

ANDREA K. BJORKLUND
Full Professor/Professeure Titulaire
L. Yves Fortier Chair in International Arbitration and
International Commercial Law
McGill University Faculty of Law
3644 rue Peel
Montreal, QC H3A 1W9
+1 (514) 398-5372 • andrea.bjorklund@bjorklundarbitration.com
Nationality: U.S. Citizen; Canadian Permanent Resident

Experience

ACADEMIC McGill University Faculty of Law

Full Professor; L. Yves Fortier Chair in International Arbitration and International Commercial Law (2013 – Present)

Associate Dean, Graduate Studies (2019 – 2022)

Visiting Professor (Guest of the L. Yves Fortier Chair in International Arbitration and International Commercial Law) (2012)

Courses taught: international investment disputes; law and practice of international trade; international civil litigation; advanced common-law obligations

Queen's University

Visiting Professor (2019 – present)

Queen's Summer Program at Herstmonceux Castle (online in 2020 and 2021)

Course taught: international economic law – investment law module

University of Cambridge

Visiting Fellow, Lauterpacht Centre for International Law (Summer 2018)

University of Oxford

Plumer Fellow, St. Anne's College; Visiting Fellow, Faculty of Law (Hilary Term 2018)

University of Vienna

Department of European Law, International Law, and Comparative Law

Visiting Professor (May 2017)

Course taught: procedural issues in international investment law

Tsinghua University Faculty of Law

Visiting Professor (December 2013; December 2014; December 2015; December 2016; December 2017; December 2018; December 2019; December 2020 (online); December 2021 (online); December 2022 (online); December 2023)

Course taught: international investment law

University of California, Davis, School of Law

Professor of Law (2008 – 2013)

Acting (Untenured) Professor of Law (2003 – 2008)

Courses taught: international arbitration and litigation, international investment disputes, international trade disputes, public international law, international economic law, international business transactions, conflict of laws (private international law), and contracts

The University of Chicago Law School

Bigelow Teaching Fellow and Lecturer in Law (2001 – 2003)

Courses taught: international dispute resolution (upper-level seminar taught in spring 2003) and legal research and writing (year-long course for first-year students)

Other teaching experience:

- Law School Global League (Northwestern University School of Law) (Summer 2016)
- Centre for International Governance Innovation, Waterloo, Ontario, Canada (Summer 2016)
- Koufa Foundation, Thessaloniki, Greece (Summer 2015)
- University of Sherbrooke, Sherbrooke, Quebec, Canada (Summer 2015)
- Arbitration Academy, Paris, France (Summer 2013)
- Pennsylvania State University and McGill Summer Arbitration Program
Montreal, Quebec, Canada (2012; 2013)
- University of San Diego Summer Program, Paris, France (2011)
- University College – Dublin School of Law
Visiting Lecturer (Spring 2008)
- UC Davis Extension
 - International Investment Arbitration, Cologne, Germany (2006, 2008, 2010, 2012)
 - Private International Law Courses for Petrobras Attorneys
Macaé, Brazil (2011); Davis, California (2007, 2008, 2010, 2011)
- Various courses in conjunction with the LL.M in International Commercial Law,
Davis, California (2004 - 2012)

ARBITRAL

Arbitrator

- Arbitrator, *Grupo Officine Piccini S.p.A. v. Republic of Cameroon*, ICSID Case No. ARB/23/21 (2023 – present) (Cameroon – Italy BIT)
- Presiding Arbitrator, *Louis Claude Norland Suzor and SBEC Systems Ltd v. Republic of Senegal*, ICSID Case No. ARB/22/1 (2022 – present) (Mauritius – Sénégal BIT)
- Ad hoc Committee Member, *Casinos Austria International GmbH and Casinos Austria Aktiengesellschaft v. Argentine Republic*, ICISD Case No. ARB/14/32 (Annulment Proceeding) (2022 – present) (Argentina – Austria BIT)
- Arbitrator, *Koch Industries, Inc. and Koch Supply & Trading, LP v. Canada*, ICSID Case No. ARB/20/52 (2021 – 2024) (NAFTA)
- Arbitrator, *Ammonium Sulfate v. Mexico*, MEX-USA-2015-10-4-01 (2016 – 2022) (NAFTA Chapter 19)
- Mock arbitrator (retained by claimant) in an ICSID case in the extractive industries (2019)

Legal Expert & Consultant

- Legal expert for the claimants in *Littop Enterprises Limited et al. v. Republic of Ukraine*, Svea Court of Appeal Case T 5378/21, set-aside proceedings in the Svea Court of Appeal (2023) (ECT)
- Legal expert for the claimants in *BayWa r.e. A.G. v. Kingdom of Spain*, enforcement proceedings in the U.S. District Court for the District of Columbia, Civil Action No. 1:22-cv-2403-APM (2023) (ECT)
- Legal expert for the claimants in *InfraRed Environmental Infrastructure GP et al. v. Kingdom of Spain*, enforcement proceedings in the U.S. District Court for the District of Columbia, Civil Action No. 1:20-cv-00817-JDB (2022) (ECT)
- Legal expert for the claimants in *Cube Infrastructure Fund et al. v. Kingdom of Spain*, enforcement proceedings in the U.S. District Court for the District of Columbia, Civil Action No. 120-cv-01708-EGS (2022) (ECT)
- Legal expert for the claimants in *AES Solar Energy Coöperatief U.A. and Ampere Equity Fund B.V. v. Kingdom of Spain*, enforcement proceedings in the U.S. District Court for the District of Columbia, Civil Action No. 1:21-cv-03249-RJL (2022) (ECT)

- Legal expert for the claimants in *Hydro Energy I, S.À.R.L. and Hydroxana Sweden AB v. Kingdom of Spain*, enforcement proceedings in the U.S. District Court for the District of Columbia, Civil Action No. 1:21-cv-02463-RJL (2022) (ECT)
- Legal expert for the claimants in *RREEF Infrastructure (GP) Limited and RREEF Pan-European Infrastructure Two Lux SARL v. Kingdom of Spain*, enforcement proceedings in the U.S. District Court for the District of Columbia, Civil Action No. 1:19-cv-03783-CJN (2020 – 2022) (ECT)
- Legal expert for the claimants in *Eiser Infrastructure Ltd. & Energia Solar Luxembourg S.A.R.L. v. Kingdom of Spain*, enforcement procedure in the U.S. District Court for the District of Columbia, Civil Action No. 1:18-cv-01686-CKK (2019) (ECT)
- Legal expert for the claimants in *Infrastructure Services Luxembourg S.A.R.L. & Energia Termosolar B.V. v. Kingdom of Spain*, enforcement proceedings in the U.S. District Court for the District of Columbia, Civil Action 1:18-cv-01753-EGS (2019) (ECT)
- Consulting expert to the Government of Canada in *Mobil Investments II v. Canada*, ICSID Case No. ARB/15/6 (2016-2017) (NAFTA)
- Consulting expert to the Government of Mexico in *Lion Consolidated v. Mexico*, ICSID Case No. ARB(AF)/15/2 (2016) (NAFTA)
- Legal expert for the claimant in *Gold Reserve v. Venezuela*, enforcement proceedings in the U.S. District Court for the District of Columbia (Civil Action No. 14-2014 (JEB) and the set-aside proceedings in the French Court of Appeal (Pôle 1 – Chambre 1, RG No. 14/21103) (2015) (U.S.-Venezuela BIT)
- Legal expert for the Government of Mexico in *Telefonica S.A. v. Mexico*, ICSID Case No. ARB(AF)/12/4 (2014) (Mexico – Spain BIT)

Arbitral Panel Member:

ICSID

Arbitral Roster (appointed by Government of Canada) (2022 – present)

ICC Canada

Member (2014 – present)

Beijing Arbitration Commission/Beijing International Arbitration Center

Member, Panel of Arbitrators for International Investment Disputes (2021- present)

Shenzen Court of International Arbitration

Member, Panel of Arbitrators (2022 – present)

International Centre for Dispute Resolution (American Arbitration Association)

Member, Panel of International Arbitrators (2013 – present)

NAFTA Chapter 19 Panel (now USMCA Chapter 10) (U.S. appointee)

Roster Member (2011 – Present)

London Court of International Arbitration

Member, North American Users' Council (2006 – present)

Other arbitral activities:

Arbitration International

Co-General Editor (2022 – present)

International Centre for Settlement of Investment Disputes

Scholar-in-Residence (2014 – 2015)

Institute of International Arbitration

Member (2023 – present)

Investment Treaty Forum, British Institute of International and Comparative Law

Member, Advisory Board (2014 – present)

Institute for Transnational Arbitration

Member, Executive Committee (2008 – 2018)

Chair, Academic Council (2012 – 2015)

Vice-Chair, Academic Council (2009 – 2012)

Member, Academic Council (2008 – 2015; 2022- present)

Program Co-Chair, 2008 ITA Workshop (Damages in International Arbitration)

American Law Institute

Adviser, U.S. Law on International Commercial Arbitration Project (2009 – present)

Vis Moot

Frequent arbitrator

McGill team faculty adviser 2018-2019

FDI Moot

Advisory Board Member

Frequent arbitrator

LEGAL

U.S. Department of State, Office of the Legal Adviser, Washington, D.C.

Attorney-Adviser (1999 – 2001)

Defended the U.S. Government in investor-State arbitrations brought under Chapter Eleven of the NAFTA. Drafted pleadings, memorials, and other submissions to arbitral panels.

Coordinated interagency examination and adoption of proposed legal arguments in light of potential policy implications. Monitored Chapter Eleven arbitrations arising from disputes involving Canada and Mexico and drafted submissions on issues of NAFTA interpretation in those cases.

U.S. International Trade Commission, Washington, D.C.

Senior Counsel to Commissioner Thelma J. Askey (1998 – 1999)

Advised the commissioner on legal issues that arose in countervailing duty and antidumping cases. Advocated the commissioner's position in conversations with other commissioners' aides and negotiated resolution of pending cases with them and ITC staff. Drafted the commissioner's separate views, either concurring with or dissenting from ITC determinations. Reviewed administrative determinations in section 337 cases (unfair import investigations) and recommended appropriate action to the commissioner.

Judge Sam J. Ervin, III, U.S. Court of Appeals for the Fourth Circuit, Morganton, N.C.

Judicial Clerk (1997 – 1998)

Wrote bench memoranda and drafted opinions.

Miller & Chevalier, Chartered, Washington, D.C

Associate (1994 – 1997); *Summer Associate* (Summer 1993)

Researched U.S. and English contract law, drafted portions of memorial, and conducted discovery for an international commercial arbitration before the London Court of International Arbitration. Investigated sovereign immunity, Title VII, and common law

employment remedies and drafted portions of briefs on behalf of a sovereign government sued for employment discrimination in the United States. Wrote opinion letters regarding client adherence to the Foreign Corrupt Practices Act. Counseled clients on FCPA compliance and miscellaneous trade and tax issues. Monitored developments in U.S. trade law and analyzed their likely effects on post-Uruguay-Round government agency practice. *Pro bono* work included successful representation of a political asylum applicant and a social security disability applicant.

Public Defender Service, Washington, D.C.

Law Clerk (Summer 1993)

Wrote motions on behalf of clients, including motions to compel discovery, to sever charges, and to suppress admission of tangible evidence. Interviewed clients and devised trial strategy.

Irish Commission for Prisoners Overseas, Dublin, Ireland

Legal Intern (Summer 1992)

Amended draft legislation designed to enable Ireland to ratify a Council of Europe Treaty on the transfer of prisoners in light of constitutional protections in criminal law matters and the independence of the judiciary in a constitutional, parliamentary system of government.

OTHER

The Funding Center, Alexandria, VA

Development Associate (1989 – 1991)

Assisted non-profit organizations by developing and implementing fund-raising strategies and by writing prospectuses directed towards foundations and other prospective funding sources.

