

7th EFILA Annual Conference

Thursday, 9 June 2022 (in person)

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7th EFILA Annual Conference

Programme

08:30-09:00 Registration and buffet breakfast sponsored by

GIBSON DUNN

09:00-09:15 **Welcome Address by Chair of the Executive Board of EFILA**

Prof. Loukas Mistelis (Queen Mary University of London and Chair of the Executive Board of EFILA)

LALIVE

09:15-10:45 **Panel 1: New directions in Investment Protection in the EU: current developments**

Chair: George Burn (Bryan Cave Leighton Paisner)

Panellists:

Jeff Sullivan, QC (Gibson Dunn)

Wieger Wielinga (Omni Bridgeway)

Dr. Crina Baltag (Stockholm University)

Prof. Dr. Joost Pauwelyn (Graduate Institute Geneva)

10:45-11:15 Tea/coffee break sponsored by

STEWARTS
THE LITIGATION SPECIALISTS

11:15-12:45 **Panel 2: What options remain after the ISDS-ban in the EU?**

Chair: Dr. Moritz Keller (Clifford Chance)

Panellists:

Gordon Nardell QC (Twenty Essex)

Alejandro Garcia (Stewarts)

Dr. Lorraine de Germiny (Lalive)

Mirjam van de Hel – Koedoot (NautaDutilh)

12:45-13.00 **Presentation of the Jus Mundi Search Engine for International Law and Arbitration by Hanh Huynh (Head of Jus Connect by Jus Mundi)**

13.00-14:00 Lunch break sponsored by



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14:00-15:30

Keynote Speech: “Europe as an investment destination – it’s the politics, stupid”

Prof. Dr. iur. et lic.rer.pol Anne van Aaken

(Alexander von Humboldt Professor, Chair for Law and Economics, Legal Theory, Public International Law and European Law, Hamburg University)

**Chair: Prof. Loukas Mistelis (Queen Mary University of London and
Chair of the Executive Board of EFILA)**

Commentators:

Dr. Patricia Nacimiento (Herbert Smith Freehills)

Ben Love (Boies Schiller Flexner)

Rogier Schellaars (Van Doorne)

15:30-16:00 Tea/coffee break sponsored by

VAN BAEL & BELLIS

2021 Essay Competition Prize giving ceremony sponsored by



16:00-17.30

Panel 3: The Russian/Ukraine conflict and its implications for the European FDI landscape

Chair: Dr. Isabelle Van Damme (Van Bael & Bellis)

Panellists:

Alex Yanos (Alston & Bird)

Prof. Dr. Berk Demirkol (International Arbitration Chambers New York)

Dr. Alexandra Diehl (White & Case)

Saadia Bhatti (Gide)

17:30-18.00

Official Launch of the Young EFILA Network and closing remarks

Prof. Dr. Nikos Lavranos (Secretary General of EFILA)

18:00-20.00 Drinks sponsored by



Panel Chairs and Speakers

Dr. Crina Baltag, Associate professor in International arbitration at Stockholm University



Dr Crina Baltag is Associate Professor (Docent) in International Arbitration at Stockholm University and qualified attorney-at-law since 2004, with extensive practice in international commercial and investment arbitration, international dispute resolution, private and public international law. Crina is co-director of the International Commercial Arbitration Law (ICAL) LL.M. She teaches in the ICAL LL.M., as well as on other courses at Stockholm University related to dispute resolution and international law.

Crina's academic work includes the leading publications on *The Energy Charter Treaty: The Notion of Investor* [Wolters Kluwer, 2012]; *ICSID Convention after 50 Years: Unsettled Issues* [Wolters Kluwer, 2017]; *Construction Arbitration in Central and Eastern Europe: Contemporary Issues* [co-editor, Wolters Kluwer, 2019]; *Finances in International Arbitration. Liber Amicorum for Patricia Shaughnessy* [co-editor, Wolters Kluwer, 2019]; *The Future of Investment Treaty Arbitration in the EU* [co-editor, Wolters Kluwer, 2020] and numerous publications in leading legal journals and reviews, including on the *Denial of Benefits in Investment Law* [co-author; *Max Planck Encyclopaedia of International Procedural Law*, Oxford University Press, 2019].

Crina is member of the Stockholm Chamber of Commerce Arbitration Institute (SCC) Board. Crina is the editor of Kluwer Arbitration Blog, co-managing editor of ITA Arbitration Report and member of editorial boards of prestigious journals and book series in the field, including of the Journal of International Arbitration, the European Investment Law and Arbitration Review, Hart: Global Energy Law and Policy, and World Trade & Arbitration Materials. Crina has been appointed in numerous arbitrations, as sole arbitrator and co-arbitrator under the rules of the ICC, LCIA, SIAC, FAI and CCIR-Romania.

