CENTER FOR INTERNATIONAL LEGAL STUDIES

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13th Biennial

Arbitration Symposium

3-6 July 2026

Group photo 12th edition

Schedule

Friday, 3 July

11:00-11:20 **Welcome Coffee**

11:20-11:30 **Symposium Opening Co-Chairs**

James Castello, based in Paris and the U.S., has been a member of Arbitration Chambers since late 2024, where he serves solely as an independent arbitrator. Previously, he advised and represented clients as counsel in a wide range of commercial and investor-state arbitral proceedings under a variety of arbitration rules. He has been based in Europe for 25 of his 37 years in practice, 15 of which were spent as a founding partner of King & Spalding's Paris office. As a U.S. delegate to UNCITRAL's Arbitration Working Groups since 2001, James has assisted in drafting or revising every arbitration instrument adopted by the UN, and he has written Commentaries on UNCITRAL's Arbitration Rules for books published by Oxford, Kluwer, and Juris. James also serves as Deputy Chair of the LCIA Board of Directors and, during his previous term as a member of the LCIA Court, he was a member of the drafting committee for the LCIA's 2014 Arbitration Rules.

Lorraine de Germiny, LALIVE (Partner), London, England, United Kingdom - practices both commercial and investment treaty arbitration, with a focus on high value, complex disputes in the mining and energy sectors. French American and a member of the Paris and New York bars, she has acted as counsel in several international arbitral proceedings, either *ad hoc* (including UNCITRAL) or administered (under the rules of the ICC and ICSID). Lorraine is a member of numerous professional associations and one of the founding members of and Secretary and Legal Office for Women in Mining Switzerland. She has also served as an arbitrator and is on the list of arbitrators with the Court of Arbitration for Art (CAfA).

11.30-12:45 Panel 1

Is There Now a European Law of Arbitration?

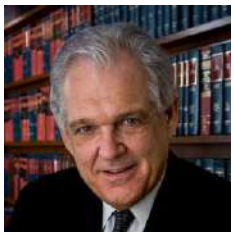
The ECJ in Luxembourg and the European Court of Human Rights in Strasbourg appear to be issuing complementary jurisprudence, e.g., on the scope of judicial review of awards (cf. the "FC Seraing" and the "Semenya" judgments, respectively).

Add to this, the Swiss Federal Tribunal's recent decision in "EDF Energies Renouvelables," another of the disputes over enforceability of intra-EU investment treaty awards. Where does this lead?

Moderator:

Gordon Nardell KC, Twenty Essex, London, England, United Kingdom - practising as counsel and arbitrator in London and Singapore and at Alphalex-Avocats in Brussels. He is a member of the Bars of England & Wales and Ireland and a foreign (B-List) member of the Dutch Brussels Bar. Gordon specialises in international arbitration and cross-border litigation, typically involving States and State-owned entities and often involving issues at the intersection of commercial, EU and human rights law. Gordon began his career as a commercial disputes solicitor, moving to the Bar via the former European Commission of Human Rights and the UK Parliamentary Counsel Office. He is a regular contributor to professional publications and events.

Speakers:



George Bermann Professor and Director, Center for International Commercial and Investment Arbitration, Columbia Law School; independent international commercial and investor-State arbitrator; president, global advisory board, New York International Arbitration Center; editor-in-chief, American Review of International Arbitration (ARIA); chief reporter, ALI Restatement of the US Law of International Commercial and Investor-State Arbitration.

Julien Fouret is the Global Co-Head of International Arbitration of HFW. He specialises in international commercial arbitration and investment treaty arbitration. He acts as counsel, chairman of the arbitral tribunal, co-arbitrator or sole arbitrator. Julien is a Member of the International Court of Arbitration of the ICC for France and is also the Secretary General of the International Academy for Arbitration Law. He is a former Vice-Chair of the IBA Arbitration Committee, a former co-chair of the ASA below 40, the CFA 40 and of the IBA Arb40 subcommittee. Julien is also a former Counsel at the Secretariat of the International Court of Arbitration of the ICC. He is the author of several articles and books notably the critically acclaimed "The ICSID Convention, Regulations and Rules - A Practical Commentary" (Edward Elgar Publishing, 2019), which has been described as "an impressive piece of scholarship" as well as "Provisional and Emergency Measures in International Arbitration" (Edward Elgar, 2023) described as "an invaluable contribution".

Dániel Dózsa, Queritius, Budapest, Hungary - is an international disputes lawyer building the first-ever international disputes boutique in Central Eastern Europe. He has experience in both investor-state and international commercial arbitrations and has been counsel and arbitrator in such disputes under all major arbitral rules.

Athina Fouchard Papaefstratiou is an internationally recognised arbitration expert and independent arbitrator, based in Paris. Athina has significant experience in Africa-related arbitration, as well as in arbitration involving States and State entities. She is a member of the ICC Court, a member of the organising committee of Paris Arbitration Week and a founding member and former co-chair of AfricArb. She is also a member of the ICC Greece Arbitration Committee and of its Arbitrator Nominations Commission. She is a CIArb Fellow, the treasurer of the European Branch of the CIArb, and its representative at the Working Group 2 of UNCITRAL. Athina is a Greek citizen, and a member of the Bar Associations in Paris and in Athens. She works in English, French and Greek.

Summary:

The CJEU in Luxembourg and the European Court of Human Rights in Strasbourg have been taking an increasingly keen interest in arbitration, apparently developing converging and complementary principles on key issues of interest such as the scope of judicial review - cf. the *FC Seraing* and *Semenya* judgments. At the same time, developments such as the Swiss Federal Court's decision in *EDF Energies Renouvelables* and AG Biondi's CJEU Opinion in *Reibel* bring into sharp focus the EU's juridical relationship with Third States and other international systems in important areas such as public policy and treaty claims. Is there now a distinctly "European" law of international arbitration? If so what are its key contours? What is the direction of travel? And how should arbitration practitioners respond?

12:45-13:30 **Lunch**

13.30-14:55 Panel 2

AI and Arbitration

Starting with the ongoing work of the IBA Arbitration Task Force on AI and its implications for current practice, this panel addresses increasingly pressing questions: How should tribunals address novel issues arising out of AI's growing role in legal submissions, factual evidence, and expert opinions? Where is the line between AI-assisted decision-making and improper delegation by arbitrators? Can AI improve the efficiency of arbitration while preserving the integrity of the process, or is it destined to supplant it?

Moderator:

Ana Vermal is a partner in Proskauer's Litigation Department and co-head of the firm's International Arbitration Group. She is a quadrilingual lawyer with more than 20 years of experience representing corporations in complex international arbitrations arising from cross-border transactions, and she frequently serves as arbitrator. From 2018 to 2024, she served on the ICC International Court of Arbitration, where she participated in the Court's supervision of ICC arbitrations, including arbitrator appointments, challenges, and award scrutiny. Ana is a member of the Arbitration Council of the DIS and co-heads the International Bar Association's Task Force on AI in International Arbitration. She is also the Argentine representative to the ICC Commission on Arbitration and ADR and a frequent speaker on international arbitration topics.

Speakers:

Mohamed Abdel Wahab, Professor of International Arbitration, Private International Law and English Contract Law, and Director of the English Section at the Faculty of Law, Cairo University; Founding Partner and Head of International Arbitration, Construction and Energy Groups, Zulficar & Partners Law Firm (Egypt); International Judge of the Bahrain International Commercial Court (BICC); Global Past President of the CIArb (2025); Dean of the Africa Arbitration Academy; Member of the Curatorium of the Hague Academy of International Law; Member of the Governing Board (ICCA); Chair of the ICC Governing Body for Dispute Resolution Services. Served as 'Arbitrator', 'Legal Expert' and 'Counsel' in more than 285 cases, including complex, high value institutional and ad hoc arbitral proceedings involving parties from the Africa, Asia, Canada, Europe, the Middle East, the United States and Latin America. Listed in all major legal directories as a star practitioner. Lexology Index – Arbitration 2026 says: *He is an outstanding arbitrator, His work ethic, professionalism, integrity and moral values are exceptional.*

Laurent Hirsch, HIRSCH, Geneva, Switzerland - is a Geneva-based sole practitioner handling international arbitration worldwide. He advises and represents companies before arbitral tribunals in international commercial disputes and serves as an arbitrator. Laurent publishes regularly on arbitration topics. He is an organiser of, and speaker at, arbitration conferences, and has chaired and co-chaired the CILS Arbitration Symposium from 2008 until 2022.

