

Evolution not Revolution:

CIArb's work on ISDS reform at UNCITRAL WG III



CIArb
evolving to resolve

Wednesday
13 February 2019
17:45 – 20:00

Pinsent Masons LLP
30 Crown Place
Earl Street
London EC2A 4ES



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This event brings together a broad spectrum of viewpoints on ISDS reform to launch and discuss CIArb's ISDS reform discussion papers, with representatives from academia, investors, practitioners and policy makers.

Programme

- 5.45pm** Registration, tea and coffee
- 6.25pm** Introduction by Lewis Johnston (CIArb Head of Policy, Public Affairs and Research)
- 6.30pm** Discussion paper summary by Mercy McBrayer MCIArb (CIArb Research and Academic Affairs Coordinator)
- Panel discussion chaired by Paul Tichauer FCIArb, followed by Q&A
- 8.00pm** Closing remarks from Lewis Johnston
- End of meeting followed by a drinks reception
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Speakers Bios



Dr. Paul Tichauer FCIArb

Founding Chair of the Canada Branch of the Chartered Institute of Arbitrators in 2017, Dr. Paul Tichauer is a member of the Standing Committee of the ICC International Center for ADR in Paris and an active independent arbitrator. Recent appointments include serving as Sole Arbitrator for the ICC and as Public Arbitrator for FINRA – the Financial Regulatory Authority in the USA. In addition, in 2018 Dr. Tichauer was appointed as the Chartered Institute of Arbitrators' representative at UNCITRAL Working Group II on the Settlement of Commercial Disputes and at UNCITRAL Working Group III on Investor-State Dispute Settlement reform. He has also served as tutor and assessor at the CIArb's Advanced Route to Fellowship courses in Vancouver, Toronto and New York.

A Rhodes Scholar, Dr. Tichauer received a BEng (Metallurgy) from McGill University, an MA (Philosophy, Politics and Economics) from Oxford University and a PhD (Metallurgy) from MIT. In addition to serving as an arbitrator, Dr. Tichauer has been a successful CEO and COO for over 25 years and now has an active practice mentoring senior executives from a wide range of international businesses and professional firms. Canadian by birth and German by heritage, Dr. Tichauer resides in Toronto. More details can be found at www.ceoarbitration.com and www.tichauer.com.

Wolf Von Kumberg FCIArb



Wolf von Kumberg has over 30 years of international legal and business experience. He holds degrees from Canadian and European Universities. Having served as Legal Director and Assistant General counsel to Northrop Grumman Corporation and before that to Litton Industries Inc., he has unique knowledge related to the Aerospace, Security and High Tech Industries. His practise involved most regions of the World and included, commercial, government and state entities. He is now applying this accumulated knowledge to the field of global compliance, security, commercial conflict avoidance and resolution.

Wolf is a certified CEDR mediator and an arbitration Fellow of the Chartered Institute of Arbitrators. He has mediated numerous types of commercial disputes and has been involved in a variety of domestic and international arbitrations. He sits on the mediation panels of CEDR, AIAC, WIPO, SCCA and the AAA/ICDR. In addition, he is a member of arbitration panels at AAA/ICDR, AIAC, LCIA and the SCCA. He is a founding panellist of the Aerospace/ Security panel of the AAA and has assisted in the development of Investor State Mediation Guide for the Energy Charter Treaty Secretariat and is helping to develop the field of Investor State mediation together with ICSID, CEDR, IMI and the ECT.

Wolf has also been involved in the implementation of Dispute Boards in various regions of the World. These Boards have been used in the aerospace and technology sectors where long term commitments and relationships required conflicts to be dealt with expeditiously and cost effectively, permitting projects to be delivered. As Assistant General Counsel at Northrop, Wolf was responsible for developing a dispute management process including an ADR Policy, Guidelines and International Dispute Clauses. In addition, he was involved in its international compliance program and complex regulatory investigations. He was responsible for all international disputes including mediation, adjudication and arbitration.



Phillip Bliss Alier FCIArb, C.Arb

Phillip is a barrister called to the Bar of England and Wales, an Advocate of the High Court of Uganda, a Fellow of the Chartered Institute of Arbitrators and a Chartered Arbitrator and Accredited Mediator.

Phillip practices in the field of international arbitration and litigation from his chambers in London, Nairobi and Kampala. He is a Vice-President of the LCIA African Users' Council and on the LCIA Panel, Chartered Institute of Arbitrators President's Panel and ICSID Arbitration and Conciliation Panel designated by the Chairman of ICSID. He is accredited to UNCITRAL Working Group II and Working Group III by the Republic of Uganda.



