

ABOUT THE CONTRIBUTORS

Desmond Ang is a Partner of the Hong Kong office of Sidley Austin and a member of the International Arbitration group. Desmond focuses on international commercial and treaty arbitration, with an emphasis on high-stakes disputes involving business relationships and investments with companies in China, Japan and South Korea. Desmond has represented clients in proceedings conducted under the ICSID, ICC, HKIAC, CIETAC, SIAC, JCAA and UNCITRAL Arbitration Rules. He also has experience in litigation ancillary to international arbitrations, including enforcement and Mareva proceedings before the Singapore High Court. Desmond received his LL.B. (Dean's List) from the National University of Singapore and is admitted in Singapore, England and Wales, and Hong Kong.

Stefano Azzali is a Lawyer who graduated from Genoa University - School of Law, and is the Director General of the Milan Chamber of Arbitration (CAM) since 2001. He acted as Director of the Institute for the Promotion of Arbitration and Mediation in the Mediterranean (ISPRAMED) and as President of the International Federation of Commercial Arbitration Institutions (IFCAI). Since 2005, he is Visiting Professor of Arbitration Law at Bocconi University - School of Law in Milan and at Science Po in Paris; in 2012 and 2022, he has been Fellow at the Centre for Transnational Litigation and Commercial Law, New York University - School of Law. He is member of the Federal Court of Justice of the Disciplinary Commission of the Italian Football Federation (FIGC), and of the Formula One International Contract Recognition Board. Author of articles and publications on arbitration, he is member of the panel of arbitrators before various arbitral institutions (ICDR, VIAC, CIETAC etc.) and delegate for Italy for the UNCITRAL Working Group II (Arbitration and Conciliation); he acted as arbitrator in several ad hoc and institutional proceedings (ICC, ICDR, DIS, Swiss Chambers etc.).

Lawrence Boo was formerly CEO/Registrar (1991–1996) and Deputy Chairman (2004-2009) of the SIAC. He is well recognized as Singapore's leading international arbitrator, having sat as arbitrator in more than 170 cases and written numerous awards. His cases included those administered by the ICC, CIETAC, SIAC, LCIA, HKIAC and *ad hoc* arbitrations. He is on the panel of numerous international arbitral institutions. Prof. Boo is an adjunct Professor of Law at the National University of Singapore, Bond University (Australia) and a Visiting

Professor at Wuhan University (China), a Law Reform Consultant to the Attorney-General and led the Singapore delegation at UNCITRAL working group meetings on arbitration (2004–2009).

Eckart J. Brödermann, Licence en droit (Paris V), Maître en droit (Paris V), LL.M. (Harvard), First and Second State Exam at the Appellate Court of Hamburg (Germany), FCI Arb (London), is a Professor at the University of Hamburg, Certified Specialist in International Business Law (Germany), and Attorney-at-law (New York), Rechtsanwalt (Germany). Eckart Brödermann is the Founding Partner of Brödermann Jahn RA GmbH and, on an honorary basis, Managing Director of CEAC and initially the Founding President of the sole shareholder of CELA, the non-profit Chinese European Legal Association e.V. In his practice, Eckart Brödermann has advised and represented clients around the globe in a wide range of cross border trade, investment, construction, M&A and joint venture contracts including contracts concluded with states. Since the beginning of his practical legal work, initially in Washington, D.C., Eckart Brödermann has also and always in parallel concentrated on arbitration, starting with cases pending before the Iran Claims Tribunal in the Hague in 1983/84. Ever since Eckart Brödermann has participated in over 50 arbitrations under numerous rules and at different seats, *e.g.* acting as chairman in arbitrations in Germany (under ICC and DIS Rules) or in China (under CIETAC-Rules). Eckart Brödermann was the initiator of the idea of a Chinese European Arbitration Centre and part of the drafting team for the CEAC Hamburg Arbitration Rules.

