

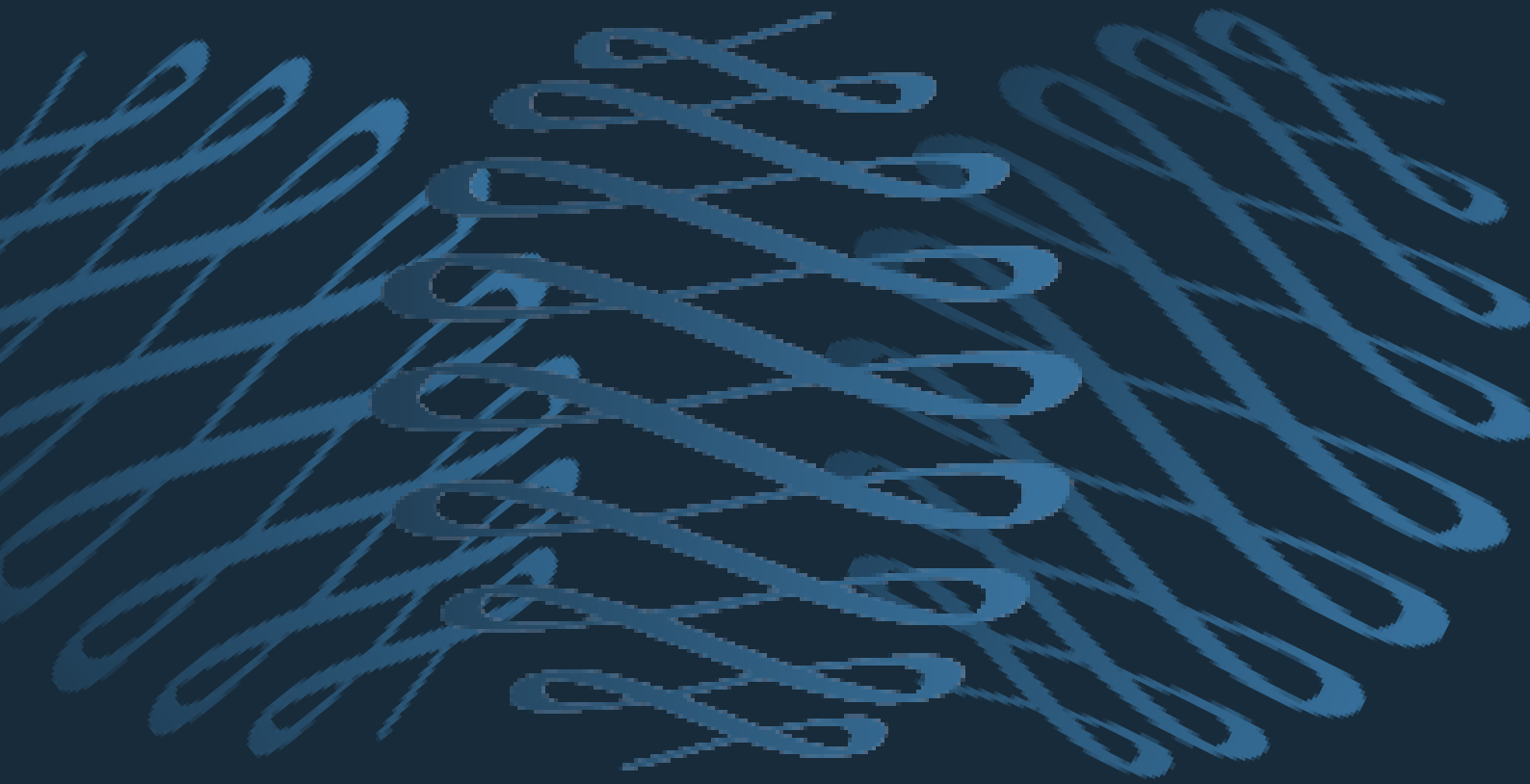
CIDS

GENEVA CENTER FOR
INTERNATIONAL DISPUTE SETTLEMENT

CIDS

ANNUAL REPORT

2019



CIDS

Annual Report 2019

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1. Overview

The Center for International Dispute Settlement (CIDS) is a joint center of the University of Geneva and the Graduate Institute of International and Development Studies in Geneva. Founded at the end of 2016, its mission is to deliver in-depth and executive education, to conduct and promote research, and to contribute to public debates and activities in the field of international dispute settlement.

CIDS is led by co-directors Professors Laurence Boisson de Chazournes and Thomas Schultz (both University of Geneva), in charge respectively of its flagship program, the Geneva LLM in International Dispute Settlement (MIDS), and of the development of the Center's other activities. Ana Ruiz serves as CIDS Executive Director and Mariona Cusi as MIDS Executive Director. Mariona Cusi was on maternity leave from August 2019 to February 2020, and was replaced during that period, with great talent, by Robert McLaren.

The Center is supervised by the CIDS Council, presided over by Professor Emerita Gabrielle Kaufmann-Kohler (University of Geneva, Partner at Lévy Kaufmann-Kohler) and further composed of His Excellency Judge Abdulqawi A. Yusuf (President of the International Court of Justice), Dr Michael Schoell (Director of the Private Law Division, Swiss Federal Office for Justice), Elliott Geisinger, (Past President of the Swiss Arbitration Association, Partner at Schellenberg Wittmer), Professor Zachary Douglas QC (Graduate Institute, Matrix Chambers), Professor Marcelo Kohen (Graduate Institute, Secretary General of the Institut de Droit International), as well as Professors Boisson de Chazournes and Schultz.

CIDS is placed under the ultimate authority of the *Directoire*, representing its parent institutions, the University of Geneva and the Graduate Institute, and composed of Professors Yves Flückiger (Rector of the University of Geneva), Philippe Burrin (Director of the Graduate Institute), Nicolas Levrat (University of Geneva), and Cédric Dupont (Graduate Institute).

In 2019, the CIDS Council adopted a three-year general strategy, which primarily aims at the growth of its research activities, the development of its educational offer in the form of short executive education programs, the expansion of its outreach and events programs, and the continued delivery of the MIDS as the world's premier LLM in the field.

The current document reports on the Center's activities in 2019 and its current state of play.

2. Education

2.1 MIDS

The MIDS, launched in September 2008 under the aegis of the University of Geneva Law School and the Graduate Institute of International and Development Studies, is the core teaching program of the CIDS.

The MIDS covers international dispute settlement broadly speaking, including international commercial, investment and sports arbitration, WTO dispute settlement, proceedings before the International Court of Justice and various other international courts and tribunals, mediation, and legal advocacy skills. Its broad scope makes it one of the rare programs in the world that covers all relevant aspects in the field, thereby acknowledging the interrelations and similarities that exist between most methods and mechanisms of international dispute settlement.

The MIDS aims at ranking among the first three choices worldwide for students seeking postgraduate education in international arbitration or dispute resolution. The program provides full-time postgraduate legal education to 35-40 students per year.

The MIDS, a 90 ECTS credit course, is designed for students who hold a first complete law degree and have a good command of the English language. Most students already have professional experience in law at the time of enrolling, some to a significant extent.

The structure of the program is largely elective, offering students latitude to pursue their specific interest in dispute settlement while keeping within parameters, set to ensure the acquisition of the indispensable knowledge in the field. The program is taught in English, with the possibility to take optional courses in French.