Claire Morel de Westgaver practices international arbitration as counsel, advocate and arbitrator from Ontier's London office. Ontier is a European law firm with offices in Spain, Italy, Latin America, Saudi and the UK. Claire is an English solicitor and a New York attorney and conducts proceedings in English and French language. She has particular expertise in disputes relating to technology, corporate transactions, licensing, cross-border sales or service agreements, as well as disputes involving secrecy, intellectual property, and cybersecurity issues. Her practice covers a broad spectrum of industries, including IT, pharmaceuticals, retail, engineering, energy, agribusiness, media, art, and defense. Claire has experience in proceedings conducted under the arbitration rules of the LCIA,ICC, AAA/ICDR,UNCITRAL,WIPO, CEPANI and CCJA as well as in ad hoc proceedings. Claire regularly writes and speaks on arbitration-related subjects, including the use of technology and AI in arbitral proceedings, arbitrating technology disputes, cybersecurity in international arbitration, and the preservation of trade secrets.

Crenguta Leaua, Arbitrator, Lugano, Switzerland - teaches comparative international arbitration and new technologies law at the Bucharest University of Economics, for the students in law, economics, and informatics, being frequently invited as guest lecturer or in various events of universities in the US and Europe. She is a founder of Leaua Damcali Deaconu Paunescu, a GAR 100 law firm in Romania, active in both commercial and investment arbitration. Ranked Thought Leader (WWL Legal) in arbitration, she is a past vice president of ICC Paris, currently a board member of The Silicon Valley Arbitration and Mediation Center (SVAMC), listed on the SVAMC World's Leading Technology Neutrals – the Tech List® and as arbitrator by institutions worldwide, including EU free trade agreements arbitrators' lists. She is an expert with UNICTRAL for technology-related disputes and is a corresponding member of UNIDROIT. Currently she is based in Switzerland, where she is also the director of The Swiss Institute for Alternative Thinking.

Summary:

AI is starting to reshape how counsel, experts, and arbitrators work. This panel will take stock of where the arbitration community stands today, examining both the adoption of AI and the evolving soft-law frameworks designed to guide its responsible use.

The discussion will move to the thorny questions that AI is beginning to raise in real cases. Panelists will explore challenges relating to legal submissions, including

- hallucinated or misunderstood authorities;
- the potential impact of AI on witness evidence; and
- the growing role of AI in expert analysis.

The panel will then turn to what may be the most consequential issues of all: the use of AI by arbitrators themselves.

Where is the line between efficiency and impermissible delegation?

Can AI assist without becoming a substitute for human judgment, discretion, and reasoning?

And looking further ahead, could parties one day seek to appoint AI as a decision-maker - and, if so, what would that mean for the legitimacy and enforceability of arbitral awards?

15:05-16:20 Panel 3

Fraud and Corruption in International Arbitration

What to learn from recent developments, ranging from the recent ICC Task Force report on "red flags" to Mr. Justice Knowles' decision vacating the P&ID v Nigeria award for fraud and its implications for arbitrators and counsel.

Moderator:

Lucinda Low is a founding member of Low & Kinnear Dispute Resolution LLC, based in Washington, DC, a boutique firm focused on the provision of independent adjudication and advisory services in transnational matters. Prior to founding LKDR in 2024, she was a partner with Steptoe LLP, where she co-chaired the firm's international arbitration practice group and served as its International Practice Leader. She is widely recognized for her expertise in both international arbitration and international regulatory compliance matters. Ms. Low was the first woman to chair the American Bar Association's Section of International Law. She has also served as President of the American Society of International Law. She was appointed by the United States to the ICSID Panel of Conciliators in 2016 and by the World Bank President to the ICSID Panel of Arbitrators in 2017 and is a member of various arbitration rosters.

Speakers:

Nadia Darwazeh is a Partner at Vanguard International Dispute Resolution. She has over 25 years of experience acting as counsel in commercial and investor-state arbitrations. She also regularly sits as arbitrator. Prior to joining Vanguard, Nadia worked for leading international law firms based in London, Paris, Frankfurt and Shanghai. Nadia also previously led the Europe, Middle East, Africa team at the Secretariat of the International Court of Arbitration (ICC) for a period of three years. Nadia is dual-qualified in England & Wales (Solicitor-Advocate) and Germany (Rechtsanwältin). She earned her LLM in International Public Law from the University of Cambridge and her LLB from the University of Warwick. She conducts arbitrations in French, German and English and speaks Dutch and Mandarin Chinese.

Dr **Veijo Heiskanen** is a leading independent arbitrator and member of Arbitra International, who boasts an impressive career spanning over three decades. A Finnish national based in Geneva, his practice spans commercial and investment arbitration as well as energy, encompassing oil & gas, construction and engineering, infrastructure, and mining. He has previously held key positions such as Legal Adviser at the Iran-United States Claims Tribunal, Deputy Chief of the Legal Service of the United Nations Compensation Commission, and Secretary General of the Claims Resolution Tribunal, all before becoming a Partner at a leading law international law firm. Veijo is ranked Band 1 for International Arbitration: Most In Demand Arbitrators by Chambers and Partners 2026 and is recognised by Lexology Global Elite Thought Leaders - Arbitration 2026.

Rami Chahine, Meltem Avocats (Partner), Marseille, France - Rami's practice focuses primarily on arbitration, litigation, and white-collar crime, with a particular emphasis on disputes involving the Middle East and North Africa. He has experience in the enforcement and setting-aside of arbitral awards in France, especially in presence of sovereigns. Prior to joining Meltem Avocats, Rami worked for nearly a decade in international and regional law firms specialized in international arbitration, as well as within the business and white-collar litigation team of a prominent criminal defence attorney in Marseille. Rami is recognised since 2021 as a "Future Leader" in international arbitration by Who's Who Legal (Lexology).

Colm Ó hOisín SC has been in practice in Dublin at the Bar of Ireland since 1988 and became a Senior Counsel in 2005. He is also a member of the Bar of England and Wales, the Bar of Northern Ireland, and an Associate Tenant with Kings Chambers (Manchester, England). Colm has a wide-ranging practice concentrated on commercial and public law litigation and on international commercial and investment arbitration. He has many appointments as sole arbitrator, co-arbitrator and chair in international arbitration, and these include appointments under the rules of ICC, LCIA, ICSID, ICDR and DIAC. He is a former President of Arbitration Ireland and was a Member of the ICC International Court of Arbitration from 2015 to 2021. Colm is currently designated by Ireland to the ICSID Panel of Arbitrators. He is also a Chartered Arbitrator (CIArb).

Summary:

The topic of corruption continues to be an important issue in arbitration. This panel will discuss:

- the perennial challenges in proving of corruption, including the use of red flags and trends in arbitral awards regarding burden and standard of proof;
- the English position on annulment/enforcement, including the P&ID appeal, as well as the French position on annulment/enforcement, including recent court decisions; and
- the implications of developments in the scope of review by set aside/enforcement courts on seat selection.

16:20-16:40 **Break**

16:40-17:55 Panel 4

Why We Are Still Talking About Document Production?

