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Institute for Transnational Arbitration  
**ITA IN REVIEW**

# ITA IN REVIEW

The Journal of the Institute for Transnational Arbitration



**TABLE OF CONTENTS**

**ARTICLES**

HOST STATE RATIFICATION OF ILLEGAL CONDUCT.	<i>Dan-Vlad Druta</i>	1
ON THE PATH TO JUSTICE: EXPLORING THE PROMISE AND PITFALLS OF THE HAGUE RULES ON BUSINESS AND HUMAN RIGHTS ARBITRATION.	<i>Iris Ng Li Shan</i>	54
A CRITICAL ANALYSIS ON INTERNATIONAL COMMERCIAL ARBITRATION, COURT INTERVENTION AND THE ENFORCEMENT OF FOREIGN ARBITRAL AWARDS IN BANGLADESH.	<i>Al Amin Rahman &amp; Tasmiah Nuhiya Ahmed</i>	82

**BOOK REVIEWS**

ARBITRATION OF M&A TRANSACTIONS: A PRACTICAL GLOBAL GUIDE EDITED BY EDWARD POULTON	<i>Tim Samples &amp; Atman Shukla</i>	95
GAS AND LNG PRICE ARBITRATIONS: A PRACTICAL HANDBOOK (2ND EDITION) BY JAMES FREEMAN AND MARK LEVY Q.C.	<i>Thomas Voisin</i>	100
ATTRIBUTION IN INTERNATIONAL LAW AND ARBITRATION BY CARLO DE STEFANO	<i>Augustin Barrier &amp; Anita Subedi</i>	104

**YOUNG ITA**

YOUNG ITA CHAIR'S REPORT	<i>Robert Reyes Landicho</i>	109
HOW TO ACHIEVE A SUCCESSFUL HEARING	<i>María Lilian Franco &amp; Abel Quezada Garza</i>	127
REPORT: #YOUNGITATALKS—VIENNA PUBLICATION OF AWARDS: PROMISING FUTURE STANDARD OR UNFORTUNATE TRANSPARENCY HYPE?	<i>Viktor Cserép</i>	137



## ITA IN REVIEW

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## YOUNG ITA CHAIR'S REPORT 2020

by Robert Reyes Landicho

### I. INTRODUCTION

Young ITA is a group of like-minded young professionals (under 40) practicing international arbitration. Young ITA encourages its members to become more involved with the ITA and fosters a supportive and inclusive community of arbitration professionals through programs, publications, competitions, and other activities.

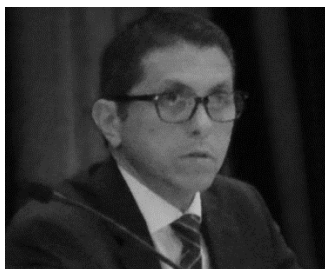
### II. YOUNG LAWYERS ROUNDTABLES

Young Lawyers Roundtables are presented annually during the ITA Workshop, the ITA-IEL-ICC Joint Conference on International Energy Arbitration, and the ITA-ALARB Americas Workshop. The past two 2020 Young Lawyers Roundtables are highlighted below, with the third roundtable scheduled for December 2, 2020 during the ITA-ALARB Americas Workshop.

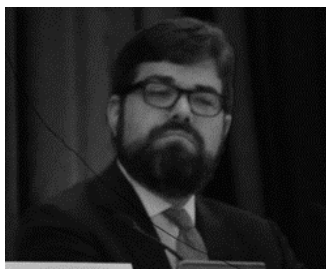
#### A. 8th ITA-IEL-ICC Joint Conference on International Energy Arbitration.

The Young Lawyers Roundtable for the 8th ITA-IEL-ICC Joint Conference on International Energy Arbitration took place on January 23-24, 2020 in Houston.

Rafael Boza (ICC Young Arbitrators Forum (YAF), Sarens USA), Christopher Hogan (IEL Young Energy Professionals (YEP), Hogan Thompson LLP), and Robert Reyes Landicho (Young ITA, Vinson & Elkins LLP) served as roundtable co-chairs.



