

Kluwer Arbitration Blog

ICCA Edinburgh 2022: “Arbitration’s Age of Enlightenment”

Lucy Reed (International Council for Commercial Arbitration) · Sunday, September 18th, 2022



The 2022 ICCA Congress kicks off today in Edinburgh. Together with our Host Committee, the Scottish Arbitration Centre, and my Congress co-chair and immediate past ICCA President Gabrielle Kaufmann-Kohler, it is an honor to declare the XXVth ICCA Congress officially open!

Arbitration’s Age of Enlightenment?

The XXVth ICCA Congress has been seven years in the making, starting in 2015 with the bidding process to host the 2020 ICCA Congress (as it was then scheduled). At the closing ceremony of the last Congress in Sydney, in 2018, our Scottish hosts invited us to “look to Scotland” and take part

in spring 2020, in arbitration terms, in the “blossoming of a new Scottish enlightenment”. After three postponements due to the Covid-19 pandemic, we are thrilled to welcome over 1,300 delegates, some 80 speakers and moderators, and more than 50 exhibitors from every part of the globe. This looks to be the highest ICCA Congress attendance ever, proving just how important it is for us to see each other in person again.

The theme of this year’s Congress is “Arbitration’s Age of Enlightenment?”, an appropriate tribute to the host city of Edinburgh and the Scottish Enlightenment. Hailed as one of Scotland’s most innovative periods, the Scottish Enlightenment was an age in which the old order was challenged, and new ideas led to accelerated progress in numerous fields of human civilization. Similarly, albeit modestly, by raising the question of arbitration’s age of enlightenment, the Congress Program Co-Chairs Cavinder Bull, Loretta Malintoppi and Constantine Partasides invite us to discuss the progress made in the field of arbitration thus far and its role in the global system of law going forward.

The [Congress program](#) reflects this objective. The panels, adapted to keep up with events over the past two years, will touch upon questions such as the impact of new technologies on international arbitration, the state of our field and its most pressing issues, the cross-fertilization of international arbitration and other disciplines, regional perspectives from Africa, the Americas, Asia, Europe and the Middle East, and the future of investment arbitration. We also look forward to the opening keynote addresses by prominent former Canadian diplomat, Justice of the Supreme Court of Canada, High Commissioner for Refugees, Chief Prosecutor for the Yugoslavia and Rwanda Tribunals and Senior Counsel at BLG Louise Arbour, and the closing address by Lord Carloway, Lord President of the Court of Session and Lord Justice General of Scotland.

Importantly, ICCA and the Host Committee will mark the passing of Her Majesty Queen Elizabeth II, and have adjusted the programming to enable delegates to follow the official State Funeral on Monday, 19 September.

The next blog posts in this special ICCA Congress series will report on the highlights of each Congress Day and offer analyses of the cross-cutting issues addressed across panels during the Congress.

ICCA Congresses through the Years

ICCA is a global non-governmental organization devoted to promoting the use and improving the processes of arbitration, conciliation and other forms of international dispute resolution. Today, its main activities include [Congresses](#), [specialized publications](#), [projects](#) and [judicial outreach](#). The ICCA Congresses are the largest regular gatherings on the international arbitration calendar. Held biennially (except in pandemics!), the Congresses are a time to reunite and connect with colleagues old and new. They also provide an opportunity to welcome emerging practitioners onto the arbitration scene.

ICCA was founded in 1961, the same year its first Congress was held in Paris. Since then, ICCA has held Congresses on every continent, striving for geographic diversity and representation. Today, ICCA Congresses aim to showcase their host countries as arbitration seats and stimulate the practice of international arbitration at the host venue. The four Congresses held in the last decade took place in [Singapore](#) (2012), [Miami](#) (2014), [Mauritius](#) (2016) and [Sydney](#) (2018), which are all

increasingly recognized as emerging hubs for international arbitration.

ICCA Projects Featured in Edinburgh

ICCA Congresses are the ideal occasion to showcase ICCA's latest initiatives. At ICCA Edinburgh, delegates can expect a series of project launches from ICCA's task forces and working groups.

On the morning of the first Congress day (Monday 19 September), the [ICCA-ASIL Task Force on Damages](#) will present their [Damages in International Arbitration \(DIA\)](#) application. Launched in the fall of 2021, this web- and smartphone-based app provides practical guidance on the key legal, quantitative and procedural issues implicated in quantifying damages in international arbitration. The objective of the Task Force is to promote rigor and consistency in our field's approach to this critical stage of an international arbitration. Delegates will have the chance to experiment with the app and take part in a discussion lead by Task Force Co-chairs Catherine Amirfar and Gabrielle Nater-Bass.

At a lunch symposium on Monday, the [Working Group on Cybersecurity in International Arbitration](#) will present its [2022 Protocol on Cybersecurity](#). The product of a collaboration between ICCA, the New York City Bar Association and the International Institute for Conflict Prevention and Resolution (CPR), the Protocol serves as a set of guidelines on reasonable security measures for users of arbitration, counsel, arbitrators and arbitral institutions. The Protocol was launched in November 2019 and has become even more necessary in the wake of the Covid-19 pandemic and the shift to virtual proceedings. Brandon Malone, Chair of the Working Group (and member of the Congress Host Committee) will host a lunch event and present delegates with the new features of the 2022 Protocol.

