

## Contributors

**Karl-Heinz Böckstiegel** has practiced as an independent arbitrator for thirty years, counseling clients and acting as mediator, arbitrator and president of the arbitration tribunal in many national and international arbitrations of, among others, the ICC, ICSID, LCIA, CAFTA, NAFTA, ECT, DIS, SCC, the AAA and UNCITRAL, as well as between states.

Mr. Böckstiegel was the chairman of the board of the German Institution of Arbitration (DIS) from 1996 to 2012, and is now the honorary chairman. In his early career, he was a partner at a law firm in Düsseldorf. Since 1975, he has held the chair for international business law and was director of the Institute of Air and Space Law. He is professor emeritus of the law faculty of the University of Cologne. He has lectured in Argentina, Australia, Brazil, Canada, China, France, Japan, Lebanon, the Netherlands, Switzerland, the UK and the US.

Other notable past positions include: president of the International Law Association (ILA) (2004-2006); president of the German Association for International Law (1993-2006); patron of the Chartered Institute of Arbitrators (CI Arb) (2008-2010); president of the London Court of International Arbitration (LCIA) (1993-1997); panel chairman of the United Nations Compensation Commission (1994-1996); president of the Iran-United States Claims Tribunal at The Hague (1984-1988); and chair, 'Arbitration of the Century', IBA conference in Amsterdam, 2000.

**Natalia Georgievna Doronina** is a deputy chief at the Institute of Legislation and Comparative Legal Studies within the Government of Russian Federation. She is a Doctor of Law and Honourable jurist of the Russian Federation and speaks English, Italian, French and Spanish in addition to her native Russian. She has published extensively on many aspects of international and commercial law.

**Ahmed Sadek El-Kosheri** is senior partner of Kosheri, Rashed and Riad, a law firm in Cairo, Egypt.

He has participated in around 100 arbitration cases over the last four decades, including Aminoil's case against Kuwait, SPP Middle East/Egypt, Taba's case against Israel, the sovereignty over the Islands and the delimitation of the maritime boundary

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between Eritrea and Yemen; former judge ad hoc at the ICJ (1992-2003); former professor of law and president of Senghor University at Alexandria (1997-2003); member of the UN Redesign Panel for the Reform of the internal judicial system (2006); Vice President of the ICC International Court of Arbitration (1998-2009); member of the International Law Institute (since 1987); member of the World Bank's Presidential list of ICSID Arbitrators (until 15 September 2011); Chairman of the steering committee of the Cairo Regional Centre for International Commercial Arbitration (since 2009). He is also a judge at the World Bank Administrative Tribunal (since January 2010). He is the winner of the GAR live achievement Award, (February 2014). A Festschrift in his honour was published by Kluwer containing forty-six contributions (March 2016).

**Francisco Grob** is Legal Counsel on one of the Case Management Teams at ICSID. He joined ICSID in April 2015 and has since served as Secretary of Tribunals in arbitrations under the ICSID Convention, the Additional Facility Rules and the UNCITRAL Rules, as well as Secretary of ad hoc Committees in annulment proceedings.

Prior to joining ICSID, he worked for the law firms Herbert Smith Freehills in London, UK (2014-2015) and Baker & McKenzie in Santiago, Chile (2010-2013).

Mr. Grob holds degrees from Columbia University (LL.M.) and University of Chile (LL.B.). He is admitted to practice law in Chile and in the State of New York.

**R. Jade Harry** holds a Bachelor's degree from Tulane University and a Master's degree from the London School of Economics. She received a JD from Cornell Law School, where she served as the Senior Articles Editor for *Cornell International Law Journal* and published a Note about the Senkaku-Diaoyu territorial dispute. In 2014, she interned at the ICC International Court of Arbitration in Paris. Jade is currently an associate at White & Case in New York.

Jade Harry's contribution is included in this publication after having won a writing competition for younger lawyers.

**Kaj Hobér** is Professor of International Trade and Investment Law at Uppsala University. Previously, he was Professor of East European Commercial Law at the University of Uppsala from 1997 to 2009 and Professor of International Law at the Centre for Energy, Petroleum and Mineral Law and Policy (CEPMLP), University of Dundee in 2010.

Previously with White & Case and Mannheimer Swartling, he has been involved in numerous oil and gas arbitrations, relating primarily to Northern Africa, the Middle East and the former Soviet Union. Prof. Hobér has acted as counsel and arbitrator, including chairmanships in more than 400 international arbitrations, including representation of the claimant in the first ECT award, and is participating in numerous ongoing investment arbitrations.

