

ANNEX 5

to the

OPINION OF PROFESSOR GEORGE A. BERMANN

in the case of

Anatolie Stati, Gabriel Stati, Ascom Group SA and Terra Raf Trans Traiding Ltd

versus

the Republic of Kazakhstan

January 17, 2021

GEORGE A. BERMANN

Walter Gellhorn Professor of Law and Jean Monnet Professor of European Union Law
Director, European Legal Studies Center
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PERSONAL:

Date of birth: December 2, 1945

EMPLOYMENT:

Columbia University School of Law: *Walter Gellhorn Professor of Law*, 2002 to present; *Jean Monnet Professor of European Union Law*, 2001 to date; *Charles Keller Beekman Professor of Law*, 1993 to 2002; Professor of Law, 1981-93; Associate Professor of Law, 1979-81; Assistant Professor of Law, 1975-79

Professeur affilié, Ecole de droit, Institut des sciences politiques (Sciences Po), Paris France

Tocqueville-Fulbright Distinguished Chairholder, University of Paris I and Institut des Sciences Politiques (fall term 2006)

College d'Europe (Bruges, Belgium): member of the visiting faculty of law (2004 to 2013)

Courses taught:

Transnational Litigation and Arbitration
Contracts
European Union Law
Comparative Law and European Law

Foreign Investment Law and Arbitration
WTO Dispute Resolution
Administrative Law
Government and Public Official Liability

UNIVERSITY FUNCTIONS:

Director, Center for International Commercial and Investment Arbitration (CICIA), 2012 to date

Director, European Legal Studies Center, 1998 to 2014

Faculty advisor to Columbia Teams in Willem Vis Moot Court and Hong Kong Arbitration Moot Court Competitions, European Union Moot Court Competition, and Jessup International Law Moot Competition, 1996 to date

Chair, Comparative and International Law Committee, 1991 to 1996, 1997 to 2003, 2008-10

Chair, Global Affairs Committee, spring 2020

Steering Committee, Columbia-IALS Research Centre (London), 2000 to date

Chair, Curriculum Committee, 1987 to 1988

Advisory Committee, 2000-2002, 2004 to 2008

Appointments Committee, 1984 to 1986

Junior Faculty (Promotions) Committee, 1989 to 1993 (chair 1990 to 1991)

Advisory Committee, University Institute for the Study of Europe, 2000 to date
Chair, Advisory Committee, Reid Hall Institute for Scholars (Paris), 2002-03
Advisory Committee, Maison Française, 1991 to date

OTHER EMPLOYMENT:

Lecturer, Masters in International Dispute Settlement (May week from 2018 to date)
Lecturer, Georgetown Law Center (January week from 2014-2017)
Lecturer, LLM program at university of Miami (January week 2020)
Visiting professor, University of Versailles St. Quentin, master of Arbitration and International
Commerce (2011)
Visiting professor, Faculty of law of Master 2 Droit et de la Globalisation, University of Paris I and
Institut des Sciences Politiques (Paris) (2003 to date)
Visiting Professor, Faculties of Law of University of Paris I (Pantheon-Sorbonne) and University of Paris
II (Pantheon-Assas) (1996 to date)
Member of Overseas Faculty, College of Europe, Bruges, Belgium, Department of Law (2003 to 2014)
Visiting Professor, University of St. Gallen (Switzerland), Master of European Law and International
Business Law, offered at Collège d'Europe, Bruges (Belgium) (September 1999, September 2000)
Visiting Professor, Faculty of Law of University of Fribourg (Switzerland) (January-July, 1997))
Visiting Professor, New York University School of Law, New York (spring term 2001)
Eason-Weinmann Visiting Professor of Comparative Law, Tulane Law School, New Orleans, La. (fall term
1998)
Faculty, June Program for International Lawyers, Parker School of Foreign and Comparative Law, New
York, New York (June 1987-June 1989, June 1992)
Visiting Professor, Faculties of Law of Universities of Paris I and Rouen (France) (1981-1982)
Professor, Leyden-Amsterdam-Columbia Summer Program in American Law, Leyden and Amsterdam
(Netherlands) (1979-1982)
Lecturer, International Faculty for the Teaching of Comparative Law (Pescara, Italy, August 1975)
Associate, Davis Polk & Wardwell, One Chase Manhattan Plaza, New York, New York (litigation) (1970-
1973)

PROFESSIONAL MEMBERSHIPS AND ACTIVITIES:

Chief Reporter, ALI Restatement of the Law (Third) of the US Law of International Commercial
Arbitration 2008-2020
Member, Working Group III of United Nations Commission on International Trade Law, on Reform of the
Investor-State System, 2018 to date
Co-author (with Emmanuel Gaillard), UNCITRAL Guide to the New York Convention
Chair, Global Board of Advisers, New York International Arbitration Center, 2013 to date
Board of Advisers, Center for Conflict Prevention and Resolution (CPR), 2014 to date
Advisory Committee on Private International Law, US State Department, 2018 to date
Discussion Leader, Luxembourg Seminar on a US Supreme Court/European
Court of Justice Dialogue, 2012 to date
Academic Task Force to UNCITRAL working group on the future of ISDS
Founding Member, Governing Board, International Chamber of Commerce, Court of International
Arbitration, 2012 to 2016)
President of Board, Center for International Investment and Commercial Arbitration, Lahore,
Pakistan (2014 to date)
President, International Academy of Comparative Law (Académie internationale de droit compare
(2006 to 2014)
Member, Advisory Committee, ALI, Restatement(4th) of Foreign Relations Law of the United States (2013
to date)
Member, Advisory Committee, ALI, Restatement(3d) of Conflict of Laws (2014 to date)

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Member, ICC Commission on Arbitration, 2011 to date
Member, Standing Committee of the International Court of Arbitration, 2015 to date
Co-Editor in Chief, *American Review of International Arbitration*, 2011 to date
President, American Society of Comparative Law (ASCL), 1998 to 2002
Chief Reporter, ALI Restatement of the U.S. Law of International Commercial Arbitration, 2008 to 2020
Council Member, European Law Institute, 2011 to date
Member, Comité scientifique of the *Revue de l'Arbitrage* (Paris), 2011 to date
Co-Editor in Chief, *American Journal of Comparative Law*, 2004 to 2008
Board of Directors, American Society of Comparative Law (ASCL), 1988 to date; ASCL Vice-President, 1994-1998
Member, Board of Editors, *American Journal of Comparative Law*, 1976 to date
Council member, American Arbitration Association, 2008 to date
Board member, Advisory Council, Center for Conflict Prevention and Resolution (CPR) (2014 to date)
Member of Roster, International Centre for Dispute Resolution ICDR, AAA, CPR, CIETAC, Korean Commercial Arbitration Board, LCIA, Stockholm Chamber of Commerce, Kuala Lumpur Arbitration Center
Member, Academic Council, Institute for Transnational Arbitration (ITA), 2006 to 2012
Member, New York City Bar Committee on International Commercial Dispute Resolution, 1998 to date
Member, International Arbitration Club of New York, 2009 to date
Consultant to members of the US bar and Expert Witness and Deponent on Foreign (French, German, Swiss, Belgian, UK and European Union) Law and Transnational Law, 1979 to date
Court-appointed Foreign Law Expert on French, German and Swiss Law
Adviser to the Legal Service of the Commission of the European Communities
Member of Board of Advisors, Koç University Law School, Istanbul, Turkey, 2005 to date
Member, Advisory Committee, Centre for European Legal Studies, University of Cambridge, U.K.. 2006 to 2010
Founder and chair of the Executive Editorial Board, *Columbia Journal of European Law*, 1997 to date (Editor-in-Chief, 1994-1997)
Editor-in-Chief, *American Review of International Arbitration*, 2016 to date
Board of Directors, *Columbia Journal of Transnational Law*, 1989 to date (Board of Advisors, 1976 to date)
Member, Board of Editors, *Tulane European and Civil Law Forum*, 1992 to date
Member, Board of Editors, *Indiana Journal of Global Legal Studies*, 1997 to date
Member, International Academy of Comparative Law (Paris, France), 1991 to date, President of the Common Law Group, 2002 to date
Member of Executive Committee, European Union Studies Association (EUSA), 2001 to 2003
Member, US State Department, Advisory Committee on the Hague Convention on Jurisdiction and Judgments
Member, American Law Institute (ALI), Advisory Committee on the Hague Convention on Jurisdiction and Judgments
Member, American Law Institute (ALI), Advisory Committee on WTO Trade Law
Member, Department of State, Advisory Committee on Private International Law 2019 to date
Member, Board of Advisors, Institute for the Study of Europe, Columbia University, 2000 to date
Member, Reid Hall (Paris) Committee, Columbia University, 2000 to date
Member, Advisory Board, Institute for Global Legal Studies, Washington University of St. Louis, School of Law, 2001 to date
Board of Directors, American Foreign Law Association (New York, New York), 1983-1986; Vice-President, 1986 to date
Secretary and member of Board of Directors, American Academy of Foreign Law, 1983 to 1996
Member, European Law Committee, New York City Bar Association (New York, New York), 2000 to date
Delegate of American Bar Association (ABA) to the Union Internationale d'Avocats (UIA), 1993-1995

Professor G.A. Bermann

Member, Team Europe, EU Delegation to the US, 1992 to date
Member, Société de Législation Comparée (Paris, France), 1980 to date
Board of Directors, German American Law Association (GALA) (New York, New York), 1978-1982;
member, 1978 to date
Public Member, Administrative Conference of the United States, 1986-1989; Consultant, 1983-1986, 1989-
1995
Executive Director, Leyden-Amsterdam-Columbia Summer Program in American Law (Netherlands),
1979-1982; member, Leyden-Amsterdam-Columbia Summer Program Board of Directors,
1979 to date
Consultant, New York State Bar Association, 1979-1981
Consultant and Lecturer, National Center for Administrative Justice, 1979-1982

EDUCATION:

Legal:

Jervey Fellow, Parker School of Foreign and Comparative Law, 1973-1975, resulting in LL.M. Columbia
University School of Law, 1975 (program of study of French, German and Swiss law)
J.D. Yale Law School, 1971; Editor of the *Yale Law Journal*; Legal Education Research Project with
Professor Robert B. Stevens (Stevens, Law Schools and Law Students, 59 Va. L. Rev. 551 (1973))

Undergraduate:

B.A. Yale College, 1967; Summa cum laude with exceptional distinction in political science; University
Prize for best senior essay in political science; Phi Beta Kappa; Senior editor and copy editor Yale
Daily *NEWS*; William S. Cowles Scholarship

Other:

Tocqueville-Fulbright Scholar, University of Paris I (Pantheon-Sorbonne), Paris, France, 2006
Visiting Fellow, Center for International Studies, Princeton University, Princeton, New Jersey, 2000
Visiting Scholar, Legal Service of the Commission of the European Communities, Brussels, Belgium, 1994
Visiting Scholar at Max Planck Institut für ausländisches öffentliches Recht und Völkerrecht, Heidelberg,
Germany, 1976
Non-degree legal studies at University of Paris II, 1974-1975; University of Munich, 1975; and University
of Heidelberg, 1976
Visiting Scholar at Conseil d'Etat, Paris, France, 1975
Marshall Scholar, University of Sussex, Falmer, Brighton, England, 1967-1968, in law and comparative
politics

PUBLICATIONS:

The Future of International Commercial Arbitration Understanding, in Cambridge Companion to
International Arbitration (Chin Leng Lim, ed.) (forthcoming 2021)
Procedures for Enforcement of New York Convention Awards, in Autonomous versus Domestic Standards
under the New York Convention (Franco Ferrari & Friedrich Rosenfeld, eds.) (forthcoming 2021)
Transnational Litigation (2d ed., West Pub.) (forthcoming 2021)
The Contribution of International Commercial to International Investment Arbitration, in International
Investment Law: An Analysis of the Major Decisions Helene Ruiz-Fabri & Edoardo Stoppioni
(forthcoming, Hart Pub. 2021)

- Understanding ICSID Article 54, 35 ICSID Rev. ____ (2020)
- Intersections between International Investment Arbitration and EU Law, in EU Investment Law and Arbitration, in International Arbitration & EU Law (Nico Lavranos & José Rafael Mata Dona, eds.) (forthcoming, Oxford Univ. Press), 2021)
- The Self-Styled “Autonomy” of International Arbitration, 36 Arb. Int’l 221 (2020)
- International Commercial Arbitration (West. Pub. (2020)
- Applicable Law and the Civil and Common Law Divide (forthcoming 2021)
- Rescuing the Federal Arbitration Act, 20 Ybk Priv. Int’l L. 15 (Otto Schmidt Pub., Swiss Institute of Comparative Law 2020)
- Private international Law in International Arbitration, in Private International Law: Contemporary Challenges and Continuing Relevance (eds. F. Ferrari & D. Fernandez-Arroyo) Edward Elgar Pub. (2020)
- Costs Allocation in International Arbitration: What Normative Source If Any?, in Finances in International Arbitration (eds. S. Tung, F. Fortese (C. Baltag), Wolters Kluwer Pub. p. 27 (2020)
- What Does it Mean to be Pro-Arbitration?, 34 Arb. Int’l 341 (2018)
- European Union Law and international Arbitration at a Crossroad, 42 Fordham Int’l L. J. 967 (2019)
- The Building of an Arbitration-Friendly Jurisdiction in Global Private International Law (eds. H. Muir-Watt, L. Bizikova, A Brandao de Oliveira, D. Fernandez-Arroyo) 77, Edward Elgar Pub. 2019
- Enforcing Legal Norms through Private Means, in Enforcement and Effectiveness of the Law in Reports of the Montevideo Congress of the International Academy of Comparative Law, Springer Pub. 2019
- Anti-Suit Injunctions in Max Planck Encyclopedia of international Law, Oxford U. Press 2019
- Honoring the Parties’ Intent, 2019 International Chamber of Commerce Bulletin 1 (2019)
- Mandatory Rules of Law in International Arbitration, in Conflict of Laws in International Commercial Arbitration 513, Juris Pub. 2019
- Marek Safjan: A Comparative and International Law Colleague, in Festschrift, University of Warsaw faculty of law (2019)
- The Continuing Relevance of Private International Law (D. Fernandez-Arroyo & F. Ferrari, eds.) (Edward Elgar Pub. 2018)
- What Does it Mean to be “Pro-Arbitration?,” 34 Arb. Int’l 341 (2018)
- The Role of National Courts at the Threshold of Arbitration, 28 Am. Rev. Int’l Arb. 291 (2018)
- International Commercial Arbitration and Private International Law (Hague Academy of Private International law, General Course) (2017)
- ALI, Restatement of the US Law of International Commercial and Investor-State Arbitration
- The Energy Charter Treaty and European Union Law, in International Arbitration in the Energy Sector (M. Scherer, ed.) (Oxford U. Press 2018)
- The Interpretation and Application of the New York Convention in National Courts (Springer Pub. 2017)
- Res Judicata* in International Arbitration, in A. Bjorklund, F. Ferrari & S. Kroll, Cambridge Compendium of International Commercial and Investment Arbitration (Cambridge U. Press. forthcoming 2019)
- European Union Law as a Jurisdictional and Substantive Defense in Investor-State Arbitration, in The Impact of EU Law on International Commercial Arbitration (F. Ferrari, ed., Juris Pub. 2017)
- The *Mitsubishi* Case, chapter in forthcoming Global Case-Study Book in Private International Law (Sciences Po Law School, Paris, forthcoming 2019)
- The *Yukos* Annulment: Answered and Unanswered Questions, 27 Am. Rev. Int’l Arb. 1 (2016)
- International Standards as a Choice of Law Option in International Arbitration, 27 Am. Rev. Int’l Arb. 423 (2017)
- Limits to Party Autonomy in Composition of the Arbitral Panel, in Limits to Party Autonomy in International Commercial Arbitration 83 (F. Ferrari, ed., Juris Pub. 2016)
- Jurisdiction in International Arbitration: Courts v. Arbitrators, in International Commercial Arbitration in New York (eds. J. Carter & D. Lindsey) (2d ed., Oxford Univ. Press 2016)
- Gateway-Schmateway: An Exchange between George Bermann and Alan Rau, 43 Peppedine L. Rev. 469 (2016)

