

# GAR Live: Women in Arbitration



7 December 2023, Shangri-La Paris

Showcasing the female future of arbitration

## PROGRAMME

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 Banifatemi, partner, Gaillard Banifatemi Shelbaya Disputes

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

Paula Hodges KC, head of global arbitration practice, Herbert Smith Freehills

Carole Malinvaud, partner, Gide Loyrette Nouel

### Interviewer:

Diana Paragatcuto-Mahéo, partner, Foley Hoag

**10:30-11:30** Arbitration in the mining sector: latest trends and challenges

Mining – in particular of critical minerals – is booming and with it, mining disputes. The sector, including deep sea mining, 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 and giving rise to disputes?
- Whether and why resource nationalism may be on the rise and what that means for arbitration.
- Are mining companies structuring their investments to protect their assets effectively?
- Remedies for investors outside investment protection treaties
- Are there specific tricks to the valuation of mining assets/damages?

### Moderator:

Crentuga Leaua, founder, Leaua Damcali Deaconu Paunescu

### Panel:

Nadya Berova, senior legal counsel, Barrick Gold Corporation

Naomi Briercliffe, partner, Squire Patton Boggs

Anna Meyendorff, partner, Bates White

**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 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?

### Moderator:

Domitille Baizeau, partner, LALIVE

### Panel:

Ana Atallah, partner, Reed Smith

Marie Berard, partner, Clifford Chance

Nil Daver, associate, Mayer Brown

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Marina Matousekova, partner, Talma Dispute Resolution

**13:15-14:15      Networking lunch**

**14:15-15:30      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 are expected to 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?
- Do these issues raise specific valuation challenges?
- 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?

Moderator:

Gaëlle Filhol, partner, Pinsent Masons

Panel:

Anne-Marie Hitchin, director, AlixPartners  
Lydia Méziani, legal director, Nestlé France  
Kate Parlett, barrister, Twenty Essex  
Miriam Schmelzer, barrister, 3VB

**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.

Moderator:

Yas Banifatemi, partner, Gaillard Banifatemi Shelbaya Disputes

Panel:

Sara Koleilat-Aranjo, partner, Morgan Lewis  
Amani Khalifa, partner, Freshfields Bruckhaus Deringer  
Dalia Hussein, deputy director, Cairo Regional Centre for International Commercial Arbitration (CRCICA)

**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 a networking drinks reception, kindly hosted by Foley Hoag**

**18:15-onwards    All delegates are invited to an all-conference dinner, kindly hosted by AlixPartners**