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# Adaptive Arbitration Framework for Cross-Border ESG Dispute Resolution

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***Abstract.*** *The resolution of cross-border disputes involving Environmental, Social, and This study examines the effectiveness of arbitration as an adaptive mechanism for resolving cross-border disputes involving Environmental, Social, and Governance (ESG) issues. The increasing integration of sustainability standards, human rights principles, and corporate governance obligations into international trade and investment relationships has generated complex disputes that require flexible yet legally certain resolution mechanisms. This research aims to analyze how arbitration accommodates ESG-related conflicts and to assess the contribution of technological innovation in strengthening procedural efficiency and transparency. The study employed a qualitative normative approach using descriptive-analytical methods based on secondary data, including arbitral awards, bilateral and multilateral treaty frameworks, institutional reports, and recent scholarly literature. The findings demonstrate that arbitration provides procedural flexibility, neutrality, enforceability, and expert-based adjudication capable of addressing technical ESG dimensions. Furthermore, the incorporation of digital technologies such as Online Dispute Resolution (ODR), blockchain-based evidence management, and Artificial Intelligence (AI)-assisted document analysis enhances efficiency, transparency, and cross-border accessibility. However, challenges remain regarding enforcement inconsistencies, public policy limitations, and harmonization gaps among national legal systems. This research contributes by proposing an adaptive arbitration framework that integrates ethical standards, technological innovation, and ESG-sensitive interpretative approaches to ensure sustainability-oriented dispute resolution in the global legal order.*

***Keywords:*** *Arbitration; Cross-Border; Dispute Resolution; Technology.*

## 1. INTRODUCTION

International arbitration currently stands at a crossroads of significant transformation, driven by the increasing complexity of global trade relations and the challenges arising from sustainability issues, human rights, and regulatory changes. Contemporary developments indicate that arbitration has become the primary mechanism for resolving cross-border disputes, particularly in the investment, energy, and trade sectors, due to its efficiency, flexibility, and globally recognized enforceability.

However, this system faces several serious challenges. One of the most prominent issues is the perception of bias and lack of transparency, especially in disputes involving state actors and large corporations. These challenges are further exacerbated by the growing number of disputes related to Environmental, Social, and Governance (ESG) issues, where violations of local community rights or environmental harm often form the core of the dispute. Additionally, tensions between state sovereignty and investor rights under international investment agreements have sparked criticism that arbitration systems tend to favor foreign investors over host states.

International arbitration has become the preferred method for resolving commercial and investment disputes due to its principal advantages, namely neutrality, flexibility, and the ability to produce awards that are recognized and enforceable globally. The process provides an independent forum, often located outside the jurisdiction of the disputing parties, while granting them the autonomy to select arbitrators with relevant expertise in specific areas of law. Arbitral awards are final and binding, with recognition and enforcement ensured through international instruments such as the New York Convention and the ICSID Convention. This makes arbitration superior to traditional litigation, which often encounters difficulties in enforcing judgments across borders. Moreover, arbitration is considered more efficient due to its confidential nature, relatively faster procedures, and more controlled costs compared to conventional court proceedings (Desmedt, 2024).

The confidentiality inherent in arbitration proceedings is frequently cited as a primary reason for parties choosing this mechanism over court litigation or other dispute resolution methods. Arbitration's ability to safeguard sensitive information provides protection for confidential data and fosters a sense of security for parties involved in international disputes. Scholars emphasize that confidentiality constitutes a strategic value of arbitration, particularly in maintaining business relationships and avoiding reputational risks associated with public litigation forums (Sharan, 2024)

Arbitration is a dispute resolution mechanism designed to produce final and legally binding decisions. It serves as an alternative to formal judicial proceedings by emphasizing principles of justice and efficiency in resolving conflicts between disputing parties. As a non-litigation mechanism, arbitration allows flexibility in procedural arrangements and the selection of arbitrators with specialized expertise aligned with the nature of the dispute, thereby enhancing legal certainty and focused justice (Blackaby et al., 2015).

