

Joshua David Heller Karton

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LEGAL AND ACADEMIC EMPLOYMENT

Queen's University Faculty of Law, Kingston, ON, Canada

Associate Dean for Graduate Studies and Research, 2017-

Associate Professor (with tenure), 2015-

Assistant Professor, 2009-2015

Instructor, Queen's Global Law Programs, Herstmonceux, UK, 2008-

Pembroke College, University of Cambridge, Cambridge, UK

Supervisor (Conflict of Laws), 2007-2009

Cleary Gottlieb Steen & Hamilton LLP, New York, NY and Hong Kong

Associate, 2005-2006;

Summer Associate, 2004

Columbia Law School, New York, USA

Research Assistant to Prof George A Bermann, 2004-2005

Teaching Assistant to Clinical Prof Carol M Liebman (Mediation Clinic), 2004

Research Assistant to Asst Prof Catherine Sharkey, 2003

VISITING POSITIONS

Universidad San Francisco de Quito College of Law, Quito, Ecuador, Visiting Professor, May 2018

National Taiwan University College of Law, Taipei, Visiting Professor, Fall 2019, 2015-2016, Fall 2013

Chinese University of Hong Kong Faculty of Law, Visiting Professor, March 2016

Wuhan University School of Law, Wuhan, China, Visiting Professor, November 2013

EDUCATION

University of Cambridge, Pembroke College, Cambridge, UK, *PhD 2011*

Thesis: "The Culture of International Arbitration and the Evolution of Contract Law"

Supervisors: Prof James Crawford, Ms Louise Merrett

Examiners: Prof Loukas Mistelis (Queen Mary); Prof John Bell (Cambridge)

Honors: Cambridge Overseas Trust Scholarship

Fellow of the Cambridge Overseas Society, 2006-

Columbia University School of Law, New York, NY, *JD 2005*

Honors: Harlan Fiske Stone Scholar (*magna cum laude* equivalent), 2003-2005

Greer Public Service Fellowship; Public Interest Law Foundation Fellowship

Activities: Solicitations Editor, Columbia Journal of Transnational Law

Willem C Vis Commercial Arbitration Moot (2nd place memorandum, 2004)

Yale University, New Haven, CT, *BA in Political Science and Humanities 2001*

Honors: Departmental honors in Political Science

PUBLICATIONS

Books

The Culture of International Arbitration and the Evolution of Contract Law (Oxford UP 2013) 312 pp.

Reviewed in: (2013) 29(3) *Arbitration International* 539; (2013) 8(6) *Global Arbitration Review*; (2013) 20 *Australian International Law Journal* 207; (2013) 14(4) *Juridisk Tidskrift* 931 (in Swedish); (2015) 81(1) *Arbitration* 109

Articles in Academic and Practitioner Journals (peer-reviewed unless otherwise noted)

“International Commercial Arbitration as Comparative Law in Action” [2020] *Journal of Dispute Resolution* ____ (forthcoming 2020)

“Making Progress on Arbitrator Diversity” (2019) 12:2 *Contemporary Asia Arbitration Journal* ____ (forthcoming 2020)

“Sectoral Fragmentation of Transnational Contract Law (2019) 21:1 *University of Pennsylvania Journal of Business Law* 142-199 (US student-run law review)

“The International Investment Arbitrator’s Duty to Apply the Law” (2018) 17:1 *Law and Practice of International Courts and Tribunals* 160-177

“The Rise of Sectorally Differentiated Contract Law” (2017) 111 *American Journal of International Law Unbound* 106-111 (online, invited)

“Choice of Law and Arbitral Authority in Investor-State Arbitration” (2017) 3:1 *Canadian Journal of Comparative and Contemporary Law* 1-52

“Reducing the Impact of Mistranslated Testimony in International Arbitral Hearings” (2016) 9:2 *Contemporary Asia Arbitration Journal* 197-248

“The Arbitral Role in Contractual Interpretation” *Journal of International Dispute Settlement* (2015) 6:1 1-38
Awarded the 2015 *JIDS* James Crawford Prize for best article of the year

“The Structure of International Arbitration Law and the Exercise of Arbitral Authority” (2015) 8:2 *Contemporary Asia Arbitration Journal* 229-266

“Reform of Investor-State Dispute Settlement: Lessons from International Uniform Law” (2014) 11:1 *Transnational Dispute Management* (online), Reprinted as “Lessons from International Uniform Law” in Jean E Kalicki and Anna Joubin-Bret (eds), *Reform of Investor-State Dispute Settlement: In Search of a Roadmap* (Brill | Nijhoff 2015)