He is past chair of the IBA sub-committee on Investment Treaty Arbitration and the author and editor of several books on international arbitration as well as numerous articles on international arbitration, Russian, Soviet and East European law and international investment and trade law. Kaj Hobér was a member of the Board of the

Arbitration Institute of the Stockholm Chamber of Commerce from 1992 to 2009 and is the chairman of the same Board since 2015.

**Anna Joubin-Bret**, Based on her considerable experience in international investment law, Anna Joubin-Bret has developed a practice of international arbitration, mediation and conciliation in disputes involving sovereign States and State entities parties. She acts as counsel, arbitrator and mediator in numerous investor-State disputes.

A former Senior Legal Adviser of the United Nations Conference on Trade and Development (UNCTAD), she has authored seminal research and publications on international investment law and teaches in universities and diplomatic training institutes all over the world. She holds a post-graduate degree (DEA) in private international law from University Paris I – Panthéon Sorbonne. She graduated in international business law from University Paris I and also has a degree in Political Science from Institut d’Etudes Politiques (Lyon II).

**Meg Kinnear** is currently the Secretary-General of the International Centre for Settlement of Investment Disputes (ICSID) at the World Bank. She was formerly the Senior General Counsel and Director General of the Trade Law Bureau of Canada, where she was responsible for the conduct of all international investment and trade litigation involving Canada, and participated in the negotiation of bilateral investment agreements. In November 2002, Ms. Kinnear was also named Chair of the Negotiating Group on Dispute Settlement for the Free Trade of the Americas Agreement.

From October 1996 to April 1999, Ms. Kinnear was Executive Assistant to the Deputy Minister of Justice of Canada. Prior to this, Ms. Kinnear was Counsel at the Civil Litigation Section of the Canadian Department of Justice (from June 1984 to October 1996) where she appeared before federal and provincial courts as well as domestic arbitration panels.

Ms. Kinnear was called to the Bar of Ontario in 1984 and the Bar of the District of Columbia in 1982. She received a Bachelor of Arts (B.A.) from Queen’s University in 1978; a Bachelor of Laws (LL.B.) from McGill University in 1981; and a Master of Laws (LL.M.) from the University of Virginia in 1982.

**Sabine Konrad** focuses her practice on international dispute resolution, with an emphasis on commercial international arbitration and public international law. She advises investors and governments in matters of investment protection. Sabine has experience representing clients in a broad range of industries, including energy and infrastructure. She has represented clients in cases across Europe, the Middle East, Africa, Latin America and Asia. In addition, she acts as arbitrator in investment treaty arbitration and international commercial arbitration cases.

In 2007 and again in 2013, Sabine was designated by the government of the Federal Republic of Germany to the Panel of Arbitrators of the World Bank’s International Centre for Settlement of Investment Disputes (ICSID). She is a member of the roster of arbitrators of the International Development Law Organization (IDLO), the list of practitioners of the Vienna International Arbitral Centre (VIAC), the Panel of

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Arbitrators and the Panel of Mediators of the Kuala Lumpur Regional Centre for Arbitration (KLRCA), as well as the Panel of Arbitrators of the Singapore International Arbitration Centre (SIAC).

**Sergei N. Lebedev** received his degree of candidate of legal sciences at the Moscow Institute of International Relations in 1963. He was the Head of Private International and Civil Law Department at the same institution for more than thirty years.

Sergei N. Lebedev also acted as arbitrator in more than 600 arbitrations in Russia and abroad, and was actively involved in numerous international organizations tasked with adopting conventions and other international instruments, including UNCITRAL (since 1970), Council of Mutual Economic Assistance, International Council for Commercial Arbitration (Honoured Vice-President), Economic Commission for Europe, and the Hague Conference of Private International Law.

Sergei N. Lebedev passed away on 11 April 2016, during the work with this publication.

**Andrea J. Menaker** is a partner with White & Case and serves as counsel in complex international arbitration cases, with a focus on investment treaty arbitration. Andrea has represented both claimant investors and respondent States in arbitrations before the International Centre for Settlement of Investment Disputes (ICSID) and its Additional Facility, the International Chamber of Commerce (ICC) and other arbitral institutions, as well as in ad hoc arbitration under the Arbitration Rules of the United Nations Commission on International Trade Law (UNCITRAL).