Rafael Boza



Christopher Hogan



Robert Reyes Landicho

Panel 1 addressed the topic “A Tour Around Our ‘Troubled’ World? Recent Geopolitical Developments and Their Impact on Energy Disputes,” with the interventions of **Chiann Bao** (Independent Arbitrator; Former Secretary General of



HKIAC); **Dilpreet Dhanoa** (Squire Patton Boggs, Dubai and Abu Dhabi); and **Teresa Garcia-Reyes** (Senior Counsel, Litigation, Baker Hughes Company, Houston); moderated by Young ITA's Co-Chair, **Christopher Hogan**.



Later on, Panel 2 addressed the issue of “National Security, International Trade, and Sanctions Update—A Brave New World and How Disputes Lawyers can Cope,” with the participation of **Damara Chambers** (Vinson & Elkins LLP, Washington, D.C.); **John E. Lash** (Control Risks, Washington, D.C.); and **Dr. Crina Baltag** (Young ITA Vice-Chair, Stockholm University, Stockholm); and it was moderated by **Rafael Boza** (ICC Young Arbitrators Forum (YAF), Sarens USA).



The Young Lawyers Roundtable concluded with a well-attended reception.







B. *32nd Annual ITA Workshop and Annual Meeting—“Ethical Challenges with Virtual Arbitral Proceedings”.*

The Young Lawyers Roundtable held during the 2020 ITA Virtual Workshop comprised of one mock pre-hearing conference and one panel.

The Mock Pre-Hearing Conference issue was: “Due to travel and in-person hearing restrictions at the seat of arbitration [Paris, France], an arbitration hearing under the 2017 ICC Rules of Arbitration scheduled for July 1 through 14, 2020 cannot move forward in person.”

Claimant argued that an online hearing must go forward in the interests of fairness and efficiency, citing financial pressures if an Award is not rendered expeditiously.

Respondent argued that there would be a grave breach of due process if the hearing moves forward, as this would deprive Respondent of the ability to meaningfully offer or present its witnesses in person (two of its four witnesses would testify in Arabic) and because two of the expert witnesses had recently suffered the loss of a close relative.

The Arbitral Tribunal then engaged in a mock deliberation and rendered a decision.

The participants of the Mock Pre-Hearing Conference were **Thomas Innes** (Counsel for Claimant, Steptoe & Johnson LLP, London, Young ITA Thought Leadership Chair); **Jawad Ahmad** (Counsel for Respondent, Mayer Brown LLP, London); **Stephanie Cohen** (Tribunal Chair, Independent Arbitrator, New York); **Anna-Maria Tamminen** (Co-Arbitrator, Hannes Snellman, Helsinki); and **Joseph Chedrawe** (Co-Arbitrator, Vinson & Elkins LLP, Dubai).



Thomas Innes



Jawad Ahmad



Stephanie Cohen

Anna-Maria  
Tamminen

Joseph Chedrawe

Later, the Roundtable Panel Discussion addressed the topic “A Tour Around the Arbitration World – Commonalities and Divergences in a Time of Disruption.”

A group of practitioners presented recent developments in international arbitration in their respective jurisdictions, both before the COVID-19 pandemic and after, considering how different legal systems have reacted to the disruption.

The panel was moderated by **Marike R.P. Paulsson** (Senior Advisor, Albright Stonebridge Group, Bahrain), and the panelists were **Sylvia Samano Beristain** (Secretary General, Arbitration Center of Mexico, Mexico City – Young ITA Regional Chair for Mexico and Central America); **Alexander Leventhal** (Quinn Emmanuel, Paris, France – Young ITA Regional Chair for Continental Europe); **Vinicius Pereira** (Campos Mello Advogados in association with DLA Piper, Rio de Janeiro – Young ITA Chair for Brazil); and **Sue Hyun Lim** (Secretary General, Korean Commercial Arbitration Board, KCAB INTERNATIONAL, Seoul).