“Canadian Courts and Uniform Interpretation: An Empirical Reality Check” (with Samantha Wynne) (2013) 18:2 *Uniform Law Review* 281-312
Selected for the 2012 Harvard-Stanford International Junior Faculty Forum

- “A Conflict of Interests: Seeking a Way Forward on Publication of International Arbitral Awards” (2012) 28:3 *Arbitration International* 447-486
- “Global Law: The Spontaneous, Gradual Emergence of a New Legal Order” (2012) 17:2 *Tilburg Law Review* 276-284 (invited)
- “International Commercial Arbitrators’ Approaches to Contractual Interpretation” [2012] 4 *International Business Law Journal* 383-404 (invited)
- “Party Autonomy and Choice of Law: Is International Arbitration Leading the Way or Marching to the Beat of its own Drummer?” (2010) 60 *University of New Brunswick Law Journal* 32-59 (invited)
- “Contract Law in International Commercial Arbitration: the Case of Suspension of Performance” (2009) 58:4 *International and Comparative Law Quarterly* 863-896
Awarded the 2009 ICLQ Young Scholar Prize
- “Can the CISG Advisory Council Affect the Homeward Trend?” (with Lorraine de Germiny) (2009) 13:1 *Vindobona Journal of International Commercial Law and Arbitration* 71-90
- “Has the CISG Advisory Council Come of Age?” (with Lorraine de Germiny) (2009) 27:3 *Berkeley Journal of International Law* 448-495 (US student-run law review)
- “Lost in Translation: International Criminal Courts and the Legal Implications of Interpreted Testimony” (2008) 41:1 *Vanderbilt Journal of Transnational Law* 1-54 (US student-run law review)
- “Quaternity, the Elements, and the Hero’s Journey” (Dec. 1999) *British Columbia Psychoanalytic Psychotherapy Review* (high school paper accepted for publication via blind peer review)

Book Chapters (invited submissions unless otherwise noted)

- “Multi-Tier Dispute Resolution in Canadian Law and Practice (with Michelle de Haas) in Weixia Gu & Anselmo Reyes, eds, *Multi-Tiered Approaches to the Resolution of International Disputes: A Global and Comparative Study* (Cambridge UP, forthcoming 2020)
- “Piecemeal Solutions to Demonstrated Problems of Unfairness: Control of Price Terms in Common Law Canada” in Yesim M. Atamer & Paschal Pichonnaz, eds, *Control of Price Related Terms in Standard Form Contracts - Judicial Control and Other Means of Price Control* (Springer, forthcoming 2019)
- “Contractual Governance and Sectoral Fragmentation of Transnational Commercial Law” in Claire Cutler & Thomas Dietz, eds, *The Politics of Private Transnational Governance by Contract* 195-214 (Routledge, 2017)
- “Beyond the ‘Harmonious Confucian’: International Commercial Arbitration and the Impact of Chinese Cultural Values” in Chang-fa Lo et al, eds, *Legal Thoughts between the East and the West in the Multilevel Legal Order: Liber Amicorum in Honor of Professor Herbert Han-pao Ma* 519-542 (Springer, 2016)

“New Wine in Old Bottles: Corrupt Contracts in Canadian Private Law” (with Jenna-Dawn Shervill) in Michael Joachim Bonell & Olaf Meyer, eds, *The Civil Law Consequences of Corruption in International Commercial Contracts* 37-75 (Springer, 2015)

“International Arbitration Culture and Global Governance” in Walter Mattli & Thomas Dietz, eds, *International Arbitration and Global Governance: Contending Theories and Evidence* 74-116 (Oxford UP, 2014)

Shorter Pieces

Review of Anselmo Reyes and Weixia Gu, eds, *The Developing World of Arbitration: A Comparative Study of Arbitration Reform in the Asia Pacific*, 31 *American Review of International Arbitration* __ (forthcoming 2020)

“Best Practices for Live Translation in International Arbitral Hearings”, *Kluwer Arbitration Blog* (forthcoming 2019)

“Can I Get A ... Diverse Tribunal?”, *Kluwer Arbitration Blog* (2018)

“Intersectionality and Arbitrator Diversity” (with Ksenia Polonskaya), *Kluwer Arbitration Blog* (2018)

“Nigeria’s New Arbitration Law and The Regulation of Third-Party Funding”, (with Abayomi Okubote) *Kluwer Arbitration Blog* (2018)

