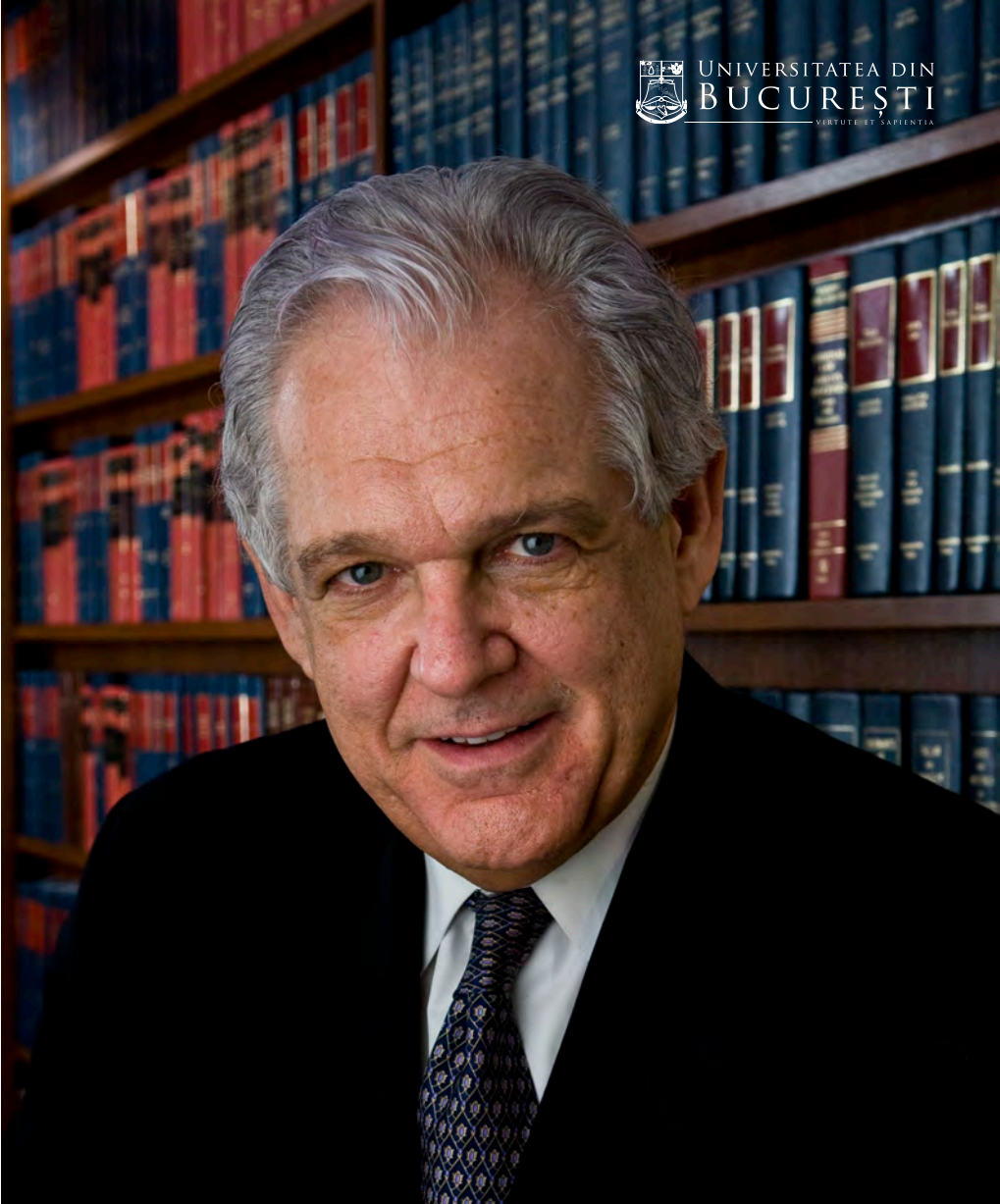




UNIVERSITATEA DIN
BUCUREȘTI
— VIRTUTIBUS SAPIENTIA —

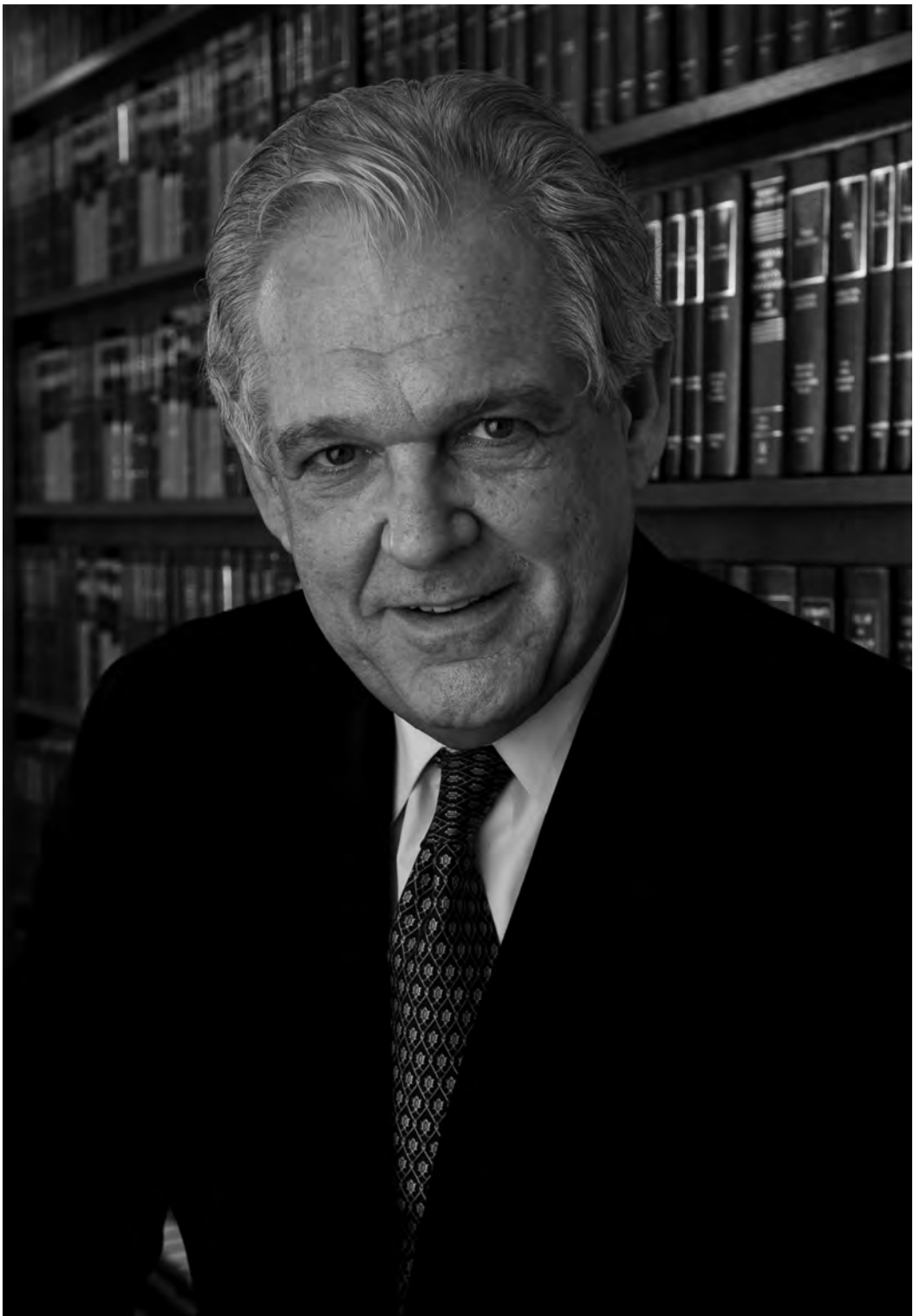


UNIVERSITATEA DIN BUCUREȘTI
GEORGE A. BERMANN

Doctor Honoris Causa

GEORGE A. BERMANN
DOCTOR HONORIS CAUSA





In the world of international arbitration in particular, working side-by-side with academic institutions, such as yours, are the many international arbitral institutions under whose auspices the vast majority of arbitral proceedings are conducted. That is certainly the case with the University of Bucharest and the Court of International Commercial Arbitration attached to the Chamber of Commerce and Industry of Romania. I have the impression that these two institutions work very much in concert, thanks to the fact that persons such as Professor Ștefan Deaconu are at the helm of both, as evidenced by the Bucharest Arbitration Days, in which I had the honor of giving a keynote address in 2023.

George A. Bermann



Laudatio | George A. Bermann

VIVAT, CRESCAT, FLOREAT !

Stimate domnule profesor George A. Bermann
Stimate Domnule Rector,
Stimate Domnule Președinte al Senatului Universității din București,
Domnule Decan,
Distinși invitați,
Doamnelor și domnilor,

Senatul Universității din București omagiază astăzi una dintre personalitățile marcante ale vieții juridice americane și nu numai, conferind titlul de *Doctor Honoris Causa* unui om cu o activitate științifică, universitară și practică remarcabile, domnului profesor George A. Bermann de la Columbia Law School din Statele Unite ale Americii.