Marike Paulsson

Sylvia Samano  
BeristainAlexander  
Leventhal

Vinicius Pereira



Sue Hyun Lim

### III. #YOUNGITA EVENTS

#YoungITATalks is a series of local events presented around the world. The format of each of the talks varies, ranging from workshops, interviews, panel discussions, debates, or other presentation formats that cover a wide range of





subjects relating to arbitration. The #YoungITATalks series is designed to educate, promote conversation, and share knowledge and experiences among young practitioners worldwide. This year, the Young ITA has also hosted #YoungITA Mentorship Speaker Series events, which focused on interest issues to the Young ITA mentorship program groups (but were open to all ITA and Young ITA members).

Thus far in 2020, Young ITA has hosted 15 events (listed below) and have—at least—three more planned for the remainder of 2020. Due to the COVID-19 pandemic, all Programs after March 6, 2020 were virtual programs.

A. *January 16, 2020—#YoungITATalks and CIArb YMG Paris.*

This event was held at Dechert LLP's office in Paris and the topic was “The Arbitral Process from Start to Finish—Tips for a Successful Arbitration” and speakers included: **Alexander Fessas** (ICC Secretary General, Paris); **José Manuel García Represa** (Dechert LLP); **Ana Gerdau de Borja** (Derains & Gharavi); **Ilija Mitrev Penusliski** (Shearman & Sterling); **Rocío Digon** (White & Case); **Sara Kileilat Aranjó** (Senior Associate, Al Tamimi & Co.); and **Alexander Leventhal** (Young ITA Regional Co-Chair for Continental Europe, Quinn Emanuel).



Alexander Fessas



J.M. García Represa



Ana Gerdau de Borja



Ilija Mitrev Penusliski



Rocío Digon



Sara Kileilat Aranjó



Alexander Leventhal



B. February 6, 2020 - #YoungITATalks, Guatemala City.

This event was held at Club Guatemala Centro Histórico, Guatemala City, Guatemala, and addressed the topic “A debate on the scope of the arbitration agreement in tort cases related to sports arbitration” (in Spanish). Speakers included: **Álvaro Castellanos Howell** (President, CRECIG); **Alejandro Cofiño** (QIL+4 Abogados); **Igancio Grazioso** (Director, CRECIG); and **Sylvia Samano Beristain** (Secretary General, Arbitration Center of Mexico, Young ITA Regional Chair for Mexico and Central America).



Álvaro Castellanos  
Howell



Sylvia Samano  
Beristain



Alejandro Cofiño



Igancio Grazioso



C. February 20, 2020 - #YoungITATalks & YAAP Joint Conference, Vienna.

Held at Hotel de France in Vienna, the topic was “The promise and peril of the publication of arbitral awards.” Speakers included: **Andreas Schreggenberger** (Gabriel Arbitration, Zurich); **Natascha Tunkel** (KNOETZL, Vienna); **Ryan Manton** (Three Crowns, Paris); **Anna Kozmenko** (Schellenberg Wittmer, Zurich); **Tamara Manasijevic** (Andreas Reiner & Partners, Vienna); **Klaudia Dobosz** (VIAC, Vienna); **Maria Gritsenko**



(VEON, Amsterdam); **Markus P. Beham** (University of Passau, Passau); and **Joseph Schwartz** (Wagner Arbitration, Berlin).



Andreas Schregenberger



Natascha Tunkel



Ryan Manton



Anna Kozmenko



Tamara Manasijevic



Klaudia Dobosz



Maria Gritsenko



Markus P. Beham



Joseph Schwartz







D. February 27, 2020 - #YoungITATalks, Malibu.

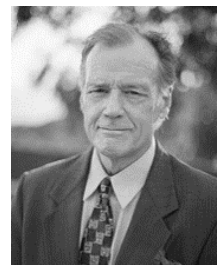
This event took place at Pepperdine Caruso School of Law in Malibu, California. The topic was “Decoding the Restatement on International Commercial Arbitration and Investor-State Arbitration and Latest Developments Under California Law.” Speakers included: **Neil Popovic** (Sheppard Mullin; Professor, Berkeley Law); **Professor Robert E. Lutz** (Southwestern Law School, Los Angeles); **Professor Jack J. Coe, Jr.** (Pepperdine Caruso School of Law, Malibu); **Cecilia Flores Rueda** (Flores Rueda Abogados, Mexico City); **Sarah Reynolds** (Mayer Brown LLP, Palo Alto); and **Marcio Vasconcellos** (Musick Peeler, Los Angeles).