James E. Castello, B.A. (Yale), M.A. and J.D. (University of California, Berkeley), is a Partner in the Paris office of King & Spalding International LLP and a Member of the firm's International Arbitration Group. He has advised and represented clients in a wide range of legal disputes, especially international arbitrations (both institutional and *ad hoc*), and is admitted to practice in New York, Washington, D.C. and Paris. Since 2001, Mr. Castello has been a member of the United States' delegation to UNCITRAL's Working Group II and has actively participated in all working sessions since then, which have produced, *inter alia*, revisions in the UNCITRAL Model Law on International Commercial Arbitration, a new version of the UNCITRAL Arbitration Rules, the new UNCITRAL Rules on Transparency in Treaty-based Investor-State Arbitration, and the UNCITRAL Expedited Arbitration Rules. The views expressed in this chapter are the author's and do not necessarily reflect those of the U.S. Government or of King & Spalding. In 2007, Mr. Castello was named to a

five-year term as a Court Member of the London Court of International Arbitration, where he served on the drafting committee for the 2014 LCIA Arbitration Rules. He is now Deputy Chair of the LCIA's Board of Directors. He is also an Executive Committee Vice-Chair of the Institute for Transnational Arbitration and a member of the International Advisory Board of the Vienna International Arbitral Centre. Mr. Castello first encountered arbitration under the UNCITRAL Rules nearly 35 years ago, as a legal assistant to Judge Howard Holtzmann on the Iran-U.S. Claims Tribunal at The Hague, following which he served as law clerk to Justices William J. Brennan, Jr. and Thurgood Marshall on the U.S. Supreme Court.

Ignacio de Castro is Director of the IP Disputes and External Relations Division at the WIPO Arbitration and Mediation Center. He is a Spanish lawyer and an English solicitor, and holds an LL.M from King's College London. Before joining WIPO in 2002, he was on the legal staff at the United Nations Compensation Commission in Geneva and, prior to that, practiced with the law firms Baker & McKenzie, London and Freshfields Bruckhaus Deringer, London in the areas of international arbitration and litigation. Ignacio is a national of Spain.

Fuyong Chen is the Deputy Secretary-General of the Beijing Arbitration Commission/Beijing International Arbitration Center (BAC/BIAC) and the Vice-President of Asia Pacific Regional Arbitration Group (APRAG). He is a qualified PRC lawyer with a LLB from China University of Political Science and Law, a LLM from Peking University and a PhD from Tsinghua University. Dr. Chen was a visiting researcher (2007–08) at the Law School of UC-Berkeley and is a Research Fellow of the Center for the Study of Dispute Resolution at Renmin University of China. His publication includes *The Unfinished Transformation: An Empirical Analysis of the Current Status and Future Trends of China's Arbitration Institutions* (author), *Chinese Arbitration Law* (LexisNexis 2015) (co-author), *China Arbitration Handbook* (Sweet & Maxwell 2011) (co-author), and abundant articles on different journals such as *The American Review of International Arbitration*. Dr. Chen is also a regular speaker at international conferences and seminars.

Brooks W. Daly is Deputy Secretary-General and Principal Legal Counsel, Permanent Court of Arbitration (PCA) in The Netherlands. Mr. Daly has primary responsibility for the legal affairs of an intergovernmental organization with 115 member states devoted to the peaceful settlement of international disputes through arbitration. His responsibilities

include advising lawyers and arbitrators participating in international arbitration under PCA auspices on a variety of matters relating to arbitral procedure and international dispute resolution generally. He speaks frequently on international arbitration topics and lectures at Leiden University School of Law. Prior to joining the PCA, Mr. Daly acted as Counsel at the International Chamber of Commerce (ICC) International Court of Arbitration in Paris, France. He is a member of the California Bar and previously practiced with law firms in Los Angeles and London.

Dilber Devitre is an Associate in the Litigation and Arbitration team at Homburger AG, Zurich. Devitre's practice focuses on international arbitration and she acts as counsel in complex commercial and investment arbitrations and has frequently acted as a Secretary to Arbitral Tribunals.

Jason A. Fry, LLB, BCL (Oxon), FCI Arb; Secretary General, ICC International Court of Arbitration (Paris). Prior to his appointment as Secretary General of the International Court of Arbitration in 2007, Mr. Fry was a partner in the international arbitration practice of Clifford Chance LLP. He has significant experience as counsel, advocate and arbitrator in international arbitration proceedings. Mr. Fry is a Solicitor of the Supreme Court of England and Wales and a Barrister and Solicitor of the High Court of New Zealand. He is a Fellow of the Chartered Institute of Arbitrators and was the Member for New Zealand of the International Court of Arbitration of the International Chamber of Commerce from 1999 until 2007. In that capacity he represented the ICC Court at the UNCITRAL Working Group on International Arbitration and Conciliation in relation to the 2006 amendments to the Model Law.

