

DANIEL BEHN

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EDUCATION

- 2009-2013 **Ph.D.** in International Law, July 2013
University of Dundee, UK
Thesis: A Theory of Configurative Fairness for Evolving International Legal Orders
Supervisors: Thomas Wälde and Peter Cameron, University of Dundee
Examiner: Michael Reisman, Yale Law School
- 2008-2009 **LL.M. (distinction)** in International Business Law and Transactions, July 2009
University of Dundee, UK
- 2005-2008 **J.D.** in Law and Certificate in European Legal Studies, May 2008
Tulane University School of Law, New Orleans, Louisiana
- 1998-2002 **B.A. (magna cum laude)** in Philosophy and Political Science, June 2002
University of Southern California, Los Angeles, California

AREAS OF SPECIALIZATION

international arbitration; history and development of law; international economic law; international dispute settlement; private and public international law; international courts and tribunals; empirical legal studies; judicial politics and behavior

ACADEMIC POSITIONS

- 2013- **Senior Postdoctoral Research Fellow in International Arbitration**
PluriCourts Centre of Excellence, Faculty of Law, University of Oslo
Project research leader in the international arbitration cluster and chief architect and coordinator of the PluriCourts Investment Treaty and Arbitration Database (PITAD)
- 2017- **Visiting Assistant Professor in Arbitration Law**
Penn State Institute of Arbitration Law and Practice, Penn State University Law School

PRACTICE POSITIONS

- 2010- **Of Counsel**
AACNI International UK Limited, International Arbitration Practice
Legal counsel in firm's international commercial and investment arbitration practice; currently lead counsel for claimant in a treaty-based investment arbitration at the ICC

PUBLICATIONS**Edited Volumes**

- 2018 *Adjudicating International Trade and Investment Disputes: Between Interaction and Isolation* (with Malcolm Langford) (CUP, forthcoming 2018)
- 2017 *Empirical Perspectives on the Legitimacy of Investment Arbitration* (with Ole Kristian Fauchald and Malcolm Langford) (CUP, forthcoming 2017)

Journal Special Issues

- 2017 *The Present and Future Role of Investment Treaty Arbitration in Adjudicating Environmental Disputes* (with Ole Kristian Fauchald) (2017) 18(1) *Journal of World Investment and Trade* – Special Issue

Peer-Reviewed Journal Articles

- 2017 *Managing Backlash: The Evolving Investment Treaty Arbitrator?* (with Malcolm Langford) *European Journal of International Law* (forthcoming 2017)
- 2017 *Poor States or Poor Governance? Explaining Outcomes in Investment Treaty Arbitration* (with Malcolm Langford and Tarald Berge) *Northwestern Journal of International Law and Business* (forthcoming 2017)
- 2017 *Glass Ceilings and Arbitral Dealings: Gender and Investment Arbitration* (with Taylor St. John and Malcolm Langford) *Journal of European Legal Studies* (forthcoming 2017)
- 2017 *The Revolving Door in International Investment Arbitration* (with Malcolm Langford) (2017) 20(2) *Journal of International Economic Law* 1
- 2017 *Trumping the Environment? Empirical Perspectives on the Legitimacy of Investment Treaty Arbitration* (with Malcolm Langford) (2017) 18(1) *Journal of World Investment and Trade* 14
- 2016 *Promoting Renewable Energy in the EU: Shifting Trends in Member State Policy Space* (with Ole Kristian Fauchald) (2016) 28(2) *European Business Law Review* 217
- 2016 *Judging the Misapplication of a State's Own Environmental Regulations* (with Laura Létourneau-Tremblay) (2016) 17(5) *Journal of World Investment and Trade* 823
- 2015 *Legitimacy, Evolution and Growth in Investment Treaty Arbitration: Empirically Evaluating the State-of-the-Art* (2015) 46(2) *Georgetown Journal of International Law* 363
- 2015 *Governments under Cross-Fire? Renewable Energy and International Economic Tribunals* (with Ole Kristian Fauchald) (2015) 12(2) *Manchester Journal of International Economic Law* 117
- 2014 *The Relevance of the UNIDRIOT Principles in Investment Arbitration* (with Giuditta Cordero-Moss) (2014) 19(4) *Uniform Law Review* 570

