

CRINA M. BALTAG

CONTACT

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STUDIES

2008 – 2011

Ph.D. in International Arbitration at the University of London, Queen Mary and Westfield College, School of International Arbitration, UK

2005 – 2006

LL.M. in International Commercial Arbitration Law at the Stockholm University, Sweden

2003 – 2005

Master in International Business at the Academy of Economic Studies, Bucharest, Romania

1999 – 2003

Bachelor of Laws (LL.B.) at the University of Bucharest, Romania

WORK

September 2012 – present

EXPERIENCE

Associate Editor, *Kluwer Arbitration Blog* (www.kluwerarbitrationblog.com)

February 2008 – present

Visiting Lecturer at the *Stockholm University, Sweden*, LL.M. in International Commercial Arbitration Law

November 2013 – May 2016

Secretary General, *Arbitration and Mediation Center of the American Chamber of Commerce Brazil - São Paulo (AMCHAM)*

Responsible for the management of the Center; coordinating the arbitration and mediation proceedings administered by the Center

June 2011 – October 2013

Consultant in investment and commercial arbitration, public international law, international trade law and energy law

March 2011 – June 2011

Foreign attorney-at-law, *Herbert Smith LLP, London, UK,*

Member of the international arbitration practice specialized in investment arbitration and international commercial arbitration and energy disputes under the Energy Charter Treaty

February 2010 – November 2010

Lecturer at the *Fundação Getulio Vargas School of Law, Rio de Janeiro, Brazil*

Lecturer, *International Arbitration and Advocacy and Mooting in International Arbitration*

September 2009 – October 2009

Consultancy, Special counsel, *Shearman & Sterling LLP, London, UK*

Advising a Swedish investor in an ICSID arbitration case against Romania

September 2007 – August 2009

PricewaterhouseCoopers Research Fellow in International Arbitration / Assistant Lecturer at the School of International Arbitration, *University of London, Queen Mary and Westfield College, UK*

Lecturer, *Alternative Dispute Resolution*, LL.M. in Comparative and International Dispute Resolution

Assistant Lecturer, *International Trade and Investment Dispute Settlement and International and Comparative Commercial Arbitration*, LL.M. in Comparative and International Dispute Resolution

Coach of the Queen Mary University of London team for the *ICC International Commercial Mediation Competition*, ICC, Paris; Coach of the Queen Mary University of London team for the *Frankfurt Investment Arbitration Moot Court*, Frankfurt

Lead Researcher of the Study in “*International Arbitration: Corporate Attitudes and Practices. Recognition and Enforcement of Arbitral Awards and Settlement in International Arbitration*” [2008]. The Study was conducted together with PricewaterhouseCoopers and over thirty international law firms and arbitration institutions and covered major international corporations (<http://www.pwc.co.uk/arbitrationstudy>).

July 2004 – August 2007

Attorney-at-law with *Schoenherr Rechtsanwaelte, Vienna, Austria*

Attorney-at-law specialized in international commercial arbitration, investment arbitration, energy law and international trade law. Represented major corporations before various arbitration institutions, including the ICC, Paris; the VIAC, Vienna and the ICSID, Washington.

December 2003 – June 2004

Attorney-at-law with *Wood, Lupascu & Dumitrescu Law Firm, Bucharest, Romania*, in association with Reed Smith LLP

Attorney-at-law specialized in litigation and arbitration, commercial and corporate law.

