28th ANNUAL ITA WORKSHOP

WHEN JUSTICE DELAYED WOULD BE JUSTICE DENIED: EMERGENCY ARBITRATORS AND INTERIM MEASURES IN INTERNATIONAL ARBITRATION

WELCOME REMARKS Abby Cohen Smutny 451

KEYNOTES: INTERIM MEASURES IN INTERNATIONAL ARBITRATION

KEYNOTES INTRODUCTION Jennifer Kirby 453

KEYNOTE: INTERIM MEASURES: THE SLOW EVOLUTIONS OF QUICK ARBITRAL RELIEF James E. Castello 454

KEYNOTE: EMERGENCY ARBITRATION: JUSTICE ON THE RUN Prof. Patricia Shaughnessy 467

MOCK SCENARIO 479

MOCK: INTERIM MEASURES HEARING

PART 1 David Brynmor Thomas 485

PART 2 John Beechey
Dominique Brown-Berset
Elizabeth Devaney
Alejandro Ogarrio
Hansel T. Pham
Noradèle Radjai
Tomasz J. Sikora

FORMS OF INTERIM RELIEF Jennifer Kirby
John P. Bang
The Hon. Faith Hochberg
Ank Santens 521

ETHICAL OBLIGATION OR ETHICAL VIOLATION David Brynmor Thomas
Natalie L. Reid
Roland Ziadé 539

INTERIM MEASURES AGAINST STATES Jennifer Kirby
Marinn Carlson
Eloïse Obadia
Anton A. Ware 549
Interim Measures in Practice: Institutional Insights

Jennifer Kirby 563
Steven K. Andersen
Chiann Bao
Annette Magnusson

Are Arbitral Decisions Granting Interim Relief Enforceable

David Brynmor Thomas 581
The Hon. Edward C. Chiasson
Prof. Jack J. Coe, Jr.
Andrés Jana

Concluding Remarks

Abby Cohen Smutny 597

Faculty Bios

599

Bibliography

619

Articles

Do “Dual Hats” Cause Arbitrator Bias? An Empirical Assessment of Decisionmaking by Investment Arbitrators Who Also Work as Counsel

Alexander Bedrosyan 625
WORLD ARBITRATION & MEDIATION REVIEW

BOARD OF EDITORS

EDITORS-IN-CHIEF

Andrea K. Bjorklund
McGill University, Montreal

R. Doak Bishop
King & Spalding LLP, Houston

Dietmar W. Prager
Debevoise & Plimpton LLP, New York

BOARD OF EDITORS

The Hon. Charles N. Brower
Iran-U.S. Claims Tribunal, The Hague

James E. Castello
King & Spalding LLP, Paris

David D. Caron
The Dickson Poon School of Law, King’s College, London

Donald Francis Donovan
Debevoise & Plimpton LLP, New York

Christopher R. Drahozal
University of Kansas School of Law, Kansas

Judith Gill
Allen & Overy LLP, London

Bernard Hanotiau
Hanotiau & van den Berg, Brussels

Sally A. Harpole
Sally Harpole & Co., Hong Kong

Ben H. Sheppard, Jr.
University of Houston Law Center

MANAGING EDITOR

Rafael T. Boza
Sulzer Chemtech USA, Houston

ASSOCIATE MANAGING EDITOR

Benjamin T. Jones
Jones Day, San Francisco

EXECUTIVE EDITOR

Charles B. Rosenberg
White & Case, LLP, Washington, DC

ASSISTANT EDITORS

Albina Gasanbekova, World Bank Group, Washington, DC

Luke J. Gilman, Jackson Walker LLP, Houston

J. Brian Johns, International Centre for Dispute Resolution – ICDR, New York

Melinda E. Kuritzky, Foley Hoag LLP, Washington, DC

Justin Lee, Philippi, Prietocarrizosa & Uria, Santiago

Elsa, Paparemborde, Quinn Emanuel Urquhart & Sullivan, LLP, Paris

Matthew J. Weldon, K&L Gates, LLP, New York

Institute for Transnational Arbitration
Center for American and International Law
5201 Democracy Drive
Plano, TX 75024-3561

JurisNet, LLC
71 New Street
Huntington, NY 11743