

**Symposium**  
**Salient Issues in International Commercial**  
**Arbitration**

**ARBITRATION IN TIMES**  
**OF ECONOMIC NATIONALISM**

**November 14, 2019**

**Room NT01**

**American University Washington College of Law -**  
**4300 Nebraska Ave. N.W., Washington, DC**

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## PROGRAM

8:30 A.M. – 9:00 A.M.      **Registration**

9:00 A.M. – 9:15 A.M.      **Opening Remarks and Symposium Introduction**

**Horacio A. Grigera Naón**

*Director, Center on International Commercial Arbitration,  
American University Washington College of Law,  
Washington D.C.*

9:15 A.M. – 10:30 A.M.      **Panel I  
Public Policy Considerations in International Arbitration**

**Panel Chair:**                      **Jingzhou Tao**, *Managing Partner, Dechert LLP, Beijing*

**Panelists:**                      **Claudia Frutos-Peterson**, *Managing Partner, Curtis, Mallet-Prevost Colt & Mosle LLP, Washington D.C.:* ***Public Policy Challenges in International Arbitration Practice.***

**Klaus Rilke**, *Attorney, Salusse, Marangoni, Parente e Jabur Advogados, Sao Paulo:* ***Latet anguis in herba? The hidden danger in the public policy exception for the enforcement of foreign arbitration awards.***

**Kazim Sedat Sirmen**, *Associate Professor, Ankara University Faculty of Law Ankara, Turkey and BAU University, Washington, D.C.:* ***The Public Policy Factor and its Perception in European and Turkish Courts in the Recognition and Enforcement of the Foreign Arbitral Awards in International Commercial Arbitration.***

**Abhisar Vidyarthi & Sikander Hyaa**, *Maharashtra National Law University, Mumbai:* ***Moving Towards a Common Definition of Public Policy.***

10:30 A.M. – 10:40 A.M.      **Break**

**10:40 A.M. – 12:00 P.M. Panel II**  
**Arbitration: a Policy Trends Regarding International Commercial**  
**Global Comparison**

**Panel Chair:** **Jane Y. Willems**, *Associate Professor, Tsinghua University School of Law, Beijing.*

**Panelists:** **Gordon Blanke**, Partner, DWF, LLP and  
**Faris Nasrallah**, Attorney, **Dubai, UAE: The Future of Arbitration in Dubai and the Middle East.**

**Rafael Carlos del Rosal Carmona**, *Director, International Centre for Dispute Resolution (ICDR), New York:*  
**International Arbitration in Mainland China: Between “Open for Business” and the Wish for Control.**

**Dan Xie**, *PhD Candidate, University of New South Wales (UNSW), Australia:* **Do International Commercial Courts Compete with Arbitration? The Example of the China International Commercial Court.**

**Maciej Zenkiewicz**, *Professor, Department of Economic Law, Externado University, Bogota, Colombia:* **How International is the International Commercial Court of China: Judicial Activism and International Initiative in Chinese Court.**

**12:00 P.M. –1:00 P.M. Lunch (Warren Terrace Lobby)**

**1:00 P.M. – 2:10 P.M. Panel III**  
**Arbitration Trends in the Regulation of International Commercial**

**Panel Chair:** **Tarek Rchaid**, *Special legal Consultant, UAE Law, Washington D.C.*

**Panelists:** **Björn Arp**, *Adjunct Professor, American University Washington College of Law, Washington D.C.: **International Dispute Resolution: From Crisis to Modernization.***

**Alex Kamath**, *Harvard Law School, Massachusetts: **Recent Trends and Challenges in Public Private Partnerships Dispute Resolution in Latin America.***

**Karen Seif**, *Doctor of Juridical Science Candidate, University of California, Berkeley: **International Arbitration in Dubai Courts: Let the Data Speak for Itself.***

**2:10 P.M. – 2:20 P.M.** **Break**

**2:20 P.M. – 3:40 P.M.** **Panel IV**  
**Procedural Innovations to Make Investment Arbitration Sustainable for the Future**

**Panel Chair:** **Arif H. Ali**, *Partner, Dechert LLP, Washington D.C.*  
**Panelists:** **Pablo Pérez-Salido**, *Attorney, Washington, D.C.: **Access to Justice in International Arbitration in Times of Economic Nationalism.***

**Ankita Ritwik**, *Associate, Gibson, Dunn & Crutcher LLP, Washington, D.C.: **A Levee Against Rising Tides: How Investor-State Arbitration Can Rein in Economic Nationalism.***

**Gunjan Sharma**, *Attorney, Volterra Fierri, London: **Procedural Innovations in Investment Treaty Arbitration in Times of Economic Nationalism.***

**Zsófia Young**, *Associate, Lalive LLP, London: **Seeming Causality between the Attack on Investment Arbitration and the Rise of Resource Nationalism.***

**3:40 P.M. – 4:00 P.M.** **Break**

4:00 P.M. – 5:20 P.M.

**Panel V**

**Regional Trends in International Investment Arbitration:  
Fragmentation vs. a Global Approach of the Challenges**

**Ahead**

**Panel Chair:**

**Nigel Blackaby**, *Partner, Freshfields Bruckhaus Deringer  
LLP, Washington D.C.*

**Panelists:**

**Juan Miguel Álvarez**, *Attorney, Chemas Roldán &  
Associates,  
Bogotá: **The USMCA Revisited: The Beginning of the End  
for Investor-State Dispute Settlement (ISDS) Between  
Developed Countries... And Developing as Well?***

**Guillaume Aréou**, *Associate, Reed Smith, Paris: **The  
African States' Diverging Policies towards International  
Arbitration.***

**David A. Gantz**, *Samuel M. Fegtly Professor of Law  
Emeritus, University of Arizona, Arizona: **Canada's  
Approach to Investor State Dispute Settlement: Will the  
CETA, USMCA or CPTPP Model Prevail?***

**Jacek Zralek**, *Associate Professor, University of Silesia,  
Katowice:  
**The Impact of Economic Nationalism on International  
Arbitration – A Central European Perspective.***

5:20 P. M. – 5:30 P.M.

**Closing remarks**

**Horacio A. Grigera Naón**

*Director, Center on International Commercial Arbitration,  
American University Washington College of Law,  
Washington D.C.*