Education

Yale Law School

J.D. (1994)

- *Yale Law Journal*, Senior Editor (1993 – 1994); Editor (1992 – 1993)
- Coker Fellow, Contracts I, Professor James Q. Whitman (Fall 1993)
- Schell Center for International Human Rights, Director of U.N. Project on Internally Displaced Persons (Fall 1992); Research Assistant (1992 – 1993)
- Lowenstein International Human Rights Law Project, Director (1992 – 1993); . Member (1991 – 1994)
- Housing and Community Development Clinic, Director (1992 – 1993); Member (Spring 1992)
- Student Funded Fellowships, Co-President (1991 – 1992)
- Haitian Refugee Legal Assistance (political asylum applications) (Spring 1992)

New York University Graduate School of Arts & Sciences

M.A., French Studies (1988)

- Institute of French Studies (tuition fellowship and stipend)

University of Nebraska, Lincoln

B.A. with High Honors, History & French (1986)

- Phi Beta Kappa
- Four-Year Regents' Scholarship
- New York University in France, Paris (Autumn 1985)
- University of Cambridge, Cambridge, England (Summer 1985)

Bar Admissions

- U.S. Supreme Court (2001)
- U.S. Court of Appeals for the Fourth Circuit (1998)
- U.S. District Court for the District of Columbia (1996)
- District of Columbia (1995)
- Maryland (1994)

Publications

BOOKS

CAMBRIDGE COMPENDIUM OF INTERNATIONAL COMMERCIAL AND INVESTMENT ARBITRATION (Cambridge University Press 2023) (with Stefan Kröll & Franco Ferrari).

ASIAN YEARBOOK OF INTERNATIONAL ECONOMIC LAW 2023 (with Manjiao Chi and Marc Bungenberg) (2023).

ASIAN YEARBOOK OF INTERNATIONAL ECONOMIC LAW 2022 (with Manjiao Chi and Marc Bungenberg (2022).

YEARBOOK ON INTERNATIONAL INVESTMENT LAW AND POLICY 2014-2015 (Andrea K. Bjorklund ed., Oxford University Press, 2016).

YEARBOOK ON INTERNATIONAL INVESTMENT LAW AND POLICY 2013-2014 (Andrea K. Bjorklund ed., Oxford University Press 2015).

NAPPERT PRIZE IN ARBITRATION (SELECTED PAPERS FROM THE 2014 COMPETITION) (Andrea K. Bjorklund ed., ICC Publishing 2015) (in collaboration with Sophie Nappert).

YEARBOOK ON INTERNATIONAL INVESTMENT LAW AND POLICY 2012 – 2013 (Andrea K. Bjorklund ed., Oxford University Press, 2014).

INVESTOR-STATE DISPUTE SETTLEMENT – A SEQUEL (UNCTAD’s Pink Series) (2014).

INTERNATIONAL INVESTMENT LAW AND SOFT LAW (Andrea K. Bjorklund & August Reinisch eds., Edward Elgar, 2012).

PROCEEDINGS OF THE 102ND ANNUAL MEETING OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW: THE POLITICS OF INTERNATIONAL LAW (Andrea K. Bjorklund, Marinn Carlson & Michael P. Scharf eds., 2009).

INVESTMENT DISPUTES UNDER NAFTA: AN ANNOTATED GUIDE TO NAFTA CHAPTER 11 (with Meg Kinnear and John F.G. Hannaford) (2006; FIRST UPDATE 2008; SECOND UPDATE 2009).

INVESTMENT TREATY LAW: CURRENT ISSUES III (Andrea K. Bjorklund, Ian A. Laird & Sergey Ripinsky eds., 2009).

GLOBAL ISSUES IN CONTRACT LAW (2007) (with John A. Spanogle, Jr., Michael P. Malloy, Louis F. Del Duca & Keith A. Rowley).

**ARTICLES
& BOOK
CHAPTERS**

Discourses of ISDS Reform, 27 JOURNAL OF INTERNATIONAL ECONOMIC LAW 314 (2024)
(with Jean-Michel Marcoux, Lukas Vanhonnaeker, and Elizabeth Whitsitt)

Procedural issues in international investment treaty disputes, in RESEARCH HANDBOOK ON INTERNATIONAL PROCEDURAL LAW (Joanna Gomula & Stephan Wittich eds., Edward Elgar, 2024) (with Damini Chawla).

Normative Foundations of Arbitral Due Process, in BY PEACEFUL MEANS: INTERNATIONAL ADJUDICATION AND ARBITRATION – ESSAYS IN HONOUR OF DAVID D. CARON (Charles N. Brower et al. eds, Oxford University Press, 2024) (with Catalina Turriago Bettancourt).

The Road(s) Not Taken – The Past, Present, and Future of International Investment Law Reform: The Freshfields Lecture 2022, 39 ARBITRATION INTERNATIONAL 455 (2023).

The Independence and Impartiality of Adjudicators in Investment Arbitration under Treaty-Based Rules, in INDEPENDENCE AND IMPARTIALITY OF INTERNATIONAL ADJUDICATORS (Giuditta Cordero-Moss ed., Intersentia 2023).

What the Ecuador-US award tells us about the potential for more state-state investment arbitration, 39 ARBITRATION INTERNATIONAL 191 (2023).

New (Paradigms in) International Economic Law, 26 JOURNAL OF INTERNATIONAL ECONOMIC LAW 3 (2023) (with Gabrielle Marceau).

Particularities of International Investment Arbitration, in CAMBRIDGE COMPENDIUM OF INTERNATIONAL COMMERCIAL AND INVESTMENT ARBITRATION (Stefan Kröll, Andrea K. Bjorklund, and Franco Ferrari eds, Cambridge University Press 2023).

Applicable Law in International Investment Arbitration, in CAMBRIDGE COMPENDIUM OF INTERNATIONAL COMMERCIAL AND INVESTMENT ARBITRATION (Stefan Kröll, Andrea K. Bjorklund, and Franco Ferrari eds, Cambridge University Press 2023) (with Lukas Vanhonnaeker).

The Powers, Duties, and Rights of International Arbitrators, in CAMBRIDGE COMPENDIUM OF INTERNATIONAL COMMERCIAL AND INVESTMENT ARBITRATION (Stefan Kröll, Andrea K. Bjorklund, and Franco Ferrari eds, Cambridge University Press 2023) (with Lukas Vanhonnaeker).

Counterclaims, in INTERNATIONAL INVESTMENT LAW: AN ANALYSIS OF THE MAJOR DECISIONS (Hélène Ruiz Fabri & Edoardo Stoppioni eds., Hart 2022).

Reflections on the Restatement (especially Class Arbitration), in REFLECTIONS ON INTERNATIONAL ARBITRATION – ESSAYS IN HONOUR OF PROFESSOR GEORGE BERMANN (Julie Bédard and Patrick W. Pearsall, eds., Juris, 2022).

L'influence de la pensée d'Emmanuel Gaillard sur le droit d l'arbitrage en matière d'investissement, Table Ronde sous la présidence de Yas Banifatemi, [2022:4] JOURNAL DU DROIT INTERNTIONAL, pp. 1227- 1247 (avec Julien Fouret, Gabrielle Kaufmann-Kohler, et Christoph Schreuer).

Duty Evasion in Free Trade Agreements: Norm Emergence and Implications, 56 JOURNAL OF WORLD TRADE 215 (2022) (with Jean-Michel Marcoux).

Encadrer la conduite des arbitres au travers de codes de conduit: opportunités et dangers, in PERSPECTIVES CROISÉES SUR LA COOPÉRATION TRANSATLANTIQUE (Chloé Brière et al. eds., Éditions de l'université de Bruxelles, 2022) (with Lukas Vanhonnaeker).

Force Majeure in International Law during a Pandemic: Lessons from the COVID-19 Crisis, in A MULTIDISCIPLINARY APPROACH TO PANDEMICS: COVID-19 AND BEYOND (Philippe Bourbeau et al. eds., OUP 2022).

Arbitration, the World Trade Organization, and the Creation of a Multilateral Investment Court, 37 ARBITRATION INTERNATIONAL 433 (2021).

Applicable Law, in CAMBRIDGE COMPANION TO INTERNATIONAL ARBITRATION (Chin Leng Lim ed., Cambridge University Press, 2021).

State Immunity as a Defence to Resist the Enforcement of ICSID Awards, 36 ICSID REVIEW – FOREIGN INVESTMENT L. J. 1 (2021) (with Lukas Vanhonnaeker & Jean-Michel Marcoux).

Stays of Enforcement Pending Annulment and Set-Aside Proceedings in Investment Arbitration, in ENFORCEMENT OF INVESTMENT TREATY ARBITRATION AWARDS 43 (Julien Fouret ed., Globe Law and Business, 2d. ed. 2021) (with Lukas Vanhonnaeker).

Foreign Investors' Responsibilities and Contributory Fault in Investment Arbitration, 69 INT'L & COMP. LAW Q. 877 (2020) (with Jean-Michel Marcoux).

Enforcement of Arbitral Awards, in OXFORD HANDBOOK OF INTERNATIONAL ARBITRATION (Thomas Schulz & Federico Ortino, eds., Oxford University Press 2020).

The Diversity Deficit in International Investment Arbitration, 21 JOURNAL OF WORLD INVESTMENT AND TRADE 410 (2020) (with Daniel Behn, Susan Franck, Chiara Giorgetti, Won Kidane, Arnaud de Nanteuil, and Emilia Onyema).

Due Process as a Limit to Arbitral Discretion in International Commercial Arbitration: Country Report for Canada, in DUE PROCESS IN INTERNATIONAL ARBITRATION (Franco Ferrari, Friedrich Rosenfeld, and Dietmar Czernich eds.) (Kluwer 2020) (with Benjamin R. Jarvis).

Article 42, in THE ICSID CONVENTION, REGULATIONS AND RULES: A PRACTICAL COMMENTARY (Juliet Fouret, Rémy Gerbay, and Gloria M. Alvarez, eds., Edward Elgar 2019) (with Lukas Vanhonnaeker).

National Treatment, in FOREIGN INVESTMENT UNDER THE COMPREHENSIVE ECONOMIC AND TRADE AGREEMENT (CETA), (Makane Mbengue & Stefanie Schacherer eds., Springer, 2019) (with Lukas Vanhonnaeker).

Sustainable Development and International Investment Law, in RESEARCH HANDBOOK ON INTERNATIONAL INVESTMENT AND ENVIRONMENTAL LAW (Kate Miles, ed., Edward Elgar, 2019).

L'Accord Commercial Entre le Canada et L'Union Européenne Prévoit-il une Résolution des Différends par Arbitrage ou Règlement Judiciaire?, 31 REVUE QUÉBÉCOISE DE DROIT INTERNATIONAL 1 (2018) (with Jonathan Brosseau).

Investment Promotion and Protection in the Canada-UK Trade Relationship: Knowledge Synthesis Report (30 November 2018) (with Yarik Kryvoi and Jean-Michel Marcoux).

The Enduring but Unwelcome Role of Party Intent in Treaty Interpretation, 112 AJIL UNBOUND 44 (2018), symposium on Simon Batifort & J. Benton Heath, *The New Debate on The Interpretation of MFN Clauses in Investment Treaties: Putting the Brakes on Multilateralization*.

National Treatment, in *Arbitration Under International Investment Agreements: A Guide to the Key Issues* (Katia Yannaca-Small, ed., Oxford University Press, 2d ed. 2018).

Are Arbitrators (Judicial) Activists? 17 LAW AND PRACTICE OF INT'L COURTS AND TRIBUNALS 49 (2018).

Articles 25-28, in UN CONVENTION ON CONTRACTS FOR THE INTERNATIONAL SALE OF GOODS (CISG): A COMMENTARY (Stefan Kröll, Loukas Mistelis, and Pilar Perales Viscasillas, eds., Verlag C.H. Beck, 2d edition 2018).

Soft Law and International Investment Law, in SOFT LAW ET DROIT DU COMMERCE INTERNATIONAL: CONTRIBUTION À L'ÉTUDE DU RENOUVELLEMENT DES SOURCES DU DROIT DU COMMERCE INTERNATIONAL, (Marie-Claude Rigaud ed., LexisNexis 2018) (with Lukas Vanhonnaeker).

The Legitimacy of ICSID, in LEGITIMACY AND INTERNATIONAL COURTS (Nienke Grossman et al. eds., Cambridge University Press 2018).

