

# Forum on Investor-State Mediation

8-9 December 2020

## Speaker Biographies



**Marat Aitenov**  
AIFC Authority Board Member

Marat Aitenov has working experience in the Ministry of Justice and the Ministry of Economy and Budget Planning of the Republic of Kazakhstan, the Development Bank of Kazakhstan, the National Welfare Fund “Samruk-Kazyna”. He has extensive legislative experience. He headed the legal group on the legal support of the restructuring of several second-tier banks.

In his current place at AIFC Authority, he heads the Legal Group which worked on the development and adoption of general legal framework Acts of the AIFC, which are the legal basis for the AIFC, its Bodies and Participants. Under his coordination, the relevant work was carried out on establishment the AIFC Court (commercial court) and the International Arbitration Centre, the AIFC Legal Advisory Council (the council working on the development of the legal framework of the AIFC) and other bodies.



**Aygun Aliyeva**  
Ministry of Energy of Azerbaijan

Aygun Aliyeva is the Head of Legal Analysis and Expertise Division in the Ministry of Energy of the Republic of Azerbaijan. Beginning her career as a civil servant in 2010, Aygun held various positions in the Ministry and was appointed to Division Head in September 2018.

Since the beginning of her career, Aygun was involved in numerous projects aiming to develop institutional and legal framework of the energy sector.

In her current position Aygun ensures bilateral cooperation with international financial institutions and foreign investors in implementation of essential projects, as well as providing legal support thereof in the light of pending fundamental reforms in the energy sector of Azerbaijan.

While performing the secondment programme in the Energy Charter Secretariat, Ms. Aliyeva successfully accomplished the development of recommendations in prevention and management of investment disputes, exploring international best practice in dispute settlement.

She plays a key role in the cooperation with the International Energy Charter and takes an active part and represents Azerbaijan in the Energy Charter Process including modernization process.



**Mark Appel**  
**ArbDB Chambers**

Mark Appel has nearly 40 years of global arbitration and mediation experience, having served in both executive and senior executive positions at the American Arbitration Association (AAA) and International Centre for Dispute Resolution (ICDR), leaving ICDR/AAA as Senior Vice President, EMEA in December of 2015.

While serving as an AAA Executive, Mr. Appel personally administered or was responsible for the administration of thousands of commercial arbitrations and mediations.

Mr. Appel is thoroughly familiar with Civil and Common law arbitration and mediation practice and procedure, with over 30 years of experience in training arbitrators and mediators on four continents on behalf of various arbitral institutions, government ministries, Courts and NGOs.

An experienced mediator, Mr. Appel is an Honorary Director of the International Mediation Institute (IMI). Since 2016, Mr. Appel has served as Chair of the IMI Investor-State Mediation Task Force, working with state and investor representatives, experts, academics, the Energy Charter Secretariat, ICSID and UNCITRAL on investor-state dispute settlement (ISDS) reform and mediation.



**Dr Arvid Bell**  
**Negotiation Task Force, Davis Center for Russian and Eurasian Studies, Harvard University**

Arvid Bell is Lecturer on Government and Director of the Negotiation Task Force at the Davis Center for Russian and Eurasian Studies at Harvard University. He specializes in complex conflict analysis, negotiation strategy, and international security. Dr. Bell is also a member of the Executive Board of the Arms Control Negotiation Academy (ACONA), a Fellow with the Institution

Quraysh for Law & Policy (iQ), and an International Negotiation Expert with the Conflict Analytics Lab at Queen's University, a research-based consortium concerned with the application of data science and machine learning to dispute resolution.