Book Chapters

- 2018 *Arbitration and its Contribution to the Development of Law* (with Giuditta Cordero-Moss) in Andrea Bjorklund, Franco Ferrari and Stefan Kröll (eds.), *Cambridge Compendium of International Commercial and Investment Arbitration* (CUP, forthcoming 2018)

- 2018 *World Peace and Investment Law: The Role of Arbitration* (with Ole Kristian Fauchald) in Cecilia Bailliet and Kjetil Larsen (eds.), *Promoting Peace through International Law, Volume II* (OUP, forthcoming 2018)
- 2017 *The Performance of Investment Arbitration* in Theresa Squatrito and Oran Young (eds.), *The Performance of International Courts and Tribunals* (CUP, forthcoming 2017)
- 2017 *Backlash and State Strategies in International Investment Law* (with Ole Kristian Fauchald and Malcolm Langford) in Thomas Gammeltoft-Hansen and Tanja Aalberts (eds.), *The Changing Practices of International Law: Sovereignty, Law and Politics in a Globalising World* (CUP, forthcoming 2017)
- 2012 *Linking Climate Change Mitigation and Poverty Reduction: Reforming the CDM* in Yves Le Bouthillier et al (eds.), *Poverty Alleviation and Environmental Protection* (Edward Elgar, 2012)
- 2011 *Tensions between the Liberalist and Statist Approaches to Energy Trade Governance* (with Vitaliy Pogoretsky) in Andreas Goldthau and Caroline Kuzemko (eds.), *Dynamics of Energy Governance in Europe and Russia* (Palgrave, 2011)
- 2010 *Allocating Allowances under the EU Emissions Trading Scheme: Assessing its Interaction with EU State Aid Rules* in Bram Delvaux et al (eds.), *EU Energy Law and Policy Issues* (Intersentia, 2010)

Other Publications

- 2016 *Up in Smoke: The Strategic Behavior of Arbitrators in the Phillip Morris Case*, Op-ed, Dagens Næringsliv newspaper (in Norwegian), 30 May 2016
- 2016 *Spain Wins First PV Solar Arbitration: A Word of Caution in Using this Case to Predict Outcome in the Three Dozen Cases to Come*, PluriCourts Blog, 27 January 2016
- 2015 *Australia Prevails in its Arbitration against Phillip Morris: Why this Outcome is a Boon to the Legitimacy of Investment Treaty Arbitration*, PluriCourts Blog, 18 December 2015
- 2015 *The Bilcon Award: Recent Decision from NAFTA Investment Tribunal Sparks New Debate on an Old Issue*, PluriCourts Blog, 19 October 2015
- 2014 *An Arbitral Tribunal Awards Yukos Shareholders 50 Billion USD in Damages against Russia*, PluriCourts Blog, 29 July 2014
- 2014 *The TTIP, Investor-State Dispute Settlement and the Future of International Investment Law in the EU and Norway*, PluriCourts Blog, 4 June 2014
- 2014 *The Chevron-Lago Agrio Litigation Saga*, PluriCourts Blog, 6 March 2014

In Process

- 2018 Book: *Subjectivity and International Legal Development*
- 2018 *The Commercial Arbitrator in the Realm of Investment Treaty Arbitration*
- 2018 *Might Claims Commissions Work Better? Settling Investment-Related Disputes in Conflict Zones* (with Taylor St. John and Günes Ünüvar)
- 2018 *Domestic Courts as the Guardians of Arbitration's Legitimacy and Effectiveness* (with Sergey Usoskin)
- 2018 *Courting Jurisdiction in Investment Arbitration: Arbitrator Reflexivity or Weak Claims?*