Are the IBA Rules on the Taking of Evidence still working? Are they properly applied? Are common law trained arbitrators too indulgent? Are civil law trained arbitrators too afraid to say "no"? Is "privilege" excessively invoked? Do States take document requests seriously and do arbitrators ever make States take them seriously? Are adverse inferences ever successfully requested and, if so, when?

Moderator:

John B. Pinney FCIArb, is a senior trial lawyer and partner at Bricker Graydon Wyatt LLP based at the firm's Cincinnati office. His practice involves business and commercial dispute resolution, including trials, mediations and arbitrations in complex commercial, international, banking, securities, products liability, employment, insurance, trust, ERISA and class action cases. For the past thirty years, Pinney's practice has focused on international business disputes, including serving as counsel, arbitrator and mediator for such disputes in U.S. courts and arbitral tribunals in the United States and in many other countries throughout the world. Pinney also teaches International Commercial Arbitration at the University of Cincinnati College of Law and coaches its Vis Moot team that competes in annual moot Vienna.

Speakers:

Alison Pearsall has over twenty years of experience advising large multinational corporations on high value/risk arbitration and litigation cases and risk management in the oil and gas, waste, and water sectors most recently as the Group Head of Litigation, Dispute Resolution, Risk Management & Insurance at Atos SE. Prior to her in-house career, she served as the Common Law Counsel at the ICC International Court of Arbitration and exercised in private practice at large law firms in New York and Paris specializing in international arbitration and complex commercial litigation. She is currently a member of the ICC Commission on Arbitration and ADR, Swiss Arbitration Association and has recently been named to the Board of the Association of Corporate Counsel (for Europe). She previously served as a court member of the LCIA and Chair of the New York City Bar Committee on International Trade. Alison is qualified both as a U.S. attorney and as a mediator.

Laura Halonen is a Finnish national, English solicitor and independent arbitrator based in Berlin, Germany, with very Swiss procedural instincts. She teaches and advises on investment law and arbitration, but her arbitrator practice focuses on commercial disputes, particularly in the energy, infrastructure, pharma and transport sectors. Laura is the co-chair of the Campaign for Greener Arbitrations and MUTE OFF Thursdays. The answer to your first question is yes, she did arrive by night train.

Anne K. Hoffmann is an internationally recognised independent arbitrator with more than 25 years of experience in commercial and investment arbitration during which she practiced in London, Geneva, and Dubai. Dual-qualified in Germany and England & Wales, Anne has acted in arbitrations globally, governed by numerous laws and across a great variety of sectors. Anne has sat as sole, emergency, co-arbitrator and chair under all major rules as well as ad hoc. She has also acted as an arbitrator under the ICSID Rules. Anne's reputation is underscored by her recognition as a Global Elite Thought Leader and Global Leader Arbitration by Who's Who Legal, and her inclusion in Chambers Global as Most in Demand Arbitrator as well as in the Legal 500 Arbitration Powerlist Middle East.

Genevieve Poirier is a partner with LALIVE in London where she has practiced for the past 20+ years. An Irish/Canadian dual national, qualified in New Zealand and England and Wales, spent many years with Skadden in London and long prior to that with Philips Fox in Wellington. Her counsel and arbitrator practice is almost exclusively commercial, but spans a range of specialisms, laws and seats with cases involving subject matter as diverse as airport car parks in England; cigarettes in Yemen; slum rehabilitation in Mumbai; and Nuclear in the Nordics. She is delighted to take part in the symposium for the first time and is excited to connect and re-connect with everyone.

Summary:

This session addresses whether the current practices and procedures of document production in international arbitration are working well and, where not, how counsel and tribunals can assist parties identifying and presenting material documentary evidence needed for just resolution of the matter entrusted to them at reasonable cost.

The panel will include each panel member being discussion leader for the panel on the topics of whether the IBA Evidence Rules are currently being as intended, how matters of privilege and legal secrecy are addressed and whether states as parties abide by the same or different rules regarding document production.

There will be a short vignette with role play illustrating a number of the above topics.

The session will conclude with a discussion of recommendations to counsel and tribunals on best practices regarding document requests and production.

18:15-19:30 Welcome Drinks / Tour of Palace State Rooms

19:30-21:30 Opening Dinner

Saturday, 4 July

7:30-8:50 Breakfast

9:00-10:15 Panel 5

Arbitration and Energy Transition Disputes

Disputes formerly focused on changed regulatory regimes governing investments in alternative energy are now also arising from fights among investors, insurers, project owners, and contractors as to who bears the technological risk of new energy systems and markets. Add to these further disputes over stranded investments or projects, as governments reassess abandoning hydrocarbons and their commitments to COP 21 targets.

Moderator:

Peter Cameron is a qualified barrister (England & Wales), admitted to Middle Temple Inn of Court. He has sat as arbitrator in complex, high-value, cross border disputes at the International Centre for Settlement of Investment Disputes (ICSID), and the International Court of the International Chambers of Commerce (ICC). He also takes instructions as expert witness and has provided oral and/or written testimony in more than 40 arbitral proceedings or litigation before the LCIA, the ICC, the Arbitration Institute of the Stockholm Chambers of Commerce, the Singapore International Arbitration Centre, the Commercial Court, London and the Central Criminal Court, Milan, Italy. Peter is a Fellow of the Chartered Institute of Arbitrators and is on the List of Practitioners in International Arbitration at the Vienna International Arbitration Centre. He is Professor of Energy and Climate Law at the Centre for Commercial Law Studies, Queen Mary University of London and is the author of 'International Energy Investment Law: The Pursuit of Stability' (OUP).

Speakers:

D. Brian King, New York University School of Law, New York, New York, United States - is an independent arbitrator based in New York and London, where he is an arbitrator member of chambers at 3 Verulam Buildings. Prior to his retirement in 2018, Brian was a senior partner in the international arbitration group at Freshfields Bruckhaus Deringer. Alongside his arbitrator practice, Brian teaches investment arbitration at the New York University School of Law.

Brenda Horrigan is an internationally recognised arbitration practitioner with over 30 years of extensive global experience, having worked from the US, Paris, Moscow, Shanghai, Sydney and now Singapore. Brenda is a past president of the Australian Centre for International Commercial Arbitration (ACICA) and remains a member of its Board. She is a Fellow of the Chartered Institute of Arbitrators and has acted as arbitrator and/or counsel under a variety of rules, including SIAC, HKIAC, LCIA, ICC, KCAB International, JCAA, SCC, NZDRC, CIETAC, UNCITRAL and ICSID. Brenda has taught international arbitration as a Global Adjunct Professor of Law at New York University's Shanghai campus and as a guest lecturer at the University of New South Wales, Australian National University, City University of Hong Kong and Hong Kong University. She regularly speaks at conferences and seminars on arbitration and is consistently ranked in Chambers and Who's Who: Legal (now Lexology) as a leading arbitration practitioner.

Thomas Stouten heads Houthoff's International Arbitration Practice and specialises in international arbitration under the auspices of the ICC, LCIA, SIAC, DIAC, UNCITRAL, ICSID, UNUM and NAI. He focuses on court litigation, including post-arbitration litigation in the Netherlands and the Dutch Caribbean. He has extensive experience in complex disputes, often with multi-jurisdictional aspects, covering a broad range of issues arising from commercial and corporate transactions. Because of his international law practice, Thomas has also worked at Houthoff's New York and London offices. Thomas is a member of the ICC International Court of Arbitration in Paris and a member of the ICC Task Force on Addressing Issues of Corruption in International Arbitration. He is also actively involved in the IBA Arbitration Committee. Thomas was the Co-chair of the Recognition and Enforcement of Arbitral Awards Subcommittee and he is currently working on the Task Forces on Res Judicata and Privilege in International Arbitration. In addition, he is a member of Houthoff's Supervisory Board.