The transportation and commodities sectors continue to contribute the largest share of cases handled by the London Court of International Arbitration (LCIA), accounting for approximately 36% of the total caseload. This phenomenon reflects the ongoing impact of global development, particularly fluctuations in energy prices and disruptions in supply chains. Contracts for the sale of goods, especially those related to commodities, dominate as the most frequent subject of disputes in LCIA arbitration, representing 31% of all cases. This trend underscores the crucial role of arbitration in managing conflicts arising from global economic dynamics and the complexity of international commodity transactions (LCIA Annual Casework, 2024).

In international law, arbitration plays a vital role in ensuring legal certainty for the parties involved by providing a credible mechanism for determining the applicable law governing disputes. Through its decision in Enka v Chubb, the UK Supreme Court formulated systematic guidelines for interpreting arbitration clauses consistently. These guidelines include identifying any expressly agreed choice of law, analyzing the legal implications derived from the contract as a whole, and applying the law of the jurisdiction where the arbitration is seated (Campbell, 2021).

This approach is designed to minimize legal uncertainty and prevent additional disputes regarding the applicable law, while simultaneously providing a solid foundation for the interpretation of arbitration clauses. Consequently, arbitration functions not only as a dispute resolution mechanism but also as a fundamental component in fostering stability and legal confidence in cross-border transactions. This approach reinforces arbitration's position as a primary instrument in supporting the international contractual framework.

Potential bias in international arbitration, as examined in Halliburton v Chubb, arises from the possibility of perceived unfairness due to an arbitrator's relationship with a particular party or involvement in similar cases without adequate disclosure. Bias, whether actual or apparent, can undermine the legitimacy of arbitration by casting doubt on the neutrality of both the process and its outcome (Nedeva et al., 2022)

In this case, the UK Supreme Court emphasized the importance of an objective test to determine whether a fair-minded and informed observer would conclude that there is a real possibility of bias on the part of the arbitrator. Accordingly, transparency through the disclosure of potential conflicts of interest becomes a crucial component in maintaining trust and integrity in international arbitration.

To support fairness and transparency in international arbitration, arbitrators must take proactive measures, such as honestly disclosing their involvement in other relevant disputes, even when arbitration rules do not explicitly require such disclosure. This transparency is essential to prevent potential conflicts of interest. Arbitrators must also uphold independence and neutrality at every stage of the arbitral process. Furthermore, strengthening professionalism through training and certification is a key factor in enhancing arbitrators' understanding of their ethical obligations, particularly in managing bias and conflicts of interest (C. A. Rogers, 2009)

Cross-border arbitration within the Environmental, Social, and Governance (ESG) framework is becoming increasingly significant given the growing focus on sustainability and human rights issues in global trade. As an efficient and flexible dispute resolution mechanism, arbitration provides an effective avenue for resolving disputes related to environmental policies, human rights violations, and other social challenges arising in international transactions.(Bouvard, 2021)

With the expansion of renewable energy sectors and ESG-oriented investments, numerous disputes have emerged concerning violations of ESG principles, whether committed by host states or investors. For example, several cases involve disputes over the withdrawal of renewable energy incentives, triggering claims under international investment agreements in which investors seek compensation from states alleged to have breached investment protection standards.(Stephanie, 2023).

International arbitration procedures have evolved to address important public issues related to sustainability, human rights, and good corporate governance (ESG). One significant innovation is the inclusion of third-party participation through amicus curiae mechanisms, allowing organizations or individuals with a direct interest in the dispute to submit their views to the tribunal (Agustinus et al., 2023). This development clearly enhances transparency and fairness in arbitration proceedings, particularly in disputes involving significant public interests (Chaisse, 2024).

In addition, the publication of redacted arbitral awards has been introduced to improve accessibility and enable public scrutiny. These measures are essential to ensure that public policy considerations underlying substantive law are well understood and transparently communicated to all stakeholders, especially in ESG-related disputes that often involve interests beyond the immediate parties to the arbitration.

These developments align with evolving international arbitration practices that increasingly accommodate public participation (Freshfields, 2023) and ensure that arbitral decisions not only address the direct interests of the disputing parties but also consider broader implications for public policy and community rights. This approach is crucial in building trust in the integrity and relevance of arbitration as a dispute resolution mechanism in the contemporary global context (Solhchi & Baghbanno, 2023).

Amid complex global challenges, arbitration plays a pivotal role in delivering fair and law-based solutions. The development of mechanisms such as amicus curiae facilitates third-party involvement in representing public interests, while the publication of redacted arbitral awards enhances transparency. These measures not only strengthen the legitimacy of arbitration but also reflect its responsibility toward broader global concerns.

