

## The ITA Academic Council Oral History Project: Perspectives on International Arbitration

*These interviews are part of the ITA Academic Council's ongoing oral history project to record the evolution of modern international arbitration in the words of those who have led it. They are offered here for the benefit of all who practice or have interest in this important field of international law and commerce.*

*Gerald Aksen  
Gary Born  
Charles N. Brower  
Dominique Brown-Berset  
Yves Derains  
L. Yves Fortier  
David R. Haigh  
J. Martin Hunter  
Prof. William (Rusty) W. Park  
Stephen M. Schwebel  
Bernardo Sepúlveda Amor  
Albert Jan van den Berg  
Claus von Wobeser*



### A Conversation with Gerald Aksen

Arbitrator and Mediator, New York

*With*

Prof. Andrea K. Bjorklund, McGill University Faculty of Law, Montreal

*(46 minutes)*



**GERALD AKSEN** is a full time independent international arbitrator. He is a co-founder and member of the College of Commercial Arbitrators, and formerly held the positions of: general counsel and board member of the American Arbitration Association, (AAA), vice president of the International Court of Arbitration of the International Chamber of Commerce (ICC), vice president of the London Court of International Arbitration (LCIA), adjunct professor of law at New York University School of Law, teaching international arbitration for thirty years. He was a member of the US Department of State Advisory Committee, which, among other things, drafted the bill that was later enacted by the Congress as Chapter 2 of the Federal Arbitration Act, the enabling legislation for the 1958 Convention on the Recognition and Enforcement of Foreign Arbitral Awards. He has a dual background as counsel and arbitrator, having been the partner in charge of international arbitration in the firm of Thelen Reid & Priest and as an arbitrator in over 300 cases in 24 different countries. He has extensive experience both in ad hoc (UNCITRAL and ARIAS Rules) and institutional arbitrations under the rules of AAA, ICC, ICDR, JCAA, LCIA and SCC. He is the 2005 recipient of the ABA Dispute Resolution Section's D'Alemberte/Raven Award and has been consistently ranked in Chambers USA as one of New York's notable international arbitrators up to and including 2016.



**ANDREA K. BJORKLUND** is the L. Yves Fortier Chair in International Arbitration and International Commercial Law at McGill University Faculty of Law. She previously taught at UC Davis School of Law. She has taught a variety of courses in such areas as international arbitration and litigation, international trade, international investment, public international law, international business transactions, conflict of laws, and contracts. She is co-rapporteur of the International Law Association's Study Group on the Role of Soft-Law Instruments in International Investment Law, an adviser to the American Law Institute's project on restating the U.S. law of international commercial arbitration and a past Chair of the Academic Council of the Institute of Transnational Arbitration. She also serves as Director of Studies for the American Branch of the International Law Association.

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Recorded January 15, 2016 at the ITA-IEL-ICC Joint Conference  
on International Energy Arbitration in Houston.  
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### A Conversation with Gary Born

WilmerHale, London

With

Prof. Linda J. Silberman, New York University School of Law, New York

(63 minutes)



**GARY BORN** is the chair of the International Arbitration Practice Group at Wilmer Cutler Pickering Hale and Dorr LLP in London. He has been involved as counsel in more than 550 arbitrations, under all leading arbitral regimes, including several of the largest arbitrations in both ICC and ad hoc history. He has been ranked for the past 15 years as one of the world's leading international arbitration practitioners. He received the *Global Arbitration Review's* inaugural "Advocate of the Year" award in 2011 and was recently voted the "World's Best International Litigator". He sits as arbitrator, having served in some 150 institutional and ad hoc arbitrations. Mr. Born has published a number of leading works on international arbitration, international litigation and other forms of dispute resolution, including *International Commercial Arbitration*, *International Arbitration: Law and Practice*, *International Forum Selection and Arbitration Agreements: Drafting and Enforcing*, *International Arbitration: Cases and Materials*, and *International Civil Litigation in United States Courts*. Mr. Born is an Honorary Professor of Law at St. Gallen University and has an Honorary Doctorate at Wayne State University, U.S.A. He has taught law at Harvard Law School, Stanford Law School, St. Gallen University, Georgetown University Law Center, National University of Singapore, University of Virginia College of Law, University College London and the University of Arizona College of Law.