AFFILIATIONS

Attorney-at-law, member of the *Bucharest and Romanian Bar Association* since 2004

PUBLICATIONS

BOOKS AND

ICSID Convention after Fifty Years: Unsettled Issues, book, forthcoming, Kluwer Law International

CHAPTERS IN BOOKS

The Energy Charter Treaty: The Notion of Investor, [2012], Kluwer Law International, ISBN: 9789041134288

Anti-Suit Injunctions and Other Means of Indirect Enforcement of Arbitration Agreement, [2016], book chapter in *The Evolution and Future of International Arbitration* (Stavros L. Brekoulakis, Julian D.M. Lew, Loukas A. Mistelis, editors), 251-268, Kluwer Law International, ISBN 9789041170040

Investment Arbitration in Romania, [2016], book chapter in *Arbitration in Romania. A Practitioner's Guide* (Crenguța Leaua and Flavius A. Baias, editors), 353-408, Kluwer Law International, ISBN 9789041166982

Arbitration in Romania, [2010], book chapter in *World Arbitration Reporter* (Loukas Mistelis, Laurence Shore and Hans Smit, editors), 2nd edition, Juris Publishing, ISBN: 9781933833460

Denial of Benefits Clause and Article 17 of the Energy Charter Treaty, co-author, [2009], 113 Penn State Law Review, 1301; republished in *Building Civilization of*

Arbitration (Thomas E. Carbonneau and Angelica M. Sinopole, editors), [2010], 302-322, Wildy, Simmonds & Hill Publishing, ISBN: 9780854900688

ARTICLES

Denial of Benefits of Investment Treaties: A Step Further?, [2015], 34 *Revista Romana de Arbitraj*, 1-6

Novos Regulamentos de Arbitragem e Mediação da AMCHAM: O Papel das Instituições na Busca pela Eficiência dos Métodos Alternativos de Resolução de Conflitos, (co-authored), [2015], 44 *Revista de Arbitragem e Mediação*, 27-36

What's New with the Energy Charter Treaty?, *Kluwer Arbitration Blog*, [2015], 13 June 2013

Preserving the Spirit of Arbitration and Mediation: The New Rules of the Amcham Brazil Arbitration and Mediation Center, [2015], *Young Arbitration Review*

Brazilian Arbitration Law: In Need of a Facelift?, *Kluwer Arbitration Blog*, [2013], 27 April 2013

Argentinian Crisis Revisited, *Kluwer Arbitration Blog*, [2013], 27 January 2013

Arbitrating Investment Disputes under the Energy Charter Treaty, [2013], 27 *Revista Romana de Arbitraj*, 31-43

ICSID Jurisdiction over Sovereign Debts and Mass Claims Disputes, [2012], 33 *Revista de Arbitragem e Mediação*, 413-434

Some Thoughts on the Future of the Energy Charter Treaty Transit Protocol: Looking Back at the Gas Transit Disputes, [2012], 10 *Oil and Gas & Energy Law*, issue 3

Keeping Up with the Notion of Investment: The Case of the Energy Charter Treaty, *Kluwer Arbitration Blog*, [2012], 16 April 2012

The Energy Charter Treaty and the 'Provisional Application' Rule, [2010], 2 *Yearbook on Arbitration and Mediation*, 34-64

Enforcement of Arbitral Awards Against States, [2009], 19 *American Review of International Arbitration*, 391-414

Recognition and Enforcement of Arbitral Awards and Settlement in International Arbitration: Corporate Attitudes and Practices, co-author, [2009], 19 *American Review of International Arbitration*, 319-376

Admission of Investments and the ICSID Convention, [2009], 6 Transnational Dispute Management, issue 1

Trends and Challenges in International Arbitration: Two Surveys of In-House Counsel of Major Corporations, co-author, [2008], 2 World Arbitration and Mediation Review 5, 84-105

Tratatele bilaterale de promovare si protectie a investitiilor: drepturile substantiale ale investitorilor [Bilateral Investment Treaties: substantive rights of investors], [2008], 2 Revista Romana de Drept Privat, 15-29

Case Comment: Ceskoslovenska Obchodni Banka AS v Slovakia, ICSID Case No ARB/97/4, [2008], Investment Claims

Precedent on Notion of Investment: ICSID Award in MHS v. Malaysia, [2007], 4 Transnational Dispute Management, issue 5

Territoriality under the ICSID Convention: Two Issues, [2007], 4 Transnational Dispute Management, issue 5

The Risk of Investment under the ICSID Convention, [2006], 3 Transnational Dispute Management, issue 5