Since its start, the MIDS has provided education to 439 students from 85 countries and all continents.

MIDS graduates head for careers in arbitration or international law departments of law firms, in foreign affairs, trade or justice ministries, as legal officers in international dispute settlement institutions, international organizations, and non-governmental organizations. Some graduates teach at various universities around the globe and others pursue PhD studies after the MIDS.

The MIDS faculty includes experts carefully selected from among the best-known and most respected academics and practitioners in the field of dispute settlement worldwide.

2.1.1 Curriculum

The program includes the following main building blocks:

- Two semester-long **General Courses**, providing a comprehensive overview of international dispute settlement. The first General Course deals with the organization of international dispute settlement: which disputes correspond to which dispute resolution mechanisms, and how these mechanisms operate. The second General Course reviews the main proceedings, with an eye for comparison and contrasts.
- The General Courses are accompanied by weekly “Oxbridge” style **tutorials**, held in small groups of about ten people. Tutorials serve two different purposes. On the one hand, they provide an opportunity to revisit and explore in more detail the key concepts addressed in the General Course. On the other hand, during every tutorial session, a student presents a research paper that is then the subject of a discussion among classmates. Every student delivers two research papers during the MIDS, one in each semester.
- A choice of **intensive courses**, most of which are taught by visiting professors. Each course consists of nine hours of class, spread over two or three days. These courses focus on a specific dispute settlement mechanism or explore in depth a particular topic. Intensive courses typically elaborate on matters addressed more briefly in the General Courses. Students are offered 14 to 15 courses out of which the requirement is to take 8, the average number of courses followed by a MIDS student being 10.
- A choice of semester-long **optional courses**, drawn from a list of classes offered in the regular master program curricula of the Graduate Institute and the University of Geneva Law School. These courses revolve broadly around international dispute settlement. Students must take at least 2 optional courses.
- Education in the field of international dispute resolution cannot remain solely academic. The MIDS curriculum therefore includes a series of clinical **workshops**, aiming at improving core advocacy skills required in the international dispute settlement practice,

such as legal writing skills, commercial mediation, financial damage analysis, and arbitration advocacy.

- An **academic retreat**, where students engage in a commercial arbitration moot exercise during two days, concluding with hearings before an arbitral tribunal composed of practitioners. The purpose is to develop skills in analyzing facts and evidence, building a strategy, construing a legal argumentation, practicing oral advocacy, and working in a team, all with limited time and with the related pressure.
- **Seminars** on new developments in international dispute settlement and on the work of key international organizations and arbitral institutions.
- International **conferences** on international dispute settlement related topics. Students are required to attend at least two, one in Switzerland and one abroad, from a choice that typically includes ASA conferences, BIICL Investment Treaty Forum and WTO conferences, ICC Annual Meetings, MILAN CAM Annual Conference, and the University of Neuchâtel conference, among others.
- At least three public **lectures** with well-known academics and practitioners. These lectures are open to the public and gather a large number of students, practitioners, and academics from Switzerland and France.
- **Site visits** to dispute settlement institutions in Paris, The Hague, and Geneva.

2.1.2 MIDS Governance

- Program Director: Prof. Laurence Boisson de Chazournes
- MIDS Committee:
 - Prof. Laurence Boisson de Chazournes
 - Prof. Zachary Douglas
 - Prof. Marcelo Kohen
 - Prof. Thomas Schultz
- Executive Director: Ms. Marionna Cusí
- Coordinator: Ms. Evelyne Bryden
- Communication Officer and Administrative Assistant: Ms. Catherine Cervantes

- Lecturers:
 - Dr. Dafina Atanasova
 - Dr. Lorenzo Palestini

2.1.3 The 2018-2019 and 2019-2020 MIDS editions

Students

For the 2018-2019 edition of the MIDS program, about 268 validated applications were submitted. The final class was composed of 37 students (17 female and 20 male), representing 24 countries. Two students of the National University of Singapore (NUS) joined the MIDS for one semester as part of the MIDS-NUS Double Degree Program.

For the 2019-2020 edition of the MIDS program, about 247 validated applications were submitted. The final class was composed of 41 regular MIDS students and 2 double degree students coming from NUS. Of the 43 students, 20 were female and 23 male, representing a total of 19 countries.

Out of the 37, respectively 43 regular MIDS students mentioned above, 7 received a full scholarship (covering tuition fees and living expenses) and 5 were awarded a partial scholarship (covering living expenses) thanks to the generosity of private donors, among which two Geneva-based law firms, LALIVE and Lévy Kaufmann-Kohler. The latter students were additionally offered a partial fee waiver of CHF 7'000. Another student in each of the two academic years was awarded the MIDS Young ICCA Scholarship, covering the tuition fees.

The sources of income for the MIDS programme are the tuition fees (CHF 25'000 per student) and the contributions in kind from the University of Geneva Law School and the Graduate Institute of International and Development Studies.

MIDS students in 2018-2019:

Kawser AHMED (Bangladesh)

Gabriela del Carmen ALCANTARA TORRES
(Mexico)

Shyam Gopal BALAKRISHNAN (India)

Mohammed BASHIR (Jordan)

Andrea BURGOS HARFUSH (Mexico)	Christina LIEW (Singapore)
Nelly CHAKOWSKI (Poland, Switzerland)	Qing (Rose) LYU (China)
Suksham CHAUHAN (India)	Sheila MAMMET (Kenya)
Li CHEN (China)	Benjamin Kigen NG'ENO (Kenya)
Ivan CISAR (Slovakia)	Cara NORTH (Australia, Poland)
Máté CSERNUS (Hungary)	Alec ORUDJEV (USA)
Girish DEEPAK (India)	Pravarshini PALANIVEL (India)
Francesco DI GIROLAMO (Italy)	Vinayak PANIKKAR (India)
Patricio GRANE (Argentina)	Stefani PAPAZOGLU (Greece)
Sicen HU (China)	Chithra POWATHIKUNNIL GEORGE (India)
Emmanuel IGBOKWE (Switzerland)	Luiza RIOTTOT (France)
Christian IOVENE (Italy)	Dongsuk (David) SHIN (South Korea)
Victoria KHANDRIMAYLO (Russia)	Rashid SULTAN (Pakistan)
Dimitrios-Georgios KONTOGIANNIS (Greece)	Ba Duong (Donny) TRINH (Vietnam)
Ksenia KOROTEEVA (Russia)	Anna TUJAKOWSKA (Poland)
Malavika LAL (India)	Ruo Chen YAO (China)
Sun Min (Currie) LEE (Canada)	

MIDS students in 2019-2020

Kristina ALEKSA (Russia)	Kyung Jik KWAK (South Korea)
Roberta ALIMONDA (Italy, Brazil)	Aditya LADDHA (India)
Luisa Fernanda ALVAREZ ZULUAGA (Colombia)	Swarupa MADHAVAN (India / NUS)
Ketevan ARAKHAMIA (Georgia)	Samhith MALLADI (India)
Param BHALERAO (India)	Juhi MATHUR (India)
Vera BYKOVA (Russia)	Clément MKIVA (South Africa)
Neil CHATTERJEE (India)	Harshal MORWALE (India)
Silvana ÇINARI (Albania)	Natalia MOUZOULA (Greece)
Xanthos CLERIDES (Cyprus)	Puloma MUKHERJEE (India)
Aikaterini DASKALOPOULOU (Greece)	Aikaterini NIKOLAOU (Greece)
Scott FALLS (Canada)	Opemipo OMOYENI (Nigeria)
Giacomo GASPAROTTI (Italy)	Maria PASCHOU (Greece)
Gladwin ISSAC (India)	Giovanni PASSAMONTI (Italy)
Shanu JAIN (India)	Adarsh RAMAKRISHNAN (India)
Mingze JIANG (China)	Vladislav RODIONOV (Russia)
Han Wool KIM (South Korea)	Victoria RODRIGUEZ GOYENA (Argentina)

