arbitra™

Dr. Todd Weiler



Nationality: Canadian
Languages: English

Dr Todd Weiler is an independent arbitrator with over 27 years of unparalleled experience in the settlement of complex, high-value disputes between foreign investors and states.

Todd's practice has involved a broad range of economic sectors and a wide array of national jurisdictions. Industries with which he has worked include environmental and climate change regulation, waste disposal, oil & gas, minerals extraction, transportation, internet regulation, intellectual property, pharmaceuticals, hospitality & gaming, travel, automotive manufacturing, transportation infrastructure, primary industries, agriculture, aviation, tobacco regulation, retail sales, financial regulation, telecommunications, government procurement, and commercial & residential real estate development.

The list of countries with which Todd has been involved in international disputes includes Canada, the United States, Mexico, Costa Rica, Peru, Venezuela, the Dominican Republic, Barbados, the People's Republic of China, Russia, Mongolia, Laos, Singapore, Kazakhstan, Moldova, Ukraine, Czech Republic, Croatia, Belgium, Egypt, Kenya, and Saudi Arabia. He has also represented and served as arbitrator in disputes involving sovereign indigenous nations throughout North America.

International dispute settlement has been the singular focus of Todd's practice since being called to the Bar of Ontario in 1999. He has substantial experience with the administration of ad hoc disputes, particularly under the UNCITRAL Rules and ICSID(AF) rules, in addition to the ICSID, and both the ICC and SCC Courts of Arbitration. Todd is also a Fellow of the Chartered Institute of Arbitrators (Ciarb).

Sector Expertise

- Investment Treaty Disputes
- Public International Law
- Administrative & Regulatory Law
- Environment & Climate Change
- Natural Resources & Land Development
- Travel, Hospitality & Gaming
- Technology, Internet & Machine Learning
- Indigenous Peoples' Affairs and Disputes

Investment Treaty Disputes

Todd is widely recognized as a pioneer in the development of international investment law and dispute settlement.

With a background in international trade policy and public international law, Todd played a significant role as counsel in many early NAFTA and bilateral investment treaty cases.

For over two decades, Todd appeared as counsel and/or advised governments, investors, third-party funders, NGOs, and indigenous nations in many dozens of disputes, in addition to serving as expert witness and arbitrator.

He has also developed an academic expertise in the history of international economic law, in global and transnational history, and in the history of US and UK foreign relations in the 19th and 20th Centuries.

Todd has long been an ardent proponent of advancing the rule of law globally, including the promotion and protection of property rights and foreign investment generally. He is a much sought-after speaker, media commentator, and academic reviewer, as well as a prolific author and editor.

Todd also continues to provide expert advice on the law of international investment, both as an expert witness and as a consultant to counsel involved in investment disputes.

Environment & Climate Change

Todd has acted as counsel in cases involving hazardous waste remediation services, the siting and construction of landfill and waste-transfer facilities, and the application of environmental regulations to real estate developments.

Todd is also currently serving as co-counsel in the Government of Alberta's NAFTA Legacy Claim against the Government of the United States arising from the latter's cancellation of the Keystone XL Pipeline, ostensibly in the interests of climate change remediation.

Natural Resources

Todd has served as counsel, consultant, and arbitrator in several disputes involving natural resources extraction rights, including minerals, and oil & gas. He has also recently served as an expert consultant in an investor-state treaty arbitration involving deep-water dredging for the recovery of a valuable mineral resource, as well as arbitrator in a recent, landmark case involving a major Canadian oil & gas pipeline.

Todd also served as a non-resident teaching fellow at the University of Dundee's Centre for Energy Petroleum Law & Policy between 2001 and 2005 and as Stephen Dattels Fellow in Mining & Finance Law at the University of Western Ontario in 2007.

Land Development, Travel, and Hospitality & Gaming

Todd has served as counsel and consultant in a variety of disputes involving the development of residential resort communities and of hotels, hospitality and gaming facilities across the globe, from Canada to Mexico to Egypt to Laos.