L'arbitrage et le règlement judiciaire des différends internationaux: Perspectives théoriques et application au système juridictionnel des investissements de l'EU, 14 LA REVUE DES JURISTES DE SCIENCES PO 16 (Hiver 2018) (with Jonathan Brosseau).

Sources of Inherent Powers, 6 EUR. INT'L ARB. REV. 1 (2017) (with Jonathan Brosseau); to be reprinted in INHERENT POWERS OF ARBITRATORS (Franco Ferrari & Friedrich Rosenfeld eds., Juris, 2018).

Institutional Lock-In within the Field of Investment Arbitration, 39 U. PENN. J. INT'L L. 1 (2018) (with Bryan Druzin).

Breaking the Market Dominance of ICSID? An Assessment of the Likelihood of Institutional Competition, Especially from Asia, in the Near Future, in ASIA'S CHANGING INVESTMENT REGIME (Julian Chaisse et al. eds, Springer, 2017) (with Bryan Druzin).

Awards as Investments, in THE EVOLUTION AND FUTURE OF INTERNATIONAL ARBITRATION: THE NEXT 30 YEARS 97 – 117 (Stavros Brekoulakis, Julian D.M. Lew & Loukas Mistelis eds., Kluwer Law International 2016).

The Art of Treaty Interpretation in BG Group, 43 PEPPERDINE L. REV. 577 (2016) (with Alan Rau).

NAFTA's Contribution to Transparency in Investment Arbitration, AUSTRIAN Y.B. INT'L ARBITRATION (Christian Klausegger et al. eds, Verlag C.H. Beck, 2016).

Can International Investment Law Be Restated? Or is Jurisprudence Constante the El Dorado of Investment Treaty Lawyers?, BIICL Investment Treaty Forum Keynote Speech September 2014, in 2014-2015 YEARBOOK ON INTERNATIONAL INVESTMENT LAW AND POLICY (Andrea K. Bjorklund ed., Oxford University Press 2016).

Yukos: The Clean Hands Doctrine Revisited, 9 DIRITTI UMANI E DIRITTO INTERNAZIONALE 365 (2015) (with Lukas Vanhonnaeker).

Waiver of Local Remedies and Limitation Periods, BUILDING INTERNATIONAL INVESTMENT LAW: THE FIRST 50 YEARS OF ICSID (Meg Kinnear et al. eds, Kluwer Law International, 2015).

Sovereign Immunity as a Barrier to the Enforcement of Investor-State Arbitral Awards: The Re-politicization of International Investment Disputes, in INTERACTION BETWEEN INTERNATIONAL AND NATIONAL COURTS (Devin Bray and Heather Bray, eds., Juris, 2015) (updated version of an article that appeared in the *American Review of International Arbitration* in 2010).

Stays of Enforcement Pending Annulment and Set-Aside Proceedings in Investment Arbitration, in ENFORCEMENT OF INVESTMENT TREATY ARBITRATION AWARDS 43 (Julien Fouret ed., 2015) (with Lukas Vanhonnaeker).

Constraints on Power and Authority in Investment Arbitration, in CONTEMPORARY ISSUES IN INTERNATIONAL ARBITRATION AND MEDIATION: THE FORDHAM PAPERS (2013) (Arthur W. Rovine ed., Brill 2015).

NAFTA's Contributions to Investor-State Dispute Settlement, in INTERNATIONAL INVESTMENT LAW (Marc Bungenberg, Jörn Griebel, Stephan Hobe and August Reinisch eds., Nomos, 2014).

Applicable Law, in LITIGATING INTERNATIONAL INVESTMENT DISPUTES (Chiara Giorgetti ed., Brill 2014).

The Role of Counterclaims in Rebalancing Investment Law, 17 LEWIS & CLARK LAW REVIEW 461 (2013).

Practical and Legal Avenues to Make the Substantive Rules and Disciplines of International Investment Agreements Converge, in NEW DIRECTIONS AND EMERGING CHALLENGES IN INTERNATIONAL INVESTMENT LAW AND POLICY (Pierre Sauvé & Roberto Echandi eds., Cambridge University Press 2013).

NAFTA Chapter 11, in COMMENTARIES ON SELECTED MODEL INVESTMENT TREATIES (Oxford Commentaries on International Law) (Chester Brown ed., Oxford University Press, 2013).

Plus Ça Change: The Persistent Role of States in Controlling Dispute Settlement and Law Making, 7 WORLD ARBITRATION & MEDIATION REVIEW 279 (2013).

Assessing the Effectiveness of Soft Law Instruments, in INTERNATIONAL INVESTMENT LAW AND SOFT LAW (Andrea K. Bjorklund & August Reinisch eds., Edward Elgar, 2012).

The participation of sub-national government units as amici curiae in international investment disputes, in *EVOLUTION IN INVESTMENT TREATY LAW AND ARBITRATION* 298 (Chester Brown & Kate Miles, eds., Cambridge University Press 2011).

Improving the International Investment Law and Policy Regime: Report of the Rapporteur, in *THE EVOLVING INTERNATIONAL INVESTMENT REGIME: EXPECTATIONS, REALITIES, OPTIONS* 213 (José E. Alvarez, Karl P. Sauvant & Kamil G. Ahmed eds., Oxford University Press 2011).

NAFTA Chapter 11 and the Environment: An Assessment after Fifteen Years, in *FIFTEEN YEARS OF NAFTA CHAPTER 11 ARBITRATION* 195 (Frédéric Bachand and Emmanuel Gaillard eds., Juris 2011).

Beyond Fragmentation, in *NEW DIRECTIONS IN INTERNATIONAL ECONOMIC LAW – IN MEMORIAM THOMAS WÄLDE* 439 (Todd Weiler & Freya Baetens eds., Martinus Nijhoff Publishers 2011) (with Sophie Nappert).

Articles 25 – 29, in *CISG – THE UN CONVENTION ON THE INTERNATIONAL SALE OF GOODS* 333 (Stefan Kröll, Loukas Mistelis & Pilar Perales Viscasillas eds., Verlag C.H. Beck, 2011).

Sovereign Immunity as a Barrier to the Enforcement of Investor-State Arbitral Awards: The Re-politicization of International Investment Disputes, 21 *AM. REV. INT'L ARB.* 211 (2010).

The Necessity of Sustainable Development?, in *SUSTAINABLE DEVELOPMENT IN WORLD INVESTMENT LAW* (Marie-Claire Cordonnier Seger, Markus Gehring & Andrew Newcombe eds., Kluwer Law International, 2010).

The Promise and Peril of Precedent: The Case of Amici Curiae, in *ASA BULLETIN Special Series No. 34*, at 165 (Anne K. Hoffmann ed., May 2010).

The Standard of National Treatment, in *ARBITRATION UNDER INTERNATIONAL INVESTMENT AGREEMENTS: AN ANALYSIS OF THE KEY JURISDICTIONAL, SUBSTANTIVE & PROCEDURAL ISSUES* (Katia Yannaca-Small ed., 2010).

State Immunity and the Enforcement of Investor-State Arbitral Awards, in *INTERNATIONAL INVESTMENT LAW FOR THE TWENTY-FIRST CENTURY: ESSAYS IN HONOUR OF CHRISTOPH SCHREUER* 302 (Christina Binder, Ursula Kriebaum, August Reinisch & Stephan Wittich eds., 2009).

Causation, Morality, and Quantum, 32 *SUFFOLK TRANSNAT'L L. REV.* 435 (2009).

The Emerging Civilization of Investment Arbitration, 113 *PENN STATE L. REV.* 1269 (2009), *reprinted in* *BUILDING THE CIVILIZATION OF ARBITRATION* (Thomas E. Carbonneau & Angelica M. Sinopole eds., Wildy, Simmons & Hill 2010).

Economic Security Defenses in International Investment Law, 1 *INTERNATIONAL INVESTMENT LAW & POLICY YEARBOOK* 479 (2009).

National Treatment, in *STANDARDS OF INVESTMENT PROTECTION* 29 (August Reinisch ed., 2008).

Emergency Exceptions: State of Necessity and Force Majeure, in OXFORD HANDBOOK OF INTERNATIONAL INVESTMENT LAW 459 (Peter Muchlinski, Federico Ortino & Christoph Schreuer eds., 2008).

Investment Treaty Arbitral Decisions as Jurisprudence Constante, in INTERNATIONAL ECONOMIC LAW: THE STATE AND FUTURE OF THE DISCIPLINE 265 (Colin Picker, Isabella Bunn & Douglas Arner eds., 2008).

Mandatory Rules of Law and Investment Treaty Arbitration, 18 AM. REV. INT'L ARB. 175 (2007), reprinted in MANDATORY RULES IN INTERNATIONAL ARBITRATION (George A. Bermann & Loukas Mistelis eds., Juris 2011).

Private Rights v. Public International Law: Why Competition Among International Courts and Tribunals Is Not Working, 59 HASTINGS L. J. 241 (2007).

Reconciling State Sovereignty and Investor Protection in Denial of Justice Claims, 45 VA. J. INT'L L. 809 (2005).

The Continuing Appeal of Annulment: Lessons from Amco Asia and CME, in INTERNATIONAL INVESTMENT LAW AND ARBITRATION: LEADING CASES FROM THE ICSID, NAFTA, BILATERAL TREATIES, AND CUSTOMARY INTERNATIONAL LAW 471 (Todd Weiler ed., 2005).

Waiver and the Exhaustion of Local Remedies Rule in NAFTA Jurisprudence, in NAFTA INVESTMENT LAW AND ARBITRATION: PAST ISSUES, CURRENT PRACTICE, FUTURE PROSPECTS 253 (Todd Weiler ed., 2004).

Contract Without Privity: Sovereign Offer and Investor Acceptance, 2 U. CHI. J. INT'L L. 183 (2001).

A Comparison of the Inter-American Convention Against Corruption and the U.S. Foreign Corrupt Practices Act, 38 VA. J. INT'L L. 243 (1998) (with Lucinda A. Low & Kathryn Cameron Atkinson).

**BOOK
REVIEWS**

24 AM. REV. INT'L ARB. 201 (2013) (reviewing MONIQUE SASSON, SUBSTANTIVE LAW IN INVESTMENT TREATY ARBITRATION: THE UNSETTLED RELATIONSHIP BETWEEN INTERNATIONAL AND MUNICIPAL LAW (2010))

101 AM. J. INT'L L. 524 (2007) (reviewing CONSTANZE SCHULTE, COMPLIANCE WITH DECISIONS OF THE INTERNATIONAL COURT OF JUSTICE (2004)).

OTHER

International Investment Law and the Rule of Law, Final Report, International Law Association's Committee on the Rule of Law and International Investment Law (forthcoming 2024) (with August Reinisch and Andreas Ziegler).

Editorial, 39 ARBITRATION INTERNATIONAL 159 (Issue honouring William W. (Rusty) Park) (2023)

International Investment Law and the Rule of Law, Second Interim Report, International Law Association's Committee on the Rule of Law and International Investment Law (2022) (with August Reinisch and Andreas Ziegler).

Hulley Enterprises Ltd.; Yukos Universal Ltd., Veteran Petroleum Ltd, v. Russian Federation, No. 20-711, Brief for Amici Curiae Andrea K. Bjorklund, Diane Desierto, and Franco Ferrari in Support of Petitioners-appellants and Reversal (D. C. Cir. June 1, 2021)

International Arbitration, McGill Companion to Law, 66 MCGILL LAW JOURNAL 91 (2020).

Selection and Appointment, UNCITRAL Academic Forum Paper (2019) (with Marc Bungenberg, Manjaio Chi & Catharine Titi)

The Diversity Deficit, UNCITRAL Academic Forum Paper (2019) (with Susan Franck, Chiara Giorgetti, Won Kidane, Arnaud de Nanteuil, and Emilia Onyema).

International Investment Law and the Rule of Law, Interim Report, International Law Association's Committee on the Rule of Law and International Investment Law (2018) (with August Reinisch and Andreas Ziegler).

National Treatment, in ENCYCLOPAEDIA OF INTERNATIONAL ECONOMIC LAW (Krista Nadakuvukaren Schefer & Julian Powell eds., Edward Elgar 2017).