Crina holds a PhD degree in International Arbitration from Queen Mary University of London (UK), LL.M in International Commercial Arbitration Law from Stockholm University (Sweden), M.Sc. in International Business from Academy of Economic Studies (Romania), LL.B. from University of Bucharest (Romania). Crina also holds a Postgraduate Certificate in Teaching in Higher Education (UK) and she is Fellow of the UK Higher Education Academy.

Crina is vice-chair of the Academic Council and member of the Executive Committee of the Institute for Transnational Arbitration (ITA), member of the Executive Committee of RAI - Rising Arbitrators Initiative, and co-chair of R.E.A.L. - Racial Equality for Arbitration Lawyers. Crina is a Fellow of the Chartered Institute of Arbitrators. Crina has been involved in international arbitration for more than 17 years as counsel, arbitrator, and head of arbitration and mediation institution (Amcham Brazil Arbitration and Mediation Center). Crina speaks fluently English, Portuguese, and Romanian, and has knowledge of French.

Saadia Bhatti, Counsel, Gide Loyrette Nouel



Saadia Bhatti is an attorney admitted to the New York bar and an *Avocat au Barreau de Paris*. She is counsel in the International Dispute Resolution (IDR) team of Gide's London office and advises and represents States and private entities on a wide range of contentious and non-contentious international dispute resolution law matters, in particular in international commercial and investment arbitrations and other public international law matters (including advice on treaty and legislation drafting).

Saadia has acted as counsel in investment and commercial arbitration proceedings conducted under the rules of various institutions (including those of the ICC, ICSID, LCIA, SCC, the Organization for the Harmonization of Business Law in Africa (OHADA), HKIAC, VIAC and CAS) as well as *ad hoc* arbitrations (UNCITRAL), dealing with the laws of both civil and common-law jurisdictions. Saadia has specific experience in the energy, oil & gas and construction sectors, especially in Asia, Africa and the Middle East.

Prior to working for Gide in London, she worked for Gide in Paris and global law firms' international arbitration and public international law practices in London and New York. Saadia sits on the Board and is part of the Executive Committee of a number of professional organisations, including the European Federation for Investment Law and Arbitration (EFILA), Africa International Legal Awareness (AILA), the Pakistan Centre for Law and Society (PCLS), ArbitralWomen, and the Harvard Women in Defense, Diplomacy and Development (Harvard W3D London Chapter).

A graduate from Harvard Law School, the Paris I Panthéon-Sorbonne University in Paris, and the Ecole Normale Supérieure, Saadia regularly writes articles, lectures in top universities, trains private practitioners and government officials, and speaks at conferences in international arbitration across the globe.

George Burn, Partner, Bryan Cave Leighton Paisner



George is co-head of the global arbitration group. He is an international arbitration specialist, with more than 20 years' experience representing clients across a range of industry sectors. He also has a long track-record in investor-state arbitration, usually appearing for investors bringing claims under a variety of bilateral and multilateral investment treaties. In those cases, he has led teams that have broken new ground on important

jurisdictional issues and other questions of public international law, including addressing international criminal law issues and issues relating to INTERPOL Red Notices.

Work highlights include: Being the first to establish the right of investors to bring claims in arbitration against sovereign-states that had ratified the Investment Agreement of the Organisation of the Islamic Conference. Leading the team to establish for the first time that individuals named in an INTERPOL Red Notice could bring a claim in arbitration against INTERPOL under its Headquarters Agreement with the Republic of France.

George is ranked as a Leading Individual in Legal 500 2020, and is also ranked in Chambers UK, International Arbitration. He is also ranked in Who's Who Legal's 2020 in International Arbitration and has been recognised in the inaugural Legal 500 International Arbitration Powerlist UK.

Assoc. Prof. Dr. Berk Demirkol, International Arbitration Chambers New York



Berk combines practice as counsel, arbitrator, and expert in investment treaty and international commercial arbitration cases, alongside his academic career. He holds a Ph.D. in International Investment Law from the University of Cambridge. His thesis *"Judicial Acts and Investment Treaty Arbitration"* was published by Cambridge University Press and was awarded in 2017 the ICC World Business Law Prize.

Berk holds a tenured professor (docent) position at the Galatasaray University Law School in Istanbul, where he teaches International Investment Law and Arbitration, International Commercial Disputes, and Private International Law. He is a Turkish National Committee member of the ICC and a member of the ISTAC Expert Commissions on the Revision of the ISTAC Arbitration Rules. He was among the core team who drafted the ISTAC Med-Arb Rules, the world's first-ever med-arb rules released by an arbitration institution. Berk is a dual-qualified lawyer, admitted to practice in England & Wales and Turkey.

Alejandro Garcia, Partner, Stewarts – The Litigation Specialist



Alejandro has over 18 years of dispute resolution experience. His practice focuses on international commercial arbitration and investment treaty arbitration. He has practised law in England for 14 years at leading law firms.

