



e: ylli.dautaj@derjuridik.se

m: +46 70 989 00 78

a: Kammarkargatan 48, Stockholm

# Ylli Dautaj

Managing Partner

## Areas

Highly qualified lawyer who represents both Swedish and international clients in Dispute Resolution and Arbitration.

## Education

University of Edinburgh, UK - Ph.D. Candidate, Law • present  
Cross-institutional supervision with the University of Glasgow

Penn State Law, US - LL.M.

Research assistant, Professors Jud Mathews, Daniel Behn, and Anne T. Mckenna

University College Cork, Ireland - LL.B.

Editor, Cork Online Law Review

Uppsala University, Sweden - LL.M.

## Professional Experience

DER JURIDIK – Co-Founder and Managing Partner - 2018-

ORIMLIGHYRA.SE – Co-Founder - 2017-

FRIED FRANK HARRIS SHRIVER & JACOBSON, UK – Summer intern -2019

BYRÅN DAUTAJ&DAUTAJ – Public Counsel – 2016-2018

HOLOHAN LAW, IRELAND – Trainee – 2015-2016

REPUBLIC OF KOSOVO 'S EMBASSY, SWE – Internship – 2013-2014

VISITING EDITOR, Bologna Law Review – 2018-2020

## Academic Adjunct

Uppsala University, Sweden

Visiting Lecturer - January 2020-

Visiting Researcher - 2019 – 2020

Indian Institute of Corporate Affair, Graduate Insolvency Programme, India Eminent Faculty - July 2019-

## Academic Appointments

Kluwer Arbitration Blog  
Editor - November 2019-

Jindal Global University, Law School, India  
Lecturer - 2020  
Senior Research Associate - 2019

Nirma University, Institute of Law, India  
Visiting Assistant Professor of Law – 2018-2019

## Academic Visits

Örebro University, Sweden  
Visiting Lecturer - February 2018 & November 2019 – January 2020

Narxoz University, Kazakhstan  
Visiting Lecturer - December 2019

Gujarat National Law University, India  
Visiting Lecturer • March 2019

## Books & Articles

Covid-19 Arbitral Practice: Use, Misuse, and Abuse (book chapter) In Emerging Trends in International Arbitration, in THOMSON REUTERS (forthcoming) (with Per Magnusson and Alban Dautaj).

Between Backlash and the Re-Emerging “Calvo Doctrine”: Investor State Dispute Settlement in an Era of Socialism, Protectionism, and Nationalism, in NW.J. INT'L L. & BUS. (forthcoming Vol. 41) (with Rebecca Sahlin Karlsson).

China’s broken promises and diplomatic grandstanding with respect to the 2004 UN Convention on State Immunity, in CZECH YEARBOOK OF PUBLIC & PRIVATE INTERNATIONAL LAW (forthcoming 2020).

Jurisdictional Immunities and Certain Iranian Assets: Missed Opportunities for Defining Sovereign Immunity at The International Court of Justice, in CORNELL INT'L LJ. (forthcoming in Vol. 53) (with William F. Fox).

Sovereign Immunity from Execution of Foreign Arbitral Awards: Sweden’s Liberal and Pragmatic Contribution, in STOCKHOLM ARBITRATION YEARBOOK (forthcoming in Vol. 2, 2020).



AI in International Arbitration: The Need for a Human Touch, in J. DISP. RESOL. (forthcoming in 2020) (with Derick H. Lindquist).  
Henry Schein v. Archer & White Sales: Justice Kavanaugh Picking Low-Hanging, Pro-Arbitration Fruit While Side-Stepping the Crux of the Matter, in DISP. RES. J. (forthcoming in Vol. 75, ISSUE 1, 2020) (with William F. Fox).

The Rise of AI: Machine Arbitrators vs. Human Imperfection, in BOCCONI LEGAL PAPERS (n. 14, 2020) (with Derick H. Lindquist).

Investors, States, and Arbitrators in the Crosshairs of International Investment Law and Environmental Protection, in BRILL RESEARCH PERSPECTIVES (BRILL, 2020) (with Dr. Crina Baltag).

Immunity From Suit for International Organizations: The Judiciary's New Quest of Separating Lawsuit Sheep from Lawsuit Goats, in IND. J. GLOBAL LEGAL STUD. (Vol. 27.2, 2020).

Enforcing Arbitral Awards Against States and the Defense of Sovereign Immunity from Execution, in MANCHESTER J. INT'L ECONOMIC LAW (2019).

The Life of Arbitration Has Been Experience, not Logic: Gorsuch, Kavanaugh, and the Federal Arbitration Act, in CARDOZO. J. CONFLICT RESOL. 1 (2019) (with William F. Fox).

New Prime Inc. v. Oliveira: Are the judicial pronouncements no longer superior and the text in the Federal Arbitration Act inferior?, in DIRITTO COMMERCIO INTERNAZIONALE (2019) (with William F. Fox).