A Brief Commentary on The Merging of International Trade and Investment Law, by Sergio Puig (BERKELEY JOURNAL OF INTERNATIONAL LAW), BERKELEY JOURNAL OF INTERNATIONAL LAW ON-LINE 2015.

Panel Discussion: Has Authoritative Interpretation Perverted the Treatment Standard in NAFTA? SIXTH ANNUAL INVESTMENT ARBITRATION CONFERENCE (2012) (Ian A. Laird ed., Juris, 2013).

Book symposium investment law: Comments on Alschner & Tuerk, OPINIO JURIS (4 October 2013), online: <http://opiniojuris.org/2013/10/04/book-symposium-investment-law-comments-alschner-tuerk/>.

Convergence or Complementarity? 12 SANTA CLARA JOURNAL OF INTERNATIONAL LAW 65 (2013) (Commentary on *The Convergence of International Trade and Investment Arbitration*, by Roger P. Alford).

Introduction to Symposium on Investment in the Extractive Industries, YEARBOOK ON INTERNATIONAL INVESTMENT LAW AND POLICY 2011 – 2012, at 183 (with Erlend Bakken) (2013).

Introduction: the ILA Study Group on the role of soft law instruments in international investment law, in INTERNATIONAL INVESTMENT LAW AND SOFT LAW 1 (Andrea K. Bjorklund & August Reinisch eds., Edward Elgar, 2012) (with August Reinisch).

Soft codification of international investment law, in INTERNATIONAL INVESTMENT LAW AND SOFT LAW 305 (Andrea K. Bjorklund & August Reinisch eds., Edward Elgar, 2012) (with August Reinisch).

Case Comment: Republic of Argentina v. B.G. Group Plc., 27 ICSID REVIEW – FOREIGN INVESTMENT LAW JOURNAL 1 (2012).

The Role of International Tribunals in Managing Coherence and Diversity in International Law, PROCEEDINGS OF THE 105TH ANNUAL MEETING OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW: HARMONY AND DISSONANCE IN INTERNATIONAL LAW (Catherine Amirfar, Tai-Heng Cheng & Chimène Keitner eds., 2011).

Brief of Jeremy McBride as Amicus Curiae in Support of Petitioner, RICHARD A. TROPP ET AL. V. CORPORATION OF LLOYDS, U.S. Supreme Court No. 10-1249 (May 13, 2011).

Ecuador Moves to Stay Arbitration Brought by Chevron, Kluwer Arbitration Blog (Feb. 18, 2010).

ICSID Tribunal Finds Tanzania to Have Violated Bilateral Investment Treaty But Declines to Award Any Damages, 12:27 ASIL INSIGHTS (Dec. 31, 2008).

Panel Discussion: Is There a Need for the Necessity Defense for Investment Law?, in INVESTMENT TREATY ARBITRATION AND INTERNATIONAL LAW (T.J. Grierson Weiler ed. 2008).

Damages in International Arbitration: Strategies, Techniques & Presentation, Institute for Transnational Arbitration Workshop, Act II, 2 WORLD ARB. & MEDIATION REV. 67 (2008).

Introduction: Recent Developments in NAFTA and CAFTA, 5 SANTA CLARA J. INT'L L. 390 (2007).

Introduction: Reform of the Centre for International Investment Disputes, in INTERNATIONAL INSTITUTIONAL REFORM: PROCEEDINGS OF THE SEVENTH HAGUE JOINT CONFERENCE HELD IN THE HAGUE, THE NETHERLANDS 30 JUNE – 2 JULY 2005, at 274 (Agata Fijalkowski ed., re-issued edition 2007).

Foreword, Symposium: Romancing the Foreign Investor, BIT by BIT, 12 U.C. DAVIS J. INT'L L. & POL'Y 1 (2005).

NAFTA Chapter Eleven: Waste Management II: Case Comment, 1:4 TRANSNAT'L DISP. MGMT. (October 2004).

International Commercial Dispute Resolution, 37 INT'L LAW. 445 (Summer 2003) (with William W. Park and Jack J. Coe, Jr.).

International Commercial Dispute Resolution 36 INT'L LAW. 401 (Summer 2002) (with Marc Goldstein).

The Participation of Amici Curiae in NAFTA Chapter Eleven Cases (March 2002), at <https://www.international.gc.ca/trade-agreements-accords-commerciaux/assets/pdfs/participate-e.pdf>.

Casenotes: The United Mexican States v. Metalclad Corp., 30 INT'L L. NEWS 23 (Summer 2001).

Protecting Against Risk in International Business Transactions: Why Your Domestic Contract Won't Do, CORP. COUNS. INT'L ADVISER, August 1, 1998, No. 159, at 2 (with Lucinda A. Low and Amy L. Rothstein).

A Trap for the Unwary: How Illegal Exports of Technology Can Occur When Information is Shared with Foreign Nationals in the United States, MD. BAR J., May/June 1997, at 38 (with William M. McGlone).

Presentations

2024

Les travaux du Groupe de Travail II de la CNUDCI sur la réforme du RDIE - évaluation et impact de la diversités des genres, Femmes et Droit International: un enjeu clé pour la mondialisation économique, Université Laval, Québec (April)

Salon français, ICC – YAAF Singapore (January) (via Zoom)

2023

The investment treaty regime and the international tax system, Tax Issues in International Investment Arbitration, University of Lausanne – Georgetown Law School – ICC Invitational Seminar, Georgetown Law School, Washington, D.C. (December) (Commentator on Robert Danon's contribution)

New Frontiers in International Commercial and Investor-State Arbitration: Definitely Not Your Father's Oldsmobile, ILA – Canada webinar (via zoom) (November) (panel rapporteur)

Constraints on the Engagement of State-Owned Enterprises in Mediation and Arbitration, The Herbert Smith Freehills Lecture 2023, Singapore Management University (November)

The ICSID Convention A Commentary (Third Edition), Book Launch, University of Vienna (October) (Panel Moderator)

Discourses of ISDS Reform: A Comparison of the UNCITRAL Working Group III and ICSID Processes, UNCITRAL Working Group III Academic Forum on ISDS, University of Michigan, Ann Arbor (September) (with Jean-Michel Marcoux)

Climate Change in ILA Committees, ILA- Canada Roundtable (via Zoom) (August)

Shareholder claims: What's Wrong with them?, Emmanuel Gaillard Debate, Arbitration Academy, Paris (July)

Dialogue between adjudicators (including arbitrators), 150th Anniversary of the International Law Association, "Construire Demain", Paris (Panel Co-Chair) (June)

Orders, Awards, and Enforcement, LCIA European Users' Council Symposium, Tylney Hall, England (May) (Panel Co-Chair)

Closing Reflections: Duelling Perspectives, Assessing the Past, Envisioning the Future: International Investment Arbitration Law & Policy, Bocconi University, Milan, Italy (April)

The Road(s) Not Taken: Past, Present, and Future Attempts to Reform International Investment Law, reprise of The Freshfields Lecture for ICSID, Washington, DC (March)

Interview of Meg Kinnear, Institute of International Arbitration Preserving Perspectives Project, ITA-ASIL Annual Meeting, Washington, DC (March)

The Road(s) Not Taken: Past, Present, and Future Attempts to Reform International Investment Law, abbreviated version of The Freshfields Lecture for “Mute Off” (via Zoom) (March)

Hague Academy Lectures: Jurisdictional Limitations and Abstention Doctrines in International Disputes involving States (The Hague) (January)

2022

The rule of law and international investment law, University of Vienna Roundtable, Vienna (November)

The Road(s) Not Taken: Past, Present, and Future Attempts to Reform International Investment Law, The Freshfields Lecture, London (November)

Community Consultations, Environmental Protection, and Investment Projects in International Arbitration, Washington Arbitration Update (WAU) (via Zoom) (September)

Exploring the UNCITRAL-ICSID Code of Conduct for Adjudicators, New York International Arbitration Center Annual Grand Central Forum, New York (July)

Public Order and Arbitral Awards, International Law Association Biennial Meeting, Lisbon (June)

Interview of Prof. George Bermann, Institute of Transnational Arbitration Preserving Perspectives Project, ITA Annual Workshop, Austin, Texas (June)

The Influence of Emmanuel Gaillard’s Thinking on Investment Arbitration, Emmanuel Gaillard: Theory in Action, A Tribute by Learned Societies, Paris (April)

Investment Treaties and Arbitration: Should We Seek a Different Way to Settle Disputes Between States and Investors?, Columbia Arbitration Day (via Zoom) (March)

Dilution of Investor-State Arbitration under USMCA, From NAFTA to USMCA, McGill International Business and Trade Law Society Event (via Zoom) (February)

Canadians Here & There, ICC Canada (via Zoom) (February)

2021

Transcending Traditional Boundaries of Sovereignty and Territorial Jurisdiction: Investment Law and the Digital Economy; Colloquium on International Investment Law & New Technologies, Tilburg Law and Economics Center (Keynote Speech) (via Zoom) (December)

Compliance, Non-Compliance, and the Future of Investment Protection – Policy Considerations, Launch of the study ‘State Compliance with Investment Awards’ by Emmanuel Gaillard & Ilija Mitrev Penushliski (via Zoom) (December)

Dispute Settlement under the Canada-United States -Mexico Agreements: Perspectives from North America and Europe, First Viscount Bennett Roundtable on International Economic Law (via Zoom) (November)

Recourse to Investment Arbitration in Tax-Related Disputes – Strategic Considerations, The Role of Investment Arbitration in Tax Disputes, University of Lausanne (via Zoom) (October)

“Conversation with the expert”: *Observations on the Proposed Reform of ISDS*, Transnational Law Frontiers, Singapore Management University (via Zoom) (October)

The Ambitious Agenda of UNCITRAL Working Group III – a six-year work plan with parallel tracks and cross-cutting issues, Austrian Branch, International Law Association General Meeting, Distinguished Lecture (via Zoom) (September)

Third Party Funding - Show Me the Money Trail, Debate #2, ICC Canada’s 2021 Annual International Arbitration Conference (via Zoom) (September)

International Arbitration in Canada: Your Yearly Check-up, Paris Arbitration Week (via Zoom) (September)

The Intersection of Procedural Principles and the Applicable Law, Plenary Session of the Research Centre of the Hague Academy of International Law (via Zoom) (August)

Time for Trade Offs?: Moving forward with reform in UNCITRAL Working Group III, ILA-Canada Biennial Arbitration Conference (Keynote speech) (via Zoom) (May)

Codes de conduit pour les arbitres dans le contexte du règlement des différends entre investisseurs et États, La Coopération transatlantique au-delà du CETA, webconference organized by the Institute of European Studies of the Free University of Brussels with the support of the Canadian Ambassador to Belgium and Luxembourg (via Zoom) (March)

Technologies Transforming International Business and Trade Dynamics Second Edition: Turning Opportunities into Threats, McGill International Business and Trade Law Society Event, (Moderator) (via Zoom) (March)

Panel Discussion on the Effects of the Trade War on the Shape of Anti-Corruption Enforcement, McGill International Business and Trade Law Society (Panel Moderator) (via Zoom) (February)

The Dispute Settlement Minuet Between Trade and Investment, February 12, McGill Faculty Seminar (via Zoom)

Sélection et nomination des juges dans le règlement des différends internationaux: Le point de vue de la science politique, UNCITRAL Academic Forum Event (presented on behalf of Olof Larsson, Theresa Squatrito, Øyvind Stiansen, and Taylor St. John) (via Zoom) (February)

Launch of Empirical Study: Annulment in ICSID Arbitration, British Institute of International and Comparative Law (Discussant) (January)

2020 *State Consent to International Jurisdiction: Conferral, Modification, or Termination PluriCourts*, University of Oslo, Annual Expert Meeting (Paper Commentator) (via Zoom) (December)

