request of a disputing party, order any party making a claim to provide security for costs.
2. The request shall include a statement of the relevant circumstances and supporting documents. The Tribunal shall fix the period of time for submissions on the request.
3. The Tribunal shall decide on the request within 30 days after the last submission on the request.
4. In determining whether to order a disputing party to provide security for costs, the Tribunal shall consider all relevant circumstances, including:
 - a. That party's ability to comply with an adverse decision on costs;
 - b. That party's willingness to comply with an adverse decision on costs;
 - c. The effect that providing security for costs may have on that party's ability to pursue its claim;
 - d. The conduct of the parties; and
 - e. In relation to subparagraphs (a) to (d), the existence of third-party funding.
5. The Tribunal shall specify any relevant terms in an order to provide security for costs and fix the period of time for compliance with that order.
6. If a disputing party fails to comply with the order to provide security for costs, the Tribunal shall suspend the proceeding with respect to that party's claim for a fixed period of time. If the proceeding is suspended for more than 90 days, the Tribunal may, after consulting

the disputing parties, order the termination of the proceeding with respect to that claim.

7. A disputing party shall promptly disclose any material change in the circumstances upon which the Tribunal ordered security for costs.
8. At the request of a disputing party, the Tribunal may at any time modify or terminate its order to provide security for costs.]

The Working Group (“WG”) noted that this provision is intended to address a party's inability or unwillingness to comply with adverse cost decisions and to deter frivolous or unmeritorious claims.

A significant portion of the debate focused on **paragraph 1** – particularly whether the provision should apply only to claimants or also to respondent States. Several delegations argued that the obligation to provide security for costs should not extend to States, reasoning that such an obligation would impose an undue financial burden, especially given that claims against States in investment disputes tend to be of substantially higher value. Conversely, other delegations maintained that excluding States would undermine procedural fairness, stressing that all parties should, in principle, be treated equally. They also pointed out that DP 5 should apply not only to treaty-based disputes but also to contract-based disputes, and that caution should be exercised in introducing any categorical exclusion that might undermine procedural fairness or the overall coherence of the reform. Some delegations maintained that States along with regional economic integration organisations (“REIOs”) should be presumed to have the ability and willingness to

comply with adverse cost decisions, and that security for costs should only be ordered against them in exceptional circumstances.

Following extensive discussion, it was proposed to add: *“Noting that States and REIOs are presumed to have the ability and willingness to comply with an adverse decision on costs, the Tribunal shall not order a State or a REIO making a claim to provide for security for costs unless there are exceptional circumstances justifying such an order.”* It was explained that the proposal would establish a default rule under which States would not be subject to security for costs (“**SFC**”), except in exceptional circumstances. The tribunal would retain discretion to determine whether such circumstances exists. It was also clarified that this rule would apply to both claims and counterclaims, and would not be limited to treaty-based proceedings.

The Working Group approved **paragraphs 2 and 3** unchanged and confirmed that a party requesting security for costs must justify its request with documentation.

Paragraph 4 lists relevant circumstances (in subparagraph a to d) that the tribunal may take into account when deciding whether to order a disputing party to provide security for costs. The WG agreed that tribunals should retain discretion to consider all relevant circumstances. It was clarified that the financial capacity of a party to comply with an adverse decision would generally fall under the notion of “ability”. Concerning subparagraph (d), the WG discussed whether the conduct of the disputing parties should be limited to behaviour during the proceedings or assessed more broadly, including how parties reacted to earlier adverse decisions. Upon further deliberation, the WG approved the chapeau of paragraph 4 and left subparagraphs (a) to (d) unchanged.

Subparagraph (e) prompted discussion regarding third-party funding (“**TPF**”). Below are the key views expressed in this regard:

- Existence of TPF should be a relevant circumstance to consider when determining whether to order SFC.
- Existence of TPF should always trigger SFC, unless the third-party funder has expressly agreed to cover adverse costs.
- Existence of TPF should not be a circumstance justifying the ordering of SFC but instead could be presented as evidence in relation to the circumstances that could justify such an order.

The WG clarified that the mere existence of TPF does not automatically lead to an order for security for costs, and that an agreement by a funder to cover adverse costs may influence a tribunal’s decision. The WG agreed that the current text of subparagraph (e) achieves a balanced approach.

B. Day 2 – 23 September 2025

Discussions continued with DP 5 **paragraphs 4**. The views expressed by delegates attending the session included whether tribunals should be obliged to order

security for costs in the absence of a funding clause, or retain full discretion to consider all relevant circumstances. The WG moved to **paragraph 5** and approved it unchanged and agreed to amend **paragraph 6** to replace “shall” with “may”, confirming tribunals’ discretion to suspend proceedings when a party fails to comply with an order for SFC. With respect to the time period for suspension, it was proposed that it should be fixed at 90 days. Conversely it was said that the Tribunal should retain discretion to determine the appropriate period including the possibility of not fixing any specific duration. The WG concluded that the suspension would relate to the claim that led the Tribunal to order security for costs, which would mean that any responses or defences to that claim, including a preliminary objection on the jurisdiction of the claim, would also be suspended. However, the proceedings would continue with regard to other claims and counterclaims.

Another interesting discussion raised by the WG in relation to paragraph 6 concerned whether termination would prevent disputing parties from resubmitting the claim “without prejudice”. It was noted that UNCITRAL Arbitration Rules do not specifically address this issue and that termination would be with or without prejudice. Upon further deliberation, the WG agreed to delete the phrase “for a fixed period of time” from the first sentence and the phrase “with respect to that claim” from the second sentence. Subject to those changes, the WG approved paragraph 6.

Paragraphs 7 and 8 were approved unchanged, with paragraph 8 to be moved before paragraph 6.

Subsequently, the WG discussed **DP 6** and **7**.

