9th Bi-Annual Symposium on Salient Issues in International Arbitration

DUE PROCESS IN ARBITRATION AND INTERNATIONAL DISPUTE RESOLUTION

CONFERENCE PROGRAM

The 9th edition of the Bi-Annual Symposium on Salient Issues in International Arbitration, on November 12 and 13, 2026 at American University Washington College of Law, brings together arbitrators, counsel, government lawyers and scholars to examine due process in international commercial and investment arbitration and other forms of international dispute resolution.



Organized jointly by the AUWCL Center on International Commercial Arbitration (Washington, D.C.) and the *Institut Suisse de Droit Comparé* (Lausanne, Switzerland)

Organizing institutions:

AMERICAN UNIVERSITY WASHINGTON COLLEGE of LAW
CENTER ON INTERNATIONAL COMMERCIAL ARBITRATION

Institut suisse de droit comparé
Schweizerisches Institut für Rechtsvergleichung
Istituto svizzero di diritto comparato
Swiss Institute of Comparative Law

Partners:

THE ARBITRATION BRIEF
WASHINGTON COLLEGE OF LAW

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Thursday, Nov. 12, 2026
9:00 a.m. – 8:00 p.m. EST

DAY 1 — GENERAL PANELS

(CEREMONIAL CLASSROOM, YUMA BUILDING)

9:00–9:30 a.m.

OPENING REMARKS

Krista Nadakavukaren, Vice-Director of the Swiss Institute of Comparative Law
Horacio A. Grigera Naón, Distinguished Practitioner-in-Residence; Director of the Center on International Commercial Arbitration, American University Washington College of Law
Björn Arp, Assistant Director of the Center on International Commercial Arbitration, American University Washington College of Law

9:30–11:00 a.m.

PANEL 1 — CONCEPTUAL FRAMEWORK: WHY DOES DUE PROCESS MATTER IN INTERNATIONAL DISPUTE RESOLUTION?

This panel will establish the link between the conceptual need for "due process" in international commercial and investment arbitration and its practical application.
Moderator: Björn Arp, Assistant Director, Center on International Commercial Arbitration
Panelists: Lindsay Gastrell, Independent Arbitrator, New York
Charles Kotuby, Of Counsel, Three Crowns LLP; Professor of Practice, University of Pittsburgh School of Law
Sami Salihu, Associate, Bratschi (Switzerland)
Krista Nadakavukaren, Vice-Director of the Swiss Institute of Comparative Law

11:15 a.m.–12:45 p.m.

PANEL 2 — STATES IN INTERNATIONAL ARBITRATION AND OTHER FORMS OF INTERNATIONAL ADJUDICATION: IS THERE A SPECIAL DUE PROCESS STANDARD?

This panel will discuss whether the elements of due process and the standards for assessing its sufficiency change across international dispute resolution mechanisms; an underlying consideration is that state-state litigation may be different in this respect than investor-state arbitration. What is the goal of attention to due process in state proceedings on the international level (esp. when participation is mainly "voluntary")? Also the issue of "repeat players" (states/law firms); availability of annulment in arbitration vs. none in litigation.
Moderator: Claudia Frutos-Peterson, Managing Partner, Curtis, Washington, D.C.
Panelists: Gonzalo Flores, International Arbitrator, former Deputy Secretary General, ICSID
Timothy Foden, Partner, Boies Schiller Flexner (UK) LLP
Céline Lévesque, Professor at the University of Ottawa (Canada) and International Arbitrator
Andrea Bjorklund, Full Professor and L. Yves Fortier Chair in International Arbitration and International Commercial Law, McGill University, Montreal

1:00–2:00 p.m.

LUNCH KEYNOTE ADDRESS — DUE PROCESS IN ARBITRATION AND INTERNATIONAL DISPUTE RESOLUTION

Keynote Speaker: Caroline Richard, Partner, Freshfields, Washington, D.C.

2:30–4:00 p.m.

PANEL 3 — ARBITRATORS AND DUE PROCESS: INTERNAL FACTORS

This panel will discuss due process within the functioning of the arbitral tribunal, including absence of bias, efficient coordination between arbitrators, and other factors. This will also include a discussion of managerial tribunal vs. "pure" adversarialism.
Moderator: Horacio A. Grigera Naón, Director, Center on International Commercial Arbitration
Panelists: Lucinda Low, Partner and Founding Member, Low & Kinnear Dispute Resolution
David Bigge, Partner, Wordstone Dispute Resolution LLP, Washington, D.C.
Ignacio Torterola, Partner, Clark Hill, Washington, D.C.
Marinn Carlson, Independent Arbitrator, Washington, D.C.

4:15–5:45 p.m.

PANEL 4 — ARBITRATORS AND DUE PROCESS: EXTERNAL FACTORS

This panel will discuss the efficiency of arbitration rules, the role of the administering institution, the conduct of the parties, and similar factors in the conduct of the arbitration. Topics may include: third party funding; adversarial asymmetry; transparency/confidentiality; mass arbitration; amicus requests; and experts, among others.
Moderator: Krista Nadakavukaren, Vice-Director of the Swiss Institute of Comparative Law
Panelists: Chloë Edworthy, Partner, Macfarlanes, London
Kiran Nasir Gore, George Washington University Law School and Law Offices of Kiran N Gore PLLC
Ucheora Onwuamaegbu, Special Legal Consultant, ArentFox Schiff LLP, Washington, D.C.
Ankita Ritwik, Partner, Gibson Dunn, Washington, D.C.