Alejandro has worked in England for 14 years at leading law firms, including Herbert Smith Freehills. Prior to joining Stewarts, he was a partner at Clyde & Co (September 2017 to April 2022). Alejandro has also practised in Switzerland, the USA and Chile.

Alejandro has acted as counsel in numerous complex international arbitrations both ad hoc (including under the UNCITRAL Rules) and under the rules of the major arbitral institutions (including ICSID, ICC, LCIA and SCC).

These arbitrations have encompassed disputes in a number of sectors, including renewable energy, oil and gas, infrastructure, defence, intellectual property, mining and foreign direct investment.

His experience includes:

- Representing two Central American investors against one of Latin America's largest countries in a US\$400m+ claim under a bilateral investment treaty (bilateral investment treaty/UNCITRAL Rules).
- Representing a solar PV investor in a Euro multi-million investment treaty claim against Italy (ECT/ICSID).
- Representation of a UAE company in its breach of contract claim against one of Asia's largest manufacturers of household appliances (UAE law/ICC). Damages awarded to Alejandro's client were in excess of US\$100m.
- Representation of two claimants in consolidated arbitrations arising from the negligent maintenance of a power plant in Latin America (Peruvian law/ICC).

Alejandro sits as an arbitrator and as a panellist at the World Intellectual Property Organisation (WIPO). In particular, he has sat as sole arbitrator in two complex media disputes. He is a member of the WIPO Mediation and Arbitration Advisory Committee. He is also included on the intellectual property panel of HKIAC, comprised of members who have demonstrated extensive experience and strong expertise in resolving intellectual property disputes. Alejandro has Higher Rights of Audience (Civil). Alejandro is recognized as “Next Generation Partner” in the fields of public international law (The Legal 500 UK, 2022) and international arbitration (The Legal 500 Latin America, 2022).

Client testimonials include: “Alejandro Garcia has multi-jurisdiction knowledge and gives outstanding legal, tactical and financial advice.” The Legal 500 Latin America 2022.

“Alejandro Garcia is a most valuable attorney in international arbitration cases as he is very knowledgeable about many details of law by heart. In many instances in our court he was able to present past reference cases and details of the results instantly. Very impressive. He managed our case to a big compensation reward.” The Legal 500 Latin America 2021. “Brilliant mind, always finds a way around a problem, client orientated.” The Legal 500 UK 2021.

HE obtained law degrees in the USA (LLM, Harvard Law School (Fulbright Scholar)) and Chile (LLB, University of Chile Law School (summa cum laude/first-class honours)).

Dr. Lorraine de Germiny, Partner, Lalive



Lorraine de Germiny joined LALIVE in 2014 and in 2021 was promoted partner of LALIVE (London) LLP. Her main area of practice is international arbitration, including commercial and investment treaty arbitration with particular experience in the mining and energy sectors. She has acted as counsel or arbitrator in a number of international arbitral proceedings, either ad hoc (including UNCITRAL) or administered (under the rules of the ICC and ICSID), governed by various procedural and substantive laws. She is a member of several professional associations (including the CFA-40, ArbitralWomen, ICDR

Y&I and LCIA YIAG) and one of the founding members of and Secretary and Legal Officer of Women in Mining Switzerland. She is also on the list of arbitrators with the Court of Arbitration for Art (CAfA). Before joining LALIVE, Ms. de Germiny practiced international arbitration at King & Spalding in Paris (2009-2014) and at Dewey & LeBoeuf in Paris and New York (2006-2009). In addition, she completed secondments to the Hong Kong International Arbitration Centre and to UNESCO in 2008 and 2012, respectively. Ms. de Germiny holds a Licence with honors from the University of Rennes, a J.D. (Juris Doctor) cum laude from Tulane University Law School and an LL.M. from Columbia Law School where she was named a Harlan Fiske Stone scholar.

Hanh Huynh, Head of Jus Connect by Jus Mundi



Hanh is the head of Jus Connect, a spin-off project by Jus Mundi. While Jus Mundi facilitates access to global arbitration resources and documents, Jus Connect is the professional network tailor-made for the arbitration community, focussing specifically on searching profiles and cases. With unique expertise both in the legal and finance sector, Hanh's experience is pivotal to driving this new business vertical.

Her legal career began at an international US law firm and continued in-house at Amazon and Westwing. Her main areas of practice were Competition Law, IP Law, and Corporate Law, both on the national (Germany) and international level. After years of legal practice, she took the leap and joined a Venture Capital fund that co-invested together with the world's leading UK and US funds in the DACH and CEE region.

Mirjam van de Hel - Koedoot (Partner, NautaDutilh)



Mirjam van de Hel - Koedoot is partner in NautaDutilh's Litigation & Arbitration practice group and specialises in international arbitration and litigation. Mirjam advises and acts in commercial and investment treaty arbitrations under a variety of arbitration rules. She also regularly acts in complex court proceedings concerning the enforcement and setting aside of arbitral awards, especially relating to disputes involving bilateral and multilateral investment treaties.

