

# DIS

## DIS-ERA Pledge Gender Champion Initiative 13.01.2020

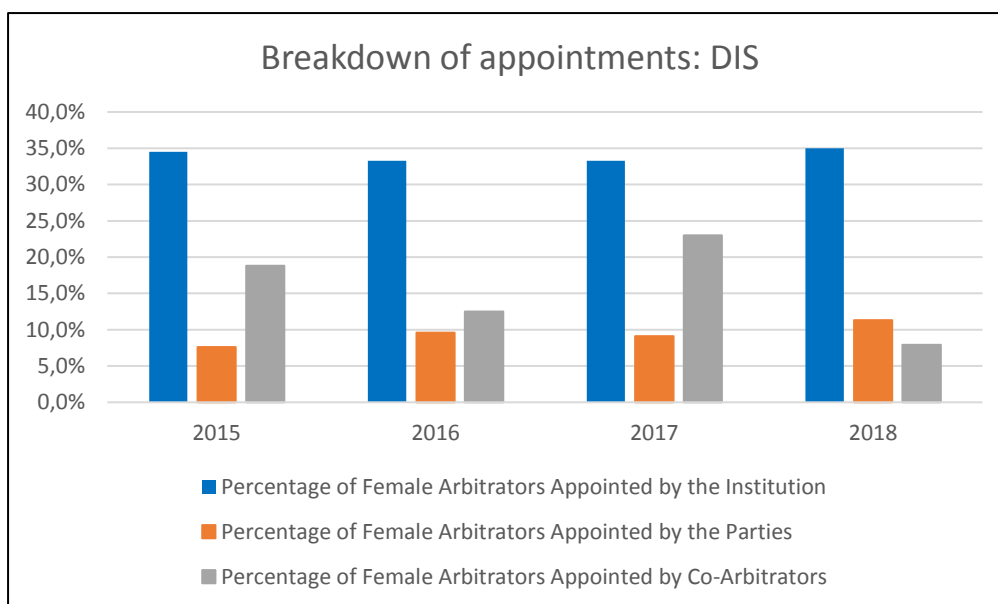
### A. Background

1. DIS is signatory to the ERA Pledge. ERA Pledge is collecting statistical data on arbitral appointments from signatory arbitral institutions. More specifically, ERA Pledge requests data concerning the appointment of female arbitrators by the institution itself, as well as the appointments made upon nominations by parties or by co-arbitrators under the institutions' arbitration rules. ERA Pledge uses the following table for institutions to complete:

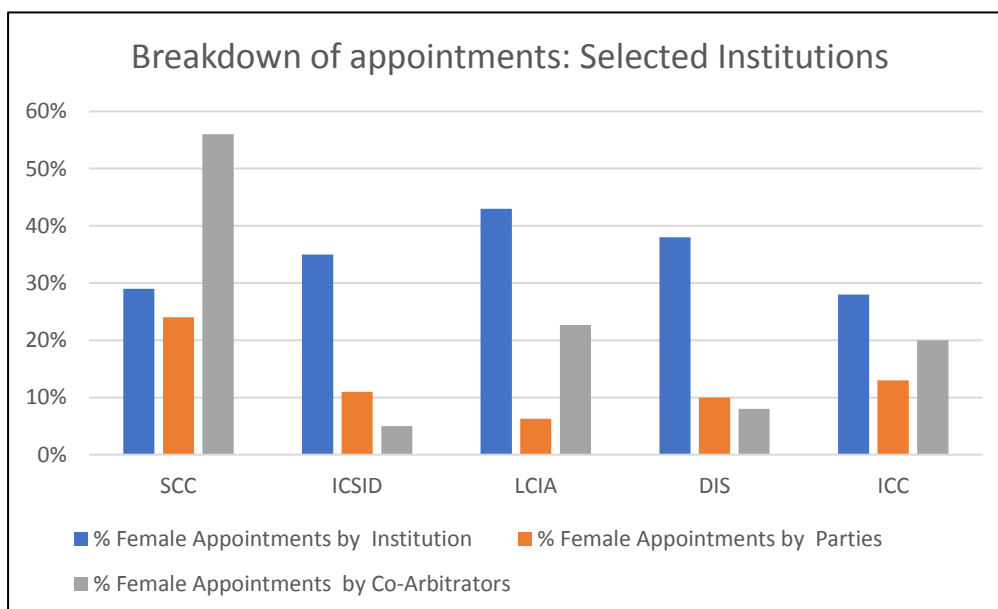
Year	Arbitral Institution	Number of Arbitrators Appointed by Institution	Number of Female Arbitrators Appointed by Institution	Percentage of Female Arbitrators Appointed by the Institution	Number of Arbitrators Appointed by Parties	Number of Female Arbitrators Appointed by Parties	Percentage of Female Arbitrators Appointed by the Parties	Number of Arbitrators Appointed by Co-Arbitrators	Number of Women Appointed by Co-Arbitrators	Percentage of Female Arbitrators Appointed by Co-Arbitrators	Total Number of Male Arbitrators	Total Number of Arbitrators Appointed	Total Number of Female Arbitrators	Total Percentage of Female Arbitrators