[Draft Provision 6: Suspension of the proceeding

1. The Tribunal shall order the suspension of the proceeding when requested jointly by the disputing parties.
2. The Tribunal may, at the request of a disputing party or on its own initiative, order the suspension of the proceeding after consulting the disputing parties.
3. In its order for suspension of the proceeding, the Tribunal shall specify the period of suspension and any relevant terms of the suspension. Time frames set out in the applicable rules shall be extended by the period of time for which the proceeding is suspended.
4. The Tribunal shall extend the period of suspension prior to its expiry when requested jointly by the disputing parties. The Tribunal may, at the request of a disputing party or on its own initiative, extend the period of suspension prior to its expiry, after consulting the disputing parties.]

[Draft Provision 7: Termination of the proceeding

1. The Tribunal shall order the termination of the proceeding when requested jointly by the disputing parties.
2. If a disputing party requests the termination of the proceeding, the Tribunal shall fix a period of time within which the other disputing party may object to the termination.
3. If no objection is made within the fixed period of time, the other disputing party shall be deemed to

have agreed to the termination, and the Tribunal shall issue an order for the termination of the proceeding. If an objection is made within the fixed period of time, the proceeding shall continue.

4. Following the submission of a claim, if the disputing parties fail to take any steps in the proceeding for more than 150 consecutive days [or any such period as they may agree with the approval of the Tribunal], the Tribunal shall notify the disputing parties of the time elapsed since the last step taken in the proceeding. If the disputing parties fail to take a step within 30 days after that notice, they shall be deemed to have agreed to the termination and the Tribunal shall issue an order for the termination of the proceeding. If any of the disputing parties takes a step within 30 days after that notice, the proceeding shall continue. If the Tribunal has not yet been constituted, the appointing authority shall assume these responsibilities.
5. If, before the award is made, the disputing parties agree on a settlement of the dispute, the Tribunal shall either issue an order for the termination of the proceeding or, if requested by the disputing parties and accepted by the Tribunal, record the settlement in the form of an award on agreed terms. The Tribunal is not obliged to give reasons for such an award.
6. If, before the award is made, the continuation of the proceeding becomes unnecessary or impossible for any reason not mentioned in paragraph 5, the Tribunal shall inform the disputing parties of its intention to issue an order for the termination of the proceeding. The Tribunal shall have the power to issue such an order unless there are remaining matters that may need to be decided and the Tribunal considers it appropriate to do so.]

DP 6 was retained as a default rule confirming tribunals' power. The WG further discussed how DP 6 would interact with other draft provisions as well as with applicable laws and rules. It was suggested that DP 6 could function as

the general rule, without prejudice to any more specific rules. Accordingly, the WG agreed

to insert the following clarification into DP 6: "Unless otherwise provided [in the DPs or] applicable rules".

Subject to this modification, DP 6 was approved by the WG.

With regard to DP 7, the main point of discussion concerned

whether a request for termination, as well as an objection to such request should

require justification. The WG clarified that the objective of two paragraphs was to capture an implied agreement of the parties to terminate the proceedings, and that introducing a requirement for justification could necessitate the Tribunal's adjudication upon both the request and the objection. The 150-day period provided under **paragraph 4** received support from the delegates and the remaining parts of the provision were approved largely unchanged.

C. Day 3 – 24 September 2025

[Draft Provision 8: Period of time for making the award

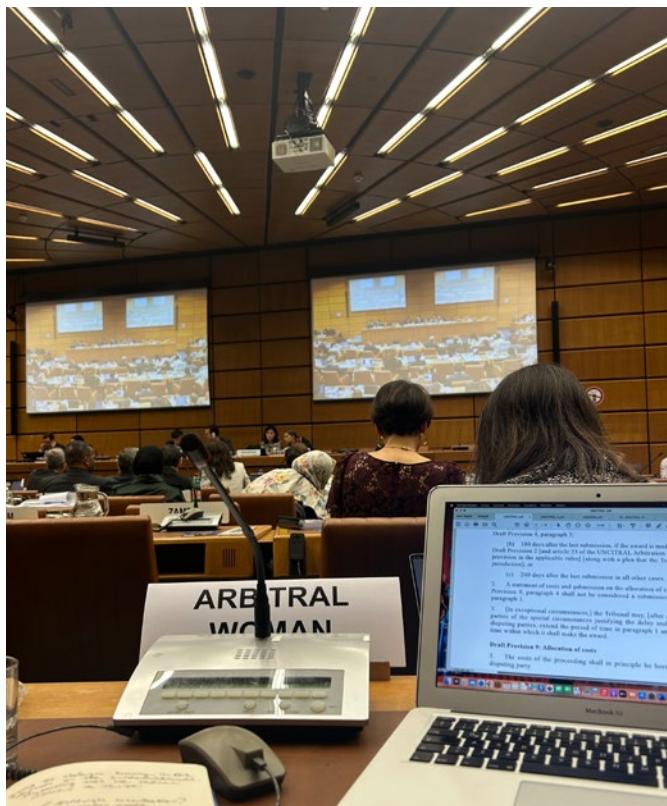
1. Unless otherwise agreed by the disputing parties, the Tribunal shall make the award as soon as possible, and in any event no later than:
 - a. 60 days after the last submission, if the award is made in accordance with Draft Provision 4, paragraph 5;
 - b. 180 days after the last submission, if the award is made in accordance with Draft Provision 2 [and article 23 of the UNCITRAL Arbitration Rules or the relevant provision in the applicable rules] [along with a plea that the Tribunal does not have jurisdiction]; or
 - c. 240 days after the last submission in all other cases.
2. A statement of costs and submission on the allocation of costs pursuant to Draft Provision 9, paragraph 4 shall not be considered a submission for the purposes of paragraph 1.
3. [In exceptional circumstances,] the Tribunal may, [after advising the disputing parties of the special circumstances justifying the delay and] after consulting the disputing parties, extend the period of time in paragraph 1 and indicate a period of time within which it shall make the award.]