Mirjam graduated from Leiden University in 2001 and was admitted to the Bar in the same year. She also studied at the Institut d'études politiques in Paris and the University of British Columbia in Vancouver. Before joining NautaDutilh in 2009, she practised law at a major Dutch law firm and at an international arbitration boutique law firm in Brussels.

Examples of Mirjam's work include representing and advising:

- an oil & gas company in setting aside proceedings in relation to an UNCITRAL arbitral award rendered against the Republic of Ecuador in an investment arbitration;
- several Ukrainian investors in two setting aside proceedings in relation to UNCITRAL arbitral awards rendered against the Russian Federation in investment arbitrations;
- a top holding in ICC arbitration proceedings and related summary proceedings in a shareholder dispute;
- a Dutch oil production company in an ICC arbitration against an Italian construction company relating to a dispute regarding the construction of a diesel plant;
- a Dutch investor in an investment arbitration against the Czech Republic under the Netherlands-Czech Republic BIT;
- Moldova-based investors in enforcement proceedings in relation to an SCC arbitral award rendered against Kazakhstan in an Energy Charter Treaty investment arbitration;
- a Canadian mining company in setting aside proceedings in relation to an UNCITRAL arbitral award rendered against the Republic of Ecuador in an investment arbitration;

- an Italian energy company against a Dutch gas provider in an ICC multi-billion gas price revision arbitration;
- a Dutch insurance company in its multi-billion euro investment arbitration claim against the Republic of Poland regarding its investment in PZU;

Mirjam frequently presents and publishes on various aspects of (international) arbitration and civil procedural law. She is, among other things, co-author of the standard textbook on Dutch civil procedural law as well as a contributor to a Guide to the NAI Arbitration Rules (including a commentary on Dutch Arbitration Law). She is also member of the Executive Board of EFILA.

Dr. Moritz Keller, Partner, Clifford Chance



Moritz Keller represents clients in commercial litigation and arbitration proceedings as well as in investment arbitration proceedings. Moritz acts for private individuals, companies and corporates, the public sector and States in arbitration proceedings under the ICSID, ICC, UNCITRAL, DIS, Austrian Chamber and many other arbitration rules. Many of the proceedings have a focus on Germany, Austria, Switzerland and the CEE or CIS Region. Moritz has dealt with disputes in a number of sectors, most prominently the energy, infrastructure, construction and

banking sectors.

While regularly representing clients in post-M&A disputes, clients also often reach out to Moritz because of his in-depth knowledge of the energy, gas or financial markets. In recent years, he has been instructed repeatedly in cases in the pharmaceutical and consumer goods industries. Moritz accepts arbitrator mandates in select cases.

In his litigation practice, Moritz focuses on complex cross-border disputes and has frequently advised financial institutions in significant landmark cases in the region.

Prof. Dr. Nikos Lavranos, LL.M., Secretary General of EFILA



Nikos Lavranos is the first Secretary-General of the European Federation for Investment Law and Arbitration (EFILA). He is founder & owner of NL-Investmentconsulting, external Legal Advisor for numerous law firms. He is also Senior Advisor at Grayston & Company (Brussels) and Of Counsel at Wöss & Partners (Vienna).

He specializes in international investment law & arbitration, EU law, WTO law and public international law. Nikos has advised in numerous disputes involving in particular Dutch BITs, intra-EU BITs and the ECT initiated under various

arbitration rules such as ICSID, UNCITRAL and SCC rules.

He is listed as Arbitrator and/or Mediator at CIETAC, VIAC, AIAC, Energy Disputes Arbitration Centre (EDAC) and Energy Community.

In addition, he is Guest Professor *International Investment Law* at the Free University of Brussels and is visiting professor at several other universities. Nikos is also co-Editor-in-Chief of the *European Investment Law and Arbitration Review*. He is also co-editor of the book: *International Arbitration and EU Law* (published in 2021 by Edward Elgar Publishing).

Previously, he was Chief Negotiator for Dutch BITs at the Dutch Ministry of Economic Affairs and

later at the Dutch Ministry of Foreign Affairs. He is a permanent contributor to the Kluwer Arbitration Blog, the Practical Law Arbitration Blog, the EFILA Blog and Borderlex. He earned his Dr.jur. and LLM degrees from Maastricht University, The Netherlands and a Law degree from J.W. Goethe University Frankfurt.

Ben Love, Partner, Boies Schiller Flexner



Recognized as a global leader in international arbitration and public international law, Ben has represented clients in more than 50 commercial and investment disputes under all major arbitral rules, including some of the most high-profile matters submitted to international arbitration over the past decade.