Re-posted as “Jumping on the TPF Bandwagon: Nigeria’s New Arbitration Bill Embraces Third-Party Funding”, *Africa Arbitration Blog* (2018)

Reports and Submissions to Legislative or Regulatory Bodies

Invited commentary on “Appointing Authorities and Selection of Arbitrators in Investor-State Dispute Settlement”, *Organization for Economic Co-operation and Development* (2018)

Response to public consultation on Proposed Amendments to the 2013 Hong Kong International Arbitration Centre Administered Arbitration rules, “Proposed Amendments Relating to Third-Party Funding” (with Abayomi Okubote) (2018)

“National Report for Canada: Control of Price Terms in Standard Contract Terms” (2017), prepared for the 2018 Congress of the International Academy of Comparative Law

Invited commentary on the “Draft Report of the International Council on Commercial Arbitration – Queen Mary Task Force on Third-Party Funding in International Arbitration (with Abayomi Okubote) (2017)

“National Report for Canada: The Civil Law Consequences of Corruption in International Commercial Contracts” (2013), prepared for the 2014 Congress of the International Academy of Comparative Law

WORKS IN PROGRESS

The Canadian Judge's Guide to International Arbitration Law (book manuscript in progress)

Untitled Project on the International Arbitration Community in Egypt (empirical project at data-analysis stage)

INVITED ANNUAL LECTURES AND KEYNOTES

“The Business of Justice and the Justice of Business”, Carmigniani Perez Lecture on Business Law (Quito, Ecuador, May 4 2018)

“Taking Choice of Law Seriously in International Investment Disputes”, Chinese University of Hong Kong Centre for Financial Regulation and Economic Development, 13th Annual Commercial Law Seminar (Hong Kong, March 17 2016)

“How Should International Arbitrators Interpret Commercial Contracts?”, New Voices in Commercial Law Seminar Series, Queen Mary, University of London Centre for Commercial Law Studies (Paris, France, May 20 2014)

PAPER PRESENTATIONS AND OTHER CONFERENCE ACTIVITIES

2019

“International Commercial Arbitration as Comparative Law in Action”, American Society of Comparative Law Annual Meeting, University of Missouri School of Law (Columbia, MO, USA, October 17-18, 2019) (invited to present in opening plenary)

“Diversity is a Ladder: Making Progress on Arbitrator Diversity”, Taipei International Conference on Arbitration and Mediation (Taipei, Taiwan, August 16-17, 2019) (invited)

“Diversity is a Ladder: Making Progress on Diverse Tribunals”, “International Law at a Crossroads”, Bader International Study Centre (Herstmonceux, UK, May 31, 2019) (invited)

Moderator, Panel on International Business Transactions, “International Law at a Crossroads”, Bader International Study Centre (Herstmonceux, UK, May 31, 2019)

“Interactive Relations Between Court Systems and Arbitration in Asia”, Columbia Arbitration Day, Columbia Law School (New York, NY, USA, March 8, 2019) (invited)

Panel discussant, “Confidentiality and Arbitrator Ethics”, International Institution for Conflict Prevention & Resolution Annual Meeting (Washington DC, USA, March 1, 2019) (invited)

“Teaching Dispute Resolution Skills in Blackletter Law Courses”, Winkler Institute for Dispute Resolution 10th Annual Symposium on Dispute Resolution, Osgoode Hall Law School (Toronto, ON, February 21, 2019) (peer-reviewed)

Moderator, Institute for Transnational Arbitration Academic Council Works-in-Progress Workshop (New York, NY, February 9, 2019) (conference organizer)

2018

“Sociological Insights for International Arbitration Practice”, Cairo Regional Centre for International Commercial Arbitration (Cairo, Egypt, November 8, 2018) (invited)

“Piecemeal Solutions to Demonstrated Problems of Unfairness: Control of Price Terms in Common Law Canada”, 20th General Congress of the International Academy of Comparative Law (Fukuoka, Japan, July 22-28 2018) (peer-reviewed)

Panelist, Symposium on “Misuses of Power in Both Private and Public Law: Dual Perspectives on Corruption”, 20th General Congress of the International Academy of Comparative Law (Fukuoka, Japan, July 22-28 2018) (peer-reviewed)

“The Persistence of Culture? ‘Chinese-Style’ International Commercial Arbitration in a World of Globalized Legal Practice”, Annual Meeting on Law and Society (Toronto, ON, June 7-10 2018) (peer-reviewed)

