

International Law Talk Podcast and Arbitration: In Conversation with Professor Bernard Hanotiau

Kluwer Arbitration Blog

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Welcome to the first post in the series of [International Law Talk](#). During a series of podcasts, Wolters Kluwer will bring you the latest news and industry insights from thought leaders and experts in the field of International Arbitration, IP Law, International Tax Law and Competition Law. Here at Kluwer Arbitration Blog, we will highlight the podcasts focused on international arbitration.



In the first podcast of the series, Dr Crina Baltag, Editor of Kluwer Arbitration Blog, interviews Professor Bernard Hanotiau, partner with Hanotiau & van den Berg in Brussels, Professor of Law and Arbitrator. Professor Hanotiau is the author of Complex Arbitrations: Multiparty, Multicontract, Multi-issue (Wolters Kluwer, 2nd edition, 2020) and of numerous articles on international commercial law and arbitration.

With a successful career in law of over 50 years, as arbitrator and lawyer, Professor Hanotiau shares his thoughts on various relevant topics pertaining to international arbitration:

- judicialization of international arbitration, after the release of IBA's Rules on the Taking of Evidence in International Commercial Arbitration, with numerous and long submissions to the arbitral tribunal;
- arbitration as a complex process, with increasing situations of multi-party, multi-contract, and multi-issue, as projects are becoming more and more complex and arbitration a preferred dispute resolution mechanism;
- theories considered by arbitral tribunals with regard to non-signatories, including agency, estoppel, third-party beneficiary, implied consent etc.;
- the appropriateness of group of companies doctrine;
- support found by arbitral tribunals on "practical reasons and considerations of equity";
- ISDS reform and legitimacy of investment arbitration;
- consolidation and coordination of arbitrations under the proposed ICSID Arbitration Rules. On this particular point, Professor Hanotiau emphasizes that ICSID has always encouraged consolidation of arbitrations and the use of different tools such as single award, same composition of arbitral tribunals etc. On the latter example, Professor Hanotiau refers to the Alcoa, Kaiser Bauxite and Reynolds cases against Jamaica. Professor Hanotiau also explains that, in the past years, in particular from his position as member of the Court of Arbitration of the Singapore International Arbitration Centre (SIAC), he has seen an enormous number of request for consolidation in international arbitration.

As a final thought, Professor Hanotiau highlights that international commercial arbitration, while it might not see radical changes in the next 5-10 years, will begin to address issues of diversity of arbitrators more vigorously.

Listen to the podcast 'Complex arbitrations' with Professor Hanotiau.

Follow the coverage of the International Law Talk arbitration podcasts on Kluwer Arbitration Blog here.