The WG discussed **DP 8**, which was broadly supported for promoting procedural efficiency. The chapeau of **paragraph 1**, the WG agreed that the *chapeau* should establish a clear obligation for the Tribunal to comply with the prescribed time frames and read: "*The Tribunal shall make the award as soon as possible. In any event and unless otherwise agreed by the parties, the Tribunal shall make the award no later than...*"

Paragraph 2 was approved unchanged, while **paragraph 3** was revised to replace "exceptional" with "special" circumstances, aligning with the ICSID Rules. As to the extension process, it was clarified that consultation would not require the Tribunal to obtain the agreement of the parties but rather to actively engage with them, seek their views and to take into account any prior agreements concerning the relevant time limits. Upon further deliberation, the WG agreed that paragraph 3 could be revised as follows: "*When there are special circumstances justifying a delay, the Tribunal may, after advising the disputing parties of those circumstances and after consulting the disputing parties, extend the period of time in paragraph 1 and indicate a period of time within which it shall make the award*". This concluded the WG's discussion on the draft provisions.

The WG then examined the **Draft Statute for a Standing Mechanism for the Resolution of Investment**





ArbitralWomen's seat as observer at UNCITRAL

Disputes¹. The discussion focused particularly on **Article 34** which attracted considerable attention and raised several noteworthy comments and observations.

[Article 34 – Effect of the decision

1. An award or decision of the first-tier tribunal upheld by the Chamber shall be final and binding on the disputing parties.
2. An award or decision of the first-tier tribunal modified by the Chamber shall be final and binding on the disputing parties as modified.
3. An award or decision of the first-tier tribunal which was reversed in full with remand by the Chamber shall have no effect.
4. An award or decision of the first-tier tribunal which was reversed in part with remand by the Chamber shall have no effect with respect to the part that was reversed.
5. An award or decision made by the first-tier tribunal upon remand shall be subject to appeal on the ground that the first-tier tribunal on remand did not comply with the instructions of the Chamber and, for any new findings that were not subject to the first appeal, on all grounds under article 29.
6. An award or decision reversed in accordance with article 33, paragraphs 7 and 8 shall have no effect. The final decision or final award rendered in the resubmission proceeding shall be subject to appeal pursuant to article 29.]

One of the notable discussions concerned the interpretation of the phrase “no effect” in relation to an award

or decision. Suggestions were made to replace the term with alternatives such as “invalid”, “void”, “annulled” or to further elaborate that the award or decision was not binding or has not yet become binding on the parties. It was however further clarified that an award or decision which had been reversed in whole would have no legal consequence, though it might still carry persuasive value. The WG eventually agreed to retain the existing terminology, noting that neither the ICSID Convention nor the ICSID Rules explicitly addressed the effect of an annulled award with no issue arising in practise. The WG further agreed that the effect of the part of the award or decision that was not reversed should also be spelled out. Accordingly, the following sentence was added to **paragraph 4**: *“The remaining part of the award or decision which was not reversed shall be binding on the disputing parties”*.

D. Day 4 – 25 September 2025

The WG resumed its discussions on the remaining issues under Article 34 of the draft statute. Following those discussions, the group proceeded to consider the document A/CN.9/WG. III/WP. 256, entitled **“Structure and design of a standing mechanism for the resolution of international investment disputes”**. The WG explored the possible models of a standing mechanism based on the options set out in this document. Different views and comments were expressed with regard to models 1 to 4, particularly to the hybrid models under paragraphs 13 and 14.

Regardless of the model to be adopted, the WG reached a consensus that the standing mechanism should be designed to address the main concerns identified during previous sessions. In particular, it should aim to:

- i. ensure consistency, correctness, and predictability of decisions;
- ii. avoid further fragmentation of the ISDS system;
- iii. be accessible to the disputing parties;
- iv. be composed of highly qualified tribunal members; and
- v. be well-functioning and efficient in its operation.

Views differed on whether to develop one or two statutes, with delegates some favouring a single statute allowing opt-in/out mechanisms and others preferring separate statutes for greater flexibility. The scope and jurisdiction of the standing mechanism were also debated, with proposals ranging from limiting it to treaty-based disputes to encompassing all international investment disputes broadly defined.

Ultimately, the WG agreed to develop two separate statutes — one establishing a first-tier standing body and another an appellate standing body — and continued its consideration of their respective scope and jurisdiction.

Submitted by Dr Ayşenaz Öztürk, ArbitralWomen Member and Partner at ATEG Law and Consultancy.

¹ See document A/CN. 9/WG.III/WP. 241.

Reports on Events

The World Atlas of Arbitration – A New Global Resource



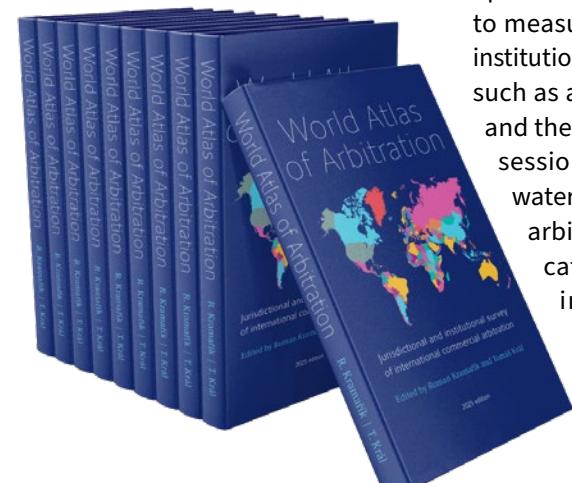
ArbitralWomen members at the launch of the WAoA

The World Atlas of Arbitration (“WAoA”) is a groundbreaking new concept for researching and comparing the status of arbitration across the globe. Conceived by Czech lawyers Roman Kramárik and Tomas Kral of Prague-based JSK Law Firm, the Atlas is both informative and visually engaging. Its more than 60 colour maps, beautifully presented in a hardback edition, make it a valuable and striking addition to any arbitration practitioner’s library or waiting room.

