

Candidate Statement

Ann Ryan Robertson, FCI Arb



I am humbled and honored to be a nominee for President of the CI Arb.

Twenty years ago, I chose to become an ADR practitioner after realizing that there were better means of resolving disputes than trial. I act as an advocate in domestic and international arbitration, sit as arbitrator, teach international arbitration and coach a Vis Moot team. The importance of ADR is a message I constantly reiterate to clients and colleagues. This message is perhaps more important now than ever before.

ADR is experiencing the best of times and the worst of times.

Step clauses calling for mediation before arbitration have become commonplace. Many arbitral institution rules, such as the newly amended rules of DIS, encourage or require mediation. UNCITRAL has approved the final draft of the convention for the enforcement of international settlement agreement, a corresponding model law, and a resolution naming the convention the “Singapore Mediation Convention.”

The number of countries acceding to the New York Convention continues to increase, with Angola, Cabo Verde and the Sudan being among the latest signatories, a recognition of the growing importance of Africa as a commercial center. South Africa adopted a new International Arbitration Act; the OHADA Council of Ministers adopted three new texts on arbitration and mediation; and the Nigerian Arbitration and Conciliation Act (Repeal and Re-Enactment) Bill 2017 is wending its way through the legislative process.

There are similar encouraging activities elsewhere, the following are but a few examples. After several years of Caribbean capacity building, the BVI and Jamaica each not only has adopted new arbitration laws based on the Model Law but also established arbitration centers. The UAE has similarly issued its long awaited arbitration law based on the Model Law. Established arbitral institutions are entering into cooperation agreements, such as HKIAC’s recent agreement with the Mongolian International and National Arbitration Center. The UK, not surprisingly, continues to play a vital role in shaping the alternative dispute resolution landscape. These are the best of times.

At the same time, it is the worst of times. Alternative dispute resolution is under daily attack. Transparency and inclusion are resounding issues, the arbitrator selection process is subject to criticism, and countries are renouncing investment treaties and calling for the creation of investment courts. In Europe, overshadowing ADR are the *Achmea* case, the European Commission and the possible impact of Brexit.

It is against this tumultuous background that the CI Arb President must act as an ambassador, delivering the message that ADR remains just as relevant today as it did 103 years ago when the Institute was founded and promoting the values and unique attributes of the CI Arb.

To be an effective ambassador for the CIArb, the President must be knowledgeable about ADR on a global level while acknowledging the CIArb's British foundation, be an effective speaker, understand the needs of the Institute's membership and be culturally sensitive. I have these qualifications.

As a professor teaching international arbitration, I am a student of the evolution of ADR. As an advocate, I have represented clients with diverse backgrounds, appeared before tribunals in a variety of places and grown to appreciate the similarities and differences in our respective legal and personal cultures. As a resident of Houston, Texas, the most diverse city in the United States, where over 145 languages are spoken, I interact on a daily basis with people from across the globe. As an arbitrator, I have experienced first-hand the responsibilities of presiding over disputes. My experiences are vast and many, and I pledge to use that experience to further the interests and objectives of the Institute.

But the role of President is not only to look outward but also inward. While the role of President is purely ambassadorial, the President, by sharing the concerns of the membership, can be a vital complement to the Board of Trustees and the Executive. I will be a vital complement.

If elected, I pledge to continue the impressive work done by previous Presidents in raising and protecting the Institute's profile, which inures to the benefit of all members, no matter where located, to respect the membership and to devote the time and energy necessary to meet the challenges ahead for the Institute, its members and the field of ADR. In supporting me you support a candidate who is approachable, inclusive and credible. I thank you for your support.