“The Persistence of Culture? ‘Chinese-Style’ International Commercial Arbitration in a World of Globalized Legal Practice”, American Society of Comparative Law Younger Comparativists Committee Annual Global Conference (Cleveland, OH, USA, April 20-21 2018) (peer-reviewed)

Paper Discussant, Institute for Transnational Arbitration Academic Council Annual Works-in-Progress Workshop (Washington DC, USA, January 27 2018) (invited)

2017

Moderator, Panel on “New Perspectives in Comparative Law”, American Society of Comparative Law Annual Meeting (Washington DC, USA, October 28 2017)

“The International Arbitrator’s Duty to Apply the Law”, Conference on the Duties, Rights, and Powers of International Arbitrators (Washington DC, USA, September 19, 2017) (peer-reviewed)

“How Can We Really Know Anything About International Arbitration? Sociological insights for young arbitration lawyers”, McGill International Arbitration Symposium (Montreal, QC, February 20, 2017) (invited)

“Taking Choice of Law Seriously in International Investment Disputes”, American Society of International Law Dispute Resolution Interest Group / University of Missouri Center for the Study of Dispute Resolution Conference on Issues in International Dispute Resolution (Columbia, MO, USA, Feb 2-3, 2017) (peer-reviewed)

2016

“Sectoral Fragmentation of Transnational Commercial Law”, 6th Annual American Society of International Law Research Forum (Seattle, Washington, USA, November 11-12, 2016) (peer-reviewed)

“Sectoral Fragmentation of Transnational Commercial Law”, American Society of Comparative Law Annual Meeting, (Seattle, Washington, USA, October 27-29, 2016) (peer-reviewed)

“Simultaneous Translation of Witness Testimony in International Arbitration Hearings”, Taipei International Conference on Arbitration and Mediation (Taipei, Taiwan, August 29-30, 2016) (invited)

“The Fragmented Future of Transnational Commercial Law”, Hong Kong University Law Faculty Seminar Series (Hong Kong, March 18, 2016) (invited)

“The Authority of International Arbitrators”, Chinese University of Hong Kong Faculty Seminar Series (Hong Kong, March 16, 2016) (invited)

2015

- 以法社會學觀點探討如何仲裁國際科技糾紛 (presented in Chinese; English title is “Whether and How to Arbitrate International Technology Disputes: A Socio-Legal Perspective”), 19th Annual National Taiwan Technology Law Conference (Hsinchu, Taiwan, November 20, 2015) (invited)
- “Fragmentation of International Commercial Law”, Taipei International Conference on Arbitration and Mediation (Taipei, Taiwan, September 7, 2015) (invited)
- “The Arbitral Role in Contractual Interpretation”, Dentons LLP International Arbitration Practice Group (London, UK, May 29, 2015) (invited)
- “Taking Choice of Law Seriously in International Investment Disputes”, ILA-ASIL Asia-Pacific Research Forum (Taipei, Taiwan, May 26, 2015) (peer-reviewed)
- “The Applicable Law in Investment Arbitrations: Rationalizing the Expectations of States and Investors”, 12th Asian Law Institute Annual Conference (Taipei, Taiwan, May 21, 2015) (peer-reviewed)

2014

- “Lex Petrolea in Investor-State Arbitration: Rationalizing Energy Industry Practices and Human Rights / Environmental Protection”, Canadian Council on International Law 43rd Annual Conference (with co-author Dilton Ribeiro, Ottawa, ON, November 13, 2014) (peer-reviewed)
- “Arbitrators’ Role and Duties Related to Application of the Governing Law” ICC Canada International Arbitration Conference (Montreal, QC, November 7, 2014) (invited)
- “Movements under the Surface”, Stockholm Arbitration Summit, Stockholm University and the Arbitration Institute of the Stockholm Chamber of Commerce (Stockholm, Sweden, May 22 2014) (invited)
- “How Should International Arbitrators Interpret Commercial Contracts?”, American Society of Comparative Law Younger Comparativists Committee Third Annual Conference (Lewis & Clark Law School, Portland, OR, USA, April 4-5 2014) (peer-reviewed)
- Eighth Annual International Investment Treaty Arbitration Conference (Juris Conferences, Washington DC, USA, March 28 2014) (invited panelist; no paper presented)
- “The International Arbitrator’s Duty to Apply the Law”, Junior International Law Scholars Association Annual Meeting (Berkeley Law School, Berkeley, CA, USA, January 31 2014) (peer-reviewed)
- Discussant, “The Three Facets of Litigation Funding”, Junior International Law Scholars Association Annual Meeting (Berkeley Law School, Berkeley, CA, USA, January 31 2014)