Este un privilegiu să onorăm astăzi o astfel de personalitate, ținând cont de faptul că profesorul universitar George A. Bermann reprezintă un etalon de valoare autentică în ceea ce privește cariera universitară și activitatea științifică. Domnul profesor a obținut rezultate remarcabile în domeniul său de activitate pe parcursul celor aproape 50 de ani de când desfășoară activitatea universitară dedicată în mod special dreptului comparat și arbitrajului comercial internațional.

George A. Bermann este o personalitate de referință în dreptul comparat, dreptul Uniunii Europene și în arbitrajul comercial internațional. Este profesor de drept la Columbia Law School din New York și arbitru internațional cu înaltă experiență în arbitrajul comercial și cel investițional. În această calitate, a condus arbitraje internaționale din toate sectoarele, inclusiv contracte comerciale generale, construcții, proprietate intelectuală, energie, petrol și gaze, în mod regulat, din anii 1980, în fața tuturor instituțiilor de arbitraj internațional de prim rang. Așa cum se arată în cartea “Reflections on International Arbitration – Essays in Honour of Professor George Bermann”, publicată de Juris în 2022 cu ocazia celei de-a

75-a aniversării a sa, George Bermann a jucat un rol pivot, fundamental în dezvoltarea arbitrajului internațional.

Recunoașterea prestigiului și a vastei sale experiențe s-a concretizat și prin alegerea lui ca președinte al Academiei Internaționale de Drept Comparat (AIDC), post pe care l-a ocupat între 2006–2014, secretar general fiind regretatul profesor Jürgen Basedow, fost director al Institutului Max Planck pentru drept comparat și drept internațional privat.

Profesorul Bermann este absolvent al Facultății de Drept a Universității Yale din SUA (1971) și formator a numeroase generații de studenți la Columbia Law School.

Recunoașterea sa internațională s-a concretizat, printre altele, în acordarea titlului de *Doctor Honoris Causa* de către prestigioase universități din întreaga lume, cum ar fi: Universitatea din Fribourg, Elveția (2004); Université de Versailles-St. Quentin, Franța (2011); Universidad Cesar Vallejo, Lima, Peru (2017); Universitatea Nova din Lisabona, Portugalia (2019).

Este raportor-șef al Grupului pentru „Reformarea dreptului SUA privind arbitrajul comercial internațional și de investiții“ al Institutului American de Drept (ALI), modelul mai tânărului institut european ELI (*European Law Institute*) și coautor (împreună cu Emmanuel Gaillard) al Ghidului UNCITRAL pentru Convenția de la New York.

Profesorul Bermann este profesor afiliat la Ecole de Droit, Institut des Sciences Politiques din Paris, profesor la Geneva L.L.M. în domeniul soluționării disputelor internaționale și profesor la Georgetown University Law Center. Este membru fondator al Consiliului de conducere al Curții Internaționale de Arbitraj a ICC Paris și în prezent este membru al Comitetului Permanent al Curții Internaționale de Arbitraj a ICC și al Comisiei ICC pentru Arbitraj Internațional.

El co-prezidează Consiliul Global al Centrului Internațional de Arbitraj din New York și este membru al Consiliului Asociației Americane de Arbitraj și membru al Consiliului de Administrație al Centrului pentru Prevenirea și

Rezolvarea Conflictelor. De asemenea, este membru al Chartered Institute of Arbitrators din Londra. Este co-editor-șef (împreună cu Rob Smit) al American Review of International Arbitration și membru al Consiliului editorial al Revue de l'Arbitrage.

Profesorul Bermann este autorul a numeroase cărți, articole și capitole de carte despre dreptul comparat, dreptul Uniunii Europene și arbitrajul internațional.

Pe lângă Ghidul UNCITRAL al Convenției de la New York, este autorul a numeroase cărți, printre care “Twilight Issues in International Arbitration” (Kluwer Pub, 2023), “Transnational Litigation Nutshell” (West Pub, 2022), “International Commercial Arbitration Nutshell” (West Pub, 2022), “International Arbitration and Private International Law” (Hague Academy of International Law, 2017), “Interpretation and Application of the New York Convention” (Springer Pub, 2016) și “Mandatory Rules in International Arbitration” (Juris Pub, 2011).

