1. On a renewed challenge to Court against an arbitrator for bias and lack of independence, to what lengths should an arbitrator go to defend his/her decision on the challenge?

2. In an application for joinder of a non-signatory, the tribunal is invited to apply judgments of courts and awards in tribunals in foreign jurisdictions which the parties have not selected as the applicable law. Should the tribunal cite judgments and awards on the issue from those jurisdictions?

3. Finality vs. Justice: The need to allow point of law appeals against LCIA Awards.

4. What are the differences if any between the ‘inherent powers’ of a court of law and the ‘inherent powers’ of an arbitral tribunal?

5. In an arbitral tribunal of three members, who has the primary responsibility for drafting an award? Can the chairman or presiding arbitrator delegate the drafting of parts of or an entire award to other party-appointed arbitrators or to the tribunal secretary (experienced or not) without affecting the validity of the award? Where one of the party-appointed arbitrators refuses to sign an award, what steps can be taken to ensure the validity and enforceability of such an award?

6. Although not regulated by law, the use of third party-funding is gaining wide acceptance in domestic and international arbitration proceedings. It is common knowledge that during such proceedings, a third-party funder may become privy or have access to sensitive and confidential information disclosed by the parties. Given that a third-party funder is not a party to the arbitration agreement and is not named as a party to the arbitration proceedings, what steps can be taken to prevent the third-party funder from using such sensitive and confidential information against either of the parties in subsequent arbitration proceedings?

7. Third party funding disclosure.

8. What should an arbitrator disclose?

9. How should an arbitrator’s disclosure be made?

10. Should the arbitrator, when disclosing, indicate that s/he believes that the circumstances do not amount to conflict of interest?
11. How should the disclosure be processed, once made?

13. Gender:

After the launch of the pledge, are enough women being appointed to tribunals. If the answer is “no,” what can be done to improve gender diversity on tribunals?

14. With the number of arbitration cases involving African parties rising year on year, is enough being done to address the under-representation of Africans on arbitral tribunals?

15. How do more African arbitrators get International arbitration appointments?

16. What does an arbitrator do when counsel are asking totally irrelevant questions in cross examination in a commercial arbitration. Does the Arbitrator just sit there doing nothing?

17. Proper ‘Seat’ of Arbitration and the problem of applicable laws.

18. Conflict:

Where do you draw the line in terms of “friendship” between an arbitrator and counsel? What about between the arbitrator and, not the counsel involved, but a partner of his or hers?

19. What creative techniques are being employed by arbitrators and parties to assist in assessing damages? Are they effective?

20. What could be done with big data and artificial intelligence to make arbitration more efficient and effective?


22. Will artificial intelligence supplement and possibly replace human arbitrators?

23. What should an arbitrator hearing a case in an ad hoc arbitration do when in the middle of the proceedings and without payment of his fees, both parties abandon the arbitration and do not appear again.