**Alejandro Carballo-Leyda**  
**Energy Charter Secretariat (ECS)**

Alejandro Carballo-Leyda (LLB with Economics, Certificate on international conflicts, LLM, PhD in international law, Harvard Program on Negotiation, CEDR accredited mediator) is the General Counsel of the International Energy Charter and head of its Conflict Resolution Centre, which provides good offices and mediation support to investors and governments. He coordinated the Guide on Investment Mediation (2016), the amendment to the energy transit

conciliation rules (with a commentary), the Model Instrument on Management of Investment Disputes (2018) and the first training for investment mediators. Currently, he supports several countries in developing their internal instrument on managing investment disputes. Previously, Alejandro advised States and private clients on a wide range of public and private international law issues. He has been a Visiting Fellow at the University of Cambridge and lectured in Public International Law; currently, he teaches foreign investment law at University of Paris 1 Panthéon-Sorbonne.



**Prof Dr. Malik Dahlan**  
**Queen Mary University of London**

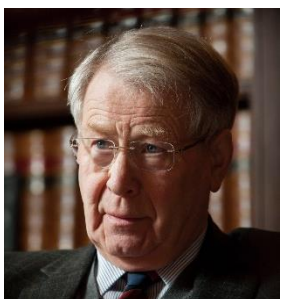
Professor Dr. Malik R. Dahlan is the Chaired Professor of International Law and Public Policy at Queen Mary University of London and Senior Mediation Fellow in residence with the Davis Center Negotiation Task Force (NTF). An accomplished international negotiation and mediation expert, he is the founder and principal of Institution Quraysh for Law & Policy (iQ) and a senior research fellow of the RAND Corporation. Dahlan is a GCC-qualified lawyer, CEDR-accredited mediator, and fellow of the Chartered Institute of Arbitrators. His legal career includes heading the Middle Eastern practice of Covington & Burling and advising Twitter, Inc. He was the founding director of the Brookings Doha Center and has led several mediation and dispute resolution projects globally. Dahlan authored *The Hijaz: The First Islamic State* by Oxford University Press. Professor Dahlan's work with the Davis Center Negotiation Task Force focuses on building out a Mediation Support Group as well as on exploring pressing current global negotiation topics such as Jerusalem negotiations, Eurasian energy dynamics, the Belt & Road Initiative, and Investor-State mediation.



**Shaun Donnelly**  
**United States Council for International Business**

Until his retirement from USCIB in April 2020, Shaun Donnelly led USCIB's work on foreign investment policy, treatment of multinational and state-owned enterprises and financial services. In retirement, he now serves as a part-time Senior Advisor to USCIB leadership. A career diplomat in the U.S. Department of State's Foreign Service, Donnelly joined USCIB's Washington office in 2011 after a thirty-six-year career in U.S. government service. With USCIB, Donnelly became a leading spokesman around the world for U.S. and international business on international investment policy issues.

In his State Department career, Donnelly served as U.S. Ambassador to Sri Lanka and Maldives, Deputy Ambassador in Mali and Tunisia, Principal Deputy Assistant Secretary of State for Economic and Business Affairs (the third highest economic policy position in the Department) and Assistant U.S. Trade Representative in charge of Europe and the Middle East. After retiring from the State Department in 2008, Donnelly held senior positions at the National Association of Manufacturers and the U.S. Chamber of Commerce. He holds a master's degree from Northwestern University and a bachelor's degree from Lawrence University.



**Rt Hon Sir David Edward**  
**Blackstone Chambers**

Sir David Edward practised as an advocate in Scotland and was appointed Queen's Counsel in 1974. He was President of the Council of Bars of the EC (1978-1980); Professor of European Institutions at Edinburgh University (1985-89, now Professor Emeritus); Judge of the European Court of First Instance (1989-92) and of the European Court of Justice (1992-2004). He sat part-time as a judge of the Scottish appeal court (2004-09). He is an ICSID arbitrator and a member of Blackstone Chambers, Temple, London.