Aayushi SINGH (India / NUS)

Aditya SINGH (India)

Nataliia SOLDATENKOVA (Russia)

Duc Viet TRAN (Vietnam)

Chizaram Janice UZODINMA (Nigeria)

Giovanni VIGLINO (Italy)

Emma VILLARD (France)

Dalia VISINSKYTE (Lithuania)

Adam David WAHLQUIST (United States)

Bartosz WYGLADALA (Poland)

Lia YOKOMIZO (Brazil)

MIDS 2019 courses

2018-2019 edition 2nd semester

General Course – Spring semester

Discusses the main procedural issues that arise in the international legal proceedings examined in the General Course during the first semester. As the procedures in the different dispute resolution processes raise similar issues (i.e. jurisdiction, provisional remedies, equal treatment, evidence, enforcement), this course reviews these aspects with an eye to comparisons and contrasts.

It was taught by Prof. Zachary Douglas (Graduate Institute) and Prof. Marcelo Kohen (Graduate Institute).

Tutorials

Intrinsically connected to the General Courses, they are weekly interactions between a tutor, one of the MIDS lecturers, and a group of about ten students. The tutorials were conducted by MIDS lecturers, Dr. Brian McGarry (public international law) and Dr. Josef Ostransky (private international law).

Intensive courses

The courses offered (during the second semester of the program) were the following:

- **Sports Arbitration with Prof. Antonio Rigozzi** (University of Neuchâtel; Partner, Lévy Kaufmann-Kohler)
Switzerland hosts most major international sports federations and organizations, including the International Olympic Committee and the Court of Arbitration for Sport

(CAS), which acts as the world's highest sports tribunal for most kinds of disputes between athletes or clubs and sports governing bodies. CAS also administers commercial arbitrations about sports matters and a specific arbitration procedure for the Olympic Games. MIDS students were introduced to these different procedures and also had the opportunity to discuss their impact on the rights of athletes.

- **WTO Dispute Settlement with Prof. Gabrielle Marceau** (Senior Counselor, WTO Legal Affairs Division; Associate Professor, University of Geneva)

Through an examination of the actual process of an authentic WTO dispute, this course focused on how the dispute settlement mechanism of the WTO operates from a legal, political and diplomatic perspective. By placing the WTO in the broad institutional context of international economic relations, it considered how WTO panelists, arbitrators, and members of the Appellate Body have propelled the WTO dispute settlement system to become one of the most effective international litigation mechanisms. In reviewing the procedural steps of a dispute, including the use of experts, the retaliation stage, and the eventual mutually agreed solution, the students were able to experience how States and other international actors can address international economic tensions resulting from societal choices, while pursuing the WTO goals of both fighting against illegitimate protectionism and protecting legitimate public policy objectives.

- **Public Policy in International Arbitration with Prof. Jan Kleinheisterkamp** (Associate Professor of Law, London School of Economics)

Whether arbitration is understood as a mere creature of contract or part of international justice, the notion of public policy is crucial for arbitration's efficiency and legitimacy as a safeguard of public interests in private dispute settlement. This course focused on how arbitrability, internationally mandatory rules, and public policy exceptions fit together both in theory and practice and explores concepts such as transnational public policy as a limit to parties' autonomy.

- **EU Law and International Arbitration with Prof. George A. Bermann** (Walter Gellhorn Professor and Jean Monnet Professor, Columbia Law School)

For some time, it has been assumed in European circles that international commercial arbitration was adequately regulated by the fundamental text, the 1958 New York Convention. But a number of circumstances have come together – a growing awareness



that important EU claims are being decided in arbitral rather than judicial fora, a dramatic heightening of EU activity in private international law generally, debates over the use of anti-suit injunctions in the international arbitration field, and imperfections of the New York Convention itself – to put international commercial arbitration suddenly in the EU spotlight. The course examined these developments and their prospects.

- **The PCA and its Contribution to the Evolution of International Dispute Settlement with Mr. Brooks W. Daly** (Deputy Secretary-General and Principal Legal Counsel, Permanent Court of Arbitration)

While arbitration is most often thought of as an alternative to litigation in national courts, the PCA was founded in 1899 to provide an alternative to war. From its beginnings in the settlement of interstate disputes to its diverse modern activity, this course examined how the PCA has contributed to, and been transformed by, the dispute settlement needs of the international community.

- **Philosophical Questions in International Arbitration with Prof. Thomas Schultz** (University of Geneva; King's College London)

Those interested in looking beyond black-letter law enjoy this course, which reflects on some of the philosophical foundations and implications of international arbitration. It broaches themes such as the functions of international arbitration, the existence of an arbitral legal order, the relationship between arbitration and the rule of law, and the roles of an international arbitrator.

- **Arbitration in Latin America with Prof. Eduardo Silva Romero** (Partner, Dechert LLP; former Deputy Secretary General, ICC International Court of Arbitration; Professor at Rosario University of Bogotá; Lecturer at Sciences Po Paris)

The increasing number of arbitrations involving Latin American parties has raised many important issues in respect of the development and clarification of investment and commercial arbitration. This course identified the specificities and similarities of arbitration in Latin America compared to the general transnational trends.

- **Contract Law in International Commercial Arbitration with Prof. Laurent Aynès** (Professor, University of Paris I, Panthéon-Sorbonne)

Every dispute giving rise to a commercial arbitration arises out of a contract and calls for the tribunal to apply and interpret such contract. How do arbitrators deal with contract

issues? Taught by a foremost contract law academic with significant arbitration experience, this course reviews topics that are recurrent before arbitral tribunals, including interpretation, default and termination, liability, waivers and limitations to liability, force majeure and changed circumstances, and damages.

- **ICSID Arbitration with Prof. Emmanuel Gaillard** (Visiting Professor at Yale Law School, Chair of Shearman & Sterling international arbitration practice, Chair of the International Arbitration Institute)

In recent years, the number of investment disputes has risen dramatically and ICSID is the international arbitration mechanism par excellence in this field. Acquaintance with the regime and case law of ICSID arbitration has now become indispensable for anyone seeking to have a full picture of arbitration.

Optional courses

In addition to the General Course and intensive courses, students had the opportunity to choose semester-long weekly optional courses drawn from a list of 20 to 30 classes relating to international dispute settlement and neighboring fields. The courses were drawn from the regular masters' curricula of the Graduate Institute and the University of Geneva Law School. The courses listed below are those most attended by MIDS students during the 2nd semester of the 2018-2019 academic year:

- International Investment Law with Prof. Joost Pauwelyn
- WIPO and International Intellectual Property Law with Prof. Edward Kwakwa

Workshops

- **Mediation workshop with Ms. Birgit Sambeth Glasner** (Partner, Altenburger Ltd legal+tax)

Over the course of three days, a respected international commercial mediator takes the class through the nuts and bolts of mediation by discussing some of the key questions of this practice, such as when should parties settle, when are they ready to do so, how to bring them to a settlement, etc.. These questions require simple skills, which are too often

ignored by counsel and arbitrators alike, much to the detriment of the parties. Having such skills is a competitive advantage on the job market.