- 2018 *Introducing the PluriCourts Investment Treaty and Arbitration Database: A Researcher's Guide*
- 2018 *Private or Public Good? An Empirical Perspective on Investment Arbitration* (with Ole Kristian Fauchald and Malcolm Langford)
- 2017 *Explaining Choice of Targets in Investment Arbitration* (with Andreas von Staden)
- 2017 *Defining and Measuring the Public Interest in International Arbitration* (with Andrea Bjorklund)
- 2017 *Why No Disputes? Explaining China's Absence from Investment Arbitration*
- 2017 *An Abundance of Caution: Law Firms and Conflict of Interest in Investment Arbitration*

TEACHING INTERESTS

international and domestic commercial arbitration; international investment law; international trade law; international business law and transactions; international civil litigation; private international law; public international law; international dispute settlement; EU law; energy law

TEACHING EXPERIENCE

Penn State University

- 2017- Supervision of LLM students in International Arbitration
- Fall 2017 International Commercial Arbitration
- Fall 2017 The US Law of Arbitration

University of Oslo

- 2013- Supervision of LLM students in Private and Public International Law
- Spr 2017 International Investment Law and Arbitration
- Spr 2017 English for Lawyers (co-taught)
- Fall 2016 International Commercial Arbitration (co-taught)
- Fall 2016 International Trade Law (co-taught)
- Spr 2016 Environmental Law (co-taught)
- Spr 2016 International Investment Law and Arbitration (co-taught)
- Fall 2015 International Trade Law (co-taught)
- Fall 2015 Empirical Legal Studies (co-taught)
- Spr 2015 International Investment Law and Arbitration (co-taught)

University of Athens

- Sum 2016 International Investment Law (co-taught)

University of Dundee

- Spr 2012 International Dispute Settlement (co-taught)
- Fall 2011 International Arbitration (co-taught)

Saint Mary's College

- Spr 2011 Public International Law

EDITORIAL POSITIONS

- 2014- Associate Editor
Journal of World Investment and Trade
- 2008-2014 Associate Editor
Transnational Dispute Management Journal
- 2007-2008 Executive Editor
Tulane Journal for International and Comparative Law

FUNDING AND PROJECTS

- 2017- Co-investigator on a four year Queen Mary School of International Arbitration project titled: *Impartiality in Arbitration – The Effects of Personal Values and Value Diversity on Arbitral Decision-Making*
- 2017- Co-investigator on a four year Norwegian Research Council project titled: *Shifting Sands: Explaining Responses to the Legitimacy Crisis in Investment Law and Arbitration*
- 2016 Internationalization grant for funded field research awarded by the University of Oslo
- 2016 Grant awarded for a seminar at the Norwegian University Centre in St. Petersburg, Russia titled: *Pushing Boundaries – Effects of International Adjudication on Treaty Practice in Russia and Norway*
- 2015 Principal investigator on Horizon 2020 proposal involving a network of 15 international researchers titled: *Operationalizing a Just International Investment Policy for Europe* (not funded)
- 2015-2016 Research grant awarded by the Democracy as Idea and Practice interfaculty program at the University of Oslo for the project: *The Empirical Debate on the Democratic Legitimacy of Investment Arbitration*
- 2014-2015 Research grant awarded by the EU-office of the University of Oslo for preparing a Horizon 2020 proposal on the future of European investment policy
- 2010-2012 Legal researcher on four year World Bank funded project at the University of Dundee's CEPMLP titled: *The Extractive Industries Source Book*

CONFERENCE ORGANIZATION

- 2018 Organizer of a two day conference at the University of Oslo in May 2018 titled: *The Empirical Study of International Investment Law and Arbitration – Present and Future*
- 2017 Organizer, in collaboration with iCourts in Copenhagen, of a one day workshop in November 2017 titled: *Judicial Politics and Behavior in the Practice of International Courts and Tribunals*
- 2017 Co-organizer of the Policy Sciences Society Annual Institute in November 2017 at Brown University titled: *Developmental Constructs and the Reimagining of World Politics*
- 2017 Organizer of a one day workshop at PluriCourts in September 2017 titled: *Building an Advisory Centre for International Investment Law*