**Brooke Guven**

**Columbia Center on Sustainable Investment**

Brooke Guven is a senior legal researcher at the Columbia Center on Sustainable Investment. Her work focuses on analysing the contracts, domestic frameworks and international legal arrangements governing cross-border investments and the impacts that these frameworks have on sustainable development objectives. Prior to joining CCSI, she was a finance lawyer specializing in cross-border transactions at an international law firm, and also worked as a legal advisor with the Liberian Ministry of Health and Social Welfare. She has an LLM from New York University School of Law, where she was a Human Rights Scholar, a JD and MA from the University of Wisconsin, and a BA from Northwestern University.



**Ken Hyatt**

**Albright Stonebridge Group (ASG)**

Ken Hyatt is Senior Advisor at ASG, where he advises clients of the firm on complex negotiations, trade, and investment matters in international markets. Prior to joining ASG, Mr. Hyatt served in the U.S. Department of Commerce as the Acting Under Secretary and Deputy Under Secretary for International Trade. He oversaw the strategy and operations of the International Trade Administration (ITA) with an annual budget of approximately \$500 million and more than 2,200 employees worldwide. He led ITA which contributes to the development of U.S. trade policy; identifies and resolves market access and compliance issues; promotes U.S. competitiveness and the strength of U.S. companies in the global economy; administers U.S. trade laws; and undertakes a range of trade and investment promotion and trade advocacy efforts.

In this role, he worked with a wide range of U.S. companies helping them achieve their international objectives and with foreign governments on the development and implementation of trade and investment policies. He also co-led the creation of SelectUSA, the U.S. government's investment attraction agency, led the U.S. government's support for BrandUSA, the U.S. national tourism promotion organization, and co-led the development of the U.S. National Travel and Tourism Strategy.



**Prof. Catherine Kessedjian**

**University Pantheon-Assas Paris II**

Catherine Kessedjian is Professor Emerita of the University Panthéon-Assas Paris II. She acts as arbitrator in a selected number of International Commercial and Investment Disputes. She acts as mediator (also for preventive mediation) in French and English. She is a member of numerous professional organisations, notably the American Law Institute (ALI) and the Institut de droit international. She is the President of the French Branch of the International Law Association and Vice Chair of the global ILA.



**Meg Kinnear**

**International Centre for Settlement of Investment Disputes (ICSID)**

Meg Kinnear is a Vice President of the World Bank Group and the Secretary-General of the International Centre for Settlement of Investment Disputes (ICSID). As Secretary-General, she oversees a staff of 70 people, administering more than 300 investment arbitrations each year. Ms. Kinnear was formerly the Senior General Counsel and Director General of the Trade Law Bureau of Canada. In November 2002, Ms. Kinnear was also named Chair of the Negotiating Group on Dispute Settlement for the Free Trade of the Americas Agreement. From October 1996 to April 1999, Ms. Kinnear was Executive Assistant to the Deputy Minister of Justice of Canada. Prior to this, Ms. Kinnear was Counsel at the Civil Litigation Section of the Canadian Department of Justice (from June 1984 to October 1996).

Ms. Kinnear is called to the Bar of Ontario (1984) and the Bar of the District of Columbia (1982). She received a Bachelor of Arts (B.A.) from Queen's University in 1978; a Bachelor of Laws (LL.B.) from McGill University in 1981; and a Master of Laws (LL.M.) from the University of Virginia in 1982.



**Prof. Yarik Kryvoi**

**British Institute of International and Comparative Law**

Professor Yarik Kryvoi is Senior Research Fellow in International Economic Law and Director of the Investment Treaty Forum at the British Institute of International and Comparative Law.

He is a Professor of Law at the University of West London (part-time) and teaches arbitration at the Chartered Institute of Arbitrators. He has several years of experience practicing international dispute resolution with Freshfields Bruckhaus Deringer in London, Morgan Lewis & Bockius in Washington, DC and Baker & McKenzie in Saint Petersburg. He is the founding editor of the CIS Arbitration Forum and serves on editorial boards of several international legal periodicals.

Professor Kryvoi is a former Co-Chair of the ABA International Courts and Tribunals Committee and has also served as a counsel for the Economic Court of the Commonwealth of Independent States advising on issues of international administrative law. He holds law degrees from Harvard, Moscow, Nottingham, Utrecht and St Petersburg. He is admitted to practice in the State of New York.