Neil Popovic



Prof. Robert E. Lutz



Prof. Jack J. Coe, Jr.



Cecilia Flores Rueda



Sarah Reynolds



Marcio Vasconcellos



E. *March 4, 2020 - Presented by Young ITA - Tel-Aviv Young Arbitration Practitioners' Symposium.*

Held at Meitar Law Firm, the topic was “Procedural trends in international arbitration and energy sector arbitration” and speakers included: **Dr. Claudia Annacker** (Dechert, Paris); **Baruch Baigel** (Asserson); **Gidon Even-Or** (AYR); **Ayelet Hochman** (White & Case); **Nir Kiedar** (Gornitzky & Co); **Alexander Leventhal** (Young ITA Regional Chair–Continental Europe, Quinn Emmanuel); **Ben Love** (ITA Communications Co-Chair, Reed Smith); **Andrea Manaker** (White & Case); **Asaf Niemoj** (Meitar Law Firm); **Kirtan Prasad** (RPC); and **Elad Shaul** (General Legal Counsel at M+W Israel Ltd.).



Dr. Claudia Annacker



Baruch Baigel



Gidon Even-Or



Ayelet Hochman



Nir Kiedar



Alexander Leventhal



Ben Love



Andrea Manaker



Asaf Niemoj



Kirtan Prasad



Elad Shaul

F. *March 5, 2020 – #YoungITATalks, Geneva.*

Co-hosted with ASA Below 40, the topic of this event was “The Future of Intelligence in International Arbitration—Artificial Intelligence & Arbitrator Intelligence.” The Speakers included: **Niuscha Bassiri** (Hanotiau & van den Berg, Brussels); **Catherine Anne Kunz** (ASA Below 40 Co-Chair, Lalive); **Alexander Leventhal** (Young ITA Regional Co-Chair for Continental Europe, Quinn Emanuel); **Sara Nadeau-Seguin** (Teynier Pic, Paris); **Flavio Peter** (Wenger & Wieli, Zurich); **Philippe Pinsolle** (Quinn Emanuel, Geneva); **Nhu Hoang Tran Thang** (Peter and Kim, Geneva); and **Philip Wimalasena** (Schellenberg Wittmer, Zurich).





Niuscha Bassiri



Catherine Anne Kunz



Alexander Leventhal



Sara Nadeau-Seguin



Flavio Peter



Philippe Pinsolle

Nhu Hoang Tran  
Thang

Philip Wimalasena

G. *April 23, 2020 - #YoungITATalks, Central America.*

Due to the COVID-19 pandemic, this event (and the ones that follow) was held via Zoom. The topic was “Is arbitration a mechanism that favors trade relations and investment in the region?” (in Spanish) and speakers included: **Sylvia Samano Beristain** (Secretary General, Arbitration Center of Mexico; Young ITA Chair, Mexico and Central America); **Emilio Ruiz** (Central Law, Honduras); **Christian Betancourt** (Consortium Legal, Honduras); **David García Hellebuyck** (GH Abogados, El Salvador); **Francisco Zuluaga** (Arias Law, Guatemala); and **Sebastián Ayala** (ECIJA, Costa Rica).



Sylvia Samano Beristain



Emilio Ruiz



Christian Betancourt



David García Hellebuyck



Francisco Zuluaga



Sebastián Ayala

H. May 29, 2020 - #YoungITA Mentorship Program Speaker Series.

The event addressed the issue of “The Elastic Corporate Form in Investment Arbitration” and speakers included: **Karima Sauma** (Young ITA Mentorship Chair, CICA-AmCham, Costa Rica); **Professor Julian Arato** (Brooklyn Law School, NY); and **Edi Grgeta** (Compass Lexecon, Chicago).