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- International Commercial Arbitration: Present Challenges and Future Prospects: Festschrift for John Beechey, in *International Arbitration under Review* (A. Carlevarsi, L. Levy, A. Mourre & E. Schwartz) 59 (ICC Pub. 2016)
- Cases & Materials on European Union Law (West Pub., 4th ed. 2015)
- “*Sounds and Silences*”: Case note on the *Gazprom* Judgment of the European Court of Justice, *Maastricht Journal of European and Comparative Law* (2015)
- The European Law Institute: A Transatlantic Perspective (festschrift for Prof. Bernard Audit) (2015)
- International Standards as a Choice of Law Option in International Commercial Arbitration: Festschrift for Lawrence Craig (2015)
- Dramatic Sideshows at the Hearing, in *Stories from the Hearing Room: Experience from Arbitral Practice* (essays in honor of Michael E. Schneider, B. Ehle & D. Baizeau, eds) (2015)
- A Reply to Chip Brower’s “Hollow Spaces” (*Buffalo Law Review* 2014)
- Litigation in the Civil law and Common Law: The Basics, in *Litigation Strategies and Practice* (Barton Legum & Ethan A. Berghoff eds.) (2d edition 2014)
- International Commercial Arbitration: Past Present & Future (publication of Center for Conflict Prevention and Resolution (CPR)) (2015)
- Dramatic Sideshows at the Hearing (festschrift for Michael Schneider) (2014)
- Une vue outre-atlantique de la Cour et de sa jurisprudence, in *The Court of Justice and the Construction of Europe: Analysis and Perspectives on Sixty Years of case law* 719 (T.M.CV. Asser Press 2013)
- Navigating EU Law and the Law of International Arbitration, 28 *Arb. Int’l* 397 (2012)
- Arbitrability Trouble, 23 *Am. Rev. Int’l Arb.* 367 (2012)
- The Supreme Court Trilogy and its Impact on U.S. Arbitration Law, 22 *Amer. Rev. Int’l Arb.* 551 (2011)
- Parallel Jurisdiction: Is Convergence Possible?, *Yearbook of Private International Law*, 2012; also in *Coinvergence and divergence in private International Law* (Liber amicorum for Kurt Siehr (Katharina boele-Woelki, Talia Einhorn, Daniel Girsberger, & Syemon Symeonides, eds) 579 (Schultess Pub. 2010); *Universidad Metropolitana* (Caracas, Venezuela), *Derecho y Democracia* III 239 (2011)
- Comparing U.S. Law and the Law of the European Union (festschrift for Prof. Camille Jauffret-Spinosi) (Daloz 2012)
- The “Gateway Problem” in International Commercial Arbitration, 37 *Yale Journal of International Law* 1 (2012); also in *International Arbitration and International Commercial Law: Synergy, Convergence and Evolution* (Liber amicorum for Eric Bergsten) (S. Kröll, L.A. Mistelis, P. Perales Viscasillas & V. Rogers, eds.) 55 (Kluwer 2011)
- The Prospects of *Eco Swiss v. Benetton* for International Commercial Arbitration: A Comment on *Eco Swiss v. Benetton*, in *The Practice of Arbitration: Essays in Honor of Hans van Houtte* (eds., P. Wautelet, T. Kruger & G. Coppens) 305 (Hart Pub. 2012)
- American Exceptionalism in International Arbitration, in *Contemporary Issues in International Arbitration and Mediation: The Fordham Papers 2011* (Arthur Rovine, ed.) 3 (Martinus Nijhoff 2012); also in 2 *Interdisciplinary Association of Comparative and Private International Law (IACPIL, Vienna, Austria)* (2011)
- Reconciling European Union Law Demands with the Demands of International Arbitration, in “A Man for All Treaties” (Liber Amicorum JC Piris) (Jean Paul Jacqué et al., eds.) 41 (Bruylant, 2011); also in 34 *Fordham Int’l L. J.* 1193 (2011)
- The UK Supreme Court Speaks to International Arbitration: Learning from the *Dallah* Case, 22 *American Review of International Arbitration* 1 (2011)
- The Prospects of *Eco Swiss. v. Benetton* for International Commercial Arbitration (festschrift for Prof. Hans van Houtte)
- Domesticating the New York Convention: The Impact of the Federal Arbitration Act, 2011 *Journal of International Dispute Settlement* 317 (2011); also in *Comparative Perspectives on international Arbitration* (Giuditta Cordero Moss, ed.) (Cambridge Univ. Press (forthcoming) (2012)
- Mandatory Rules in International Commercial Arbitration, in *CONFLICT OF LAWS IN*

Professor G.A. Bermann

- INTERNATIONAL ARBITRATION (eds., F. Ferrari & S. Kroll) 325 (Sellier Pub., 2010)
- American Law Institute, Restatement 3rd of the US Law of International Commercial Arbitration (in progress)
- A Restatement of European Administrative Law: problems and prospects, in Comparative Administrative Law (Susan Rose-Ackerman & Peter L. Lindseth, eds.) 595 (Edward Elgar Pub. 2010)
- UNCITRAL Guide to the New York Convention (with E. Gaillard) (in progress)
- CASES AND MATERIALS ON WTO LAW (with P. Mavroidis & m. Wu) (West Pub., 2010)
- CASES AND MATERIALS ON EUROPEAN UNION LAW, 3rd ed. (with R. Goebel, W. Davey & E. Fox) (West Pub., 2010)
- Jurisdiction: Courts vs. Arbitrators, in International Commercial Arbitration in New York, (James Carter & John Fellas, eds. (Oxford, 2010)
- U.S. Class Actions and the ‘Global Class,’ 19 Kan. J. L. & Pub. Policy 91 (2009)
- Restating the Law of International Commercial Arbitration, 42 N.Y.U. J. Law & Politics 175 (2009)
- Ascertaining the Parties’ Intentions in Arbitral Design, 113 Penn St. L. Rev. 993 (2009)
- The Emergence of Transatlantic Regulation, in LEGAL CHALLENGES IN EU ADMINISTRATIVE LAW 168 (eds. H. Hofmann & A. Turk) (Elgar Pub. 2009)
- THE INTERNATIONAL TRADE LAW OF CONTINGENT PROTECTION (ed. with P. Mavroidis & K. Bagwell) (volume 3 in Columbia Law Series on WTO Law and Policy) (Cambridge Univ. Press, 2009)
- New Frontiers in the Relationship between National and European Courts, 32 Ford. Int’l L. J. 601 (2009).
- AMERICAN BAR ASSOCIATION GUIDE TO EUROPEAN UNION ADMINISTRATIVE LAW (6-volume set (ABA Pub., July 2008)
- Americanization and Europeanization of Law: Are there Cultural Aspects?, in SESQUICENTENNIAL ESSAYS OF THE FACULTY OF COLUMBIA LAW SCHOOL 20 (2008)
- INTRODUCTION TO FRENCH LAW (with E. Picard) (Kluwer 2008)
- FRENCH BUSINESS LAW IN TRANSLATION (2d ed. with P. Kirch) (Juris Pub. 2008)
- The Role of Courts and arbitrators in determining Arbitral Jurisdiction in U.S. Law, in festschrift for Pierre Tercier 727 (Montcretien 2008)
- National Parliaments and Subsidiarity: An Outsider’s View, in THE LISBON TREATY: THE IRISH NO (I. Pernice, ed.) 453 (Nomos 2008)
- The American Law Institute Goes Global, 16 Willamette J. Int’l L. & Disp. Resol. 300 (2008)
- Mandatory Rules of Law in International Arbitration, 18 Am. Rev. Int’l Arb. 1 (2007), reprinted in MANDATORY RULES OF LAW IN INTERNATIONAL ARBITRATION (ed. with Loukas Mistelis) 1 (Juris Pub. 2011)
- WTO LAW AND DEVELOPING COUNTRIES (ed. with P. Mavroidis) (volume 2 in Columbia Law Series on WTO Law and Policy) (Cambridge Univ. Press, 2007)
- Parallel Litigation and the Transnational Civil Procedure Rules, Rev. It. Diritto Privado (2007)
- The Emergence of Transatlantic Regulation, in The Move to an Integrated Administration (Hoffmaan & Turk, eds, Elgar Pub. 2008)
- La concertation réglementaire transatlantique, in VERS DE NOUVEAUX EQUILIBRES ENTRE ORDRES JURIDIQUES (festschrift for Helene Gaudemet-Tallon, Dalloz 2008)
- La protection des droits de l’individu aux Etats-Unis: proportionnalité et fédéralisme, in Droit global: Des droits au droit : les droits de la personne, fondement du droit (ed. L. Vogel) (Publications of Institut de Droit Compare), p. 41 (2007)
- The Emergence of Transatlantic Regulation, in ECONOMIC LAW AND JUSTICE IN TIMES OF GLOBALISATION (festschrift for Judge and Prof. Carl Baudenbacher) 275 (Nomos 2007)
- Bilingualism and Translation in the US Legal System: A Study of the Louisiana Experience, in 54 AJCL Supp. (2006) p. 89
- Constitutional Lessons from Europe, in festschrift for Francis Jacobs, 29 Ford Intl LJ 601 (2006)
- Litigation in the Civil Law and the Common Law, in International Litigation (ed. B. Legum) 15 (ABA Pub. 2006)
- The Highest Court in Federal Systems, in The Future of the European Judicial system in a Comparative Perspective, Nomos, Berlin (eds. I. Pernice, J. Kokott, C. Saunders) p. 91 (2006)
- Introduction to “Immunity and Accountability: Is the Balance Shifting?,” Proceedings of the American Society of

- International Law (2005 annual meeting, Washington DC), 2005 ASIL Proceedings, p. 227 (2006)
- Jurisdictional and *Forum non Conveniens* Limitations on the Enforcement of Foreign Arbitral Awards (co-authored report of New York City Bar Association, Committee on International Commercial Dispute Resolution
- The Constitution, International Treaties and Contracts, in *Convergence of Legal Systems in the 21st Century: General Reports 16th Congress, Brisbane* (Bruylant Pub.), p. 1073 (2006)
- Constitutional Steps toward Administrative Legitimacy in the European Union, in *Festschrift for Prof. Xavier-Blanc Jouvan* (forthcoming 2007)
- La concertation réglementaire transatlantique, in *Festschrift for Prof. Helene Gaudemet-Tallon* (forthcoming 2007)
- World Trade and Human Health and Safety (ed. with P. Mavroidis) (volume 1 in *Columbia Law Series on WTO Law and Policy* (Cambridge Univ. Press, 2006)
- Executive Power in the New European Constitution, 3 *Int'l J. Const'l L.* 440-47 (2005).
<<http://icon.oupjournals.org/cgi/reprint/3/2-3/440?ijkey=X1dLQfEComNDzAp&keytype=ref>>
- PARTY AUTONOMY: CONSTITUTIONAL AND INTERNATIONAL LIMITS IN COMPARATIVE PERSPECTIVE (Juris Pub. 2005)
- The Application of Private International Law Norms to 'Third Countries': The Jurisdiction and Judgments Example, in *International Civil litigation in Europe and Relations with Third States* (N. Watte & A. Nuyts, eds.) 55 (Bruylant, Brussels, 2005)
- Executive Power in the New European Constitution, 3 *Int'l J. Const'l L.* 421 (2005)
- FRENCH BUSINESS LAW IN TRANSLATION (with P. Kirch) (Juris Pub 2005)
- LAW AND GOVERNANCE IN AN ENLARGED EUROPEAN UNION (ed., with K.Pistor) (Hart Pub., Oxford 2004)
- INTERNATIONAL COMMERCIAL ARBITRATION (West Pub., forthcoming 2005)
- Litigation under the Civil Law and the Common Law, in *International Litigation Deskbook: Strategies and Practice in Cross-Border Disputes* (ed. B. Legum) (ABA Publishing, forthcoming 2005)
- Marbury v. Madison*: Implications for European Law, 36 *G.W.U. Int'l L. Rev.* 557 (2004)
- Competences of the Union, in *EUROPEAN UNION LAW FOR THE 21st CENTURY: RE-THINKING THE NEW LEGAL ORDER* (T. Tridimas & P. Nebbia, eds.) 65 (Hart Pub., Oxford 2004)
- Le droit comparé et le droit international: alliés ou ennemis?, 2003 *Revue internationale de droit comparé* 519 (2003)
- TRANSNATIONAL LITIGATION (West Pub. 2003)
- The Constitutional Convention and EU Institutional Reform, in *THE GOVERNMENT OF EUROPE: INSTITUTIONAL DESIGN FOR THE EUROPEAN UNION* (J.M. Beneyto Perez, ed.) 27 (S.L. Dykinson, Madrid, 2003), republished in *THE GOVERNMENT OF EUROPE: WHICH INSTITUTIONAL DESIGN FOR THE EUROPEAN UNION?* (J.M.Beneyto Perez & I. Pernice, eds) 119 (Nomos Verlagsgesellschaft, Baden-Baden 2004)
- Member State Liability in the Member State's Own Court: An American Comparison," in *UNE COMMUNAUTE DE DROIT* (festschrift for President Gil Carlos Rodriguez Iglesias, European Court of Justice) 305 (BWV Pub. Berlin 2003)
- Policy Recommendations for Dispute Prevention and Dispute Settlement in Transatlantic Relations: Legal Perspectives, in *TRANSATLANTIC ECONOMIC DISPUTES: THE EU, THE US, AND THE WTO* (E-U Petersmann & M. Pollack, eds) 569 (Oxford Univ. Press 2003)
- CASES AND MATERIALS ON EUROPEAN UNION LAW (with R. Goebel, W. Davey & E. Fox) (West Pub. 2d ed. 2002), plus *SELECTED DOCUMENTS* (2d ed. 2002), caesbook supplement (2004)
- Proportionality and Subsidiarity; in *THE LAW OF THE SINGLE EUROPEAN MARKET: UNPACKING THE PREMISES* (C. Barnard & J. Scott, eds.) 75 (Hart Pub. 2002)
- Law in an Enlarged European Union, in *LAW AND LAWS IN A MULTI-STATE SYSTEM* (festschrift in honor of Prof. Arthur von Mehren) (S. Symeonides & J. Nafziger, eds.) 555 (Transnational Pub. 2002)
- TRANSATLANTIC REGULATORY COOPERATION: LEGAL PROBLEMS AND POLITICAL PROSPECTS (Oxford University Press) (ed., with M. Herdegen & P. Lindseth) (2001)
- The Role of Law in the Functioning of Federal Systems, in *THE FEDERAL VISION* (K. Nicolaidis & R. Howse, eds.) 191 (Oxford Univ. Press 2001)