Arbitration must continue to adapt to contemporary demands, including strengthening ethical standards for arbitrators, prioritizing transparency, and creating a more inclusive framework for addressing complex cross-border issues. As a dynamic mechanism, arbitration holds significant potential to serve as a central pillar in building a more just and sustainable global dispute resolution system.

## 2. RESEARCH METHODS

This research employed a qualitative normative legal approach using descriptive-analytical methods. The study examined arbitration mechanisms in cross-border ESG-related disputes by analyzing secondary data sources, including arbitral awards, bilateral and multilateral investment agreements, institutional arbitration reports, academic journals, and relevant legal doctrines. The object of analysis consisted of legal norms governing arbitration, ESG regulatory principles, and enforcement frameworks under international conventions. Data were collected through systematic literature review and document analysis. The research instrument consisted of doctrinal interpretation and comparative legal analysis. The data were analyzed using interpretative and evaluative techniques to assess the effectiveness, limitations, and adaptive potential of arbitration in ESG dispute resolution. The selected method was theoretically justified based on the need to examine normative structures and legal principles governing international arbitration in relation to evolving ESG obligations.

## 3. RESULTS AND DISCUSSION

### 3.1.Methods and Speed of Dispute Resolution through International Arbitration in ESG-Related Disputes

Dispute resolution through arbitration requires effective methods and timely procedures. The use of analytical approaches provides a high degree of flexibility in addressing complex disputes. Hybrid mechanisms such as Med-Arb and Arb-Med enhance efficiency and reduce costs, particularly when disputes require swift resolution without compromising the quality of outcomes. These methods also reveal inherent challenges, including potential role conflicts for arbitrators that may affect perceptions of neutrality, as well as ethical implications arising from role transitions within the same process (Stipanowich, 2021).

The terms Med-Arb and Arb-Med refer to alternative dispute resolution models that integrate mediation and arbitration into a single procedural framework, differing primarily in the sequence of their application.

First, Med-Arb (Mediation–Arbitration). Under this approach, the dispute initially proceeds through mediation, where the mediator facilitates dialogue to assist the parties in reaching a voluntary settlement. If mediation fails, the mediator subsequently assumes the role of arbitrator and renders a binding decision based on the evidence and arguments presented during the earlier stages of the process.

Second, Arb-Med (Arbitration–Mediation). This method begins with arbitration, during which the arbitrator hears the parties' arguments and may issue a confidential preliminary award. Following this phase, the arbitrator transitions into a mediator to encourage amicable settlement. If mediation succeeds, the preliminary arbitral award remains undisclosed. However, if mediation fails, the arbitral award may be enforced as a final and binding decision.

Both Med-Arb and Arb-Med offer flexibility and efficiency, particularly in complex disputes. Med-Arb enables savings in time and costs because the same neutral party conducts both stages; however, it may raise concerns regarding impartiality, as the mediator-turned-arbitrator may have been exposed to information outside the formal arbitral process (Stipanowich, 2021). Conversely, Arb-Med provides an opportunity for settlement following an initial arbitral phase, but it requires careful management of roles to preserve the arbitrator's neutrality (Hamzah, 2022).

These approaches necessitate clear ethical guidelines and adequate regulatory oversight to ensure fairness for all parties involved. When properly implemented, hybrid mechanisms can serve as effective solutions for cross-border disputes while upholding principles of justice and efficiency.

The early consultation mechanism represents a preventive strategy in dispute management, oriented toward the early identification and resolution of potential conflicts before they escalate into formal dispute proceedings. This approach has become increasingly relevant in the context of international arbitration, particularly with respect to ESG (Environmental, Social, and Governance) issues, which often demand responsive and solution-oriented outcomes. By creating space for open dialogue, this mechanism aims to prevent conflict escalation, reduce litigation costs, and maintain—or even strengthen—relationships among parties with shared interests. Beyond procedural efficiency, this approach reflects a commitment to sustainability principles and long-term relationship management.