The Atlas is the result of many months of research and collaboration,

with over 200 surveys completed by contributors worldwide. It was officially launched on 19 September 2025 at a conference in Prague, where contributors came together for a lively exchange of ideas. The event also served as an excellent opportunity for ArbitralWomen members to meet in person — at last! Of the approximately 60 participants, half were women, and many pledged to join ArbitralWomen upon returning home — a notable change from similar events just two decades ago.

The private conference, organised as a thank-you to contributors, opened with a discussion on how best to measure and compare arbitration institutions, before moving on to issues such as arbitrability, non-signatories, and the treatment of evidence. Later sessions explored the “dangerous waters” of insolvency, asymmetric arbitration clauses, and *res judicata*. The “grand finale” examined challenges to arbitral awards, debating whether new evidence could or



should be admitted after an award’s publication.

Following the conference, participants joined the Prague Arbitration Conference reception — an event sponsored by ArbitralWomen — before enjoying a cultural evening at one of Europe’s oldest and most elegant opera houses, choosing between Mozart’s *The Magic Flute* and Verdi’s *Nabucco*. Others joined informal dinners hosted by local Prague lawyers. The next day featured a walking tour of the city, a group lunch, and an original presentation on “Conflict in Art” at the National Gallery by Vladimir Rösel, Director Emeritus of the National Gallery.

The World Atlas of Arbitration is proudly presented by its creators as a first edition — a foundation for future updates as additional survey responses are received from currently unrepresented jurisdictions. Experienced arbitration counsel and arbitrators are warmly invited to contribute to the project, particularly for jurisdictions still shown as “white” (where information is insufficient).

Visit www.arbitrationatlas.com to learn more, participate in the survey, or order a copy — one for yourself, and perhaps another for a friend or your local arbitration institution.

We look forward to seeing you at next year’s Prague WAoA Convention!

Submitted by Louise Barrington, ArbitralWomen Co-founder and Board Member, Independent Arbitrator.

ArbitralWomen Breakfast Moot, 14 October 2025



Panelists at the ArbitralWomen Breakfast Moot

Following a warm welcome and an Acknowledgement of Country, **Erin Eckhoff** (Senior Associate, Ashurst) and **Anna Kelly** (Associate Director, HKA; Board Member, ArbitralWomen) set the scene and introduced the moderator, **Swee Yen Koh SC** (Partner, WongPartnership LLP).

To open, Swee Yen conducted an anonymous audience poll on the motion. The room was almost evenly split: 53% agreed and 47% disagreed.

The debate then began, with four esteemed debaters arguing their assigned positions. **Jonathan Humphrey** (Partner, HKA) and **Ruimin Gao** (arbitration practitioner) argued for the motion; **Georgia Quick** (Partner, Ashurst)

and **Domenico Cucinotta** (Special Counsel, Corrs Chambers Westgarth) argued against it.

Despite the early start — and a cocktail event the night before — the audience remained highly engaged as both sides delivered thoughtful, well-structured arguments. There was broad consensus that progress has been made in recent decades, including a rise in the appointment of female arbitrators. However, speakers noted that these gains have been driven largely by arbitral institutions; party-appointed female arbitrators remain significantly under-represented. The side supporting the motion also cited a sobering projection: at the current pace of change,

gender parity in arbitration could take another 123 years.

A closing poll revealed a clear swing in sentiment. This time, the “agree” position prevailed by a decisive margin, reflecting the persuasive force of the arguments advanced. While progress towards diversity in arbitration is undeniable, the prevailing view in the room was that momentum has slowed and that renewed, targeted initiatives are essential to drive meaningful, sustained change.

Submitted by Sophie Munson, ArbitralWomen Member, Senior Consultant at HKA.

Parental Mentorship

ArbitralWomen Parental Mentoring Session: “Balancing Family Life and a Career in Law”, 15 October 2025



Fatoumata Ly

The ArbitralWomen Parental Committee was delighted to host **Fatoumata Ly**, CEO of Ninti and Co-founder of Themis, for an inspiring and thought-provoking mentoring session focused on the realities of balancing a legal career with family life. Drawing from her personal journey and professional expertise, Fatoumata offered a candid and deeply insightful 30-minute presentation, followed by an open discussion under the Chatham House Rule.

The session was conducted by ArbitralWomen Board Members **Dilber**

Devitre, Kate Corby and Magda Koflux.

Key Takeaways from the Session:

Historical Barriers

The legal profession's structure continues to reflect outdated male-centric models. Billable hours and rigid partnership tracks often conflict with caregiving responsibilities, reinforcing systemic inequities.

Motherhood Penalty & Health

Women in law face slowed career

progression, limited opportunities, and overlooked health challenges—including fertility, postpartum recovery, and chronic conditions—that impact long-term advancement.

Firm Initiatives vs. Culture

While flexible work policies and mentorship programmes exist, their effectiveness is often undermined by firm culture, inconsistent implementation, and the persistent expectation of 24/7 availability.

Networks & Champions

Support from senior advocates and role models is crucial. However, sustainable change requires more than individual efforts—it demands systemic redesign and collective accountability.

Redefining Success

The traditional view of partnership as the ultimate career goal must evolve. Legal professionals should feel psychologically safe to pursue diverse career paths aligned with personal values and life circumstances.