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- European Law: Yesterday, Today and Tomorrow, 36 *Texas Int'l L.J.* 525 (2001)
- The Discipline of Comparative Law in the United States, 1999 *Revue Internationale de Droit Comparé* 1041 (1999)
- Judicial Enforcement of Federalism Principles, in *ENTWICKLUNGS PERSPEKTIVEN DER EUROPAISCHEN VERFASSUNG IM LICHT DES VERTRAGS VON AMSTERDAM* (M. Klöpfer & I. Pernice, eds.) 64 (Nomos Verlagsgesellschaft, Baden-Baden 1999)
- Comparative Law in the New European Community (festschrift for Prof. Rudolf Schlesinger), 21 *Hastings Int'l & Comp. L. Rev.* 865 (1998)
- The European Intergovernmental Conference: An American Perspective (festschrift for Prof. Peter Herzog), 25 *Syracuse J. Int'l L. & Comm.* 61 (1998)
- Provisional Relief in Transnational Litigation, 35 *Colum. J. Transnat'l L.* 553 (1997)
- REGULATORY FEDERALISM: EUROPEAN UNION AND UNITED STATES (Hague Academy of International Law), 263 *Recueil des Cours de l'Académie de Droit International de la Haye* 9 (1997)
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- Regulatory Decisionmaking in the European Commission, 1 *Colum. J. Eur. L.* 415 (1996)
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- European Community Law from a U.S. Perspective, 4 *Tulane J. Int'l & Comp. L.* 1 (1995)
- Managing Regulatory Rapprochement: Institutional and Procedural Approaches, in *REGULATORY CO-OPERATION FOR AN INTERDEPENDENT WORLD* 73 (OECD Pub. 1994)
- Taking Subsidiarity Seriously: Federalism in the European Community and the United States, 94 *Colum. L. Rev.* 331 (1994)
- Subsidiarity and the European Community, 17 *Hastings Int'l & Comp. L. Rev.* 97 (1993); reprinted in 3 [Canadian] *National Journal of Constitutional Law* [*Revue Nationale de Droit Constitutionnel*] 357 (1993) and in *EUROPE AFTER MAASTRICHT: AMERICAN AND EUROPEAN PERSPECTIVES* (P. Lützeler, ed.) 139 (Providence: Berghahn Books 1994)
- A Commentary on the Harmonization of European Private Law, 1 *Tulane J. Int'l & Comp. L.* 47 (1993)
- Competence to Set Aside an Award and Procedural Grounds for Refusing Enforcement: The Viewpoint and Role of the Arbitration Law Expert, in *IUS ARBITRALE INTERNATIONALE, ESSAYS IN HONOR OF HANS SMIT* (T. Carbonneau & V. Pechota, eds.), 3 *Am. Rev. Int'l Arb.* 93 (1992)
- Bijuralism in Federal Systems and in Systems of Local Autonomy (with M. Hilf), in *GENERAL REPORTS OF THE XIIIITH INTERNATIONAL CONGRESS OF THE INTERNATIONAL ACADEMY OF COMPARATIVE LAW* (Montreal, Aug. 1990) 21 (Cowansville, Quebec: Les Editions Yvon Blais 1992)
- Administrative Law, in *INTRODUCTION TO THE LAW OF THE UNITED STATES* (ch. 5) (T. Ansary & D. Clark, eds.) 92 (Berlin: Duncker & Humblot 1992)
- Regulatory Cooperation with Counterpart Agencies Abroad: The FAA's Aircraft Certification Experience, 24 *Law & Policy in Int'l Bus.* 669 (1993), also published in *Administrative Conference of the US, Recommendations and Reports* 63-172 (1991)
- EEC Community-Building under the Single European Act, in *COMPARATIVE AND PRIVATE INTERNATIONAL LAW* (festschrift for John Henry Merryman) (D. Clark, ed.) 333 (Berlin: Duncker & Humblot 1990)
- The Use of Anti-Suit Injunctions in International Litigation, 28 *Colum. J. Transnat'l L.* 501 (1989)
- The Single European Act: A New Constitution for the Community?, 27 *Colum. J. Transnat'l L.* 529 (1989)
- The Hague Evidence Convention in the Supreme Court: A Critique of the *Aérospatiale* Decision, 63 *Tulane L. Rev.* 525 (1989)
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- Federal Tort Claims at the Agency Level: The FTCA Administrative Process, 35 *Case W. Res. L. Rev.* 509 (1985)

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- Administrative Handling of Monetary Claims: Tort Claims at the Agency Level, in Administrative Conference of the United States, Administrative Conference of the US, Recommendations and Reports 639-895 (1984)
- La Responsabilité civile des fonctionnaires au niveau fédéral aux Etats-Unis: vers la solution d'une crise, 1983 *Revue Internationale de Droit Comparé* 319 (1983)
- Occupational Licensing in New York State: A Report of the New York State Bar Association, published in New York State Bar Association, NEW YORK STATE REGULATORY REFORM 10 (1982)
- Contracts between States and Foreign Nationals: A Reassessment, in INTERNATIONAL CONTRACTS (H. Smit, N. Galston & S. Levitsky, eds.) 184 (New York: Matthew Bender 1981)
- French Treaties and French Courts: Two Problems in Supremacy, 28 *Int'l & Comp. L.Q.* 458 (1979)
- Integrating Governmental and Officer Tort Liability, 77 *Colum. L. Rev.* 1175 (1977)
- The Scope of Judicial Review in French Administrative Law, 16 *Colum. J. Transnat'l L.* 195 (1977)
- Les Droits de la défense: réflexions comparatives sur les droits administratifs français et américains B propos d'un cas concret, *Actualité Juridique Droit Administratif (AJDA)* 410 (1975)
- Bringing the Vagueness Doctrine on Campus, 80 *Yale L.J.* 1261 (1971) (with Ballard Jamieson, Jr.)

CONFERENCE AND WORKSHOP PAPERS, PRESENTATIONS AND REPORTS:

- International Arbitration and EU Law: What Next? (keynote address, annual Fordham Conference at New York Arbitration Week, Nov. 20, 2020)
- Interim Measures in International Arbitration (V Oxford Arbitration Day, Nov. 13, 2020)
- Applicable Law and the Civil and Common Law Divide (conference of Cour européenne d'arbitrage, Oct. 26, 2020)
- International Investment Law and EU Law (keynote address at conference on "Global Trends in Arbitration" (Stockholm Centre for Commercial Law & Oxford University, Sept. 25, 2020)
- Examining Expert Witnesses (12th annual Moscow dispute resolution conference, Sept. 17, 2020)
- International Arbitration in Europe under Covid-19 (conference on Regional Perspectives on Investor-State Claims in Light of COVID-19 American Bar Association, International Law Section, July 17, 2020)
- US Discovery for International Arbitration (conference of Davis Polk & Wardwell LLP at Paris Arbitration Week, July 9, 2020)
- International Arbitration as Autonomous Regime (conference of Herbert Smith LLP at Paris Arbitration Week, July 7, 2020)
- Stories from the Hearing Room (annual meeting of Institute for Transnational Arbitration, June 17, 2020)
- Dispute Resolution in Pandemic Times (Italian Forum on International Arbitration, Apr. 29, 2020)
- Class Arbitration (annual meeting of ABA Section of International Law, Apr. 23, 2020)
- Mitsubishi* and its Learning (International Congress of Commercial Arbitration, Apr. 5, 2020)
- Reflections on the Restatement (Pepperdine Univ. School of Law, Feb. 29, 2020)
- Reform of the Investor-State System: UNCITRAL Working Group III (New York International Arbitration Center, Feb. 6, 2020)
- What Does it Mean to Be Pro-Arbitration? (address at Miami office of Holland & Knight, Jan. 15, 2020)
- The New International Arbitration Restatement (lead event, 1st annual New York Arbitration Week, Nov. 20, 2019)
- The Self-Styled Autonomy of International Arbitration (*Global Arbitration Review*, Atlanta, Ga., Sept. 9, 2019)
- Interim Measures in International Commercial Arbitration (University of Lausanne, Switzerland, May 23, 2019)
- Moderator, Fallout from the *Achmea* Judgment (American Society of International Law annual meeting, Washington DC, Mar. 30, 2019)
- Mandatory Law in International Arbitration (IBA annual meeting, Montreal, Canada, Mar. 15, 2019)

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- Moderator, The EU Challenge to Investor-State Arbitration, Columbia Arbitration Day (Mar. 8, 2019)
- Revisiting International Arbitral Awards (conference at International Chamber of Commerce, Paris, Feb. 15, 2019)
- The Future of Investment Treaty Arbitration (conference at Centre for Advanced Research in Dispute Settlement (CARDS), Paris, Feb. 5, 2019)
- Reform of the Investor State Dispute Settlement (conference at University of Oslo, Norway, Feb. 1, 2019)
- Gateway Issues in International Arbitration (conference at Casablanca International Mediation and Arbitration Center, Casablanca, Morocco, Nov. 30, 2018)
- Extraterritoriality in Anti-Corruption Law and Economic Sanctions (conference of Alliance Program, Columbia Law School, Nov. 19, 2018)
- Private International Law and International Arbitration (conference on continuing relevance of private international law, New York Univ. Law School, Nov. 16, 2018)
- International Arbitration and European Union Law (conference on the Future of International Arbitration in Europe, Stockholm Centre for Commercial Law & Oxford Institute of European and Comparative Law, Stockholm, Sweden, Oct. 26, 2018)
- Twilight Issues in International Arbitration (further workshop, FGV Direito SP University, Sao Paulo, Brazil, Oct. 19, 2018)
- Procedural Due Process “Paranoia” (book launch for Luke Sobota’s “General Principles of Law and International Due Process,” New York International Arbitration Center, Oct. 16, 2018)
- Casting Light on Twilight Issues in International Arbitration (conference in honor of Gabrielle Kaufmann-Kohler, University of Geneva, Sept. 27, 2018),
- International Arbitration and its Current Challenges, Kyoto University, Japan, (July 26, 2018)
- Extraterritorial Application of National Regulatory Law (conference at University of Paris/Sorbonne, July 9, 2018)
- The *Achmea* Decision and the ECJ’s Challenge to International Investment Arbitration, University of Amsterdam, (June 26, 2018)
- Sources of Law for Twilight Issues in International Arbitration (project conference at Singapore International Arbitration Center (May 18, 2018))
- The Role of US Courts in the Enforcement of Arbitral Awards, University of Milan (May 16, 2018)
- Normative Sources for Twilight Issues in International Arbitration (project conference at Queen Mary College, University of London, UK (April 24, 2018))
- Challenges in the Restatement of the US Law of International Commercial and Investment Arbitration (presentation to the bench and bar of the federal district court for the southern district of Texas, Houston, Texas, April 9, 2018)
- The New York Convention and European Union Law (conference at Corpus Cristi College, University of Oxford (UK), Institute of European and Comparative Law, Oxford, UK, Mar. 23, 2018)
- International Arbitration and the Law of the Second Circuit (conference at Sidley Austin, New York, Mar. 6, 2018)
- The New York Convention : Unresolved Issues 60 Years On, Columbia Arbitration Day, Columbia Law School (Mar. 2, 2018)
- European Union Law and International Arbitration : A Collision Course, at Georgetown University Law Center, Feb. 22, 2018
- The Singularity of Investor-State Arbitration, Chinese International Economic and Trade Arbitration Commission (CIETAC), Beijing, China (Dec. 4, 2017)
- The Enforceability of Annulled Awards (presentation at GAR Live Paris, Nov. 29, 2017)
- Les Porosités du droit* (conference at American University School of Law, Oct. 26, 2017)
- Privilege and International Arbitration : Cross-Border Clarity or Confusion in Law and Practice ? 17th annual meeting, College of Commercial Arbitrators, Minneapolis, MN, Oct. 13, 2017)
- Capacity Building in Investor-State Arbitration (conference on Asia-Pacific Economic Cooperation (APEC) at World Bank, Washington DC, Oct. 6, 2017)
- Enforcement of Arbitral Awards : The Challenges for Award Creditors (presentation at Hogan Lovells, New York, Sept. 28, 2017)