In practice, this mechanism may involve several key stages, including the following concrete actions:

First, Issue Identification. Identifying the core issues in international arbitration disputes is an essential stage to ensure that conflict resolution proceeds in an optimal and structured manner. This step focuses on uncovering root causes, preventing potential escalation, and establishing a solid foundation for implementing targeted, outcome-oriented solutions.

Effective dispute resolution requires a holistic perspective. Resolution should not merely emphasize legal compliance but also consider substantive justice, inter-party relationships, and broader impacts on the international community (Arsal, 2024). Legal facts in dispute resolution are not rigid but dynamic, as the application of international law often requires adaptation to the specific context of the dispute. This approach enables sustainable solutions, particularly when international law confronts global challenges such as climate change, human rights violations, or economic inequality (Schultz, 2022) (Egger et al., 2024) (Fischer et al., 2023).

The utilization of modern digital technologies, including AI-based legal analytics, can assist in identifying conflict patterns by analyzing data from prior cases (Kluwer & Page, 2024). Involving subject-matter experts further enhances understanding of the legal and technical complexities inherent in ESG-related disputes.

Second, Negotiation Facilitation. Consultations guided by independent mediators aim to create balanced and productive negotiation environments. This approach, known as facilitated dialogue, focuses on keeping the parties oriented toward solution-building rather than entrenched conflict positions.

Third, Settlement Recommendations. If no agreement is reached, the mediator may provide non-binding recommendations as a foundation for further resolution efforts (Delhi, 2023).

### 3.2. Limitations of Arbitration and Legal Complexity in Cross-Border Dispute Resolution

Arbitration has become the preferred mechanism for resolving cross-border disputes, particularly in international trade. It is widely recognized for its flexibility, efficiency, and confidentiality, making it an attractive solution for disputes involving parties from different jurisdictions. Arbitration offers several advantages, including procedural customization, confidentiality guarantees, and enforcement certainty supported by the 1958 New York Convention.

Despite its strengths and reputation, arbitration faces significant challenges. These limitations include structural, normative, and practical barriers that may undermine its effectiveness as an international dispute resolution forum. Such challenges highlight the need for further development to ensure that arbitration remains universally applicable and responsive to global demands.

Arbitration allows parties considerable autonomy in designing procedural rules, selecting forums, and determining the language of proceedings, enabling cross-jurisdictional entities to tailor dispute resolution mechanisms to their specific needs (Rini Eka Agustina, 2024). However, enforcement of arbitral awards may be hindered by domestic legal rules, particularly differing interpretations of public policy across jurisdictions (Bianti, 2023). High costs and prolonged proceedings sometimes exceeding the duration of domestic litigation also present significant challenges.

Additional issues such as arbitrator conflicts of interest and limited judicial oversight may further affect the credibility of arbitral awards.

First, Normative Limitations and Lack of Harmonization in International Legal Systems. Cross-border arbitration frequently encounters obstacles arising from the diversity of legal systems, including civil law, common law, and customary law traditions. These differences influence the interpretation of arbitration clauses, the validity of arbitration agreements, and the implementation of arbitral awards. The absence of a fully unified legal framework governing all aspects of arbitration creates uncertainty for the parties involved. Although the New York Convention seeks to facilitate recognition and enforcement of foreign arbitral awards, its application depends heavily on domestic court interpretations, often linked to national public policy considerations.

Second, Structural Limitations Arising from Cultural Diversity and National Interests. International arbitration operates within diverse legal cultures that may affect dispute resolution processes (Rodliyah, 2023). Some legal cultures prioritize formalism over flexibility, while others emphasize negotiation and consensus-building. These differences may cause friction and delay proceedings. National interests also play a role, particularly in disputes involving strategic sectors such as energy, natural resources, or public infrastructure. Some states impose regulatory restrictions on arbitration in matters deemed to affect national sovereignty, thereby limiting the scope of international arbitration (Arsal, 2024).

Third, Procedural Limitations Related to Costs, Time, and Arbitrator Competence. Although arbitration is often perceived as faster and more economical than litigation, cross-border arbitration can be costly and time-consuming. Expenses include arbitrators' fees, institutional administrative costs, and legal representation, which often exceed initial expectations. Proceedings may last for years, particularly in complex disputes involving multiple jurisdictions. The quality of arbitral awards is also closely linked to arbitrator competence; insufficient understanding of specific industries or legal systems may lead to inadequate decisions and subsequent legal challenges (Freehills, 2022).