Printre cele mai recente articole publicate și capitole de carte ale profesorului Bermann se numără: “Access to U.S. Discovery in International Commercial and Investment Arbitration” (S. Brekoulakis et al., eds., 2024); “Reception in the United States of Emmanuel Gaillard’s Ideas on International Arbitration” (Y. Banifatemi et al., eds., 2024); “The Future of International Commercial Arbitration,” in Cambridge Companion to International Arbitration (Chin Leng Lim, ed., 2024); “In the Cross-Fire between International Arbitration and EU Law,” 2023 Paris J. Int’l Arb. 61 (2023); “Anticipatory Deference: What Will Courts Decide and not Decide before Enforcing an Agreement to Arbitrate?,” in Deference in International Commercial Arbitration 71 (in F. Ferrari & F. Rosenfeld, eds., 2023); “The UNCITRAL Model Law at the U.S. State Level,” 39 Arb. Int’l 172 (2023); “The Applicable Law in Investor-State Arbitration” (forthcoming in the Award in International Investment Arbitration (C. Titi & K. Fach, eds.)); “Res Judicata in International Arbitration,” in Cambridge Compendium of International Commercial and Investment Arbitration 1676 (A. Bjorklund et al., eds., Cambridge Univ. Press, 2023); “The International Law Profile of

the ALI 219,” in *The American Law Institute: A Centennial History* (A. Gold & R. Gordon, eds., 2023); “Twilight Issues in International Arbitration” (Kluwer Pub., 2023); American Law Institute, *Restatement of the U.S. Law of International Commercial and Investor-State Arbitration* (2022); *Transnational Litigation Nutshell* (2nd ed. West Pub., 2022); *International Commercial Arbitration Nutshell* (West Pub., 2022); “After First Options: Delegation Run Amok,” 32 *Am. Rev. Int’l Arb.* 15 (2021); “Intersections between International Investment Arbitration and EU Law” 242 (N. Lavranos & J-R Mata Dona, eds., Edward Elgar Pub., 2021); “Procedures for Enforcement of New York Convention Awards,” in *Autonomous versus Domestic Standards under the New York Convention* 55 (F. Ferrari & F. Rosenfeld, eds., 2021); “The Contribution of International Commercial to International Investment Arbitration,” in *International Investment Law: An Analysis of the Major Decisions* (H. Ruiz-Fabri & E. Stoppioni, eds., Hart Pub., 2020); “Rescuing the Federal Arbitration Act,” 20 *Ybk Priv. Int’l L.* 15 (2020); “Understanding ICSID Article 54,” 35 *ICSID L. Rev.* 311 (2020); “The Self-Styled Autonomy of International Arbitration,” 36 *Arb. Int’l* 221 (2020); “Private International Law in International Arbitration,” in *Private International Law: Contemporary Challenges and Continuing Relevance* (F. Ferrari & D. Fernandez Arroyo, eds., Edward Elgar Pub., 2020); “Costs Allocation in International Arbitration: What Normative Source if Any?,” in *Finances in International Arbitration* (S. Tung et al., eds., Wolters Kluwer Pub., 2020); “The Mitsubishi case,” in *The Building of an Arbitration-Friendly Jurisdiction in Global Private International Law* (H. Muir-Watt et al., eds., 2019); “Arbitration at a Crossroad,” 42 *Fordham Int’l L.J.* 967 (2019).

Aceste lucrări, precum și numeroasele intervenții, pline de profesionalism și umor fin, la conferințe internaționale sau în mijlocul studenților, masteranzilor și doctoranzilor, a cercetătorilor de pretutindeni, au făcut din profesorul Bermann o personalitate incontestabilă a vremurilor noastre.

Îi suntem recunoscători că a venit la București să ne încânte cu erudiția sa în aceste vaste domenii de drept, atât în 2023, la Bucharest Arbitration Days,

cât și astăzi. Dar, relațiile de afinitate cu România ale profesorului Bermann s-au manifestat cu peste un deceniu în urmă, pe timpul mandatului său de Președinte al AIDC. Academia a făcut demersuri ca prezența românească în cadrul cercetărilor acestei prestigioase instituții să fie reactivată, astfel încât, de atunci, în mod constant, cadre didactice și cercetători din întreaga țară și, în special tineri din Universitatea București, Facultatea de Drept, s-au putut afirma pe scena internațională prin rapoartele naționale pe varii domenii ale dreptului, contribuții apreciate și publicate la edituri remarcabile, sub egida AIDC.

Acordarea titlului de *Doctor Honoris Causa* profesorului George A. Bermann reprezintă o recunoaștere simbolică a meritelor sale profesionale și academice puse în slujba a numeroase generații de juriști. Ne bucurăm că Universitatea din București se înscrie astăzi printre Universitățile de prestigiu ale lumii care au prilejul de a-l primi în rândul comunității academice pe profesorul Bermann. Remarcabila sa carieră dedicată dreptului, promovării valorilor binelui și echității, precum și strălucita sa carieră universitară au determinat Senatul Universității din București să acorde înalta distincție de *Doctor Honoris Causa* profesorului George A. Bermann.