- **Legal writing workshop**, delivered by Sidley Austin partners, **Mr. David Roney and Ms. Tanya Landon**.

It covered the legal drafting process in international arbitration, with a special emphasis on written advocacy and persuasion. In addition to the theoretical underpinnings it included practical exercises and individualized feedback on legal submissions drafted by the students as part of the workshop.

- **Financial damage analysis workshop with Mr. Geoffrey Senogles** (Partner, Senogles & Co, Chartered Accountants, Switzerland).

Any lawyer working in arbitration, whether as counsel, arbitrator or arbitral secretary, will undoubtedly be faced with quantum issues. Through this workshop, students got an insight into financial damage expertise and methodologies from the perspective of a practicing forensic accountant, who frequently testifies as financial expert witness in international proceedings and previously dealt with financial aspects of mass claims at the United Nations Compensation Commission (UNCC).

- **Witness examination in international arbitration workshop**, organized with the **Foundation for International Arbitration Advocacy (FIAA)**

This two-day workshop in arbitration advocacy was specifically designed by the FIAA for the MIDS students. FIAA is a Geneva-based foundation which is generally recognized for providing the world's best clinical training in arbitration advocacy. Following an introductory session, the students were taken through practical exercises of witness examination in small groups, recorded on video while conducting examinations, and given immediate feedback. The FIAA advocacy faculty was led by Prof. James Seckinger (FIAA Founder; Notre Dame Law School), Ms. Sheila Block (FIAA Founder; Torys, Toronto) and Mr. David Roney (FIAA Founder; Sidley Austin, Geneva), who were joined by arbitration practitioners from Europe and the United Arab Emirates, including Mr. James Clark (Quinn Emmanuel Urquhart & Sullivan LLP, Paris), Mr. Sunil Mawkin (Allen & Overy, London), Mr. Matei Purice (Freshfields, Dubai), Ms. Sâr-ra-Tilila Bounfour (DLA Piper, Paris), Ms. Noor Davies (White & Case, Paris), and Mr. David Ingle (Allen & Overy, Madrid).

Seminars and lectures

The MIDS also organized public lectures where well-known academics and practitioners addressed a larger audience on current dispute resolution issues. During the academic year 2018-2019, the MIDS organized a conversation engaging Prof. Jeffrey Dunoff (Laura H. Carnell Professor and Director of LL.M. in Transnational Law Program at Temple University) and Prof. Georges Abi-Saab (Hon. Professor at IHEID and former Chairman of the Appellate Body of the World Trade Organization) on reflections on international legal practice and theory. Prof. J. Dunoff also gave a talk on “The Shape of Judgment”. In May 2019, the MIDS welcomed Univ-Doz. Dr. Claudia Annacker (Partner at Cleary Gottlieb and Professor at Vienna University) who took stock of thirty years of investment treaty arbitration with a lecture titled “An Engine for the Development of General International Law for Good and Badd.

Conferences

As a mandatory part of the curriculum, students attend two international conferences, one in Switzerland and another one abroad. The choice of conferences varies from year to year according to the offer and topics dealt with by different conferences and institutions. During the second semester of 2018-2019, the following conferences were offered to the students:

- **ASA Annual Conference 2019** on “Corruption and Arbitration” (Geneva, 1 February 2019)
- **London British Institute of International and Comparative Law (BIICL) Conference** on “Thirty Second ITF Public Conference: State Responsibility in Investment Law” (London, 10 May 2019)

Study trips

Another mandatory component of the curriculum are the study trips to Paris and The Hague, and the site visits to WIPO and the WTO in Geneva. During the Spring semester, students went to the following cities and institutions:

- **The Hague**
On 21 and 22 March 2019, the MIDS brought the students to The Hague, where they visited the Peace Palace, attending presentations and meetings at the **Permanent Court**

of **Arbitration (PCA)** and the **International Court of Justice (ICJ)**. Students also had the opportunity to meet with **Iran-US Claims Tribunal** counsels. The study trip also included a networking social event with members of all three institutions.

The trip started with the visit to the Peace Palace and its Library. There, Mr. Arthad Kurlekar, Assistant Legal Counsel at the PCA, gave an introduction to the Permanent Court of Arbitration.

On the second day of the trip, the students were welcomed in the ICJ's Great Hall of Justice by Judge Yusuf, President of the ICJ, where they had a discussion on the ICJ's functioning. Then the students continued with a visit to the Iran-US Claims Tribunal where Mr. Jan Ulrich Ortgies, Legal Adviser to Judge Simma, Mr. Kamal Javadi Dogadeh, Legal Adviser to Judge Seifi and Daniel Litwin, Legal Adviser to Judge Greenwood, gave a presentation on the Tribunal's case law and history.

- **WIPO**

The MIDS class visited the **World Intellectual Property Organization's (WIPO) Arbitration and Mediation Center**, on 29 January 2019, where they attended a seminar on the Center and its rules.

- **WTO**

The MIDS class visited the World Trade Organisation (WTO), on 3 April 2019, where they attended presentations from two staff.

2019-2020 edition 1st semester

General Course – Autumn semester

Sets the stage and reviews the different mechanisms for resolving international disputes. The course focuses on commercial and investment arbitration, ICJ and WTO dispute settlement procedures, as well as on certain other contemporary dispute settlement mechanisms. The main characteristics of each dispute settlement institution and procedure are examined, with emphasis on the types of disputes that can be brought before each one.

It was taught by Prof. Laurence Boisson de Chazournes (University of Geneva Law School) and Prof. Thomas Schultz (University of Geneva Law School).

Tutorials

The tutorials were conducted by MIDS lecturers, Dr. Lorenzo Palestini (public international law) and Dr. Dafina Atanasova (private international law).

Intensive courses

The courses offered (during this first semester of the program) were the following:

- **The Arbitration Agreement in International Commercial Arbitration** with Prof. Sébastien Besson (Professor, University of Neuchâtel; Partner Lévy Kaufmann-Kohler)
The arbitration agreement is the cornerstone of international commercial arbitration. It raises many issues that in part receive divergent answers under different arbitration laws. This course explores these issues in depth, including the notion of separability of the arbitration agreement and the principle of competence-competence that play a fundamental role in the theory and practice of international commercial arbitration.
- **ICC Arbitration with Prof. Pierre Tercier** (Honorary Chairman, ICC International Court of Arbitration; Emeritus Professor, University of Fribourg)
The International Court of Arbitration of the ICC is one of the most important and best-known arbitration institutions. Its unique set of procedures has been applied to more than 20'000 disputes since their adoption. Students attending this course benefited from a thorough insight into the ICC arbitration process. The course extended over the entire first semester with two sessions delivered in Geneva and another two sessions in Paris, one of them in the premises of the ICC and the other in one of the leading law firms in the area.
- **Multiple Proceedings with Prof. Gabrielle Kaufmann-Kohler** (Professor Emerita, University of Geneva; Partner, Lévy Kaufmann-Kohler)
Multiple proceedings dealing with the same or closely related disputes are increasingly frequent in commercial and investment arbitration. This course reviewed the causes for such increase (more legal bases to bring claims, more actors involved in economic transactions, more available fora); whether multiple proceedings are to be favored or discouraged policy-wise; and the legal tools to manage the multiplicity, both existing and prospective.

