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2018

4/4

## Diversity and Inclusion in International Arbitration

HYATT REGENCY CAPITOL HILL  
WASHINGTON, D.C., USA

**Keynote Address:** Lucy F. Reed,  
Professor and Director, Centre  
for International Law, National  
University of Singapore



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### Highlights

The ½-day ITA-ASIL Conference is presented annually in Washington, D.C. by the ITA Academic Council with the American Society of International Law (ASIL).

- Defining the Issues
- A Critical Look at Solutions
- Networking Luncheon
- Conference Co-Chairs: Prof. Won Kidane, Seattle University School of Law, and Caroline Richard, Freshfields, Washington, D.C.

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4/4

# Diversity and Inclusion in International Arbitration

## Conference Co-Chairs

Won Kidane  
Seattle University School  
of Law  
Seattle, Washington

Caroline S. Richard  
Freshfields Bruckhaus  
Deringer US LLP  
Washington, DC

Diversity and inclusion in international arbitration is now firmly on the agenda. There is a heightened sense that the international arbitration community must take action to address the lack of diversity, not least because of its impact on the perceived legitimacy of international arbitration as a method of dispute resolution. This will be the first major international conference to tackle this issue, with the ambitious aim of shaping the conversation and providing practical, actionable ideas to effect positive change. Featuring a keynote speech and commentary, two panels of speakers will look critically at the causes of the lack of diversity and the importance of remediating the deficit, as well as potential solutions from a practitioner, academic, and institutional vantage points.

### 8:00 Registration and Continental Breakfast

### 9:00 Welcome and Introductions

- **Abby Cohen Smutny**, Chair, ITA Advisory Board  
White & Case LLP, Washington, D.C.
- **Lucinda A. Low**, President, ASIL  
Steptoe & Johnson LLP, Washington, D.C.

### 9:05 Keynote Address: The Math: Caution + Habit + Bias

The math is not hard: the numbers readily prove that international arbitration is not diverse. (Inclusivity is another issue.) Harder is to quantify the impact (if any) on arbitral justice. Harder still is to identify, confront and accept our role in the causes, which is the first step in finding workable solutions. Long experience suggests that it is caution, habit and, yes, bias that underlie our non-diverse practice.

- **Lucy F. Reed**, Professor and Director, Centre for International Law, National University of Singapore, Singapore

Conference Commentator:

- **Gonzalo Flores**, Deputy Secretary-General, International Centre for Settlement of Investment Disputes (ICSID), Washington, D.C.

### 9:35 Defining the Issues

It is now a fairly well settled observation that the diversity of decision-makers in international investment and high-stakes commercial arbitration matters has not kept pace with the increasing diversity of the users. Diagnostic in essence, Panel I will closely scrutinize the causes of the continued diversity deficit in international arbitration, and set the stage for Panel II.

Introduction and Moderator:

- **Prof. Won Kidane**, Seattle University School of Law, Seattle, Washington

Panelists:

- **Prof. Anna Spain Bradley**, Assistant Vice Provost for Faculty Development and Diversity, University of Colorado Law School, Boulder, Colorado
- **Mélida N. Hodgson**, Foley Hoag LLP, New York
- **Prof. Anne Marie Whitesell**, Professor and Director of International Dispute Resolution Programs, Georgetown University Law Center, Washington, D.C.

Roundtable and Q&A

### 10:45 Break >

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## SCHEDULE

### 11:05 A Critical Look at Solutions

Panel II will first address the role of diversity in ensuring the legitimacy, accuracy, and acceptability of both the international arbitral process and of the outcome. It will then assess the efforts that have been made by the users of international arbitration (both private and governmental), arbitral and public international institutions as well as academics to address the lack of diversity. It will finally deliberate on the possible solutions going forward.

Introduction and Moderator:

- **Caroline S. Richard**, Freshfields Bruckhaus Deringer US LLP, Washington, D.C.

Panelists:

- **Lucy Greenwood**, GreenwoodArbitration, Houston, Texas
- **Prof. Catherine A. Rogers**, Pennsylvania State University - Dickinson School of Law and the School of International Affairs, Founder and Executive Director, Arbitrator Intelligence, State College
- **Prof. Nassib G. Ziadé**, Chief Executive Officer, Bahrain Chamber for Dispute Resolution (BCDR-AAA), Manama, Kingdom of Bahrain

Roundtable and Q&A

### 12:15 Concluding Remarks

- **Prof. Susan D. Franck**, Chair, ITA Academic Council, American University Washington College of Law, Washington, D.C.

12:20 Lunch > Sponsored by:

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For information and to register for the 112th ASIL Annual Meeting, April 4-7, 2018, also presented at the Hyatt Regency Capitol Hill Hotel, please visit: [www.asil.org/annualmeeting](http://www.asil.org/annualmeeting).

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Established in 1986 as part of The Center for American and International Law (CAIL), ITA provides advanced education for arbitrators, advocates, judges, business executives, government officials and other professionals concerned with transnational arbitration of commercial and investment disputes. Through its programs, scholarly publications and membership activities, led by many of the top global experts and supported by many of the world's most actively engaged corporations, law firms and individual practitioners, ITA has become an important global forum on contemporary issues in the field of transnational arbitration.

For more information, visit [cailaw.org/ita](http://cailaw.org/ita).

ASIL is a nonprofit, nonpartisan, educational membership organization founded in 1906 and chartered by Congress in 1950. ASIL holds Category II Consultative Status to the Economic and Social Council of the United Nations and is a constituent society of the American Council of Learned Societies. Its mission is to foster the study of international law and to promote the establishment and maintenance of international relations on the basis of law and justice.

Learn more at [asil.org](http://asil.org).

# REGISTRATION

## DIVERSITY AND INCLUSION IN INTERNATIONAL ARBITRATION

April 4, 2018

Hyatt Regency Capitol Hill • Washington, D.C.

Registration includes the conference, the conference materials and the networking luncheon.

Check applicable box:	Received by 3/21/18	Received after 3/21/18
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## GENERAL INFORMATION

**CANCELLATION POLICY:** Tuition less a \$50 cancellation fee will be refunded upon receipt of written cancellation received by March 1, 2018. Email [kjohnson@cailaw.org](mailto:kjohnson@cailaw.org). After this date, no refunds, but substitution of attendees for this program will be permitted. Registrants not entitled to a refund will receive the course materials.

**HOUSING:** A limited number of rooms are reserved at the Hyatt Regency Capitol Hill hotel in Washington, DC at the special rate of \$219 plus taxes and fees. The hotel is likely to fill up soon so you should make your hotel reservations now. You may make your reservations directly with the hotel's online reservation link or by calling +1.888.421.1442 (be sure to mention the "American Society of International Law" to receive the discounted group rate).

**NONDISCRIMINATION POLICY:** The Center for American and International Law does not discriminate on the basis of race, color, sex, religion, national origin, age, disability, veteran status or any other protected status in educational activities, scholarship programs or admissions.

**MCLE CREDIT:** This program is approved by the State Bar of Texas for 2.75 hours, no ethics. Course ID Number: 174009593. Credit hours for other states will vary and are subject to each state's approval and credit rounding rules.

For this conference, ITA will directly apply (if requested) for course accreditation in the following states: California, Minnesota, New Mexico, Ohio, Oklahoma, Pennsylvania, Texas and Virginia. Some of these states may not approve a program for credit hours before the program occurs. Attorneys may be eligible to receive CLE credit through reciprocity or attorney self-submission in other states. ITA conferences are typically accredited by all mandatory CLE states.

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