Florian Haugeneder is a co-head of the International Arbitration Practice of KNOETZL. He has more than 20 years' extensive experience as counsel and arbitrator under the rules of the major arbitral institutions, including the ICC, DIA, DIS, ICSID, KCAB, LCIA, SCC and VIAC, as well as in ad-hoc arbitration such as UNCITRAL. Florian lectures at the University of Vienna and frequently speaks and publishes on international arbitration and investment protection. He received the Teaching Award 2018 of the University of Vienna and has been a member of the ICC Taskforce on "Addressing Issues of Corruption in Commercial and Investment Arbitration" since 2019.

Summary:

Phasing in - Investments in clean energy have generated multiple disputes between investors and states, and among investors, insurers, project owners, contractors, and civil society, giving rise to new issues in arbitration and questions about the support of international law for long-term projects.

Phasing out – Moving on from fossil fuels has triggered disputes over licensing of projects, and stranded investments, while shifting priorities have led governments to reassess abandoning hydrocarbons and their commitments to COP 21 targets, and to intervene in 'critical' infrastructure. How does arbitration navigate the resulting uncertainty?

The moderator will introduce a series of topics on the above and then ask questions to the panel members for a brief response before inviting questions from the audience.

10:15-10:35 **Break**

10:35-11:50 Panel 6

Climate Change and Arbitration

Examining the opportunities and the barriers to arbitrating issues relating to climate change and its many effects.

Moderator:

Wendy Miles KC is a specialist in international arbitration and dispute resolution, with a focus on private and public international law. She has advised on international law matters and conducted arbitrations under all the major institutions and ad hoc, across diverse sectors including energy, natural resources, banking, insurance and financial services. In the field of climate change and finance, Wendy is involved in legal aspects of climate change transition, disclosure, reporting, compliance and investment, advising on climate-related physical, transition and litigation risks. She is a Vice Chair for the International Chamber of Commerce (ICC) Environment and Energy Commission and represents the ICC at the UNFCCC Conferences of the Parties.

Speakers:

Patrick Baeten graduated in law from the University of Ghent and holds an LLM in international law from the University of Louvain-la-Neuve. He joined ENGIE in 1996 and held several senior positions at regional level and at corporate level, in Brussels, Paris and Rio de Janeiro. Patrick now serves as an executive committee member and secretary general for BESIX Group, a major Belgo-Egyptian construction group active worldwide, and oversees all governance, compliance, corporate sustainability and legal affairs for the group. He is a board member of CEPANI, a Belgian delegate to the ICC Commission on Arbitration and ADR, and has participated to several ICC task forces including, recently, on climate change related disputes and on issues of corruption in international arbitration. He is a regular speaker at international arbitration conferences and occasionally sits as an arbitrator.

Ana Stanič, an English Solicitor Advocate and Irish solicitor, has over 30 years of experience advising states, companies and international institutions at the intersection of energy, environmental, EU and international law. Ranked amongst top 12 UK Energy lawyers by Chambers and leading UK PIL practioners by Legal 500, Ana also advises on EIAs in respect of large energy infrastructure projects including nuclear, on inter-state environmental disputes under EU law, Espoo and Aarhus Conventions and investor-state disputes concerning energy and environmental issues. Ana regularly sits as arbitrator. She has advised on Plastics Treaty and was part of mission to measure micro-plastics in ocean back in 2015. A member of PCA in The Hague since 2019, Ana was nominated as arbitrator and sustainability expert by EU in respect of bilateral disputes under the EU's trade and investments agreements with third countries in June 2022. She is currently representing an NGO challenging the permit to construct a garage under a UNESCO Heritage Site.

Nikolaus Pitkowitz is founding partner of Pitkowitz & Partners in Vienna and heads the firm's dispute resolution practice. Pitkowitz & Partners is recognized among the world's leading arbitration firms by GAR 100. Nikolaus acts as counsel and arbitrator in complex international disputes across Europe, Asia and Americas. He is former President and current Honorary President of the Vienna International Arbitral Centre (VIAC) and co-chair of the ILA Committe on Conflict-of-laws Issues in International Arbitration.

Stephanie Collins is an Of Counsel and English law qualified solicitor advocate in Gibson Dunn's London office, where she practices International Arbitration, Public International Law and Business and Human Rights. She has a particular focus on the energy, infrastructure and mining sectors. Stephanie is Chair of Young IFILA, and appointed to the UK Government's PIL Panel B. She is also a member of the IBA Subcommittee on Business and Human Rights.

Summary:

The panel will examine the relevance of international law commitments, following the ICJ Advisory Opinion, concerning climate change in international arbitration proceedings. The experts include in-house counsel, public and private international lawyers, environmental lawyers and arbitrators in commercial and investment treaty proceedings. The session will offer a reflective postscript to the ICC Commission on Arbitration Report on Climate Change Related Disputes and Arbitration, seven years on.

12:00-13:15 Panel 7

Construction Arbitration

A look at some of the current issues and recent developments in transborder construction disputes, which continue to constitute a substantial portion of arbitration worldwide.

Moderator:

Amy Kläsener is a US attorney who has practiced international arbitration from Frankfurt, Germany for over 20 years. She specializes in construction and post-M&A arbitrations, with niche interests in nuclear, software development and crypto. Amy is editor of the GAR Guide to M&A arbitration and co-editor to the GAR Guide to Evidence. She teaches at the University of Frankfurt and has a special interests in legal ethics and the taking of evidence.

Speakers:

Peter Rosher is an independent arbitrator based in Paris, specializing in international arbitration in the construction, energy, and infrastructure sectors. With more than 35 years of experience, he has acted as counsel and arbitrator in complex disputes under major international arbitral rules, including ICC, LCIA, SIAC, ICSID, and UNCITRAL. Formerly Global Chair of International Arbitration at Reed Smith LLP, he is widely recognized for his expertise in construction arbitration and dispute resolution. Peter is a former President of the French chapter of the Society of Construction Law and is a frequent speaker and lecturer on international construction and arbitration matters.

Michelangelo Cicogna, De Berti Jacchia - Milan, Italy -has been involved in over 160 arbitrations (including ICC, ICSID, UNCITRAL, PCA, LCIA, DIAC, CAM, AIA, DIS, Swiss Rules, Lebanese Arbitration Center, Madrid Arbitration Court, Chamber of Arbitration of Bucharest, VIAC and MKAS). He mostly works on construction or infrastructure projects, insurance coverage issues, IT and telecoms, joint ventures and consortia, and general commercial matters. Michelangelo teaches at Bocconi University in Milan (Advocacy in International Arbitration) and is member of the ICC Court as well as officer of the IBA Arbitration Committee and one of the founders of ArbIt.

Annet van Hooft is an independent arbitrator based in Paris. After having practiced for more than 20 years at major U.S. and U.K. law firms in Brussels, New York, and Paris, and having been a Counsel at the ICC Court of Arbitration, she set up her own law firm, focusing on international arbitration. Annet has acted in more than 100 arbitrations either as counsel or arbitrator. She has sat as arbitrator in proceedings subject to various arbitration rules (AFA, CEPANI, CMAP, DIA, DIS, HCC, ICC, NAI, SCC, SIAC, Swiss Rules, UNCITRAL, VIAC, WIPO). Annet is admitted to practice in both common and civil law jurisdictions and has a broad range of experience, both as counsel and as arbitrator, handling international arbitrations under various applicable laws and in a wide variety of sectors and fields.

13:15-14:00 **Lunch**

14:10-15:25 **Panel 8**

Contested Ground: Critical Minerals, Geopolitics, and the Future of International Arbitration

The conundrum: balancing resource nationalism, the right to regulate, the protection of foreign investments, and ESG considerations.

Moderator:

Patrick W. Pearsall is a Partner at Gibson Dunn in Washington, D.C., and Global Co-Chair of the Geopolitical Strategy and International Law practice. A recognized leader in international disputes and judgment enforcement, he advises Fortune 500 companies, investors and sovereign states on complex disputes and geopolitical crises. Formerly Chief of Investment Arbitration at the U.S. State Department, Patrick has resolved claims worth tens of billions and is widely recognized as one of the foremost experts in the world on investment protection. He teaches at Columbia Law School.