- **The New York Convention of 1958 with Prof. Albert Jan van den Berg** (Georgetown Law School, Washington DC; Tsinghua School of Law, Beijing; Partner, Hanotiau & van den Berg)

The New York Convention of 1958 on the Recognition and Enforcement of Foreign Arbitral Awards is the single most important legal text in international commercial arbitration, as it defines the international currency of international arbitration agreements and arbitral awards. Students taking this course obtain a unique insight into the working of the Convention and into the great challenges it faces to keep current with the world of arbitration as it has evolved since 1958.

Optional courses

In addition to the General Course and intensive courses, students took a choice of at least one semester-long weekly optional course drawn from a list of 10 to 15 classes relating to international dispute settlement and neighboring fields. The courses were drawn from the regular masters' curricula of the Graduate Institute and the University of Geneva Law School. The courses listed below are those most attended by MIDS students during the 1st semester of the 2019-2020 academic year:

- Corporate Responsibility in International and Transnational Law with Prof. Zachary Douglas (Institute)
- International Trade Law with Prof. Jan Bohanes (Institute)
- International Arbitration with Prof. Thomas Schultz (Law School)
- WTO Law and Practice with Prof. Gabrielle Marceau (Law School)
- Social Analysis of Transnational Law and Arbitration with Prof. Fuad Zarbiyev (Institute)
- Comparative Methodology: Contract Law with Prof. Thomas Kadner (Law School)

Workshops

- **Legal writing workshop**, delivered by Sidley Austin partners, **Mr. David Roney and Ms. Tanya Landon**

It covered the legal drafting process in international arbitration with a special emphasis on written advocacy and persuasion. In addition to the theoretical underpinnings, it

included practical exercises and individualized feedback on legal submissions drafted by the students as part of the workshop.

- **Mediation workshop with Ms. Birgit Sambeth Glasner** (Partner, Altenburger Ltd legal+tax)

Over the course of three days, a respected international commercial mediator takes the class through the nuts and bolts of mediation by discussing some of the key questions of this practice, such as when should parties settle, when are they ready to do so, how to bring them to a settlement, etc. These questions require simple skills, which are too often ignored by counsel and arbitrators alike, much to the detriment of the parties. Having such skills is a competitive advantage on the job market.

Seminars and lectures

At the Opening Ceremony of the academic year 2019-2020, Prof. Nicolas Michel (President of the Iran-United States Claims Tribunal) shared personal reflections on the relationship between peaceful dispute settlement mechanisms and the promotion of peace.

In the first semester of the academic year 2019-2020, the MIDS students broadened their knowledge on the International Tribunal for the Law of the Sea (ITLOS) with a seminar given by Prof. Tullio Treves (University of Milan; former Judge, International Tribunal for the Law of the Sea; Counsel, Curtis Mallet-Prevost Colt & Mosle).

In addition, the students also benefited from two CIDS conferences (see below, “Outreach”).

Conferences

During the first semester of the academic year 2019-2020, the following conferences were offered to the students:

- **GAR Live Vienna** (Vienna, 18 October 2019)
- **ASA below 40 Seminar** (Zurich, 25 October 2019)
- **Milan Arbitration Chamber (CAM) Annual Conference** on “Arbitration in Wonderland. How to turn Expectations into Results” (Milan, 29 November 2019)

Study trips

During the autumn semester, the MIDS curriculum included a study trip to Paris. On 27 and 28 November 2019, the students continued their intensive course on “ICC Arbitration” with Prof. Tercier in Paris.

During the first day, the course was held at the premises of the International Chamber of Commerce in Paris, where members of the ICC International Court of Arbitration Secretariat addressed the students on various topics:

- Mr. Alexander Fessas, Secretary General, welcomed the students and answered some questions
- Mr. Sébastien Pépin, Deputy Counsel, made a general presentation and spoke about the evolution of the ICC arbitration system
- Ms. Gabriele Ruscalla, Counsel, talked of nomination, confirmation and challenge of arbitrators as well as some practical aspects
- Ms. Sylvie Picard Renault, ICC Documentation and Research Centre Manager, introduced the ICC Documentation Center
- Ms. Asli Ylmaz, Counsel, discussed scrutiny and approval of awards
- Ms. Vladi Hennessee, Deputy Counsel, presented costs and financial aspects
- Ms. Graciela Inigo Perez, Deputy Manager, spoke about ADR and other proceedings

During the second day of the study trip, the class moved to the Linklaters offices in Paris, where they were welcomed by Pierre Duprey and Roland Ziadé, Partners at Linklaters. During this second day, the students enjoyed presentations delivered by practitioners such as:

- Prof. Maximin de Fontmichel, Associate Professor of Law, Vice-Dean of the Faculty of Law and Political Science at the University of Versailles Saint-Quentin and Co-Director of the Masters program Arbitrage et Commerce International (MACI), on “contractual relationships and liabilities”
- Ms. Gabriele Ruscalla (ICC Council), Mr. Fernando Mantilla-Serrano (Partner Latham & Watkins) and Carmen Núñez-Lagos (Founding Partner Núñez-Lagos Arbitration) on “the ICC and other Institutions”

2.1.4 Career services

It is an important objective of the MIDS to offer effective individualized career services. The students benefit throughout the year from individual meetings both with the MIDS Career Advisor and Executive Director. The goals of these meetings evolve during the year. During the first semester, students work on how to draft their CV and application letter, with the aim of improving how to introduce themselves and be more effective in drawing up the documents required for a job application.

Starting from week one, Mr. Remi Garros-Quinn, the MIDS Career Advisor *ad interim* for 2019-2020, held a workshop with the students to discuss career strategy, CV and cover letter drafting, professional networking and social media presence skills.

As the 2018-2019 and 2019-2020 years progressed, students prepared their strategy to apply for a position. The MIDS Career Advisor conducted individual mock interviews based on the features of the forthcoming real interview. Following the real interview, students have feedback and debriefing sessions.

In addition, both the MIDS Career Advisor and the Executive Director paid special attention to improving the students' networking skills and professional presence, not only in the social media, but also at the different events and conferences attended throughout the year.

Many MIDS students found positions for their "life after the MIDS" before the end of the program. Around 80% of the 2018-2019 students were placed in law firms, arbitral institutions, international organizations or government positions after completing the MIDS academic year in Geneva.

2.1.5 Professional and social events

A successful educational experience is not only about academic content. It also requires the right atmosphere, friends to share experiences with, and occasions to enjoy a year away from professional constraints. For the students, it is also important to build contacts for the future. To meet these expectations, the MIDS organized a number of social events, including welcome and farewell dinners, the Escalade evening, and several cocktail receptions after seminars or lectures. Some of these events were attended by many of the key actors in the Geneva community of

international dispute settlement, allowing for networking. The students also enjoyed the traditional *asado* organized by Prof. Marcelo Kohen and the International Law Department of the Graduate Institute late in the second semester of the academic year. Study trips and conferences abroad further provided opportunities to socialize and have interviews with potential employers.

2.1.6 MIDS – PCA Fellowship

By virtue of an agreement between the Permanent Court of Arbitration and the MIDS, a student of the graduating class has the opportunity to join the PCA, participating for a period of twelve months in the work of the PCA's International Bureau.