Policy & Research

Initiatives like Themis are paving the way for inclusive practices by collecting data, shaping policy, and advocating for women's health and career progression in the legal sector.

Community & Dialogue

Building alliances, sharing best practices, and fostering ongoing conversations are essential to embedding cultural change and creating a more inclusive profession.

Submitted by Magda Koflux, ArbitralWomen Member, Partner, Trowers & Hamlin.

Mooting Feedbacks

Letter of thanks from the Federal University of Paraná's Vis Moot Team

Dear ArbitralWomen,

The Arbitration and Commercial Law Study Group (GEAC) from the Federal University of Paraná (UFPR) is writing to express its sincere gratitude to the ArbitralWomen organisation for the generous funding that enabled us to attend the 32nd Willem C. Vis International Commercial Arbitration Moot in Vienna. This opportunity has been truly invaluable, and we are deeply thankful for the chance to participate in such a prestigious and enriching competition!

As a predominantly female team, with all four of our members who attended the competition in Vienna being women, this achievement was especially meaningful to us. We are proud to share that this year marked one of our best results in history, as we advanced to the Round of 64 and received two Honorable Mentions for our speakers.

In a field where gender diversity is still progressing, your support enabled us not only to participate but also to stand as a visible example of female leadership, resilience, and excellence in international arbitration. Having the opportunity to represent our university and our country on the international stage was deeply meaningful, and your support allowed us to stand as a visible example of inclusion and resilience in arbitration.

The Vis Moot challenged us to develop and refine our skills in international commercial law and arbitration while engaging with talented students and practitioners from around the world. The exchange of perspectives and ideas enriched our understanding and broadened our horizons. For many of us, this was a first step toward future academic and professional endeavours that we had once thought out of reach.

Beyond the academic benefits, this

experience strengthened our team's sense of community and womanhood, reaffirming our commitment to empowering women in arbitration. Your support has inspired us to keep working toward a more inclusive legal field—starting from our own university and extending outward.

We are deeply grateful to ArbitralWomen for helping make this journey possible. Thank you for believing in us, for investing in the next generation of arbitration professionals, and for empowering women to lead in this space.

We look forward to staying in touch and continuing this journey with renewed energy and purpose.

Warmest regards,
GEAC UFPR, Arbitration and
Commercial Law Study Group, Federal
University of Paraná.



The Federal University of Paraná's Vis Moot Team

University of Zimbabwe Vis Moot Team Report

The University of Zimbabwe Vis Moot Team comprising Edgar Nyanhanda, Panashe Zhavhairo, Theresa Chimusimbe, and Havana Mtetwa, had the distinct privilege of participating in the 32nd Willem C. Vis International Commercial Arbitration Moot Court Competition, held in Vienna, Austria, from 11 to 17 April 2025.

The most impactful takeaway for each of us is the inspiration to pursue a career in arbitration and to give back. We are committed to mentoring future Vis Moot participants at the University of Zimbabwe, ensuring that more students benefit from this life-changing experience. Our hope is to build a legacy of excellence in arbitration within our institution and beyond.

We are deeply grateful to **ArbitralWomen** for their generous financial support, without which this journey would not have been possible. We look forward to remaining part of your global network and helping open doors for other students just as you did for us.

Finally, we extend our sincere appreciation to the **directors of Africa in the Moot**. Your belief in us, and your dedication to empowering African teams, inspired and uplifted us. Your investment of time, resources, and passion will never be forgotten, and we are committed to giving back in the same spirit.

The 32nd Vis Moot has been a transformative experience—one that will stay with us throughout our legal careers. We return not only with new knowledge and sharpened skills but also with a renewed commitment to international arbitration and a passion to uplift others. We are profoundly thankful for this opportunity and will carry its lessons forward with pride and purpose.



The University of Zimbabwe Vis Moot Team

Mediation Tournament feedback: National Law University Delhi Report



The team comprising Vasvi Verma, Smita Singh, and Nizel Pradhan were fortunate enough to have the opportunity to participate in the INADR International Law School Mediation Tournament, 2025, in Tbilisi, Georgia. The competition took place over five days, from March 3–8, and aimed to instil the values of mediation in students and professionals from across the globe.

