



**Washington Arbitration Week 2026  
Panel Topics<sup>1</sup>  
October 26 | Washington, D.C.**

**Category 1: Geopolitics, Trade & Armed Conflict**

1. War, Tariffs & Trade Wars: Force Majeure and the Evolving Arbitration Docket<sup>2</sup>
2. From Precedent to Practice: Historical Claims Commissions & the Ukraine ICC<sup>3</sup>
3. USMCA and Free Trade Agreement Negotiations in the Americas: Current Trends and Future Direction<sup>4</sup>
4. International Arbitration & Trade: Weakened WTO & MPIA<sup>5</sup>
5. Mining in International Arbitration Africa, Latin America, Resource Nationalism and Quantum Challenges<sup>6</sup>
6. The U.S. as Foreign Policy Actor: OFAC, CFIUS & Arbitration<sup>7</sup>
7. The Global South as Rule-Makers: Emerging Economies in International Arbitration<sup>8</sup>
8. 250 Years of Independence: The United States' Contribution to the Development of International Law and Challenges that Lies Ahead
9. Deaf Conversations between Regulatory Policy and Investment Arbitration

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<sup>1</sup> Subject to changes.

<sup>2</sup> How armed conflict triggers force majeure, MAC clauses, and change-in-law provisions. Why tariff/trade actions have not been widely arbitrated commercially; invoking defenses; flexibility mechanisms

<sup>3</sup> IUSCT, UNCC, EECC lessons applied to ICC for Ukraine — procedural, evidentiary, eligibility design

<sup>4</sup> Current renegotiation dynamics, Chapter 14 investor-state developments, near-term implications

<sup>5</sup> Impact of weakened WTO; Multi-Party Interim Appeal Arbitration Arrangement as a workaround

<sup>6</sup> ICSID African state party cases jumped from 10% (2024) to 24% (2025); oil/gas/mining cases rose from 28% to 43% of ICSID registered cases. Two format options: (A) Africa-focused solo panel, or (B) comparative Africa + Latin America panel.

<sup>7</sup> How U.S. export controls, CFIUS intervention, and America First posture reshape the dispute landscape.

<sup>8</sup> How African, Latin American, and Asian states are reshaping treaty drafting, ISDS reform, and institutional governance

**Category 2: Sanctions, Enforcement & Sovereign Immunity**

10. Enforcing Arbitral Awards Against States Sovereign Immunity, U.S. Court Litigation and Structural Barriers to Investment Award Enforcement<sup>9</sup>
11. Influence of Disregard of International Law on Award Compliance & National Security Clauses<sup>10</sup>
12. Advocating for Arbitral Seats: Europe, Canada, U.S., Africa & Far East<sup>11</sup>
13. Sanctions, Countermeasures, Investment Disputes and Arbitration Funding

**Category 3: Emerging Sectors**

14. AI in the Tribunal Room: Tool, Risky Gadget, or Responsibility for Arbitrators?<sup>12</sup>
15. Space Law & Commercial Arbitration
16. Emerging Sectors: Data Centers, IP & New Arbitration Frontiers<sup>13</sup>
17. Technology Enabled Arbitration: Running Arbitration Smarter: 10 Rapid Fire Tech and AI Demos for Practitioners
18. Corruption in International Investment and Commercial Projects<sup>14</sup>
19. Arbitration & Literature: Jurisprudential Faith and Autonomous Private Pacts<sup>15</sup>
20. Behind the Screen: Arbitration in Film Production, Financing & Distribution<sup>16</sup>

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<sup>9</sup> Emerging state tactics; SCOTUS on personal jurisdiction; FSIA developments; D.C. courts as enforcement forum. Structural obstacles to enforcement; attachment of state assets; anti-enforcement injunctions; comity issues.

<sup>10</sup> When states invoke national security to resist compliance; tribunal jurisdiction over NSC claims

<sup>11</sup> Comparative strengths of major and emerging seats; neutrality, enforceability, and soft factors.

<sup>12</sup> AAA AI arbitrator launch (Sept 2025); ICC task force on AI governance; disclosure and duty obligations. Practical AI use; hallucinations & bias; deepfake evidence; ethical limits

<sup>13</sup> Data center disputes; UPC Patent Mediation Centre (2026 launch); life sciences IP arbitration.