**LINDA J. SILBERMAN** is the Martin Lipton Professor of Law at New York University School of Law. She is a graduate of the University of Michigan and the University of Michigan Law School and later a Fulbright Scholar in London, England. She joined the NYU faculty in 1971, where she teaches and writes in the areas of Transnational Litigation, International Commercial Arbitration, Civil Procedure, Comparative Civil Procedure, International Family Law, and Alternative Dispute Resolution. Her articles have been cited by the Supreme Court of the United States, the Supreme Court of the UK, and numerous other courts. Professor Silberman is presently Co-Director of the NYU Center on Transnational Litigation and Commercial Law and a member of the ITA Academic Council. Professor Silberman is co-author of *Civil Procedure: Theory and Practice* and *Civil Litigation in Comparative Context*.

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Recorded January 25, 2013 at the ITA Winter Forum in Miami.  
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### A Conversation with Hon. Charles N. Brower

Judge, Iran-United States Claims Tribunal, The Hague, and

20 Essex Street Chambers, London

With

Prof. Charles H. Brower, II, Wayne State University Law School, Detroit, and Of Counsel, Miller Canfield, Detroit

(52 minutes)



**THE HONORABLE CHARLES N. BROWER** has served continuously as a Judge of the Iran-United States Claims Tribunal since 1983. He also presently serves as a Judge Ad Hoc at the International Court of Justice, and previously served as a Judge Ad Hoc at the Inter-American Court of Human Rights. In addition to his international judicial work, The American Lawyer has described Judge Brower as "the reigning king of international arbitrators," based on his recognition as the world's No. 1 arbitrator in each of three biennial surveys conducted in 2009, 2011, and 2013. In the past, Judge Brower served as Acting Legal Adviser for the United States Department of State, as President of the American Society of International Law, and as Chair of the Institute for Transnational Arbitration. A recipient of the Manley O. Hudson Medal in 2009, Judge

Brower has also held academic appointments at Cambridge University. In autumn 2015, he will also join the faculty at The George Washington University Law School as a Distinguished Visiting Professor of Law.



In addition to over 15 years of academic experience touching on virtually every aspect of international law and international dispute settlement, **PROFESSOR CHARLES H. BROWER II** has provided legal services to private parties, governments and organizations, including as arbitrator, advocate for the Government of Costa Rica in proceedings before the International Court of Justice and a member of the American Arbitration Association's observer delegation to UNCITRAL Working Group II, at a time when that body adopted the 2010 revisions to the UNCITRAL Arbitration Rules and the UNCITRAL Rules on Transparency in Treaty-Based Investor-State Arbitration. He is a Vice Chair of the Institute for Transnational Arbitration, an elected member of the American Law Institute, a Fellow of the American Bar Foundation, Of Counsel to Miller Canfield in Detroit, and listed in *Who's Who Legal: Arbitration* (2015). In 2012, Professor Brower received the Smit-Lowenfeld Prize for the best article published on the topic of international arbitration.

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Recorded on February 21, 2014 at the ITA-IEL Joint Conference  
on International Energy Arbitration in Houston.

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### A Conversation with Dominique Brown-Berset

Brown&Page, Geneva

With

Prof. Susan D. Franck, Chair, ITA Academic Council

American University Washington College of Law, Washington, DC

(48 minutes)



