



Washington Arbitration Week 2026

Panel Topics¹

October 26-30 | Washington, D.C.

Category 1: Geopolitics, Trade & Armed Conflict

1. War, Tariffs & Trade Wars: Force Majeure and the Evolving Arbitration Docket²
2. From Ambition to Practice: Historical Claims Commissions & the Ukraine ICC³
3. Mining in International Arbitration: Africa, Latin America, Resource Nationalism and Quantum Challenges⁴
4. The U.S. as Foreign Policy Actor: OFAC, CFIUS & Arbitration⁵
5. 250 years since the United States Declaration of Independence: Influence of the U.S. in International Law, Dispute Resolution and Investment Disputes

Category 2: Sanctions, Enforcement & Sovereign Immunity

6. Enforcing Arbitral Awards Against States Sovereign Immunity, U.S. Court Litigation and Structural Barriers to Investment Award Enforcement⁶
7. Advocating for Arbitral Seats: Europe, Canada, U.S., Africa & Far East⁷

* We extend our sincere thanks to our Advisory Committee, Executive Team and sponsors for their thoughtful input and support in shaping this year's program topics.

¹ Subject to changes.

² 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.

³ IUSCT, UNCC, EECC lessons applied to ICC for Ukraine — procedural, evidentiary, eligibility design.

⁴ 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.

⁵ How U.S. export controls, CFIUS intervention, and America First posture reshape the dispute landscape.

⁶ 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.

⁷ Comparative strengths of major and emerging seats; neutrality, enforceability, and soft factors.

Category 3: Emerging Sectors

8. AI in the Tribunal Room: Tool, Risky Gadget, or Responsibility for Arbitrators?⁸
9. To Infinity and Compliance: AI, Ethics, and Dispute Resolution in the Space Economy
10. Emerging Sectors and Digital Assets: Data Centers, IP, Blockchain, Crypto, and Enforcement Challenges⁹
11. Technology Enabled Arbitration: Running Arbitration Smarter: 10 Rapid Fire Tech and AI Demos for Practitioners
12. Corruption in International Investment and Commercial Projects¹⁰
13. Quantum Computing: The Next Frontier in International Arbitration¹¹
14. Splitting the Atom – Nuclear Related Disputes & the Role of Arbitration
15. The New Era of Mediation: Commercial and Investor-State Disputes in a Changing World

Category 4: ICSID, Treaty Interpretation & ISDS

16. One Centre, 60 Years, Enduring Impact: ICSID and the Future of Investor-State Dispute Settlement
17. The 2022 ICSID Rules after 4 Years: Case Management in Practice¹²

⁸ 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.

⁹ Data center disputes; UPC Patent Mediation Centre (2026 launch); life sciences IP arbitration.

¹⁰ ICC Task force outcomes; tribunal powers; disclosure obligations; enforceability of tainted awards.

¹¹ As the world continues to adapt to AI and its ability to mimic human intelligence, another technological shift is quietly on the horizon—quantum computing. Quantum computers could break encryption that would take today's supercomputers billions of years to crack in a matter of hours. This promises to revolutionize fields like defence, energy, finance, pharmaceuticals, materials science, etc., by enabling calculations and modeling that today's computers simply cannot handle. The panel will explore what this development would mean for international arbitration: the new types of disputes that are likely to arise, and how the very practice of arbitration will need to evolve in the era of quantum technology.

¹² Practical experience with 2022 reforms; case management conferences; expedited proceedings at ICSID.

18. UNCITRAL at 60 & ISDS Reform: Is a New Architecture Finally Designed?¹³

19. Beyond the BIT: Contractual claims in ISDS¹⁴

20. Challenging the Tribunal — Bias, Diversity, Jurisdiction, and Judicial Intervention in Investment Arbitration¹⁵

Category 5: Public International Law, Climate, Environment & Cultural Heritage

21. Influence of International Advisory Opinions on Climate Change on States' Defenses & Investors' Claims¹⁶

22. Reliance of Systemic Integration under Article 31.3(c) of the Vienna Convention on the Law of Treaties in ICJ Case Law and Investment Arbitration

Category 6: Damages & Taxation in ISDS

23. Geopolitical Risk in Damages Calculations¹⁷

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

Category 7: Career Development & Diversity

25. Building the Next Generation of Arbitration Leaders: Practical Skills, Mentorship, Sponsorship & Career Advancement

¹³ Anniversary milestone; WG III outcomes; MIC debate; what reform actually looks like in practice.

¹⁴ Rule-of-law making through contract; treaty standards in commercial contracts; contractual ICSID cases

¹⁵ Recent decisions from Canadian courts, including the Ontario court's annulment of a UNCITRAL award in a NAFTA dispute and the ruling in *Vento*, have reignited debate on arbitrator impartiality, jurisdictional overreach, and the limits of judicial intervention. Issues such as dual nationality, reflective loss claims, and the "reasonable apprehension of bias" standard are increasingly shaping post-award litigation strategy.

This panel will explore how domestic courts are engaging with arbitral decisions, including the growing willingness to scrutinize tribunals on jurisdictional findings and conflicts of interest. It will also examine the interpretive role of Articles 31(3)(b) and 31(3)(c) of the Vienna Convention on the Law of Treaties in shaping tribunal reasoning, and whether subsequent practice and systemic integration arguments are being applied consistently. The discussion will address the practical implications for arbitrators, counsel, and institutions, including disclosure obligations, challenge strategies, and seat selection. It will also consider whether decisions like these signal a broader shift towards a more interventionist approach by courts at the seat, and what that means for the future of investment arbitration.

¹⁶ Comprehensive look at how advisory opinions reshape regulatory space, FET claims, and investment structuring.

¹⁷ Do experts account for political risk premiums? Legitimate investor expectations under authoritarian regimes.