Speakers:

Kathleen Paisley, Arbitrator, Brussels/Miami/New York - is an international arbitrator based between Europe and the US. Kathleen's broad experience includes commercial cases under most major international arbitration rules and investor-State cases both under both the ICSID and UNCITRAL rules. She has more than 30 years of experience in arbitrations under the common and civil law, EU law, and public and private international law, and has acted as chief legal and compliance officer in both technology and pharmaceutical companies. She is triple-qualified in law, finance, and accounting, with a JD from Yale Law School, an MBA in finance and has completed the CPA exam. She is widely recognised for her expertise in life sciences, technology, intellectual property, data protection, cyber security, energy, and complex damages/accounting.

Michael Ostrove is Global Co-Chair of DLA Piper's International Arbitration practice. Based in New York after more than 25 years in Paris, he represents States, corporations, international organizations, and individuals in commercial and investment arbitrations, as well as in related court proceedings and public international law disputes. Michael has advised on more than 100 arbitrations under all major rules. He has acted in over 30 investment treaty cases, in sectors from mining to telecommunications. He has a particular focus on Francophone Africa. He is a Vice-President of the ICC International Court of Arbitration and served from 2021 to 2025 on the World Bank Sanctions Board. He has lectured on international arbitration at the Université Paris-Panthéon-Assas since 2014. Michael is admitted in New York and Paris, holds a J.D. from Berkeley (Order of the Coif) and a B.A., magna cum laude, from Yale, and works in English and French. Michael increasingly sits as an arbitrator in commercial and investment cases.

Duncan Speller is co-chair of the International Disputes Division of Duane Morris, representing clients in high-value and complex international arbitration and English High Court litigation. He is an English-qualified barrister with approximately 25 years of experience of international disputes, frequently as lead advocate in high-stakes disputes with hundreds of millions or billions of dollars in dispute. Duncan sits as arbitrator, has published widely in the field and has taught at universities around the world including the Universities of Cambridge, Harvard and Tsinghua (China).

Meg Kinnear is a leading expert in investor-state, international trade, and commercial disputes, with more than 40 years of experience in high-stakes international arbitration and litigation. She led Canada's Trade Law Bureau from 1999 to 2009 and served as Secretary General of ICSID from 2009 to 2024, where she oversaw significant increases in membership, caseload, staffing and diversity in arbitrator appointments. She also led the project resulting in the amended 2022 ICSID Rules. In July 2024, Meg co-founded Low & Kinnear Dispute Resolution with Lucinda Low, where she focuses her practice acting as a dispute neutral in international adjudication before ad hoc and institutional bodies. Meg acts as a Chair, party appointee, or sole arbitrator in these cases, and has been an arbitrator or panelist under the ICSID, SCC, LCIA and USMCA rules.

Summary:

The energy transition and the contest for technological and military advantage have turned copper, lithium, nickel, cobalt, and the rare earths into instruments of statecraft. Producing states are reasserting control through export bans, downstreaming mandates, license revocations, and outright contract cancellation; consuming states answer with export controls, tariffs, strategic

stockpiles, and bilateral supply pacts. Investors caught between these forces increasingly turn to arbitration—and arbitration, in turn, has become a central arena where the law of foreign investment, international trade, and national security collide. The trend lines are unmistakable: extractives and energy now account for more than half of new investor-state claims, with at least 51 known ISDS cases relating to critical minerals required for the energy transition and damages claims escalating sharply. This panel examines how investor-state and commercial arbitration is adapting to a market driven less by commercial logic than by geopolitics, and what that means for treaty drafting, deal structuring, and dispute strategy.

Framing questions

1. **Minerals as economic statecraft.** When a state weaponizes its position in a supply chain—as China has with rare earths, gallium, and germanium, or Indonesia with its nickel ore ban—does international economic law offer any real discipline? With the November 2026 expiry of the US–China rare-earth truce approaching and the WTO Appellate Body still unable to function, are these disputes migrating from trade fora into treaty and contract arbitration—and can a tribunal realistically constrain measures a state frames as essential to its security?
2. **Resource nationalism and arbitration as leverage.** The shutdown of Cobre Panamá—a copper mine that contributed close to 5 percent of Panama's GDP before its contract was declared unconstitutional—shows how quickly a flagship project can be unwound. Yet First Quantum discontinued its ICC arbitration and suspended its FTA claim to open space for negotiation. Is arbitration most valuable as a route to an award, or as leverage toward renegotiation? How should investors and counsel weigh pressing a claim against preserving the underlying relationship and asset?
3. **Sovereignty, ESG, and the "just transition" critique.** A growing share of state conduct now comes wrapped in the language of environmental protection, community rights, and a just transition. How are tribunals separating legitimate regulation from disguised expropriation when revocations and local-content rules are cast as sovereign prerogatives—and is the argument that ISDS "chills" energy-transition policymaking gaining enough traction to shape outcomes, reform, and even constitutional challenges to arbitration itself?
4. **Structuring, forum, and the trade–investment interface.** As the WTO's appellate function lies dormant, investment arbitration is absorbing disputes that once would have gone to Geneva. How are investors structuring to preserve protection—BIT selection, holding-company nationality, stabilization and arbitration clauses—and where treaty coverage is thin, withdrawn, or politically fraught, what alternatives (contract arbitration, political risk insurance, DFC-style backing) are filling the gap?
5. **Great-power alignment and the Western consistency problem.** The contest over the DRC's Manono lithium deposit—where an Australian claimant is challenging Kinshasa's development agreement with US-backed KoBold Metals—shows that "Western-aligned" investors increasingly find themselves on opposite sides. At the same time, the United States is embracing the interventionist toolkit it once criticized: January 2026 Section 232 action on processed critical minerals, proposed price floors, the Project Vault stockpile, and the new FORGE forum. As consuming states adopt these tools themselves, can the West sustain a coherent position on investment protection—and how will tribunals and counterparties read the shift?

15:25-15:45 Break

15:45-17:00 Panel 9

Effective Navigation of Arbitral Procedural Crossroads

Arbitrators and party counsel may often be at loggerheads over key procedural decisions: This panel will look at a few questions like these: How early and assertively should arbitrators identify their key issues? More bifurcations and early dispositions or fewer? Memorials or briefs? Short opening statements or the length that counsel say the case complexity demands? How much document production or witness evidence? Oral or written closings? Sequential or Consecutive final briefs? These issues are rarely just about "Whose arbitration is this" and more about "who is best placed to ensure an efficient outcome."

Moderator:

Mark Morril is a New York-based independent arbitrator at MorrilADR. His experience is in complex commercial disputes, including transactions and post-closing adjustments, insurance, distribution agreements, joint ventures and partnerships, intellectual property, pharma, entertainment/media, technology, aviation and aerospace, telecom, and energy. Previously, Mr. Morril was General Counsel of Simon & Schuster, then the world's largest English-language publisher, and Deputy General Counsel of the global media company Paramount Skydance (formerly ViacomCBS), where he had responsibility for disputes, transactions, regulatory, compliance, and risk management issues, and managed the 275-lawyer law department. Earlier, he was a law firm litigation partner, worked in public policy, and a judicial law clerk.