**DOMINIQUE BROWN-BERSET** is a partner of Brown&Page, a law firm specializing in dispute resolution, contract and commercial law, and public international law. She practices mainly in the field of international arbitration and business transactions. She is listed, *inter alia*, on the HKIAC, JCAA, SIAC, KLRCA and CAS panels of arbitrators. She holds law degrees from Lausanne University Law School (Switzerland), Paris I, Panthéon-Sorbonne (France) and Harvard Law School (U.S.A). She is a member of the LCIA Court of Arbitration, of the Executive Committee of the Institute for Transnational Arbitration, of the Management Board and of the Supervisory Council of the Swiss Institute of Comparative Law and a member of the Board of the Société Suisse des Juristes. She is a former Co-Chair of the Arbitration Committee of the International Bar Association, former International Vice-President of the Chartered Institute of Arbitrators and immediate past President of the Executive Board of Arbitral Women. She is also a member of the Editorial Boards of *The Journal of International Arbitration*, *Global Arbitration Review*, and *Arbitration*, and is the author of several articles and publications on arbitration and mediation. She has been acting as counsel, co-counsel, arbitrator (also sole arbitrator and chairperson), legal expert and expert witness in over 210 cases covering a broad range of international arbitration cases, in particular in arbitration involving states and international organizations both at private and governmental levels, in cases relating, *inter alia*, to transfer of technology, construction of turnkey factories and other major projects, procurement contracts, licence agreements, agency, joint venture, and shareholders' agreements, sale and purchase contracts, telecom, post M & A disputes and the like. Her industry experience includes, telecommunications, computers (software and hardware), satellites, aviation, avionics, glass and paper production, steel, chemicals and petrochemicals, LNG projects, oil and gas (upstream, midstream and downstream), electricity and other energy sectors, mining, food, pharmaceuticals and biotechnology, shipping and shipbuilding, intellectual property rights, luxury goods, textiles and arts, beverages and real estate. Dominique is married to Alistair S. Brown, a New-Zealand citizen, whom she met while at Harvard where they were both LL.M. students. They have two daughters: Thaïs, who studies at the University of Applied Sciences and Arts of Western Switzerland, and Sophie, who reads history at Cambridge University (UK).



**SUSAN D. FRANCK** is a Professor of Law at American University, Washington College of Law in Washington, DC. Professor Franck's scholarship focuses on international economic law and dispute resolution and has been published in the *American Journal of International Law*, *Duke Law Journal*, *Fordham Law Review*, *Minnesota Law Review*, *Washington University Law Review*, *Virginia Journal of International Law*, and *Harvard Journal of International Law*. She also practiced international arbitration at Wilmer Hale and Allen & Overy. Professor Franck is an elected member of the American Law Institute, Chair of the Academic Council of the Institute for Transnational Arbitration, and former co-chair of the American Society of International Law's International Economic Law Interest Group.

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Recorded June 15, 2017 at the 29<sup>th</sup> Annual ITA Workshop:  
Challenges to the Legitimacy of International Arbitration.



### Una Conversación con Yves Derains

Derains & Gharavi, Paris

Con

Eduardo Zuleta, Zuleta Abogados, Bogotá

(43 minutes)



**YVES DERAINS** is a founding partner of Derains & Gharavi in Paris. With over 40 years' experience in arbitration, Mr. Derains has served as secretary general of the ICC Court, chairman of the ICC Institute of World Business Law, president of the Arbitration Court of the Jerusalem Arbitration Centre (JAC), and Chairman of the Comité Français de l'Arbitrage. In 2016, he was designated Lawyer of the Year 2017 in the field of international arbitration in The Best Lawyers in France. He is on the arbitrators' lists of numerous arbitration institutions and speaks at conferences all over the world. He is co-author of the celebrated work, *A Guide to the ICC Rules of Arbitration, 2nd Edition, with Eric Schwartz, Kluwer Law International, 2005*, which has become a seminal text on the application and interpretation of the ICC Rules of Arbitration.

Mr. Derains offers clients a double perspective through his long-standing experience as arbitrator and counsel. His skills are particularly highly regarded in Latin America, where he regularly conducts arbitrations in Spanish and Portuguese.



**EDUARDO ZULETA** is a partner of Zuleta Abogados in Bogotá, Colombia, President of ALARB and Vice President of the ICC Court of Arbitration. Mr. Zuleta specializes in international dispute resolution. Mr. Zuleta has extensive experience in international commercial arbitration - in matters related to construction, infrastructure, project finance, telecommunications, energy and international commercial contracts - and in investment disputes. He has acted as co-arbitrator, chair and counsel in international commercial arbitration under ICC, ICDR and UNCITRAL Rules and in investment arbitration under ICSID and UNCITRAL. Mr. Zuleta is professor in international arbitration and commercial law, past chair of the Arbitration Committee of IBA, member of the ICC Latin American Group and Vice Chair of ITA. He is the author of several articles and co-editor of publications on international arbitration.