Mr. Maté Csernus, student from the 2018-2019 MIDS edition, joined the PCA for this one-year fellowship opportunity in September 2019. Mr. Arthad Kurlekar, MIDS alumna from the 2017-2018 class, Mr. Byron Perez, MIDS alumnus from the 2016-2017 class and Ms. Maria Kiskachi, MIDS alumna from the 2015-2016 class preceded him in this position.

2.1.7 MIDS 2018-2019 Graduation

The Graduation Ceremony for the MIDS 2018-2019 edition took place on 23 September 2019 at Maison de la Paix. Prof. Laurence Boisson de Chazournes opened the ceremony, while Prof. Philippe Burrin addressed and congratulated the graduating class. Ms. Domitille Baizeau (Partner, LALIVE) then delivered the keynote speech. Ms. Cara North spoke on behalf of the 2018-2019 class, remembering the experiences and memories of the students' year and welcoming the incoming 2019-2020 class.

2.1.8 Alumni

Many Alumni have joined leading law firms in major arbitration hubs, such as Brussels, Paris, London, Geneva, Singapore or New York. Others practice international dispute settlement in their home countries, including Albania, Argentina, Australia, Belgium, Brazil, Canada, Chile, China, the Czech Republic, Cyprus, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, France,

Germany, Georgia, Greece, India, Indonesia, Italy, Kazakhstan, Korea, Lithuania, Mexico, Poland, Romania, Russia, Slovakia, Spain, Sweden, Switzerland, Thailand, Turkey, Ukraine, the United Arab Emirates, the United Kingdom, the United States of America and Uzbekistan.

A number of MIDS alumni hold positions at universities, for instance in Chile, Ethiopia, Mexico, Turkey or Ukraine; in governments, including in Argentina, Armenia, the Czech Republic, Egypt or Georgia; in national or regional arbitral institutions such as ICSID, the ICC International Court of Arbitration, the Dubai International Arbitration Centre, the Georgian International Arbitration Centre, the Kuala Lumpur Regional Centre for Arbitration, the LCIA-Mauritius International Arbitration Centre, the Singapore International Arbitration Centre, and the Swiss Chambers' Arbitration Institution.

Others have started a career as legal officers at international courts and international organizations such as the African Union, the European Court of Human Rights, the European Union, the International Court of Justice, the Permanent Court of Arbitration, the Iran-US Claims Tribunal, the United Nations Economic Commission for Africa, UNCTAD, the World Bank, the WTO and WIPO's Arbitration and Mediation Centre.

2.1.9 MIDS-NUS Double Degree Program

In 2017, the MIDS signed a Memorandum of Understanding with the National University of Singapore (NUS), establishing a Double Degree Program in international dispute settlement. By virtue of this agreement, students of either institution having completed a first degree (either the MIDS or the NUS LL.M. in International Arbitration and Dispute Resolution), may apply to continue their studies at the other institution for one additional semester and some extra activities thereby obtaining both degrees.

In 2018-2019, one MIDS student joined NUS as part of this double degree program. Mr. Rachid Sultan (Pakistan) will graduate in 2020 with an LL.M. from NUS in International Arbitration and Dispute Resolution and another LL.M. from the University of Geneva and the Graduate Institute in International Dispute Settlement. Two NUS students, Ms. Chithra Powathikunnil George (India) and Mr. Ruo Chen Yao (China), joined the MIDS in the fall semester of 2018 after completing the requirements of the NUS LL.M. They graduated with the two degrees in 2019.

In 2019-2020, two NUS students, Ms. Swarupa Madhavan (India) and Ms. Aayushi Singh (India), joined the MIDS in the fall semester of 2019 after completing the requirements of the NUS LL.M. They will graduate with the two degrees in 2020.

2.1.10 New developments MIDS 2019-2020

MIDS intensive course professors returning to the program for the 2019-2020 edition also include Prof. George Bermann, Prof. William Park, Mr. Brooks Daly, Prof. Laurent Aynès, Prof. Gabrielle Marceau, Prof. Jan Kleinheisterkamp and Prof. Antonio Rigozzi.

The following professors will also join the MIDS faculty for the 2019-2020 academic program:

- Prof. Jane Willems will take over the intensive course on “Commercial Arbitration in China”; and
- Prof. Maximin de Fontmichel will take over the intensive course on “The French Law on International Commercial Arbitration” after Prof. Jean-Michel Jacquet’s retirement.

In addition, two new intensive courses will be introduced at the 2019-2020 academic year:

- Prof. Makane Mbengue will be teaching on “Investment Arbitration in Africa”; and
- Dr. Michele Potestà and Ms. Ann Catherine Kettlewell (ICSID) will be lecturing on “Investment Arbitration in Action”.

2.2 Other Educational Programs

In 2019, CIDS offered or announced the following new educational programs:

‘ICC Arbitration: from Traditions to Current Developments’: an Executive Course which took place on 13 and 14 September 2019 and was convened by Dr. Florian Grisel (CNRS and King’s College London). Instructors included (in order of appearance) Charles Adams (Orrick Herrington & Sutcliffe), Dr. Mikaël Schinazi (Shearman & Sterling), Prof. Patricia Saiz (ESADE), Dr. Georgios Petrochilos (Three Crowns), Dr. Constance Castres Saint-Martin (ICC), Nhu-Hoang Tran Thang (Lalive), Thomas Granier (McDermott Will & Emery), Hafez Virjee (Delos Dispute Resolution), and Prof. Em. Pierre Tercier (University of Fribourg).

The Latin American International Arbitration Course (LAIAC): a major summer/winter school in international arbitration organized in cooperation with the University of Buenos Aires, to be held in Buenos Aires from 20 to 31 July 2020. The program will include a 10-hour general course, 8 thematic courses of 5 hours each, 4 lectures, and a practical skills workshop on cross-examination. It will bring together faculty such as (in order of appearance): Prof. Gabrielle Kaufmann-Kohler, Prof. Brigitte Stern (Emerita of University of Paris I Panthéon-Sorbonne), Prof. Zachary Douglas QC, Prof. Marcelo Kohen, Jonathan I. Blackman (Cleary Gottlieb), Eduardo Zuleta (Zuleta Legal), Prof. José Antonio Moreno Rodríguez (Centro de Estudios de Derecho, Economía y Política), Christopher Seppälä (White & Case), Prof. Antonio Rigozzi (University of Neuchâtel, Lévy Kaufmann-Kohler), Prof. Raúl Vinuesa (University of Buenos Aires), Gabriel Bottini (Uría Menéndez), Prof. Roque Caivano (University of Buenos Aires), Prof. Mónica Pinto (University of Buenos Aires), Gonzalo Flores (ICSID), Juan Pablo Argentato (ICC), Martin Doe (PCA), and Julián Bordacahar (PCA).

Navigating Energy Disputes: an Executive Course which is to be co-convened by Prof. Gabrielle Kaufmann-Kohler and Dr Elena Cima (University of Geneva) in November 2020. The course is to address ways to understand the specificities and potential pitfalls of investment and commercial arbitration in the context of the energy sector, and how best to advise a client before a dispute arises and bring/defend an energy-related arbitration.

3. Research

Research in law, and in particular criteria for excellence in research, have over the last decades globally shifted from a service towards legal practice to a purpose in itself, seeking the advancement of knowledge and understanding. CIDS in part follows this trend but, aware of the importance of continued critical contributions by academia to the defense and development of peaceful methods of dispute settlement, it also significantly engages in services to practice. The projects it conducts reflect this diversity in approaches and aims.