In one of Todd's earliest cases, serving as counsel, involving gaming regulation in Mexico, he generated new law on detrimental reliance claims based on the principle of legitimate expectations.

Experience

As Arbitrator:

- Sole arbitrator in over 25 commercial disputes under the Arbitration Act 1996 (UK).
- Co-arbitrator in a treaty-based arbitration arising from non-payment by the Russian Federation on a contract for the construction of a new home for the Supreme Court of Russia.
- Co-arbitrator in a €425 million ICSID property development dispute.
- Sole arbitrator in a complex, commercial dispute involving the sale and distribution of real estate assets.
- Co-arbitrator in a novel dispute involving indigenous rights and major infrastructure development in a G7 country.

As Counsel:

- Counsel to U.S. claimants in a seminal, early NAFTA arbitration in which the Government of Canada was found in breach of national treatment and fair & equitable treatment standards for preventing the return of PCB wastes to the USA to require its treatment in Canada by a Canadian competitor.
- Counsel to a U.S. claimant in a seminal, early NAFTA arbitration in which the Government of Canada was found in breach of the fair & equitable treatment standard for its officials having pursued a legally dubious, unnecessary, and abusive audit.
- Lead Counsel to a Canadian claimant in a dispute with the Government of Barbados over a denial of justice claim arising from an earlier uncompensated expropriation, which was successfully resolved prior to arbitration.
- Co-Counsel to a Canadian forestry company in a NAFTA arbitration against the Government of the United States of America for its use of anti-dumping and CVD measures inconsistent with its other obligations under the NAFTA.

- Co-Lead Counsel to a Canadian company engaged in the gaming industry in Mexico, which resulted in a seminal NAFTA Award recognizing detrimental reliance as a legitimate basis for liability under the NAFTA standard of fair and equitable treatment.
- Co-Lead Counsel to U.S. claimants in an arbitration involving the de facto nationalization by the Government of Egypt of that country's cotton marketing industry.
- Co-Counsel to the first indigenous peoples to appear as claimant-investors in an investment treaty arbitration, which concerned the country-wide implementation of a settlement agreement between 46 U.S. state governments and four major tobacco companies, and which negatively impacted sales of indigenous tobacco products both on U.S. territory and on sovereign Indian lands.
- Lead Counsel in an arbitration against the Government of Mongolia involving a contract for administrative services concluded pursuant to a grant obtained from an international development bank.
- Co-Lead Counsel to a large group of cattle feed lot business owners in a NAFTA arbitration arising from the imposition of a border-ban by the United States Government after the discovery of a few discrete cases of BSE in Canada.
- Co-Counsel to a U.S. claimant in an arbitration against the Government of Ukraine involving allegations of corruption and indirect expropriation of a property development investment.
- Co-Lead Counsel to a U.S. claimant in a case involving a prohibition imposed by a Canadian provincial government on the use of an exhausted iron mine as the location for a waste treatment facility.
- Co-Lead Counsel to a Canadian claimant in a case involving a former joint-venture partner's use of Czech bankruptcy proceedings to avoid responsibility for fraud and unjust enrichment that destroyed the claimant's investment.
- Co-Lead Counsel to a U.S. company in a NAFTA dispute arising from the discriminatory application of tax rules by a Canadian provincial government to its property holdings, which was successfully resolved prior to arbitration.
- Co-counsel to the Quechan Indian Band for its seminal *amicus* intervention in the Glamis Gold v. U.S.A. NAFTA arbitration.
- Co-Lead Counsel to a group of U.S. claimants in a DR-CAFTA arbitration against the Government of Costa Rica for its failure to pay compensation for expropriations of land located in an area that had been effectively transformed by judicial decisions into an environmental preserve for the ostensible benefit of sea turtles.
- Co-Counsel to claimants engaged in the gaming sector in Laos whose investments were subjected to acts of indirect expropriation by the Government of Laos.
- Co-Counsel to claimants engaged in the gaming sector in Laos for measures occurring after the (then) settlement of their original investment treaty claims, which included failure to recognize an award rendered by a foreign tribunal in a related proceeding against a former Lao-based co-venturer.
- Co-Counsel to claimants who were frustrated in their attempts to develop land located in Costa Rica by a combination of alleged corrupt acts and the dubious official exercise of applicable environmental rules.
- Co-Counsel to a large group of claimants from Mexico, Peru, Chile, and Canada in a collection of treaty claims for the failure of U.S. Securities and Exchange Commission regulators to provide them with "protection and security" from the infamous Stanford Ponzi Scheme.