2013

- “On the Nature and Sources of The International Arbitrator’s Duty to Apply the Law”, Taipei International Conference on Arbitration and Mediation (Taipei, Taiwan, August 2013) (peer-reviewed)
- “Contractual Governance, International Arbitration, and Fragmentation of Private Law”, Workshop on the Legitimacy of Private Transnational Governance by Contract (University of Victoria, Victoria, BC, Canada, August 2013) (invited)
- “The Competitive Market for International Arbitration Services” (International Arbitration Club of New York, New York, NY, USA, June 2013) (invited)
- Evolution of Arbitration Law and Practice (Queen Mary, University of London, London, UK, May 2013) (invited panelist; no paper presented)
- “International Commercial Arbitrators as Service Providers”, The Roles of Psychology in International Arbitration (Brunel University, Uxbridge, UK, May 2013) (peer-reviewed)

- “Recognizing a Contractual Right to Suspend Performance”, American Society of Comparative Law Younger Comparativists Committee Second Annual Conference (Indiana University Robert H. McKinney School of Law, Indianapolis, IN, USA, April 2013) (peer-reviewed)
- “Recognizing a Contractual Right to Suspend Performance”, American Society of Comparative Law Eighth Annual Works in Progress Workshop (University of Illinois, Urbana-Champaign, IL, USA, March 2013) (peer-reviewed)

2012

- “On the Nature and Sources of the International Arbitrator’s Duty to Apply the Law”, What Does the Future Hold for International Investment Law? (McGill University, Montreal, QC, Canada, November 2012) (invited)
- “Canadian Courts in the Global Jurisconsultorium”, Harvard-Stanford International Junior Faculty Forum (Stanford, CA, USA, October 2012) (peer-reviewed)
- “Recognizing a Contractual Right to Suspend Performance”, 6th Biennial Conference on the Law of Obligations (“Obligations VI”) (Western University, London, ON, Canada, July 2012)
- “Canadian Courts in the Global Jurisconsultorium”, Osgoode-Toronto Junior Faculty Forum (Toronto, ON, Canada, June 2012) (peer-reviewed)
- “The Interpretation of International Uniform Law Instruments: Empirical Insights into the Role of National Judiciaries”, Agents of Change: The Individual as a Participant in the Legal Process (Cambridge University, Cambridge, UK, May 2012) (peer-reviewed)

2009-2011

- “The Emerging Culture of International Arbitration”, Canadian Council on International Law 40th Annual Conference (Ottawa, ON, Canada, November 2011) (peer-reviewed)
- “Elements of an International Arbitration Culture”, 5th International Conference on Interdisciplinary Social Sciences (Cambridge, UK, August 2010) (peer-reviewed)
- “Can the CISG-AC Affect the Homeward Trend?”, Issues on the CISG Horizon (with co-presenter Lorraine de Germiny, Vienna, Austria, April 2009) (invited)

PRIZES AND RECOGNITION

- James Crawford Prize of the Journal of International Dispute Settlement (best article of the year), for “The Arbitral Role in Contractual Interpretation” (2015)
- Queen’s Law Student Society Teaching Award (2012)
- Selected for the Harvard-Stanford International Junior Faculty Forum (2012)
- British Institute for International and Comparative Law / International and Comparative Law Quarterly Young Scholar Prize (best article of the year by an author under 40), for “Contract Law in International Commercial Arbitration: the Case of Suspension of Performance” (2009)

RESEARCH FUNDING (Grants over CAD\$5,000 only)

SSHRC Institutional Grant (administered by Queen's University), for project entitled "Transnational Precedent", \$6,500 (2019) (principal investigator)

Economic & Social Research Council (UK) Research Grant, for project entitled "The Social and Psychological Underpinnings of Commercial Arbitration in Europe", £1,015,377 (2018-2023) (co-principal investigator)

Social Sciences and Humanities Research Council of Canada Insight Development Grant, for project entitled "An Exploration of the International Arbitrator's Duty to Apply the Law" (2013-2015) \$54,300 (principal investigator)

Queen's University Senate Advisory Research Committee Grant, for project entitled "An Exploration of the International Arbitrator's Duty to Apply the Law" (2013) \$8,000 (principal investigator)

Borden Ladner Gervais LLP Research Fellowship, for project entitled "Canadian Courts in the Global Jurisconsultorium" (2011) \$12,000 (principal investigator)