- U.S. Post-Presidential Election Policy Panel*, McGill Policy Association (via Zoom) (November)
- Assignment of Claims in Investment Treaty Arbitration*, St. Petersburg FDI E-Conference, St. Petersburg, Russia (via Zoom) (October)
- Enforcement of Transnational Law*, Research Forum, American Society of International Law Midyear Meeting, Case Western Reserve University School of Law (via Zoom) (Panel Commentator) (October)
- Trends and Challenges in the Enforcement of International Arbitral Awards*, International Law in Challenging Times, International Law Weekend, American Branch – International Law Association (via Zoom) (October)
- “Double-Hatting”*, ITA Webinar on the ICSID/UNCITRAL Draft Code of Conduct for Adjudicators in ISDS (via Zoom) (September)
- Crossing the Border: Canada/US Commercial Arbitration*, ADR Institute of Canada Webinar Series (via Zoom) (September)
- Multilateral Instrument on ISDS Reform*, UNCITRAL – ISDS Academic Forum Side Event (via Zoom) (Panel Moderator) (April)
- The Commencement of the Arbitration When States Are Parties*, The Restatement and States as Parties, Pepperdine Dispute Resolution Law Journal Symposium, Malibu, California (February)
- Duty Evasion in Free Trade Agreements: Norm Emergence and Implications*, Designing International Economic Law: Challenges and Opportunities, American Society of International Law International Economic Law Interest Group Biennial, University of Miami, Florida (with Jean-Michel Marcoux) (February)
- In the Hot Seat: Dealing with Corruption in International Arbitration*, MJDR Symposium, Montreal (Panel Moderator) (January)
- 2019 *Contributory Fault in International Investment Law*, China University of Political Science and Law, Beijing, China (December)
- Class Arbitration*, Restatement Program, New York Arbitration Week, New York, New York (November)
- NAFTA Chapter 11 – Looking forward while glancing backward*, Diversity and International Law, Canadian Council on International Law Annual Meeting, Ottawa, Ontario (October)
- Interdisciplinarity and International Economic Law: Diverse Approaches in Research and Practice*, Diversity and International Law, Canadian Council on International Law Annual Meeting, Ottawa, Ontario (Panel Moderator) (October)
- The Normative Framework of Due Process and Its Implications*, Due Process in International Arbitration, New York University Law School, New York, New York (October)

Counterclaims: Counterbalancing Asymmetry?, Book Preparation Workshop, International Investment Law: An Analysis of Major Decisions, Max Planck Institute for Procedural Law, Luxembourg (June)

International Courts as Global Economic Governance: The International Investment Court System, The Power of International Courts, iCourts, University of Copenhagen, Denmark (May)

Challenges and Opportunities in the Creation of a Multilateral Investment Court, Workshop on Understanding International Economic Agreements: Theoretical Innovations and Methodological Challenges, Hebrew University Workshop, Jerusalem, Israel (May)

Contributory Fault in International Investment Law, International Law Forum, Hebrew University, Jerusalem, Israel (May)

New Approaches to the Resolution of Disputes: What Does the Future Hold?, International Investment Arbitration, London International Disputes Week, London, England (May)

Book Launch: RETHINKING CHOICE OF LAW IN CROSS-BORDER SALES, by Gustavo Moser, Vienna, Austria (Roundtable Participant) (April)

The Importance of Dealing with Fraud, Corruption, and Illegality in Arbitration: The Evolution as a Legal Standard and the Impact on Development, Bergsten Lecture Panel Discussion, University of Vienna, Austria (April)

Lack of Diversity Among ISDS Adjudicators, UNCITRAL Academic Forum Presentation, UNCITRAL Working Group III Meeting, New York, New York (April)

Prospects for Enforcing Intra-EU Investment Awards in U.S. Courts, The European Commission and International Investment Arbitration, American Society of International Law Annual Meeting, Washington, DC (March)

The Dispute Settlement Minuet Between Trade and Investment, Gillian White Lecture, University of Manchester, United Kingdom (Keynote Speech) (March)

Tylney Hall Session, LCIA North American Users' Group Conference, Montreal (Panel Co-Chair) (March)

Seeking Consistency: Foreign Investors' Responsibilities and Contributory Fault in International Investment Law, University of Lausanne, Switzerland (March)

Renewing the Relationship Between Investment Treaties and Customary International Law, British Institute of International and Comparative Law, Investment Treaty Forum Meeting, London (Panel Chair) (March)

Investment Promotion and Protection in the Canada-UK Trade Relationship: Knowledge Synthesis Report, Trade Policy Group, United Kingdom Department of International Trade, London (March)

Lack of Diversity Among ISDS Adjudicators, Reforming International Investment Arbitration, ISDS Academic Forum, Oslo, Norway (February)

2018

Final Report: Investment Promotion and Protection in the Canada – UK Relationship, Negotiation, Legal, Regulatory, and Governance Issues in Progressive Trade Agreements, Understanding the future of Canada – UK trade relationships, SSHRC – ESRC Workshop, London, UK (December)

Investment Protection in a Post-Brexit Era, The King’s Forum on International Dispute Resolution Event Series, King’s College London, UK (December)

Investment Arbitration: Whither and Why, International Arbitration: Looking Ahead, ICC Canada International Arbitration Conference, Ottawa, Canada (Panel Moderator) (November)

Post-Brexit Investment Arrangements, Canada UK, and European Perspectives on Rebuilding Trade and Investment Relationships After Brexit, International Law at the Boundaries, 47th Annual Conference of the Canadian Council on International Law, Ottawa, Canada (November)

NAFTA Chapter 11: Why the Change of Heart?, International Law at the Boundaries, 47th Annual Conference of the Canadian Council on International Law, Ottawa, Canada (November)

The Future of NAFTA?, New York State Bar Association International Section, Seasonal Meeting, “Where Do We Go From Here?,” Montreal, Canada (October)

International Commercial Arbitration: Hot Topics, Where Do We Go From Here?, New York State Bar Association International Section, Seasonal Meeting, Montreal, Canada (October)

Is Investment Law Harmonious with the Rule of Law?, Why International Law Matters, International Law Weekend 2018, New York, New York (Lead Panelist) (October)

Imposing Obligations on Foreign Investors: An Emerging Trend in International Investment Law, Why International Law Matters, International Law Weekend 2018, New York, New York (Panel Moderator) (October)

Session 4, The Future of Investment Protection, Managing International Economic (Dis)Integration: Challenges and Opportunities, Joint North American Conference on International Economic Law Incorporating the 2018 ASIL IEcLIG Biennial, McGill University Faculty of Law, Montreal, Canada (Panel Moderator) (September)

Interim Report on the Rule of Law and International Investment Law, Open Meeting, ILA Committee on the Rule of Law and International Investment Law, ILA Biennial Meeting, Sydney, Australia (August)

Arbitral Authority to Address Corruption, Lunchtime Fellows Series, Lauterpacht Centre for International Law, University of Cambridge, United Kingdom (July)

Investment Promotion and Protection in the Canada – UK Relationship, Negotiation, Legal, Regulatory, and Governance Issues in Progressive Trade Agreements, Understanding the future of Canada – UK trade relationships, SSHRC – ESRC Workshop, Ottawa, Ontario (July)

Prospects for a Multilateral Investment Court in the Age of Trump, German-American Bar Association Annual Meeting, Hamburg, Germany (July)

Arbitral Authority to Address Corruption, CIDR Dispute Resolution Talks, Bucerius Law School, Hamburg, Germany (July)

Interview with Claus von Wobeser, Multiple Proceedings, Multiple Parties, and International Arbitration: What a Tangled Web We Weave, Institute for Transnational Arbitration Annual Workshop, Dallas, Texas (June)

Recent Developments in the Fair and Equitable Treatment Standard, X Conferencia Latinoamericana de Arbitraje, Cusco, Peru (Keynote Speaker) (May)

Women in the World of Arbitration: How to Counteract Unconscious Bias, Arbitral Women Conference, Cusco, Peru (May)

Contract Claims and the Multilateral Investment Court, EU – Expert Meeting on the Design of a Multilateral Investment Court, PluriCourts and iCourts, Brussels, Belgium (May)

Investment Treaties and the Rule of Law, Book Launch Conference, MAVLUDA SATTOROVA, THE IMPACT OF INVESTMENT TREATY LAW ON HOST STATES, University of Liverpool, England (May)

Closing Remarks on Challenges to Enforcement, Thirtieth ITF Public Conference: Enforcement in International Investment Law, British Institute of International and Comparative Law, London, England (May)

Arbitral Authority to Address Corruption, Distinguished Speaker Series, McGeorge School of Law, University of the Pacific, Sacramento, California (April)

Feasibility of a Multilateral Investment Court – Are there obstacles under domestic law, European law, or public international law?, Future of ISDS: Is the Multilateral Investment Court the Way Forward?, Université Paris I, Paris Arbitration Week, France 2018 (April)

Prospects for a Multilateral Investment Court After Achmea, University of Edinburgh, Scotland (April)

Conflict of Laws in Arbitration: Selected Problems, University of Vienna, Austria (Panel Moderator) (March)

Negotiating a New NAFTA: Issues, National Interests and Sensitive Sectors, International Trade Legislative Conference, Assemblée nationale du Québec, Quebec City (March)

Recent Developments in the Re-design of Investment Arbitration, Luncheon Talk, Volterra Fietta, London, United Kingdom (March)

Arbitral Authority to Address Corruption, Public International Law Discussion Group, University of Oxford (February)

Developing Rule of Law Criteria for Use in International Investment Law, ILC Committee on the Rule of Law and International Investment Law, Rome, Italy (February)

2017 *Sources of Inherent Powers of International Adjudicators*, Department of International Law & Institute of International Arbitration, China University of Political Science and Law, Beijing (December)

Sources of Inherent Powers of International Adjudicators, Inherent Powers in International Adjudication, Sciences Po, Paris (November)

Particularities of Investment Arbitration, Arbitration Santo Domingo 2017, FINJUS, Dominican Republic (November)

Investor-State Arbitration Under Challenge: How are Issues of Legitimacy and Transparency Being Addressed?, Review of Regulatory and Judicial Action and Other Challenges for Investment Arbitration, Union Internationale des Avocats Annual Meeting, Toronto (October)

What Disciplines Judges and What Inspires Them? The Role of Previous Decisions and the Impact of Legal Traditions, Good Judgment Conference, National Judicial Institute, Toronto (October)

The Future of Investor-State Dispute Resolution, International Business Disputes in an Era of Receding Globalization, Sixth Annual Atlanta International Arbitration Society Conference, Atlanta, Georgia (October)

Are Arbitrators (Judicial) Activists?, The International Arbitrator, The Duties, Rights, and Powers of International Arbitrators, American University, Washington College of Law, Washington, D.C. (September)

The NAFTA Renegotiation Process, Bennett Jones LL.P & the University of Calgary (September)

Does the European Union's Investment "Court" Really Respond to the Legitimacy Critiques of Investment Law?, Workshop on Recent Developments in Investment Arbitration, PluriCourts – Centre for the Study of the Legitimate Roles of the Judiciary in the Global Order, University of Oslo (June)

The CETA "Court", LL.M. in International Legal Studies Lunchtime Lectures, the University of Vienna (May)

Economic Crimes and the Merits of Investor-State Disputes, Economic Crime and International Investment Law, 28th Investment Treaty Forum Public Conference, British Institute for International and Comparative Law, London, England (Panel Chair) (May)

Use and Abuse of Process in International Arbitration, Resolving Energy Disputes in Times of Crisis, 2017 Energy Arbitration Conference, Houston, Texas (April)

Are WTO and Investor-State Adjudicators Sufficiently Independent to Strike the Right Balance between Economic and Non-Economic Interests?, What International Law Values, 111th ASIL Annual Meeting, Washington, DC (Panel Moderator) (April)

Top Targets for Tweaking in NAFTA Chapter 11, Annual Hyman Soloway Chair Lecture, University of Ottawa (March)

The EU's Proposal for an Investment Court and its Implications for the Future of International Investment Law, Colloquium on International Law and Politics, University of California, Berkeley (March)

What the Ecuador-United States Award Tell Us About the Potential for More State-State Investment Arbitration, Yearbook on Arbitration and Mediation Symposium: Controversies in Arbitration, Penn State Law School, State College, Pennsylvania (February)

A Global Good Faith: Good Faith and the Unity of Difference in Transnational Law, by Frédéric P. Sourgens (Paper Commentator), Institute for Transnational Arbitration, Academic Council Works-in-Progress Symposium, Washington, D.C. (January)

Brexit and Its Consequences, American Association of Law Schools Annual Meeting, San Francisco, California (January)