Ben has assisted clients in obtaining favorable settlements, securing awards in excess of US\$1 billion on multiple occasions, and defeating several attempts to annul high-value ICSID awards. He has particular experience in disputes relating to the exploration, production, distribution, sale, and purchase of hydrocarbons and other natural resources, as well as related infrastructure. This includes numerous matters in Latin America, Europe, Asia, and Africa involving the mining sector, the upstream hydrocarbons sector, and agreements to supply natural gas (pipeline and LNG) and other commodities.

Ben teaches international investment law and arbitration at Brooklyn Law School, has acted as Director of the New York chapter of AIPN, and is a member of the ITA's Executive and Strategic Planning Committees. He also serves on the Peer Review Board of the ICSID Review, as a Corresponding Editor of *International Legal Materials*, and has served on the IBA's Subcommittee for Investment Arbitration.

Ben speaks English and French, reads Spanish, and holds law degrees from the University of Texas and Université de Paris I Panthéon–Sorbonne.

Dr. Alexandra Diehl, Partner, White & Case



Alexandra Diehl focuses on national and international dispute resolution with a special focus on arbitration (DIS, ICC, ICSID, SCC and ad hoc). She represents German and multinational clients in all phases of disputes and has started to develop an active arbitrator practice.

At ease with the multijurisdictional intricacies of transnational fact patterns, Alexandra supports clients with complex disputes relating to Post M&A, international investment law, IP and liability issues (including lawyer and managing directors' liability). She also regularly advises clients on issues relating to private international law and cross-border taking of evidence. Moreover, she gives IP-related advice in technology-driven transactions and with regard to R&D and license agreements. Prior to joining the firm, Alexandra worked for eight years for a major British law firm in Düsseldorf and Frankfurt. Alexandra regularly publishes on international arbitration matters.

She teaches commercial arbitration at EBS Law School and international investment law at Heinrich-Heine-University of Düsseldorf.

Prof. Loukas Mistelis, LLB, MLE, FCIArb, Advocate (Athens Bar), Clive M Schmitthoff Professor of Transnational Commercial Law and Arbitration, Queen Mary University of London, Partner, Clyde & Co, Chairman of the Executive Board of EFILA



Professor Loukas Mistelis is an acknowledged authority on international dispute resolution and investment treaty law. He is listed on the Who's Who Commercial Arbitration since 2007 and also a member of the ICSID Panel of Arbitrators as well as the recipient of the GAR Award for best arbitration lecture of 2013. He is also listed as one of the Thought Leaders in International Arbitration. Loukas Mistelis is the Clive M

Schmitthoff Professor of Transnational Commercial Law and Arbitration at the Centre for Commercial Law Studies, Queen Mary University of London. He is a member of the Academic Committee of the Institute of Transnational Arbitration, an academic member of the Investment Treaty Forum, British Institute of International and Comparative Law and a member of the Academic Committee of AIPN, and President of the Court of CEDRAC (Cyprus Eurasia Dispute Resolution & Arbitration Centre). Professor Mistelis was educated in Greece, France, Germany and Japan. He is fluent in English, German and Greek, and has good knowledge of French, and basic knowledge of Polish, Russian and Spanish. Member of Chartered Institute of Arbitrators (CIArb) since 2001, became Fellow of the CIArb (FCIArb) in December 2016.

He has practiced law in Germany, Greece and the United Kingdom, having also acted as a consultant in Cambodia, Japan, Moldova, Nigeria, Poland, Ukraine, and Vietnam. He has also advised several UK government agencies (such as DTI, BERR, MoJ) and international organizations, including the United Nations (UNCTAD, UNCITRAL and ECLAC) and the European Bank for Reconstruction and Development.

Recently, Loukas joined Clyde & Co as partner. His substantial arbitration experience (as arbitrator, counsel and expert) covers ad hoc and ICC, ICSID, LCIA, UNCITRAL, SCC, Swiss Chambers and Moscow cases. He has published widely including 14 books and more than 75 articles or chapters in books.

Dr. Patricia Nacimiento, Partner, Herbert Smith Freehills



Patricia is an expert in litigation with a special focus on international and German arbitration and all forms of alternative dispute resolution, including mediation. She has extensive experience both as a party representative and as an arbitrator. She also has considerable expertise in cross-border litigation and arbitration-related litigation. Her main areas of practice are in energy, construction and post M&A disputes. Patricia has extensive experience in managing large strategic dispute resolution proceedings and leading cross-border teams including the fight against corruption and money laundering. She further focuses on investment arbitration and the law of nations, also in the field of business and human rights.

As a party representative, Patricia has conducted over 140 arbitration proceedings under the rules of numerous arbitration institutions – including ICC, ICSID, SCC, CIETAC, DIS, LCIA, ICDR, Swiss Chamber of Commerce, Indian Council of Arbitration, and the Danish Institution of Arbitration as well as ad hoc proceedings. She is also regularly appointed as an arbitrator and has led numerous international ICC-, DIS- and ad hoc arbitration proceedings as a chairperson, sole arbitrator or party

appointed arbitrator. The German government has appointed Patricia in 2007 as one of four arbitrators to the panel of arbitrators at the International Centre for Settlement of Investment Disputes (ICSID). She was recently reappointed to the panel of arbitrators following a competitive process organized by the competent German Ministry.