- Co-Lead Counsel to U.S. claimants in an arbitration against the Government of Egypt involving unique interpretative issues related to legal principles such as *res judicata* and jurisdiction *ratione temporis*.
- Co-Lead Counsel to a U.S. claimant in an arbitration against the Government of Mexico involving allegations of abuse of authority with respect to the administration of customs regulations in the automotive industry.

As Expert Consultant:

- Advised claimant's counsel in a NAFTA dispute that arose from a government procurement process for the provision of postal services facilities in Canada, which was successfully resolved prior to arbitration.
- As an independent expert appointed by claimant, provided opinions concerning governmental treatment of duty-free retail investments in Moldova.
- Advised claimant's counsel in a NAFTA claim pursued by a major U.S. courier company against the Government of Canada for measures that unfairly favoured Canada Post over its competitors.
- Advised claimant's counsel in a NAFTA claim pursued by a Canadian steel manufacturer arising from the application of federal "Buy America" rules to a Virginia State highway interchange project.
- Provided an independent, expert opinion to one of the parties in an insurance dispute on appeal to the Supreme Court of Canada concerning the use of third-party discovery in international commercial arbitrations held in Canada.
- Advised the owners of North America's most successful border crossing on a variety of NAFTA disputes arising from treatment accorded to them by the Governments of Ontario and Canada.
- Advised claimants' counsel in an ICSID annulment proceeding involving the financial sector and the Government of Peru.
- Acted for a Canadian anti-smoking NGO in successfully convincing the Government of Uruguay not to settle a treaty claim brought against it by a major tobacco company.
- Unnamed member of the counsel team that obtained the largest-ever award rendered by a treaty tribunal to an individual, which was obtained from the Government of Egypt under its bilateral investment treaty with Italy.
- Advised claimants' counsel in claims brough under a combination of bilateral investment treaty and local foreign investment protection law arising from the indirect expropriation of an energy production facility.
- Advised a national association representing thousands of individuals engaged in the cross-border transportation industry between Mexico and the United States involving a dispute arising from NAFTA breaches established in an earlier State-to-State arbitration.
- Over a period of two years, advised a national investment authority maintained by a government located in the Middle East on a series of disputes arising under a variety of investment treaties.
- Advised claimant's counsel in a NAFTA arbitration against Mexico involving the telecommunications industry.
- Provided an independent, expert opinion to claimant's counsel in an enforcement proceeding pursued before a DC Federal Circuit Court.
- Advised claimant's counsel in a NAFTA dispute against Mexico involving the withdrawal of State subsidies originally promised to attract the establishment of a multi-billion-dollar investment.

- Advised claimant's counsel in a NAFTA dispute involving the revocation of building permits for already-constructed facilities, to satisfy political rather than legitimate regulatory objectives.
- Advised claimant's counsel in a NAFTA arbitration arising from political interference in an environmental regulatory process involving permits to exploit offshore mineral resources.
- Advising claimant's counsel in a NAFTA legacy claim being pursued by an agency of the Government of Alberta against the Government of the United States for President Biden's sudden and arbitrary revocation of the federal permit required for the operation of the Keystone XL Pipeline.

Academic & Professional Qualifications

Academic

Between 2000 and 2013 Todd held positions as visiting or adjunct professor at over a dozen US and Canadian law schools. He has lectured at many of the world's leading law schools and continues to act as an academic reviewer and referee upon request.