Remy Gerbay is a Lecturer in International Arbitration at the Centre for Commercial Law Studies, Queen Mary University of London (QMUL). Alongside his academic post at QMUL, Remy is also *Of Counsel* at London-based disputes firm Enyo Law LLP, where he advises companies and individuals in respect of complex international arbitrations. Remy is admitted to practice as an Attorney (state of New York) and as a Solicitor (England and Wales). He has been appointed as arbitrator in *ad hoc*, ICC and LCIA arbitrations (as co-arbitrator, sole and presiding arbitrator). Remy holds a PhD in international arbitration law from Queen Mary, an LLM from Georgetown Law (*Fulbright Scholar*), a Master's Degree from the Graduate Institute (University of Geneva), and a French law degree

from the University of Lyon (High Honours). Remy is a former Deputy Registrar of the LCIA.

Jesper Grünbaum is a Partner and Head of Setterwalls' dispute resolution team. His practice area includes both Swedish and cross-border arbitration and litigation. He also serves as an arbitrator on a regular basis. During his 25 years in dispute resolution he has been involved in disputes related to a wide variety of industries and practice areas but with a focus on disputes related to joint ventures, M&A and corporate affairs.

J. Martin Hunter† was Barrister, Essex Court Chambers, London; FCI Arb and Chartered Arbitrator; Emeritus Professor, Nottingham Trent University; Visiting Professor, King's College London; University of Miami Law School; and Central European University, Budapest. Member, International Council for Commercial Arbitration (ICCA); Arbitration Commission of the ICC; Advisory Board of KIIT National Law School, Orissa State, India; former deputy-chairman, UK Governmental Committee on Arbitration Law Reform; and former member, ICC's Court of International Arbitration, LCIA's Court of Arbitration.

Christian Koller (Dr. iur.) is a Professor of the Department of Civil Procedure Law at the University of Vienna.

Niclas Martinsson is an Associate of Setterwalls' dispute resolution team. He represents Swedish and foreign companies in national and international arbitrations and litigations with particular emphasis on disputes concerning shipping and transportation, insurance and international trade.

Rutger Metsch, LLB (Groningen), LLM (London), FCI Arb, is a Research Fellow at the School of International Arbitration at Queen Mary University of London.

Kevin Nash is the Deputy Registrar of SIAC. He is qualified as a barrister and solicitor with the Law Society of Upper Canada.

Toshiyuki Nishimura is a Deputy General Manager in the Arbitration Department of the Japan Commercial Arbitration Association (JCAA).

Stefan Riegler is a Partner based in Baker & McKenzie's Vienna office. He has extensive experience handling complex disputes, both before state courts and before arbitral tribunals. He regularly sits as an

arbitrator and acts as counsel for parties in arbitrations, including proceedings under the ICC Rules, the Vienna Rules, the Swiss Rules, the DIS Rules and the UNCITRAL Arbitration Rules. His practice focuses on disputes dealing with competition and energy (oil and gas), post-M&A, construction, banking and bankruptcy issues. Stefan Riegler obtained his PhD from the Vienna University and his LL.M. from the London School of Economics and Political Science (he is also an alumnus of the School of International Arbitration). He is a member of the board of the Austrian Arbitration Association (ArbAUT), the ICC Commission on Arbitration (as well as various ICC task forces), the Chartered Institute of Arbitrators (MCI Arb) and a member of the drafting commissions on the new Vienna Rules and the DIS Rules.

Menna Sadek is a Legal Advisor and Case Manager at The Cairo Regional Centre for International Commercial Arbitration CRCICA.

Anne Véronique Schlaepfer is a Partner in Schellenberg Wittmer's arbitration group in Geneva. She specialises in international arbitration relating to, among other things, construction and engineering contracts, corporate affairs, energy, joint ventures, sales (building materials, metals, specialised equipment). She has represented parties before Swiss courts in arbitration-related court proceedings, namely challenges of arbitral awards before the Swiss Supreme court or the Geneva Court of Justice. She has advised companies when negotiating agreements governed by Swiss law and acted as legal expert in the context of arbitration proceedings. Ms. Schlaepfer serves as arbitrator in various proceedings. She is a member of the arbitration committee of the Geneva Chamber of Commerce that administers arbitration proceedings governed by the Swiss Rules of International Arbitration. She is a lecturer on international Arbitration at the University of Paris XII.

Simon Weber is an Associate at Quinn Emanuel Urquhart & Sullivan Schweiz GmbH; Visiting Lecturer at King's College London; and Former Research Assistant to J. Martin Hunter †. He advises clients primarily in the area of complex international arbitration (commercial and investment). Simon has experience in proceedings under the ICSID, UNCITRAL, ICC and LCIA Arbitration Rules, as well as in Energy Charter Treaty proceedings.

