Conference explores the future of arbitration

Gary Born – a leading practitioner in the field of international arbitration – recently visited the Dean Rusk Center to take part in a conference examining the state of international commercial arbitration 50 years after the New York Convention, a document widely considered as the foundation of international commercial dispute resolution.

The symposium, co-sponsored by the Georgia Journal of International and Comparative Law, featured Born as the keynote speaker and included several leaders in the field of arbitration, including Executive Director of Judicial Arbitration and Mediation Services Arbitration Practice Robert B. Davidson, President and CEO of the American Arbitration Association William K. Slate II and former General Counsel of the International Chamber of Commerce International Court of Arbitration Anne Marie Monnet and Whitesell. Additionally, notable academics, such as Columbia University’s Monnet and Whitesell. Additionally, notable academics, such as Columbia University’s Monnet and Whitesell. Additionally, notable academics, such as Columbia University’s Monnet and Whitesell. Additionally, notable academics, such as Columbia University’s Monnet and Whitesell. Additionally, notable academics, such as Columbia University’s Monnet and Whitesell. Additionally, notable academics, such as Columbia University’s Monnet and Whitesell. Additionally, notable academics, such as Columbia University’s Monnet and Whitesell. Additionally, notable academics, such as Columbia University’s Monnet and Whitesell.

Born, who marked the occasion by introducing his newly published treatise on international commercial arbitration, focused his remarks on the continued growth of commercial arbitration, especially at the international level, due in large part to the robustness and efficacy provided by the New York Convention.

“In 1993, the main institutions reported roughly 1,300 arbitrations. In 2007, the number was 3,200 – a fairly dramatic increase … that, in fact, doesn’t come close to capturing the very significant increase in arbitrations at regional centers around the world,” Born said.

He added that the robust legal framework of the New York Convention has provided reason, over the past 20 years or so, for an increasing number of states – not typically categorized as developing and not historically in support of commercial arbitration – to basically give effect to international arbitration.

In addition to the relative efficiency, flexibility and enforceability provided by arbitration, Born posited that there may be another, more fundamental reason that parties increasingly arbitrate and states increasingly give effect to international arbitration agreements: that arbitration is, in fact, an expression of party autonomy.

Furthermore, Born suggested that the “constitutional” nature of the documents – the New York Convention and the Federal Arbitration Act – forming the legal regime of arbitration, supports the position that these “constitutional instruments,” which essentially work, should not be readily amended or tinkered with. He suggested rather than legislatively revising these “constitutional” documents of arbitration, there is room – in the courts, in the restatements and in academia – for common law development of the principles of arbitration, both domestically and internationally.

- Assistant Director of the Dean Rusk Center
André B. Barbic (J.D.’05)

Social injustice continues to be theme of annual conference

Students, practitioners and public interest advocates from all parts of the Southeast gathered to address pressing topics related to human rights and social injustice during Georgia Law’s 4th Annual Working in the Public Interest Law Conference.

“Our goal was to create a forum where important social injustice issues could be brought to light and potential solutions explored,” second-year law student and conference organizer Stinson W. Ferguson said.

The two-day event consisted of numerous panels and roundtable discussions with notable speakers from across the country. The keynote address was delivered by Mary Bauer, the director of the Southern Poverty Law Center’s Immigrant Justice Project, where she gave first-hand accounts of her experiences working with migrant farm workers.

Other speakers included U.S. Human Rights Network Executive Director Ajamu Baraka and U.S. Program Human Rights Watch Director David C. Fathi, both of whom delivered the Saturday morning plenary on human rights in the Southeast.

Panels explored topics such as the problem of eyewitness testimony in capital cases, examining the health law partnership, the harsh sentencing of juvenile offenders, same-sex marriage, the prevalence of sex trafficking and the sexual exploitation of minors, and combating economic disparity with civic engagement.

Supreme Court review, ethics in practice, funding a public interest career, and race and the law were also addressed during lunch roundtable discussions.

Additionally, three individuals were recognized during the conference for their distinguished service in public interest. The late Alabama attorney and civil rights activist J.L. Chestnut Jr. was honored with the Milner S. Ball Working in the Public Interest Lifetime Achievement Award.

University of North Carolina third-year law student and National Association of Law Students with Disabilities founder and President Rebecca S. Williford received the Working in the Public Interest Student Achievement Award.

The Equal Justice Foundation Annual Practitioner Award was presented to American Civil Liberties Union of Georgia National Security/Immigrants’ Rights Project Director Azadeh N. Shahshahani.

Coinciding with the conference was Georgia Law’s 24th Annual Equal Justice Foundation Auction, which serves as a fundraiser for EJF fellowships. These fellowships help support Georgia Law students working in public interest positions during the summer.

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