2. DIS has provided the requested data on a yearly basis. The DIS statistics read as follows:

Year	Arbitral Institution	Number of Arbitrators Appointed by Institution	Number of Female Arbitrators Appointed by Institution	Percentage of Female Arbitrators Appointed by the Institution	Number of Arbitrators Appointed by Parties	Number of Female Arbitrators Appointed by Parties	Percentage of Female Arbitrators Appointed by the Parties	Number of Arbitrators Appointed by Co-Arbitrators	Number of Women Appointed by Co-Arbitrators	Percentage of Female Arbitrators Appointed by Co-Arbitrators	Total Number of Male Arbitrators	Total Number of Arbitrators Appointed	Total Number of Female Arbitrators	Total Percentage of Female Arbitrators
2015	DIS	29	10	34,5%	184	14	7,6%	85	16	18,8%	258	298	40	13,4%
2016	DIS	21	7	33,3%	164	16	9,6%	80	10	12,5%	232	265	33	12,4%
2017	DIS	33	11	33,3%	208	19	9,1%	87	20	23,0%	278	328	50	15,2%
2018	DIS	20	7	35,0%	150	17	11,3%	63	5	7,9%	204	233	29	12,4%



3. DIS has reached close to 40% of female appointments by the institution in 2019. As you can easily see in the table above (para. 2), the appointment of female arbitrators upon nominations by parties and co-arbitrators is significantly lower in DIS arbitrations. The same trend can be observed internationally. The following table shows the breakdown for 2018:



4. DIS and ERA Pledge are launching the “Gender Champion Initiative” as a pilot project for 2020. The aim is to expand the initiative in the future to build a global network of Gender Champions for Arbitral Appointments.

## B. The idea

5. The aim of the Gender Champion Initiative is to achieve better results by a coordinated self-monitoring effort. The Initiative is designed to achieve immediate results with little effort and little cost. The idea is simple. Based on its own experience with institutional appointments, DIS believes that the key to actual improvement is
- (1) setting stretching, but achievable targets;
  - (2) monitoring the status on a regular basis; and
  - (3) designing a process that works for overcoming unconscious bias or structural issues.

The idea behind the Gender Champion Initiative is the effectiveness of statistical self-monitoring. In addition, we hope that the network of gender champions will informally share information on “what works”.

6. Participating organisations will be requested to nominate a person acting as “Gender Champion for Arbitral Appointments” within their organisation. For the Gender Champion Initiative, the only task of the Gender Champion is to monitor the arbitral appointments made upon nominations by the firm/organisation. Whether or not the same person accomplishes other tasks relating to gender balance within the organisation is of no importance for the Gender Champion Initiative. The names of the participating Gender Champions and their contact details will be listed in a dedicated section on the DIS website. No statistical data or other information shared by the Gender Champions with DIS will be recorded or published by DIS.
7. The Gender Champion Initiative has been designed carefully in order to avoid recording or publishing sensitive data of participating organisations. Whereas the Gender Champion Initiative requires self-monitoring on a certain number of aspects, the information that DIS will request Gender Champions to share will be strictly limited to the percentage of female appointments made in DIS arbitrations and in other arbitrations. The information will be shared orally, but not recorded by DIS.
8. The idea behind the initiative is that what counts is the self-monitoring process, not the numbers themselves. Accordingly, every participating organisation may set its own targets concerning female appointments without having to disclose them. The participating organisations will not be required to disclose the number of appointments made, but only the percentage of appointments of female arbitrators in relation to male arbitrators as follows:

	% female arbitrators	% male arbitrators
Appointments made upon nominations by a member of the organisation acting as a party/party representative		
Appointments made upon nomination by a member of the organisation acting as co-arbitrator		

9. As many of the appointments by parties are made upon recommendation of counsel/law firms and many arbitrators are in private practice, the Gender Champion Initiative is mainly designed for law firms to participate. However, anyone committed to improve gender balance in arbitral appointments through parties and co-arbitrators may participate in the initiative (e.g. corporations, individuals acting as arbitrator).