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Recorded in Spanish on May 4, 2018 at the ITA-ALARB Joint Conference  
on International Arbitration in Santiago.

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### A Conversation with L. Yves Fortier

CC, OQ, QC, Ad. E., Independent Arbitrator, Montréal

With

Prof. Andrea K. Bjorklund, McGill University Faculty of Law, Montreal

(72 minutes)



**THE HONORABLE L. YVES FORTIER, PC, CC, OQ, QC** - After graduating from McGill University and Oxford (Rhodes Scholar), Yves Fortier joined Ogilvy Renault in Montréal (now Norton Rose Fulbright) and practiced law as a trial lawyer until 31 December 2011 when he left NRF to practice as an independent arbitrator (Cabinet Yves Fortier). He has argued cases before all courts in Canada, before the International Court of Justice in The Hague and before arbitral tribunals. In 1976, he took silk (QC) and in 1982-83 he was President of the Canadian Bar Association. From 1988 to 1992 he served as Canada's Ambassador and Permanent Representative to the United Nations in New York. In 1989, he was President of the Security Council. Since 1992, Mr. Fortier has practiced law almost exclusively as an arbitrator. From 1998 to 2001,

he was President of the LCIA. He has been Chairman of the Sanctions Board of the World Bank since 2012. In 2013, Mr. Fortier was sworn in as a member of the Privy Council of Canada.



**ANDREA K. BJORKLUND** is the L. Yves Fortier Chair in International Arbitration and International Commercial Law at McGill University Faculty of Law. She previously taught at UC Davis School of Law. She has taught a variety of courses in such areas as international arbitration and litigation, international trade, international investment, public international law, international business transactions, conflict of laws, and contracts. She is co-rapporteur of the International Law Association's Study Group on the Role of Soft-Law Instruments in International Investment Law, an adviser to the American Law Institute's project on restating the U.S. law of international commercial arbitration and a past Chair of the Academic Council of the Institute of Transnational Arbitration. She also serves as Director of Studies for the American Branch of the International Law Association.

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Recorded March 13, 2014 at McGill University in Montreal.  
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### **A Conversation with David R. Haigh, Q.C.**

Burnet Duckworth & Palmer LLP, Calgary

*With*

Prof. Margaret L. Moses, Loyola University Chicago School of Law, Chicago

*(31 minutes)*



**DAVID R. HAIGH, Q.C.** is a senior partner with the Calgary law firm of Burnet Duckworth & Palmer LLP where he has practiced as a commercial litigation counsel in the Canadian courts and as an advocate and arbitrator in the field of international commercial arbitration. He has served as an arbitrator on numerous international commercial arbitration and investor-state panels. He has, in addition, acted as counsel on a wide variety of arbitration matters, including ad hoc, institutional, private and investor-state disputes. David served as the national chairman of the Canadian ICC Committee for six years and as a director of the American Arbitration Association (AAA) for 12 years. David has been a Fellow of the Chartered Institute of Arbitrators for many years and is now a Chartered Arbitrator. He is also a Fellow of the American College of Trial Lawyers and a Founding Member of the Western Canada Commercial Arbitration Society. David has been recognized as a panelist on the Energy Arbitrators List published by the ICDR and is also a panelist with numerous well-recognized international arbitration centres, including conducting arbitrations in recent years among a large variety of nationals and state entities. He has represented both claimants and states in various investor-state matters. David's extensive experience as a leading Canadian litigation counsel has prepared him for a widely based arbitration practice. He has actively participated in disputes involving, among other things: oil and gas, energy related disputes including exploration, production, marketing, storage, pipelines and pricing disputes; and numerous other contractual and corporate/commercial disputes including such subject matters as coal and potash mining, pharmaceuticals, telecommunications and intellectual property.