Provisional Measures in Investor-State Arbitration: States Playing Games in Local Courts by Invoking the Trump Card (Police Powers), in BOL. L. REV. (2019) (with Bruno Gustafsson).

Dissenting Opinions in Investment Treaty Arbitration: The Investment Court System, in U. C. DUBLIN. L. REV. (2017).

Arbitrators Facing Money Laundering: Between Scylla and Charybdis, YOUNG. ARB. REV. (2017).

ITA: The MFN Clause and its Procedural Extension – A Case Study of the RosInvesco Case, The MFN clause in light of treaty interpretation, in YOUNG. ARB. REV. (2017).



### Reviews and shorter pieces

Book Review, ICSID REV. (forthcoming 2021) (reviewing FLAVIA MARISI, ENVIRONMENTAL INTERESTS IN INVESTMENT ARBITRATION & XU OIAN, WATER SERVICES DISPUTES IN INTERNATIONAL ARBITRATION (2020).

Sweden: Investor-State Arbitration Laws and Regulations 2021, in INTERNATIONAL COMPARATIVE LAW GUIDE (forthcoming Vol. 2021).

OGEMID Seminar on Artificial Intelligence in International Arbitration, TRANSN'L. DISP. MANAGEMENT (2020) (with William F. Fox).

### Commentary

ECT Modernization Perspectives: Reforming the Fair and Equitable Treatment Protection, KLUWER ARBITRATION BLOG (forthcoming July. 22, 2020) (with Per Magnusson).

Turkey and Libya: Full Protection and Security or (Gunboat)Diplomacy?, KLUWER ARBITRATION BLOG (May. 1, 2020) (with Rebecca Sahlin Karlsson).

The ICSID Reforms and Working Paper 4: Push or Pull?, KLUWER ARBITRATION BLOG (March. 13, 2020) (with Éсме Shirlow).

Roll Out the Red Carpet: The Hague Rules on business and Human Rights are Finally Here!, KLUWER ARBITRATION BLOG (December. 26, 2019).

The Binding Nature of Provisional "Recommendations" in ICSID Arbitration, KLUWER ARBITRATION BLOG (June. 26, 2018) (with Bruno Gustafsson).

Sovereign Immunity From Execution – Caveat Emptor, KLUWER ARBITRATION BLOG (June. 4, 2018).

The Act is not the entire story: How to make sense of the U.S. Arbitration Act, KLUWER ARBITRATION BLOG (April. 4, 2018).

Third-Party Funding: Enforcement as a Cornerstone in the Funding Calculus, KLUWER ARBITRATION BLOG (December. 9, 2017) (with Bruno Gustafsson and Alban Dautaj)

Access to Justice – Rebalancing the Third-Party Funding Equilibrium in ITA, KLUWER ARBITRATION BLOG (November. 18, 2017) (with Bruno Gustafsson)



## Conferences Organized

- Dispute Settlement Discussion Group, University of Edinburgh, Edinburgh, UK, Expert Lecture on Sovereign Immunity from Execution of Foreign Arbitral Awards by Professor. Dr. Kaj Hobér
- Centre for ADR, Institute of Law, Nirma University, Ahmedabad, India, International Seminar on Transnational Litigation
- Centre for ADR, Institute of Law Nirma University, Three Day Workshop, Ahmedabad, India, International Commercial Arbitration: Contemporary Issues
- Panel discussion with Prof. Thomas Carbonneau and Prof. Catherine Rogers, Penn State Law International Arbitration Group, State College, US, The U.S. Supreme Court's role in (re)shaping international commercial arbitration

## Conferece Contributions (Selected)

- Panel Speaker, National Research University of Higher School of Economics, Moscow, Russia, Jurisdictional Immunities of States and Their Property: Emergence of New International Customary Law Rules
- By whom?
- Panel Speaker, Queen Mary University of London, UK, Centre for Commercial Law Studies, Future Challenges of International Arbitration
- Panel Speaker, Institute of Law, Nirma University, Ahmedabad, India, International Seminar on Transnational Litigation
- Guest Lecture, Lloyd Law School, Delhi, India, Contemporary Criticism of International Arbitration: EU and Trump
- Panel Speaker, Younger Comparativists Committee of the American Society of Comparative Law, Case Western Reserve Conference, Cleveland, US, Legitimacy in the International Legal Order
- CPD Speaker, Chartered Institute of Arbitrators, Irish Branch, Dublin, Ireland SCC Emergency Arbitration Rules

## Honors and Fellowships

Scottish Graduate School for Arts & Humanities Awardee (only law student that year)

Full Scholarship from the Pennsylvania State University



Authorized "Public Counsel" by the Swedish Migration Agency

Diploma in International Crisis Management, Swedish Defence University

Swedish International Development Agency, Minor Field Studies Recipient (Kosovo)

Erasmus Scholarship for studies abroad (Turkey)

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