- 2017 ` Organizer of one day Nordic Network on Investment Law symposium at the University of Oslo in March 2017 titled: *State Perspectives on Investment Arbitration*
- 2017 Co-organizer, in collaboration with iCourts in Copenhagen, of a two day workshop in February 2017 at PluriCourts titled: *Methodological Challenges in the Study of International Courts and Tribunals*
- 2016 Co-organizer of a two day conference at the University of Oslo in August 2016 titled: *Adjudicating International Trade and Investment Disputes: Between Interaction and Isolation*
- 2016 Organizer of a one day workshop on the study of arbitrator behavior in international commercial and investment arbitration at PluriCourts in May 2016
- 2016 Organizer of a one day seminar in St. Petersburg, Russia in April 2016 titled: *Pushing Boundaries – Potential Effects of International Adjudication on Treaty Practice in Russia and Norway*
- 2016 Organizer of a one day research workshop in Paris in February 2015 titled: *Research on the Legitimacy of International Investment Law and Arbitration*
- 2015 Organizer of a two day symposium at the University of Oslo in November 2015 titled: *Present and Future Role of Investment Arbitration in Adjudicating Environmental Disputes*
- 2015 Organizer of two day author's workshop at the University of Oslo in August 2015 for the book project titled: *Empirical Perspectives on the Legitimacy of Investment Arbitration*
- 2015 Organizer and lead author for an agora proposal for the 2015 ESIL Annual Conference titled: *Managing Legitimacy – Responses of International Judges and Arbitrators to Backlash and Discontent*
- 2015 Chair of the PluriCourts reading group on the legitimacy of international courts and tribunals from September 2014 through September 2015
- 2014 Public event organizer for a panel discussion in May 2014 at Litteraturhuset in Oslo on the negotiation of the TTIP and its potential effects on Norway

SELECTED CONFERENCE AND WORKSHOP PRESENTATIONS

Invited Conferences and Workshops

- Oct 2017 Colloquium on Investment Law and the Law of Armed Conflict, University of Athens
Might Claims Commissions Work Better?
- Sep 2017 ESIL Annual Conference, University of Naples
Public or Private Good? An Empirical Investigation of International Arbitration
- May 2017 SMART Conference on Trade and Investment, University of Oslo
The Development of Investment Arbitration and its Discontents
- Apr 2017 Cambridge Compendium of Commercial and Investment Arbitration, University of Vienna
Arbitration and its Contribution to the Development of the Law
- Mar 2017 NoLesLaw: Network of Legal Empirical Scholars Workshop, Umeå University
A Synthetic Approach to the Empirical Study of International Arbitration
- Mar 2017 Workshop on Authorities in International Dispute Settlement, University of Cambridge
Measurement of Citation Networks in International Dispute Settlement

