

CAREER TIPS FOR WOMEN IN INTERNATIONAL ARBITRATION

This handout was compiled from comments of successful women at various levels of seniority and phases of life, working in different continents and legal systems across a diverse spectrum of careers in international dispute resolution, including private practice, arbitral institutions, courts, academia and legal publishing.* We have summarized and/or quoted their insights, advice and practical tips and collected them under 7 recurring and inter-related themes:

1. Be substantively excellent and reliable

- “Do good work wherever you go. Treat small, less exciting assignments with the same seriousness as larger, more exciting ones.” “Ensure excellence in work product at all times – there is no margin for error. This entails hard work and can be exhausting, but is the reality of modern international arbitration practice.”
- “Start with a robust academic education in private law and international law (international arbitration can be learnt thereafter through private practice or otherwise).”
- “Be rigorous when preparing your case and open-minded (know your facts, the law, the evidence, know your arbitral tribunal who can be made up of arbitrators with various legal backgrounds). Get advocacy experience as soon as possible (moot, arbitration-related court litigation and arbitration)”
- “Ensure your knowledge. Know your field well. If you have gaps in your knowledge or you are rusty, study.”
- “Work hard, be passionate about the field, be sensitive to other cultures and prepare to travel.”
- “Be responsive, manage your time, proofread everything, be a problem solver. Do not come to people with problems without first thinking of solutions to propose.”
- “Be respectful of others’ time, do not ask for extensions at the last minute”.
- “Unless absolutely necessary, don’t hit ‘reply-all’ on emails.”
- “Don’t make life difficult for the more senior person that you report to. Be flexible and easy to work with. Think about what you would find helpful if you were in their position. Rather than waiting for them to tell you what to do, make proactive suggestions about what you might do to assist them. Whilst your suggestions won’t always be adopted, it shows a willingness to help which most senior people are very grateful for as they are time poor. Also remember that the senior person (hopefully) has a life outside work and take that into account when you are working with them.”
- “In international arbitration, your reputation is everything. This applies to the quality of your work product and your professionalism, the way you interact with others and your integrity.”

2. Be visible and actively engage with the professional community

- Hard work and excellence (point 1 above) is necessary but NOT enough!
- “Be visible. Don’t think that by keeping your head down and working hard, it’s enough.”
- “Do not assume that if you do good work and sit in your office someone will notice and come and find you. Get out there and let people know (without being obnoxious).”
- “Get amongst it. Volunteer to write, help someone prepare for a conference, organize, speak, do internships or fellowships etc. The more you do, the more you learn, the more people you will meet, the more opportunities will come your way.”
- “Networking counts – go to conferences, coffees, lunches, dinners. You never know where someone will end up over the course of their career, including you.”
- “Your generation are future clients, conference organizers, appointers of arbitrators”
- “Getting actively involved in a young arbitration practitioners’ group is a great way of further building your arbitration knowledge and network.”
- “When you go to a conference, don’t huddle in your comfort zone with people you already know, set yourself a goal (e.g. ask 1 question, meet 5 new people)”
- “Talk to as many people as you can about what interests you (if people know, they may remember and connect you when they hear of an opportunity)”
- “Be your own best strategist and advocate. Make meaningful personal relationships. In study after study, women report that they believe that keeping their heads down and doing good work is the best way to get noticed and get ahead; they are often reluctant to self-promote and discount the importance of professional relationships.”

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3. Be mentored by role models and be a mentor to others