TEACHING

At Queen's

Torts, 2019-2020

Commercial and Consumer Sales, 2019-2020

Contracts, 2009-2015, 2016-2019

Legal Research Methods & Perspectives (mandatory seminar for LLM and PhD students), 2016-Commercial Law, 2009-2015, 2016-2017

International Commercial Law (at the Queen's Global Law Summer Program, Herstmonceux, UK), 2017-

International Commercial Arbitration (including at the Queen's Global Law Summer Program, Herstmonceux, UK), 2009-2016

At the National Taiwan University

International Arbitration, 2015-2016

Comparative Contract Law, 2013, 2015-2016

International Dispute Settlement (frequent guest lecturer), 2013

At the University of Cambridge

Conflict of Laws, 2007-2009 (undergraduate supervisions)

Other

Intensive Seminar on Treaty Interpretation in Investor-State Arbitration (sole instructor), Africa Arbitration Academy, London, UK, June 2019

Special Seminar on International Commercial Arbitration (sole instructor, two-day intensive workshop), Universidad San Francisco de Quito, Quito, Ecuador, May 2018
International Commercial Arbitration (guest lecturer, LLM program), Chinese University of Hong Kong, Hong Kong, March 2016
International Commercial Arbitration (sole instructor, two-week intensive course), Wuhan University, Wuhan, China, November 2013

STUDENT RESEARCH SUPERVISION AND ASSESSMENT

PhD Thesis Supervision (as primary supervisor)

Abayomi Okubote, “Third Party Funding in International Commercial and Investment Arbitration” (2017-)
Ksenia Polonskaya, “Frivolous and Abusive Claims in Investor-State Arbitration” (2014-2018)

PhD Thesis Supervision (as supervisory committee member)

Hiwot Mekuanent, “The Legal and Institutional Framework of Disability in Ethiopia: Ambivalence Between Protection and Discrimination” (2019-)
Richard Obeng, “Protection of Minority Shareholders in Ghana” (2019-)
Aleksandra Biyasnikova Smith, “The Evolving Position of the Individual as a Subject of International Law (2019-)
Graham Jones, “Programmed to Kill: Determining Responsibility for International Illegal Acts Committed by Autonomous Weapons Systems” (2018-)
Ekaterina Antsygina, “Dividing the Arctic: Sovereign Rights on Extended Continental Shelves in the High North” (2017-)
Ana Patricia Chuc Gamboa, “International Trade Law and International Human Rights Law: are international labour standards their common ground?” (2017-)
Alicia Elias-Roberts, “State Sovereignty over Offshore Petroleum Resources and the Relative Normativity of International Law Principles” (2016-)
Santino Dau, “Between Cultural Relativism and Universalism: A Justification for Universalism in the Application of International Human Rights Standards to Contemporary Africa” (2015-2018)

PhD Thesis Examinations (not including my supervisees)

Mikaël Schinazi, “The Three Ages of International Commercial Arbitration” (2018) (external examiner, Sciences Po Law School, Paris, France)

PhD Qualifying Examinations (not including my supervisees)

Michele Leering, “Legal Educators and Reflective Practice in Canada and Australia: Legal Pedagogy Reimagined” (2016) (chair)
Gillian MacNeil, “Crimes Against Humanity, the ‘Residual Clause’ and Legality: Reconciling the Demands of Justice and Fairness” (2016) (chair)

LLM Thesis Supervision

Mohamed Morad Eldib, “The Extension of Arbitration Agreements to Non-Signatories” (2019-2020)
Lili Zhang, “The Canadian Legal Framework for Promoting and Protecting Foreign Investment” (2019-2020)
Awet Weldemichael, “Somalia Between State Collapse and International Law (2017-2018)
Maria Montplaisir Bazan, “Online Shopper Beware: Can Canadian Consumer Protection Legislation Keep Pace with Online Commerce Innovations?” (2014-2016)

LLM Thesis Examinations

Brian Cox, “Attack on the Geneva Conventions? A Principled Review of the US Military Strike on the MSF Trauma Centre in Kunduz, Afghanistan” (2018)
Alaa Al Haj Turki, “In the New Era of Shareholder Activism, Is Shareholder Empowerment a Looming Threat?” (2018)
Jie Tang, “What Can China Learn from Thailand? Compulsory Licensing under TRIPS and China’s Universal Health Care Program” (2013)
Stephane Pierre-Noel, “The Application of Human Rights in Armed Conflicts” (2011)
Babak Hendizadeh, “Enforcement of International Arbitration Awards in Islamic Countries” (2011)
Marie-Noël Rochon, “Dialogue of the Deaf: The Interaction Between Corporate Law and Securities Law in Canada” (2010)
Philippe Dumaine, “Arbitration Agreements, Class Actions, and Access to Justice” (2010)

