DRBF 28ᵗʰ ANNUAL INTERNATIONAL CONFERENCE
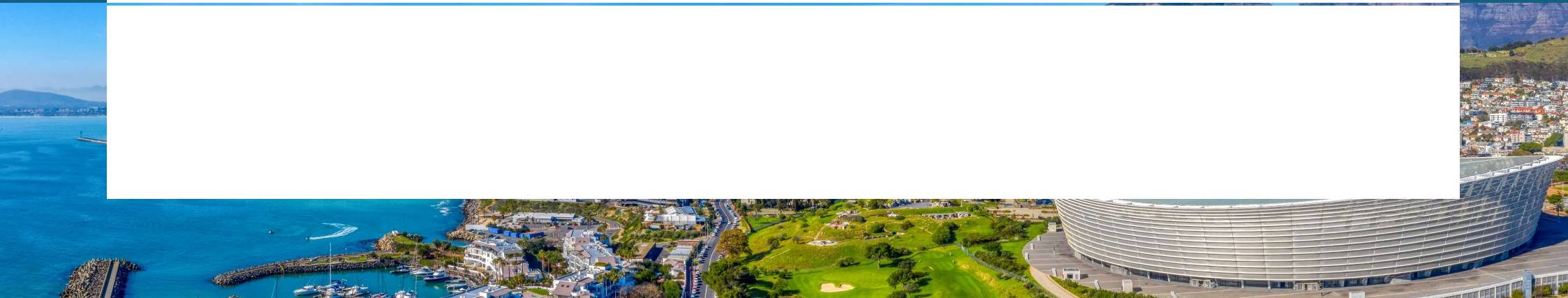
CAPE TOWN | SOUTH AFRICA
15-16 MAY 2025

The Dispute Resolution Board Foundation

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Fostering Common Sense Dispute Resolution Worldwide

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Best Practice Guidelines for the Use of AI by Dispute Boards
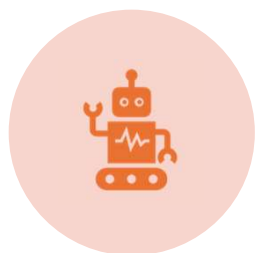
Purpose of the Guide

Assist DB members in responsibly using AI tools

Show how existing DB best practices apply to AI

Recognize AI's evolving role in DB-related processes

Emphasize understanding benefits and risks

Core Principles for DB Use of AI

ACCOUNTABILITY

CONFIDENTIALITY
& SECURITY

ETHICS

TRANSPARENCY

Understanding AI

✓ Ensure all parties use agreed terminology

🧠 Key AI characteristics:

Adaptivity

Ability to create new content (e.g., GenAI)

Degree of autonomy

Permitted Use – Contracts & Jurisdictions

Verify AI use is allowed by:

Contract terms

DB agreement/specification

Governing law (e.g., GDPR)

At the end of the day, the DB is responsible for its processes and its decisions, regardless of whether it uses AI or not. If the DB utilizes AI, and relies on its output, the DB is responsible for that content.

Confidentiality & Security

01
Non-Subscription AI tools may be public and non-confidential

02
Avoid uploading sensitive data unless secured

03
Use work accounts/devices; manage permissions carefully

04
Understand vendor terms and subscription limits

Understanding AI Prior to Use

Ask:

- What are the benefits and risks?
- Do parties agree to its use?
- Is AI augmenting—not replacing—human expertise?

AI must be checked for hallucinations or incorrect outputs

Accountability – Decisions, Reports, Recommendations

"DB MEMBERS SHOULD APPLY THEIR OWN EXPERTISE AND EXPERIENCE TO THE RESOLUTION OF ANY DISPUTE."

[CANON 4 – DRBF CODE OF ETHICS]

DO NOT DELEGATE ANY PART OF DECISION-MAKING TO AI

ANY AI USE IN DRAFTING SHOULD BE DISCLOSED AND VERIFIED

KEEP RECORDS THAT ALSO SHOW AI'S ROLE IN THE DB PROCESS

Bias Mitigation & Ethics

AI may reflect bias in training data

Review all AI-generated content critically

Ensure fairness, due process, and adherence to DB ethics

Site Visits, Hearings, and Project Tools

Discuss AI use early with parties

Communication is essential to dispute avoidance

Transparency applies to all AI use by DBs or parties

Conclusion

AI is an **assistant**, not a substitute

Use requires:

Caution

Understanding

Openness

Follow DRBF ethical conduct and protect process integrity

Thank You