

Women in Arbitration

7 December 2023 | Shangri-La Paris

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Agenda

All times are in Central European Time (UTC+01.00)

09:00-09:30 **Welcome coffee and registration**

09:30-09:45 **Co-chairs' opening remarks**

Domitille Baizeau, partner, LALIVE
Yas Banifatmi, partner, Gaillard Banifatemi Shelbaya Disputes

09:45-10:30 **Fireside Chat: A view from top practitioners**

10:30-11:30 **Arbitration in the context of increasing ESG obligations**

Scrutiny on states and corporations to comply with environmental, social and governance (ESG) demands is intensifying, leading to a corresponding number of disputes. This session will bring together a panel of leading women to discuss how to deal with disputes of this type when they arise and whether arbitration is indeed the right forum to resolve them.

The panel will discuss:

- Issues of interpretation, enforceability, and compliance in disputes with ESG issues
- Is arbitration the proper forum to resolve ESG disputes, in terms of process but also remedies?
- Contracts may impose ESG obligations, including specific representations and warranties, and lead to post M&A disputes, how best to address those?
- What are the international instruments that may be used in this area? How effective are they?
- How to work with in-house counsel and business and human rights lawyers to resolve ESG related disputes?

11:30-12:00 **Coffee break**

12:00-13:15 **“Expectations” – an inter-generational discussion about IA and the secret of personal success**

International arbitration is rarely seen as “just a job”, but is it inevitably a poor lifestyle choice? Is there more demand for a genuine work life “integration” across the legal profession and what does it look like for arbitration practitioners of all generations? What is the impact of ESG

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obligations on the practice of arbitration? What about challenges posed by AI and other changes in technology? These and other questions are starting to divide international arbitration groups across law firms, often but not always across generational and age-lines.

In this new format, our moderators will host a roundtable discussion among representatives from different generations on some of the fault lines that may exist within the practice of international arbitration and see if more consensus can be found.

Topics addressed and that are expected to divide opinion include:

- How hard is it acceptable to work and for what purpose? Have client demands changed?
- Does the environmental impact of the practice of arbitration matter? What can realistically be done to reduce it?
- With AI, what will learning about the job look like for upcoming/junior arbitration practitioners?
- What does it really take to get ahead? What does it mean to get ahead?

13:15-14:15

Networking lunch

14:15-15:30

Arbitration in the mining sector: latest trends and challenges

Mining – in particular of critical minerals such as Lithium – is booming and with it, mining disputes. The sector faces rising demand as well as increasing disruptive geopolitical challenges, in addition to ever increasing pressure for responsible sourcing and processing in line with the required transition to green energy. Resulting disputes are now broad ranging.

A panel of lawyers, industry experts and mining industry representatives will explore a range of topics affecting the sector including:

- What are the current challenges facing the mining industry?
- Whether and why resource nationalism may be on the rise
- How are mining companies structuring their investments to protect their assets?
- Remedies for investors outside investment protection treaties

15:30-16:00

Coffee break

16:00-17:00

GAR Live Horizons: a conversation with leading female specialists from the Middle East

In one of our traditions for GAR Live: Women in Arbitration, we spotlight leading women from a particular region and ask them to share their experiences and challenges. This year, GAR is pleased to welcome practitioners from across the Middle East to share their views on topics discussing the impact and challenges arising out of the region.

17:00-17:15

Co-chairs' closing remarks

Domitille Baizeau, partner, LALIVE

Yas Banifatmi, partner, Gaillard Banifatemi Shelbaya Disputes

17:15-18:15

All delegates are invited to join us at an all-conference dinner, kindly hosted by AlixPartners