

# From the Editors of Kluwer Arbitration Blog: 2018

## **Kluwer Arbitration Blog**

December 25, 2018

Crina Baltag (Acting Editor) (University of Bedfordshire)

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December is the month when we slow down, enjoy the festive season and (the well-deserved) holidays. December is also the month of retrospection and of planning for the year to begin, always hoping to do better, and today we would like to do the same for the Kluwer Arbitration Blog.

Last year, we were expecting (and predicting) several developments in international arbitration. Most of them have happened and have generated considerable reaction on the Blog: the CJEU judgment in the Achmea Case, characterized as “A Loud Clap of Thunder on the Intra-EU BIT Sky” by Clément Fouchard and Marc Krestin from Linklaters in the post published the next day after the judgment was issued; the final report of the ICCA-QMUL Task Force on Third Party Funding in International Arbitration, with its findings explained by the co-chairs of the task force, William (Rusty) Park, Stavros Brekoulakis and Catherine A. Rogers; the discussions in the UNCITRAL Working Group III on Investor-State Dispute Settlement Reform, in New York and Vienna, and the latest Free Trade Agreements signed by the EU; and a proactive approach in ensuring diversity, equality and inclusion in international arbitration, one of the main issues highlighted by the 2018 Queen Mary/White & Case International Arbitration Survey. Kluwer Arbitration Blog also continued its series of live coverages of arbitration conferences: ICCA Sydney and 2018 Hong Kong Arbitration Week. Starting with this year, we will publish a “Year in Review”, in several parts, covering geographical regions and areas of significant development reflected in the posts published on Blog.

2019 will mark the Blog's 10<sup>th</sup> anniversary. In one of the first posts published on the Blog, Professor Roger Alford summarized the mission of the Blog as follows:

The international arbitration world is a unique epistemic community. We come from every corner of the globe and yet we all deeply care about the same issues. We number in the thousands and yet there is a remarkable degree of collegiality among our members. The arbitration world is marked by an astonishing variety of individuals who share the common attributes of cosmopolitanism, professional competence and emotional intelligence. The people in the arbitration world are a fascinating lot, and we hope to make this new forum as interesting a venue for discussion as the people who occupy this field.

We are looking forward to the next decade of the Blog in which we will make sure that, first and foremost, the Blog genuinely reflects the “unique” and “fascinating” international arbitration

community.

For 2019, we are expecting an increased reaction from arbitration institutions on the current issues raised in practice and triggered by changes in national legislations or in ongoing discussions in international forums, such as the UNCITRAL Working Group III. The ICC, for example, has already published the new Notes to Parties and Arbitral Tribunals, to enter into force on 1 January 2019, and addressing the particularities of investment treaty arbitration proceedings before the ICC, as well as the interaction between GDPR and arbitration. Furthermore, 2019 is expected to be the year when arbitration will establish itself as the preferred dispute resolution mechanism in new regions and fields of law and appropriate measures and mechanisms will be implemented for this purpose. As an example, California's Governor Jerry Brown signed the bill into law under which foreign attorneys may now participate in international arbitrations seated in California. And, of course, we will all be closely following the discussions on the ISDS reform, within the UNCITRAL and outside it.

Of course, this is also the time to acknowledge and recognise the contributions of the Blog's many collaborators and supporters. 2018 was the year when the Editorial Board welcomed several new Assistant Editors to the Blog. It is, thus, a pleasure to introduce to our readers the Kluwer Arbitration Blog team:

**Dr Crina Baltag, Acting Editor**, Senior Lecturer in Law, University of Bedfordshire

**Dr Gloria Alvarez, Associate Editor**, Lecturer in Law, University of Aberdeen

**Dr Patricia Živković, Associate Editor**, Head of Legal Department at NSoft d.o.o.

**Jawad Ahmad, Associate Editor**, Associate, Mayer Brown LLP

**Kiran Gore**, Professorial Lecturer, The George Washington University Law School, **Assistant Editor to the Acting Editor**

**Sadaff Habib**, Solicitor, Beale & Company; and **Liilna Kifle**, Associate, Mehrteab Leul and Associates, **Assistant Editors for Africa**

**Esme Shirlow**, King's College, **Assistant Editor for Australia and New Zealand**

**Fabian Bonke**, Associate, Hogan Lovells; **Deyan Dragiev**, Associate, CMS Cameron McKenna Nabarro Olswang LLP; and **Nevena Jevremovic**, Association ARBITRI, **Assistant Editors for Europe**

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**Dalal Al Houti**, Senior Associate, Al Tamimi & Company; and **Zahra Rose Khawaja**, **Assistant Editors for the Middle East**

**Janice Lee; Mary Mitsi and Ashutosh Ray, Assistant Editors.**

The Blog is also the result of the fruitful collaboration with its publisher, Wolters Kluwer, and the Editorial Board is grateful to Eleanor Taylor and Vincent Verschoor, editors and content managers with Wolters Kluwer, for ensuring that we deliver the best final product for our readers. Furthermore, the Editorial Board is particularly grateful to the permanent contributors and to the affiliates of the Blog, some being with us from the first days of Kluwer Arbitration Blog.

At Kluwer Arbitration Blog, our mission is not only to bring you the latest developments in arbitration or to encourage discussions about unsettled topics in the field. As mentioned, we strive to ensure that the diverse voices of the arbitration community are equally represented on the Blog, while being aware of the responsibility we have in shaping the arbitration practice. For this, the Blog continues to be committed in promoting young practitioners and welcomes the collaboration with Young ITA, Young ICCA, YIAG, YSIAC and AIAC YPG.

With these thoughts, we would like to thank you for reading the posts and for actively contributing to Kluwer Arbitration Blog. The editors of Kluwer Arbitration Blog are always available at [kluwerarbitrationblog@outlook.com](mailto:kluwerarbitrationblog@outlook.com).

Wishing you the best for the Festive Season and a prosperous 2019!

Dr Crina Baltag, Acting Editor, on behalf of the Editorial Board