Notiunea de investitie potrivit Conventiei pentru reglementarea diferendelor relative la investitii intre state si persoane ale altor state [The Notion of 'Investment' under the Convention on the Settlement of Investment Disputes between States and Nationals of Other States], [2006], 4 Revista Romana de Drept al Afacerilor, 25-36

CONFERENCE

**AND SEMINAR
PAPERS (selection)**

“Admissibility of Claims, Jurisdiction and Arbitrability: Experiences and Perspectives”, presentation delivered at the CBar, Queen Mary University of London and CAM-CCB Joint Conference on “Arbitrability and Admissibility of Claims”, 30 May 2016, São Paulo

“Controlling Time and Costs: The responsibilities of arbitrators, counsel and the institutions”, round table at the “Advance International Arbitration Training” organized by CBar, Queen Mary University of London and CAM-CCB, 31 May – 1 June 2016, São Paulo

“Partial Arbitral Awards”, presentation delivered at the AASP Conference “Workshop sobre a Nova Lei de Arbitragem”, 24 June 2015, São Paulo

“Institutional Arbitration and Mediation and International Trade”, presentation delivered at the SCC/Amcham/Swedcham Conference on “International Trade and Dispute Resolution”, 28 April 2015, São Paulo

“Anti-Suit Injunctions and Other Means of Indirect Enforcement of an Arbitration Agreement”, presentation delivered at the School of International Arbitration 30th Anniversary Conference: "The Evolution and Future of International Arbitration: The Next 30 Years", 19-21 April 2015, London

“The New Arbitration and Mediation Rules of Amcham Brazil”, presentation delivered at the AAA-ICDR/Amcham/CAM-CCBC 8th International Arbitration and Mediation Conference: Risks and Challenges in International Arbitration, 18 November 2014, São Paulo

“Notion of Investor under the Energy Charter Treaty”, presentation delivered at the ICSID/SCC/ECT-ECS Conference “20 Years of the Energy Charter Treaty”, Paris, 7 March 2014

“Arbitration Clauses in Contracts with a State Party”, presentation delivered at the University of Stockholm Conference “Mastering the Challenges in International Arbitration”, Stockholm, 29-30 August 2013

“The Energy Charter Treaty and Transit Disputes”, presentation delivered at the SCC/ICSID/ECT Conference “10 Years of Energy Charter Treaty Arbitration”, Stockholm, 9-10 June 2011

“The Energy Charter Treaty and the Protection of Investors”, lecture delivered at Penn State University, USA, 31 March 2010

“Dual Nationality and the Energy Charter Treaty: Is there a Jurisdictional Bar?”, presentation delivered at the University of Sydney Conference “International Investment Treaty Law and Arbitration: Evolution and Revolution in Substance and Procedure”, 19-20 February 2010, Sydney

“International Arbitration: Corporate Attitudes and Practices 2008”, presentation delivered at the DIS (Deutsche Institution für Schiedsgerichtsbarkeit), 17 March 2009, Frankfurt

“International Arbitration and Corporate Trends and Experiences”, presentation delivered at the ICCA Conference – parallel event, 9 June 2008, Dublin

“International Arbitration: corporate attitudes and recognition/enforcement of Arbitral Awards” and “Investment arbitration – Protection of foreign investors: guarantees and incentives”, presentations delivered at the Arbitration Court of the Latvian Chamber of Commerce and Industry Conference, 2 September 2008, Riga

“Corporate Attitudes and Practices towards International Arbitration: Myths, Data and Analysis”, presentation delivered at the seminar organized American Chamber of Commerce in Austria, 13 March 2008, Vienna

“International Arbitration - Corporate Attitudes”, presentation delivered at the seminar organized by the Asociación Nacional de Abogados de Empresa and Goodrich, Riquelme y Asociados, 20 February 2008, Mexico City

LANGUAGES

Romanian (native), English (fluent), Portuguese (fluent), French (fair)