Vă felicităm, domnule profesor, pentru această distincție și vă dorim viață lungă.

Prof. univ. dr. Camelia Toader
Prof. univ. dr. Ștefan Deaconu
Facultatea de Drept, Universitatea din București

VIVAT, CRESCAT, FLOREAT!

Dear Professor George A. Bermann
Dear Rector,
Dear President of the Senate of the University of Bucharest,
Mr. Dean,
Distinguished guests,
Ladies and gentlemen,

Today, the Senate of the University of Bucharest honors one of the most prominent figures in American legal life and beyond, conferring the title of *Doctor Honoris Causa* to a person with remarkable scientific, academic, and practical achievements, Professor George A. Bermann from Columbia Law School of the United States of America.

It is a privilege to honor such a personality today, considering that Professor George A. Bermann represents a standard of authentic value in terms of his academic career and scientific activity. Professor George A. Bermann has achieved remarkable results in his field of work throughout his nearly 50 years of academic activity, he has especially dedicated himself to comparative law and international commercial arbitration.

George A. Bermann is a key figure in the fields of comparative law, European Union law, and international commercial arbitration. He is a Law professor at Columbia Law School in New York and an international arbitrator with extensive experience in commercial and investment arbitration. In this capacity, he has regularly presided over international arbitrations in all sorts of sectors, including general commercial contracts, construction, intellectual property, energy, oil, and gas, since the 1980s, before all leading international arbitration institutions. As highlighted in the book “Reflections on International Arbitration — Essays in Honour of Professor George Bermann”, published by Juris in 2022 on the occasion of his 75th anniversary, George Bermann has played a pivotal, fundamental role in the development of international arbitration.

His prestige and extensive experience were further acknowledged by his election as the President of the International Academy of Comparative Law (AIDC), a position he held from 2006 to 2014, the secretary general being the late Professor Jürgen Basedow, former director of the Max Planck Institute for Comparative and International Private Law.

Professor Bermann is a graduate of the Yale Law School in the USA (1971) and has influenced numerous generations of students at Columbia Law School.

His international recognition is evident in the conferment of the *Doctor Honoris Causa* title by prestigious universities worldwide, including the University of Fribourg, Switzerland (2004); Université de Versailles-St. Quentin, France (2011); Universidad Cesar Vallejo, Lima, Peru (2017); University Nova of Lisbon, Portugal (2019).

George Bermann received the “Jean Monnet” Award in the field of European Union Law, conferred by the European Commission.

He serves as the Chief Rapporteur of the American Law Institute’s (ALI) Group on “Restatement of the U.S. Law of International Commercial and Investment Arbitration”, the model for the younger European Institute ELI (European Law Institute), and co-author (alongside Emmanuel Gaillard) of the UNCITRAL Secretariat Guide on the New York Convention.

Professor Bermann is an affiliated Professor at the *École de Droit*, Institut des Sciences Politiques in Paris, Professor at the Geneva L.L.M. in the field of International Dispute Resolution, and Professor at Georgetown University Law Centre. Moreover, Mr. Bermann is a founding member of the Advisory Board of the International Court of Arbitration of ICC Paris and currently serves on the Permanent Court Committee of the ICC International Court of Arbitration and the ICC Commission on International Arbitration.

He co-chairs the Global Council of the International Arbitration Centre in New York and is a member of the Board of the American Arbitration Association and the Board of the Centre for Prevention and Resolution of Disputes. Additionally, he is a member of the Chartered Institute of Arbitrators in London. He is the

Chief Co-Editor (alongside Rob Smit) of the *American Review of International Arbitration* and a member of the Editorial Board of the *Revue de l'Arbitrage*.

Professor Bermann is the author of numerous books, articles, and book chapters on comparative law, European Union law, and international arbitration.

Besides the UNCITRAL Secretariat Guide on the Convention of New York, he is the author of several books, including “*Twilight Issues in International Arbitration*” (Kluwer Pub, 2023), “*Transnational Litigation Nutshell*” (West Pub, 2022), “*International Commercial Arbitration Nutshell* (West Pub, 2022)”, “*International Arbitration and Private International Law*” (Hague Academy of International Law, 2017), “*Interpretation and Application of the New York Convention*” (Springer Pub. 2016) and “*Mandatory Rules in International Arbitration*” (Juris Pub. 2011).