- Dec 2016 SNIS Project Workshop, World Trade Institute, Bern
Coding and Data Collection Techniques for International Courts and Tribunals
- Jul 2016 SIEL Bi-Annual Conference, University of the Witwatersrand , Johannesburg
Managing Legitimacy: The Evolving Investment Treaty Arbitrator?
- Jun 2016 Fifth Annual Junior Faculty Forum, New York University Law School
Poor States or Poor Governance? Explaining Outcomes in Investment Arbitration
- Jun 2016 IUCN Academy of Environmental Law Annual Colloquium, University of Oslo
The Greening of Investment Arbitration?
- Jun 2016 Nordic Network on Investment Law Symposium, University of Uppsala
Empirical Approaches to the Study of Investment Arbitration
- May 2016 SNF Project Workshop on Network Analysis, Graduate Institute, Geneva
Social Networks of Lawyers and Arbitrators in Investment Arbitration
- Nov 2015 Policy Sciences Society Annual Institute, World Bank
Pragmatism in the New Haven School of International Law
- Oct 2015 Contemporary Trends in Energy Disputes, Scottish Arbitration Centre, Edinburgh
What Went Wrong? The European Renewable Energy Disputes
- Sep 2015 ESIL Annual Conference, University of Oslo
Managing Backlash: The Evolving Investment Arbitrator?
- Mar 2015 International Law Seminar, University of Edinburgh
Evaluating Normative Questions with Empirical Methods
- Sep 2014 ESIL Annual Conference, University of Vienna
Renewable Energy and International Tribunals
- Aug 2014 The Changing Practices of International Law, Bifrost University, Reykjavik
Shifting State Strategies in Investment Law and Arbitration
- May 2014 20 Years of the UNIDRIOT Principles, UNIDRIOT, Rome
The Relevance of the UNIDRIOT Principles in Investment Arbitration
- May 2013 Legal Traditions in a Diverse World, University of Cambridge
Empirically Evaluating Perception in Investment Treaty Arbitration
- Jun 2012 The Politics of International Law, McGill University
A Theory of Configurative Fairness for International Legal Orders
- Apr 2012 Sustainable Development and Energy, Higher School of Economics, Moscow
Defragmenting Climate Change Law and Investment Law
- Oct 2011 International Dispute Settlement Seminar, University of Aberdeen
Investment Arbitration and the Energy Sector
- Oct 2011 Policy Sciences Society Annual Institute, Yale Law School
On the Shared Subjectivity of Value in Legal Discourse
- Aug 2010 The Political Economy of Energy, University of Warwick
Governing Natural Resources Endowments in Europe and Russia
- PluriCourts Seminars and Workshops**
- Apr 2017 PluriCourts Seminar, University of Oslo
Explaining Responses to the Legitimacy Crisis in Investment Arbitration

- Mar 2017 Gender on the Bench Workshop, University of Oslo
Glass Ceilings and Arbitral Dealings: Gender and Investment Arbitration
- Dec 2016 Public Law Seminar, University of Oslo
*Dissecting the Recent Arbitral Award in *Almás v. Poland**
- May 2016 Arbitrator Behavior Workshop, University of Oslo
Measuring Adjudicative Impartiality in Investment Arbitration
- Oct 2015 Public Lecture, Litteraturhuset, Oslo, Norway
Tobacco Plain Packaging and Investment Arbitration
- May 2015 International Law Seminar, University of Oslo
The (II)Legitimate use of Investment Treaty Arbitration in Times of War
- Nov 2014 PluriCourts Workshop on Concepts and Methods, University of Oslo
From Protecting Investments to Promoting the Rule of Law
- Nov 2014 International Law Seminar, University of Oslo
The Chevron-Lago Agrio Litigation Saga: The Beginning of the End?
- Jun 2014 PluriCourts Seminar, University of Oslo
Evaluating the State-of-the-Art in Investment Treaty Arbitration
- May 2014 Public Lecture, Litteraturhuset, Oslo, Norway
The TTIP and International Investment Law

AFFILIATIONS

- 2012- Executive Council Member
Yale Policy Sciences Society
- 2008- Certified Member of the Bar
New York and Washington DC
- 2008-2010 Ibrahim Shihata Fellow in International Law
University of Dundee
- 2002-2005 United State Peace Corps
Community Development Officer, Uzbekistan

REFERENCES

Prof. Catherine Rogers

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University Park, PA US 16802
+1 814 863 3513
car36@psu.edu

Prof. Andrea Bjorklund

McGill University Faculty of Law
3644 Peel Street
Montreal, Canada H3A 1W9
+1 514 398 5372
andrea.bjorklund@mcgill.ca

Prof. Michael Reisman

Yale Law School
PO Box 208215
New Haven, CT US 06520
+1 203 432 4962
michael.reisman@yale.edu

Prof. Jose Alvarez

New York University School of Law
40 Washington Square South
New York, NY US 10012
+1 212 992 8835
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Prof. Stavros Brekoulakis

Queen Mary School of Law
Mile End Road
London, UK E1 4NS
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