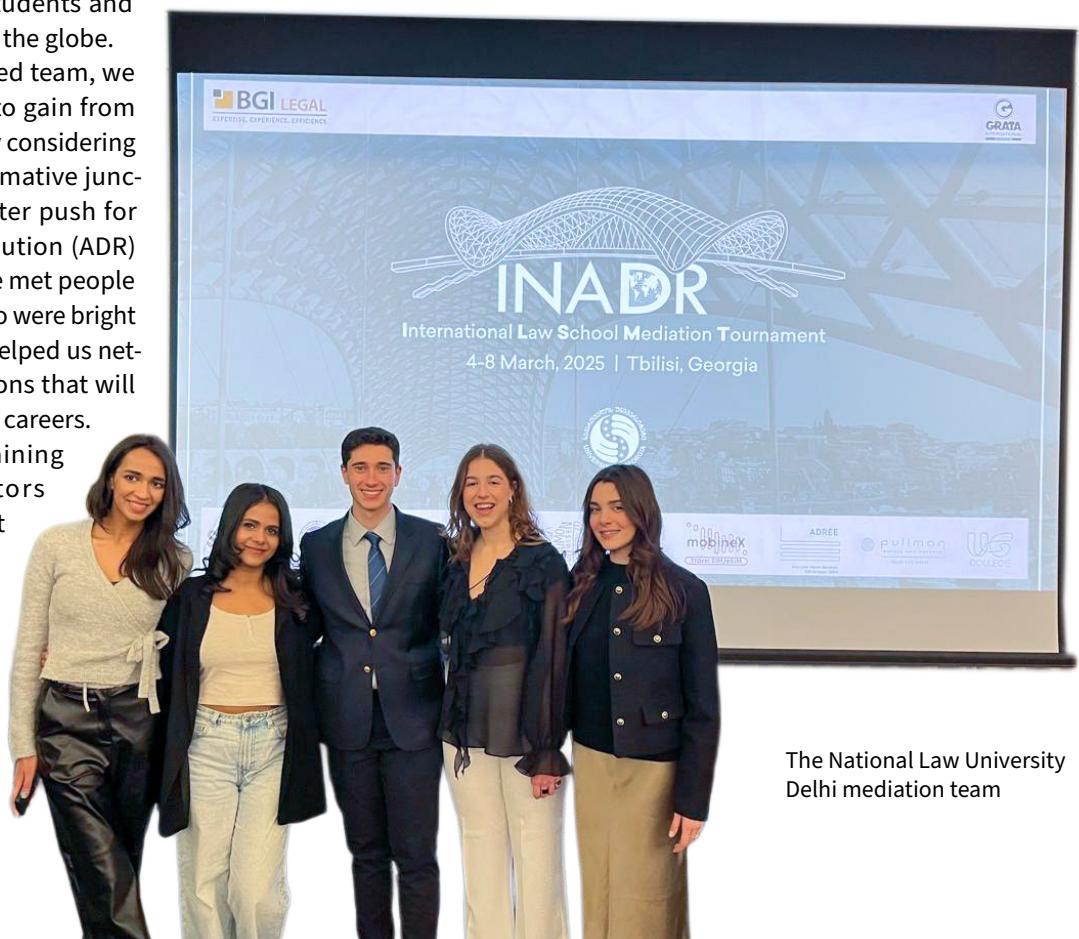
As an Indian female-led team, we felt that there was a lot to gain from this experience, especially considering that India is at a transformative juncture, allowing for a greater push for alternative dispute resolution (ADR) options in the country. We met people from around the world who were bright and experienced, which helped us network and build connections that will undoubtedly advance our careers.

We also received training sessions from mediators worldwide, which taught us how to resolve conflicts and deal with tricky situations in order to ensure peace. The rounds were conducted meticulously, and we had the chance to participate in 90-minute

rounds, taking on all three roles—client, counsel, and mediator. This experience has made all of us much more comfortable with thinking on our feet, addressing conflict head-on, and, in general, honing our soft skills.

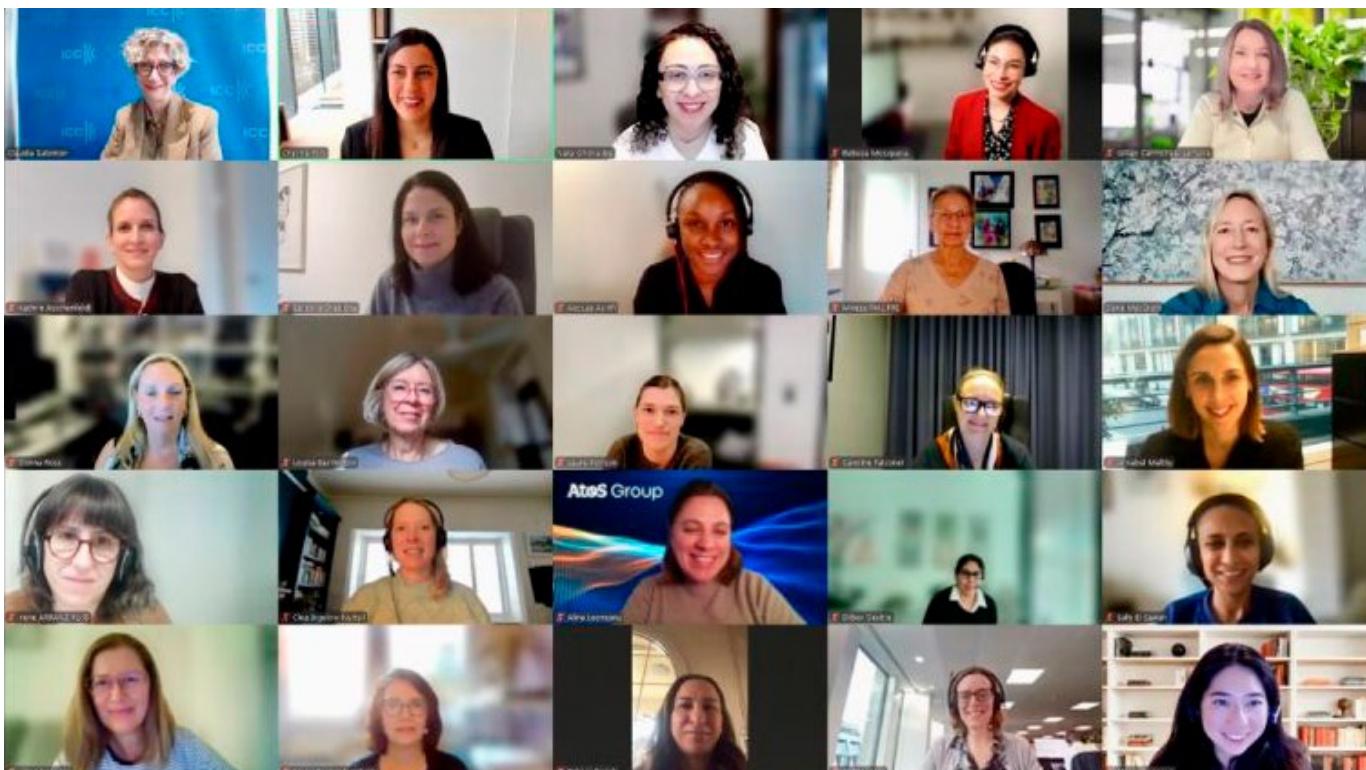
We learned how to communicate effectively and present our points with-

out undermining the other side. These skills will be invaluable to us in the rest of our careers, and we're thankful that ArbitralWomen helped fund this competition, aiding in this experience for our future in the field of ADR.