- In Progress ("ABD"): Ph.D. in History, University of Western Ontario, 2015-2020
- S.J.D. in Public International Law, University of Michigan, 2011
- LL.M. in International Investment Law, University of Michigan, 2002
- LL.M. in International Trade Law, University of Ottawa, 1998
- LL.B., University of Western Ontario, 1996
- M.A. in Public Policy & Foreign Relations, University of Western Ontario, 1993
- Hons. B.A. in Political Science (History Minor), University of Waterloo, 1992

Professional

- Barrister & Solicitor, Law Society of Upper Canada (Ontario), 1999-Present
- Government of Canada, Canadian Heritage Department, Trade Policy Unit, Policy Analyst, 1998-1999
- Federal Court of Canada, Clerk to Mr. Justice Howard Wetston, 1997-1998
- Ogilvy Renault LLP, Articled Law Clerk, 1996-1997
- Government of Canada, Treasury Board Secretariat, Policy Analyst and Consultant, 1994-1996
- Government of Canada, Seniors' Secretariat, Department of Health, Policy Analyst (Paid Co-op Placement), 1991
- Government of Canada, Customs and Revenue Agency, Tariff Administrator (Paid Co-op Placement), 1990 & 1991

Professional Associations

- Law Society of Upper Canada (now Ontario), Member, 1999 to Present
- Canadian Bar Association, Member, 1995 to Present, Ontario General Council Representative, 1997 to 1998, Executive Committee Member, International Law Section, 1998 to 2006. National Executive Committee Member, International Law Section, 2006 to 2007
- American Bar Association, International Law Section Member, 1999 to Present, Committee on International Trade Law Committee Vice Chair, 2004 to 2006, Committee on International Arbitration Executive Member, 2021 to Present
- American Society of International Law, Member, 2000 to Present, International Economic Law Section Executive Committee Member, 2003 to 2005, Annual Meeting Program Committee Member, 2012 to 2013
- International Law Association**,** Member, 2003 to Present and Member, Special Working Group on Foreign Investment, 2004 to 2006
- International Chamber of Commerce, Arbitration Committee, Member, 2003 to 2011, Named to Canadian Roster of Arbitrators in 2005, Taskforce on Investor-State Arbitration Member, 2010 to 2011, Taskforce on Disability and Inclusion in International Arbitration Co-Chair, 2022 to Present
- Young Canadian Arbitration Practitioners Organization, Founding Member, 2004 to 2008, Board of Directors, 2004 to 2007
- International Bar Association**,** Member, 2005 to Present
- British Institute of International and Comparative Law, Sponsoring Member of the Investment Treaty Forum, 2005 to 2011
- Society of International Economic Law, Founding Member, 2007 to Present, Corporate Director, 2007 to 2012 and 2022 to 2024
- Institute for Transnational Arbitration, Member, 2009 to Present, Academic Council Member, 2012 to 2016
- Fellow, Chartered Institute of Arbitrators, 2020 to Present
- Panel member of the International Centre for Appropriate Dispute Resolution and Prevention (Private) Limited (ICADRP).

Articles, Publications & Thought Leadership

Monograph

The Interpretation of International Investment Law: Equality, Discrimination and Minimum Standards of Treatment in Historical Context (Martinus Nijhoff: The Hague, 2013).

Volumes Published as Editor

- Investment Treaty Arbitration and International Law, vol. XVIII, with Kabir Duggal and Camilla Gambarini (New York: Juris, 2026).