**Barry Leon**

**33 Bedford Row**

Barry Leon, a Canadian, is an independent arbitrator and mediator. Barry is a Fellow of the Chartered Institute of Arbitrators (FCIArb) and an International Mediation Institute (IMI) Certified Mediator. He is experienced in arbitrating and mediating corporate and commercial, contract, shareholder and business breakup, construction, natural resources, intellectual property and technology disputes. Barry was the Presiding Judge (Commercial Division), Eastern Caribbean Supreme Court, in the Territory of the Virgin Islands, known as the BVI Commercial Court, from 2015 to 2018. In that capacity he presided over a range of international commercial disputes involving parties from around the world, including shareholder and corporate disputes, insolvency matters, contractual disputes, fraud and asset recovery proceedings, judgment enforcement and arbitration assistance and arbitral award enforcement.

He is an Arbitrator with 33 Bedford Row in London, Arbitration Place in Canada, and Caribbean Arbitrators in the British Virgin Islands. Also, Barry is an Arbitrator on the American Arbitration Association National Roster of Arbitrators.



**Prof. Robert McCorquodale**  
**University of Nottingham and Brick Chambers**

Professor Robert McCorquodale is a barrister and mediator at Brick Court Chambers, London, Professor of International Law and Human Rights at the University of Nottingham, and the Founder of Inclusive Law, a consultancy on business and human rights. He was Director of the British Institute of International and Comparative Law (BIICL) for 10 years.

He has over 25 years of experience working in business and human rights. He published widely in this area, including by empirical research, has advised business of all sizes, assisted governments around the world, been involved with civil society, industry and organisations in drafting legal changes and in litigation. This has included capacity building, legislative proposals and training, as well as interviewing and qualitative research. He has appeared as an advocate before the International Court of Justice and the United Kingdom Supreme Court, and as a legal expert before United Nations bodies.



**Frauke Nitschke**  
**International Centre for Settlement of Investment Disputes (ICSID)**

Frauke Nitschke is a senior counsel at the International Centre for Settlement of Investment Disputes (ICSID). Frauke serves as the team lead for ICSID staff handling proceedings in English. Frauke also serves as Secretary of tribunals, conciliation commissions and ad hoc committees in investor-State proceedings conducted pursuant to the ICSID Convention and the ICSID Additional Facility Rules involving a variety of economic sectors and legal instruments.

Frauke further leads ICSID's investor-State mediation activities, including the drafting of the proposed Mediation Rules and amendments to ICSID's conciliation frameworks. Frauke has conducted investment mediation skills trainings for mediators and government officials. Prior to joining ICSID, Frauke served in the World Bank's Legal Vice Presidency and the Inspection Panel. Frauke is an accredited mediator and admitted to the D.C. and New York State Bar. She holds a law degree from the Freie Universität Berlin, an LLM from Georgetown University Law Center, and a Master's Degree in Psychology from the FernUniversität Hagen.



**Charles Ries**  
**RAND Corporation**

Amb. (Ret.) Charles Ries is Vice President, International at the RAND Corporation. He oversees RAND's international offices and relationships. He also is a researcher focused on international economics, trade and development. He is a principal author of *After Brexit: Alternate forms of Brexit and their implications for the United Kingdom, the European Union and the United States; Improving Decision-making in a Turbulent World; The Costs of the Israeli-Palestinian Conflict, and Building a More Resilient Haitian State*, and other RAND studies. He was director of RAND's Center for Middle East Public Policy (2011-12). While on a leave of absence from RAND in 2010, Ries served as Executive Vice President of the Clinton Bush Haiti Fund.

