

# MICHAEL WAIBEL

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## EMPLOYMENT

<b>University of Cambridge</b> , Cambridge, UK: University Senior Lecturer in International Law Appointed until retirement/tenure, April 2015 University Lecturer, 2012-2015 (promoted to Senior Lecturer in October 2015) Co-Deputy Director, Lauterpacht Centre (October 2014-) Fellow and Director of Studies, Jesus College (October 2012-)	2012-
<b>University of Cambridge</b> , UK: <i>British Academy Postdoctoral Fellow</i>	2008-2011
<b>University of St. Gallen</b> , Switzerland: <i>Schmidheiny Visiting Professor in Law and Economics</i>	2010-2011
<b>Clifford Chance LLP</b> , London, UK, Capital Markets: <i>Intern</i>	July 2007
<b>World Bank</b> , Washington D.C.: <i>Economist</i>	2005-2006
<b>International Monetary Fund</b> , Washington D.C.: <i>Fund Intern</i>	Summer 2005
<b>European Central Bank</b> , Frankfurt, Germany: <i>Trainee</i>	Summer 2004
<b>Vogel &amp; Vogel</b> , Paris, France: <i>Intern</i>	August 2003
<b>Military Service</b> , Vienna, Austria	1999-2000

## EDUCATION

<b>Harvard Law School</b> , Cambridge, MA: <b>LL.M.</b>	2007-2008
<b>Universität Wien</b> , Vienna, Austria: <b>Dr. iur.</b> (with distinction)	2004-2008
<b>London School of Economics</b> , London, UK: <b>MSc in Global Market Economics</b> (with distinction)	2003-2005
<b>Universität Wien</b> , Vienna, Austria: <b>Mag. iur.</b>	2000-2003
<b>Université Panthéon-Assas Paris II</b> , Paris, France: <i>Erasmus exchange student</i>	2002-2003

## TEACHING EXPERIENCE

### 2008 – present, Faculty of Law, Cambridge

European Union Law (BA) (2012-2016); International Law (BA) (2012-2016; 2018-); Select Issues in International Law (BA) (2015-2016); International Investment Law (LLM) (2015-2016; 2018-); Settlement of International Disputes (LLM) (2012-2015); The Law of the World Trade Organization (LLM) (2008-2014); Foundations of International Law (LLM) (2013-2015); Philip C. Jessup International Moot Court Competition (LLM) (2013-2014).

Supervisions in International (2008-2009; 2012-2016; 2018-); European Union Law (2008-2010; 2014-2016; 2018-); Contract Law (2012-2015).

#### 2010-2011, St. Gallen

Legal Methods; International Economic Law; Regime Theories in International Relations; Workshop in Law and Economics; Workshop in Law and Finance

#### 2007-2008 Harvard College, Economics Department

Globalization and History, Teaching Assistant to Professor Jeffrey Williamson; Junior Seminar on Sovereign Debt Crises

#### 2004-2005; 2005-2006, London School of Economics, Economics Department

Economic Analysis of the European Union, Teaching Assistant to Professor Francesco Caselli

### **PRIZES AND AWARDS**

2018-2019 Turing Fellowship, Turing Institute, London  
2014-2018 Leverhulme Prize (£100,000) (recognizing “the achievement of early career researchers whose work has already attracted international recognition and whose future career is exceptionally promising”)  
2014 British Academy Rising Star Award (to mentor early-career researchers in empirical research)  
2012 Biannual Book Prize of the European Society of International Law  
2009 Diploma in Public International Law, Hague Academy of International Law  
2008-2011 Postdoctoral Fellowship, British Academy, ‘Sovereign Insolvency in International Law’ (£289,000)  
2008 Bok Award for Teaching Excellence, Harvard University, Department of Economics  
2008 Francis Déak Prize, American Society of International Law  
2006-2007 DOC Scholarship, Austrian Academy of Sciences (£20,000)

### **VISITING APPOINTMENTS**

Winter and Spring 2019 Harvard Law School, Nomura Visiting Professor of International Financial Systems: European Union Law and Policy; International Investment Law and Arbitration  
April-July 2017 WilmerHale, London, Litigation and Controversies Department, Scholar-in-Residence  
October 2016 University of Vienna, Austria, Visiting Professor: Sovereign Debt Crises  
March 2013 Vanderbilt Law School, Nashville, Visiting Professor: WTO Law

### **OTHER PROFESSIONAL SERVICE**

General Editor, *ICSID Reports* (Cambridge University Press, with Prof. Jorge Vinuales) (2019-)