Karima Sauma



Julian Arato



Edi Grgeta

I. June 25, 2020 - #YoungITATalks, Europe, Central and South America.

The topic for this panel was “Construction Arbitration—practical perspectives of the arbitrator, the litigant and the client” (in Spanish) and the speakers were: **Andrés Talavera** (Young ITA South America (Spanish-Speaking Countries) Chair); **Javier Íscar** (Asociación Europea de Arbitraje); **Sylvia Samano Beristain** (Secretary General, Arbitration Center of Mexico; Young ITA Chair, Mexico and Central America); **Alfredo Bullard** (Bullard, Falla & Ezcurra Abogados); **Eduardo Siqueiros** (Arb-Inter); **Victoria Viñes** (Maire Tecnimont SpA Milán); **Ximena Herrera** (Shearman & Sterling); and **Rocío Digon** (White & Case).



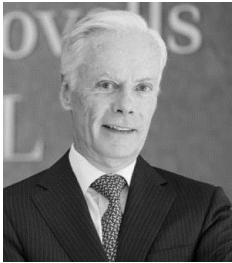
Andres Talavera



Javier Íscar

Sylvia Samano  
Beristain

Alfredo Bullard



Eduardo Siqueiros



Victoria Viñes



Ximena Herrera



Rocío Digon

J. July 23, 2020 - #YoungITATalks, Portugal, Brazil, and Europe.

This event's topic was "A Chat on the Brave New World of Arbitration" (in Portuguese) and the speakers included: **Vinicius Pereira** (Campos Mello Advogados, Young ITA Regional Chair, Brazil); **Pedro Batista Martins** (Batista Martins Advogados); **Alexander Leventhal** (Quinn Emanuel, Young ITA Regional Chair, Continental Europe); **Mariana Marra** (Leste Litigation Finance); **Sofia Ribeiro Mendes** (DLA Piper); **André Luis Monteiro** (Quinn Emanuel); **Ana Gerdau de Borja** (Derains & Gharavi); and **Ana Serra e Moura** (Deputy Secretary General, ICC).



Vinicius Pereira



Pedro Batista Martins



Alexander Leventhal



Mariana Marra



Sofia Ribeiro Mendes



André Luis Monteiro



Ana Gerdau de Borja



Ana Serra e Moura

K. *August 10, 2020 – #YoungITA Mentorship Program Speaker Series.*

Addressing a current pressing issue, this panel's topic was "COVID-19 as an Excuse Not to Perform International Contracts." Speakers included: **Karima Sauma** (Young ITA Mentorship Program Chair, CICA-AmCham, Costa Rica); **Alejandro M. Garro** (Adjunct Professor of Law, Columbia University); and **Michael A. Fernández** (Winston & Strawn, New York).



Karima Sauma



Alejandro M. Garro



Michael A. Fernández

L. *August 31, 2020 – #YoungITATalks, Brazil—(in Portuguese).*

Hosted by Silveiro Advogados, the topic addressed the issue of the "Effects of Judicial Recovery on the Arbitration Agreement and Arbitral Proceedings." Speakers included: **Vinicius Pereira** (Campos Mello Advogados and Young ITA Regional Chair, Brazil); **Ricardo Ranzolin** (Silveiro Advogados); **Giovana Benetti** (Judith Martins-Costa Advogados); **Guilherme Queirolo Feijó** (Silveiro Advogados); and **Luis Renato Ferreira** (TozziniFreire Advogados).





Vinicius Pereira



Ricardo Ranzolin



Giovana Benetti

Guilherme  
Queirolo FeijóLuis Renato  
Ferreira

M. September 3, 2020 - #YoungITATalks, Global (Mentorship Program).

This event was co-sponsored by Centro de Arbitraje de México and FloresRueda Abogados. The topic was “Tips for Home Office / Working from Home” and the panelists were **Karima Sauma** (Young ITA Mentorship Program Chair, CICA-AmCham, Costa Rica); **Cecilia Flores Rueda** (FloresRueda Abogados); **Sylvia Samano Beristain** (Secretary General, Arbitration Center of Mexico; Young ITA Chair, Mexico and Central America); **María Lilian Franco** (Aguilar Castillo Love, Guatemala City, Guatemala); **Rania Alnaber** (IB Law, Amman, Jordan); **José Abel Quezada** (Del Castillo y Castro Abogados, Monterrey, Mexico); **Mariana Rentería Díaz Barriga** (Wöss & Partners, Mexico City, Mexico) (not pictured); and **Inaê Siqueira de Oliveira** (Ernesto Tzirulnik Advocacia, Porto Alegre, Brazil) (not pictured).