- Mentor and be mentored. Up, down and across.
- “It is important to have a range of female ‘mentors’ from both inside your organization (if possible) and outside... the term ‘mentors’ can sometimes be understood to mean some formal, acknowledged relationship. But I am talking about women you look up to, who may be a few or many steps ahead of you in terms of career, but who have been through the things that you might experience at any given time, and who you can call on to have lunch, a coffee or just a chat on the phone when required... For advice for everything ranging from what brand of breast pump is best for the office, to whether doing a hearing with a 2 month old baby is feasible, and how to manage such things. If the thing you need advice on is related to your organization being able to run a ‘hypothetical’ by someone removed from the situation is valuable. Similarly, there are some things that only someone within your organization will know enough about to be really helpful. You need both. These interactions foster a network of people who know you well and support you.”
- “Identify role models and make contact with them.” “Look for female examples and mentors. It is empowering to watch a killer woman. And you can learn a lot from other women’s experiences.”
- “Be a sponge – watch more senior people and how they go about their jobs. Watch both men and women. Adopt what you like about how they do it if you think you could carry it off and ignore the things that you don’t think appropriate or your personality is not well suited to.”
- “It was extremely precious to have the opportunity as a junior lawyer to work with several recognized arbitration specialists, whom I could learn from and who have supported me throughout my career.”
- “It’s great to have a mentor, but not having one is neither a personal failing nor an insurmountable problem – think about what you would hope to gain through having a mentor, and then how you might get those same things without one.”
- “Take care of your professional relationships. They last a long time.”
- “Be generous to those less important or successful than you are. Good mentoring and a generous attitude to colleagues and students often comes full circle.”
- “In addition to mentoring (up or down), support and find support in your peers (e.g., if you’re invited to publish/speak but can’t take it, volunteer the name of another woman of similar experience to replace you ‘I’m afraid I can’t do it but X is great, she has done Y and has a special interest in Z’).” “Watch out for your sisters!”
- “Even in academia, so many opportunities present themselves as a result of relationships. They are tremendously important in so many ways for your professional development, as well as the personal challenges that come with a career ... what is classically described as ‘networking’ ... strikes me as false, empty, and a cheap and calculating form of personal exploitation ... Instead, make real relationships with people you respect, and give them reasons to understand your strengths and respect you. Some of your most important relationships are not with the superstars you come across at a cocktail party, but with peers (who will grow into superstars), and even junior mentees. If you are always only climbing the ladder, the view looking up is not so good and you will miss some of the most personally and professionally rewarding relationships.”

4. Have confidence to put yourself forward and be conscious of the way you present yourself

- “Put yourself forward... that might be partly a personality thing, and some people will feel less comfortable about it than others, but it is important to: 1. say when you can do something, and ask for responsibility to do it (of course, then you have to deliver); 2. expect and take a seat at the table with the big kids, instead of waiting in the shadows; 3. offer more – when you see opportunities, don’t be shy in suggesting yourself for them (or just taking them, where possible).” “Do not wait to be called upon.”
- “Get out of your comfort zone! Challenge yourself time and again. This is another area where research shows time and again women fall behind men, and we need to be conscious of that and overcome it.”
- “Have confidence in yourself – if you don’t, no one else will. Also, don’t be afraid to show that you have confidence in yourself – it’s all too easy to sit in meetings and hear other people making points that you had thought of but were too shy to voice (or considered too basic).”
- “Don’t be afraid to be vocal. If you feel a comment should be made – then make it. Phrase things in a constructive manner, but make yourself heard.” “Be assertive. Say you can do it, don’t fall into female self-doubt.”
- “Say yes when you are asked to do something that you think is beyond your capabilities. Don’t wonder why you’ve been asked or what people see in you, just give it a go. Women tend to underestimate their professional capabilities. It’s likely that others will assess your capabilities better than you. What’s the worst that can happen? You probably end up going back to what you were doing before or something different that will present new and exciting challenges.” [Sandberg: “Studies show that women systematically underestimate their own abilities. Men attribute their success to themselves. Women attribute their success to others, someone helped etc.”]
- Some behavior and language deflects from others’ impression of your confidence, examples below.
- “Don’t apologize unless you’ve done something wrong.”