At the State Department for over three decades, he specialized in European and economic issues, serving as Ambassador to Greece (2004-07), Principal Deputy Assistant Secretary for European Affairs (2000-04), Minister Counselor for Economic Affairs at U.S. Embassy London and the U.S. Mission to the EU, among other assignments. He was Deputy Assistant USTR for North American Affairs and a member of the NAFTA negotiating team. He holds B.A. and M.A. degrees from Johns Hopkins University.



**Roland Schroeder**  
**General Electric Company**

Roland Schroeder's responsibilities include the management of significant international litigation and compliance risk globally, domestic and international ADR, and the implementation of company-wide legal policy. Roland is a founding member and former Chairman of the Corporate Counsel International Arbitration Group and serves on the Advisory Committee to the New York Law School ADR Program. He has previously served on the Board of Directors of the International Mediation Institute (IMI), the ICC Commission on Arbitration, the Executive Committee of the International Institute for Conflict Prevention & Resolution (CPR), the Connecticut Commission on Civil Court ADR Reform, and as Chair of the Corporate Counsel subcommittee of the USCIB and Corporate Counsel liaison to the IBA mediation committee.

He has more than 25 years of experience in litigating and arbitrating complex commercial disputes in the U.S. and globally. Mr. Schroeder previously practiced with Shearman & Sterling and Ross, Dixon & Bell in Washington, D.C. He is a law graduate of Georgetown University Law School, and has a B.S. in mechanical engineering from Lehigh University.



**James South**  
**Centre for Effective Dispute Resolution (CEDR)**

James South is the Managing Director of the Centre for Effective Dispute Resolution (CEDR). As a mediator, facilitator, consultant and trainer, James has over 25 years of experience in over 30 countries, working with individuals, organisations and public institutions to prevent, manage and resolve conflict effectively.

A lawyer in his native New Zealand, he acts as mediator both in the UK and internationally, specialising in corporate and commercial disputes, with particular experience in International commercial contracts, Insurance & Finance, Property, Sales of Goods & Services and Employment & Workplace. James also combines his mediating and consultancy skills to provide facilitation, neutral chairing and conflict coaching services to Boards, leadership teams and other groups which find themselves in conflict. James is a fluent Spanish speaker and trains in cross-cultural issues in mediation and has experience in mediating cross-border and cross-cultural disputes.



**Mercedes Tarrazon**  
**Dispute Management**

Mercedes is founding partner of Dispute Management, specializing in conflict management and resolution and international business law. She is Fellow of the Chartered Institute of Arbitrators (CI Arb) both in arbitration and in mediation and Distinguished Fellow of the International Academy of Mediators.

She has seated as arbitrator under the rules of UNCITRAL, ICC, ICDR and several Spanish and French domestic arbitration courts. She is listed as well on several panels of arbitrators including ICDR, CPR, IACAC, WIPO and the Milan Chamber of Arbitration. Mercedes' broad experience as a mediator is mainly ad hoc, having acted also under the rules of the ICC ADR International Center. She has seated as conciliator in investment cases and been appointed by the Spanish Government to the ICSID panel of conciliators (2020-2026). Mercedes has also been member of Dispute Boards. She is member of the Mediation Forum of the Spanish Ministry of Justice where she coordinates the Task Group on Quality and Best Practices in Mediation and member of the Board of Management of the Club Español del Arbitraje (CEA), where she chairs the Commission on Mediation.



**Alexander Uff**  
**Shearman & Sterling**

Alexander Uff is a partner in Shearman & Sterling's international arbitration practice. He provides advice and representation to corporations, States and State-owned entities in complex international commercial and investment treaty arbitrations. His experience covers a wide range of subject matters and industries, with an emphasis on energy, natural resources and infrastructure-related disputes. He has conducted arbitrations under the ICSID, ICC, LCIA, CRCICA and CAS Rules, as well as ad hoc arbitrations including under the UNCITRAL Rules.

Alexander is recognized as a "future leader" in international arbitration by Who's Who Legal (2018, 2019, 2020). The 2020 edition reports that he is "'a name to remember in investment treaty arbitration' according to peers, who applaud his 'great commercial sense'". He is also included on The Legal 500 International Arbitration Powerlist UK.