Karima Sauma



Cecilia Flores Rueda

Sylvia Samano  
Beristain

María Lilian Franco



Rania Alnaber



José Abel Quezada

N. September 15, 2020 - #YoungITATalks, Brazil.

This event addressed the following topic: “International Arbitration: How to Choose Your Seat” (in Portuguese and English). Speakers included: **Vinicius Pereira** (Campos Mello Advogados and Young ITA Regional Chair, Brazil); **Bruno Baptista** (President of the Brazilian Bar Association - Pernambuco Section); **Mario Guimarães** (President of the Escola Superior da Advocacia - ESA / PE); **João Lessa** (Secretary General of the CIESP/FIESP Chamber); **Crina Baltag** (Senior Lecturer at Stockholm University, Young ITA Vice Chair); **João Ilhão Moreira** (Assistant Professor at the University of Macau); and **Clávio Valença** (Doctor from the University of São Paulo. Lawyer and arbitrator).



Vinicius Pereira



Bruno Baptista



Mario Guimarães



João Luiz Lessa Neto



Crina Baltag



João Ilhão Moreira



Clávio Valença Filho

O. October 13, 2020 - #YoungITATalks, Africa, Mexico, and Central America.

This event, co-organized by the Nigerian Institute of Chartered Arbitrators and





Arbitration Center of Mexico, addressed the topic “Challenges of Arbitration in the Developing World,” and speakers included: **Demilade Elemo** (Young ITA Regional Chair for Africa); **Sylvia Samano Beristain** (Secretary General, Arbitration Center of Mexico; Young ITA Chair, Mexico and Central America); **Julieta Ovalle Piedra** (Ovalle Favela Abogados, México); **Vicente Bañuelos** (Garza Tello- Clyde & Co., México); **Mauricio París** (ECIJA-Costa Rica); **Alexander Aizenstatd** (Alexander Aizenstatd, Guatemala); **Fidèle Masengo** (General Secretary, Kigali International Arbitration Centre, Rwanda); **Madeline Kimei** (Founder, iReolve, Tanzania); **Tokunbo Davies** (Pinheiro LP, Nigeria); and **Folashade Alli** (FAA law, Nigeria).



Demilade Elemo

Sylvia Samano  
Beristain

Julieta Ovalle Piedra



Vicente Bañuelos



Mauricio París



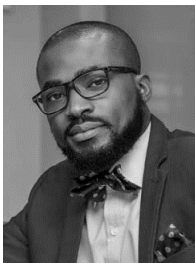
Alexander Aizenstatd



Fidèle Masengo



Madeline Kimei



Tokunbo Davies



Folashade Alli

#### IV. 2020 YOUNG ITA WRITING COMPETITION AWARD WINNER

Young ITA is pleased to announce the 2020 Young ITA Writing Award winner,



**Dan-Vlad Druta** (LLM, Harvard Law School).



Dan-Vlad's paper, "Host State Ratification of Illegal Conduct," is published in this issue of ITA journal *ITA in Review*.

The annual award, "*New Voices in International Arbitration*," recognizes research in the field of international arbitration by young practitioners, academics, and students.



**ROBERT REYES LANDICHO** is an attorney in Vinson & Elkins LLP's Houston office. He focuses in international commercial arbitration, investor-state arbitration, and U.S. commercial litigation. Rob has represented clients or assisted in investor-State disputes at ICSID and under the UNCITRAL rules, as well as in ICC, ICDR, AAA, DIFC, BCDR, LCIA, and ad hoc commercial arbitrations. Rob has particular experience in oil and gas, construction and infrastructure, banking, manufacturing, real estate, franchising, and intellectual property international disputes involving Middle Eastern, European, and North, Central, and South American parties.



## Table of Contents

### ARTICLES

HOST STATE RATIFICATION OF ILLEGAL CONDUCT. *Dan-Vlad Druta*

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HAGUE RULES ON BUSINESS AND HUMAN RIGHTS ARBITRATION *Iris Ng Li Shan*

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