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- Twilight Issues in International Arbitration (presentation at Rio de Janeiro Bar Association, Rio de Janeiro, Brazil, Sept. 22, 2017)
- The Opportunity to Present One's Case : Equality of Arms (presentation at 16th International Arbitration Congress of the Comit  Brasileiro de Arbitragem, Gramado, Brazil, Sept. 25, 2017)
- Is Arbitration Insufficiently Predictable ? (presentation at 6th annual GAR Live New York, Sept. 12, 2017)
- The Interpretation and Application of the New York Convention : Taking Stock of the Practice (New York International Arbitration Center, Sept. 11, 2016)
- International Framework of Arbitration: where are the Needs? (congress of United Nations Commission on International Trade Law, Vienna, Austria, July 6, 2017)
- Interview with George Bermann by Anne Marie Whitsell, Georgetown Law Center, ICC Young Arbitrators Forum (YAF), Columbia Law School, New York, June 9, 2017)
- Moderator, Getting the Facts Straight : Empirical Data on International Arbitration (annual meeting of American Arbitration Association, International Center for Dispute Resolution, at Columbia Law School, New York, NY, May 24, 2017)
- The Direct Effect of International Treaties in U.S. Law (seminar with judges of US Supreme Court and European Court of Justice, American University School of Law, Washington, DC, Apr. 19, 2017)
- Sanctioning Corruption in International Arbitration (seminar at Cleary Gottlieb LLP, New York (Apr. 20, 2017)
- Moderator, « The Right to be Forgotten » (seminar between judges of US Supreme Court and European Court of Justice, US Supreme Court, Washington, DC, Apr. 18, 2017)
- The Bases for Jurisdiction in Private International Disputes, American Society of international Law (ASIL) annual meeting, Washington DC (April 14, 2017)
- The Future of International Arbitration in a Trump and Brexit Era and its Impact on the Other « Seats » with Other Legal and Political Developments (presentation at U Penn International Arbitration Day, Mar. 27, 2017)
- Reshaping International Investment Law and the Investor-State Dispute Settlement System (conference at University Paris, Sorbonne Law School, March 15, 2017)
- Moderator, Conflicting Supranational Obligations : The Complex Web of State Liability (panel at Columbia Arbitration Day, Mar. 3, 2017)
- Moderator, International Arbitration Amid Other International Regimes (panel at Columbia Arbitration Day, Mar. 3, 2016)
- Challenges in the Enforcement and Execution of ICSID Awards (conference at Freshfields, Mar. 1, 2016)
- Private Law Enforcement as a Public Law Enforcement Alternative (keynote address, World Congress of International Academy of Comparative Law, Montevideo, Uruguay, Nov. 19, 2016)
- Chair, Workshop on Twilight Issues in International Arbitration (New York International Arbitration Center, Nov. 11, 2016)
- The European Union's Jurisdictional and Substantive Challenges to International Investment Arbitration (conference at NYU Law School, Oct. 31, 2016)
- New Directions in Comparative Law Scholarship (presentation at annual meeting of American Society of Comparative Law, University of Washington, Seattle, Wash., Oct. 28, 2016)
- Enforceability of Annulled Awards (conference at Fordham Law School, Oct. 14, 2016)
- Extension of Arbitration Agreements to Non-Signatories (Keynote address, Vilnius Arbitration Day, Vilnius, Lithuania, Oct.. 7, 2016)
- European Union and its Conflicts with International Arbitration (bar association conference, Vilnius, Lithuania, Oct. 6, 2016)
- The Role of International Standards as Legal Norms (International Bar Association meeting, Washington DC, Sept. 22, 2016)
- ICC Institutional Reform : Too Far or not Far Enough ? (International Chamber of Commerce conference, New York, Sept. 14, 2016)
- The Law in European Union Law (presentation at the annual Medina Conference for members of the judiciary, Princeton University, May 11, 2016)
- The Enforceability of Arbitration Agreements (presentation at the biennial meeting of the International

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- Congress of Commercial Arbitration, Mauritius, May 8, 2016)
- International Standards in Interpretation of the New York Convention (conference at NY U Law School, Apr. 19, 2016)
- The International Arbitration Restatement and its Controversies (presentation at Jones Day, New York, Apr. 14, 2016)
- The Fate of Arbitration Agreements in National Courts (presentation to the Queen Mary College, University of London, LLM Program, Paris, March 15, 2016)
- Revisiting *Chromalloy* : Enforcing Vacated Awards under the New York Convention (presentation at Sidley & Austin, LLP, New York, Mar. 8, 2016)
- Restatement Challenges (breakfast presentation to the State Bar of Georgia, the Atlanta International Arbitration Society, and the Atlanta Center for international Arbitration & Mediation, Atlanta, Ga., Feb. 26, 2016)
- The Emergency Arbitrator (presentation at the ICC Institute Master Class for Arbitrators, New York, Feb. 24, 2016)
- Moderator, Legitimacy in International Arbitration (panel at Columbia Arbitration Day, Columbia Law School, Feb. 19, 2016)
- The European Union and ICSID Arbitration (presentation to Society of International Law, Yale Law School, New Haven, Conn., Feb. 12, 2016)
- Reflections on Third-Party Funding in Arbitration (conference at New York International Arbitration Center, Feb. 3, 2016)
- Moderator, International Arbitration and the Courts (panel at Columbia University Global Center, Amman, Jordan, Dec. 14, 2015)
- Moderator, Arbitration in the Arab World (conference on International Legal Dialogue Middle East and North Africa Conference, Columbia Global Center, Amman, Jordan, Dec. 14, 2015)
- The Problematic EU-Arbitration Interface: Challenges and Prospects (presentation at American University School of Law, Washington DC, Nov. 16, 2015)
- The New York Convention: Back to the Future (presentation at program of Chartered Institute of Arbitrators, New York City Bar Association, New York, Oct. 21, 2015)
- Seminar for Judges of the State and Federal Courts in New York on Salient Features of the Restatement (seminar at U.S. Courthouse, New York, sponsored by the Chief Judge of the federal court for the southern district of New York and the New York International Arbitration Center, Oct. 18, 2015)
- The Problematic EU-Arbitration Interface: Challenges and Prospects (presentation at Lewis & Clark Law School, Portland, Oregon, Oct. 4, 2016)
- Emerging International Standards in International Arbitration (presentation at Columbia Law School faculty workshop, New York, Sept. 28, 2015)
- Transparency : Incumbent on Institutions as Well (presentation at ICC International Court of Arbitration, New York, Sept. 21, 2015)
- The UNCITRAL Model Law ; To Model or Not (presentation at centenary of Chartered Institute of Arbitrators, London, July 2, 2015)
- The European Union and International Arbitration : A Study in Tensions between International Legal Regimes (presentation at University of Geneva, April 29-30, 2015)
- The Growing Incidence of Parallel Arbitration and its *Res Judicata* Effects (presentation at Penn State International Arbitration Day, Apr. 17, 2015)
- International Arbitration and the Courts (Pepperdine Law Review Conference, Malibu, CA, Apr. 17, 2015)
- Enforcement of Awards : Have Contracting States been True to the Letter and Spirit of Article V? (presentation at The New York Convention: Back for the Future, Association of the Bar of the City of New York, Oct. 21, 2015)
- Enforcing the *Micula* Award in the United States in light of the European Commission's Intervention (presentation at Freshfields, New York, NY., May 13, 2015)
- The U.S. Restatement through the Prism of French Arbitration Law (presentation at Paris Bar Association, Paris, France, March 28, 2015)
- The Preclusive Effect of Arbitral Awards in Subsequent Court Proceedings (Columbia Arbitration Day,

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- Columbia Law School, March 6, 2015)
Courts and Tribunals; An Evolving Relationship (conference at New York International Arbitration Center, Oct. 22, 2014)
Complex Issues in International Arbitration (conference at New York City Bar Association, Oct. 9, 2014)
An Introduction to International Arbitration in the U.S., Federal Judicial Center, Washington DC (Apr. 14, 2014)
Moderator, Docket Management and Control: A Comparative Perspective (panel discussion between US Supreme Court Justices and Judges of the European Court of Justice European Court of Justice, Luxembourg Forum (Feb. 11, 2014)
International Commercial Arbitration and its Relationship to Third-Party Funding (conference of Center for International Commercial and Investment Arbitration (CICIA)), Columbia Club, New York (Feb. 7, 2014)
The *BG Group* Case in the US Supreme Court, Houston International Arbitration Center (Jan. 15, 2014)
Exceptionalism in US Arbitration Law, University of Texas School of Law, Austin, Texas (Jan. 14, 2014)
Judge, "This House Believes Witness Examination is Useless and Should be Abandoned," Global Arbitration Review Live New York (Sept. 19, 2014)
Lessons from the Restatement, American Foreign Law Association (New York) (Nov. 5, 2013)
Moderator, Challenges to International Commercial Arbitration: A View from the ICC, "Columbia Law School (Sept. 18, 2013)
Punitive Damages in international Dispute Resolution, conference on *dommages punitifs* at University of Nancy, Nancy, France (May 5, 2013)
Dealing with the Incomplete Award, Leading Arbitrators' Symposium on the Conduct of International Arbitration, Vienna, Austria (April 16, 2013),
Speaker at Ministry of Foreign Affairs of Finland (Helsinki), "The Need for an International Investment Consensus-building Process" (Apr. 8, 2013)
Speaker at ASA/DIS Arbitration Practice Seminar, Badenweiler, Germany (Feb. 18, 2013)
Collision Course: Arbitration and EU law (paper at Program in Law and Public Affairs, Princeton University, March 11, 2013)
Moderator, panel on Exclusion of Judicial Recourse in Arbitration (Columbia Arbitration Day, Columbia Law School, March 8, 2013)
The State of the Restatement (conference on corporations and arbitration at Yale Law School, March 1, 2013)
Forum Shopping at the Gateway to Arbitration (conference at New York University School of Law, Feb. 28, 2013)
Moderator, Arbitration Debates (event in memory of Hans Smit, Feb. 27, 2013)
Commentator, Tensions between Arbitral Tribunals and Sovereign Courts (conference at New York University Law School, Jan. 28, 2013)
Commentator, Exceptionalism and Normalcy in Arbitration Law (talk by Prof. Rusty Park) (conference at New York University Law School, Nov. 28, 2012)
The Interplay of Mandatory Provisions of Law: The Law of the Contract, the Law of the Seat or the Law of the Place of Enforcement? (ICC Conference on International Arbitration in Latin America, Miami, Nov. 12, 2012)
Moderator, The Clash between Constitutional and International Norms: The *Kadi* Case and its Implications: a conference in honor of Louis Henkin (Nov. 9, 2012)
Injunctions and International Arbitration Proceedings: Academic Perspectives (conference at New York City Bar Association (Oct. 18, 2012)
Moderator, Collective Action in International Arbitration: Problems and Prospects (conference of Deutsche-Amerikanische Juristen-Vereinigung at Columbia Law School, Oct. 5, 2012)
Commenter, Transnational Law of Commercial Contracts (conference on Stateless Law, McGill University, Montreal, Sept. 28, 2012)
Arbitrability Trouble (presentation at New York City Bar Association, Sept. 12, 2012)
The Fundamental Differences between Treaty Rights and Contract Rights (conference of ICC on Arbitration with States and State Entities, New York, N.Y., Sept. 10, 2012)

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- International Arbitration: How it Differs from Domestic Arbitration (presentation at New York State Bar Association, Dispute Resolution Section, and Benjamin N. Cardozo School of Law, New York, N.Y., July 17, 2012)
- An Agenda for the US Supreme Court – European Court of Justice Dialogue, conference at the European Court of Justice (May 28, 2012)
- Restating the Law of International Commercial Arbitration in the United States: Views from Within and Without (inaugural conference of Atlanta International Arbitration Authority (ATLAS) on “The United States and its Place in the International Arbitration System of the 21st Century: Trendsetter, Outlier or One in a Crowd? Atlanta, Ga., April 16, 2012)
- Threshold Issues in International Arbitration (workshop paper at International Law Colloquium, University of Georgia School of Law, Athens, Georgia, Apr. 13, 2012)
- Competence-Competence in Arbitration Law in Comparative Perspective (debate of the Paris – Place de l’Arbitrage on “La Compétence-Compétence à la française: Faut-il toujours donner la priorité à l’arbitre?, Hotel de Ville, Paris, France, Apr. 3, 2012)
- Dealing with the Incomplete Award (presentation at Leading Arbitrators’ Symposium on the Conduct of International Arbitration, Vienna, Austria, April 2, 2012)
- Navigating EU Law and International Arbitration Law (workshop at Yale Law School, New Haven, Conn., Mar. 27, 2012)
- The Gateway Problem in International Arbitration (workshop at Yale Law School, New Haven, Conn., Mar. 26, 2012)
- Moderator, panel on Enforcement of Arbitral Awards against Foreign Sovereigns (Columbia Arbitration Day conference on Arbitrating with a Sovereign: Issues in Commercial and Investment Arbitration, Columbia Law School, March 23, 2012)
- Codification of Administrative procedure: The American Experience (conference on “Towards an EU administrative procedure law?” at Office of European Ombudsman, European Parliament, Brussels, Belgium, March 15, 2012)
- “Multi-party arbitration: from Paris to NY” (conference at NYU Law School, Feb. 27, 2012)
- The Influence of the UNCITRAL Model Law in non-Model Law Countries (conference at McGill University, School of Law, Nov. 26, 2011)
- Salient Issues in Contemporary International Arbitration (conference at Washington College of Law, American University, Center on International Commercial Arbitration, Washington DC, Nov. 16, 2011), published as “Arbitration in the Roberts’ Supreme Court” in 27 American University Law Review (forthcoming 2013)
- Comments on 20th Anniversary of Joseph Weiler’s “the Transformation of Europe” (conference at Yale Law School, New Haven, Conn, Oct. 6, 2011)
- Master Class on Gateway Issues in Arbitration, 3rd ICC YAF Global Conference (Paris, July 3, 2011)
- Arbitration Academy course on “Gateway issues in international arbitration in the United States” (Arbitration Academy, Paris, France, July 2011)
- Third Party Funding of International Arbitration Claims: The Newest “New New Thing” (conference at Fordham Law School, New York, June 15, 2011)
- Cross-Examining the Expert Witness in Arbitration (conference at Harvard Club, New York, June 14, 2011)
- The European Law Institute: Comments from a Transatlantic Perspective (inaugural congress of European Law Institute, Paris, France, June 1, 2011)
- Autour de l’ordre juridique arbitral (conference at Ecole de Droit, Institut des Sciences Politiques, Paris, France, June 1, 2011)
- The ‘Gateway Problem’ in International Commercial Arbitration (conference at Max Planck Institute (Hamburg, Germany) and University of Münster (Münster, Germany, May 24, 26, 2011)
- Techniques of Parallel Litigation in International Litigation (conference at University of Tübingen, Germany, May 25, 2011)
- Preliminary Jurisdictional Issues in International Arbitration, (conference of the Leading Arbitrators of the World, Vienna, Austria, April 18, 2011)