Dr. Crina Baltag MCIArb

Dr. Crina Baltag is Senior Lecturer in Law at the University of Bedfordshire, Director of the Center for Research in Law and LLM Course Coordinator at the same University. Crina also teaches the LLM courses on Alternative Dispute Resolution at Queen Mary University of London and she is a Visiting Fellow of the Institute of Advanced Legal Studies, University of London. She regularly sits as arbitrator in international commercial arbitration cases and acting as counsel and expert in investment arbitration cases.

Crina is member of the Academic Council of the Institute for Transnational Arbitration (ITA), The Center for American and International Law (CAIL), and the Thought Leadership Chair of Young ITA. Crina is member of the ISDS Academic Forum, Geneva Center for International Dispute Settlement. Crina received her PhD from the School of International Arbitration, Queen Mary University of London and holds an LL.M. in International Commercial Arbitration Law from Stockholm University and an M.Sc. in International Business from the Academy of Economic Studies, Romania.

She is the acting Editor of the Kluwer Arbitration Blog and she regularly publishes on international commercial and investment arbitration. Her publications include the books: 'ICSID Convention after 50 Years: Unsettled Issues' (ed.), and 'The Energy Charter Treaty: The Notion of Investor', both with Wolters Kluwer.



V.V. Veeder QC FCIArb

Arbitrator (practising from Essex Court Chambers, London); ICCA Governing Board Member; Visiting Professor on Investment Arbitration, Dickson School of Law, King's College, London University; Fellow of the Chartered Institute of Arbitrators; Judicial Member of FIA Disputes Board and member of the FIA Formula One Contract Recognition Board; former Vice-President of the LCIA and Chairman of the LCIA Board; former President of the Milan Club of Arbitrators; former Chairman of ARIAS (AIDA); former Council Member of the ICC Institute of World Business Law; former board member of the Arbitration Institute of the Stockholm Chamber of Commerce; former United Kingdom Government Delegate and Adviser to the UNCITRAL Working Group on Arbitration; Former Editor and General Editor of "Arbitration International" 1985-2005; Assistant Recorder and Recorder 1986-2005; Deputy High Court Judge 1999-2008. Veeder was educated in Paris, Bristol and Jesus College, Cambridge.



Jean-François Le Gal FCIArb

Jean-François acts as counsel and advocate in English and French in international arbitration proceedings which often have a link with the Middle East & Africa.

He also sits as an arbitrator and has acted as Chairman of an Arbitral Tribunal, Sole Arbitrator, and Co-Arbitrator. He is registered with the List of Arbitrators of ICC France, the LCIA, the CRCICA, the DIAC and the ADCCAC. He is also a Fellow of the Chartered Institute of Arbitrators.

He is triple-qualified as a Barrister (England & Wales), an Avocat au Barreau de Paris, and a Registered Legal Practitioner with full rights of audience at the Dubai International Financial Centre Courts (DIFC Courts, Dubai).

Mercy McBrayer MCI Arb



Mercy McBrayer MCI Arb, is CI Arb's Research and Academic Affairs Coordinator and author of the discussion papers. Mercy is a United States qualified attorney with experience as party counsel in commercial business litigation and arbitration. She holds a an LLM with Distinction in comparative and international dispute resolution from Queen Mary University of London, a JD from Southern Methodist University, and an MSc in environmental biology from the University of North Texas. Mercy trained in international commercial arbitration with Al Tamimi and Co. in Dubai, UAE, and was an associate attorney with Blume, Faulkner, and Skeen, a boutique disputes firm in Dallas, Texas, before joining the CI Arb executive in 2018. Mercy is a CI Arb delegate to UNCITRAL Working Groups II and III.

She is an assistant editor of the CI Arb Journal and is active in the Willem C. Vis Moot as an arbitrator, coach, and as advisor. She is a certified mediator and is training with CEDR as a consumer disputes adjudicator. Mercy is a US citizen but considers her hometown to be Nairobi, Kenya.

Lewis Johnston



As Head of Policy, Public Affairs and Research, Lewis is responsible for leading CI Arb's engagement and influencing strategies and establishing the Institute as the voice of conflict avoidance and dispute resolution worldwide.

Lewis has a wealth of experience of political influencing and policy development. He previously worked at the Royal Institution of Chartered Surveyors as Parliamentary Affairs Manager, where he led a range of high-impact policy campaigns, developed relationships across the built environment sectors and increased the profile of issues with key policymakers. A graduate of both Durham and Bristol Universities, Lewis's other experience includes a period at KPMG and working as Campaign Coordinator for a leading Government Minister.

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