

ICCA Presents Lucy Reed



On 12 May 2020, Lucy Reed of Arbitration Chambers New York took over the role of ICCA President from Gabrielle Kaufmann-Kohler. We sat down with Lucy to discuss her distinguished career and what lies ahead in the role of ICCA President.

What is it that drew you to the fields of international arbitration and international law?

It certainly was not courses in law school, because there was no international law beyond Conflicts and not even a glimmer of international arbitration. My first job was as law clerk to a federal trial judge in Washington, DC (the late Barrington D Parker Jr), which I thought would see me on my way to become civil rights litigator. But Judge Parker was assigned the complex criminal trial following the 1978 assassination of former Chilean Ambassador Orlando Letelier by Pinochet operatives, and the world of international law opened to me. I never looked back.

You have a long history with ICCA, during which you have chaired the ICCA Congress Committee and served a term as ICCA Vice President. What does the role of ICCA President mean to you?

ICCA is, hands-down, the most important, inclusive and impactful professional organization for the international arbitration community. The publications, the Congress, the NY Convention road shows, Young ICCA, the special projects ... I could go on ... all are substantive, innovative and worth our time in a crowded world.

The term of the ICCA Presidency has recently been increased from two to three years. What do you hope to achieve in the

course of your term, and how do you see ICCA's role developing in the future of international dispute resolution?

The length of term used to be four years, and then it was changed to two. I shared the view that four years was too long, because I think it is critical to involve as many as possible in leadership. Now our experience is that two years seems too short, from the vantage point of implementing initiatives and ensuring continuity from Congress to Congress. So I am glad to have more time to see pending and new projects through to impact, especially with the disruption of COVID-19. ICCA's role in developing international DR? More of the same, with ever more inclusive participation.

Like many ICCA Presidents before you, you have a lengthy track record of serving in leadership roles in international legal organisations, including the American Society of International Law and the Institute of Transnational Arbitration. What is it that makes organisations like ICCA essential at this point in time?

I don't see this time as more or less important for international professional organizations. By definition, international lawyers are spread around the world, and naturally want to learn from each other and just get to know each other. Many marvel at how international arbitration lawyers, in particular, are willing to share their hard-earned skills and ideas with each other, by writing, by speaking, by

teaching. Maybe the combination of international and DR makes us atypically curious and extroverted?

Could you tell us about some of your earlier career experiences? Your role at the Iran-US Claims Tribunal in the 1980s, for instance, must have been interesting.

It is a long story, but my first law firm – Wald Harkrader & Ross, in Washington – had 40 cases at the Iran-US Claims Tribunal. When I later joined the Legal Adviser's Office in the US State Department and became the US Agent to the Tribunal, I was even more immersed in international arbitration: serving as lead advocate for the US Government, advising counsel for the private claimants, negotiating the small claims settlement, coordinating with the Iranian Agent on cases and administrative matters, getting to know all the arbitrators and their law clerks. There is a reason why so many senior leaders in international arbitration today came out of that crucible.

From 2000 to 2009, you acted as Commissioner of the Eritrea-Ethiopia Claims Commission, and in the 1990s, you were the Co-Director of the Claims Resolution Tribunal for Dormant Accounts in Switzerland (Holocaust Tribunal). Has your work on mass claims such as these influenced the way you have approached your practice since?

I am proudest of my work on the Eritrea-Ethiopia Claims Commission, in particular for the impact of our Prisoner of War Decisions, and on the CRT [Ed: Claims Resolution Tribunal]. This is not only because of the subject matter – international humanitarian law and international human rights law, respectively – but also because mass claims bring an element of desperately needed rough-and-quick justice to international DR.

From 2016 to 2019, you were the Director of the Centre for International Law and Professor of Practice at the National University of Singapore. How did your experience of academia differ to practicing at firms like Freshfields Bruckhaus Deringer?

I think many would agree that a lot of teaching

goes on in law firms, with the senior lawyers teaching the young associates and vice versa. When I had had enough of counsel work after 40-some years, it made a lot of sense to switch from teaching-by-doing to classroom teaching. It is truly satisfying to me to see young lawyers and students do things better than I can.

Tell us about a highlight of your career.

Impossible – too many! I have had the privilege of having many roles in international law, and each one has its highlights. Having said that, leading negotiations in North Korea in the mid-1990s was rather exceptional.

Tell us about a disappointment. What did you learn from the experience?

Impossible – too personal! But I can say that when I conduct interviews, I usually ask the candidate to tell me how she or he has handled a major disappointment in life. I am really wary of those who have not yet had to deal with failure.