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- Launching the European Law Institute (European Public Law Organization, Cape Sounian, Athens, Greece, April 15, 2011)
- The Complexity of Annulment, Recognition and Enforcement of Arbitral Awards (Columbia Arbitration Day, Columbia Law School, New York, March 25, 2011)
- The Fragmentation of the International Legal Order (Annual meeting of American Society of International Law, Washington DC, March 24, 2011)
- The Role of Courts in Supervising Arbitration (conference at George Washington University School of Law, March 18, 2011)
- The Immunity of International Arbitrators (master class of International Chamber of Commerce, Paris, France, March 2, 2011)
- Comment, The Social Dimension of International Law (conference of the réseau juridique franco-américain, Collège de France, March 8, 2011)
- Paris in America: Edouard Laboulaye and Stephen Breyer (conference of the Collège de France, March 7, 2011)
- The European Law Institute (Vienna, Austria, Nov. 23, 2010)
- Privilege in International commercial Arbitration (27th AAA/ICC/ICSID Joint Colloquium on International Arbitration, Paris, France, Nov. 17, 2010)
- The UK Supreme Court in its First Year: An American Perspective, Queen Mary College, University of London, Nov. 3, 2010)
- Reviewing the Koç University School of Law (Istanbul, Turkey, Nov. 1, 2010)
- Emerging Issues in International Civil Litigation (European University Institute, Florence, Italy, Oct. 15 2010)
- Planning for a European Law Institute (European University Institute, Florence, Italy, Oct. 14, 2010)
- The Federalism Dimension of International Commercial Arbitration (annual conference of the American Trial Lawyers Association, Washington DC, Sept. 23, 2010)
- Commentator, Emmanule Gaillard on The Representations of International Arbitration (conference at New York University School of Law, Sept. 21, 2010)
- Panel, Comparative Law: Problems and Prospects (closing plenary session of International Congress of Comparative Law, Washington, D.C., July 28, 2010)
- Introduction to 19th World Congress of Comparative Law (Law schools of American University, George Washington University and Georgetown University, Washington DC, July 25, 2010)
- Enforceability of the Arbitration Agreement: Who Decides and under Whose Law? (annual Fordham Conference on International Arbitration, June 14, 2010)
- The Restatement of International Commercial Arbitration (conference of Conferencia Latinoamericana de Arbitraje, Asuncion, Paraguay, June 10, 2010)
- Domesticating the New York Convention: The Impact of the US Federal Arbitration Act (conference at University of Oslo, Norway, May 6, 2010), published, in PERSPECTIVES ON INTERNATIONAL ARBITRATION (Giuditta Cordero Moss, ed.) (Cambridge Univ. Press 2013)
- The Role of the Judiciary in Class Arbitration (Columbia Arbitration Day, Columbia Law School, April 17, 2010)
- Electronic Discovery in International Arbitration: Boon or Bane? (conference of the Leading Arbitrators of the World, Vienna, Austria, March. 29, 2010)
- International Arbitration in Iraq's New Oil Concession Agreements of Iraq (organizer of and speaker at program for lawyers and engineers from the Iraqi Ministry of Oil, Columbia Law School, Feb. 17-19, 2010)
- Bankruptcy and Arbitration on a Collision Course (panelist at annual meeting of the Center for Conflict Prevention and Resolution, New York, N.Y., Jan. 14, 2010)
- Enforcement and Execution of Foreign Arbitral Awards: Two Different Things (conference of Bolivian-American Chamber of Commerce on "Bolivia at the Crossroads of Arbitration, Dec. 10, 2009)
- Introduction to Private International Law for U.S. District Court Judges (speaker at seminar of International Judicial Academy, U.S. District Court for the eastern district of New York, Brooklyn, N.Y., Nov. 20, 2009)

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- The Challenges of Parallel Litigation (conference of Asociacion Americana de Derecho Internacional Privado, Caracas, Venezuela, Nov. 13, 2009)
- Table ronde sur l'université d'aujourd'hui (conference of Centre de Droit Comparé, Paris, France, Nov. 6, 2009)
- Moderator, International Arbitration in Periods of Economic Downturn (International Chamber of Conference (ICC) conference on Arbitration in Latin America, Nov. 2, 2009)
- Transparency in International Commercial Arbitration: An Arbitrator's View (paper at International Law Weekend, New York, N.Y., Oct. 23, 2009)
- Mediation and Arbitration panel, in Global Justice Forum: Global Litigation in a Post-Economic Crisis World (conference at Columbia Law School, Oct. 16, 2009)
- Proportionality Principles in American Law (paper at conference on Proportionality, University of Aix-Marseilles, Aix-en-Provence, France, Sept. 14, 2009), published in *Le Juge constitutionnel et la proportionnalité*, 2009 *Annuaire international de justice constitutionnelle* 181 (Economica 2010)
- Observations sur la primauté du droit communautaire sur les constitutions nationales, in *Regards croisés sur l'internationalisation du droit: France – Etats-Unis* (Mireille Delmas-Marty & Stephen Breyer, eds.) 94 (Société de Législation Comparée 2009)
- Observations sur le changement climatique devant les juridictions européennes, in *Regards croisés sur l'internationalisation du droit: France – Etats-Unis* (Mireille Delmas-Marty & Stephen Breyer, eds.) 218 (Société de Législation Comparée 2009)
- Moderator, Effective International Arbitration: A Transatlantic (ICC UK Annual Arbitration Practitioners Symposium, London, U.K., July 9, 2009)
- Toward a Restatement of European Administrative Law (paper at conference on Renewing European Administrative Law, University of Osnabrück, Germany, June 17, 2009)
- Moderator, International Networks and Administrative Law (Yale Law School symposium on Comparative Administrative Law, May 9, 2009)
- U.S. Class Actions and the Global Class (presentation to Columbia Law faculty, Apr. 7, 2009)
- Restatements and International Law (paper at Tribute to Prof. Andreas Lowenfeld, New York University Law School, April 16, 2009)
- Rome I: A Comparative View (paper at conference on the Rome I Regulation, University of Verona, Verona, Italy, Mar. 20, 2009)
- The Restatement of International Commercial Arbitration Meets the Federal Arbitration Act (paper at conference on 50th anniversary of the UN Convention on the Recognition and Enforcement of Foreign Arbitral Awards at University of Georgia, Athens, Georgia, Jan. 30, 2009)
- Introduction to Conference on the Harmonization and Unification of Private Law (conference of International Academy of Comparative Law, Mexico City, Nov. 13, 2008)
- Transatlantic Regulatory Networks (paper at conference at Southern Methodist University Law School, Dallas, Texas, Nov. 7, 2008)
- The ALI and the Restatement of International Commercial Arbitration (paper at Columbia Law European Alumni Reunion, London, Oct. 18, 2008)
- Discussant, The *Kadi* case: United Nations Law and European Union Law (New York University School of Law, Oct. 6, 2008)
- Recognition and Enforcement of U.S. Class Action Judgments Abroad (presentation at International Bar Association annual meeting, Buenos Aires, Argentina, Oct. 15, 2008)
- Transatlantic Regulation (paper at fall meeting, ABA International Law Section, Brussels, Sept. 24, 2008)
- National Parliaments and Subsidiarity: An Outsider's View (paper at conference of European Constitutional Law Network on the Treaty of Lisbon, University of Sofia, Bulgaria, April 16-18, 2008) (forthcoming publication by Nomos Pub.)
- Restating International Arbitration (paper at American Society of International Law, Wash. DC, April 11, 2008)
- Moderator of Friedmann Conference on the European Human Rights Convention: Lessons for the Interamerican System (Columbia Law School, April 8, 2008)
- Soft Law in International Commercial Law (paper at conference of Queen Mary College, University of

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- London, Feb. 8, 2008)
- Supranational Administrative Law: The EU Experience (paper at conference on International Regulatory Authority: A Look at the legal landscape, Georgetown Law Center, Institute of International Economic Law, Nov. 16, 2007)
- Americanization and Europeanization of Law: Are there Cultural Aspects? (paper at conference on Law and Culture, Cornell Law School, Nov. 3, 2007)
- Legal Aspects of Turkish Accession to the EU (moderator at conference on Turkish accession, New York City Bar Association, Oct. 10, 2007)
- Constitutional Adjudication in the EU and US (paper given at conference between justices of the Supreme Court and judges of European courts, US Mission to the EU, Brussels, Belgium, July 12, 2007)
- The Law of the European Union, lecture at 18th annual Harold R. Medina Seminar for State and Federal Judges on the Humanities and Science (Princeton University, June 15, 2007)
- Organizer and moderator of colloquium on Mandatory Rules of Law in International Arbitration (Columbia Law School, June 8, 2007)
- Ethical Considerations in International Arbitration (panel in conference on the Conduct of International Arbitration, Juris Conferences, Harvard Club, New York, June 1, 2007)
- Non-State Law-Making in International law (conference on A World of Legal Conflicts: Multiple Norms in the International System, at Princeton University, May 31-June 1, 2007)
- Commenter, on Olivier Dutheillet de Lamothe, Les cours constitutionnelles européennes et l'intégration des normes communautaires (Cardozo School of Law, May 15, 2007)
- Class Actions and Europe (conference on Class Actions at the Crossroads (ABA/IBA conference, Rome, May 24-25, 2007)
- Globalization through through Regulatory Dialogue (conference on Europe and the Management of Globalization at Princeton University, Feb. 23, 2007)
- Regulatory Dialogue, presented at conference on European Administrative Law – The Move Towards an Integrated Administration” (Univ. of Luxembourg, Luxembourg, Feb. 8, 2007)
- Head of Roundtable on European Administrative Law (Commission of the European Communities, Brussels, Feb. 1-2, 2007) [part of ABA Project on EU Administrative Law]
- Tocqueville-Fulbright address on La Concertation réglementaire transatlantique (Univ. of Paris I, Jan. 22, 2007)
- Speaker at conference of Juris Pub. on “Take the Witness: The Art of Cross-Examination in Arbitration (Paris, France, Jan. 20, 2007)
- Comparative Administrative Law in the Context of EU/US Regulatory Dialogue (paper presented at the annual meeting of the Association of American Law Schools, Washington, D.C., Jan. 4, 2007)
- Transatlantic Regulatory Dialogue, speech at the Center for European Legal Studies, University College London (UCL), University of London (Nov. 15, 2006)
- The New Hague Choice of Court Convention, International Law Weekend, New York City Bar Association (Oct. 27, 2006)
- Bilingualism and Translation in the US Legal System: A Study of the Louisiana Experience, paper at 17th International Congress of Comparative Law (Utrecht, the Netherlands, July 20, 2006)
- Transatlantic Regulatory Dialogue, paper delivered at the annual Leiden/London Meeting on European Law (Europea Institute, Leiden University, Netherlands, June 24, 2006)
- European Union Law in Transatlantic Perspective, general course of the annual Academy of European Law (European University Institute, Fiesole, Italy, June 10-13, 2006)
- The Law of the European Union, lecture at 17th annual Harold R. Medina Seminar for State and Federal Judges on the Humanities and Science (Princeton University, June 8, 2006)
- Commentator, “Nested and Overlapping Institutions in International Law (Princeton University, Feb. 24, 2006)
- Commentator, Implementation of WTO Rulings (at conference on the WTO at 10: Governance, Dispute Settlement and Developing Countries, Columbia University, April 7, 2006)
- Commentator, Promoting Transparency and Consistency in International Investment Arbitration (at conference of the Center of Global Legal Problems on Law (at conference on Promoting Transparency and Consistency in International Investment, Columbia University, April 4, 2006)

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- Americanization and the Law (paper presented at the annual meeting of the Association of American Law Schools, Washington, D.C., Jan. 5, 2006)
- The Transnational Civil Procedure Rules and Parallel Litigation (paper presented at the University of Trieste, Italy, Institute of Comparative Private Law, Dec. 2, 2005)
- The “Highest” Court in Federal Systems (paper presented on conference on the future of the European Judiciary, Humboldt University, Berlin, Germany, Nov. 3, 2005)
- Constitutionalism in Federal Systems: The European Example (paper presented at 2005 annual meeting of American Society of Comparative Law, University of Hawaii, Honolulu, Hawaii, Oct. 28, 2005)
- Americanization and Europeanization: Some Legal Perspectives (paper delivered at conference of Oxford University, St. Anthony’s College, UK, Apr. 15-17, 2005)
- Moderator, State and Public Official Immunities for International Law Violations (annual meeting American Society of International Law, Washington DC., Apr. 1, 2005)
- International Commercial Arbitration in the Contemporary World (Young Arbitrators Forum of United States Council for International Business, New York, Feb. 28, 2005)
- The Influence of European Union Law on French Administrative Law (paper delivered at conference at University of San Diego and University of California at San Diego, Jan. 21, 2005)
- Transnational Law in the First-Year Curriculum (paper presented at annual meeting of the Association of American Law Schools, San Francisco, California, Jan. 8, 2005)
- The European Constitution (paper delivered at International Conference on Comparative Constitutional Law, University of Nice, France, July 12, 2004)
- Commentator on Professor Paul Craig’s “Executive Power under the Draft European Constitution” (conference at NYU Law School, and Princeton University, Apr. 29-30, 2004)
- Parallel Litigation in the United States (panel at ABA International Law Section Annual Meeting, New York, NY, Apr. 14, 2004)
- Moderator, “The Big Bang: EU Competition Law on the Eve of Enlargement” (conference at Columbia Law School, Mar. 31, 2004)
- Report to ABA, Administrative Law Section, on Project on European Union Administrative Law and Practice (report presented, San Antonio, Texas, Feb. 8, 2004)
- The Application of Private International Law Instruments to Third Countries (papers delivered at workshops at University of Barcelona, Oct. 24, 2003, and Free University of Brussels, Jan. 23, 2004)
- What’s Constitutional about the New Constitution?” (comment on address by Giuliano Amato, vice-president of the Convention on the Future of Europe, Columbia University School of Law, Oct. 7, 2003)
- The Institutions and the New Draft Constitution of Europe (paper delivered at conference at University of Lisbon, Portugal Sept. 26, 2003)
- The European Union and its New Federalism (paper delivered at conference at Princeton University, Law and Public Affairs Program, Princeton, N.J., May 29, 2003)
- The Treaty Basis for European Judicial Cooperation in Civil and Commercial Matters (paper delivered at workshop of Free University of Brussels, European Legal Studies Center of Columbia Law School and New York City Bar Association, at New York City Bar, New York, NY, May 19, 2003)
- A US View of “The European Model” (paper delivered at 4th Vienna Globalization Symposium, Austrian Chamber of Commerce, Vienna, Austria, May 15, 2003)
- The Competences of the EU under the New Draft Constitution (paper delivered at Hart Workshop, Institute for Advanced Legal Studies, University of London, June 24, 2003)
- The New Europe (paper delivered at Columbia Law School Alumni Reunion, Paris, France, June 29, 2003)
- Moderator, “The Accession of Cyprus to the EU: Challenges and Opportunities” (conference of the Columbia University Institute for the Study of Europe, New York May 4, 2003)
- Marbury v. Madison*: Implications for European Law (paper delivered at conference at George Washington University College of Law, Wash., D.C., Apr. 11, 2003)
- Discussant (with G. deBurca), European Union Governance after Enlargement (conference at Columbia Law School, on Law and Governance in an Enlarged European Union, Apr. 4, 2003)