### C. Role of Gender Champions and of DIS/ERA Pledge

10. In the Gender Champion Initiative, DIS/ERA Pledge's role is to act as a facilitator for the statistical self-monitoring. DIS/ERA Pledge will not set targets, nor record or publish any information collected by any of the Gender Champions of the participating organisations.
11. DIS will continue to inform ERA Pledge about the statistics concerning female appointments by co-arbitrators and parties (information that is on DIS' own records), but will not disclose any additional information it may receive from Gender Champions. The process is designed to improve the number of female appointments made upon nominations by parties and co-arbitrators in DIS arbitrations through a collective effort, not to monitor participating organisations' individual progress.
12. The initiative does not aim at collecting or sharing names of female arbitrators. If any assistance in finding a female arbitrator is needed, there are other tools or ways to achieve that.
13. DIS will organize regular telephone conferences with the designated Gender Champions quarterly after a kick-off call early 2020. During these calls:
  - **DIS will share** the current status of the statistical data concerning DIS arbitrations (appointments of female arbitrators made by institution, by parties and by co-arbitrators). **DIS will provide both absolute numbers and percentages.**
  - The Gender Champions will be asked to share **only the percentage** of appointments of female arbitrators within their organisation for the relevant period of time, both concerning DIS arbitrations and any other arbitrations. **Gender Champions will not be asked to share the absolute numbers of total appointments or of appointments of female arbitrators.**
14. In preparation for the calls, the Gender Champions will have to collect more detailed information within their organisation. This detailed information will not be shared during the Gender Champion Conference, nor recorded or published by the Gender Champion Initiative. It is for the internal use of the respective Gender Champions' organisation only. The purpose is to collect data that serves as a basis for the efficient self-monitoring of the organisation.

15. The Gender Champions will be requested to share only the following information:

Time period: Jan- [###] 2020		
	% female arbitrators	% male arbitrators
Appointments made upon nominations by a member of the organisation acting as a party/party representative		
Appointments made upon nomination by a member of the organisation acting as co-arbitrator		

16. The designated Gender Champions will receive an Excel-table to be used for collecting more detailed information about appointments of female arbitrators for their internal use only. Based on its own experience, DIS believes that comparing the collected data with the results of a previous time period is an effective tool for self-monitoring. By providing an Excel table to be used to collect data, DIS is aiming at harmonizing the data on which the self-monitoring of the participating organisations is focussed.
17. As indicated above, the aim of the Gender Champion Initiative is not to assess or monitor individual progress, but to achieve better results by a coordinated self-monitoring effort. We also hope that the national, or after the pilot phase, global network of Gender Champions will informally, but efficiently share information on what worked within their organisations.

#### D. Next steps

18. We very much hope that you will support the DIS-ERA Pledge Initiative by designating a Gender Champion within your organisation or by volunteering to act as a Gender Champion. Don't worry, if it is too much trouble to join now, you may also indicate that you will join the Initiative later.
19. If you decide to join, please **send the contact details of the designated Gender Champion for Arbitral Appointments of your organisation to DIS: [genderchampions@disarb.org](mailto:genderchampions@disarb.org)**.
20. The kick-off call launching the initiative took place at the beginning of February 2020. The next telephone conferences with all designated Gender Champions will be held on **5 June and 9 October 2020**.
21. Please **start collecting the relevant data for 2020** in preparation for the next call.
22. Should you have any queries, please contact us at [genderchampions@disarb.org](mailto:genderchampions@disarb.org) or + 49 228 391815511. Anna Kaehlbrandt will be the main contact person for the DIS-ERA Pledge Gender Champion Initiative at DIS and is happy to answer any questions you may have concerning the initiative.

23. Last, but not least, may we ask you for a favour: If you decide not to join, we would be interested in knowing why. Any information that you are willing to share will help us improving the Gender Champion Initiative and overall achieving better results. Whether or not you decide to join, please contact us to let us know any comments that you would like us to take on board.