**Anne van Aaken**  
**University of Hamburg**

Anne van Aaken (Dr. iur. and MA Economics) is Alexander von Humboldt Professor for Law and Economics, Legal Theory, Public International Law and European Law, University of Hamburg. She was Professor at the University of St. Gallen, Switzerland from 2006-2018. She was Vice-President of the European Society of International Law and of the European Association of Law and Economics, and is the Chair of the EUI Research Council. She is co-editor of the Journal of International Dispute Settlement (OUP) and a member of the editorial boards i.a. of the American Journal of International Law (CUP), European Journal of International Law (OUP), and International Theory (OUP). She has been consultant for the IBRD, OECD, UNCTAD, GIZ. She is currently working on behavioural economics/psychology of International Law and International Legal Theory.



**Amandine Van den Berghe**  
**ClientEarth**

Amandine Van den Berghe works as a lawyer on Trade & Environment at ClientEarth, an environmental law charity. Amandine's work focuses on reforming trade and investment rules to align them with environmental and social objectives. In the past, Amandine worked on the EU Common Fisheries Policy at ClientEarth and as a legal assistant on EU public procurement and Cohesion Policy at the European Commission.

Amandine graduated with a Master's Degree in European Union Law from the University of Amsterdam, where she specialised in EU Environmental Law. She holds a double Bachelor's Degree, in Law and in Political Sciences, from the University Saint-Louis of Brussels.





**Wolf von Kumberg**  
**International Dispute Registry (IDR)**

Mr von Kumberg spent nearly 25 years in Zurich, Switzerland and London, England, as European Legal Director and Assistant General Counsel to Northrop Grumman Corporation a global aerospace/security company. In that position he was responsible for all international legal affairs. Prior to that, he served as the Vice President – Legal Affairs for Litton Canada, after having spent several years in legal practice with a major Toronto Law Firm. He retired from Northrop Grumman in 2015, to devote his time fully to mediation and arbitration.

He is now a member of specialist International ADR Chambers in London, Int Arb Arbitrators & Mediators – based at the International Arbitration Centre, with offices in London and Washington DC. Wolf is also the Managing Director of Global Resolution Services a provider of dispute resolution services and the Registrar General and CEO of the International Dispute Registry (IDR), which specialises in mediation capacity building programs for States.

Mr von Kumberg holds law degrees from Canadian and European Universities, is a qualified lawyer in both Canada and England, a certified CEDR mediator, an AAA Master Mediator and an arbitration Fellow of the Chartered Institute of Arbitrators.



**Dr. Xuehua Wang**  
**Beijing Huanzhong & Partners**

Dr. Xuehua Wang, founding partner of Beijing Huanzhong & Partners, former Associate Dean of the Law School of the University of International Business & Economics (UIBE). Dr. Wang used to hold positions of Director of the Committee of International and WTO legal affairs of All China Lawyers' Association, Director of the International Trade and Investment Committee, Anti-Dumping Committee, Council member, Vice-Director of Foreign Affairs Commission of Beijing Bar Association. Dr. Wang also serves as executive director of WTO legal affairs of China Law Society, China Arbitration Law Society and director of Chinese Society of International Law. Dr. Wang is a visiting professor of Law School of University of International Business and Economics.

Dr. Wang is currently serving as arbitrator on the panel of ICSID, China International Economic and Trade Arbitration Commission, Beijing International Arbitration Center, Shanghai International Arbitration Center, Shenzhen Court of International Arbitration, etc. Dr. Wang had represented clients in various arbitral institutions such as CIETAC, HKIAC, SCC, ICC, KLRAC, etc. Dr. Wang also appeared as expert witness on Chinese Law in foreign jurisdictions. Dr. Wang has been from time to time appointed as an arbitrator in HKIAC arbitration proceedings.