Gordon Nardell QC, Twenty Essex



Gordon specialises in international litigation and arbitration. He has a particular focus on claims by and against state bodies and on work involving energy transition, infrastructure and utilities. Gordon is also known for his work in commercial regulation, judicial review proceedings and contract disputes in other sectors including transport, public/private partnerships and financial services. Gordon works at the cutting edge of contemporary legal disputes, covering issues such as intra-EU investment claims, the effect of the

COVID-19 pandemic on contracts, regulation of Hydrogen and other emerging renewable energy technologies, post-Brexit UK-EU relations, and trade via international free ports and zones.

Gordon is a barrister in England & Wales and Ireland and a foreign member of the Dutch Brussels Bar. He accepts arbitral appointments, ad hoc and under the rules of the main institutions. He is a Centre for Effective Dispute Resolution (CEDR) accredited mediator. Gordon also has extensive experience in Parliamentary and public affairs work in the UK and internationally. Since the UK's 2016 EU referendum he has advised extensively on Brexit issues affecting business and government, serving on professional and government bodies.

He began his professional career as a commercial litigation solicitor, qualifying in 1987. He practised public international law at the Council of Europe and served as UK Parliamentary Counsel before moving to the Bar.

Prof. Dr. Joost Pauwelyn, Professor, International law head, International law department co-director of the centre for trade and economic integration, Graduate Institute Geneva



Joost Pauwelyn is Professor of International Law at the Graduate Institute of International and Development Studies in Geneva, Switzerland and Co-Director of the Institute's Centre for Trade and Economic Integration (CTEI). He is also the Murase Visiting Professor of Law at Georgetown University Law Center (since 2014). Previously he was Professor of Law at Duke University (2002-2007). He has also taught at Neuchâtel, Columbia, NYU, Stanford and Harvard law schools and worked as legal adviser for the WTO Secretariat (1996-2002). From 2007 to 2014, he was Senior Advisor

with the law firm of King & Spalding.

Joost specializes in international economic law, in particular trade law and investment law, and its relationship to public international law. He also frequently advises governments and industry in WTO dispute settlement and investment arbitration and is a leading force behind the global www.tradelab.org network of legal clinics on international economic law. From 2015 to 2020, Joost was the Co-Editor in Chief of the *Journal of International Economic Law*.

In late 2020, Professor Pauwelyn was appointed to the WTO's multi-party interim appeal arrangement (MPIA, nominated by the EU).

Joost received degrees from the Universities of Namur and Leuven, Belgium as well as Oxford University and holds a doctorate from the University of Neuchâtel. He was appointed on the roster of WTO panelists and as arbitrator under Free Trade Agreements and the Energy Charter Treaty. Joost is the author of one of the leading case books on *International Trade Law* (Aspen, 2016, 3rd ed., with A. Guzman and J. Hillman) and, most recently, co-editor of "*Rethinking Participation in Global Governance: Challenges in Financial and Health Institutions*" (OUP, 2021) and "*Building Legal Capacity For a More Inclusive Globalization*" (2019).

He also authored or co-edited, amongst other works, "*Assessing the World Trade Organization - Fit for Purpose?*" (CUP, 2017), "*The Use of Economics in International Trade and Investment Disputes*" (CUP, 2017), *The Foundations of International Investment Law* (OUP, 2014), *Informal International Lawmaking* (OUP, 2012), *Optimal Protection of International Law* (CUP, 2008), *The Transformation of World Trade* (Michigan Law Review, 2005) and *Conflict of Norms in Public International Law* (Guggenheim Prize, 2005). In 2009, he received the Francis Deak prize, awarded to a younger author for meritorious scholarship published in *The American Journal of International Law* for his article on non-discrimination.

Rogier Schellaars, Partner, Van Doorne



Rogier Schellaars runs a dedicated arbitration practice out of Amsterdam and a hub in London. He focuses on post-M&A, joint-venture and investment arbitration work. Rogier completed his second term as a member of the ICC International Court of Arbitration in June 2021. He continues to actively contribute to the work of the ICC (as acting chair of the Dutch Arbitration and ADR Commission), NAI, DIS (Arbitration Council), the Dutch Arbitration Association and the Law Firm School. Rogier frequently publishes on arbitration law in journals and for the

International Bar Association and the Max Planck Institute. Rogier has completed degrees in both English law (on which he lectured at Leyden University) and Dutch law.

Rogier acts as arbitrator and counsel under the ICC, NAI, AAA, ICDR rules and as counsel under many other rules such as UNCITRAL, SCC, DIS, and ICSID arbitration.

