

# DANIEL BEHN

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## EDUCATION

- 2009-2013 **PhD** in International Law, July 2013  
University of Dundee, UK
- 2008-2009 **LLM (distinction)** in International Business Law and Transactions, July 2009  
University of Dundee, UK
- 2005-2008 **JD** in Law and Certificate in European Legal Studies, May 2008  
Tulane University School of Law, New Orleans, Louisiana
- 1998-2002 **BA (magna cum laude)** in Philosophy and Political Science, June 2002  
University of Southern California, Los Angeles, California

## PRACTICE POSITIONS

- 2014- **Of Counsel**  
*AACNI International UK Limited*, International Arbitration Practice  
Legal counsel in firm's international commercial and investment arbitration practice

## ACADEMIC POSITIONS

- 2017- **Lecturer in Law**  
*The Liverpool Law School*, University of Liverpool
- 2013- **Senior Research Fellow**  
*PluriCourts Centre of Excellence*, Faculty of Law, University of Oslo
- 2017-2018 **Visiting Assistant Professor**  
*Penn State Institute of Arbitration Law and Practice*, Penn State University Law School

## 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*

**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

**PUBLICATIONS****Edited Volumes**

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

**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 Treaty 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**

- 2019 Book: *Subjectivity and International Legal Development*
- 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)
- 2018 *Explaining Choice of Targets in Investment Arbitration* (with Andreas von Staden)
- 2018 *Defining and Measuring the Public Interest in International Arbitration* (with Andrea Bjorklund)
- 2018 *Why No Disputes? Explaining China's Absence from Investment Arbitration*
- 2018 *An Abundance of Caution: Law Firms and Conflict of Interest in Investment Arbitration*

**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 *Almås 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 (Il)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*