Fourth, Implementation Limitations in the Recognition and Enforcement of Awards. One of the primary challenges in cross-border arbitration lies in the recognition and enforcement of arbitral awards. Despite the legal framework provided by the New York Convention, practical obstacles frequently arise at the domestic court level. Enforcement may be denied on grounds such as public policy incompatibility, procedural imbalance, or perceived violations of substantive justice principles (Taqwa et al., 2024). This creates legal uncertainty for prevailing parties, as enforcement ultimately depends on local judicial decisions beyond their control.

Fifth, The Need for Solutions to Address Arbitration Limitations. Addressing arbitration's limitations requires a comprehensive approach. First, greater harmonization of international legal systems should be promoted through multilateral cooperation involving organizations such as UNCITRAL and the ICC. Second, strengthening regional arbitration institutions can enhance responsiveness to local needs while maintaining international standards. Third, improving arbitrator competence through cross-cultural legal training can enhance award quality and minimize errors stemming from legal misunderstandings (Fakhriah & Afriana, 2023).

Jurisdictional issues represent a fundamental challenge in arbitration. Jurisdiction is generally determined by the arbitration agreement; however, its validity is frequently contested, particularly when conflicts arise between the law governing the arbitration agreement and the law of the arbitral seat (lex arbitri) (Bell, 2022).

Differences among national legal systems often create dilemmas for arbitrators when domestic law conflicts with international legal principles or treaty obligations (Arsal, 2024). In investment disputes, for example, investor protection claims under Free Trade Agreements may clash with national policies that are more protectionist in nature. National courts often invoke public policy principles to refuse recognition or enforcement of international arbitral awards, making ordre public a persistent source of debate due to its subjective and variable application across jurisdictions.

Conflicts between international arbitral awards and domestic court judgments further exacerbate legal uncertainty, as enforcement depends not only on procedural compliance but also on acceptance within the domestic legal system.

In this context, Cédric Dupont and Thomas Karl Peter Schultz (2020) conceptualize investment arbitration as part of a broader political system in which states, investors, and arbitrators collectively shape outcomes. Although arbitration is designed to function independently of political influence, enforcement often encounters obstacles rooted in national public policy considerations (Dupont et al., 2019).

Arbitration may thus be viewed as a system that transforms inputs (party decisions and arbitrator reasoning) into outputs (arbitral awards) that can influence domestic legal policy. Tensions between international arbitration frameworks and national legal systems frequently generate uncertainty in recognition and enforcement, particularly when domestic interests are prioritized over international obligations (Faure & Ma, 2019) (Franck & Wylie, 2015).

This uncertainty increases risk for parties in international arbitration, as enforcement of otherwise valid awards cannot be guaranteed at the national level. Consequently, recognition and execution often depend on political, economic, and legal conditions within the enforcing state

### 3.3.The Role of Arbitration in Addressing ESG Policy Disputes through Bilateral and Multilateral Agreements

International arbitration, traditionally used for resolving commercial disputes, has increasingly gained prominence as an alternative mechanism for disputes involving ESG-related policies. Through bilateral and multilateral agreements, arbitration offers faster, more flexible solutions while safeguarding the interests of the parties involved. Its efficiency, relative cost-effectiveness, and procedural adaptability make arbitration preferable to national courts, particularly in ESG disputes involving environmental standards, social obligations, or governance commitments between states, foreign investors, and corporate stakeholders.

Bilateral Investment Treaties (BITs) and Free Trade Agreements (FTAs) play a crucial role in establishing legal frameworks for resolving ESG-related disputes through arbitration. BITs commonly provide for international arbitration where investor rights are allegedly violated. For instance, changes in state policies that negatively affect investments or alleged breaches of environmental obligations may give rise to investor claims (J. Rogers et al., 2018).

Cases such as the Philip Morris v. Australia dispute illustrate how arbitration may assess whether state policies violate investor protections under BITs. Multilateral agreements, including the Trans-Pacific Partnership (TPP) and the Regional Comprehensive Economic Partnership (RCEP), also incorporate arbitration mechanisms for ESG-related disputes. Under the TPP, investors may challenge governmental environmental or social policies deemed detrimental to their investments (Hamanaka, 2014).