3.1 Current Projects

‘ISDS Reform’ – led by Prof. Gabrielle Kaufmann-Kohler and Dr Michele Potestà.

This project has developed against the background of the criticism that has emerged over the last years towards investor-State arbitration. Against this backdrop, a move for reform has developed over the past years, which currently has the United Nations Commission on International Trade Law (UNCITRAL) as the focal point of discussions. The project seeks to provide fact-based study of the concerns over the ISDS system as well as contribute analysis and ideas for concrete reform proposals going forward. In this framework, the CIDS has contributed two research papers to UNCITRAL and organized or co-organized a series of seminars or workshops. It has also facilitated the creation of an *Academic Forum on ISDS*, which comprises a number of leading academic experts in the ISDS field.

‘From Situated Knowledge Production to Socio-Economic Effects: A Meta-Analysis of the Investment Arbitration Regime’ – led by Prof. Thomas Schultz and Dr Niccolò Ridi

Does research about investment arbitration change investment arbitration? Who controls the knowledge about and the realities of this institution? This project first aims at an understanding of the structures of knowledge production about investment arbitration. It also examines how this knowledge shapes the institution and our representation of it, how it actually works and the understanding we have of how it works. On this tack, it conducts a meta-analysis of empirical

studies about the socio-economic effects of investment arbitration, and analyses how the findings of these studies could and do feed back into the understanding of this institution, how they clash with the key knowledge producers' interests and aesthetic prefigurations, and how they lead to measurable change.

'Critical Arbitration' – led by Prof. Thomas Schultz and Clément Bachmann

This project seeks to apply to arbitration the basic findings and methodological moves of the Critical Legal Studies movement and more precisely its idea that law, generally, maintains a given power structure and, through it, a given social order. It aims at understanding the mechanics of the creation or perpetuation of a social order through arbitration and the contents of that order – the social inequalities it increases and decreases, the values it fosters and neglects, the norms it spreads and shuts down, the status groups it elevates and sidelines; its ethos, its layout, and its dynamics. It takes a critical look at arbitration, from this perspective. But it doesn't proceed from an aesthetic prefiguration that is critical of arbitration.

'The Vulnerability of International Courts and Tribunals' – led by Prof. Laurence Boisson de Chazournes

International courts and tribunals are under assault. They face serious, and mounting, hostility from a variety of state and non-state actors. The places of international adjudication, an essential facet of international law, are again no longer safe. The project seeks to study the extent to which international courts and tribunals are really vulnerable and examine possible scenarios for the future.

'Legal Feminism and International Dispute Settlement' – led by Prof. Thomas Schultz and Clément Bachmann

Starting from the simple observation that there are very few women in arbitration and international courts and tribunals, this project seeks to understand the consequences of this fact on the field of international dispute resolution, and through it on the areas of society that it touches.

‘Dealing with Data Disputes’ – led by Prof. Thomas Schultz

Starting from the observation that in a data-driven economy, disputes about access to and transfer of data are likely to increase exponentially in the future, this projects seeks to examine existing redress mechanisms and their effectiveness in solving specific problems, or lack thereof (ex. vagueness or lack of response, lengthy procedures, absence of neutral external out-of-court dispute settlement alternatives) . This project’s objective is to investigate the precise particulars of the disputes in the field of data portability, with the aim of highlighting the “digital justice gap” between the extent and relevance of the activities carried out by these platforms and the lack of effective redress for the millions of business users having recourse to these services. It seeks to propose a conceptual framework for a comprehensive and uniform dispute resolution system providing efficiency, effective redress and procedural fairness, and to test-drive this proposed framework.

‘The Domain of International Adjudication: Why Sovereign States Abandon Decision Control’ – led by Prof. Fuad Zarbiyev

This project aims to study the reasons explaining the jurisdictional commitments of States and their recourse to international courts and tribunals. States are often said to be reluctant to consent to the jurisdiction of international courts and tribunals and let the latter adjudicate their disputes, for instance because of a lack of predictability of court decisions and structural ambiguities of the applicable rules. These reasons, however, are particular manifestations of a more general phenomenon: the desire of all governments to keep control over the decisions that affect them. Yet states do make judicial commitments and voluntarily submit disputes in which they are involved to international courts and tribunals. What are the reasons that bring states to abandon decision control?

‘The Impact of Social Identity on Annulment Decisions among Lawyers’ – led by Prof. Fuad Zarbiyev, Prof. Thomas Schultz, and Dr. Umut Yüksel

This project aims at understanding, through quantitative, statistical analysis, the extent to which social identity plays a role in lawyers reviewing and annulling other lawyers’ decisions, here in the specific context of investment arbitration. Key question: in an ICSID ad hoc annulment

committee procedure, how influenced are the committee members, when having to decide whether to annul an investment arbitration award of an ICSID tribunal, by similar social traits and by prior social experiences?

3.2 Grant Applications

‘Dealing with Data Disputes, SNIS

In January 2019, and again in January 2020, CIDS submitted a grant application to the Swiss Network of International Studies (SNIS) for a project entitled “Dealing with Data Disputes”. The key question addressed by the project is: What would be an ideal, workable method to deal with disputes about access to and transfer of data in the digital economy (e.g. personal data collected by Facebook and Google), possibly with the assistance of artificial intelligence involved in the dispute resolution process itself? The indicative size of the grant is CHF 300’000, for a postdoc half time and a PhD student, for two years. The project’s principal investigator is Prof. Schultz, with a research network including Prof. Jacques de Werra (University of Geneva, law, co-applicant), Prof. Stéphane Marchand-Maillet (University of Geneva, computer science, co-applicant), Prof. Urs Gasser (Berkman Klein Center for Internet & Society, Harvard University), Prof. Karim Benyekhlef (Cyberjustice Lab, University of Montreal), Prof. Alain Strowel (Catholic University of Louvain), Prof. Jiyu Zhang (Renmin University), Dr. James Henderson (IDIAP, University of Lausanne), Mr. Ignacio de Castro et al. (WIPO Arbitration and Mediation Center).

‘Crisis, Criticism, and Change in the Investment Arbitration System’, SNF

In October 2019, CIDS submitted a revised grant application to the Swiss National Science Foundation (SNF) for a project entitled ‘Crisis, Criticism, and Change in the Investment Arbitration System’. The key questions addressed by the project are: If investment arbitration is so detrimental to society, as it is often and increasingly said, why does it not change in any significant way? In which way, and by which processes, could and should investment arbitration change? The size of the grant applied for is CHF 950’000, for a postdoc full time and two PhD students, for four years. The project’s principal investigator is Prof. Schultz.

'Interpretability of algorithmic legal decision-making', SNF

The next grant application, currently in preparation for the SNF on 1 April 2020, has as a working title "The promise of interpretability for algorithmic legal decision-making as means to enhance fairness and accountability: specificities and limits". The indicative grant size will probably be such as to cover a postdoc half time and two PhD students, for two years. The project's principal co-investigators are Prof. Schultz and Prof. Stéphane Marchand-Maillet (Computer science, University of Geneva).

