

**Law, Justice and Development Week 2021—**

**Law, Racial Equity and Development**

**November 8-11, 2021 Virtual: The link is:**

<https://www.worldbank.org/en/events/2021/08/01/law-justice-and-development-week-2021>

***World Bank - Law, Justice and Development Week 2021***

**ICSID Panel**:  Building Diversity in International Dispute Settlement

**Date**: Tuesday November 9, 2021, at 2:00 PM EST

**Panelists:**

* Dr. Kabir Duggal, Senior International Arbitration Advisor, Arnold & Porter
* Ms. Mélida Hodgson, Partner, Jenner & Block
* Prof. Homer C. LaRue, Professor of Law, Howard University School of Law
* Prof. Emilia Onyema, Professor of Law, SOAS University of London
* Mr. Baiju Vasani, Partner, Ivanyan & Partners

**Panel Description:**

There is increasing awareness of the importance of diversifying the pool of adjudicators for international dispute settlement.

One of the five organizations that comprise the World Bank Group, the International Centre for Settlement of Investment Disputes (ICSID) is the leading institution for the resolution of disputes between foreign investors and host States. ICSID has administered the vast majority of international investment disputes—involving States and investors from all regions of the world. To ensure that those who decide ICSID cases also reflect this global makeup, ICSID has taken concrete steps to expand and diversify the pool of qualified adjudicators in the field of international investment law. Other courts and institutions have also taken up the issue, identifying new opportunities and initiatives to promote diversity in international dispute adjudication.

The need for concerted efforts to promote diversity have been underscored by surveys of the international legal community. In a 2018 survey by Berwin Leighton Paisner, 80% of survey respondents thought that tribunals contained too many white arbitrators, 64% felt that there were too many arbitrators from Western Europe or North America, and 84% felt that there were too many male arbitrators. To similar effect, the 2021 White & Case International Arbitration Survey indicated that less than a third of respondents believe there has been sufficient progress in respect of geographic, age, cultural and ethnic diversity, although more than half feel that there has been progress regarding gender diversity on arbitral tribunals in the last three years.

This proposed roundtable will explore the issue of diversity in international dispute settlement and would consider:

* Why is diversity of adjudicators important? What is the effect of an absence of diversity among adjudicators on the dispute settlement process and outcomes?
* What concrete steps can be taken to diversify the pool of adjudicators? What initiatives have succeeded and what efforts are underway?  Who is responsible for these efforts?

**About ICSID**

ICSID is the world’s leading institution devoted to international investment dispute settlement. It has extensive experience in this field, having administered the majority of all international investment cases. States have agreed on ICSID as a forum for investor-State dispute settlement in most international investment treaties and in numerous investment laws and contracts.

ICSID was established in 1966 by the Convention on the Settlement of Investment Disputes between States and Nationals of Other States (the [ICSID Convention](https://icsid.worldbank.org/en/Pages/icsiddocs/ICSID-Convention.aspx)). The ICSID Convention is a multilateral treaty formulated by the Executive Directors of the World Bank to further the Bank’s objective of promoting international investment. ICSID is an independent, depoliticized and effective dispute-settlement institution. Its availability to investors and States helps to promote international investment by providing confidence in the dispute resolution process. It is also available for state-state disputes under investment treaties and free trade agreements, and as an administrative registry.

ICSID provides for settlement of disputes by conciliation, arbitration or fact-finding. The ICSID process is designed to take account of the special characteristics of international investment disputes and the parties involved, maintaining a careful balance between the interests of investors and host States. Each case is considered by an independent Conciliation Commission or Arbitral Tribunal, after hearing evidence and legal arguments from the parties. A dedicated ICSID case team is assigned to each case and provides expert assistance throughout the process. More than 700 such [cases](https://icsid.worldbank.org/en/Pages/cases/AdvancedSearch.aspx) have been

administered by ICSID to date.

ICSID also promotes greater awareness of international law on foreign investment and the ICSID process. It has an extensive program of publications, including the leading *ICSID Review-Foreign Investment Law Journal* and it regularly publishes information about its activities and cases. ICSID staff organize events, give numerous presentations and participate in conferences on international investment dispute settlement worldwide.