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- Discussant, Developments in Law and Federalism in the EU (paper delivered at 7th biennial conference of the European Union Studies Association, Nashville, Tenn., Mar. 29, 2003)
- The Constitutional Convention and EU Institutional Reform (paper delivered at conference at University of Madrid, Spain, Jan. 30, 2003), published in *THE GOVERNMENT OF EUROPE: INSTITUTIONAL DESIGN FOR THE EUROPEAN UNION* (M. Oreja Aguirre & J-M Beyneto Perez, eds.) (2003), and republished in *THE GOVERNMENT OF EUROPE: WHICH INSTITUTIONAL DESIGN FOR THE EUROPEAN UNION?* (J.M.Beneyto Perez & I. Pernice, eds) 119 (Nomos Verlagsgesellschaft, Baden-Baden 2004)
- The Precautionary Principle in WTO Case Law (paper delivered at conference at School of International and Public Affairs, Columbia University, NY, NY, Nov. 8, 2002)
- Moderator, Comparative Law in Multi-State Practice (conference at Harvard Law School, Cambridge, Mass, Oct. 27, 2002)
- Discussant, Trade Diplomats Meet Academics (conference at European University Institute, Florence, Italy, Sept. 13-14, 2002)
- Contracts, International Law and Constitutions (general report to the XVth Congress of the International Academy of Comparative Law, Brisbane, Australia, July 2002)
- Policy Recommendations for Dispute Prevention and Dispute Settlement in Transatlantic Relations: Legal Perspectives (conference at European University Institute, Florence, Italy, May 10-11 2002)
- Discussant, Non-Discriminatory Sanitary and Phytosanitary Standards: Lessons from the Disputes over Hormones and Genetically Modified Organisms (comment delivered at conference on Dispute Prevention and Dispute Settlement in Transatlantic Partnership, European University Institute, Florence, Italy, July 5, 2001)
- The Common Core Project (paper delivered at the 2001 session of the Common Core Project, Trento, Italy, July 14, 2001)
- International Tribunals and United States Courts: A New Relationship for the New Millennium (comment delivered at panel at Second Circuit Judicial Conference, Sagamore Resort, Bolton Landing, N.Y. June 16, 2001)
- Developments in International Trade and Regulatory Law (Columbia Law School, European alumni reunion, European University Institute, Fiesole, Italy, June 11, 2001)
- Transatlantic Regulatory Cooperation: Legal Problems and Political Prospects (paper delivered at 6th biennial conference of the European Community Studies Association, Madison, Wis., June 1, 2001)
- Discussant, Making Member States Comply with Community Law (paper delivered at 6th biennial conference of the European Community Studies Association, Madison, Wis., June 1, 2001)
- Comment on «Proceduralization of Law and the Transformation of Adjudicative Functions in the EC and the WTO» (Oliver Gerstenberg) and «Indeterminacy and the Establishment of a Working Law of Market Administration» (Michelle Everson) (comments delivered at workshop on Law and New Approaches to Governance in Europe, University of Wisconsin, Madison, Wis., May 29, 2001)
- Proportionality and Subsidiarity (paper delivered at workshop on The Legal Foundations of the Single Market: Unpacking the Premises, Cambridge University, Cambridge UK (April 27, 2001)
- Opinion on the Implications of Membership in the European Union for a Constitutional Settlement in Cyprus (co-authored opinion of March 29, 2001, to the Attorney-General of Cyprus, published in «Cyprus and European Membership: Important Legal Documents,» Press and Information Office, Republic of Cyprus, Nicosia, Cyprus (2001)
- The Future of Comparative Law (paper delivered at Centennial Congress of Comparative Law, Tulane University, New Orleans, La., Nov. 4, 2000)
- Panelist, Free Movement of Services: European Union Lessons for NAFTA (U.S-Mexico Law Institute, Santa Fe, N.M., Oct. 28, 2000)
- European Law: Yesterday, Today and Tomorrow (paper delivered at conference of Texas International Law Journal in honor of Prof. Hans Baade, University of Texas, Austin, Texas, Sept. 29, 2000)
- Comment, The WTO and Human Health and Safety (paper delivered at World Trade Institute, University of Berne, Berne, Switzerland, August 21, 2000)

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- Panelist, The European Commission: The World's Most Powerful Administrative Agency? (annual meeting of Association of American Law Schools, Washington D.C., Jan. 8, 2000)
- La Jurisprudence (paper delivered at colloquium on the Bicentennial of the Conseil d'Etat, Paris, Dec.13-15, 1999, published in 2000 La Revue Administrative 38, 2001 La Revue Administrative 175 (Presses Universitaires de France, 2001)
- Regolazione e liberalizzazione dei mercati: un'analisi comparativa (Regulation and Market Liberalization: A Comparative Analysis), in REGOLAZIONE E CONCORRENZA (G. Tesaro & M. D'Alberti eds.) 27 (Soc. Il Mulino, Bologna, 2000) (paper delivered at conference on Regulation and Competition, Autorità garante della concorrenza e del mercato (Italian Competition Authority), Rome, Nov. 22-23, 1999)
- The Transatlantic Dimension of U.S. and E.U. Federalism (paper delivered at Kennedy School of Government, Harvard University, conference on U.S. and E.U. Federalism, Apr. 19-20, 1999)
- The Federalism Dimension of Transatlantic Regulatory Cooperation (paper delivered at conference on Transatlantic Regulatory Cooperation, Columbia University School of Law, Apr. 16-17, 1999)
- Judicial Enforcement of Federalism Principles (paper delivered at inaugural conference of Walter Hallstein Institute of European Constitutional Law, Humboldt University, Berlin, Nov. 10-11, 1998)
- The Supreme Court's Role in Policing U.S. Federalism (paper delivered at Joint U.S. Supreme Court-European Court Justice Symposium, European Court of Justice, Luxembourg, July 5, 1998)
- Constitutional Implications of U.S. Participation in Regional Integration, in U.S. NATIONAL REPORTS TO THE XVth CONGRESS OF THE INTERNATIONAL ACADEMY OF COMPARATIVE LAW (Bristol, U.K., July 1998), 46 Am. J. Comp. L. (Supp.) 463 (1998)
- The Treaty of Amsterdam: Institutional Reforms (paper delivered at 1997 International Law Weekend, New York City Bar Association, Nov. 8, 1997)
- Comment, Legal Aspects of the New European Single Currency, 4 Colum. J. Eur. L. 353 (1998) (paper delivered at conference on The Euro: A New Single Currency for Europe?, Washington University School of Law, St. Louis, Missouri, Oct. 30, 1997)
- La Codification aux Etats-Unis, in FAUT-IL CODIFIER LE DROIT? EXPÉRIENCES COMPARÉES, 82 Revue française d'administration publique 221 (1997) (paper delivered at colloquium of Institut International d'Administration Publique, Paris, France, June 16, 1997)
- An American Perspective on the Intergovernment Conference (paper delivered at colloquium of the Free University of Brussels, Belgium, May 23, 1997)
- Regulatory Federalism: A Reprise and Introduction, 2 Colum. J. Eur. L. 395 (1997) (paper delivered at Columbia-Frankfurt symposium on comparative federalism at Columbia University School of Law, April 11, 1996)
- Transnational Provisional Relief in the Courts, in INTERNATIONAL DISPUTE RESOLUTION: THE REGULATION OF FORUM SELECTION (J.L. Goldsmith, ed.) 99 (Transnational Publishers Inc., Irvington, N.Y., 1996) (paper delivered at 14th Sokol Colloquium on Private International Law, University of Virginia School of Law, March 23, 1996)
- Civil Procedure: Trends and Recent Developments in Civil Procedure: Towards a Modern *ius commune*, in International Association of Legal Science, 1995 Colloquium 253 (Universidad Argentina de la Empresa, Buenos Aires, Argentina, 1999) (paper delivered at colloquium of International Association of Legal Science (IALS), Buenos Aires, Argentina, Sept. 6, 1995)
- The Constitutional Amendment Process, in THE EUROPEAN CONSTITUTIONAL AREA (R. Bieber & P. Widmer, eds.) 291 (Schulthess Polygraphischer Verlag, Zurich 1995) (paper delivered at colloquium on the European Constitutional Area, Swiss Institute of Comparative Law and University of Lausanne, Lausanne, Switzerland, April 11, 1995)
- Harmonization of Law and Regulatory Federalism, in HARMONIZATION OF LEGISLATION IN FEDERAL SYSTEMS (I. Pernice, ed.) 37 (Nomos Verlagsgesellschaft, Baden-Baden 1996) (paper delivered at Columbia-Frankfurt symposium on comparative federalism at University of Frankfurt-am-Main, Frankfurt, Germany, Feb. 9, 1995)
- Decisionmaking Aspects of the European Commission (paper delivered at annual meeting of the Association of American Law Schools, New Orleans, Jan. 6, 1995)

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- Regulatory Cooperation by the EC Commission with US Agencies (report to the Administrative Conference of the United States, Washington, D.C., December 1994)
- Subsidiarity as a Principle of U.S. Constitutional Law, in U.S. NATIONAL REPORTS TO THE XIVth CONGRESS OF THE INTERNATIONAL ACADEMY OF COMPARATIVE LAW (Athens, Greece, August 1994) (G. Bermann, F. Juenger, P.J. Kozyris, eds.), 42 Am. J. Comp. L. (Supp.) 555 (1994)
- Post-Maastricht Europe (paper delivered at 1993 International Law Weekend, New York City Bar Association, Oct. 29, 1993)
- Managing International Regulatory Cooperation (paper delivered at conference of Organization for Economic Cooperation and Development [OECD], Paris, France, Oct. 4, 1993)
- Subsidiarity and the European Community, in POST-MAASTRICHT EUROPE (P. Lützel, ed.) 153 (Berghahn Books 1994) (paper delivered at conference on Post-Maastricht Europe at Washington University in St. Louis, Oct. 2, 1993)
- Taking Subsidiarity Seriously (paper delivered at conference of Department of Justice of Canada on Federalism, Economic Union and Subsidiarity: Canadian and European Perspectives, Ottawa, Canada, April 30, 1993)
- Subsidiarity and Federalism (paper delivered at symposium of Hastings International and Comparative Law Review on the European Community, San Francisco, California, March 27, 1993)
- Moderator, Foreign Sources of Financing Privatization, at conference on Privatization in Eastern Europe (Parker School of Foreign and Comparative Law at Columbia University, New York, New York, Feb. 18, 1993)
- The Contemporary Use of Comparative Law in Law Reform (paper presented at annual meeting of the Association of American Law Schools, San Francisco, California, Jan. 9, 1993)
- Le Dialogue entre les Entreprises et le Gouvernement fédéral aux Etats-Unis (paper delivered at colloquium of la Commission pour l'Etude des Communautés Européennes [CEDECE] at Université de Paris II, Paris, France, Oct. 8-9, 1992)
- Moderator, Communitarianism and the Law (annual meetings of American Society of Comparative Law and International Association of Legal Science, Provo, Utah, Sept. 1992)
- Commentator, The Impact of European Integration on Private Law (comment on papers delivered at the Eason-Weinmann Colloquium of the Tulane Law School at University of Helsinki, Helsinki, Finland, June 4, 1992)
- 1992: The European Community at a New Crossroads (annual meeting of the American Society of International Law, Washington, D.C., April 18, 1991)
- Le dualisme juridictionnel: le débat aux Etats-Unis, in LE DUALISME JURIDICTIONNEL (G. Timsit, ed.) 56 (Paris: Presses Universitaires de France 1992) (paper delivered at colloquium of Université de Paris I at the French Senate, Paris, France, May 11, 1990)
- Anti-suit Injunctions in International Litigation, and moderator of panel on Provisional Relief from Foreign Courts in International Litigation (1989 International Law Weekend, New York City Bar Association, Nov. 4, 1989)
- Le droit administratif américain et le droit administratif français, 42 Conseil d'Etat, Etudes et Documents 169 (1990) (paper for seminar of United States Supreme Court justices, federal circuit court judges and members of the French Conseil d'Etat, in the Franco-American Judicial Exchange, at the National Archives, Washington D.C., Sept. 5, 1989)
- Moderator of panel on Equality, Minorities and Pluralism, at Conference of Columbia University Center for the Study of Human Rights on The Declaration of the Rights of Man: France and the United States (Columbia University, April 5-6, 1989)
- The Autonomy of the International Arbitral Process (paper delivered at the Third Journées Juridiques Franco-Américaines, New Orleans, Louisiana, Nov. 11-12, 1988)
- The Legal Uniqueness of the Italian Constitution, in 2 Italian Journal 5 (1988) (paper delivered at Columbia University colloquium on the Fortieth Anniversary of the Italian Constitution, New York, New York, Sept. 30, 1988)