Heike Wollgast is the Head of IP Disputes Section at the WIPO Arbitration and Mediation Center. Heike, a national of Germany, holds a Ph.D. in European Community Law from the University of Cologne.

She was a research fellow at the Institute for International Law in Cologne and practiced in the Berlin office of the law firm Luther in the areas of trade and intellectual property law. Before joining the Arbitration and Mediation Center, Heike specialized in legal and policy aspects of intellectual property enforcement at WIPO's Building Respect for IP Division.

Friven Yeoh is a Partner of the Hong Kong office of Sidley Austin and a co-leader of the firm's International Arbitration group. Friven has extensive experience in the resolution of complex disputes and has represented clients in international arbitrations in Asia, Europe and the US conducted under various institutional and ad hoc arbitration rules including those of the ICSID, HKIAC, ICC, SIAC, CIETAC, SCC, JCAA, UNCITRAL and CAS. He also serves as arbitrator in various international arbitrations, and is a member of the HKIAC Proceedings Committee. Friven writes and speaks frequently on topics relating to international arbitration and dispute resolution in Asia, and is a member of the Advisory Board of the Journal of International Arbitration.

Tony Yin is the Senior Counsel of the Beijing Arbitration Commission/Beijing International Arbitration Center.

ABOUT THE EDITORS

Professor Loukas Mistelis, LLB, MLE, FCIArb, is an acknowledged authority on international dispute resolution and investment treaty law. In 2006 he was listed as one of the “leading lights in international arbitration”, 45 under 45, amongst the top 15 highlighted members of the list, is listed on the Who’s Who Commercial Arbitration since 2007 and also a member of the ICSID Panel of Arbitrators as well as the recipient of the GAR Award for best arbitration lecture of 2013. He is also listed as one of the *Thought Leaders in International Arbitration*.

Loukas Mistelis is the Clive M Schmitthoff Professor of Transnational Commercial Law and Arbitration and the Director of the School of International Arbitration at the Centre for Commercial Law Studies, Queen Mary University of London. He joined Queen Mary University of London in 1998 and became a professor in 2005. He was also Visiting Professor, NYU in London (2006-2012), a Visiting Professor at Pepperdine University London program (2008-2011); he is Distinguished Visiting Professor, National University of Singapore (2013); he was Visiting Scholar at Columbia University Law School (spring semester 2007), Visiting Fellow at NYU Law School (2012), Visiting Professor at Keio University, Tokyo (2008), LUISS, Rome (2009) and Catholic University of Portugal, Lisbon (2007, 2009). He is coordinating the LLM specialisation in Comparative and International Dispute Resolution. He teaches at the LLM programs in London and Paris and is the coordinator of the courses in International Arbitration Law and Practice II, Investment Treaty Arbitration and Investment Arbitration: Substantive Protection and also teaches on the International Commercial Law and International Energy Transactions courses. In Paris Loukas Mistelis teaches International Investment Dispute Settlement, Regulation and Infrastructure of International Arbitration and Applicable Law and Procedures in International Arbitration. Loukas Mistelis has also developed directs our Diploma in International Arbitration by Distance Learning, the Diploma in International Mediation (ADR) by Distance Learning and the Diploma in International Arbitration, which is offered by CCLS with accreditation from the Chartered Institute of Arbitrators.

Professor Mistelis was the Secretary of the CISG-AC (Advisory Council of the Convention on Contract for the International Sale of Goods) from 2001 to the end of 2007. He is a member of the Academic Committee of the Institute of Transnational Arbitration, an academic member of the Investment Treaty Forum, British Institute of International and Comparative Law and a member of the Advisory

Board of the EFILA (European Federation of Investment Law and Arbitration) and a member of the Academic Committee of AIPN, Chair of Academic Committee of the Civil Mediation Council and President of the Court of CEDRAC (Cyprus Eurasia Dispute Resolution & Arbitration Centre).

Professor Mistelis was educated in Greece (LLB Hons Athens 1991); France (Certificate in International & Comparative Human Rights, IIHR, Strasbourg, 1990); Germany (MLE, 1992, Law School, Hanover, Germany, 1998); and Japan (Certificate in Japanese international trade law, Law School, Keio University, Tokyo, 1998). He has been a member of the Athens Bar since 1993. He is fluent in English, German and Greek, and has good knowledge of French, and basic knowledge of Polish, Russian and Spanish. Member of Chartered Institute of Arbitrators (CIArb) since 2001, became Fellow of the CIArb (FCIArb) in December 2016.