The National Law University
Delhi mediation team

Claudia Salomon in Conversation with ArbitralWomen Members, 17 December 2025, Webinar



ArbitralWomen members in conversation with Claudia Salomon

On 17 November 2025, ArbitralWomen held a members-only session with **Claudia Salomon**, the President of the ICC International Court of Arbitration and the first woman to hold that position. The conversation was deftly moderated by **Dana MacGrath**, former President of ArbitralWomen and a member of the Advisory Council. Following a first discussion with the AW Board and Advisory Council members last September, Claudia graciously offered to hold this second session for all AW members.

Claudia's leadership journey is a source of inspiration to us all. She shared a wealth of personal views and professional insights on the ICC, women and international arbitration and trade.

The discussion began with Claudia describing her role as President of the ICC International Court of Arbitration, where she wears three hats.

The first is overseeing the Court's day-to-day work. This involves appointing emergency arbitrators, scrutiny of awards, dealing with arbitrator chal-

lenges and discussing the Secretariat's recommendations to the Court.

Claudia's second role is chief ambassador. She emphasised the value of face-to-face communication, which is why she travels around the world, and wryly noted this kept her in perpetual jetlag.

The third hat involves shaping the future direction of the ICC and dispute resolution to ensure the ICC can effectively help parties to prevent and resolve disputes in the years ahead.

When asked one change she has witnessed under her leadership, Claudia spoke of her focus, drawing on her 25 years in private practice, which is the importance of having a client mindset, which means ensuring that the ICC Court and its Secretariat is committed to delivering exceptional service and exceeding client expectations in international arbitration.

She also noted that companies, even in the same industry, have different views about what they want from arbitration: some opt for expedited procedures for all disputes under a

certain threshold, while others insist on a three-member tribunal regardless of case size. This reflects the trend that companies are not only choosing an institution, but often the specific rules.

During the conversation, Claudia also offered some insightful professional development advice. A valuable tip Claudia shared for practitioners was to have a personal business plan with annual goals. She suggested writing one article per year, but a practical article providing strategic insight or explaining what a case might mean for clients, rather than a lengthy law review article.

She also stressed being strategic about volunteering and cautioned against spreading oneself too thin. Claudia recommended focusing on a small number of organisations – such as the IBA, ICCA or local or international bar associations or institutions, and contributing in a meaningful way to add value, which will open up leadership opportunities.

Moreover, Claudia considers that it is not enough to be good at arbitration

alone, as clients often require expertise relevant to the subject matter of disputes in addition to arbitration skills. She encouraged women to highlight their industry-specific experience as counsel as well as other relevant business experience.

Claudia made several suggestions for our members to have a greater sense of connection with the ICC:

- Young professionals under 40 can join [ICC YAAF](#) (Young Arbitration and ADR Forum).
- Senior professionals can apply to the [ICC Institute of World Business Law](#), which covers a broad range of business legal issues, not just arbitration, or participate in the [global Commission on Arbitration and ADR](#) or enroll in the [Advanced Arbitration Academy](#).
- All practitioners can get involved in [ICC national arbitration committees](#), volunteer for ICC events and task forces, or [submit articles to the ICC Bulletin](#).

On gender diversity, Claudia shared a personal memory recounting that there were only three women counsel or partners focused on international arbitration in New York 20 years ago, whereas today, more than 50 women have reached significant professional recognition and leadership in the field.

She also pointed out that while the ICC Court has made significant strides, with 46% – or nearly half of arbitrator appointments last year being women, gender diversity remains a focal point and challenge, since party nominations of women clearly lag behind, with only 20% (although up slightly from 17%).

This confirms that the main challenge is increasing the number of women nominated by parties, not just institutions.

To address this, Claudia again stressed the importance of connection. She recommended reach-

ing out to in-house counsel because they often draft the clauses and are the ultimate decision-makers for arbitrator appointments. She also encouraged women seeking arbitrator appointments to highlight their industry-specific experience, as many clients seek expertise relevant to their disputes in addition to arbitration skills.

Looking to current trends in international arbitration, three key trends stand out:

First is the rise in technology and intellectual property disputes across all industries. As Claudia observed, technology related disputes do not only involve technology companies but to all companies, which are increasingly using technology and IP in their businesses. This results in an increase in licensing and patent disputes, which might, for example, occur in the energy sector. Thus, arbitrators and counsel must also have a good grasp of technology and IP and be able to manage cases involving multiple specialties.

Second, according to Claudia, the shifting geopolitical landscape and the trade wars between US and China will not necessarily cause trade to stagnate or decrease because the US only represents 13% of global trade. On the other hand, these changes are leading companies to quickly form new partnerships and alliances, to manage tariffs and supply chains, sometimes without thorough due diligence, which may result in more disputes in the future.

Third is the growth in intra-regional trade and therefore potential disputes, especially in Asia – where 62% of trade is amongst Asian parties, who will seek arbitrators with experience in the region. And looking forward, intra-regional trade within Africa will no doubt increase due to the Africa Free Trade Agreement.

As for current disputes, Claudia observed that the majority arise from contracts signed years ago, so today's geopolitical upheavals and trade wars will

shape future cases, with potential claims for *force majeure* or under MAC (Material Adverse Change) clauses.

Thus, there is a trend toward settlement and mediation, both before and after arbitration filings, as parties increasingly seek amicable solutions to their disputes rather than pursuing claims in this current climate of uncertainty. In fact, some 30% of ICC cases are withdrawn before an award and the ICC ADR Centre has seen an increase in mediation, and in the current climate of uncertainty, this trend will no doubt continue.