International Law Association, Study Group on Sovereign Insolvency, Co-Rapporteur (2008-2016); Chair (2017-)

Director of Studies, Hague Academy of International Law, Centre for Studies and Research (2013)

External Examiner: University of Glasgow, Faculty of Law (2013-2018); University College London, Faculty of Law (2016-2019)

Summer courses: Austrian Arbitration Academy (2017; 2018); Munich Advanced Course in International Law (2015); Helsinki Summer Seminar (2014)

Jessup International Law Moot Court Competition, Judge 2007-; Board Member (2017-), International Law Students Association

Assistant to four arbitral tribunals, International Centre for the Settlement of Investment Disputes and Permanent Court of Arbitration (2010-)

Consultant: World Bank (2006-2012); UNCTAD (2011-2013); United Nations (2016); UK Department for Business, Innovation & Skills, (2013); UK Foreign and Commonwealth Office (2017-2018)

## **ORGANISATION OF SCIENTIFIC MEETINGS**

- 2019 American Law and Economics Association, Area Organizer for “International Law (public and private); International Trade”,
- 2018 Programme Committee, American Society of International Law Annual Conference
- 2017 Symposium, ‘Eli Lauterpacht – A Celebration of his Life and Work’, Lauterpacht Centre
- 2017 Workshop, ‘Authority in International Dispute Settlement’, Lauterpacht Centre
- 2015 Workshop, ‘Empirical International Law’, Lauterpacht Centre
- 2014 Conference, ‘The crisis of the euro and of the banking sector at the European periphery’, Cyprus
- 2012 Workshop, ‘The Political Economy of International Investment Law’, LSE
- 2008 Conference, ‘The Backlash against Investment Arbitration’, Harvard Law School

## **INSTITUTIONAL RESPONSIBILITIES**

Cambridge Faculty of Law: LLM Deputy Director (2012-2014); Academic Committee (2012-2016); Harvard Link Coordinator (2012-2016; 2018-); Faculty Advisor, Jessup Moot Court Competition (2012-); Board Member, Cambridge Pro Bono Project (2011-2016).

Lauterpacht Centre for International Law: Co-Deputy Director (2014-); Academic Programme Director, Executive Education Course in International Investment Law and Arbitration (2018-); Organizer of Research Seminar (2009-2014); Member of the Committee of Management (2012-).

Jesus College: Director of Studies in Law (2012-); Finance Committee (2014-2016; 2018-); Board Member, China Centre (2016-); Development and Junior Research Fellowship Committees (2013-2016).

### Examining

Contemporary Issues in EU Law (2011-2012); Law of the World Trade Organization (2008-2014); Settlement of International Disputes (2011-2015); Foundations of International Law (2013-2014); Philip C. Jessup International Law Moot Court Competition (2013-2014); Select Issues in International Law (2015-2016); International Investment Law (2015-2016; 2018-2019); International Law Tripos (2015-2016; 2018-2019); Corporate Tax Law (2018-2019).

### PhD Examinations

- 2012- Internal Examiner for 10 PhD theses, University Cambridge
- 2012- External Examiner for five PhD theses at King’s College London, Queen Mary London (2x), University of Sydney and Graduate Institute, Geneva

## **SUPERVISION OF GRADUATE STUDENTS**

Supervision of 14 PhD students (9 graduated, 5 current), and more than 40 LLM theses

1. Jean Ho, ‘State Responsibility for Breaches of Investment Contracts’, October 2011-December 2014. First appointment: Assistant Professor, National University of Singapore.
2. Eirik Bjorge, ‘Evolutionary Interpretation in International Law, 2011-2014, Secondary Supervisor at the University of Oslo. First appointment: Junior Research Fellow at the University of Oxford. Current: Professor, University of Bristol.
3. Dan Peat, ‘Comparative Law as an Interpretive Aid in International Law’, October 2012-January 2016. First appointment: Clerk, ICJ; Current: Assistant Professor at the University of Leiden.
4. Ravinder Singh, ‘Taxation and International Investment Law’, October 2012-May 2017, Graduated with MLitt.