- Investment Treaty Arbitration and International Law, vol. XVII, with Kabir Duggal and Camilla Gambarini (New York: Juris, 2025).
- Investment Treaty Arbitration and International Law, vol. XVI, with Kabir Duggal, Camilla Gambarini and Rekha Rangachari (New York: Juris, 2024).
- Investment Treaty Arbitration and International Law, vol. XV, with Kabir Duggal and Rekha Rangachari (New York: Juris, 2023).
- Investment Treaty Arbitration and International Law, vol. XIV, with Meriam Al Rashid, Kabir Duggal, Miriam Harwood, and Rekha Rangachari (New York: Juris, 2021).
- Investment Treaty Arbitration and International Law, vol. XIII, with Meriam Al Rashid, Kabir Duggal, Miriam Harwood, and Rekha Rangachari (New York: Juris, 2021).
- Investment Treaty Arbitration and International Law, vol. XII, with Meriam Al Rashid, Kabir Duggal, and Miriam Harwood (New York: Juris, 2019).
- Investment Treaty Arbitration and International Law, vol. XI, with Ian Laird, Borzu Sabahi, and Frédéric G. Sourgens (New York: Juris, 2018).
- Investment Treaty Arbitration and International Law, vol. X, with Ian Laird, Borzu Sabahi, and Frédéric G. Sourgens (New York: Juris, 2017).
- Investment Treaty Arbitration and International Law, vol. IX, with Ian Laird, Borzu Sabahi, and Frédéric G. Sourgens (New York: Juris, 2016).
- Investment Treaty Arbitration and International Law, vol. VIII, with Ian Laird, Borzu Sabahi, and Frédéric G. Sourgens (New York: Juris, 2015).
- Investment Treaty Arbitration and International Law, vol. VII, with Ian Laird, Borzu Sabahi, and Frédéric G. Sourgens (New York: Juris, 2014).
- Investment Treaty Arbitration and International Law, vol. VI, with Ian Laird, Borzu Sabahi, and Frédéric G. Sourgens (New York: Juris, 2013).
- Investment Treaty Arbitration and International Law, vol. V, with Ian Laird (New York: Juris, 2012).
- New Directions in International Economic Law: in Memoriam Thomas Wälde, with Freya Baetens (Martinus Nijhoff: The Hague, 2011).
- Investment Treaty Arbitration and International Law, vol. IV, with Ian Laird (New York: Juris, 2011).
- Investment Treaty Arbitration and International Law, vol. III, with Ian Laird (New York: Juris, 2010).
- Investment Treaty Arbitration and International Law, vol. II, with Ian Laird (New York: Juris, 2009).
- Investment Treaty Arbitration and International Law, vol. I (New York: Juris, 2008).
- International Investment Law and Arbitration: Leading Cases from the ICSID, NAFTA, Bilateral Treaties and Customary International Law (London: Cameron May, 2005).
- Investment Law and Arbitration: Past Issues, Current Practice, Future Prospects (New York: Transnational, 2004).

Editorial Positions

- Transnational Dispute Management Online, Maris Publishers, Associate Editor, 2004 to 2007, Transition Committee Member, 2008 to 2009, Deputy Editor, 2009 to 2010, Articles Editor, 2010 to Present
- Investmentclaims.com, Oxford University Press, Special Editorial Advisor and Board Member, 2007 to Present
- Global Arbitration Review, LBR Ltd, Editorial Board Member, 2005 to Present
- International Legal Materials, American Society of International Law, Corresponding Editor, 2003 to Present
- Brill Research Perspectives in International Investment Law and Arbitration, Editorial Board Member, 2017 to Present