Speakers:

Klaus-Peter Berger Professor of Law and Director of the Center for Transnational Law (CENTRAL), University of Cologne, Germany; independent international arbitrator with more than 30 years of experience; former president of the German Arbitration Institute (DIS); permanent arbitrator for contractual disputes in Formula 1 Racing; further information on arbitration track record etc at www.klauspeterberger.de

Ann Ryan Robertson, Independent Arbitrator, Houston, Texas – is a full-time independent arbitrator who has acted as sole, co-arbitrator, presiding and emergency arbitrator in commercial arbitrations across a range of industry sectors, including energy, manufacturing and franchise. Ann is also one of ten arbitrators appointed by the United States Department of Trade to serve as a dispute settlement panelist pursuant to Chapter 31 of the United States-Mexico-Canada Agreement (USMCA). In 2021, she was the global President of the Chartered Institute of Arbitrators and the Chair of the ICDR Rules Revision Committee responsible for the 2021 ICDR Mediation and Arbitration Rules. Named to International Arbitration - Lexology Index (formerly Who's Who Legal) since 2015, in 2024 and 2025 Lexology designated Ann as a "Thought Leader: Arbitration." In addition to her arbitration practice, she teaches International Arbitration Advocacy at the University of Houston Law Center and coaches the Law Center's Cross-examination in International Arbitration Moot team.

Sherina Petit is the Head of International Arbitration and Head of the India Practice at Stewarts, the UK's largest disputes-only law firm. She specialises in international commercial arbitration, investor-state arbitration, litigation, and alternative dispute resolution (ADR), with a focus on India-related disputes. In addition to acting as counsel, she also sits as an arbitrator. Beyond her practice, Sherina plays a key role in shaping international arbitration policy and representation. She serves on the board of the LCIA and is actively involved in numerous arbitration bodies, including the selection committee of the Chamber of Arbitration of the Indian International Arbitration Centre, the ICC Indian Arbitration Group, SIAC Users Counsel and is a member of the advisory council of the School of International Arbitration at Queen Mary University of London.

Robert Landicho is a Partner in Steptoe LLP's Houston office. He specializes in international commercial arbitration, investor-state arbitration, and U.S. commercial litigation. Rob has represented States, multinational companies, and individual clients in commercial, construction, and treaty disputes under the rules of all of the major international arbitral institutions. Prior to practicing law, Rob worked for the International Organization for Migration – Iraq Mission (a UN-affiliate organization), focusing on community assistance programs and development projects in Iraq. Rob was a Fulbright Scholar in Amman, Jordan, where he studied Arabic and researched foreign projects in the Middle East.

Summary:

Arbitrators, counsel, and parties are still too often ships passing in the night over key procedural considerations. Our panel will focus on select procedural issues and under-utilized tools we think have the potential to make a significant difference in the quality of the arbitral process and its outcomes. We will try hard to step out of our customary shoes and engage a lively discussion of the issues from all viewpoints. Topics and underlying themes may include:

- Do we have far too many three-member tribunals?
- Should tribunals be more directive at the first procedural conference and in PO1?
- Should tribunals provide more control and merits guidance in the process, including regarding issues and witnesses that are of interest?
- How can counsel and parties foster earlier and better tribunal engagement in the merits?
- Are midstream conferences and tutorials the answer?
- Is early tribunal engagement with the merits a two-edged sword?
- Is the final case management conference an under-utilized resource?
- How can we organize hearings to better assist the tribunal to decide the case?
- Have we moved from due process paranoia to an era of efficiency extremism?

FREE EVENING

separate sign-up link for small group dinners on page 2

Sunday, 5 July

7:30-8:50 Breakfast

9:00-10:15 Panel 10

The Persistent Impact of Sanctions on Arbitration

Anti-suit and anti-anti suit injunctions; claims of force majeure or hardship (imprévision) hindering contractual performance. How are courts and parties dealing with these latest developments?

Moderator:

Vincent Carriou is Counsel in the International Arbitration team at Gide. His practice focuses on commercial and investment arbitration under major institutional rules (ICC, SCC, LCIA, ICSID, PCA, SIAC), with experience across sectors including construction, energy, mining, defence & space. He handles a wide range of disputes, notably involving construction and engineering projects, M&A transactions, shareholder and joint venture agreements, and sales contracts, and regularly appears before French courts in arbitration-related proceedings. Admitted to the Paris Bar and qualified as a solicitor in England and Wales, he has practiced international arbitration in both jurisdictions.

Speakers:

Dr. **Olena Perepelynska** is Partner and Head of International Arbitration at IMPACTA LAW (previously – INTEGRITES), Kyiv, Ukraine. With 20+ years of experience, she has acted in over 250 arbitrations across CEE and Central Asia as arbitrator, counsel, and legal expert. She served as Member of the ICC Court (2018–2024) and TIAC Court (2019–2022). Olena is Liaison Officer of the IBA Arbitration Committee's European Regional Forum, Chair of the ADR Committee of the Ukrainian National Bar Association, Board Member of UAA and TAA, Fellow of CIArb.

Björn Ebert represents clients in international commercial and investment arbitration (in particular CIETAC, ICC, DIS and ICSID) and in cross-border complex disputes, in particular relating to distribution law, post-M&A disputes, shareholder disputes, business law, and commercial law. As counsel, he has handled a double-digit number of international arbitrations under the rules of various arbitral institutions with parties from various countries - including parties from Japan, China, Korea, Belgium, the Netherlands, the United States, and the German-speaking region. Björn is also an active arbitrator. His practice further focuses on the enforcement of arbitral awards, including investor-state arbitral awards, as well as on proceedings for the setting aside of arbitral awards.

Vladimir Pavic is a Professor at the University of Belgrade, where he teaches Private International Law, International Commercial Arbitration and Investment Protection. He practices as an independent arbitrator. He currently serves as President of the Belgrade Arbitration Center, member of the Board of the Vienna International Arbitral Centre (VIAC) and is a member of the Governing Board of the International Council for Commercial Arbitration (ICCA).

Hector Flores Sentíes Abascal, Flores y Segovia, S.C. (Partner), Mexico City, Mexico. Advisor to the Mexican Delegation before UNCITRAL since 2014. External Advisor to the Mexican Ministry of Foreign Relations on Private International Law. Professor of Law at Instituto Tecnologico Autonomo de Mexico (ITAM). ICC Mexico Delegate before the Commission for Arbitration & ADR of the ICC. Vice president of the Mediation Committee of the ICC's Arbitration & ADR Commission in Mexico. Member of ICDR's advisory committee in Mexico.

Summary:

This panel will examine the growing interplay between economic sanctions and international arbitration.

It will open with an overview of how sanctions and counter-sanctions regimes are reshaping arbitration, raising issues of neutrality, enforceability and legal fragmentation.

The discussion will then focus on their practical impact, including how tribunals address sanctions in relation to contractual performance (force majeure, hardship), procedural adjustments and how sanctions-related issues also arise in court proceedings connected to arbitration.

Particular attention will be given to strategies used by tribunals to safeguard the enforceability of awards in a fragmented legal landscape.

The panel will assess whether arbitration is effectively adapting to these geopolitical challenges and identify key issues ahead.

10:15-10:35 **Break**

10:35-11:50 Panel 11

Beyond the Numbers: The Impact of a Changing World Order and Consequential Contractual Disruption on Monetary and Non-Monetary Remedies

Salient issues regarding damages and non-monetary relief in both commercial and investment arbitration.

Moderator:

Hilary Heilbron KC now focuses on sitting as an international arbitrator. She has been appointed as an arbitrator in over 130 arbitrations, many as Presiding Arbitrator, both ad hoc and under many different institutional rules. Arbitrations over which she has sate as an arbitrator cover a range of different applicable laws, seats, institutional rules, and a variety of complex subject matters from energy disputes to joint ventures to share purchase and subscription disputes as well as many other commercial sectors (see https://www.brickcourt.co.uk/our-people/profile/hilary-heilbron-kc for more detail), with many of very high value. She brings to this role her prior extensive experience as counsel in commercial cases acting for a wide range of national and international clients, including appearances in the Supreme Court and the Privy Council. She is a former member of the LCIA Court, the ICC UK Arbitration and ADR Committee and several international arbitration task forces.

