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## Position

Managing Partner

## Education

PhD, University of Edinburgh, 2023

LL.M., Penn State Law, 2018

LL.B., University College Cork, 2017

LL.M., Uppsala university, 2015

## Service areas

Arbitration and Litigation, Commercial Agreements, Public International law

## Summary

Ylli Dautaj is Managing Partner and his main practice areas include Arbitration and Litigation, Commercial Agreements, and Public International law.

## Professional experience

DER Juridik AB 2019 -  
Managing Partner

Orimlig Hyra i Sverige AB 2017 -  
Co-Founder and Owner

Penn State Law, US 2017 – 2018  
Research Assistant

Byrå Dautaj&Dautaj 2016 - 2018  
Public Counsel

## Illustrative experience

### International Arbitration

- Experience from arbitration (expedited, regular, and investor-state) pursuant to SCC, FAI, ICC, LCIA, and ICSID
- Represented clients in matters stemming from IT-agreements, e.g. outsourcing
- Represented clients in matters of loss of business due to breaches of prolongation clauses and disloyal pre-negotiation omissions
- Represented clients in parts of investor-state arbitration matters, e.g., dealing with fair and equitable treatment, most-favored nation treatment, etc.
- Represented multiple clients in shareholders' and JV-disputes
- Represented clients in post-M&A disputes
- Represented clients on jurisdictional objections (investment and commercial arbitration)
- Represented clients in post-award proceedings (set-aside and enforcement)
- Represented SOEs in an investment arbitration matter regarding indirect expropriation, discrimination, and breaches of fair and equitable treatment, energy international commercial arbitration matter, nuclear infrastructure and JV-dispute, etc.

### Commercial Litigation

- Represented investors in case against state for loss of investment
- Represented clients in shareholders' disputes
- Represented shareholders in cases against the limited liability company or against the members of the board of directors and/or CEO
- Represented multiple clients in cases of loss of business due to transfer of corporate secrets or equivalent
- Represented multiple clients in cases damages due to failed or delayed services, delivery, construction, or unsatisfactory goods (quality and quantity)
- Represented clients in post-M&A disputes
- Represented clients in disputes stemming from acquisition of real estate
- Represented various contractors in construction matters
- Represented clients in enforcement/execution matters against private enterprises as well as sovereign states

### Commercial Agreements

- Represented biotech companies and tech scale-up in negotiating and drafting commercial agreements (e.g., NDA, MTA, JV-Agreements, R&D, Collaboration Agreements, License Agreements, etc.)

### **Academic experience**

Brunel University London, UK Lecturer	Incoming June 2023
Durham University, Law School, UK Teaching fellow	2022 -
Pennsylvania State University, Penn State Law, US Adjunct Professor	2021 -
Uppsala University, Law School, Sweden Adjunct Faculty	2019 -
Liverpool John Moores, UK Sessional Lecturer	2023 -
Jindal Global University, Law School, India Lecturer and Senior Research Associate	2019 & 2020
Nirma University, Institute of Law, India Assistant Professor of Law	2018 - 2019

### **Other academic work**

Maharashtra National Law University, India Visiting Faculty	2022 -
Indian Institute of Corporate Affairs, India Foreign Faculty	2019 -
Nackademin YH, Sweden Lecturer in Law at School of Engineers	2020 -

### **Publications**

**International Commercial Agreements and Electronic Commerce**, in KLUWER LAW INTERNATIONAL (*forthcoming* 7<sup>th</sup> Edn. in 2023) (with William F. Fox).

**Enforcing Arbitral Awards Against States and the Defense of Sovereign Immunity from Execution: A U.S. Perspective**, in PENN STATE JOURNAL OF LAW & INTERNATIONAL AFFAIRS (2023).

**Sovereign immunity from execution of foreign arbitral awards in India: The “New” Kid on the (Super) Pro-Arbitration Block**, in GNLU LAW REVIEW (2023).

**Digital Hearings – Civil Procedure and Arbitration**, in NORSTEDTS JURIDIK (2022) (eds. Mika Savola, Bruno Gustafsson, and Rolf Åbjörnsson).

**The ICSID Convention and Sovereign Immunity Laws: Federal Court of Australia Dealing with a Supposed 'Zombie Judgment**, in THE INTERNATIONAL LAWYER (2022).