2016 *The Limits of Friendship: When should amici be permitted to participate in investment disputes?*, Public Interest and the Call for Transparency in Commercial and Investor-State Arbitration, 33rd AAA-ICC-ICSID Joint Colloquium on International Arbitration, Paris, France (December)

The Role of Policy, Public Interest, and Public Order in Arbitral and Judicial Decision Making (viz. the proposed court in CETA and other EU agreements), The Sources of Reason-Giving in Arbitration, Arbitration and Legal Reasoning Conference, Queen Mary, University of London, London, England (November)

Brexit and Its Consequences, International Law Weekend 2016: International Law 5.0, New York, New York (October)

The Rule of Law and International Investment Arbitration, Committee Open Meeting, 2016 International Law Association 77th Biennial Conference: International Law and State Practice: Is there a North-South Divide?, Johannesburg, South Africa (August)

Will Proposed Investment Courts Change Arbitration As We Know It?, Dispute Prevention and Resolution: Paths to Optimized Partnerships, CPR Regional Meeting Toronto, Ontario (Keynote Speech) (June)

Standards of Protection and Carve-Out Clauses, The Vienna Investment Arbitration Debate, University of Vienna, Austria (Debate with Prof. Dr. Rudolf Dolzer) (June)

Differences in decision-making as between judges and arbitrators, Role-Based Influences on Arbitrator Decision-Making, Arbitrator Behavior Workshop, PluriCourts, University of Oslo, Norway (May)

Regulatory Convergence and Investment Law in the T-TIP, Italian Branch – International Law Association, University of Milan, Milan, Italy (May)

What Protection for International Energy Investments?, What Energy Union? Università Bocconi, Milan, Italy (Keynote Speech) (April)

Recent Trends in International Investment Arbitration, University of Cape Coast, Ghana (April)

Investor-State Dispute Settlement in the Canada – United States Context, Cooperation and Conflict: International Trade, Investment, & Cross Border Disputes, Canada – United States Law Institute 40th Anniversary Conference, Cleveland, Ohio (April)

- Evidence in International Arbitration*, 2016 McGill Journal of Dispute Resolution Symposium, Montreal, Quebec (Panel Moderator) (February)
- The EU's Proposal for an International Investment Court: Will "Judges" and "Members" be better equipped to decide investment disputes than arbitrators?*, What and Who Really Decide Who Decides and How It's Decided, Grappling with Investor-State Dispute Settlement (ISDS) In and Beyond the TPP and the T-TIP, McGeorge University Faculty of Law, Sacramento, CA (February)
- The EU's Proposal for an Investment Court and Its Implications for International Investment Law*, University of California, Davis, California International Law Center (February)
- Solutions and Remedies for Ethical Misconduct in International Arbitration*, The ICDR Miami International Arbitration Conference, The Past, Present, and the Future: Celebrating 20 Years of the ICDR, Miami, Florida (Panel Moderator) (January)
- Luncheon Interview with Gerald Aksen*, Institute for Transnational Arbitration's Oral History Project, Third Annual ITA-IEL-ICC Joint Conference on International Energy Arbitration, Houston, Texas (January)
- 2015 *The EU's Proposal for an Investment Court and Its Implications for International Investment Law*, Xiamen University, Xiamen, China (December)
- Beyond Borders: Canada-China Relations in Business*, Asia Pacific Law Association of McGill, Montreal, QC (Panel Moderator) (November)
- Interpretive Issues in resolving environmental disputes before arbitral tribunals*, The Present and Future Role of Investment Treaty Arbitration in Adjudicating Environmental Disputes, PluriCourts Symposium, University of Oslo, Oslo, Norway (Chair and Discussant) (November)
- Hot Topics*, ICC Canada's 2015 International Arbitration Conference, Vancouver, BC (October)
- Contributory Conduct and Damages: A \$16.6 Billion Question?*, Fourth Annual Damages in International Arbitration Conference – Size-mic Changes in Damages Valuation, Vienna, Austria (October)
- Reaction of the Rest of the World*, Investor-State Arbitration Between Developed Democracies: A Policy Under Challenge, Center for International Governance Innovation, Ottawa, ON (Panel Moderator; Expert Roundtable Discussant) (September)
- The Public Interest(s) in International Investment Law*, Writers' Workshop: Empirical Perspectives on Investment Treaty Arbitration, PluriCourts, University of Oslo, Norway (August)
- Are BIT Tribunals Rigged Pseudo-Courts?*, First Annual OUP Investment Claims Summer Academy, Oxford, England (Panel Moderator) (July)
- Consent – State Delegation or Investor-State Bargain?* First Annual OUP Investment Claims Summer Academy, Oxford, England (Discussion Leader) (July)

International Investment Law, Covered Investments & Sustainable Development, Experts' Roundtable on International Investment Law and Sustainable Development, Université Panthéon – Assas, Paris II, Paris France (Discussion Chair) (July)

German – Canadian Atelier on Investment Protection in International Agreements, Berlin, Germany (May)

Awards as Investments, The Autonomous Arbitral Award, The Evolution and Future of International Arbitration: The Next Thirty Years, Queen Mary University School of International Arbitration Thirtieth Anniversary Conference, London, England (April)

Why Treaty Interpretation Differs from Contract Interpretation, Investor-State Awards in Domestic Courts, Pepperdine Law Review Symposium: International Arbitration and the Courts, Malibu, California (April)

Does T-TIP Need Investor-State Dispute Settlement?, Adapting to a Rapidly Changing World, American Society of International Law Annual Meeting, Washington, DC (Panel Moderator) (April)

Governance and Constitutionalisation in International Arbitration, 2015 McGill Symposium on International Arbitration, Montreal, QC (Panel Moderator) (March)

Mobility I, Facilitating Mobility, Fostering Diversity: The Challenges of Contemporary Migration Policies in a Free-Trade Context, WTI – Oppenheimer Seminar, McGill University Faculty of law, Montreal, QC (Panel Moderator) (February)

Tracing the Roots of Transparency: The Contribution of NAFTA Chapter 11, Confidentiality v. Transparency, Vienna Arbitration Days, Vienna, Austria (February)

Workshop on Investor-State Dispute Settlement, Université de Montréal, Montreal, QC (February)

2014 *Transparency and State Control of Treaty Obligations*, Salient Legal Issues in Investor-State Dispute Settlement in CETA, McGill – Queen Mary Conference, Investment and Investor-State Dispute Settlement in the CETA, Conference on the Canada-EU Comprehensive Economic and Trade Agreement, Montreal QC (November)

Legal Aspects of CETA, Economic, Political and Legal Analysis of the CETA Text, Canada-EU Strategic Dialogue, Regional Trade Agreements and EU Policy, Conference on the Canada-EU Comprehensive Economic and Trade Agreement, Montreal, QC (October)

The International and External Legitimacy of ICSID, Legitimacy and International Courts Symposium, University of Baltimore Faculty of Law and PluriCourts – Centre for the Study of the Legitimate Roles of the Judiciary in the Global Order at the University of Oslo, Baltimore, Maryland (September)

Can International Investment Law be Restated? or is Jurisprudence Constante the El Dorado of Investment Treaty Lawyers? 23rd Investment Treaty Forum, British Institute of International and Comparative Law, London, England (Keynote Speech) (September)

What are the Public Interests in International Investment Law?, Investment Law at the Crossroads of Public and Private International Law, European Society of International Law, Vienna, Austria (September)

- The Role of Non-State Actors: Creating, Implementing, and Legitimizing International Law?*, International Law: Between Internationalism, Transnationalism and Cosmopolitanism, 2014 Dean Maxwell and Isle Cohen Doctoral Seminar in International Law, McGill University Faculty of Law, Montreal, QC (Paper Discussant) (August)
- Responsible Foreign Direct Investment, Achieving Equilibrium in the Amazon: Balancing Economic Development, Human Rights and Environmental Justice – Past, Present, and Future*, Quito, Ecuador (July)
- A Deep Dive on Investment Rules and Investor-State Dispute Settlement in TPP and T-TIP*, Lunch Briefing, Capitol Hill, Washington, DC (June)
- ILA Role of Soft Law Instruments in International Investment Law (Study Group) Open Working Session*, The Effectiveness of International Law, ILA 76th Biennial Conference;ASIL 108th Annual Meeting, Washington, DC (April)
- Investor-State Arbitration: Experiences and Impacts*, Development, Foreign Direct Investment and Investment Treaties in Latin America, Inter-American Development Bank, Washington, DC (April)
- NAFTA Investment Protection: 20 Years of Investor-State Arbitration Under Chapter XI*, American Bar Association International Section Meeting, New York, New York (April)
- The Leaked CETA Investment Text*, Freshfields Bruckhaus Deringer Lunch Presentation, New York, New York (April)
- The interrelationship between Investment Arbitration, Indigenous Rights, and Environmental Law*, Workshop of the Center for International Sustainable Development Law, Montreal, QC (March)
- A Conversation with Yves Fortier*, The McGill Symposium on International Arbitration 2014, Institute for Transnational Arbitration Oral History Project Montreal, QC (March)
- Are Arbitrators (Judicial) Activists?*, Master's in International Dispute Settlement (MIDS) Lecture, Geneva, Switzerland (March)
- Counterclaims in Investor-State Arbitration*, University of Lausanne, Lausanne, Switzerland (March)
- Can State Counterclaims Salvage Investment Arbitration?*, International Energy Arbitration, An ITA – IEL Joint Winter Forum, Houston, TX (Paper Commentator) (February)
- 2013 *International Investment Law Actors*, Contemporary Actors and their Actions: A New Look at the Formation of International Law, 42nd Annual Conference of the Canadian Council on International Law, Ottawa, ON (Moderator) (November)
- Contradictory decisions in international arbitration*, Arbitration in Perspective, ICC's 11th Annual Miami conference on International Arbitration in Latin America, Miami, FL (November)
- Anti-Corruption and Bribery Facing Tribunals in International Arbitration*, ICC Canada International Arbitration Conference 2013, Toronto, ON (October)

- Lawmakers or Dispute Settlers? The Role of Arbitrators in International Arbitration, The Function of Judges and Arbitrators in International Law*, 19th Annual Herbert Rubin and Justice Rose Luttan Rubin International Law Symposium, New York University School of Law, New York, NY (October)
- Cross-Border Regionalism and the Public-Private Divide*, The Legal Challenges of Globalization: A View from the Heartland, International Law Weekend – Midwest, Washington University School of Law, Saint Louis, MO (September)
- Pitfalls and Challenges for the Advocate*, Current Trends in International Arbitration, International Law Section, State Bar of California, San Francisco, CA (Panel Moderator) (September)
- International Investment Law – A Corpus Juris?*, Protecting Foreign Investment, Imperium Juris: Governance, Trade, Resources, International Law Association Regional Conference 2013, Cape Sounio, Greece (August)
- Constraints on Power and Authority in Investment Arbitration*, Investor-State Arbitration, Eighth Annual Fordham Law School Conference on International Arbitration and Mediation, New York, NY (April)
- The Appropriate Role of State-State Dispute Settlement in Investment Disputes*, Alternatives to Investor-State Arbitration in a Multipolar World, American Society of International Law Annual Meeting, Washington, DC (April)
- The Convergence of International Trade and Investment Arbitration*, by Roger P. Alford, The Law and Politics of Foreign Investment, Santa Clara Journal of International Law Symposium, Santa Clara University School of Law, Santa Clara, CA (Paper Commentator) (February)
- 2012 *State-To-State Investment Treaty Arbitration: Dead End or New Frontier*, Columbia Law School, New York, New York (Roundtable Discussant) (November)
- The Role of Counterclaims in Rebalancing Investment Law*, What does the future hold for international investment law?, L. Yves Fortier Chair Faculty Workshop, McGill University Faculty of Law, Montreal, Quebec (November)
- The Role of Counterclaims in Rebalancing Investment Law*, FDI Moot Seminar, Suffolk University Law School, Boston, Massachusetts (November)
- International Investment Law and Dispute Settlement Part II: a Conversation with Meg Kinnear, Secretary-General of ICSID*, International Law Weekend, 91st Annual Meeting of the American Branch of the International Law Association, New York, New York (October)
- International Investment Law and Dispute Settlement Part I: Educating Lawyers in Law Schools, Firms and at the Bar*, International Law Weekend, 91st Annual Meeting of the American Branch of the International Law Association, New York, New York (October)
- The Role of Counterclaims in Rebalancing Investment Law*, Balancing Investor Protections, the Environment, and Human Rights, Business Law Fall Forum, Lewis & Clark Law School, Portland, Oregon (October)