6:30–8:00 p.m.

RECEPTION

Capitol Atrium

Friday, Nov. 13, 2026
9:00 a.m. – 3:15 p.m. EST

DAY 2 — PAPER PRESENTATIONS & DISCUSSIONS

(CEREMONIAL CLASSROOM, YUMA BUILDING)

9:00–10:15 a.m.

PANEL 5 — RESEARCH IN PROGRESS (I): PRESENTATION AND DISCUSSION OF RESEARCH PAPERS AND TOPICS

Moderator: **Hernando Otero**, Fellow, Center on International Commercial Arbitration

Panelists: Presentation of Paper Posters.

Ana Clara Prado Rocha, Affiliated Researcher, University of São Paulo: "Due Process and Post-Award Judicial Review in Corporate Arbitration Involving Venture-Backed Companies: A Comparative Study of Vacatur Under the U.S. Federal Arbitration Act and Annulment Under Brazilian Law"

Joel Soon, Visiting Attorney, Gibson, Dunn & Crutcher LLP, New York: "Guerrilla Tactics in International Arbitration: An International Law Perspective"

Yannick Vincent, Ph.D. Candidate, University of Lyon: "Beyond Consent? Due Process and Unilateral Arbitration Clauses in Foundation and Trust Disputes"

André Almeida Martins, PhD in Civil Procedure and Arbitration, Católica Porto Faculty of Law: "Due Process by Design: A Framework for the Use of Artificial Intelligence in International Arbitration"

Vasiliki Dritsa, PhD Candidate in International Law, Geneva Graduate Institute: "From Wrongfulness to Quantum: The Duty to State Reasons in Investment Arbitration Awards"

Augusto Dannon Alva, International Arbitration Group, Freshfields, New York: "Commercial Arbitration and Latin American Constitutions – A Path to a Renewed Latin American Arbitration Scholarship"

10:15–11:15 a.m.
(incl. coffee break)

PANEL 6 — RESEARCH IN PROGRESS (II): PRESENTATION AND DISCUSSION OF RESEARCH PAPERS AND TOPICS

Moderator: **Björn Arp**, Assistant Director, Center on International Commercial Arbitration

Panelists: Panel Discussion of Research in Progress: Due Process Case Studies.

Mohammad Abu Shehab, Lecturer in Law, An-Najah National University (Palestine); External PhD Candidate, Utrecht University: "Notice and Meaningful Participation in Arbitration Connected with Palestine"

Wala Al-Daraji, Barrister (England and Wales); Legal Scholar and Dispute-Resolution Practitioner: "Disclosure of Third-Party Funding as an Element of Due Process in International Arbitration: A Comparative Study of the UK, the UAE and Egypt"

Edwin Nemesio Álvarez Román, Partner and Head of International Arbitration Practice, ENARLAW Arbitration, Mexico: "A Mexican Approach of Due Process in International Commercial Arbitration"

11:30 a.m.–12:30 p.m.

SESSION 7 — STATES IN FOCUS: SOVEREIGN IMMUNITY AND DUE PROCESS

Speaker: **Mark B. Feldman**, former Acting Legal Adviser, U.S. Department of State

12:30–1:30 p.m.

LUNCH

1:30–3:00 p.m.

PANEL 8 — DUE PROCESS IN COMPARATIVE PERSPECTIVE: COMPARISON BETWEEN VARIOUS DISPUTE RESOLUTION MECHANISMS

Moderator: **Krista Nadakavukaren**, Vice-Director of the Swiss Institute of Comparative Law

Panelists: **Jaime Crowe**, Of Counsel, Paul Hastings, Washington, D.C.

Kabir Duggal, Senior International Arbitration Advisor, Arnold & Porter, New York

Patrick J. Keenan, Albert J. Harno Professor of Law, University of Illinois Urbana-Champaign, Champaign, IL

Thomas Cottier, Emeritus Professor, World Trade Institute, University of Bern

Siobhán McInerney-Lankford, Head of Unit for Equality, Roma and Social Rights at the European Union Agency for Fundamental Rights (FRA)

3:00–3:15 p.m.

CLOSING REMARKS

Professors **Krista Nadakavukaren**, Vice-Director of the Swiss Institute of Comparative Law; **Horacio A. Grigera Naón**, Director of the Center on International Commercial Arbitration, American University Washington College of Law; and **Björn Arp**, Assistant Director, Center on International Commercial Arbitration

NOVEMBER 12 & 13, 2026

American University Washington College of Law

Ceremonial Classroom, Yuma Building
4300 Nebraska Ave., NW, Washington, D.C. 20016

Reception on Thursday, November 12 at 6:30 p.m. in the Capitol Atrium

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The Symposium is free and open to the public, but registration is required.

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