Book Contributions

- "Combatting Protectionism and State Failures," in: Thomas Cottier & Krista Nadakavukaren, eds., Encyclopaedia of International Economic Law (Edward Elgar: Cheltenham, U.K., 2017).
- "Sovereign Wealth Funds and Bilateral Investment Treaties' New Models: Issues, New Trends and State Practice," with Elizabeth Whitsitt, in: Fabio Bassan ed., Research Handbook on Sovereign Wealth Funds and International Investment Law (Edward Elgar: Cheltenham, U.K., 2015).
- "Reflections on the First Time the United States of America Was Found Liable under NAFTA Chapter 11" in: B. Sabahi, N.J. Birch, I.A. Laird and J.A. Rivas, eds., Revolution in the International Rule of Law: Essays in Honor of Don Wallace, Jr. (Juris: New York, 2014) 369-398.
- "Who, Then, Shall Judge? The Interpretation of International Investment Agreements and the Rule of International Law" in: A. Rovine, ed., Contemporary Issues in International Arbitration and Mediation: The Fordham Papers, 2013, (Martinus Nijhoff: The Hague, 2014) 299-236.
- "A Historical Analysis of the Function of the Minimum Standard of Treatment in International Investment Law" in T. Weiler & F. Baetens, eds., New Directions in International Economic Law: in Memoriam Thomas Wälde (Martinus Nijhoff: The Hague, 2011) 335-382.
- "Standards of Treatment," with Ian Laird, in: P. Muchlinski, F. Ortino & C. Schreuer et al, eds., The Oxford Handbook of International Investment Law (Oxford: Oxford University Press, 2008) 259-304.
- "Expropriation" in P. Cane and J. Conaghan, The New Oxford Companion to Law (Oxford: Oxford University Press, 2008) 437-438.
- "Good Faith and Regulatory Transparency" in T. Weiler, ed., International Investment Law and Arbitration: Leading Cases from the ICSID, NAFTA, Bilateral Treaties and Customary International Law (London: Cameron May, 2005) 701-746.
- "Saving Oscar Chin" in T. Weiler, ed., International Investment Law and Arbitration: Leading Cases from the ICSID, NAFTA, Bilateral Treaties and Customary International Law (London: Cameron May, 2005) 557-598.
- "The Significance of NAFTA Chapter 11 for the Development of International Economic Law" in T. Weiler, ed., NAFTA Investment Law and Arbitration: Past Issues, Current Practice, Future Prospects (New York: Transnational, 2004).
- "Prohibitions on Discrimination in NAFTA Chapter 11" in T. Weiler, ed., NAFTA Investment Law and Arbitration: Past Issues, Current Practice, Future Prospects (New York: Transnational, 2004).

- "Interpreting Substantive Obligations in Relation to Health and Safety Issues" in T. Weiler, ed., NAFTA Investment Law and Arbitration: Past Issues, Current Practice, Future Prospects (New York: Transnational, 2004).
- “The Potential for Overlap in NAFTA Chapter 11 Obligations” in: K.C. Kennedy, ed., The First Decade of NAFTA: The Future of Free Trade in North America (New York: Transnational, 2004).
- "Causation and Damages in NAFTA Investor-State Arbitration," with Luis Miguel Diaz, in T. Weiler, ed., NAFTA Investment Law and Arbitration: Past Issues, Current Practice, Future Prospects (New York: Transnational, 2004).
- “Investment Arbitration under the Energy Charter Treaty in the light of new NAFTA Precedents: Towards a Global Code of Conduct for Economic Regulation,” with Thomas Wälde, in: Investment Treaties and Arbitration, G. Kaufmann-Kohler, ed. (Geneva: Swiss Arbitration Association, 2002).

Articles

- “WTO Dispute Settlement, Investor-State Arbitration and Investment Courts: Exploring Themes of State Power, Adjudication & Legitimacy,” with Elizabeth Whitsitt, 2 (2019) Dispute Resolution International 105.
- "St Mary’s VCNA, LLC v The Government of Canada: An Alleged Abuse of Rights is Revealed in Inadvertently Disclosed Documents, and Now Solicitor–Client Privilege has been Claimed: What is a NAFTA Tribunal to Do?" 30 (2015) ICSID Review 539.
- Treatment No Less Favorable Provisions Within the Context of International Investment Law: ‘Kindly Please Check Your International Trade Law Conceptions at the Door" 12 (2014) Santa Clara Journal of International Law 77.
- “Are United States Courts Receptive to International Arbitration?” with Heather Bray & Devin Bray, 27 (2012) American University International Law Review 869.
- “Methanex Corp. v. USA – Turning the Page on NAFTA Chapter Eleven?” 6 (2005) Journal of World Investment and Trade 903.
- “Balancing Human Rights & Investor Protection: A New Approach for a Different Legal Order” 27 (2004) Boston College International and Comparative Law Review 429.
- “Technology and International Trade: Will the Real Transformer Please Stand Up?” 2 (2003) Canadian Journal of Law and Technology 223.
- “NAFTA Article 1105 and the Principles of International Economic Law” 41 (2003) Columbia Journal of Transnational Law 35.
- “Foreign Investment in the United States: You Can’t Tell the Players without a Scorecard” 37 (2003) International Lawyer 279.
- “Dodging Bullets: A First Look at the Final Award in Loewen & the Loewen Group v. USA” 4 (2003) Journal of World Investment 659.
- “NAFTA Chapter 11 Jurisprudence: Coming Along Nicely” 9 (2003) Southwestern Journal of Law and Trade in the Americas 101.
- “The Treatment of SPS Measures under NAFTA Chapter 11: Preliminary Answers to an Open-Ended Question” 26 (2003) Boston College International & Comparative Law Review 229.