- “Do not apologize for taking up somebody’s time (‘sorry to bother you’ etc…) rather just ask if the person can speak to you at that moment, and then thank them for their time afterwards.”
- “Try not to giggle when presenting or chairing a meeting. This may reflect nerves or personality but could deflect from the impression of seniority/experience/ authority.”
- “Impress with your capabilities, not low-cut shirts or skirts or a flirting attitude. That said, there’s no harm in being likeable.”
- “Sadly, how you dress/look in the office matters. No short skirts, no low-cut tops, minimal make-up. Or rather: wear what you like, but be aware of potential adverse inferences/consequences.”
- Amusing pieces from The Washington Post (<http://wpo.st/VG6X2>) and The Guardian on “talking female”: www.theguardian.com/lifeandstyle/2016/may/03/what-women-shouldnt-say-molly-worthen-female-vocabulary.
- “Be polite and professional at all times, internally and externally – you never know when your opposing counsel or former colleague will become your arbitrator – or potential client.”
- PCA specific: attend legal counsel meetings, be clear and interesting. Do not belabor every description of every single task you’re doing, but don’t fear taking others’ time such that you rush through.
- “Nobody cares more about your career than you”. PCA specific: If there are particular experiences you wish to have (e.g. attend a hearing, an external event, give a guest lecture, assist on project of interest to you) put yourself forward to relevant legal counsel. Nobody is as interested in what you get out of or put into this year as you. During the year try to do at least one assignment for the SG, DSG and range of SLCs. Talk to your assigned mentor about it too, don’t just wait for formal review.
- “Negotiate your contract. Your bargaining position may depend on the market or other factors beyond your control, but if you play cards right and back it up with a track record and some comparables, the worst that can happen is they say no and possibly respect you more.”
- “Take care of your own confidence. You will need it. Without it you will struggle. With it, you will go a long way. Build it through hard work, doing what you are afraid of, and good relationships.”

5. Trust yourself to choose a path that works to your strengths, interests and wishes

- “Get to know yourself. What is it that drives you and what are you naturally good at? E.g., are you a natural advocate or a natural adviser? Value and gear those skills in developing your career – it will help you shape a career that suits you.” “When making career decisions, don’t limit yourself to the most obvious path (e.g. the partnership track). There may be other routes to success.”
- “Careers are not a ladder but a jungle gym.” [Sandberg] “There’s no one way to do things. You don’t need to aspire just to be a partner of a law firm. There are arbitral institutions, academia, government, IGOs and NGOs.”
- “Sometimes you face a hard choice and you really do not know what is the right way to go. It can be deciding to change firms, or to take on something which is going to represent a really significant professional and personal challenge ... [W]hile it’s important to talk to people, it’s also very important to try to quiet the noise around you and look inside yourself and really listen to what you want. Sometimes I think part of you already knows the answer but your logical/rational reasoning part just hasn’t caught up with that yet. I’ve actually even gone so far as to take the decision (or convince myself that I am taking the decision), but then I’ve waited just long enough for me to find out how I feel about the decision once taken. If I feel relief, then it’s probably the right decision. Where I’ve felt anxious/sad/upset/disappointed, it’s because it’s been the wrong choice, and I’ve ended up choosing to go the other way.”
- “Don’t underestimate yourself. Where you can rise to the challenge, do it. Yes, it can mean more work, and it can mean other sacrifices too, but it’s also those moments that define you, which make you stand out, and that make you feel proud about what you are capable of achieving. For me, one of these was choosing to return to work to do a hearing in an investment case I’d been working on for 2 years, which was 6 weeks after my second child was born. My brain told me it was not going to be possible. And I was so focussed on that that I never sat down to ask myself what I wanted to do, and the truth was that I wanted to do the hearing. It was not an all or nothing decision. I was able to find a part of the hearing that was manageable. It required ridiculous amounts of organization and support from family and colleagues. But I had been wrong about it being impossible.”
- “Make sure you are not charged with bringing the coffee, but don’t overdo it on assertiveness either. In the U.S. in particular, I lately see a lot of junior women trying to assert themselves at every possible corner, and that’s not helping you either. Use your good judgment on when the time is right for you to assert yourself.”
- “The world is before you, and you need not take it or leave it as it was when you came in.” [J. Baldwin 1924-87]
- “It’s important to make the most of every opportunity that comes your way – ‘seizing the day’ – and not stressing about how you will manage everything in the future as life changes. Building up experience and a reputation gives you more options in the future, and more confidence to think about and talk about doing things differently.” [this goes to achieving work/life balance, the next theme...]