**MARGARET L. MOSES** is Professor of Law and Director of International Programs at Loyola University Chicago. A scholar in the field of international commercial arbitration, the third edition of her treatise on international commercial arbitration was published in March 2017 by Cambridge University Press. Her teaching and writings are informed by her participation as an arbitrator or advocate in arbitrations under the auspices of the International Chamber of Commerce, Court of Arbitration and the American Arbitration Association's International Centre for Dispute Resolution, as well as in ad hoc arbitrations. In addition to arbitration, her areas of interest and research include international business transactions, international letters of credit, and international trade finance. Professor Moses heads Loyola Chicago's Vis Moot Arbitration program, which sends students to compete in both Vienna and Hong Kong. She has a J.D. degree from Columbia University School of Law and a Ph.D. degree from Indiana University. [mmoses1@luc.edu](mailto:mmoses1@luc.edu)

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Recorded on January 19, 2018 at the ITA-IEL-ICC Joint Conference  
on International Energy Arbitration in Houston.  
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### A Conversation with Prof. J. Martin Hunter

Essex Court Chambers, London

With

Prof. Jarrod Wong, University of the Pacific, McGeorge School of Law, Sacramento

(58 minutes)



**J. MARTIN HUNTER** was a partner in Freshfields for 27 years, latterly leading the firm's International Arbitration Group. On retiring from the firm, he joined Essex Court Chambers, where he continues to practise in the field of international arbitration. In 1995, he was appointed to the newly-established chair of International Dispute Resolution at Nottingham Trent University, and he was appointed as an Emeritus Professor of that University in 2010. He also teaches international arbitration with postgraduate students as a visiting professor at several universities around the world, including King's College London, University of Miami Law School, Central European University, Budapest, IICS in Sao Paolo, Brazil, and KIIT Law School in Bhubaneswar, India. He has been a member of the Council of ICCA since the 1980's, and has participated in the work of a number of organisations active in the field of international arbitration, including the AAA, the IBA, the ITA's Academic Council, the ICC's Court, the LCIA's Court and UNCITRAL. He served as Chairman of the Board of Trustees of the Dubai International Arbitration Centre and was Deputy Chairman of the UK Government's committee on arbitration law reform. His books include *Law and Practice of International Arbitration* (with Alan Redfern), *The English Arbitration Act 1996: Text and Notes* (with Toby Landau), and the Arbitration Title of *Halsbury's Laws* (with Ben Pilling).



**JARROD WONG** is Professor of Law and Co-Director of the Global Center at the University of the Pacific, McGeorge School of Law. He is a scholar in international dispute resolution, and has been published in the *Minnesota Law Review*, *Tulane Law Review*, *George Mason Law Review*, and *Columbia Journal of Transnational Law* among others. Professor Wong is Co-Vice Chair of the Academic Council of the Institute for Transnational Arbitration. He is also Co-Vice Chair of the American Society of International Law — International Economic Law Interest Group. Prior to entering academia, Professor Wong was legal adviser to Judge Charles Brower at the Iran-United States Claims Tribunal, and was associated with the law firms of Cravath, Swaine & Moore in New York, and O'Melveny & Myers in San Francisco. Professor Wong holds various law degrees, graduating with first class honours from the University of Cambridge, Order of the Coif from University of California, Berkeley, and from the University of Chicago.

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Recorded on January 16, 2015 at the ITA-IEL Joint Conference  
on International Energy Arbitration in Houston.

