



International Advisory
& Dispute Resolution Unit



Queen Mary
University of London

Centre for Commercial Law Studies

AI in International Dispute Resolution: an Agent for Change

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Some key issues out of the growing experience of using AI – none is novel, but AI brings a fresh perspective

- Disclosure
- Hallucinations and mistakes
- Case management
- Prediction
- The complexification problem
- Drafting awards and judgments





Disclosure of use of AI may be shifting from broad obligation to context-driven best practice

- Importance of transparency – but early calls for universal AI disclosure have given way to focus on specific situations
- But safeguarding the integrity of evidence and due process generally is of the utmost importance





Hallucinations and mistakes – inherent in the probabilistic AI model

- Golden rule - verify, verify, verify
- Have specialised apps with retrieval-augmented generation (RAG) completely resolved the problem?
- If inaccuracy is inherent in the technology, how to accommodate that?

UK ~
The Guardian

High court tells UK lawyers to stop misuse of AI after fake case-law citations

Ruling follows two cases blighted by actual or suspected use of artificial intelligence in legal work

Robert Booth *UK technology editor*

Fri 6 Jun 2025 20.00 BST



Case management is key to effective dispute resolution: is the AI technology there yet?

- Quote: “AI-powered tools can manage entire cases, tracking deadlines, managing communications, and organising documents, allowing practitioners to focus on more strategic tasks. Furthermore, AI can facilitate virtual hearings by providing real-time transcription, enhancing accessibility and creating clear records of proceedings”.
- Seems some way off, but if this could be adapted by courts/tribunals with proper safeguards it could be a big step forward



AI predictions in complex cases are currently unlikely to be reliable – but could play a useful role in settlement

- Too many imponderables likely mean predictions less reliable than the opinion of an experienced lawyer – but a machine prediction could aid compromise
- Due process concerns would arise if undue weight was given by judges or arbitrators to AI predictions





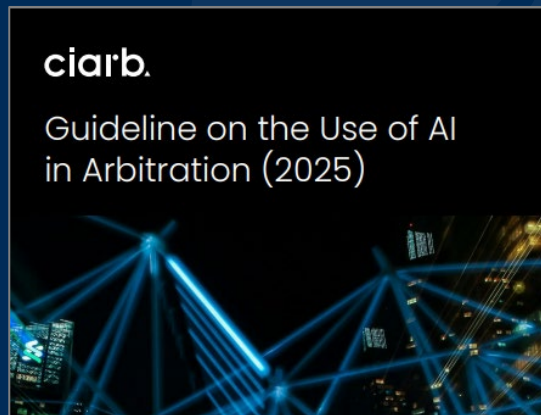
The complexification problem – the growing complexity and volume of case material is a challenge for all involved

- AI summaries identifying which issues are agreed and which are in dispute and what the tribunal has to decide
- Could be particularly useful for complex expert evidence
- To achieve its potential, needs to be agreed
- Use of AI tools must not usurp the decision-making role of judges/arbitrators or undermine the integrity of the evidence



Drafting awards and judgments - distinguish between using AI in drafting and actual decision making by AI

- AI can support research/drafting, but responsibility of judges and arbitrators for decision-making cannot be delegated
- AI should not be used by decision makers to introduce new factual or legal material without consulting parties





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Our dispute resolution systems, the courts, arbitration, mediation, all ultimately depend for their efficacy on public trust. In international commercial / investor-state dispute resolution, the public includes states and global business. But trust is still the touchstone for success.

**Thank you for your
attention**