Laurence Shore became a Partner at BonelliErede in September 2017 and is the Co-head of the firm's international arbitration practice group. He is resident in the Milan office. Previously, Laurence practiced law in New York and London, where he was a partner at Herbert Smith (1999–2008, 2013–2017) and Gibson Dunn (2008–2013). Laurence has been the lead advocate in a large number of arbitration cases under, for example, the ICC, LCIA, ICDR, AAA, UNCITRAL, Cairo Regional Centre, and Swiss Rules. Laurence also has been called as an arbitrator on more than 25, ICC, ICDR and other arbitrations.

He has experience serving as co-arbitrator, tribunal chair and sole arbitrator in the following arbitral seats: New York, Connecticut, London, Geneva, Paris, The Hague, Montreal, Cairo, Tel Aviv and Cyprus. In addition to his work as an arbitration practitioner, Laurence has tried cases in the United States courts and in England's High Court. His publications include "You Can Bet the Company but Not the State: The Proper and Improper Conduct of Sovereigns in Arbitration," *World Arbitration and Mediation Review* (2009 Vol. 3, Nos. 4-5); "Arbitration, Rhetoric, Proof: The Unity of International Arbitration across Cultures," in *Contemporary Issues in International Arbitration and Mediation: The Fordham Papers* (2009), Ed. A.W. Rovine (Martinus Nijhoff Publishers, 2010).

John Ribeiro Ribeiro is Senior Legal Counsel at INPEX Corporation, specialising in dispute resolution and international commercial arbitration with experience of advising clients in arbitration under the ICC, LCIA, JCAA, AAA and UNCITRAL Rules. He holds a PhD in international commercial arbitration and has a particular focus on the pharmaceuticals sector, as well as advising Japanese business conglomerates and technology companies. John has been with the Tokyo office for over five years and recently completed a two-year secondment with the dispute resolution team in our London office. In addition to his dispute resolution specialism, John has spent time on secondment to the legal department of a major Japanese entertainment company, advising on general corporate matters. He has published in both English and Japanese on international commercial arbitration, international trade and international IP infringement. He is a founding member of the Young Japan Association of Arbitrators, and an editor of the *World Arbitration Reporter*, *Japanese Yearbook of International Law* and *Doing Business in Japan*.

John holds a Bachelor of Laws with First Class Honour from Queen Mary University of London and a PhD on procedure in international commercial arbitration at Osaka University. He is fluent in Japanese and is admitted to practise in England and Wales.

Dr. Stavros Brekoulakis is a Professor and the Director of the School of International Arbitration at Queen Mary University of London and an associate member of 3 Verulam Buildings (Gray's Inn). He teaches courses in International Commercial Arbitration, International Construction Contracts and Arbitration, International Investment Arbitration, International Commercial Litigation and Conflict of Laws, International Commercial Law. His academic work includes the leading publications on *Third Parties in International Arbitration*, *Arbitrability*, the *ICCA-Queen Mary Report on Third Party Funding* and numerous publications in leading legal journals and reviews. He is currently working on a book on *Policies, including Public Policy in English Arbitration Law* (OUP forthcoming). He is a member of the Steering Committee of the UNCITRAL Academic Forum on ISDS, the ICC Commission on Arbitration, an assistant Rapporteur in the International Law Association Committee on International Commercial Arbitration, the General Editor of the Journal of International Dispute Settlement, the Editor-in-Chief of the (CIArb's) International Journal of Arbitration, Mediation and Dispute Management and Co-editor of the Kluwer's International Arbitration Law Library series.

Brekoulakis is regularly listed in the *Who's Who Legal: Arbitration*, described as “standing out as a first-rate arbitrator and academic; an expert in construction and commercial disputes and is regularly engaged in matters arising out of major infrastructure projects around the world”. He was also listed in the *Who's Who Future Leaders: Arbitration 2017* as one of the ten most highly regarded future leaders, described as “very thorough and professional” and “held in the highest regard”, named as a GAR *Thought Leader—Arbitration 2018 and 2019*, and nominated for GAR “Best Prepared and Most Responsive Arbitrator” in 2016. He has been appointed in more than 30 arbitrations, as chairman, sole arbitrator, co-arbitrator and emergency arbitrator under the rules of the ICC, LCIA, SCC, DIA, CAS and *UNCITRAL Arbitration Rules*.

He holds an LLB degree from the National University of Athens, an LLM degree in International Business Law from King's College London and a PhD degree in Arbitration and Conflict of Laws from Queen Mary University of London (QMUL).