5. Hayk Kupelians, 'Sovereign Defaults before English Courts, October 2012-June 2016, (co-supervision with Richard Fentiman). First appointment: Lecturer, Cambridge; Current: Associate, Cleary Gottlieb, London, UK.
6. Gabriel Bottini, 'Admissibility in Investment Arbitration: Standing, Causes of Action, and Damages', January 2013-March 2017. Current: Partner, Uría Menendez, Madrid, Spain.
7. David Puztai, 'Causation in the Law of State Responsibility', October 2013-January 2017. Current: Associate, Quinn Emmanuel, London, UK.
8. Sondre Torp Helmersen, 'Sources of International Law: The Use of Scholarship by International Courts and Tribunals', October 2014-February 2018, Secondary Supervisor, University of Oslo: First appointment: Lecturer, Inland Norway University of Applied Sciences, Lillehammer, Norway.
9. Emilija Leinarte, 'The European Union as a New Player in Investment Dispute Settlement: Questions of International Responsibility', October 2014-February 2019. First appointment: Postdoctoral Fellowship, University of Cambridge.
10. Ridhi Kabra, 'Multiparty Investment Arbitration', October 2015-, First appointment: Lecturer, University of Bristol.
11. Astrid Iversen, 'Burden Sharing in Sovereign Debt Restructurings', October 2015-, Secondary Supervisor, University of Oslo.
12. Damien Charlotin, 'Text-as-Data Applied to International Courts and Tribunals', October 2016-
13. Bruno Gelinas-Faucher, 'The Content and Implementation of State Responsibility Towards Non-State Actors', October 2017-
14. Catherine Drummond, 'The Notion of Breach of International Law', October 2018-

## COMMISSIONS OF TRUST

- 2012- Editorial Board Member: *Cambridge Journal for International and Comparative Law* (2012-), *Journal for International Dispute Settlement* (2013-2015), *ICSID Review* (2015-); ESIL Book Series (2017-)
- 2013- Reviewer: Austrian Academy of Sciences, British Academy, UK Economic and Social Research Council, Junior Research Fellowships for various Cambridge and Oxford colleges
- 2009- Peer review: CUP, OUP, Hart, Polity, Routledge, *American Journal of International Law*; *Asian Journal of International Law*, *British Yearbook of International Law*, *European Journal of International Law*, *European Law Review*, *International and Comparative Law Quarterly*, *Leiden Journal of International Law*, *Journal of Empirical Legal Studies*, *Journal of World Investment & Trade*, *Public Budgeting & Finance*; *European Law Review*.

## PUBLICATIONS

### BOOKS

*Global Financial Crises and International Law* (Recueil des Cours – Centre for Studies and Research, Hague Academy of International Law (2019 forthcoming))

*The Political Economy of the International Investment Regime* (Oxford University Press, 2017, with Jonathan Bonnitcha and Lauge Poulsen)

*Sovereign Defaults before International Courts and Tribunals* (Cambridge University Press, 2011)

*Making Transnational Law Work in the Global Economy: Essays in Honor of Detlev Vagts* (Cambridge University Press, 2010) (editor, with Pieter Bekker and Rudolf Dolzer)

*The Backlash against Investment Arbitration* (Kluwer Law International, 2010) (editor, with Claire Balchin, Asha Kaushal, Kyo-Hwa Chung)

## ARTICLES

‘The Icarus Syndrome: How Credit Rating Agencies Lost their Quasi-Immunity’, (2018) 71 *Southern Methodist University Law Review* (with Norbert Gaillard), 1077-1116

‘To formalize or not to formalize: creditor–debtor engagement in sovereign debt restructurings’, (2018) 13 *Capital Markets Law Journal*, 452–466

‘Putting the MFN Genie Back in the Bottle’ (2018) *AJIL Unbound* 60-63

‘Brexit and Acquired Rights’ 111 (2018) *AJIL Unbound* 440-444

‘Eurobonds: Legal Design Features’, (2016) 12 (3) *Review of Law and Economics*, 635–657

‘Fair and equitable treatment and judicial patent decisions’, (2016) 19 *Journal of International Economic Law* (with Kathleen Liddell), 145-174

‘Steering sovereign debt restructurings through the CDS quicksand’, (2014) 15 *Journal of Banking Regulation* 14-40

‘Demystifying the art of interpretation’, (2011) 22 *European Journal of International Law* 571-588

‘Opening Pandora’s Box: Sovereign Bonds in International Arbitration’ (2007) 101 *American Journal of International Law* 711-759 (2007 Francis Déak prize der American Society of International Law), Spanish translation published as ‘La Caja De Pandora: Los Títulos De Deuda Pública En El Arbitraje Internacional’, *Res Publica* (Argentina), 2011-1, 125-184

‘Two worlds of necessity in ICSID arbitration: CMS vs. LG&E’ (2007) 20 *Leiden Journal of International Law* 637-648, republished in August Reinisch (Eds.) *Classics in international investment law* (Edward Elgar 2014), Vol. II

‘Debt relief to poor countries: Rules v. Discretion’, *Butterworths Journal of International Banking and Financial Law*, Mai 2010, 295-297