Speakers:

Timothy Nelson Skadden, Arps, Slate, Meagher & Flom LLP (Partner), New York, New York, United States - represents clients in U.S. courts and international arbitration (including before ICSID, AAA, ICC, HKIAC, LCIA, SIAC, the PCA and under UNCITRAL rules). His cases involve sectors such as oil and gas (upstream, midstream), nuclear, solar, mining, cement, finance, insurance, pharmaceuticals, telecommunications, retail, sports, motor racing and hotel/property investment. He is widely published and quoted on matters of international law, cross-border disputes, space law, and international arbitration, is the co-editor of Take the Witness: Cross-Examination in International Arbitration.

Ben Love Recognized as a global leader in international arbitration and public international law, Ben Love has acted for 20 years as counsel and arbitrator in commercial and investment disputes under all major arbitral rules. Ben has assisted clients in obtaining favorable settlements and securing awards in excess of US$1 billion on multiple occasions, defeating several attempts to annul an aggregate of billions of dollars in ICSID awards, and enforcing commercial and investment arbitration awards in national courts. His disputes work across the globe spans the gamut of major industry sectors, with particular emphasis on energy, mining, technology, and aerospace.

Philippa Charles has been a full time arbitrator at Twenty Essex since 2023. From 1999-2023 she was a solicitor-advocate practising in London, initially at Mayer Brown and latterly as head of the International Arbitration Department at Stewarts. Her practice focuses on commercial cross-border disputes, in industries including defence, pharma, telecoms, finance, and energy. She has been appointed as sole, party-nominated, and presiding arbitrator by institutions including ICC, LCIA, DIAC, SIAC, AAA-ICDR, FAI, CI-MAC and in ad hoc proceedings. She is a member of the ICC Court, representing Ireland.

Patricia Peterson is an independent arbitrator based in Paris with a common law and civil law background. She is a member of the Paris, Ontario and Quebec Bars, a solicitor of the Senior Courts of England and Wales, a Chartered Arbitrator (C.Arb) and CEDR Accredited Mediator. Prior to establishing her own practice as arbitrator in 2017, Patricia practiced for 30 years in the Paris office of an international law firm advising on international arbitration proceedings, cross-border commercial litigation matters and disputes in the financial services sector. Patricia has broad experience acting as counsel and arbitrator (chair, co-arbitrator and sole arbitrator) under the rules of major institutions and in ad hoc proceedings (UNCITRAL), spanning many industry sectors and geographic regions. Patricia is also a lecturer in English contract law and tort law in the Master in Economic Law programme at Sciences Po Law School in Paris.

Summary:

The discussion, based on questions posed to the panel by the moderator and hence free flowing, will consider from both a common law and civil law perspective, the impact of the unpredictability and volatility of recent world events from war to climate change in the context of various aspects of monetary and non-monetary relief.

Topics to be addressed in this context include future profits/enterprise value calculations and issues such as loss of a chance and mitigation and alternative remedies such as declarations and indemnities, as well as well as liability for benefits arising before a force majeure or frustration event.

12:00-13:15 Panel 12

Award and Arbitrator Challenges Based on Arbitrator Conduct

Are such challenges increasing and if so, is that increase legitimate and justifiable? Are the challenges increasingly successful? Has the matrix of arbitrator 'do's and don'ts' become overly complex and burdensome? Does the new ICSID/UNCITRAL Code of Conduct hold any promise to ameliorate the problem? Is there any mechanism (beyond small cost awards) to prevent frivolous challenges?

Moderator:

Lawrence (Larry) Schaner, Chicago, Illinois, United States – Independent Arbitrator. Larry has over 35 years of experience as counsel and arbitrator handling complex commercial arbitration and litigation matters, spanning many industries and types of disputes. He has been appointed as an arbitrator in more than 100 cases under the rules of the AAA, CPR, ICC, ICDR, JAMS, KCAB, LCIA, SCC, SIAC, and UNCITRAL. Before becoming a full-time arbitrator in 2017, he was a partner at Jenner & Block, where he co-founded and co-chaired the firm's international arbitration practice. He is ranked in Band 1 for international arbitrators by Chambers USA and among the world's "Most in Demand Arbitrators" by Chambers Global. He is admitted to the bars of California, Illinois and New York.

Speakers:

Isabel San Martin LALIVE (Counsel), London, England, United Kingdom, Her practice focuses on commercial and investment arbitration, and has experience in human rights law and other areas of public international law. She represents and advises clients in a variety of sectors, including renewable energy, oil and gas, mining, construction, banking and finance and telecommunications. She is a member of the bars of New York and Madrid.

Michele Potestà - Partner, LKK Arbitration (Geneva). Michele specializes in international commercial and investment arbitration and public international law, acting as counsel, arbitrator and expert in complex investment and commercial matters. His experience spans disputes relating to energy and natural resources, construction, pharmaceuticals, telecommunications, international sales, banking and finance, shareholders disputes, aviation, IT and agency contracts. He frequently acts in arbitrations involving states and state entities, has advised sovereign states on their investment treaty programs, and is a member of ICSID's Panels of Arbitrators and Conciliators. In addition to participating in over 50 international investment and commercial arbitrations in the last decade, he is also part of the faculty at the Geneva LLM in International Dispute Settlement (MIDS) and the Geneva Graduate Institute, where he teaches international investment law, investment arbitration, and damages & compensation in international economic disputes. Michele holds a Ph.D. from the University of Milan and is a member of the Milan and Geneva (foreign lawyers) bars.

María Vicien Milburn Independent Arbitrator, Paris, France - an Argentinian and Spanish national, is the Vice Chair of the Enforcement Committee of the Asian Development Bank and former Chair of the World Bank Sanctions Board. She has been appointed judge of the Administrative Tribunals of the European Bank for Reconstruction and Development, the Inter-American Development Bank, and the International Monetary Fund. She currently acts as arbitrator in cases conducted under the auspices of the ICC, ICSID, and PCA. She is an observer to UNCITRAL Working Groups II and III on international arbitration, a member of the ICC Arbitration Commission, and an advisor to the Board of the Arbitration Court of Madrid.

Maria Chedid is Global Chair of the International Arbitration Practice at Arnold & Porter, regularly serves as lead counsel in high stakes commercial and investment arbitrations, and is often called upon to serve as an arbitrator. She has over three decades of experience with arbitrations administered by all major arbitral institutions, including the ICC, ICDR, LCIA, SIAC, ICSID, arbitrateAD, DIAC, CPR, JAMS, PCA, and the AAA, as well as proceedings under the UNCITRAL Rules, in the Iran-United States Claims Tribunal, and in the UNCC. Her practice spans a wide range of industries and subject matter, with particular depth in technology, energy, and life sciences disputes. She currently serves as President of the Court of Arbitration of the Abu Dhabi International Arbitration Centre, and has previously served two terms as a U.S. member of the ICC Court of Arbitration. Ms. Chedid is admitted to practice in New York and California, and is a dual citizen of the U.S. and Lebanon.

Summary:

Each segment of the panel will begin with a short presentation by one or more lead speakers followed by comments from and discussion with the other panel members. The questions and views of the audience will be invited during each phase of the session.

This panel will examine the subject of challenges to arbitral awards and arbitrators from various perspectives, with a particular focus on the conduct of arbitrators.

The panel will begin with a report on the results of a comprehensive survey of challenges to arbitral awards brought in courts in the United States over the past ten years. The survey looked at grounds asserted for setting aside awards, the frequency of success and failure of challenges, and whether there are any discernable trends.

The next phase of the panel will consider the ICSID/UNCITRAL Code of Conduct for Arbitrators in International Investment Disputes. The Code was developed by UNCITRAL Working Group III and ICSID beginning in 2017 and adopted for use in 2023. Members of the panel, who were involved in the development of the Code, will lead a discussion of the purpose of the Code, how it came into existence, how it is already being used by parties, tribunals and institutions, and how it may be used in the future.