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- Le régime juridique des fondations aux Etats-Unis, in *LE DROIT DES FONDATIONS EN FRANCE ET A L'ETRANGER* (La Documentation Française, Notes et Etudes Documentaires, no. 4879) 65 (Paris 1989) (paper delivered at colloquium organized by the Collège de France, Paris, France, Jan. 29-30, 1988)
- Federalism: European and American, in *TWO HUNDRED YEARS OF US CONSTITUTION AND THIRTY YEARS OF EEC TREATY* (K. Lenaerts, ed.) 75 (Brussels: Story-Scientia, and Deventer: Kluwer 1988) (paper delivered at Leuven Day, Leuven University, Belgium, Mar. 27, 1987)
- Les mesures de restriction aux exportations d'application extraterritoriale dans les relations entre l'Europe et les Etats-Unis, in *LES RELATIONS COMMUNAUTÉ EUROPEENNE ETATS-UNIS* (J. Bourrinet, ed.) 169 (Paris: Economica 1987) (paper delivered at colloquium of la Commission pour l'Etude des Communautés Européennes [CEDECE] at Université d'Aix-Marseille, France, Oct. 9-10, 1986)
- Public Law in the Conflict of Laws, in *LAW IN THE USA FACES SOCIAL AND SCIENTIFIC CHANGE* (Reports for the Twelfth World Congress of Comparative Law, Sydney-Canberra, Australia), published in 34 *Am. J. Comp. L. (Supp.)* 157 (1986)
- The Premises of Government Liability (paper delivered at Administrative Conference of the United States, Washington, D.C., plenary session of June 14, 1985)
- Comment, Government in the Sunshine: Lessons from the American Experience (paper delivered at the Second Journées Juridiques Franco-Américaines, Paris, France, Mar. 17-19, 1983)
- Administrative Delay and its Control, in *LAW IN THE USA FOR THE 1980s* (Reports for the Eleventh World Congress of Comparative Law, Caracas, Venezuela) (J. Hazard & W. Wagner eds.), published in 26 *Am. J. Comp. L. (Supp.)* 473 (1982)
- Proliferation of Legislation and Regulation: The United States (paper delivered at symposium of the Institut International des Sciences Administratives, Karlovy-Vary, Czechoslovakia, May 20-21, 1982)
- Comment, Denis Tallon, The Constitution and the Courts in France, 27 *Am. J. Comp. L.* 583 (1979)
- The Principle of Proportionality, in *LAW IN THE USA IN THE BICENTENNIAL ERA* (Reports for the Tenth World Congress of Comparative Law, Budapest, Hungary) (J. Hazard & W. Wagner, eds.), published in 26 *Am. J. Comp. L. (Supp.)* 415 (1978)
- Report on United States law, in *LES INSTRUMENTS JURIDIQUES DE LA POLITIQUE FONCIERE DES VILLES: ETUDES COMPARATIVES PORTANT SUR QUATORZE PAYS OCCIDENTAUX* (M. Fromont ed.) 329 (Brussels: Bruylant 1978)

BOOK REVIEWS AND OTHER PUBLICATIONS:

- Intra-EU Investment Protection in a Post-*Achmea* World, *Columbia F.D.I.A. Perspective*, no. 266 (2019)
- Bermann on Commercial Arbitration and its Critics, *Global Arbitration Review* (2019)
- An Uptick in Arbitration Cases before the U.S. Supreme Court (Int'l Bar Ass'n annual meeting, 2019)
- Book Review, Jean E. Kalicki & Anna Joubin-Bret, *Reshaping the Investor-State Dispute Resolution System*, reviewed in 31 *ICSID Review* 232 (2016)
- "There's Nothing Simple About Declaring our Sympathies," *Chartered Institute of Arbitration, The Resolver* (2017)
- Book Review, Thomas Carbonneau, *Toward a New Federal Arbitration Act* (Oxford), reviewed in *Global Arbitration Review* (2016)
- Litigation in the Civil law and Common Law: The Basics, in *Litigation Strategies and Practice* (Barton Legum & Ethan A. Berghoff eds.) (2d edition forthcoming 2014)
- A Reply to Chip Brower's "Hollow Spaces" (forthcoming *Buffalo Law Review* 2014)
- Book Review, Peter Rutledge, *Arbitration and the Constitution*, *American Review of International Arbitration* (2013)
- Preface, *Legal Unification in Comparative Perspective* (Proceedings of Intermediate Congress of International Academy of Comparative Law, Mexico City (2013)

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- Comparative Law and International Organizations, in *The Cambridge Companion to Comparative Law* (Mauro Bussani & Ugo Mattei, eds.) (Cambridge Univ. Press 2012)
- Restating the U.S. Law of International Commercial Arbitration, ALI CLE video webcast (Philadelphia, Oct. 15, 2012)
- Preface to "The Impact of Uniform law on National Law: Limits and Possibilities" (proceedings of International Academy of Comparative Law, First Intermediate Congress, Mexico City (Universidad nacional autónoma de México, 2010)
- Introduction to Special Issue on "European Citizenship at Center-Stage," 15 *Col. J. Eur. L.* 165 (2008)
- "Transparency," in 3 *Encyclopedia of Law and Society: American and Global Perspectives 1503-05* (David S. Clark, ed.) (Sage Publications 2007)
- Introduction, Justice Sandra Day O'Connor: Recipient of 2008 Wolfgang Friedmann Award, 47 *Col. J. Transnat'l L.* 1 (2008)
- Jurisdictional and *Forum non Conveniens* Limitations on the Enforcement of Foreign Arbitral Awards (co-authored report for the NYC Bar Association, committee on international dispute resolution, forthcoming, 2006, in the *American Review of International Arbitration*)
- General Editor, *Columbia Law Series on WTO Law and Policy* (Cambridge University Press)
- General Editor, *Columbia-London Law Series in Comparative Law* (Hart Pub., Oxford, UK)
- Editorial: "La Constitution interminable de l'Europe," *Le Figaro* (Oct. 27, 2004), *La Libre Belgique* (Oct. 29, 2004)
- Editorial: "The European Union as a Constitutional Experiment," 10 *Eur. L. J.* 363 (2004)
- The Arbitral Award: An Arbitrator's Perspective," in *AN ARBITRATION CHECKLIST* (L. Newman & R. Hill, eds.) 159 (*Juris Pub.* 2003)
- Introduction to the Decennial Volume, 10 *Colum. J. Eur. L.* 1 (2003)
- Book Review, Lisa Conant, *Justice Contained: Law and Politics in the European Union* (*European Union Studies Association Review*, April 2003)
- Basic Principles for the Allocation of Competence in the United States and the European Union (with K. Nicolaidis), in *THE FEDERAL VISION* (K. Nicolaidis & R. Howse, eds.) 483 (Oxford Univ. Press 2001)
- Book Review, Eric Stein, *Thoughts from a Bridge*, 94 *Am. J. Int'l L.* 826 (2000)
- Introduction, Special Issue: European Identity and the Opposing Pulls of Globalization, Nationalism and Regionalism, 5 *Colum. J. Eur. Law* 365 (1999)
- Book Review, Ami Barav & Christian Philip, *Dictionnaire juridique des communautés européennes*, 1995 *Revue Internationale de Droit Comparé* 260 (1995)
- Réflexions sur le droit administratif aux Etats-Unis, 1993-1994 (with P. Lindseth), 46 *Conseil d'Etat Etudes et Documents* 515 (1994)
- Evolution du droit administratif américain 1992-1993 (with P. Lindseth), 45 *Conseil d'Etat Etudes et Documents* 483 (1993)
- Introduction, Symposium on Harmonization in the European Community, 29 *Colum. J. Transnat'l L.* 7 (1991)
- Book Review, *Integration through Law: Europe and the American Federal Experience* (vol. 1, books 1-3) (M. Cappelletti, M. Seccombe, & J. Weiler), 11 *Fordham Int'l L.J.* 232 (1987)
- In Memoriam: Charles Szladits (1911-1986), 34 *Am. J. Comp. L.* 822 (1986)
- French Public Law, in *THE WORLD'S LEGAL SYSTEMS: PAST AND PRESENT* (G. Bermann & J. Hazard, eds.) (Condyne Audio Tape Series 1985)
- The Law of the European Economic Community, in *THE WORLD'S LEGAL SYSTEMS: PAST AND PRESENT* (G. Bermann & J. Hazard, eds.) (Condyne Audio Tape Series 1985)
- Book Review, P. Schuck, *Suing Government: Citizen Remedies for Official Wrongs*, 99 *Pol. Sci. Q.* 120 (1984)
- Book Review, Z. Nedjati and J. Trice, *English and Continental Systems of Administrative Law*, 28 *Am. J. Comp. L.* 105 (1980)

GUEST LECTURES AND KEYNOTE ADDRESSES:

Professor G.A. Bermann

- Moderator, Ethics in International Arbitration (Columbia Arbitration Day, Mar. 5, 2020)
Crimea in the Investment Dispute Crossroads between Russia and Ukraine (Odessa Academy of International Law, Odessa, Ukraine, Nov. 1, 2019)
Twilight Issues in International Arbitration (University of Coimbra, Portugal, Oct. 18, 2019)
International Arbitration at a Crossroads (honorary degree speech, Nova Universidade de Lisbon, Portugal (Oct. 17, 2019)
The Fragmentation of international Law : Resolving the Conflict between EU Law and International Investment Law (International Law Association, International Law Weekend, Fordham University Law School of Law, Oct. 11, 2019)
- Defenses to the Enforcement of Awards under ICSID Article 54 (keynote address at 13th annual Investment Treaty Arbitration Conference, Washington DC (Apr. 8, 2019)
The « Autonomy » of International Arbitration (keynote address, Center for Conflict Prevention and Resolution (2019)
International Arbitration : What Does the Future Hold ? (keynote address, Hong Kong International Arbitration Week, Hong Kong (2018)
Recalibrating the EU-International Arbitration Interface (annual address at European Forum on International Law and Arbitration (EFILA), Brussels, Belgium, 2018)
International Arbitration : Present Problems and Future Prospects (keynote address at CAM-CCBC Pan American Arbitration Conference, Sao Paulo, Brazil, 2018)
Recognition and Enforcement of Investor-State Awards (keynote address at British Institute of Comparative Law, London, UK (2018)
Cravath, Swain & Moore LLP, What Does it mean to be Pro-Arbitration? (2018)
Global Pound Lecture Series, held at the Leboulanger law firm, Paris, A User's View of International Arbitration (2018)
Institute des Sciences Politiques (Sciences Po) & Queen Mary College, University of London, Paris, Arbitration is Dead. Long Live Arbitration (2018)
University of Paris I (Sorbonne), The Future of ISDS : Is the Multilateral Investment Court the Way Forward (2018)
U Penn Arbitration Day, keynote address on The Notion of « Pro-Arbitration » (2018)
Bucerius Law School, Hamburg, Germany, From the FAA to the Restatement of Arbitration Law: Taking Stock of American Arbitration Law (inaugural address, Center for International Dispute Resolution (2018)
Chinese Academy of Social Sciences (CASS), keynote address on Current Key Topics in International Arbitration , Beijing, China (2017)
Chartered Institute of Arbitrators, International Arbitration, conference on the Synergy and Divergence between Civil Law and Common Law in International Arbitration, closing address, Conference , Paris (2017)
Chartered Institute of Arbitrators, What Does it Mean to be « Pro-Arbitration » ? (Alexander Lecture, London, UK (2017)
Arbitration Institute of the Stockholm Chamber of Commerce, EU Competition Law and Arbitration, Stockholm, Sweden (2017)
University of Stockholm, The EU Law Challenge to International Arbitration (2017)
Twilight Issues in International Arbitration (Universidad Carlos Vallejo, Lima, Peru (2017)
Viewing Arbitration through a Critical Lens, keynote address at annual congress of Centro de Estudios de Derecho, Economía y Política (CEDEP), La Paz, Bolivia (2017)
International Arbitration: The European Union Law Challenge"(speech at American Foreign Law Association, New York (2017)
Cravath, Swain & Moore LLP (2014)
« International commercial Arbitration : Past, Present and Future »
McGill University, Montreal (2012)

Professor G.A. Bermann

- « The Arbitrability Trap » (John E. C. Brierley Memorial Lecture)
Washington & Lee University School of Law, Lexington, Va. (2012)
- «Exceptionalism in the U.S. Law of international Arbitration »
Institute for Transnational Arbitration, Annual Meeting of Academic Council, San Francisco, CA (2012)
- « A Conversation with George Bermann » (« fireside chat » luncheon conversation with David Caron)
Loyola University School of Law, Chicago, Ill, Wing-Tat Lee Distinguished Lectureship in International and Comparative Law (2011)
- Fordham Law School (keynote address for 6th Annual Arbitration & Mediation Conference) (2011)
- « American Exceptionalism in International Arbitration »
Gateway Issues in International Commercial Arbitration (luncheon keynote address to International Chamber of Commerce, Young Arbitrators Forum, Global Conference, Paris, France (2011)
- University of Freiburg, Germany (keynote address for opening of Institute on Media and Information Law) (2011)
- « Data Privacy Protection : Cooperation and Conflict between the EU and US »
Max-Planck Institut für Privatrecht und Internationales Privatrecht, Hamburg, Germany (2011)
- “The Gateway Problem in International Commercial Arbitration “
Les Questions Liminaires en Arbitrage International Commercial (Cour de Cassation, Paris, France, March 11, 2011)
- International Chamber of Commerce, Court of Arbitration (2011)
- “The Gateway Problem in International Commercial Arbitration “
University of Stockholm, Sweden (2011)
- “Domesticating the New York Convention in American Law”
Deutsche-Amerikanische Juristen-Vereinigung, Stuttgart, Germany (2011)
- « Adapting the Federal Arbitration Act to the New York Convention in American Law »
University of Vienna (2011)
- « A Status Report on the American Law Institute Restatement of International Commercial Arbitration »
University of Geneva, Institut des Hautes Etudes (2010)
- « Domesticating the New York Convention in American Law »
City University of Hong Kong, graduation speaker for Program in legal education for mainland Chinese judges (City University of Hong Kong, 2010)
- “Solving the Puzzles of Parallel Litigation”
Practicing Law Institute, New York (2010)
- “The Restatement of International Commercial Arbitration: An Update”
International judicial Academy (2009)
- Seminar on International Arbitration Issues for U.S. Judges, held at U.S. district court for the eastern district of New York
Bar Association of Washington, D.C. (2009)
- “The Restatement of the US Law of International Commercial Arbitration: A Progress Report”
International Law Weekend West (Willamette Law School, Salem, Oregon, 2009)
- “The American Law Institute Goes Global”
American Society of International Law (ASIL), 2009 annual meeting, Washington DC, 2009)
- “Restating the U.S. Law of International Commercial Arbitration”
George Washington University Law School Global Law Workshop, Washington DC, 2009)
- “Restating the U.S. Law of International Commercial Arbitration”
New York Law School, C.V. Starr Lecture (2009)
- “The Restatement of International Commercial Arbitration”
American Foreign Law Association, New York, N.Y. (2009)
- “The ‘International’ American Law Institute” (2009)
- University of Kansas (Lawrence, Kansas), Inaugural Lecture of the endowed Robert Casad Lecture Series