Among Professor Bermann’s recently published articles and book chapters are: “*Access to U.S. Discovery in International Commercial and Investment Arbitration*” (S. Brekoulakis et al., eds., forthcoming 2024); “*Reception in the United States of Emmanuel Gaillard’s Ideas on International Arbitration*” (Y. Banifatemi et al., eds., forthcoming 2024); “*The Future of International Commercial Arbitration*”, in “*Cambridge Companion to International Arbitration*” (Chin Leng Lim, ed., forthcoming 2024); “*In the Cross-Fire between International Arbitration and EU Law*”, “*2023 Paris J. Int’l Arb.*” 61 (2023); “*Anticipatory Deference: What Will Courts Decide and not Decide before Enforcing an Agreement to Arbitrate?*”, in “*Deference in International Commercial Arbitration*” 71 (in F. Ferrari & F. Rosenfeld, eds., 2023); “*The UNCITRAL Model Law at the U.S. State Level*”, “*39 Arb. Int’l*” 172 (2023); “*The Applicable Law in Investor-State Arbitration*” (forthcoming in “*The Award in International Investment Arbitration*” (C. Titi & K. Fach, eds.)); “*Res Judicata in International Arbitration*”, in “*Cambridge Compendium of International Commercial and Investment Arbitration*” 1676 (A. Bjorklund et al., eds., Cambridge Univ. Press 2023); “*The International Law Profile of the ALI 219*”, in “*The American Law Institute: A Centennial History*” (A. Gold & R. Gordon, eds., 2023); “*Twilight Issues in International Arbitration*”

(Kluwer Pub. 2023); “American Law Institute, Restatement of the U.S. Law of International Commercial and Investor-State Arbitration” (2022); “Transnational Litigation Nutshell” (2nd ed. West Pub. 2022); “International Commercial Arbitration Nutshell” (West Pub. 2022); “After First Options: Delegation Run Amok”, “32 Am. Rev. Int’l Arb.” 15 (2021); “Intersections between International Investment Arbitration and EU Law” 242 (N. Lavranos & J-R Mata Dona, eds., Edward Elgar Pub. 2021); “Procedures for Enforcement of New York Convention Awards”, in “Autonomous versus Domestic Standards under the New York Convention” 55 (F. Ferrari & F. Rosenfeld, eds., 2021); “The Contribution of International Commercial to International Investment Arbitration”, in “International Investment Law: An Analysis of the Major Decisions” (H. Ruiz-Fabri & E. Stoppioni, eds., Hart Pub. 2020); “Rescuing the Federal Arbitration Act”, “20 Ybk Priv. Int’l L.” 15 (2020); “Understanding ICSID Article 54”, “35 ICSID L. Rev.” 311 (2020); “The Self-Styled Autonomy of International Arbitration”, “36 Arb. Int’l” 221 (2020); “Private International Law in International Arbitration”, in “Private International Law: Contemporary Challenges and Continuing Relevance” (F. Ferrari & D. Fernandez Arroyo, eds. (Edward Elgar Pub. 2020); “Costs Allocation in International Arbitration: What Normative Source if Any?”, in “Finances in International Arbitration” (S. Tung et al., eds., Wolters Kluwer Pub. 2020); “The Mitsubishi case”, in “The Building of an Arbitration-Friendly Jurisdiction in Global Private International Law” (H. Muir-Watt et al., eds., 2019); “Arbitration at a Crossroad”, “42 Fordham Int’l L.J.” 967 (2019).

These works, along with numerous interventions characterized by professionalism and subtle humor, in international conferences or among students, masters, and doctoral students, and researchers worldwide, have made Professor Bermann an indisputable personality of our times.

We are grateful that Professor Bermann came to Bucharest to delight us with his erudition in these vast fields of law, both in 2023, at the “Bucharest Arbitration Days”, and also today. However, Professor Bermann’s affinity with Romania dates back over a decade, during his tenure as President of the AIDC. The Academy has made efforts for the reactivation of Romanian participation in the

research activity of this prestigious institution, allowing teachers, researchers, and especially young individuals from the University of Bucharest, Faculty of Law, to assert themselves on the international stage through appreciated and published contributions in various fields of law under the auspices of the AIDC.

The conferment of the title of *Doctor Honoris Causa* to Professor George A. Bermann represents a symbolic recognition of his professional and academic merits in the service of numerous generations of legal experts. We are pleased that the University of Bucharest joins this day, the prestigious universities of the world that welcome Professor Bermann into their academic community. His remarkable career dedicated to Law, the promotion of values of good and equity, as well as his brilliant academic career, have led the Senate of the University of Bucharest to confer the highest distinction of *Doctor Honoris Causa* to Professor George A. Bermann.

Congratulations, Professor, on this distinction, and we wish you a long and fulfilling life!

Professor Camelia Toader, PhD
Professor Ștefan Deaconu, PhD
Faculty of Law, University of Bucharest



Cuvânt de mulțumire | George A. Bermann

It is humbling indeed to receive a *Doctor Honoris Causa* from an outstanding university such as the University of Bucharest. Along with the appreciation a law professor may receive from his or his students, recognition of this sort is a source of immense gratification.