- "2002 In Review: From Expropriation to Non-Discrimination" Yearbook of International Environmental Law, Volume 12 (Oxford: Clarendon, 2003).
- "NAFTA Investment Law in 2001: As the Legal Order Starts to Settle, the Bureaucrats Strike Back" 36 (2002) International Lawyer 345.
- "Articulating New Standards of Regulatory Treatment in International Economic Law" 2 (2002) Business Law International 143.
- "Metalclad and the Government of Mexico: A Play in Three Parts" 2 (2001) Journal of World Investment 685.
- "A First Look at the Interim Merits Award in S.D. Myers Inc. and Canada: It Is Possible to Balance Legitimate Environmental Concerns with Investment Protection" 24 (2001) Hastings International and Comparative Law Review 173.
- "2000 in Review: Investor-State Dispute Settlement Gains Steam" 35 (2001) International Lawyer 363.
- "The Ethyl Arbitration: First of Its Kind and a Harbinger of Things to Come" 11 (2001) American Review of International Arbitration 187.
- "1999: The Dawning of a New Era in Investor-State Dispute Settlement" 34 (2000) International Lawyer 405.
- "Regulatory Reform Obligations in International Law" 34 (2000) Journal of World Trade 71.
- "The Minimum Standard of Treatment in International Law: Some Old Cases, Some New" 3 (2000) Canadian International Lawyer 207.
- Identifying, Implementing and Enforcing International Regulatory Reform Obligations: the Canadian Experience, Occasional Paper (Ottawa: Centre for Trade Policy and Law, 1999).
- "Application of the Federal Regulatory Policy to Regulatory Decision-Making: The Curious Case of the 1995 PCB Waste Export Interim Order" 4 (1999) Canadian Journal of Environmental Law and Practice 181.
- An Assessment of the Prospects for Trade Liberalization in APEC, with Michael Hart (Ottawa: Senate of Canada / Centre for Trade Policy and Law, 1997).
- "Independence, Impartiality and the Ontario Social Assistance Review Board" 12 (1997) Journal of Law and Social Welfare 178.
- "Professional Self-Regulation & Federal Competition Policy: The Calarco Case" 2 (1997) Windsor Review of Legal & Social Issues 119.
- "Curial Deference & NAFTA Chapter 19: Is What Is Good for the Goose, Good for the Gander?" 1 (1995) Journal of International Legal Studies 83.
- "The Consultation Requirement in Regulatory Reform: Looking at the Regulatory Efficiency Bill" 8 (1995) Canadian Journal of Administrative Law & Practice 101.
- "Sure It Has Feathers, But Is It a Duck?" 42 (1994) Canadian Tax Journal 1168.

Directories, Recognitions & Awards

Professional:

- Recognised by Who's Who Legal as one of the world's leading practitioners in international arbitration, 2007 to 2022
- Recognised by Lexology as a Thought Leader in international arbitration since 2023
- Solo practice included on the Global Arbitration Review's "GAR 100" list of the world's leading arbitration law firms, 2011-2021
- Named by the Global Arbitration Review to its inaugural list "45 Under 45" list, 2007