A key challenge in multilateral agreements lies in harmonizing diverse ESG principles among participating states. Countries with stringent environmental standards may face pressure from investors seeking regulatory relaxation. In this context, arbitration provides an effective mechanism for dispute resolution while mitigating political tensions between states and investors (Damrosch & Sacerdoti, 2010). Nevertheless, arbitration in ESG disputes faces challenges, particularly in interpreting ESG principles that are dynamic and often subjective. Environmental standards may differ significantly between developed and developing countries, creating ambiguity in determining treaty breaches. Transparency concerns also arise, as arbitration procedures are frequently criticized for being overly confidential and insufficiently responsive to broader public interests.

ESG disputes often involve complex legal and factual dynamics and multiple stakeholders, such as in natural resource exploitation, large-scale infrastructure projects, or governance failures. Arbitration provides flexibility by allowing parties to appoint arbitrators with specialized ESG expertise. Confidentiality remains a significant advantage in sensitive ESG disputes, enabling parties to protect reputations and preserve business relationships (Yuying, 2024). This is particularly relevant where disputes threaten operational sustainability or public trust. Digital transformation presents significant opportunities for arbitration in ESG disputes. Technologies such as Online Dispute Resolution (ODR), blockchain for secure evidence storage, and Artificial Intelligence for document analysis and outcome prediction enhance speed, accuracy, and cost efficiency (Ezeh et al., 2024). These innovations improve transparency and precision, making arbitration more adaptive to contemporary ESG dispute resolution needs. (Haridi, 2024)

In addressing the global complexity of ESG issues, arbitration emerges as an effective, flexible, and adaptive dispute resolution mechanism. By offering legal certainty, expert decision-making, and responsiveness to digital innovation, arbitration not only provides practical solutions for disputing parties but also contributes to sustainability and responsible governance. Amid evolving global dynamics, arbitration continues to demonstrate its relevance as a bridge between efficiency and justice in resolving complex ESG-related conflicts.

## 4. CONCLUSION

International arbitration demonstrates significant adaptive capacity in resolving cross-border ESG disputes by combining procedural flexibility, enforceability, and specialized adjudication. However, its effectiveness remains conditioned by harmonization gaps, enforcement inconsistencies, and evolving public policy interpretations across jurisdictions. The integration of digital technologies strengthens arbitration's institutional legitimacy by improving transparency, accessibility, and procedural efficiency. This study contributes to the development of an adaptive arbitration framework that aligns ESG principles with technological innovation and strengthened ethical standards. Such a framework is essential to ensure that arbitration not only resolves disputes efficiently but also supports sustainable governance and long-term global legal stability.

## 5. REFERENCES


**Journals:**

Agustinus, P., Rondo, M., & Firmansyah, H. (2023). Pengaruh Peran Amicus Curiae Terhadap Proses Peradilan dan Kepastian Hukum. *UNES Law Review*, *6*(2), 4463–4468.

Arsal, F. R. (2024). The Role of International Arbitration Institutions in Resolving Business Disputes Between Countries. *Indonesian Journal of Law and Justice*, *1*(4), 11. https://doi.org/10.47134/ijlj.v1i4.2137

Bell, G. F. (2022). Conflicts of Laws and Jurisdictions in Indonesia- Related Arbitrations Seated in Singapore – Perspectives From the Tribunal. *Indonesia Law Review*, *12*(1), 33–55. https://doi.org/10.15742/ilrev.v12n1.3

Bianti, G. (2023). Pelaksanaan Eksekusi Putusan Arbitrase Internasional Yang Berpotensi Menghambat Kegiatan Investasi Asing Di Indonesia. *Crepido*, *5*(1), 64–78. https://doi.org/10.14710/crepido.5.1.64-78

Blackaby, N., Partasides, C., Redfern, A., & Hunter, M. (2015). *Redfern and Hunter - Law and Practice of International Commercial Arbitration*. 1051. https://doi.org/https://law.fudan.edu.cn/_upload/article/files/77/16/8ff0afe24 0e99a627fc2b2dfcac5/b4b6dd2d-19a1-4fc2-8690-3857d32b5cd7.pdf

Bouvard, V. (2021). The Arbitrator's Duty of Disclosure: Case Law from the International Chamber of the Paris Court of Appeal. *Kluwer Arbitration Blog*.