The final topic, the use of AI in arbitration, is clearly in the forefront of all our minds. Claudia explained that the ICC is positioning itself to maximize the benefits of new technology, which can bring about increased efficiencies and new approaches to dispute resolution and prevention, while at the same time ensuring that confidentiality and accuracy are given utmost priority.

The ICC Commission on Arbitration and ADR has set up a Task Force on Artificial Intelligence in Dispute Resolution to examine issues related to arbitrators' use of AI and potential use cases, such as how AI can enhance efficiency and procedural fairness while safeguarding confidentiality and accuracy, as well as exploring the transformative potential of AI for low value disputes that often go unresolved, thereby enhancing access to justice and the broader effects on the economy.

Our president, **Rebeca Mosquera**, who had introduced the session, closed the conversation by thanking Claudia and Dana, who also acknowledged the presence of AW's founding members, **Mirèze Philippe** and **Louise Barrington**.

In sum, ArbitralWomen is immensely grateful to Claudia Salomon for her time, her genuine and frank observations and her ability, in just one hour, to impart her insights on so many important topics for our association and the profession as a whole.

Submitted by Donna Ross, arbitrator and mediator, member of ArbitralWomen, former Board member, and ArbitralWomen Advisory Council member.



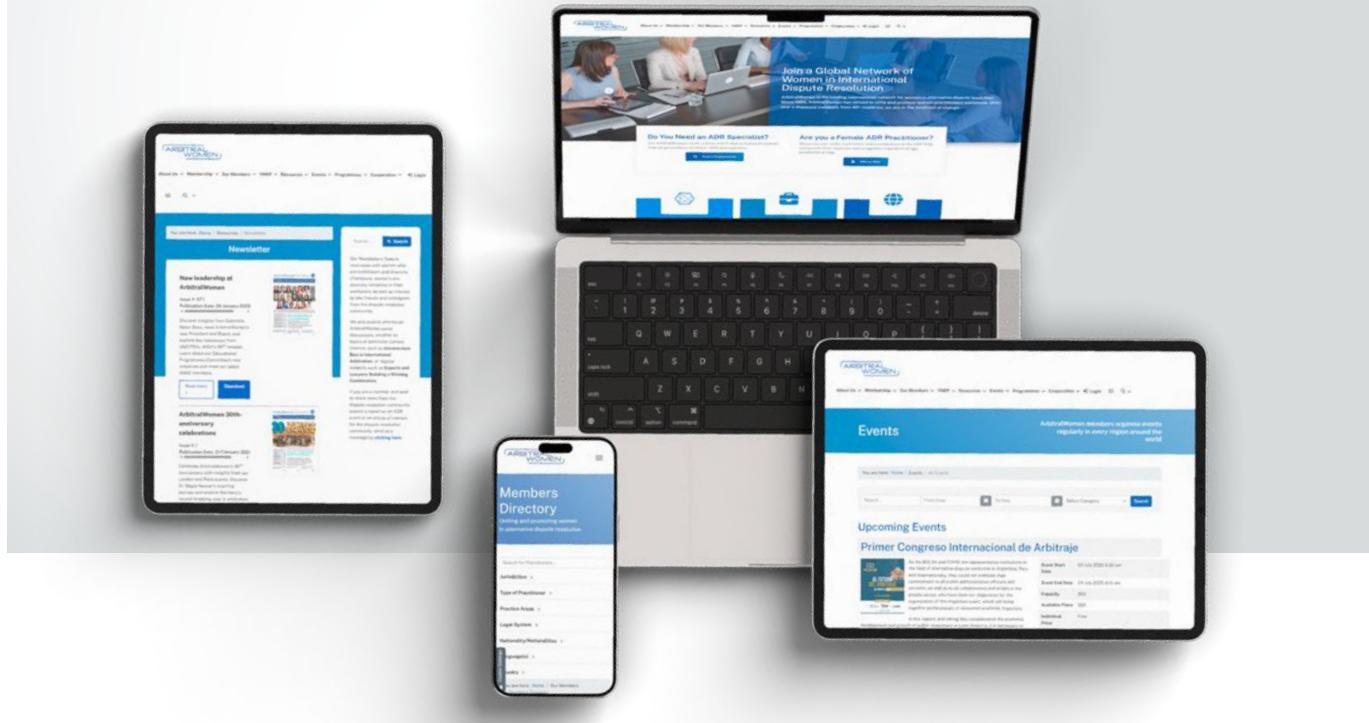


Mark your agendas

Date	Venue	Event
26-27 January	Shangri-La Dubai	14th ICC MENA Conference on International Arbitration ArbitralWomen Speakers: Kirsten O'Connell, Samaa Haridi
5 February	Sofitel Riyadh Hotel & Convention Centre	From Vision to Impact: Women Driving Change in International Disputes ArbitralWomen Speakers: Nata Ghibradze, Nesreen Osman, Rebeca Mosquera, Sara Aalamri
5 February	Sofitel Riyadh Hotel & Convention Centre	GAR Live: Riyadh ArbitralWomen Speakers: Samaa Haridi, Sara Koleilat-Aranjo, Soraya Corm-Bakhos, Yasmin Lahlou
13 February	Hotel Jagdschloss Kranichstein, Darmstadt	Inclusion Retreat ArbitralWomen Speakers: Marie Grüger, Nata Ghibradze, Sophia Deuchert
13 February	VIAC – Vienna International Arbitral Centre, Vienna	The Fourth VIAC CAN Congress: Cultivating Ideas Into Impact ArbitralWomen Speakers: Eveli Lume, Niamh Leinwather
26 February	H10 Puerta de Alcalá, Madrid	Women in Construction Arbitration ArbitralWomen Speaker: Angela Arpaia

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 Nicola Peart, Mary Thomson, Shanelle Irani and Elena Guillet, 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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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.