It has been close to 50 years that I have been teaching at Columbia University, while practicing international arbitration. Following some years of international law firm practice, Columbia University has been my professional “home”. But, among the joys of the fields in which I have taught – among them comparative law, transnational litigation, European Union law, and most recently international commercial and investor-state arbitration – is the opportunity they afford for participation in a wide range of international activities and experiences. And, among the most rewarding of those activities and experiences is immersion in the academic world of other countries, whether as visiting professor, as a conference speaker, or in any other capacity. Receiving an honorary degree from an overseas university is among the most memorable among them.

In the world of international arbitration in particular, working side-by-side with academic institutions, such as yours, are the many international arbitral institutions under whose auspices the vast majority of arbitral proceedings are conducted. That is certainly the case with the University of Bucharest and the Court of International Commercial Arbitration attached to the Chamber of Commerce and Industry of Romania. I have the impression that these two institutions work very much in concert, thanks to the fact that persons such as Professor Ștefan Deaconu are at the helm of both, as evidenced by the Bucharest Arbitration Days, in which I had the honor of giving a keynote address in 2023.

I heartily appreciate the warm reception I received from the Court of International Commercial Arbitration on the occasion of my recent visit. To be invited back so soon thereafter – within one year – to receive an honorary degree from the over 160-year-old University of Bucharest is profoundly meaningful.



Curriculum vitae | George A. Bermann

GEORGE A. BERMANN, J.D., L.L.M.

George A. Bermann, Professor of Law, at Columbia Law School, is a highly experienced international arbitrator in both commercial and investment arbitration. He has conducted arbitration regularly since 1980 before all the leading international arbitral institutions.

He arbitrates disputes in all sectors, including general commercial contracts, construction, intellectual property, energy, oil and gas, competition law, insurance, telecommunications, pharmaceuticals, distributorship and franchising, transportation, and employment.

Professor Bermann also serves regularly as an expert witness before international arbitral tribunals as well as before courts in cases arising out of arbitration agreements, arbitral proceedings, and arbitral awards. He also serves as co-counsel and advisor to counsel in international arbitral proceedings and arbitration-related litigation.

Professor Bermann is Chief Reporter of the American Law Institute's "Restatement of the U.S. Law of International Commercial and Investment Arbitration" and co-author (with Emmanuel Gaillard) of the UNCITRAL Guide to the New York Convention.

Professor Bermann is highly ranked in GAR's Who's Who in International Arbitration and included in Band One of the Chambers Guide Listing of International Arbitrators in the U.S., nationwide.

He is also a professor affili   at the Ecole de Droit, Institut des Sciences Politiques (Paris), professor in the Geneva LL.M. in International Dispute Settlement (MIDS), and adjunct professor at Georgetown University Law Center.

Professor Bermann was a Founding Member of the Governing Board of the International Court of Arbitration of the ICC (Paris). He is currently a member of the Standing Committee of the International Court of Arbitration of the ICC and of the ICC Commission on International Arbitration. He co-chairs the Global Board of Advisers, New York International Arbitration Center

(NYIAC), and is a Council Member of the American Arbitration Association and a Board Member of the Center for Conflict Prevention and Resolution (CPR). He is also a Fellow of the Chartered Institute of Arbitrators (London).

EDUCATION

- Jervey Fellow, Parker School of Foreign and Comparative Law, 1973 to 1975
- J.D. Yale Law School, 1971 (editor of the *Yale Law Journal*)
- B.A. Yale College, 1967 (*summa cum laude* with exceptional distinction in political science)

HONORS AND AWARDS

- Recognition as leading international arbitrator: Chambers USA; Who's Who Legal; Juris Roster of International Arbitrators)
- *Doctor honoris causa*, University of Fribourg, Switzerland (2004)
- *Doctor honoris causa*, Université de Versailles-St. Quentin, France (2011)
- *Doctor honoris causa*, Universidad Cesar Vallejo, Lima, Peru (2017)
- *Doctor honoris causa*, University Nova of Lisbon, Portugal (2019)
- Jean Monnet Chair in European Union Law, conferred by Commission of the European Union
- Alexander Lecture, Chartered Institute of Arbitrators, London (2017)
- Lifetime Achievement Award, American Society of Comparative Law (2016)
- Honorary Member, Group of the 100 of the Center of Legal Innovation, Development and Research for Latin America (2011)
- Honorary member, American Association of Private International Law (ASEDIP) (2009)