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### **A Conversation with Prof. William (Rusty) W. Park**

Past President of the London Court of International Arbitration  
General Editor of Arbitration International  
R. Gordon Butler Scholar in International Law  
Boston University School of Law, Boston

*With*

Prof. Catherine A. Rogers, Penn State Law; Director, Institute for Ethics, Regulation & The Rule of Law, Queen Mary University of London  
(39 minutes)



**WILLIAM (RUSTY) PARK** is Professor of Law at Boston University, teaching in the areas of international tax and finance. After studies at Yale and Columbia, Park practiced in Paris until returning home to Boston to serve as Director of Boston University's Center for Banking Law Studies. Park is General Editor of Arbitration International and former President of the London Court of International Arbitration. He has held visiting academic appointments in Cambridge, Dijon, Hong Kong, Auckland and Geneva. A member of the Governing Board of the International Council for Commercial Arbitration, Park served as arbitrator on the Claims Resolution Tribunal for Dormant Swiss Bank Accounts and the International Commission on Holocaust Era Insurance Claims. The President of the United States appointed Park to the Panel of Arbitrators for the International Centre for Settlement of Investment Dispute. Park's books include Arbitration of International Business Disputes, International Forum Selection, ICC Arbitration (with Craig and Paulsson), International Commercial Arbitration (with Reisman, Craig and Paulsson) and Income Tax Treaty Arbitration (with Tillinghast).



**CATHERINE A. ROGERS** is a Professor of Law at Penn State Law, with a dual appointment as Professor of Ethics, Regulation, and the Rule of Law at the Centre for Commercial Law Studies, Queen Mary, University of London, where she is also Co-Director of the Institute for Ethics and Regulation. Professor Rogers is a Reporter for the American Law Institute's Restatement of the US Law (Third) of International Commercial Arbitration, a Member of the Court of Arbitration for the Jerusalem Arbitration Center, and co-chair, together with William W. "Rusty" Park and Stavros Brekoulakis, of the ICCA-Queen Mary Task Force on Third-Party Funding in International Arbitration. She is the founder and CEO of Arbitrator Intelligence, a non-profit entity that aims to promote transparency, fairness, accountability and diversity in international arbitrator appointments. Professor Rogers is a frequent speaker on topics relating to fairness and professional responsibility in international arbitration and a regular contributor to arbitration-related capacity-building efforts around the world. Her book, *Ethics in International Arbitration*, was published by Oxford University Press in 2014.

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Recorded on January 13, 2017 at the ITA-IEL-ICC Joint Conference  
on International Energy Arbitration in Houston.

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Schwebel and Stevens interview photo.webp

## A Conversation with Judge Stephen M. Schwebel

Former President of the International Court of Justice

With

Prof. Susan D. Franck, American University, Washington College of Law in Washington, DC.

(80 minutes)



**THE HONORABLE STEPHEN M. SCHWEBEL** served as a Judge of the International Court of Justice 1981-2000 and as Court President 1997-2000. He has been President of the Administrative Tribunal of the International Monetary Fund since 1994 and currently is active as an international arbitrator and counsel. He is best known for delivering dissenting opinions in the case of *Nicaragua v. United States* and in the pair of *Libya v. United Kingdom* and *Libya v. United States Lockerbie (Preliminary Objections)* cases, which were discontinued in 2003. He served at various positions in the U.S. Department of State, Legal Adviser Office in 1961-1981 and he was a member of the United Nations International Law Commission from 1977 to 1980. Judge Schwebel was first elected to the International Court of Justice in January 1981.

He was subsequently re-elected twice, and served as the president of the court in the triennium 1997-2000, which marked the busiest docket of 22 new cases in the history of the Court. Author of *The Secretary-General of the United Nations: His Political Powers and Practice*, 1952; *The Effectiveness of International Decisions*, 1971 (as editor); *"Aggression, Intervention and Self-Defence in Modern International Law"*, *Recueil des cours*, Hague Academy of International Law, 1972; *Reports to the International Law Commission on the law of the non-navigational uses of international watercourses*; *International Arbitration: Three Salient Problems* (1987); *Justice in International Law* (1994); and some one hundred articles, notes and book reviews in legal and other publications. Research and drafting assistant to United Nations Secretary-General Trygve Lie in the writing of *In the Cause of Peace*, 1954.