Dr. Jeff Sullivan, Partner, Gibson, Dunn & Crutcher, QC



Jeff Sullivan is a U.S. and English qualified Queen's Counsel and partner in the London office of Gibson, Dunn & Crutcher, where he is a member of the firm's International Arbitration Group. He represents clients in both commercial and investment treaty arbitrations, as well as all aspects of public international law. Mr Sullivan also regularly sits as arbitrator. His practice has a particular focus on disputes arising in the energy, extractive industries and infrastructure sectors. His experience includes handling disputes arising out of long-term supply agreements, concession

agreements, production sharing and operating agreements, joint venture agreements, EPC and other construction agreements.

Mr Sullivan has also acted as counsel and lead advocate in more than 30 bilateral investment treaty and Energy Charter Treaty arbitrations. He has advised States in Europe, Central Asia and the Middle East on the negotiation and drafting of trade and investment treaties. Mr Sullivan's recent representations include advising a US company in a US \$4 billion ICC arbitration arising out of an Middle Eastern infrastructure project; acting for an Asian government in an UNCITRAL arbitration in a US \$750 million commercial dispute with a concessionaire in a transport project; acting for 25 different international investors in renewable energy projects in 10 separate ICSID and UNICTRAL arbitration claims against the Kingdom of Spain under the Energy Charter Treaty involving claims in excess of US \$2.5 billion; and a Cypriot company in two parallel LCIA arbitrations with the amount in dispute in excess of US \$2.2billion.

Mr Sullivan is a Member of the ICC UK Arbitration & ADR Nominations Committee, a member of the Energy Charter Treaty Secretariat's Legal Advisory Task Force, an Executive Board Member of the European Federation for Investment Law and Arbitration (EFILA) and an Executive Committee Member of the Foundation for International Arbitration Advocacy.

He is consistently ranked as a leading individual by the major legal directories, including Chambers & Partners and Legal 500. Chambers UK and Chambers Global 2022 describe him as "excellent – he's a really good advocate" and "a fantastic lawyer who is calm, smart and strategic. His ability to understand what the client needs is terrific". Chambers UK 2021 describe him as "truly excellent in investor-state arbitration. He's extremely practical, very effective and knows how to get results" and "very strong lawyer who is very client-friendly". Chambers Global 2021 noted that he is "extremely calm, unflappable and deliberate," as well as "an extremely focused, strong advocate who captures your attention. He's an impressive individual". Chambers UK 2020 noted his "ability to grasp the essentials of a complex matter and very impressive tactical skills". Chambers UK 2019 described him as "very communicative and very thorough, with a knowledge of arbitration that was second to none" and "a consummate professional and has an unbelievable command over his cases". He is also ranked in Best Lawyers UK 2022 for International Arbitration and Lawdragon 500 Global Litigation 2021 for International Arbitration and Litigation.

Prof. Dr. iur. et lic.rer.pol Anne van Aaken (Alexander von Humboldt Professor, Chair for Law and Economics, Legal Theory, Public International Law and European Law; Director of the Institute of Law and Economics)



Anne van Aaken (Dr. iur. and MA Economics) is Alexander von Humboldt Professor for Law and Economics, Legal Theory, Public International Law and European Law, University of Hamburg, Germany. She was Professor at the University of St. Gallen, Switzerland from 2006-2018.

Anne was Vice-President of the European Society of International Law and of the European Association of Law and Economics, and is the Chair of the EUI Research Council. She taught as a guest professor at numerous universities in Europe, Africa, Asia and Latin America as well as the USA, was a Global Law Professor at NYU 2016 and a Fellow at the Institute for Advanced Study Berlin in 2010/11. She chairs the European University Research Council, is general editor of the *Journal of International Dispute*

Settlement (OUP) and a member of the editorial boards i.a. of the *American Journal of International Law* (CUP), *European Journal of International Law* (OUP), and *International Theory* (OUP). She has been consultant for the IBRD, OECD, UNCTAD, GIZ.

Anne's far over 100 publications are often interdisciplinary, using economics and social science methods to understand the consequences of law as well as law-making, including adjudication. Anne has a focus on international economic law, especially international investment law and also works on (business and) human rights and environmental law. She is currently working on a book with OUP on behavioural economics/psychology of International Law and International Legal Theory and has published widely on those topics.

Anne was professor of the University of St. Gallen from 2006-2018 and was senior researcher at the Max-Planck Institute for Comparative Public Law and International Law as well as at the Max-Planck Institute for Research on Collective Goods. She did her doctorate in law at the Europa University Viadrina in 2000, is admitted to the Bar in Germany and did her first State Examination (equivalent JD) at the University of Munich, Germany in 1997. Before that, she obtained a Master Degree in Economics and a Bachelor Degree in Communication Science in 1992 at the University of Fribourg, Switzerland.