Prior to joining White & Case, Andrea was Chief of the North American Free Trade Agreement (NAFTA) Arbitration Division for the US State Department where she was lead counsel for the United States in investor-State arbitrations under the investment chapter of the NAFTA, and participated in the drafting of investment and dispute resolution provisions in United States' bilateral investment treaties and investment chapters of free trade agreements.

Andrea is a member of the Board of the Arbitration Institute of the Stockholm Chamber of Commerce (SCC). She is also an executive council member of the American Society of International Law, and an elected member of the American Law Institute, where she is serving as an Adviser on the Restatement (Third) Conflict of Laws.

**Wendy Miles QC** is global head of international arbitration at Boies, Schiller & Flexner LLP. She acts and counsel and arbitrator in international commercial and investor state arbitration and other public international law disputes. In 2009, she was lead co-counsel for the SPLM/A in the Abyei Arbitration.

**Jan Paulsson** is a partner at Three Crowns LLP. He previously headed the global arbitration and public international law groups at a leading international law firm, which for many years under his leadership held first place in the *Global Arbitration Review* list of 100 top international arbitration practices. He has acted as advocate or arbitrator in hundreds of arbitrations in all familiar venues. Jan is the immediate past

President of the London Court of International Arbitration and the International Council for Commercial Arbitration and has served as a Vice-President of the ICC International Court of Arbitration. He holds the Michael Klein Distinguished Scholar Chair as professor of law at the University of Miami. Jan is a graduate of Harvard College, Yale Law School (where he was an editor of the *Yale Law Journal*), and the University of Paris (Sorbonne).

**David W. Rivkin** is President of the International Bar Association (IBA) and Co-Chair of Debevoise & Plimpton's International Dispute Resolution Group. Mr. Rivkin is consistently ranked as one of the top international dispute resolution practitioners in the world. He has handled international arbitrations throughout the world and before virtually every major arbitration institution. Subjects of these arbitrations have included long-term energy concessions, investment treaties, joint venture agreements, insurance coverage, construction contracts, distribution agreements, and intellectual property, among others and they have involved common law, civil law, Islamic law, and other systems. Mr. Rivkin also represents companies in transnational litigation in the US, including the enforcement of arbitral awards and arbitration agreements. He is the first American to serve as IBA President in twenty-five years. Mr. Rivkin has served in leadership roles in international arbitration institutions around the world; currently, he is Vice Chair of the Arbitration Institute of the Stockholm Chamber of Commerce (SCC) and a Board member of institutions in Australia and Mumbai. In 2012, the American Lawyer's *Am Law Litigation Daily* named Mr. Rivkin one of two 'Global Lawyers of the Year'. In 2011, the *National Law Journal* named him one of the country's 'Most Influential Attorneys'. Mr. Rivkin is a member of the Council on Foreign Relations, the Council of the American Law Institute, the US Secretary of State's Advisory Committee on Private International Law and the Sanctions Subcommittee of the Department of State's Advisory Committee on International Economic Policy (ACIEP). He is also a Trustee of the Magna Carta Trust and serves as a member of the Board of British American Business.

**Stephen M. Schwebel** has been involved in international arbitration since 1954. He was a member or president of six inter-State arbitrations and some sixty investor/State and commercial arbitrations. He served as a judge of the International Court of Justice 1981-2000 and as Court president 1997-2000. He is the author of *International Arbitration: Three Salient Problems* and a number of articles in the field.

**Johan Sidklev** is a partner with Roschier and heads the firm's Dispute Resolution practice in Sweden. Johan is specialized in commercial dispute resolution and has extensive experience from international arbitration, often concerning energy-related disputes with an East-West angle. He has acted as counsel in a vast number of international arbitrations in Stockholm, London and Paris involving oil, gas, construction and distribution matters. In the area of investment arbitration, Johan has experience from arbitrator's appointments as well as advising both private investors and various governments as counsel, with a specific focus on matters concerning the Energy Charter Treaty.

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**Robert G. Volterra** has been recognized for many years in the global legal directories as one of the world's top public international law practitioners. He advises and represents governments, international organizations and private clients on a wide range of contentious and non-contentious public international law and international dispute resolution issues, including international boundaries, sovereign immunities, the Law of the Sea, transboundary resources and bilateral investment treaties. He regularly acts as co-agent, counsel and advocate before the International Court of Justice and ad hoc international arbitration tribunals, including under the Permanent Court of Arbitration, ICSID, ICC, SCC, LCIA, UNCITRAL, WTO and UNCLOS rules. He is a Visiting Professor of International Law at University College London (UCL) and a Visiting Senior Lecturer at King's College London.