- Rethinking Law and Economics in the Wake of the global Financial Crisis, Stateless Law: The Future of the Discipline*, McGill University Faculty of Law, Montreal, Quebec (Moderator) (September)
- Assessing the Effectiveness of Soft-Law Instruments in International Investment Law*, International Law Association Biennial Meeting, Sofia, Bulgaria (August)
- Jurisdictional Aspects of Ethical Standards, Arbitration Ethics*, A National Program with Simultaneous, Interactive Video Links, Montreal, Quebec (June)
- Transparency's Role in Norm Creation, Agents of Change: The Individual as a Participant in the Legal Process*, Cambridge Journal of International and Comparative Law Annual Conference, Cambridge, England (May)
- Transparency's Role in Norm Creation: Procedure, Substance, and (Unintended) Consequences*, Global Law and Policy Roundtable, New York Law School, New York, New York (April)
- The Emerging System of International Arbitration, Confronting Complexity*, American Society of International Law Annual Meeting, Washington, District of Columbia (Moderator) (March)
- Has Authoritative Interpretation Perverted the Treatment Standard in NAFTA?, NAFTA, CAFTA and Beyond? Investment Protection in the Americas*, Sixth Annual Juris Investment Treaty Arbitration Conference, Washington, District of Columbia (Senior Commentator) (March)
- Legitimacy Issues Arising in Arbitrations with Sovereigns, Arbitrating With a Sovereign: Issues in Commercial and Investment Arbitration*, Columbia International Arbitration Day 2012, New York, New York (March)
- Like it or Not, Third Party Funding is Here to Stay! (But For How Long?)*, International Arbitration Trends in the Asia-Pacific Region, Third Annual ICC Asia-Pacific Conference, San Francisco, California (March)
- The BG Group case and the applicability of the customary international law standard of necessity in the absence of a necessity clause in the BIT*, Investment Obligations in Times of Crisis, Canadian Council on International Law Mini-Conference, Montreal, Quebec (March)
- Transparency in International Investment Law and Arbitration: Procedure, Substance and (Unintended) Consequences*, University of Georgia International Law Colloquium, Athens, Georgia (March)
- The Price of Precedent: Accuracy in Arbitration*, by Irene M. Ten Cate, First Annual ITA Winter Forum, San Francisco, California (Commentator) (February)
- 2011 *Is There a New Economic Nationalism?*, Association of Corporate Counsel Annual Meeting, Denver, Colorado (October)
- Practical and Legal Avenues to Make the Substantive Rules and Disciplines of IIAs Converge, The Challenge of Fostering Greater Coherence in International Investment Law*, World Trade Forum 2011: New Directions and Emerging Challenges in International Investment Law and Policy, Bern, Switzerland (September)

- Recent Efforts Aiming at Consolidating International Investment Rules*, Consolidation of International Investment Agreements: Disentangling the Spaghetti Bowl UNCTAD *Ad hoc* Expert Group Meeting, Bern, Switzerland (Panel Moderator) (September)
- Lessons from AT&T v. Concepción & Stolt-Nielsen S.A. v. AnimalFeeds Int'l Corp.*, U.C. Davis Summer Supreme Court Seminars, Davis, California (May)
- Transparency in International Arbitration*, International Arbitration Seminars, Morrison & Foerster, San Francisco, California (May)
- The Public Interest in Investment Arbitration*, Stanford Law School Conference on International Arbitration, Palo Alto, California (April)
- Ripple Effect: California's Ban on Foreign Lawyers in Arbitration Proceedings*, Second Annual ICC Asia Pacific Conference, Hong Kong (April)
- The Role of International Tribunals in Managing Coherence and Diversity in International Law*, Harmony and Dissonance in International Law, American Society of International Law Annual Meeting, Washington, District of Columbia (March)
- Different Forms of Soft-Law Instruments and Their Advantages and Disadvantages*, Meeting of ILA Study Group on the Role of Soft Law Instruments in International Investment Law, University of Vienna, Vienna, Austria (March)
- Transparency, Precedent, and Ethics: Some Unanticipated Consequences*, International Arbitration Speaker Series, McGill University, Montreal, Quebec (January)
- Roundtable Discussion of Scholarship*, David Caron & José Alvarez, presenters, Institute for Transnational Arbitration, Academic Council Retreat, Pepperdine University, Malibu, California (Moderator) (January)
- 2010 *Essential Security/Emergency Measures in Investment Arbitration*, Bilateral Investment Treaty Arbitration: Problems and Proposals, Workshop Preceding FDI Moot, Straus Institute for Dispute Resolution, Pepperdine University, Malibu, California (October)
- Different Forms of Soft Law Instruments and Their Advantages and Disadvantages*, De Iure Humanitatis: Peace, Justice and International Law, 74th Conference of the International Law Association, The Hague, The Netherlands (August)
- Some Problems Surrounding Transparency*, Brown-Bag Lunch Talk, International Centre for Settlement of Investment Disputes (ICSID), Washington, District of Columbia (May)
- Argentine Impasse: Enforcing Awards Against State Parties*, 2010 Arbitration and National Courts: Conflict and Cooperation, Conference hosted by the Permanent Court of Arbitration, The Houston International Arbitration Club, and the University of Texas School of Law, Houston, Texas (May)
- The Benefits and Drawbacks of Transparency in International Investment Arbitration*, Vanguard Themes in Investment Arbitration, First Conference on International Arbitration: The Vision of Investment Arbitration in the Twenty-First Century, Instituto Tecnológico y Estudios Superiores de Monterrey, Monterrey, Mexico (April)

- The Changing Landscape of Arbitration: Creating a Model Syllabus for Investment Arbitration*, Legal Educators' Colloquium, American Bar Association Section on Dispute Resolution Spring Meeting, San Francisco, California (April)
- Corporations as Plaintiffs Under Bilateral Investment Treaties*, Corporations and International Law, Santa Clara Journal of International Law Symposium, Santa Clara, California (Paper Commentator) (March)
- The Role of Sub-National Government Units in International Investment Law*, International Investment Treaty Law and Arbitration Conference, Sydney Law School, Sydney, Australia (February)
- Plenary Session: Directions in Investment Treaty Practice*, International Investment Treaty Law and Arbitration Conference, Sydney Law School, Sydney, Australia (Panel Chair) (February)
- Transparency, Ethics, and Best Practices*, Riesenfeld Symposium, University of California, Berkeley, School of Law, Berkeley, California (February)
- 2009 *NAFTA Chapter 11 and the Environment*, 15 Years of NAFTA Chapter 11, Joint Conference of McGill University and the International Arbitration Institute, Montréal, Quebec (September)
- What Does a Self-Judging Essential Security Clause Mean for the Rule of International Investment Law?*, Preventing and Managing Conflict in Energy and Other Natural Resource Investment Relations, Columbia University, New York, New York (May)
- When is Environmental Protection a Taking Under International Law? Regulatory Expropriation, Investment Treaty Arbitration and Natural Resources Disputes*, ABA Section of International Law Spring Meeting, Washington, District of Columbia (April)
- State Immunity and the Enforcement of Investor-State Arbitral Awards*, University of Georgia Law School International Law Colloquium, Athens, Georgia (March)
- Lessons from International and Domestic Conflict Resolution: The New Face of Arbitration*, U.C. Davis Journal of International Law and Policy Symposium: Overhauling International Dispute Resolution, Davis, California (March)
- Recent Developments in NAFTA*, International Law Weekend – West, Salem, Oregon (March)
- Experience of States and Investors' Counsel: The EU Point of View on NAFTA*, First Debate on NAFTA, 15 Years Later: Experiences and Future, Universidad Iberoamericano, Mexico City, Mexico (February)
- State Immunity and the Enforcement of Investor-State Arbitral Awards*, American Society of International Law, Section on International Economic Law Interest Group, 2009 Research Colloquium, Los Angeles, California (February)
- 2008 *The State of the State of Necessity in International Investment Law*, The ICSID Convention and the Settlement of Disputes in Economic Emergencies, International Law Association Biennial Meeting, Rio de Janeiro, Brazil (August)

- Enforcement of Arbitral Awards against States: Sovereignty's Last Redoubt?*, Comparative Business Regulation, Southeastern Association of Law Schools Annual Meeting, Palm Beach, Florida (July)
- The Necessity of Sustainable Development?*, Sustainable Development in World Investment Law: An International Legal Experts' Seminar, the Lauterpacht Centre for International Law, Cambridge, England (July)
- Damages in International Arbitration: Strategies, Techniques & Presentation*, 19th Annual Institute for Transnational Arbitration Workshop, Dallas, Texas (Conference Co-Chair and Panel Moderator) (June)
- Arbitral Awards as Jurisprudence Constante*, Law & Society Annual Meeting, Montréal, Québec, (May)
- Arbitral Awards as de Facto Precedent*, Legal Theory Workshop, University of Oregon, Eugene, Oregon (April)
- Restating the U.S. Law of International Commercial Arbitration*, American Society of International Law Annual Meeting, Washington, D.C. (Panel Moderator) (April)
- Arbitral Awards as de Facto Precedent*, Conference on Protection of Foreign Investments through Modern Treaty Arbitration: Diversity and Harmonisation, Swiss Invest Forum, Zurich, Switzerland (March)
- Arbitrating Contract Disputes*, Fourth International Conference on Contracts, McGeorge School of Law, Sacramento, California (February)
- Investment Treaty Arbitral Decisions as Jurisprudence Constante*, George Washington University International Law Colloquium, Washington, District of Columbia (January)
- 2007 *Recent Issues Concerning International Investment Disputes Settlement and Trends of Arbitration Rules adopted by Commercial Arbitration Institutes*, Third International Conference of the Research Center for International Litigation & Arbitration, Hanyang University, Seoul, Korea (November)
- Second Annual Columbia International Investment Conference*, Columbia Program on International Investment, New York, New York (Conference Rapporteur) (October)
- National Treatment in International Investment Law*, Conference on Standards of Investment Protection, University of Vienna, Austria (September)
- The Emerging Jurisprudence of International Investment Law*, 9th Investment Treaty Forum Public Conference, The British Institute for International and Comparative Law, London, England (Conference Co-Host and Panel Moderator) (September)
- Private Rights & Public International Law*, International Trade Works-in-Progress Panel, Conference on International Law: What is Wrong with the Way We Teach and Write International Law?, American Society of International Law/Association of America Law Schools Joint Conference, Vancouver, British Columbia (June)
- Mandatory Rules of Law in International Investment Arbitration*, Colloquium on Mandatory Rules of Law in International Arbitration, Columbia Law School, New York, New York (June)

Debating the Necessity of a Necessity Defense for Investment Law, Investment Treaty Arbitration: A Debate and Discussion, Juris Conferences, Washington, District of Columbia (May)

Adjudicatory Competition in International Economic Law, Golden Gate University School of Law, 17th Annual Fulbright Symposium and ASIL Regional Meeting, San Francisco, California (April)

Adjudicatory Competition in International Economic Law, Columbia Program on International Investment, Foreign Investment & Globalization Speakers' Series, Columbia Law School, New York, New York (March)

Adjudicatory Competition in International Economic Law, Thursday Lecture Series, University of Dundee, Scotland (March)

The Evolution of Colonialism in a Global Economy, U.C. Davis Journal of International Law and Policy Symposium, Davis, California (Panel Moderator; Closing Commentator) (March)

Reconciling State Sovereignty and Investor Protection in Denial of Justice Claims, Friday Lunchtime Lecture, Lauterpacht Centre for International Law, University of Cambridge, England (February)

Recent Developments in NAFTA and CAFTA, International Law Weekend – West, International Law Association, Santa Clara, California (Panel Moderator) (February)

The Future of Investment Agreements?, Investment Arbitration: Lessons from Practice: A Discussion among Experts, Boalt Hall School of Law, University of California, Berkeley (January)

