

**THE AMERICAN REVIEW
OF
INTERNATIONAL ARBITRATION**

Vol. XXXVI – 2025

New York

2025

THE AMERICAN REVIEW OF INTERNATIONAL ARBITRATION

Vol. 36

2025

No. 2

TRIBUTES

- FROM DOCTRINE TO INSTITUTION: GEORGE BERMANN'S
ENDURING INFLUENCE ON INTERNATIONAL
ARBITRATION *Caio Cesar Rocha, 105*
Tiago Asfor Rocha, and
Gustavo Favero Vaughn

ARTICLES

- THE SUPREME COURT'S POLICY FAVORING ARBITRATION AND
ITS LIMITS *George Bermann 109*
- WHEN CORRUPTION MEETS ISDS: SHIELD, SWORD,
ESCAPE HATCH, OR ALL OF THE ABOVE? *Kabir Duggal and 117*
Andrés Alvarez
Calderón
- CHALLENGES TO THE SUBSTANTIVE JURISDICTION OF ARBITRAL
TRIBUNALS UNDER THE ENGLISH ARBITRATION ACT
1996: A CRITICAL REVIEW *Asif Salahuddin 131*
- THE MYSTERIOUS FEDERAL POLICY IN FAVOR OF
ARBITRATION: *FESTSCHRIFTS* SQUARED *Robert H. Smit 155*

EXPERT COMMENTS

- ARTIFICIAL INTELLIGENCE IN ARBITRATION: EFFICIENCY,
CHALLENGES AND ETHICAL CONSIDERATIONS *Venetsiana Bratsiakou 171*
and Ilias Bantekas
- THE CHOICE OF THE ARBITRATOR AS THE FOUNDATION OF
ARBITRATION *José Roberto de 185*
Castro Neves,
Trans. by João Gabriel
Campos and
Gustavo Favero Vaughn

BOOK REVIEWS

SIMON KLOPSCHINSKI AND MARY-ROSE MCGUIRE, EDS.,
*RESEARCH HANDBOOK ON INTELLECTUAL PROPERTY
RIGHTS AND ARBITRATION*

Alexandra Desmedt 207

THE AMERICAN REVIEW OF INTERNATIONAL ARBITRATION

EDITORS IN CHIEF

GEORGE A. BERMAN
ROBERT H. SMIT

MANAGING EDITOR

KABIR A. N. DUGGAL

STUDENT EDITOR IN CHIEF

OLGA KRASNENKOVA

HEAD ARTICLES EDITOR

ZIZUN (ZIZ) ZHOU

HEAD ONLINE EDITOR

ALEXANDRA DESMEDT

OMBUDSPERSON

CHELSEY MIAO

ARTICLES EDITORS

JUAN JONAS DE GIL BLANCO-RAJOY
KEYVAN FARMANFARMAIAN
DOMINIK HORODYSKI
CODY JINMENG HUYAN

ASSISTANT ONLINE EDITOR

JOONHAK CHOI

DEVELOPMENT EDITORS

JINGRUI (RITA) LIN
PAULINA MENDOZA

STAFF EDITORS

AMOL ACHARYA, ALINA AGUILAR, ANNE-MARIE AYANRU, SKYE CHEN, TANISHA CHOUDHARY, EDEN CHUA,
NOUR DALLA, ANDREAMARIE EFTHYMIU, ALIX ARMANDINE EICHENLAUB, LINA ETTABOUTI, JAMES A. FAST,
HAYLEY M. FLOOD, HEWEN JIANG, JACKSON KEYS, YUN-SHIH (VINCENT) LIN, KATHY LIU, KEVIN MCCORTNEY
ALEXANDRA MICHAEL, TATIANA LIMA MURTA, LAYLA MZHER, INDIANA RAI, HALA TAREK RIAD,
ANGELO SCARINGELLA, ASHIMA SHARMA, MOHAMMED SMESEM, YARA TORBEY, NITISH VAIDYANATHAN,
VELEN WU, CARA ZHAO

BOARD OF ADVISORS

TEDDY BALDWIN

MARIA CHEDID

JUSTIN D'AGOSTINO

PAOLO DI ROSA

JOHN FELLAS

ALEXANDER G. FESSAS

PATRICIA SAIZ GONZALEZ

JACOMIJN VAN HAERSOLTE-VAN HOF

SAMAA A. HARIDI

MIRIAM HARWOOD

EDWARD KEHOE

IAN LAIRD

SOPHIE LAMB, QC

CAROLYN LAMM

NOIANA MARIGO

TIMOTHY G. NELSON

CLAUDIA SALOMON

LUKE SOBOTA

FREDERIC SOURGENS

MARK WU

AMERICO ZAMPETTI

Partner, Steptoe & Johnson LLP

Partner, Arnold & Porter Kaye Scholer LLP

Executive Partner, Herbert Smith Freehills

Partner, Arnold & Porter Kaye Scholer LLP

Partner, Hughes Hubbard & Reed

Secretary General, ICC International Court of Arbitration

Professor of International Arbitration, ESADE Law School

Director General, LCIA

Partner, Hogan Lovells

Partner, Squire Patton Boggs

Partner, King & Spalding

Partner, Crowell & Moring

Partner, Latham & Watkins LLP

Partner, White & Case LLP

Partner, Freshfields Bruckhaus Deringer US LLP

Partner, Skadden, Arps, Slate, Meagher & Flom LLP

President, ICC International Court of Arbitration

Partner, Three Crowns LLP

Professor of Law, Washburn University School of Law

Professor of Law, Harvard Law School

Head of the Economic Section, Delegation of the EU to the UN