Dr. Isabelle Van Damme, Partner, Van Bael & Bellis



Isabelle Van Damme is a Partner at Van Bael & Bellis. Her practice covers international trade law (WTO and preferential trade agreements), EU law and all aspects of public international law. She represents governments and individuals before various international courts and tribunals, including WTO dispute settlement bodies, the CJEU and FTA tribunals. Isabelle advises clients on WTO procedural and substantive law and represents governments in WTO dispute settlement proceedings. She has represented WTO Members before WTO panels and the

Appellate Body in dispute settlement proceedings involving, *inter alia*, export quotas and duties, accession protocols, export licensing, technical barriers to trade, transit restrictions, administration and review of trade measures, general exceptions and the security exception, minimum export pricing, discriminatory taxation and customs valuation. Isabelle previously gained experience in the

area of WTO law as an associate at a Geneva-based law firm. She has also worked as a Legal Intern at the WTO Appellate Body Secretariat. Isabelle has significant expertise in the area of EU law. Her experience of acting or advising as counsel in cases before the Court of Justice of the European Union includes cases relating to Brexit, staff regulations, sanctions, EU tobacco legislation, State aid, the retroactive application of trade remedies and cases involving the relevance under EU law of the status of disputed territories under international law. She advises also on EU customs law, data protection and government procurement. Isabelle previously worked as a référendaire in the chambers of Advocate General Sharpston at the Court of Justice of the European Union.

Isabelle is currently a Visiting Professor at the College of Europe, where she teaches EU trade law and policy. She has also taught at the University of Cambridge (United Kingdom), the World Trade Institute/University of Bern (Switzerland), the Université Catholique de Louvain (UCL) (Belgium) and the Academy of International Economic Law and Policy (Greece). Isabelle holds Bachelor and Master degrees from the University of Ghent, an LLM from Georgetown University Law Center and a PhD from the University of Cambridge. Her main publications include a monograph on *Treaty Interpretation by the WTO Appellate Body* (OUP) and *A Commentary on the WTO Anti-Dumping Agreement* (CUP). She is also working on the second edition of *The Oxford Handbook of International Trade Law* (OUP). At the end of 2020, Isabelle was elected Executive Vice-President of the Society of International Economic Law.

Wieger Wielinga, Managing Director Enforcement & EMEA, Omni Bridgeway



As Managing Director Enforcement & EMEA, Mr Wielinga now co-leads one of the largest teams of litigators, recovery, business intelligence and asset-tracing specialists both within the company and the industry in general. He is responsible for Omni Bridgeway's investment origination in (sovereign) awards and judgments globally and its litigation funding efforts in EMEA and the UK.

Mr Wielinga has extensive international experience having begun his career in 1992 as an attorney at Loeff Claey's Verbeke (now Allen & Overy) specialising in litigation and insolvency matters. He has been an advising lawyer to the International Finance Corporation / World Bank on emerging markets projects and has advised multinationals on the legal risks of investments in emerging markets. He is a former officer with the military intelligence service of the Royal Dutch Army, Russian language and interrogation unit.

Mr Wielinga holds an Masters of Business Administration from INSEAD, Fontainebleau, a Masters in Law from Leiden University and a post doctoral degree in Insolvency Law from University of Nijmegen. He speaks and understands Dutch, English, Russian, German and French. He has lived, studied and worked in the Netherlands, Germany, France and the US.

Mr Wielinga is a sought-after guest speaker and panelist on topics ranging from dispute funding and enforcement strategies, to settlement negotiations for prominent (sovereign) awards and judgments.

Alexander Yanos, Partner, Alston & Bird



As co-leader of Alston & Bird's International Arbitration & Dispute Resolution Team, Alex Yanos focuses on complex international disputes in court and before arbitral tribunals.

Alex's arbitration practice includes commercial, financial, and treaty-based disputes, particularly in the energy and mining sectors and in Latin America. He obtained a finding of unlawful expropriation in one of the largest investment treaty cases ever filed before the International Centre for Settlement of Investment Disputes (ICSID) in an arbitration against

Venezuela. In another decision against a sovereign state, the U.S. Supreme Court reinstated the award of a British multinational oil and gas company client against Argentina. He has also obtained results for clients in disputes involving governments around the world. He has advocated for his clients before nearly every international arbitration tribunal, including the ICSID, International Chamber of Commerce, London Court of International Arbitration, American Arbitration Association, Hong Kong International Arbitration Centre, Inter-American Commercial Arbitration Commission, International Court of Justice, and Stockholm Chamber of Commerce. Alex also has considerable experience representing clients in the securities, banking, antitrust, and insurance industries facing multijurisdictional disputes. He is fluent in six languages.

He has been ranked as one of the top international arbitration lawyers by *Chambers USA*, *Chambers Global*, and *Chambers Latin America* and recognized by *The Legal 500 United States*.