JD Student Independent Research Project Supervision

Sakshi Sharma, “*R v Peers* and the Twin Goals of Securities Regulation”(2018)
David Schnittker, “The Eli Lilly Case and NAFTA Arbitrations” (2017)
Julian Yang, “Implementation of the 2008 Chinese Anti-Monopoly Law” (2014), Runner up, Phanor J. Eder Prize of the American Society for Comparative Law for best paper by a JD/LLB student on any topic in comparative law
Brittany Rabinovitch, “Human Rights in International Investment: The Need for Redirection” (2014)
Ashok Menen, “Canadian Anti-Bribery Legislation and Enforcement: Current Landscapes and Future Horizons” (2014)
Aarondeep Bains, “Third Party Funding and Arbitrator Disclosure” (2013)
Jeremy D’Souza, “Counterclaims by States in Investment Treaty Arbitrations” (2012)
Tyson McNeil-Hay, “A New Framework for *Error in Substantialibus*” (2011)
Chetan Phull, “US Anti-Suit Injunctions in Support of International Arbitration: Six Questions American Courts Ask” (2010), published at (2011) 28(1) Journal of International Arbitration 21

PROFESSIONAL ACTIVITIES AND SERVICE

Editorial Activities

Co-Book Review Editor, American Journal of Comparative Law, 2019-
General Editor, Kluwer Arbitration Practical Content, 2019-
Co-Founder and Managing Editor, Canadian Journal of Commercial Arbitration, 2018-
Editorial Advisor, Africa Arbitration Blog, 2018-

Member, Advisory Committee, Contemporary Asia Arbitration Journal, 2014-
Guest Moderator, OGEMID Forum, March 2013, March 2015

Refereeing Activities

Reviewer of grant and funded chair applications:

External Reviewer, Nomination for Renewal of a Tier 2 Canada Research Chair, 2019
Member, Adjudication Committee, Social Sciences and Humanities Research Council of Canada
Insight Development Grant Competition (Law & Criminology), 2018, 2019
Member, Adjudication Committee, Queen's University SSHRC Institutional Grant Competition,
2018
External Reviewer, Nomination for a Tier 2 Canada Research Chair, 2014
External Reviewer, Leverhulme Trust Major Research Project Grant (UK), 2014
External Reviewer, application for tenure and promotion to Associate Professor, Washburn
University School of Law, 2016

Adjudicator of research prize and scholarship competitions:

Member, Crawford Prize Academy (selection committee for the James Crawford Prize of the
Journal of International Dispute Settlement), 2017-
Adjudicator of finalists, Werner Melis Award for Best Memorandum by Respondent, Willem C.
Vis International Commercial Arbitration Moot, 2019-
Adjudicator of finalists, Pieter Sanders Award for Best Memorandum by Claimant, Willem C. Vis
International Commercial Arbitration Moot, 2016-2018
Chair, Selection Committee, Phanor J. Eder Prize in Comparative Law (LLB/JD student writing
prize), 2014-2016

Peer Reviewer for book publishers:

Cambridge University Press (multiple reviews)
Hart Publishing (multiple reviews)
Kluwer International
Oxford University Press (multiple reviews, for both the law and political science divisions)
Palgrave Macmillan
Springer (multiple reviews)

Peer Reviewer for academic and practitioner journals:

Alberta Law Review (multiple reviews)
Appeal: Review of Current Law and Law Reform (multiple reviews)
Asper Review of International Business and Trade Law (multiple reviews)
Canadian Bar Review
Contemporary Asia Arbitration Journal (multiple reviews)
Journal of International Arbitration (multiple reviews)
Journal of International Dispute Settlement (multiple reviews)
Journal of International Law and International Relations
McGill Journal of Dispute Resolution (multiple reviews)
McGill Journal of Law and Sustainable Development
Osgoode Hall Law Journal
Ottawa Law Review (multiple reviews)
Oxford University Commonwealth Law Journal

Queen's Law Journal (multiple reviews)
University of British Columbia Law Review (multiple reviews)
Windsor Review of Legal and Social Issues (multiple reviews)
Windsor Yearbook of Access to Justice