**Enforcing Arbitral Awards Against States and the Defense of Sovereign Immunity from Execution in Sweden**, in JURIDISK TIDSKRIFT (Vol. 4, 2021/22).



**A Liberal Push and the Sovereign Pull: Recognition, Enforcement, and Execution in the ICSID Convention**, in AM. REV. OF INTERNATIONAL ARBITRATION (2022) (with Maxime Chevalier).

**Digital Expedited Arbitration: Can a world exist where digital expedited arbitration becomes the default procedure?** (book chapter) In Digital Hearings – Civil Procedure and Arbitration, in NORSTEDTS JURIDIK (2022) (with Sarah van der Stad).

**Express Dispute Assessment: A Much Welcomed Form of Early Neutral Evaluation at the Stockholm Chamber of Commerce**, HOFSTRA. J. INT'L BUS. & L. (2022) (with William F. Fox).

**The Role of Domestic Procedural Rules in Setting the Scope for the Prayers for Relief in an International Commercial Arbitration with a Swedish Seat**, in 11:1 THE INDIAN JOURNAL OF ARBITRATION LAW (2022).

**Sweden: Investor-State Arbitration Laws and Regulations 2021**, in INTERNATIONAL COMPARATIVE LAW GUIDE (2022) (with Rolf Åbjörnsson).

**Between Backlash and the Re-Emerging “Calvo Doctrine”: Investor State Dispute Settlement in an Era of Socialism, Protectionism, and Nationalism**, in 41:3 NORTHWESTERN. J. INT'L L. & BUS. (2021).

**Promoting, Regulating, and Enforcing Human Rights through International Investment Law and ISDS**, in 45:1 FORDHAM INT'L L.J. (2021) (with Crina Baltag).

**(Covid-19) Arbitral Practice: Lessons We Have Learned the Hard Way**, 54:4 CREIGHTON L. REV. (2021) (with Bruno Gustafsson).

**Fragmentation and Judicialization of International Arbitration: Expedited Arbitration and the “Arbitral Trial”**, 13 PENN STATE ARBITRATION LAW REVIEW (2021).

**Jurisdictional Immunities and Certain Iranian Assets: Missed Opportunities for Defining Sovereign Immunity at The International Court of Justice**, in 53 CORNELL INT'L L.J. (2021) (with William F. Fox).

**Does a Right to a Physical Hearing Exist in International Arbitration? Chapter on Sweden** (2021) (with Per Magnusson), James Hosking, Yasmine Lahlou, and Giacomo Rojas Elgueta (eds.), in INTERNATIONAL COUNCIL FOR COMMERCIAL ARBITRATION (2021).

**The forgotten (or hidden) party perspective in the right to a physical arbitration hearing – expectations, perceptions, and higher (judicial) values**, in JURIDISK TIDSKRIFT (Vol. 1, 2021/22).

**Sweden: Investor-State Arbitration Laws and Regulations 2021**, in INTERNATIONAL COMPARATIVE LAW GUIDE (2021) (with Per Magnusson).

**Etrak v. Libya: The long story told short**, LE LEY MEDIACIÓN Y ARBITRAJE (2021).

**AI in International Arbitration: The Need for a Human Touch**, in J. DISP. RESOL. (Vol. 2021, Issue 1) (with Derick H. Lindquist).

**Part 1: Insolvency and arbitration – stuck somewhere between party autonomy and non-arbitrability**, in 6:4 INSOLVENSÄTTSLIG TIDSKRIFT (2021).

**An SCC Perspective: What happens when the expedited arbitration provisions are no longer practical?** in JURIDISK TIDSKRIFT (Vol. 3, 2020/21) (with



Per Magnusson).

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

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

**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 (2020).

**Henry Schein v. Archer & White Sales: Justice Kavanaugh Picking Low-Hanging, Pro-Arbitration Fruit While Side-Stepping the Crux of the Matter**, in 75:1 DISP. RES. J. (2020) (with William F. Fox).

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

**Immunity From Suit for International Organizations: The Judiciary's New Quest of Separating Lawsuit Sheep from Lawsuit Goats**, in 27:2 INDIANA. J. GLOBAL LEGAL STUD. (2020).

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

**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 BOLOGNA 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. (2016)