**MARGRETE STEVENS** served as Counsel and Senior Counsel at the World Bank Group's International Centre for Settlement of Investment Disputes from 1989 - 2007. During that time ICSID saw the beginning of an exponential expansion of its caseload, including a rise in cases brought under investment treaties. In 1995 she published, with Professor Rudolf Dolzer, the first treatise on bilateral investment treaties. From 2007 - 2018 she served as Consultant to King & Spalding's international arbitration group. As Co-Chair, with Professor Jack Coe, she launched the IBA Subcommittee on Investor-State Mediation (2007-2009); and served on the IBA Taskforce that developed the 2013 IBA Guidelines on Party Representation in International Arbitration. From 2008 - 2013 she served on the Board of the Arbitration Institute of the Stockholm Chamber of Commerce. Prior to joining the World Bank, she worked for the United Nations High Commissioner for Refugees in Botswana and Malaysia. She holds a Cand. Jur. degree from the University of Copenhagen and an LL.M. from the London School of Economics.

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Recorded on October 26, 2017 at American University, Washington College of Law in Washington, D.C.  
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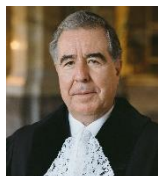
### **A Conversation with Hon. Bernardo Sepúlveda Amor**

Former Vice President of the International Court of Justice, Mexico City

With

R. Doak Bishop, King & Spalding LLP, Houston

(41 minutes)



**THE HONORABLE BERNARDO SEPÚLVEDA AMOR** is a former Judge and Vice President of the International Court of Justice, Secretary of Foreign Relations of Mexico, and Ambassador of Mexico to the United States and to the United Kingdom. He has served as a member of the United Nations International Law Commission, President of the UN Commission on Transnational Corporations, General Counsel of Empresas ICA, S.A.B. de C.V., and as Professor of International Law at El Colegio de Mexico. His international practice as an arbitrator includes cases administered by the Permanent Court of Arbitration, the International Centre for the Settlement of Investment Disputes (ICSID) and the Stockholm Chamber of Commerce. He is currently Of Counsel with Creel, Garcia-Cuellar, Aiza y Enriquez S.C. in Mexico

City.



**R. DOAK BISHOP** is a partner in King & Spalding's Houston office and Co-Chair of the firm's International Arbitration Practice Group. He has served as a Director of the American Arbitration Association, Trustee of the Center for American and International Law, Chair of the Institute of Transnational Arbitration (ITA) and Adjunct Professor at the SMU, University of Houston, the University of Texas, and University of Oklahoma law schools. He has registered more than 25 ICSID arbitrations, represented investors in approximately 30 investment arbitrations against foreign governments and served as arbitrator in approximately 75 arbitrations, including NAFTA and BIT arbitrations under the UNCITRAL Rules. He is the editor of *The Art of Advocacy in International Arbitration and Enforcement of Arbitral Awards Against Sovereigns*, and co-author with Professor James Crawford and Professor Michael Reisman of *Foreign Investment Disputes: Cases, Materials and Commentaries*.

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Recorded on June 20, 2014 at the ITA Workshop in Dallas.  
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### **A Conversation with Albert Jan van den Berg**

Hanotiau & van den Berg, Brussels, Belgium

With

Meg Kinnear, Secretary-General, International Centre for Settlement of Investment Disputes (ICSID), Washington, DC

(53 minutes)



**PROFESSOR ALBERT JAN VAN DEN BERG** is a partner in Hanotiau & van den Berg (Brussels, Belgium). He is President of the International Council for Commercial Arbitration (ICCA; 2014–2016), and General Editor of the Yearbook: Commercial Arbitration and ICCA Congress Series. He is a former President of the Netherlands Arbitration Institute (NAI) and Vice-President of the London Court of International Arbitration (LCIA). He is a Visiting Professor at Georgetown University Law Center, Washington DC, and Tsinghua University, Beijing, and Emeritus Professor at Erasmus University, Rotterdam. Professor van den Berg is presiding and party-appointed arbitrator in numerous international commercial and investment arbitrations. He also acts as counsel in international commercial arbitrations. Professor van den Berg has published extensively on international arbitration (see [www.hvdb.com](http://www.hvdb.com)), in particular the New York Convention of 1958 (see [www.newyorkconvention.org](http://www.newyorkconvention.org)). His awards include The International Who's Who of Business Lawyers, *Arbitration: Lawyer of the Year* in 2006 and 2011, and Global Arbitration Review, "*Best Prepared and Most Responsive Arbitrator*" in 2013.