- C.V. Starr Award, New York Law School (2009)
- Distinguished Service Award, American Bar Association, Administrative Law Section (2008)
- Distinguished Service Award, American Foreign Law Association (2006)
- Tocqueville-Fulbright Distinguished Professorship (University of Paris I) (2006)
- Honorary President, American Society of Comparative Law (2004)

UNIVERSITY POSITIONS

- Professor, Columbia University School of Law
- Director, Columbia Law School Center for International Commercial and Investment Arbitration (CICIA)
- *Professor affili *, Ecole de droit, Institut des Sciences Politiques (Paris)
- Professor, *Geneva* LL.M. in International Dispute Settlement (MIDS) (Geneva)
- Visiting Professor, Georgetown University Law Center (Washington DC)

PUBLICATIONS

Selected Book Publications

- *Twilight Issues in International Arbitration* (Kluwer Pub. 2023)
- American Law Institute, *Restatement of the U.S. Law of International Commercial and Investor-State Arbitration* (2022)
- *Transnational Litigation Nutshell* (2nd ed. West Pub. 2022)
- *International Commercial Arbitration Nutshell* (West Pub. 2022)
- *Transnational Litigation* (West Pub. 2003, 2nd ed. forthcoming 2018)

- International Arbitration and Private International law (General Course in Private International Law, Hague Academy of International Law (2017)
- Cases and Materials on European Union Law (West Pub. 4th ed. 2016) (co-authored)
- UNCITRAL Guide to the New York Convention (co-author, E. Gaillard) (2016)
- Interpretation and Application of the New York Convention by National Courts (Springer Pub. 2016)
- Mandatory Rules in International Arbitration (Juris Pub. 2011)
- Introduction to French Law (Kluwer 2010) (co-edited with. E. Picard)
- American Bar Association Guide to European Union Administrative Law (ABA Pub., 2008)

Other Selected Publications

- *Access to U.S. Discovery in International Commercial and Investment Arbitration* (S. Brekoulakis et al., eds. forthcoming 2024)
- *Reception in the United States of Emmanuel Gaillard's Ideas on International Arbitration* (Y. Banifatemi et al., eds. forthcoming 2024)
- *The Future of International Commercial Arbitration*, in Cambridge Companion to International Arbitration (Chin Leng Lim, ed., forthcoming 2024)
- *In the Cross-Fire between International Arbitration and EU Law*, 2023 Paris J. Int'l Arb. 61 (2023)
- *Anticipatory Deference: What Will Courts Decide and not Decide before Enforcing an Agreement to Arbitrate?*, in Deference in International Commercial Arbitration 71 (in F. Ferrari & F. Rosenfeld, eds. 2023)
- *The UNCITRAL Model Law at the U.S. State Level*, 39 Arb. Int'l 172 (2023)
- *The Applicable Law in Investor-State Arbitration* (forthcoming in the

Award in International Investment Arbitration (C. Titi & K. Fach, eds.)

- *Res Judicata in International Arbitration*, in Cambridge Compendium of International Commercial and Investment Arbitration 1676 (A. Bjorklund et al., eds., Cambridge Univ. Press 2023)
- *The International Law Profile of the ALI* 219, in The American Law Institute: A Centennial History (A. Gold & R. Gordon, eds. 2023)
- *After First Options: Delegation Run Amok*, 32 Am. Rev. Int'l Arb. 15 (2021)
- *Intersections between International Investment Arbitration and EU Law* 242 (N. Lavranos & J-R Mata Dona, eds., Edward Elgar Pub. 2021)
- *Procedures for Enforcement of New York Convention Awards, in Autonomous versus Domestic Standards under the New York Convention* 55 (F. Ferrari & F. Rosenfeld, eds, 2021)
- *The Contribution of International Commercial to International Investment Arbitration*, in International Investment Law: An Analysis of the Major Decisions (H. Ruiz-Fabri & E. Stoppioni, eds., Hart Pub. 2020)
- *Rescuing the Federal Arbitration Act*, 20 Ybk Priv. Int'l L. 15(2020)
- *Understanding ICSID Article 54*, 35 ICSID L. Rev. 311 (2020)
- *The Self-Styled Autonomy of International Arbitration*, 36 Arb. Int'l 221 (2020)
- *Private International Law in International Arbitration*, in Private International Law: Contemporary Challenges and Continuing Relevance (F. Ferrari & D. Fernandez Arroyo, eds (Edward Elgar Pub. 2020)
- *Costs Allocation in International Arbitration: What Normative Source if Any?*, in Finances in International Arbitration (S. Tung et al., eds. Wolters Kluwer Pub. 2020);
- *The Mitsubishi case, in The Building of an Arbitration-Friendly Jurisdiction in Global Private International Law* (H. Muir-Watt et al., eds, 2019)

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