On Monday evening, the [ICCA Task Force on Standards of Practice in International Arbitration](#) and Co-chairs Abby Cohen Smutny and Guido Santiago Tawil will be hosting a small get-together to acknowledge the recent release of the [Guidelines on Standards of Practice](#), meant to serve as guiding principles of civility, taking into account the many cultures and situations in which international arbitration is employed. Readers can also listen to Abby discuss the work of the Task Force in a prior [episode](#) of Kluwer's International Law Talk podcast series.

On the second Congress Day (Tuesday 20 September), ICCA's [Diversity and Inclusiveness Committee](#), chaired by Sylvia Noury, will be hosting a breakfast with the [Cross-Institutional Task Force on Gender Diversity in Arbitral Appointments and Proceedings](#), chaired by Carolyn Lamm. The Committee will discuss ICCA's diversity policies and explore the way forward. The Task Force will also be presenting an updated version of its 2020 [report](#) on recent statistics on the appointment of female arbitrators in international arbitration, as well as best practices to promote gender diversity in our field.

At lunchtime on Tuesday, we will turn our attention to the topic of data protection. The [ICCA-IBA Joint Task Force on Data Protection in International Arbitration](#), co-chaired by Kathleen Paisley and Melanie van Leeuwen, will release the official ICCA-IBA Roadmap to Data Protection in International Arbitration. Delegates will learn about key data security concerns in arbitral proceedings and contribute to a discussion on the practicalities of applying data protection rules during an arbitration, using practical examples from the Roadmap.

Finally, on the third Congress day (Wednesday 21 September), the co-editors of ICCA's comparative research project "[Does a Right to a Physical Hearing Exist in International Arbitration?](#)", Giacomo Rojas Elgueta, James Hosking and Yasmine Lahlou, will host a breakfast event to celebrate the release of their [general report](#) analysing the multi-jurisdictional survey conducted in [78 national jurisdictions](#) on whether a right to a physical hearing exists in international arbitration. The general report will be published along with a set of essays exploring the interaction between remote hearings and fundamental conceptual issues in international arbitration.

A Renewed ICCA – Kluwer Arbitration Partnership

ICCA is proud to announce the renewal of its ongoing relationship with Kluwer Arbitration. Kluwer Arbitration has been the exclusive publisher of ICCA's specialized arbitration publications for many years, namely: the [ICCA Yearbook Commercial Arbitration](#), a key source of information concerning international arbitration jurisprudence; the [ICCA International Handbook on Commercial Arbitration](#), a comprehensive guide to arbitral law and practice covering over 85 countries; and the [ICCA Congress Series](#), a compendium of papers and keynotes presented at every ICCA Congress since 1982. The papers presented in Edinburgh will be published in the 21st edition of the Congress Series and distributed to all Congress delegates. These and [other ICCA publications](#) are prepared with the assistance of the Permanent Court of Arbitration.

Opening the Doors to International Arbitration

Diversity and inclusiveness are central ICCA values. ICCA's branch of over 8,000 young practitioners worldwide, [Young ICCA](#), will be hosting a mentorship lunch during the Congress and a Young ICCA event on Wednesday after the close of the official Congress. For the first time, the winner of the inaugural [Young ICCA Essay Competition](#) will be speaking at the Congress session on "Arbitration's Printing Press".

We have spearheaded initiatives to open Congress attendance to a broader audience of younger and diverse practitioners. For the first time, through the [ICCA Inclusion Fund](#), twenty-three ICCA and Young ICCA members have received funding to travel to and attend the Congress. ICCA and the Scottish Host Committee have also supported the [Karl-Heinz Böckstiegel Foundation](#) to offer young academics the funding necessary to attend. Finally, ICCA has awarded delegate status to the recipient of the inaugural [ICCA-Guillermo Aguilar-Alvarez Memorial Prize](#), the individual under 40 who wrote the best published work on international arbitration, to be announced at the Congress.

And that is not all. I will have the pleasure of announcing the recent launch of the [ICCA Johnny Veeder Fellowship Program](#) at our gala dinner on Tuesday night. These new Fellowships will provide "micro-grants" to allow qualified recipients to pursue study, internships, research and writing projects or other one-off projects in the field of international arbitration.

Finally, in the spirit of maximizing inclusiveness, ICCA will be making all session recordings available shortly after the Congress free of charge on the [ICCA website](#).

The road to Edinburgh has been filled with twists and turns, highs and lows. But we made it! On behalf of ICCA, I welcome all who are here in person and invite you all to follow Congress coverage on the Kluwer Arbitration Blog over the next few days and weeks.

Follow along and see all of *Kluwer Arbitration Blog*'s coverage of ICCA Edinburgh 2022 [here](#).


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The graphic features a black background with white text and a circular icon. The icon depicts a group of stylized human figures, with one figure in the center being magnified by a magnifying glass. The background is accented with horizontal lines in blue and green.

This entry was posted on Sunday, September 18th, 2022 at 11:26 am and is filed under [Diversity](#), [ICCA](#), [ICCA Edinburgh 2022](#), [Scotland](#), [sociology of international arbitration](#). You can follow any responses to this entry through the [Comments \(RSS\)](#) feed. You can leave a response, or [trackback](#) from your own site.