‘Elusive Certainty - Implications of *Donegal v. Zambia*’, 2007 *International Financial Law Review* 31-34

‘Staatliche Symbole und Meinungsfreiheit am Beispiel der Flaggenverbrennung’ [in German, State Symbols and Freedom of Speech: The Case of Flag Burning], 2004 (4) 67 *Österreichisches Anwaltsblatt* 212-215

## BOOK CHAPTERS

‘The Origins of Interpretive Canons in Domestic Legal Systems’ in J. Klingler Joseph, Y. Parkhomenko and C. Salonidis (eds), *Between the Lines of the Vienna Convention? Canons and Other Principles of Interpretation in Public International Law* (Wolters Kluwer 2018), 25-46

‘The Principle of Privity’ in D. Kritsiotis and M.J. Bowman (eds.), *Conceptual and Contextual Perspectives on the Modern Law of Treaties* (Cambridge University Press 2018), 201-236

‘Extradition’ in R. Grote, F. Lachenmann and R. Wolfrum (eds.) *Max Planck Encyclopaedia of Comparative Constitutional Law* (2018) (with Trina Malone)

‘Counterclaims in International Law’ in R. Pezzot and S. Gonzalez Napolitano (eds), *La solución de controversias en derecho internacional y temas vinculados Liber Amicorum Alejandro Turyn* (Eudeba 2017), 283-304 (with Jake Rylatt)

‘State Liability in the EEA’ in Baudenbacher Carl (ed), *The Fundamental Principles of EEA Law: EEA-ities* (Springer 2017) (with Fiona Petersen)

‘Mavrommatis Palestine Concessions (Greece v Great Britain) (1924 – 27)’ in E. Bjorge and C. Miles (eds), *Landmark Cases in Public International Law* (2017), 33-59

‘Monetary Policy in the EU: An Exclusive Competence Only in Name?’ in S. Garben and I. Govaere eds), *The Division of Competences between the EU and the Member States: Reflections on the Past, the Present and the Future* (Hart 2017)

Sovereign Bonds: Internationalization and Partial Privatization’ in Audit Mathias and Schill Stephan W. (eds), *Transnational Law of Public Contracts* (Bruylant 2016)

‘Arbitrator Selection: Towards Greater State Control’ in Kulick Andreas (Eds.), *Reassertion of Control over the Investment Treaty Regime* (Cambridge University Press 2016)

‘International Rules of Interpretation: Developed for and Applied by National Courts?’ in G Nolte and H Aust (Eds.), *Interpretation of International Law by Domestic Courts: Converging Approaches?* (OUP 2016)

‘The Rise and Fall of Trade and Monetary Legal Orders: From the Interwar Period to Today’s Global Imbalances’ in Mallard Grégoire and Sgard Jérôme (eds), *Contractual Knowledge: One Hundred Years of Legal Experimentation in Global Markets* (Cambridge University Press 2016) (with Gregory Shaffer)

‘The (Mis)Alignment of the Trade and Monetary Legal Orders’ in G Shaffer and T Halliday (Eds.) *The Theory and Dynamics of Transnational Legal Orders* (CUP, 2015) (with Gregory Shaffer)

‘Interpretive Communities in International Law’ in A Bianchi, D Peat and M Windsor, *Interpretation in International Law* (CUP, 2015)

‘Investment Arbitration: Jurisdiction and Admissibility’ in A Reinisch et al. (Eds.), *Handbook on International Investment Law* (C.H. Beck/Hart, 2015)

‘Uniformity versus Specialisation (2): A Uniform Regime of Treaty Interpretation?’ in CJ Tams et al. (Eds.) *Research Handbook on the Law of Treaties* (Edgar Elgar, 2014)

‘Echoes of History: The International Financial Commission in Greece’ in C Paulus (ed), *Sovereign Default – Do We Need a Legal Procedure?* (Beck/Hart, 2014)

Gibraltar - A Unique Territorial Dispute?’ in Dadson Trevor J. and Elliott J. H. (eds), *Britain, Spain and the Treaty of Utrecht, 1713-2013* (Legenda 2014)

‘Coordinating Adjudication Processes’, in Z Douglas, J Pauwelyn and JE Viñuales (eds.) *The Foundations of International Investment Law: Bringing Theory Into Practice* (Oxford University Press, 2014), 499-529

‘Out of Thin Air? Tracing the Origins of the UNCTAD Principles in Customary International Law’ in C Espósito, L Yuefen and JP Bohoslavsky, *Sovereign Financing and International Law: The UNCTAD Principles on Responsible Sovereign Lending and Borrowing* (Oxford University Press, 2013)