University of Geneva Internship Program

As a form of research grant 'in kind' from the University of Geneva, the CIDS benefitted from the participation of 15 interns to various research projects, selected from over 35 applicants. These interns are undergraduate students from Prof. Schultz's course on 'International Arbitration' who volunteered for these projects in the framework of the Law Faculty's 'Stages académiques', under which interns provide 160h of work in return for a one-course relief in their study program. These interns work under the supervision of Prof. Schultz.

3.3 Research-Related Events

3.3.1 Conferences

In 2019, CIDS co-organized with PluriCourts at the University of Oslo a conference on the "Legitimacy of Unseen Actors in International Adjudication", which took place on 20 June 2019. The conference revolved around the launch of the edited volume by the same name edited by Prof. Freya Baetens (University of Oslo). Speakers included (in order of appearance) Daniel Baker (WTO), Peter Tzeng (Foley Hoag), Dr Brian McGarry and Dr Josef Ostransky (CIDS), Christine Sim (Herbert Smith), Prof. Kathleen Claussen (Miami Law School), Prof. Laurence Boisson de Chazournes, Prof. Joost Pauwelyn (Graduate Institute), Dr Michele Potestà (Lévy Kaufmann-Kohler), Dr Philipp Ambach (International Criminal Court), Dr Tommaso Soave (Graduate Institute), Dr Ksenia Polonskaya (Queens' University), Prof. Leigh Swigart (Brandeis

University), Prof. Andrea Bianchi (Graduate Institute), Prof. Neha Jain (EUI), Prof. Makane Mbengue (University of Geneva), Prof. Thomas Schultz, Caroline Heeren (CJEU), Guillaume Gros (University of Geneva), Kabre R. Jonathan (Lausanne University), Prof. Hannes Lenk (Gothenburg University), Prof. Anne Saab (Graduate Institute), Prof. Zachary Douglas QC, and Prof. Yuval Shany (Hebrew University Jerusalem).

3.3.2 Doctoral Research Seminars

This series of seminars offers Ph.D. students a platform to discuss central questions relating to doctoral research in international law, under the guidance of senior researchers in the field. They aim to achieve stimulating and provocative exchanges, leading doctoral students to ask important questions concerning research and to arrive at their own conclusions. Through these interactions, emerging international law scholars are expected to increase their autonomy as researchers and approach the challenges of the Ph.D. in a spirit of innovation. In 2019, the CIDS organized three Doctoral Research Seminars.

Seminar 1: Dr Grisel and Prof. Bianchi

The first seminar took place in April 2019, with Dr. Florian Grisel (Reader, King's College London; Research Fellow, *Centre National de la Recherche Scientifique- CNRS*) on 'Choosing a research method appropriate to the research question' and Prof. Andrea Bianchi (Professor and Director of Studies, Graduate Institute) on 'What's a PhD for? Whom should it be written for? Freedom and constraint in academic writing'.

Seminar 2: Prof. Jean d'Aspremont and Prof. Joost Pauwelyn

The second seminar took place on 12 June 2019 and featured Prof. Jean d'Aspremont (Chair in Public International Law, University of Manchester; Professor, Sciences Po Paris) on 'Why should a doctoral student ask herself what body of knowledge she wants to contribute to?' and Prof. Joost Pauwelyn (Professor, Graduate Institute; Co-Director of the Centre for Trade and Economic Integration, Graduate Institute; Murase Visiting Professor of Law, Georgetown University Law Center) on 'Challenges of interdisciplinarity and heterodox approaches'.

Seminar 3: Prof. Tomer Broude

The third and last session took place on 11 December with Prof. Tomer Broude (Professor, Hebrew University of Jerusalem) on "How to interact with a supervisor".

3.3.3 Brown Bag Research Seminars

In 2019, the CIDS launched a series of Brown Bag Research Seminars, during which a researcher delivers an academic paper in an informal and small setting, followed by a discussion, for a total duration of about 2 hours.

The first brown bag seminar took place on 16 April 2019 and featured a paper by Dr. Florian Grisel entitled 'Governing Private Orders: Empirical Evidence of the Need and Limits of Judicialization from a Medieval Fishery'.

The second seminar took place on 11 December 2019 with Prof. Tomer Broude on his paper called 'Regulatory Liberalism, Regulatory Space and the Multilateral Trading System'. It is expected that there will be four such seminars per year.

4. Outreach

In 2019, the CIDS organized or co-organized the following public events:

Conference ‘Enforcement, Setting Aside and Related Treaty Claims: A View from Europe’, co-organized with the International Chamber of Commerce, which took place on 10 May 2019. The event was the first of its kind in Switzerland and brought together arbitration counsels, arbitrators and academics from all over Europe to discuss recent trends and decisions in relation to the setting aside and enforcement of arbitral awards, and the circumstances under which the violation of the New York Convention could amount to a violation of investment protection standards. Speakers included (in order of appearance) Alexander Fessas (Secretary General, ICC International Court of Arbitration), Anne Véronique Schlaepfer (White & Case), Urs Weber-Stecher (Wenger & Vieli), David Arias (Arias), Prof. Maria Beatrice Deli (University of Molise), Dr Xavier Fabre-Bulle (Lenz & Staehelin), Françoise Lefèvre (Linklaters), Olena Perepelynska (Integrites), Philippe Pinsolle (Quinn Emanuel Urquhart & Sullivan), Sebastiano Nessi (Schellenberg Wittmer), Dr Yas Banifatemi (Shearman & Sterling), Pietro Galizzi (ENI), Prof. Jan Kleinheisterkamp (LSE), Dr Réka Agnes Papp (Bureau Pierre Tercier), Wieger Wielinga (Omni Bridgeway), Prof. Maxi Scherer (Queen Mary), and Giulio Palermo (Archipel). Attendance was of about 150 participants.

The conference was preceded by an ASA Below 40 Spring Seminar and a smaller event co-organized with ASA, the Comité Français de l’Arbitrage, the Associazione Italiana per l’Arbitrato, Cepani, the Club Español del Arbitraje, the Russian Arbitration Association, and the Ukrainian Arbitration Association.

Conference ‘Can we save the WTO Appellate Body (and Dispute Settlement) from a shipwreck, and how?’, which took place on 20 November 2019, and was moderated by Prof Gabrielle Marceau (University of Geneva and WTO). The conference addressed the context of the creation of the WTO dispute settlement system, including its unique and hybrid nature, the roots of the Appellate Body crisis and its key features, as well as the reactions of WTO Members to the concerns raised by the United States. Speakers included (in order of appearance) David Unterhalter (High Court of South Africa, former Chairman of the WTO Appellate Body), Prof. Karen Alter (Northwestern University), Scott Andersen (Sidley Austin), H.E. Manuel A.J.

Teehankee (Ambassador, The Philippines), Claudia Orozco (WTO Panel Member), Kholofelo Kugler (Advisory Center on WTO Law), Prof Joost Pauwelyn (Graduate Institute). Attendance was of about 300 participants.

Roundtable ‘Water Disputes: How to Prevent and Solve Them?’, which took place on 3 December 2019, and was chaired by Prof. Laurence Boisson de Chazournes. The roundtable addressed the means for avoiding and resolving water disputes at the local, regional and universal level. Speakers included (in order of appearance) H.E. Valentin Zellweger (Ambassador, Switzerland), Prof. Stephen McCaffrey (University of the Pacific, former Special Rapporteur), H.E. Ximena Fuentes Torrijo (Ambassador, Chile), and Prof. Attila Tanzi (University of Bologna).