**MEG KINNEAR** is currently the Secretary-General of the International Centre for Settlement of Investment Disputes (ICSID) at the World Bank. She was formerly the Senior General Counsel and Director General of the Trade Law Bureau of Canada, where she was responsible for the conduct of all international investment and trade litigation involving Canada, and participated in the negotiation of bilateral investment agreements. In November 2002, Ms. Kinnear was also named Chair of the Negotiating Group on Dispute Settlement for the Free Trade of the Americas Agreement. From October 1996 to April 1999, Ms. Kinnear was Executive Assistant to the Deputy Minister of Justice of Canada. Prior to this, Ms. Kinnear was Counsel at the Civil Litigation Section of the Canadian Department of Justice (from June 1984 to October 1996). Ms. Kinnear has published numerous articles on international investment law and procedure and is a frequent speaker on these topics.

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### A Conversation with Claus von Wobeser

Von Wobeser y Sierra, Mexico City

With

Prof. Andrea K. Bjorklund, McGill University Faculty of Law, Montreal

(49 minutes)



**CLAUS VON WOBESER** is the Founding Partner as well as the Head Partner of the Dispute Resolution Practice of Von Wobeser y Sierra with more than 40 years of experience. He has acted in more than 200 international arbitration proceedings, either as arbitrator or counsel, as per the rules of the ICC, ICDR, LCIA, HKIAC, UNCITRAL, NAFTA, ICSID and ICSID Additional Facility, among others. Claus frequently participates as an expert in arbitration proceedings as well as on proceedings related to Mexican law before U.S. and English courts. Furthermore, his experience includes having acted as ad hoc judge of the Inter-American Human Rights Court and as conciliator in ICSID proceedings. Claus has served as Vice President of the International Court of Arbitration of the ICC, as Co-Chair to the IBA Arbitration Committee and as

President of the Arbitration Commission of the Mexican Chapter of ICC. Currently, he is member of the Panel of Arbitrators of ICSID, member of the LCIA, Vice President of the Latin American Arbitration Association, among other designations. Claus has received numerous accolades that recognize him as a leading figure in arbitration at an international level. In November 2017 Claus won the Lifetime Achievement Award from Chambers & Partners for his contribution to the legal profession.



**ANDREA K. BJORKLUND** is a Full Professor and the L. Yves Fortier Chair in International Arbitration and International Commercial Law at McGill University Faculty of Law. In 2017, she was named one of McGill's Norton Rose Scholars in International Arbitration and International Commercial Law. In Winter 2018, she was a Plumer Fellow at St. Anne's College and a Visiting Fellow in the Law Faculty, University of Oxford. In addition to serving as an adviser to the American Law Institute's project on restating the U.S. law of international commercial arbitration, she is a member of the Advisory Board of the Investment Treaty Forum of the British Institute for International and Comparative Law. Professor Bjorklund was the inaugural ICSID Scholar-in-Residence from 2014-2015 and was Editor-in-Chief of the Yearbook on International Investment Law and Policy from 2012- to 2015. She is on the panel of arbitrators of the AAA's International Centre for Dispute Resolution and on the roster of NAFTA Chapter 19 arbitrators. Professor Bjorklund is widely published in investment law and dispute resolution and transnational contracts. Prior to joining McGill, Professor Bjorklund taught at the University of California, Davis, School of Law. Before entering the academy, she was an attorney-adviser on the NAFTA arbitration team in the Office of the Legal Adviser of the U.S. Department of State, in addition to periods at the U.S. International Trade Commission and in private practice at Miller & Chevalier in Washington, D.C. She clerked for Judge Samuel J. Ervin, III, of the U.S. Court of Appeals for the Fourth Circuit. Professor Bjorklund has a J.D. from Yale Law School, an M.A. in French Studies from New York University, and a B.A. (with High Honors) in History and French from the University of Nebraska.

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