‘Staateninsolvenzen in historischer Sicht’ [in German, State Insolvency in Historical Perspective] in G Kodek and A Reinisch (Eds.), *Staateninsolvenz* (2 edn, Bank Verlag 2012)

‘Two Decades Lost: Reinvigorating the Weak Cousin of WTO Law’ (2011) 3 *Selected Papers from ESIL Proceedings* (Hart)

‘Falklands Islands/Malvinas’ in Rüdiger Wolfrum (ed.) *Max Planck Encyclopedia of Public International Law* (Oxford University Press, 2011)

‘Investment Codes’ in Rüdiger Wolfrum (Eds.) *Max Planck Encyclopedia of Public International Law* (Oxford University Press, 2011) (with Markus Burgstaller)

‘Technology Transfer’ in Rüdiger Wolfrum (Eds.) *Max Planck Encyclopedia of Public International Law* (Oxford University Press, 2011) (with William Alford)

International Investment Law and Treaty Interpretation, in Rainer Hofmann & Christian C. Tams (Eds.) *International Investment Law and General International Law – From Clinical Isolation to Systemic Integration?* (2011), 29-52

‘Bank Insolvency and State Insolvency’, in Rosa Lastra (Eds.) *Cross Border Bank Insolvency* (Oxford University Press, 2011)

‘Creditor Protection in International Law’, in Pieter Bekker, Rudolf Dolzer and Michael Waibel (Eds.) *Making Transnational Law Work in the Global Economy : Essays in Honor of Detlev Vagts* (Cambridge University Press, 2010)

‘Gibraltar’ in Rüdiger Wolfrum (Eds.) *Max Planck Encyclopedia of Public International Law* (Oxford University Press, 2010)

‘The Diplomatic Channel’, in J. Crawford and A. Pellet (Eds.) *The Law of International Responsibility* (Oxford University Press, 2010)

‘Corfu Channel Case’, in Rüdiger Wolfrum (Eds.) *Max Planck Encyclopedia of Public International Law* (Oxford University Press, 2010)

‘The Backlash against Investment Arbitration: Perceptions and Reality’, in M. Waibel, A. Kaushal, K.-H. Chung and C. Balchin (Eds.), *The Backlash against Investment Arbitration* (Kluwer Law International, 2010) (with Claire Balchin, Asha Kaushal, Kyo-Hwa Chung)

‘BIT by BIT - the Silent Liberalization of the Capital Account’ in C Binder, U Kriebaum, A Reinisch and S Wittich (Eds.), *International Investment Law for the 21st Century - Essays in Honour of Christoph Schreuer* (Oxford University Press, 2009), 497-518

## REPORTS AND POLICY PAPERS

*Amicus Curiae Brief Eli Lilly v. Canada, Case NO. UNCT/14/2* (2016) (with Grosse Ruse-Khan, Henning, Liddell Kathleen), Januar 2016

‘United Kingdom’, in *EMU: Constitutional and Institutional Aspects of the Economic Governance in the EU* F. Amtenbrink (ed.), 1 FIDE Conference Report (Copenhagen, Djøf, 2014) (with P Eeckhout)

France’s Subnational Insolvency Framework, in *In Until Debt Do Us Part: Subnational Debt, Insolvency and Markets* (O. Canuto and L. Liu, Eds (Washington, DC, The World Bank, 2013) (with Lili Liu und Norbert Gaillard)

‘Competence Review: Trade and Investment’, Report for Department of Business, Innovation and Skills, as part of the *Balance of EU competences review: trade and investment* (2013)

‘Retaliating against exchange-rate manipulation under WTO rules’ in SJ Evenett, *The US-Sino Currency Dispute: New Insights from Economics, Politics, and Law* (Centre for Economic Policy Research, 2010)

‘Managing Subnational Credit and Default Risks’, (2010), World Bank Policy Research Working Paper No. 5362 (with Lili Liu)

‘Iceland’s financial crisis – quo vadis international law’, ASIL Insight, March 2010

‘Subnational Insolvency: Cross Country Experiences and Lessons’ in E. Ahmad and G. Brosio, *Managing Subnational Finances* (International Monetary Fund; Edgar Elgar, 2009) (with Lili Liu)

‘Subnational Insolvency: Cross-Country Experiences and Lessons’ (2008) World Bank Policy Research 4496 (with Lili Liu)

‘Subnational Insolvency’, In E. Ahmad (Eds.), *Managing Subnational Finances* (Washington D.C: World Bank, 2008) (with Lili Liu)