2006 *International Investment Treaty Arbitration as Jurisprudence Constante*, International Economic Law: The State and Future of the Discipline, American Society of International Law International Economic Law Interest Group, Bretton Woods, New Hampshire (November)

Emergency Exceptions to International Obligations in the Realm of Foreign Investment, Open Meeting of the International Law on Foreign Investment Committee, International Law Association Biennial Meeting, Toronto, Ontario (June)

Most-Favored Nation Clauses in Investment Treaties, Dispute Settlement in International Trade and Investment Law, International Law Association Biennial Meeting, Toronto, Ontario (June)

Investment Arbitration as De Facto Precedent: Is There a Need for Greater Consistency?, A Just World Under Law, Golden Gate University Fulbright Symposium and ASIL Regional Meeting, San Francisco, California (April)

Family Planning and AIDS Policies in the International Community, U.C. Davis Journal of International Law and Policy Symposium, Davis, California (Closing Commentator) (March)

Integrating Transnational Legal Perspectives Into the First Year Curriculum: Contracts, AALS Annual Meeting, Washington, District of Columbia (January)

2005 *The Impact of Philippe Sands' LAWLESS WORLD on International Investment Law*,

- Colloquium on LAWLESS WORLD, Berkeley Journal of International Law, University of California, Berkeley (October)
- Globalizing the Law School Curriculum*, Conference Hosted by McGeorge School of Law, Squaw Valley, California (Rapporteur for Contracts Break-Out Session) (August)
- ICSID and Other Investment Arbitration Tribunals: Is There a Need for Judicial Oversight or Other Reform?*, Hague Joint Conference on Contemporary Issues of International Law, The Hague, The Netherlands (Panel Moderator) (June)
- Investment Arbitration: Evolution or Revolution?*, Book Launch and Symposium for INTERNATIONAL INVESTMENT LAW & ARBITRATION: LEADING CASES FROM THE ICSID, NAFTA, BILATERAL TREATIES, AND CUSTOMARY INTERNATIONAL LAW, The Hague, The Netherlands (June)
- Reconciling State Sovereignty and Investor Protection in Denial of Justice Claims*, Faculty Workshop, University of California, Davis, King Hall School of Law (April)
- Systemic Responses to the Challenge of Transparency and Amicus Curiae Participation*, Arbitration and the Involvement of Non-Parties: Transparency, Intervention, and Appeal, Conference Hosted by the Institute for Transnational Arbitration & American Society for International Law, Washington, District of Columbia (March)
- Romancing the Foreign Investor, BIT by BIT*, U.C. Davis Journal of International Law and Policy Symposium, Davis, California (Closing Commentator) (March)
- Denial of Justice, Sovereignty, and Sequential Review*, International Legal Scholarship Roundtable, University of California, Berkeley (January)
- 2004 *Seven Unresolved Issues in NAFTA Chapter Eleven*, NAFTA Chapter Eleven Program, International Law Weekend, International Law Association, New York, New York (October)
- Arbitration in the United States*, Presentation to the California Dried Fruit & Nut Association, Davis, California (September)
- Waiver and the Exhaustion of Local Remedies in International Law: The NAFTA Cases*, Intensive Course on Investor-State Dispute Settlement, sponsored by the Organization of American States, the Colombian Ministry of Commerce, Industry and Tourism, and the Bank of the Republic, Bogotá, Colombia (April)
- Reform of the Federal Arbitration Act*, American Bar Association, Section of International Law and Practice Meeting, New York, New York (Panel Moderator) (April)
- Waiver and the Exhaustion of Local Remedies Rule in NAFTA Jurisprudence*, Book Launch Conference at American University, Washington College of Law, for NAFTA: INVESTMENT LAW AND ARBITRATION: PAST ISSUES, CURRENT PRACTICE, FUTURE PROSPECTS, Washington, D.C. (March)
- Rethinking Reconstruction After Iraq*, U.C. Davis Journal of International Law and Policy Symposium, Davis, California (Panel Moderator) (March)
- New Frontiers in Intersystemic Adjudication: At Home and Abroad*, Hot Topics Program at Association of American Law Schools Annual Meeting, Atlanta, Georgia (January)

- 2003 *The Government's Perspective on Litigating NAFTA Chapter Eleven Cases*, California State Bar Association Meeting, Anaheim, California (September)
- NAFTA at Ten: Where Have We Been and Where Are We Going?*, American Bar Association Annual Meeting, San Francisco, California (Panel Moderator) (August)
- 2002 *Denials of Justice under International Law*, University of Chicago Law School Faculty Works-in-Progress Series, Chicago, Illinois (August)
- Early Years of NAFTA Investment Arbitration – Good, Bad, or Both?*, Roundtable Participant, Canadian-American Research Centre for Law and Policy, University of Windsor, Ontario (March)
- 2001 *Moderating the Rhetoric: A Balanced View of NAFTA Chapter Eleven*, United States – Canada Trade Conference, Boston Bar Association, Boston, Massachusetts (May)
- Private Party Participation in Dispute Resolution Under NAFTA Chapter Eleven*, The Practice of International Law in the 21st Century: It's Everybody's Business, Conference of the Canadian Bar Association, International Section, Ottawa, Ontario (May)
- Leadership Development for Law Students, Symposium on Promoting Regional Leadership and Cooperation in the 21st Century*, Ron Brown Fellowship Program, Institute for International Education, Washington, D.C. (Discussion Moderator) (April)

Selected Activities

University Service

McGill University

Law Faculty:

Director, Nappert Prize in Arbitration (2014; 2016; 2024)

Associate Dean, Graduate Studies (2019 – 2022)

Chair, Graduate Studies Committee (2019 – 2022)

Member, Curriculum Committee (2019 – 2022)

Member, Ad Hoc Committee on Remote Pedagogy (2020 – 2021)

Chair, Space Committee (2018 – 2020)

Member, Appointments Committee (2018 – 2019)

Member, Admissions Committee (2015 – 2017; 2022 – 023)

Committee on Promotion to Full Professor (Fall 2014; 2015-2016; 2016-2017)

Member, Curricular Committee and Subcommittee on Public International and Transnational Law Offerings (2014 - 2015)

Member, Committee on Arbitration Initiatives (2013 – 2014; 2014 – 2015)

Convener, Curricular Reform Subcommittee on Changes to Course Offerings (2013 – 2014)

Co-chair, Dean Maxwell and Isle Cohen Seminar in International Law (Spring 2012)

Member, Private Justice and the Rule of Law Research Goup (Fall 2012; 2013 – present)

Member, Graduate Studies Committee (Fall 2012)

Greater Campus:

Graduate Affairs Committee (2019 – 2022)
Trudeau Scholarship Committee (2013 –2017)
Pro-Dean (multiple occasions)

University of California, Davis

Law School:

Vice Chair, Faculty (2010 – 2013)
Chair, Educational Policy Committee (2009 – 2010)
Member, Appointments Committee (2008 – 2009; 2011 – 2012)
Member, Admissions Committee (2007 – 2008)
Member, LLM Admissions Committee (2005 – 2006; 2009 – 2011; Spring 2013)
Member, Honors and Awards Committee (2010 – 2011; Spring 2013)
Faculty Adviser, Journal of International Law and Policy (2004 – 2009; 2010 – 2011;
Spring 2013)

Greater Campus:

Member, Privilege & Tenure Investigation Committee (2010 – 2011; Spring 2013)
Member, Graduate Group in International Commercial Law (2004 – 2013)
Member, Scholars-at-Risk Committee (2004 – 2013)

Professional Service and Honours

Arbitration International

General Editor (2024 – present)
Co-General Editor (2022 – 2024)
Deputy General Editor (2018 – 2022)

Journal of International Economic Law

Member, editorial board (2021 – present)

Cambridge University Press International Trade and Economic Law Series

Co-Series Editor (2018 – present)

Journal of World Investment and Trade

Member, Advisory Board (2024 – present)
Editorial Board (2013 – 2023)

Asian Yearbook of International Economic Law

Co-Editor (2021 – present)

Hong Kong Research Assessment Exercise 2026

Co-Convenor, Law Panel

Hong Kong Research Assessment Exercise 2026

Co-convenor, Law Panel

Hong Kong Research Assessment Exercise 2020

Member, Law Panel

Academic Forum on ISDS (supporting UNCITRAL Working Group III)

Member (2018 – present)

Member, Steering Committee (2018 – 2021)

Co-Deputy Chair, Steering Committee (2019 – 2021)

International Law Association

Co-Rapporteur – Committee on International Investment and the Rule of Law (2015 – present)

Co-Rapporteur, Study Group on the Role of Soft-Law Instruments in International Investment Law (2008 – 2014)

American Branch – Co-Director of Studies (2014 – 2015)

Director of Studies (2011 – 2014)

Alternate Member, International Commercial Arbitration Committee (2012 – present)

Member, Committee on the Law of Foreign Investment (2004 – 2008)

Member, Planning Committee – International Law Weekend West (2007)

Sciences Po, LL.M. Programme in Transnational Arbitration and Dispute Settlement

Member, Advisory Board (2016 – present)

Bucerius Law School, Centre for International Dispute Resolution

Member, Advisory Board (2017 – present)

St. Petersburg State University, Public International Law Program

Member, Advisory Board (2020 – present)

Yearbook on International Investment Law and Policy, Oxford University Press

Editor in Chief (2012 – 2015)

Member, Editorial Board (2009 – 2012)

American Society of International Law

Vice President (2019-2021)

Member, Executive Council (2019 – 2021)

Member, Executive Committee (2019 – 2021)

Chair, Nominating Committee (2017)

Member, Nominating Committee (2016)

Member, Executive Council (2009 – 2012)

Co-Chair, ASIL West (2009 – 2011)

Member, Executive Committee (2009 – 2010)

Co-Chair, 2008 Annual Meeting (The Politics of International Law)

American Law Institute

Member (2010 – present)

PluriCourts, University of Oslo

Visiting Scholar (May 2016)

Member, Evaluation Committee for Post-Doctoral Researcher (2014)

World Arbitration and Mediation Review

Co-Editor-in-Chief (2015 – 2017)

Oxford International Arbitration Series

Member, Editorial Board (2014 – present)

Journal of International Dispute Settlement
Member, Editorial Board (2009 – 2015)

ICSID Review – Foreign Investment Law Journal
Member, Editorial Board (2012 – 2015)

La revue trimestrielle de droit commercial international
Member, Scientific Committee (2014 – present)

Foreign Direct Investment Moot
Member, Advisory Board (2013 – present)
King's College, London – Arbitrator (2015)
Suffolk University, Boston MA – Arbitrator (2012)
Pepperdine University, Malibu, CA – Arbitrator (2010)

Investmentclaims.com from Oxford University Press
Member, Editorial Board (2006 – present)

Transnational Dispute Management
Associate Editor (2004 – present)

Columbia Center on Sustainable International Investment
Senior Fellow (2012 – 2015)
Director, International Investment Syllabus Project (2007 – 2012)

Peer Reviewer
Cambridge University Press
Oxford University Press
Aspen/Kluwer
Routledge
ICSID Review – Foreign Investment Law Journal
Stanford Law Review
Leiden Journal of International Law
Asian Journal of International Law
Brill/Martinus Nijhoff
University of Wales Press
European Research Council
Austrian National Science Foundation
Swiss National Science Foundation
South African National Science Foundation
Social Sciences and Humanities Research Council
The Netherlands Organization for Scientific Research

University of Dundee, Centre of Energy, Petroleum, Mineral Law & Policy
Honorary Associate (2007 – 2010)

American Bar Association, Section of International Law and Practice
Co-Chair, International Commercial Dispute Resolution Committee (2002 – 2003)
Vice-Chair, International Commercial Dispute Resolution Committee (1999 – 2002)
Co-Chair, Committee on Reform of the Federal Arbitration Act (2002 – 2005)

University of Nebraska-Lincoln

Member, History Department Alumni Advisory Council (2012 – present)

Schwarz/Levi Inn of Court, Davis, California
Academic Member (2003 – 2011)

Yale Law School Association
Member, Executive Committee & Nominating Committee (1997 – 2000)

Updated 7 March 2024