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ARBITRATOR

**Annex I Women with “Specialised Knowledge of International Trade Law”  
(Updated 19 January 2020)**

**Executive Summary**

This section summarizes my research into the CETA Arbitrators, which established the criteria used to identify women with comparable experience and credentials. As compared to the current CETA List, **eleven (11)** would meet the criteria to serve as Chairperson and **forty-two (42)** could meet the criteria as expressly stated in Article 29 of the CETA.

**I. Analysis of CETA Arbitrators**

My analysis of the self-published CVs and personal statements of CETA Arbitrators, downloaded on 4 January 2020, revealed that the CETA Arbitrators have had prestigious academic or legal careers, with all CETA Arbitrators reporting prior experience with or publications about the WTO:

- (A) Four (4) CETA Arbitrators served on the WTO Appellate Body,<sup>1</sup>
- (B) Five (5) CETA Arbitrators have experience as a panelist in dispute resolution proceedings at the WTO,<sup>2</sup>
- (C) Four (4) CETA Arbitrators served as counsel to parties in a WTO dispute or to the WTO itself,<sup>3</sup> and
- (D) Three (3) CETA Arbitrators have academic teaching and publications related to the WTO.<sup>4</sup>

The CETA List treats each of these experiences as equal to one another. This non-hierarchical (A) – (D) order is further helpful because CETA Arbitrators listed in one category often had WTO experiences in the categories that followed, but not in categories that preceded it. Further experience was noted. Thirteen (13) CETA Arbitrators have had academic appointments.<sup>5</sup> Twelve (12) CETA Arbitrators have expert or counsel experience in international trade matters<sup>6</sup> and eight (8) have experience in international commercial or investment arbitration.<sup>7</sup> Three (3) CETA Arbitrators reported experience in treaty negotiation.<sup>8</sup> Some or all of the CETA Arbitrators may have once served as counsel to one of the Treaty Parties.

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<sup>1</sup> Peter Van den Bossche, James Bacchus, David Unterhalter, Sueng Wha Chang.

<sup>2</sup> Serge Fréchette, Valerie Hughes, Debra Steger (including as panel chair), David Moulis, Christian Häberli.

<sup>3</sup> Matthew Kronby, J. Christopher Thomas, Cherise Valles, Peter Jan Kuijper.

<sup>4</sup> Hélène Ruiz Fabri, Claudio Dordi, Michael Hahn.

<sup>5</sup> Valerie Hughes, Matthew Kronby, Debra Steger, J. Christopher Thomas, Claudio Dordi, Michael Hahn, Pieter Jan Kuijper, Hélène Ruiz Fabri, Peter Van den Bossche, James Bacchus, Christian Häberli, David Unterhalter, Seung Wha Chang.

<sup>6</sup> Serge Fréchette, Valerie Hughes, Matthew Kronby, Debra Steger, J. Christopher Thomas, Cherise Valles, Pieter Jan Kuijper, Hélène Ruiz Fabri, Peter Van den Bossche, Daniel Moulis, David Unterhalter, Seung Wha Chang.

<sup>7</sup> Valerie Hughes, Matthew Kronby, Debra Steger, J. Christopher Thomas, Hélène Ruiz Fabri, Daniel Moulis, David Unterhalter, Seung Wha Chang.

<sup>8</sup> Serge Fréchette; James Bacchus; Christian Häberli.