Involvement in Scholarly and Professional Societies

American Society of Comparative Law
Member, Executive Committee, 2018-2019
Member, Website Advisory Committee, 2018-
Chair, Younger Comparativists Committee (YCC), 2017-2018
Vice-Chair and Secretary, YCC, 2016-2017
Chair, YCC Affiliates Advisory Group, 2014-2016; Member 2013-2014
Africa Arbitration
Member, Advisory Council, 2018-
Institute for Transnational Arbitration
Chair, Podcast Task Force, 2019
Member, Academic Council, 2017-
International Chamber of Commerce Commission on Arbitration and ADR
Member, Task Force on Improving the Probative Value of Witness Testimony in International Arbitrations, 2016-
Member, American Society of International Law, 2015-
Member, Canadian Association of Comparative Law, 2012-
Member, American Society of Comparative Law, Younger Comparativists Committee, 2012-
Member, Toronto Commercial Arbitration Society, 2012-
Member, Young Canadian Arbitration Practitioners, 2012-
Young and International Associate, American Arbitration Association International Center for Dispute Resolution, 2012-
Member, Canadian Council on International Law, 2011-
Member, American Bar Association, 2006-

Conferences and Panels Organized

Conference Convenor, Institute for Transnational Arbitration Academic Council Annual Works-in-Progress Workshop, February 2020, New York, NY, USA
Conference Convenor, Institute for Transnational Arbitration Academic Council Annual Works-in-Progress Workshop, January 2019, New York, NY, USA
Member, Program Committee, 7th Annual Younger Comparativists Committee Global Conference on Comparative Law, April 20-21, 2018, Case Western Reserve School of Law, Cleveland, OH, USA
Panel Organizer, "New Voices in Comparative Law", American Society of Comparative Law Annual Meeting, October 26-28, 2017, American University School of Law, Washington DC, USA
Chair, Program Committee, 5th Annual Younger Comparativists Committee Global Conference on Comparative Law, March 18-19, 2016, Tulane Law School, New Orleans, Louisiana, USA
Member, Program Committee, 4th Annual Younger Comparativists Committee Global Conference on Comparative Law, April 16-17, 2015, FSU College of Law, Tallahassee, Florida, USA
Member, Program Committee, 3rd Annual Younger Comparativists Committee Global Conference in Comparative Law, April 4-5, 2014, Lewis & Clark Law School, Portland, Oregon, USA

Mooting Activities

Arbitrator and Judge of Written Memoranda, Willem C. Vis International Commercial Arbitration Moot, 2007- and Vis East 2015-2016, including judging of finalists for best Claimant's or Respondent's Memorandum and judging of oral arguments up to the quarter-finals
Willem C. Vis International Commercial Arbitration Moot, Coach or Co-Coach for:
Queen's University, 2009-2019
National Taiwan University, 2015-2016
Wuhan University, 2013-2014
Columbia Law School, 2005-2009
Judge in numerous other moots and practice moots at the national and international level
Coach, Canadian National High School Debate Team, 1997-1999

UNIVERSITY SERVICE

At Queen's

Queen's University Governor General's Academic Gold Medal Selection Committee (prize for the top two graduate students of the year across the university), Member, 2018-
School of Graduate Studies Fellowship Selection Committee, Member, 2018-
Queen's University Graduate Studies Executive Committee, Member, 2017-
Graduate Studies Committee for Law, Chair, 2017-
Queen's University Committee on the Academic Plan, Member, 2016-2018
Law Faculty Moot Court Committee, Member then Acting Chair, 2016-2017
Law Faculty Curriculum Committee, Member then Chair, 2013-2015
Law Faculty Ad Hoc Committee on Foundation Year Curricular Reform, Chair, 2013-2014
Deans' Council on the Campus Master Plan, Law Faculty Representative, 2012-2015
Law Faculty Admissions Committee, Member and Subcommittee Chair, 2009-2010, 2012-2013
Queen's University Major Undergraduate Scholarships Selection Committee, Member, 2011-2012
"Law 201: Introduction to Canadian Law" undergraduate course, Course Designer and Founding Academic Director, 2012
B.Comm./J.D. Combined Degree Program, Founding Co-Director, 2012-2014
Law Faculty Lounge Renovation Ad Hoc Committee, Member, 2011
Law Faculty Renewal, Tenure, and Promotions Committee, Member, 2010-2011

Other

Graduate Student Representative, University of Cambridge Faculty Board of Law, 2007-2008

PROFESSIONAL QUALIFICATIONS

New York Bar, admitted December 2006

LANGUAGES

English (native), Mandarin Chinese (proficient), French (proficient)