Professor G.A. Bermann

- (2008)
“U.S. Class Actions and the ‘Global Class’”
University of Paris I (2007)
« La Concertation Réglementaire entre l’Union Européenne et les Etats-Unis »
Columbia Law School Association, at Allen & Overy LLP, London, U.K. (2006)
“A Transatlantic Perspective on EU Law”
Columbia Law School Lecture Series on Challenges of International Governance Regimes (2004)
“The European Union as a Constitutional Experiment”
Cour de Cassation (Supreme Court) of France (2003)
“Le droit comparé et le droit international: alliés or ennemis?”
American Foreign Law Association (New York) (2003)
“The Expatriation of US Statutory Claims”
Cambridge University (UK), Center for European Law, Cambridge, UK (2002)
“The Judicial Role in Policing Federalism: The US and the EU”
Institut des Science Politiques, Paris, France, (2002)
“The Judicial Role in Policing Federalism: The US and the EU”
European Community Studies Association, 6th biennial conference, Madison, Wis (2001)
«Law in an Enlarged European Union», published in 4 European Union Studies Association
(EUSA) Review, no. 3 (summer 2001)
British Institute of International and Comparative Law, London, UK (2001)
«European Law and European Enlargement»
Institut de Droit Comparé, University of Paris II, Paris, France (2001)
«Proportionality and Federalism in Recent Supreme Court Case Law»
Federal Judicial Center and Princeton University, Princeton, NJ (2001)
“European Union: Between Law and Politics”
European University Institute, Florence, Italy (2001)
«Litigating in the Other’s Court: A New Forum for Fashioning EU/US Relations»
Columbia University, School of International and Public Affairs (1999-2001)
“Law in an Enlarged European Union”
Princeton University, Center of International Studies, Princeton, New Jersey (2000)
«The States and Foreign Affairs»
Tulane University, School of Law, New Orleans, Louisiana (2000) «Introduction to the Centennial World
Congress of Comparative Law»
University of Wisconsin, Madison, Wisconsin (2000) «Genetically-Modified Organisms and Food Safety
in US/ EU Relations»
European University Institute, Florence, Italy (2000)
«Federalism and the Treaty Power»
School of International and Public Affairs, Columbia University (2000)
«Flexibility in the EU: A Critique of the Amsterdam Treaty’s Provisions on ‘Closer
Cooperation’»University of Paris I, France (1998)
University of Paris I, France (1998)
«Constitutional Jurisdiction of U.S. Courts over Non-Nationals
Legal Service of the Commission of the European Communities, Brussels, Belgium (1998)
«Federalism Obstacles to Effective US Participation in International Legal Regimes»
Princeton University, Woodrow Wilson School of International Affairs, New Jersey (1998)
«Subsidiarity: An Update»
Princeton University, Alumni College, New Jersey (1997)
«The Idea of Europe: A Legal Dimension»
Universities of Berlin (Humboldt University), Bonn, Erlangen-Nürnberg and Munich, Germany (1997)
«An American Perspective on the 1996 European Intergovernmental Conference»
Universities of Rome (La Sapienza), Italy, and Lausanne, Switzerland (1997)

Professor G.A. Bermann

- Subsidiarity: Does it Have a Future?» (published in Centro di studi e ricerche di diritto comparato e straniero, «Saggi, Conferenze e Seminari» (No. 26) (Rome, 1997))
- American Bar Association, Section of Administrative Law and Regulatory Practice 1996 Mid-year Meeting, Baltimore, Maryland (1996)
- "Regulatory Practice in the European Commission"
- University of Barcelona, Spain (1995)
- "U.S. Administrative Law in Comparative Perspective"
- Tulane Law School, Eason-Weinmann Distinguished Lecture, New Orleans, Louisiana (1994)
- "European Community Law from a US Perspective"
- Legal Service of the Commission of the European Communities, Brussels, Belgium (1994)
- "The Interstate Commerce Clause: Lessons for the European Community"
- Association of the Bar of the City of New York, Comparative and Foreign Law Committee (1992)
- "Europe after the French Referendum on Maastricht"
- Association of the Bar of the City of New York, International Law Weekend (1992)
- "The Maastricht Treaty"
- National People's Congress of the People's Republic of China (Legislative Affairs Commission, Administrative Litigation Research Group), Beijing, China (1991)
- "Administrative Procedure in the United States and in Western Europe"
- National People's Congress of the People's Republic of China (Legislative Affairs Commission, Administrative Litigation Research Group) Beijing, China (1989)
- "Government Liability in the United States, France, West Germany and the European Economic Community"
- New York State Bar Association annual meeting, New York, New York (1989)
- "1992: Its Constitutional Significance"
- Carnegie Council on Ethics and International Affairs, New York, New York (1987)
- "The Single European Act: A New Constitution for the Community?"
- Crossroads Africa, African Leaders Program, Southampton, New York, New York, (1983-87)
- "Introduction to the American Legal System" (orientation seminar for African jurists)
- University of Clermont-Ferrand, Clermont-Ferrand, France (1982)
- "*Vermont Yankee* and Judicial Review of Agency Rulemaking" and
- "Trends in Governmental and Officer Liability in the United States"
- Centre d'Etudes du "Common Law," University of Paris I, Paris, France (1982)
- "Trends in Governmental and Officer Liability in the United States"
- University of Lausanne, Lausanne, Switzerland (1982)
- "Legislative Control of Administrative Action in the United States,"
- "Executive Control of Administrative Action in the United States," and
- "Judicial Control of Administrative Action in the United States"
- University of Paris I, Paris, France (1981)
- "Freedom of Information in the United States" and "Proceduralism in American Administrative Law"
- Max-Planck-Institut, Hamburg, Germany (1980)
- "Governmental Liability Reform in Germany and the United States"
- University of Bonn, Bonn, Germany (1980)
- "Governmental Liability Reform in Germany and the United States"

AMICUS BRIEFS

- Animal Science Prods, Inc. v. Hebei Welcome Pharmaceutical Co., Ltd, petition for writ of certiorari (2018)
- Republic of Sudan v. Harrison, petition for writ of certiorari (2017)
- AMCI Holdings, Inc. v. CBF Industria de Gusa S.A. (2017)
- Orange SA v. Telesocial, Inc., petition for writ of certiorari (2016)

Professor G.A. Bermann

BG Group PLC v. Republic of Argentina. petition for writ of certiorari (2012)

HONORARY DEGREES AND AWARDS:

Patron, Chartered Institute of Arbitrators, New York Branch
Doctorate honoris causa, University of Fribourg, Switzerland (conferred 2004)
Doctorate honoris causa, Université de Versailles-St. Quentin (France), doctorate *honoris causa* (conferred 2011)
Doctorate honoris causa, Universidad Cesar Vallejo, Lima, Peru (conferred 2017)
Doctorate honoris causa Universidade Nova de Lisboa, Portugal (conferred 2018)
Honorary Member, Group of the 100 of the Center of Legal Innovation, Development and Research for Latin America (Feb. 2011)
Honorary Member, American Association of Private International Law (ASEDIP) (Nov. 2009)
C.V. Starr Award, New York Law School (Apr. 2009)
Honorary Member, American Bar Association, Section of Administrative Law and Regulatory Practice (Aug. 2008)
Director, American Arbitration Association
Tocqueville-Fulbright Distinguished Professorship (University of Paris) (June-Dec. 2006)
Arbitration recognition
Chambers USA (2006 to date)
Who's Who Legal (2005 to date)
Juris Guide to International Arbitrators (2001 to date)
Distinguished Service Award, American Foreign Law Association (conferred June 2005)
Honorary President, American Society of Comparative Law (conferred Oct. 2004)
Jean Monnet Chair of European Law (conferred July 2001)

BAR ADMISSIONS:

Supreme Court of the United States (1992)
Southern District of New York (Federal) (1980)
Eastern District of New York (Federal) (1980)
New York State (1972)

LEGISLATIVE TESTIMONY:

UK Select Committee of House of Lords: UK Ratification of the Draft European Constitution (2005)
Senate Judiciary Committee: The OPEC countries, sovereign immunity and act of state (2004)
House Committee on Foreign Affairs: Colombian practice in international arbitration and Andean legislation benefits (2002)
House Committee on Government Operations: Tort liability of Federal public officials (1983)

FOREIGN LANGUAGES:

French, German
Spanish (reading)

date: January 2021

GEORGE A. BERMANN
International Arbitration Curriculum Vitae

ACADEMIC FUNCTIONS

- Professor, Columbia University School of Law, currently *Jean Monnet Professor of European Union Law*; *Walter Gellhorn Professor of Law*
courses:
 - International Commercial Arbitration
 - International Investment Law and Arbitration
 - Transnational Litigation
 - Practicum in International Arbitration Practice
 - Seminar in International Arbitration and EU Law
- Director, Columbia Law School Center for International Commercial and Investment Arbitration
- Founder and former directors, Columbia Law School European Legal Studies Center
- Professor, Ecole de droit, Institut des Sciences Politiques (Paris)
- Professor, Geneva LL.M. in International Dispute Settlement (MIDS) (Geneva)
- Visiting Professor, University of Miami Law School

INTERNATIONAL ARBITRATION PRACTICE

- Arbitrator in International Commercial and Investment Arbitration in over 100 cases from 1980 to date; president of tribunal and party-appointed, as well as solo, in arbitrations before all major international arbitral institutions and ad hoc
- Counsel or advisor to counsel in international commercial arbitration
- Foreign Law and International Arbitration Law Expert Witness before international arbitral tribunals and national courts.

OTHER MAJOR PROFESSIONAL ACTIVITIES

- Chief Reporter, ALI Restatement of the US Law of International Commercial Arbitration
- Observer (for American Arbitration Association) to UNCITRAL Working Group III on Investor State Dispute Resolution Reform
- Co-director, Academic Task Force to UNCITRAL working group on the future of ISDS

OFFICERSHIPS AND MEMBERSHIPS

- Founding Member, Governing Board of International Court of Arbitration of the ICC
- Member, Standing Committee of International Court of Arbitration of the ICC
- Chair, Global Board of Advisers, New York International Arbitration Center (NYIAC)

- Council Member, American Arbitration Association (AAA)
- Board member, Center for Conflict Prevention and Resolution (CPR)
- Fellow, Chartered Institute of Arbitrators (London)
- President of Board, Center for International Investment and Commercial Arbitration (Lahore, Pakistan)
- President of Board, Thai International Arbitration Center (Bangkok, Thailand)
- President, *Académie Internationale de Droit Comparé* (Paris, France) (2006-2014)
- President, American Society of Comparative Law (ASCL) 1998-2002)

EDITORSHIPS

- Co-editor-in-chief, *American Review of International Arbitration* (2010 to date)
- Member Board of Editors, *Revue de l'Arbitrage* (2008 to date)
- Founder and Chair of the Board, *Columbia Journal of European Law* (1997 to date)

HIGHER EDUCATION AND BAR ADMISSION

- JD Yale Law School (1971)
- BA Yale University (1867)
- Member of Bar of State of New York (1972)
- Member of Bar of U.S. Supreme court (1988)
- admitted federal district court for southern district of New York (1985)
- admitted federal district court for eastern district of New York (1991)

SELECTED BOOK PUBLICATIONS

- UNCITRAL Guide to the New York Convention (co-authored with E. Gaillard)(2016)
- International Arbitration and Private International law (General Course in Private International Law of Hague Academy of International Law, published in *Recueil des cours* of Academy)(2017)
- Interpretation and Application of the New York Convention by National Courts (Springer Pub.(2017)
- Mandatory Rules in International Arbitration (2d. ed., forthcoming Juris Pub. 2018)
- Cases and Materials on European Union Law (West Pub. 4th ed. 2016) (co-authored)
- Transnational Litigation (West Pub. 2003. 2d ed. forthcoming 2018)
- Introduction to French Law (Kluwer 2010) (co-edited with. E. Picard)
- French Business Law in Translation (2d ed., Juris 2011)

OTHER SELECTED PUBLICATIONS

- Understanding ICSID Article 54, 35 ICSID Rev. ____ (2020)

- The Self-Styled “Autonomy” of International Arbitration, 36 Arb. Int’l 221 (2020)
- What Does it Mean to be “Pro-Arbitration?,” 34 Arb. Int’l 341 (2018)
- The Role of National Courts at the Threshold of Arbitration, 28 Am. Rev. Int’l Arb. 291 (2018)
- European Union Law as a Jurisdictional and Substantive Defense to Investor/State Liability (in F. Ferrari, ed., The Impact of EU Law on International Arbitration, Juris Pub. 2017)
- The Energy Charter Treaty and European Union Law, in International Arbitration in the Energy Sector (M. Scherer, ed.) 2018)
- *Res Judicata* in International Arbitration, in A. Bjorklund, F. Ferrari & S. Kroll, eds., Cambridge Compendium of International Commercial and Investment Arbitration (forthcoming 2021)
- International Standards as a Choice of Law Option in International Arbitration (28 Am. Rev. Int’l Arb. 423 (2017)
- The *Yukos* Annulment: Answered and Unanswered Questions, 27 Am. Rev. Int’l Arb. 1 (2016)
- Limits to Party Autonomy in Composition of the Arbitral Panel, in Limits to Party Autonomy in International Commercial Arbitration 83 (F. Ferrari, ed., Juris Pub. 2016)
- International Commercial Arbitration: Present Challenges and Future Prospects: Festschrift for John Beechey (2017)
- The “Gateway Problem” in International Commercial Arbitration, 37 Yale Journal of International Law 1 (2012)
- Navigating EU Law and the Law of International Arbitration, 28 Arb. Int’l 397 (2012)
- Arbitrability Trouble, 23 Am. Rev. Int’l Arb. 367 (2012)

HONORS

- *Doctor honoris causa*
 University of Fribourg, Switzerland (2004)
 Université de Versailles-St. Quentin, France (2011)
 Universidad Cesar Vallejo, Lima, Peru (2016)
 Universidade Nova de Lisboa, Lisbon, Portugal (2019)
- Distinguished Service Award, American Foreign Law Association (2006)
- Lifetime Achievement Award, American Society of Comparative Law (2016)
- Tocqueville-Fulbright Distinguished Professorship (University of Paris I) (2006)
- Recognition as leading international arbitrator: Chambers USA 2006 to date), Who’s Who Legal (2005 to date), Juris Guide to International Arbitrators (2001 to date)

January 2021