Finally, the panel will use the annulment proceedings in Gabriel Resources v. Romania (ICSID Case No ARB/15/31) as a case study of how the alleged conduct of arbitrators may be used by dissatisfied parties to attempt to overturn an award. The panel's discussion will include the role the ICSID/UNCITRAL Code has played in the parties' arguments in this case.

13:15-14:00 Lunch

14:10-15:25 Panel 13

Beyond Advocacy

Counsel's duty of good faith and common ethical dilemmas: Are counsel increasingly acting deviously (e.g. misrepresenting evidence) in violation of ethical norms? Are sufficient checks and balances in place for counsel misconduct?

Moderator:

Baiju Vasani is a barrister and arbitrator with Twenty Essex, and Professor of International Law at SOAS, University of London. He is currently lead counsel or arbitrator in several commercial and ISDS matters. Prior to joining the Bar in 2022, he spent 20 years, including 12 as partner, in law firms in the USA and UK.

Speakers:

Agnès Bizard is an International Arbitration Counsel in King & Spalding's Paris office, where her practice focuses on investment, construction and commercial disputes, with particular focus on mining, energy, infrastructure and manufacturing sectors. Agnès has participated in numerous arbitral proceedings conducted under the ICSID, ICC, AFA and CCJA arbitration rules, in which she delivered opening and closing arguments and cross-examined witnesses, quantum and technical experts. She has substantial experience in multiple jurisdictions, in West and North Africa especially and she also frequently appears before French courts in set aside proceedings. In addition to her work as counsel, Agnès sits as an arbitrator. Agnès is serving as an officer in several arbitral organizations, including as Court Member of the ICC International Court of Arbitration, IBA Arbitration Committee Officer (Newsletter editor) and Co-Chair of the CFA40.

David Goldberg, Pinna Goldberg Ltd (Partner), London, England, United Kingdom – is a solicitor-advocate and founding partner of Pinna Goldberg's London office, specialising in international commercial and investment arbitration. He has nearly 30 years' experience representing states, state-owned entities and major corporates in complex arbitrations across multiple jurisdictions, with particular expertise in CIS and Eastern Europe disputes. His practice covers major arbitral rules and related court applications, and he is regularly appointed as an arbitrator and widely recognised for his expertise. He is a Chartered Arbitrator of the Chartered Institute of Arbitrators and serves on the Board of the LCIA.

Robert Wachter is the co-head of the international disputes practice at Shin & Kim in Seoul, Korea. He started his career in the United States, working for six years at O'Melveny & Myers in San Francisco before moving to Korea in 2004. Before joining Shin & Kim, he was the co-head of international arbitration at Lee & Ko from 2015 to 2024 and was also a former member of the international arbitration teams at Kim & Chang and Yulchon.

Marnix Leijten, De Brauw, Amsterdam, Netherlands - is a trusted-advisor to corporates and states with nearly 30 years of experience in international arbitration and cross-border litigation. Marnix was Vice-President of the International Court of Arbitration in Paris between 2015-2021. He led teams on a large variety of high stakes international disputes, commercial and investor state arbitrations, as well as complex enforcement and setting aside disputes. Marnix was managing partner of De Brauw until mid-2022 and has since resumed practicing as counsel and arbitrator.

15:25-15:45 Break

15:45-17:00 Panel 14

New Investment Treaty Models for a Changing World

The latest generation of investment treaties contain several modern innovations in dispute resolution, reflecting important shifts in international investment law and ISDS. In parallel, UNCITRAL's Working Group III (ISDS Reform) is developing an omnibus treaty for States to ratify that may substantially accelerate adoption of such recent innovations in the prevailing ISDS regime, such as provisions that reinforce States' right to regulate public health and safety, that facilitate States' adoption of binding treaty interpretations, that confirm a non-disputing Treaty party's right to intervene in arbitral proceedings on matters of treaty interpretation, that affirm States' power to deny certain foreign investors' benefits, that create a right of appeal, or indeed that replace investment arbitration altogether with adjudication by a standing investment court. Will the system as we know it disappear?

Moderator:

Joshua Karton, Queen's University, Kingston, Ontario, Canada, is a professor and independent arbitrator, currently Associate Dean for Graduate Studies and Program Development at the Queen's Faculty of Law. He is the author/editor of five books and dozens of articles on international arbitration, comparative and transnational contract law, private international law, and international legal theory. His writing explores what happens when public and private actors from different backgrounds - legal, cultural, and linguistic - meet in the international legal arena. Among his arbitration-related activities, Josh is a co-founder and the Managing Editor of the Canadian Journal of Commercial Arbitration, a General Editor of Kluwer Arbitration Practical Insights, and a Director of the Vis East Moot Foundation. Outside the academy, Josh is active as an arbitrator in domestic (mainly Canadian) and international commercial disputes, both ad hoc and institutional. He also acts as an expert witness on matters of Canadian and international law.

Speakers:

Dr **Todd Weiler**, FCIArb, is a pioneer of modern investment treaty arbitration, with over 27 years of experience serving as co-counsel, testifying expert, consulting expert, and arbitrator in dozens of complex international disputes. In addition to co-founding the Society of International Economic Law, the Annual Juris Conference on International Investment Law and Arbitration, and Oxford University Press's Investmentclaims.com, Dr Weiler is known for his acclaimed 2013 monograph, The Interpretation of International Investment Law: Equality, Discrimination and Minimum Standards of Treatment in Historical Context. His name has also appeared in the Lexology Index of leading international arbitration lawyers since 2007. As a member of Arbitra International, Todd serves as an independent arbitrator in both commercial and investment treaty matters worldwide.

Alejandro Escobar is a London-based partner with Baker Botts, where he practices in public international law and arbitration, including in disputes arising from investment protection treaties and project agreements. Before working to London, Alejandro was Senior Counsel at ICSID. A former member of the ICC Court, Alejandro has experience as counsel under a range of international arbitration rules. He has, in addition, served as arbitrator under ICSID, UNCITRAL, ICC, LCIA and SCC arbitration rules.

Mohamed Shelbaya is a founding partner of Gaillard Banifatemi Shelbaya Disputes. He is recognized for his unique expertise in oil & gas, power, petrochemicals and mining disputes. Mohamed has represented companies, States, and State-owned entities in 90+ international commercial and investment disputes, securing multiple landmark victories in multibillion-dollar arbitrations involving novel questions of international law and geopolitical issues. He acts as president, sole arbitrator, or co-arbitrator in commercial and investment treaty arbitrations under a variety of rules. In addition to international disputes, Mohamed advises governments and State entities on restructuring of their respective energy sectors and development of major oil & gas projects in the East Mediterranean. Mohamed is ranked as a Global Market Leader in the field of international arbitration in Chambers Global and was featured in the 2023 edition of Global Arbitration Review's "45 Under 45", a list, compiled once every decade, of the 45 most prominent arbitration practitioners worldwide under the age of 45.

Summary:

This interactive panel will explore evolution and reform in international investment law, focusing on treaty texts, institutional structures, and dispute resolution mechanisms. Panelists will review recent developments, debate current trends, and predict future trajectories in four broad topic areas.

The four topics and lead-off discussants are:

(1) substantive protections in investment treaties, especially standards for FET and expropriation;

(2) exceptions, reservations, carve-outs, and other provisions that effectively limit state liability;

(3) ISDS mechanisms and procedures, in particular the prospect of a standing investment court or appellate body and the value (or lack thereof) of non-disputing-party submissions on treaty interpretation; and

(4) the omnibus investment treaty (aka "Multilateral Instrument for ISDS Reform") as a vehicle for investment law reform.

17:00-17:05 Symposium Closing

18:00-21:00 Piano Concert followed by Closing Dinner

Monday, 6 July

7:30-10:45 Breakfast

11:00 Individual Check-Out