6. Get a work/life balance (kids or no kids)

- “Structure your life so that it serves you well in terms of your well-being. As well as work, exercise, rest, have fun. Your work will be better for it.” . . . “Ensure you take care of your health, eat well and exercise – this has become a standard element of all senior management training, and applies just as much if not more to women!”
- “Before you have kids, do long hours, publish, do conferences, say yes, build a reputation so that for the years when you have small children you have credit in the bank and can afford to ride on that and say no for a while and you’ve built up sufficient trust from superiors to negotiate flexibility.” “Don’t leave before you leave,” “keep your foot on the gas pedal until the very day you need to leave to take a break for a child.” [Sandberg]
- “Learn the art of delegation. The initial investment of time and energy sometimes pays off. Sometimes it doesn’t but it’s really worth it when it does.”
- “When you become a parent you become super organized and efficient” . . . “Workers who have a reason to get home are more efficient, more results focused, have a wider range of experiences and contacts. Caregiving develops patience, resilience, adaptability, creativity [and] should be valued as much as bread-winning.” [Slaughter]
- “Make your partner a real partner (housework, childcare) make it important for people of both genders to work in the home” [Sandberg]. “We will get work-life balance when dads demand it too.”
- “I wish I had considered more carefully the amount of foreign travel if you choose international arbitration. This can be seen as a positive or a negative!” . . . “The prospect of travel becomes less glamorous and more logistically challenging when you have kids. Get it out of your system before kids, and later you can pick and choose travel opportunities according to your own rules and priorities.”
- “If you do have children and combine work with a family, make excellent child care arrangements. This means arranging for a bit more than you think you may need (a meeting or trip often takes longer than planned), and having backups available. Avoid being the person always running out of a meeting early to pick up a child.”
- “Choose your commitments and your appearances wisely. As your career develops, you may receive more invitations and requests than you can manage – prioritise those that are either important to you in terms of content, or will give you exposure.” . . . “Guard your time. Do ‘get into it’ [see point 2 above] but also say no when you have enough on your plate so you can produce quality.”

7. Tune into systemic issues and do your bit to address them

[See separate statistics handout, please note today’s seminar will not focus on these issues, a future seminar might do.]

- “Be aware that despite the equal representation pledge, arbitration is still a male dominated world!”
- “Women are not making it to the top of any profession anywhere in the world.” [Sandberg]
- “In AA cases where we do the list procedure, actively consider female candidates. There are many excellent ones out there. Parties have final say, but getting the names before them will attune them to the names.” “If you work at a firm that has been asked to propose candidates, and client or senior partner puts forward only males, pull them up on it, ask why no women, and propose some good names.”
- “For arbitrator appointments, make yourself known to the institutions. They want more females. Introduce yourself. Send your CV. If you’re junior, have a more senior person make the introduction.”
- “Many of the issues we face are not unique, and they have been thoroughly researched and analyzed. Go to events focusing on this topic and read up on the literature. You will realize that a lot of the challenges you face are gender-based and there is a lot of information and tips out there on how to deal with them. And they work. For instance, I have become a lot more conscious of the fact that I over-analyze everything I do and am too critical of myself. An off remark that, if a man had made it he would have forgotten about five minutes later, can haunt me for hours or days. I am conscious that this is a typical female trait, and one that holds us back, and so I consciously try to overcome it – and with ups and downs do feel that I am succeeding.”
- “Avoid falling into gendered role expectations, even on small things.” . . . e.g., “Don’t get the coffee for everyone in meetings.” Men, step up and do not expect the women to get the coffee for everyone!”
- “Within law firms there’s a dearth of women partners. We heard of women being told to ‘wait yet another year’ and that partnership for men is based on ‘promise’ of future performance; whereas for women it is based on ‘proof’ of past performance. Obviously the culture and business of the firm will make a difference, as will the society and even national laws where you work (e.g., some made partner while pregnant, others heard of lawyers being told not to come back after maternity leave, which would be illegal in some places).”
- “Be conscious of the unique challenges that being a woman represents but try not to have a chip on your shoulder. Ultimately, we need to work together with men and we get further ahead by good relationships with men and women.” “Most men mean well and a lot of the bias is truly unconscious. Help men realize and overcome these biases in a constructive way.” . . . “Humor helps”.
- “The realisation amongst the professional community about the need to increase the number of women speaking at conferences, serving as arbitrators, etc can be to your advantage. Make the most of it.” “See being a woman overall as an advantage rather than a disadvantage. You stand out and will be remembered, more than the ten men in the room, and that is a good thing. So own the difference.”