<sup>14</sup> ICC Task force outcomes; tribunal powers; disclosure obligations; enforceability of tainted awards.

<sup>15</sup> Jurisprudential theory, utopian elements of arbitration, and cultural underpinnings of private dispute resolution

<sup>16</sup> Entertainment industry arbitration — IP rights, financing disputes, distribution agreements, and guild arbitrations.

**Category 4: ICSID, Treaty Interpretation & ISDS**

21. ICSID at 60: Taking Stock of the Premier Investment Institution
22. The 2022 ICSID Rules after 4 Years: Case Management in Practice<sup>17</sup>
23. UNCITRAL at 60 & ISDS Reform: Is a New Architecture Finally Designed?<sup>18</sup>
24. Contemporary Issues in Treaty Interpretation<sup>19</sup>
25. UNIDROIT International Investment Contract / Model Contract<sup>20</sup>
26. Features of Next Generation Investment Treaties and the Evolving Right to Regulate<sup>21</sup>
27. From Arbitration to Mediation? Rethinking Dispute Resolution in Investor-State and Commercial Contexts

**Category 5: Climate, Environment & Cultural Heritage**

28. Influence of International Advisory Opinions on Climate Change on States' Defenses & Investors' Claims<sup>22</sup>
29. Investor-State Art Disputes: Cultural Heritage, Sanctions & Investment Arbitration<sup>23</sup>

**Category 6: Damages & Taxation in ISDS**

30. Geopolitical Risk in Damages Calculations<sup>24</sup>
31. Pre-Award Interest Rates: Achieving Greater Certainty<sup>25</sup>

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<sup>17</sup> Practical experience with 2022 reforms; case management conferences; expedited proceedings at ICSID.

<sup>18</sup> Anniversary milestone; WG III outcomes; MIC debate; what reform actually looks like in practice

<sup>19</sup> Gardiner & Klingler book as launching point; VCLT rules in investment and trade treaty disputes

<sup>20</sup> Rule-of-law making through contract; treaty standards in commercial contracts; contractual ICSID cases

<sup>21</sup> How new-generation BITs and multilateral treaties redefine protection standards, carve-outs, and dispute mechanisms

<sup>22</sup> Comprehensive look at how advisory opinions reshape regulatory space, FET claims, and investment structuring

<sup>23</sup> Novel intersection of cultural property law, sanctions regimes, and investment treaty claims.

<sup>24</sup> Do experts account for political risk premiums? Legitimate investor expectations under authoritarian regimes.

<sup>25</sup> Doctrinal and empirical analysis of how tribunals set pre-award interest; proposals for predictability



## 32. Taxes in Investment Treaties, Tax Regulations, and Tax-Related Investment Disputes

### **Category 7: Career Development & Diversity**

## 33. Junior Lawyer Survival in Arbitration: Practical Skills, Pitfalls & Practice Lessons<sup>26</sup>

## 34. Merit or Network? Reimagining How Opportunity Is Distributed in International Arbitration

## 35. A Candid Conversation on Diversity in International Arbitration.<sup>27</sup>

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<sup>26</sup> Hands-on panel for junior practitioners on navigating complex proceedings, client relations, and building expertise

<sup>27</sup> Diversity remains an essential but often challenging topic to sustain beyond the familiar talking points. Conversations frequently return to statistics that have shown limited movement over the past two decades, prompting recurring calls for action and renewed commitments. This session shifts the focus from pledges to outcomes, examining whether initiatives aimed at improving representation have delivered measurable results or whether they risk becoming performative exercises driven by external expectations. The discussion will also reflect on what meaningful accountability looks like and how progress can be assessed in a more concrete and transparent way. Expanding the conversation, the panel will consider inclusion through the lens of disability and neurodivergence, an area that affects a significant portion of the legal profession but is often underexplored. By addressing experiences such as ADHD, dyslexia, sensory sensitivities, and cognitive fatigue, the session will move toward practical solutions, including the use of technology, adaptive working methods, and more inclusive professional environments. Framed as a candid and solutions-oriented dialogue, this panel aims to move beyond rhetoric and towards tangible, forward-looking approaches to inclusion in arbitration.