Campbell, M. (2021). How to determine the law governing an arbitration agreement: Direction from the uk supreme court. *International Arbitration Law Review*, *24*(1), 28–36. https://doi.org/https://research-information.bris.ac.uk/ws/portalfiles/portal/264242371/Campbell_Int_ALR_accepted_22.01.21.pdf

Chaisse, J. (2024). *Arbitration in cross-border data protection disputes*. *January*, 1–18.

Damrosch, L. F., & Sacerdoti, G. (2010). Bilateral treaties and multilateral instruments on investment protection. *Recueil Des Cours, Collected Courses, Volume 269 (2007)*, 251–460.

Delhi, N. E. W. (2023). *MediationAct2023*. *Dl*.

Desmedt, A. (2024). AI in International Arbitration: What Is the Big Deal? *The American Review of International Arbitration*. https://doi.org/https://aria.law.columbia.edu/ai-in-international-arbitration-what-is-the-big-deal/

Dupont, C., Schultz, T., & Yackee, J. (2019). Investment Arbitration and Political Systems Theory. *University of Wisconcin*, *1484*(Wiley 1965), 1–25. https://doi.org/Dupont, Cedric G. and Schultz, Thomas and Yackee, Jason W., Investment Arbitration and Political Systems Theory (March 12, 2019). in Thomas Schultz and Federico Ortino (eds), Oxford Handbook of International Arbitration, OUP 2019, Univ. of Wisconsin Legal Studies Research Paper No. 1484, King's College London Law School Research Paper Forthcoming, Available at SSRN: https://ssrn.com/abstract=3351343 or http://dx.doi.org/10.2139/ssrn.3351343

Egger, K., Erickson, D., Cook, M. F., & Mills, C. K. (2024). *Editors*.
Ezeh, M., Ogbu, A., Ikevuje, A. H., & George, E. (2024). Stakeholder engagement and influence: Strategies for successful energy projects. *International Journal of Management & Entrepreneurship Research*, *6*, 2375–2395. https://doi.org/10.51594/ijmer.v6i7.1330
Fakhriah, E., & Afriana, A. (2023). Cross border of Jurisdiction between Arbitration and District Court in Business Dispute Settlement under the Indonesian Legal System. *Fiat Justisia: Jurnal Ilmu Hukum*, *17*, 293–304. https://doi.org/10.25041/fiatjustisia.v17no3.3175
Faure, M., & Ma, W. (2019). Investor-state arbitration: An economic and empirical perspective. In *China, the EU and International Investment Law: Reforming Investor-State Dispute Settlement* (Issue 2020). https://doi.org/10.4324/9780429322334-10
Fischer, M., Foord, D., Frecè, J., Hillebrand, K., Kissling-Naef, I., Meili, R., Brechbuehler Peskova, M., Risi, D., Schmidpeter, R., & Stucki, T. (2023). *Sustainable Business: Managing the Challenges of the 21st Century*. https://doi.org/10.1007/978-3-031-25397-3
Franck, S., & Wylie, L. (2015). Predicting Outcomes in Investment Treaty Arbitration. *Duke Law Jurnal*, *65*, 459–526.
Freehills, H. S. (2022). *Abitration 2022*. Tom Barnes.
Freshfields. (2023). *International arbitration in 2023*.
Hamanaka, S. (2014). Trans-Pacific Partnership versus Regional Comprehensive Economic Partnership: Control of Membership and Agenda Setting. *ADB Working Paper Series on Regional Economic Integration*, *146*, 20.
Hamzah, A. (2022). Client Update : Indonesia Arb-Med-Arb : An Effort to Enhance Amicable Dispute Resolution Client Update : Indonesia Use of Arb – Med – Arb in Indonesia. *Rajah Tan Asia Lawyers Who Know Asia*, *September*, 1–6.
Haridi, S. (2024). Innovation in arbitration: The technological revolution in dispute resolution. *Internasional Bar Association*.
Kluwer, W., & Page, H. R. (2024). *Expert solutions (59%*. 1–34.
LCIA Annual Casework, R. (2024). Annual Report on 2023, LCIA Court and African Users' Council updates, EDI initiative, LCIA Director General news. *LCIA Arbitration and ADR Worldwide*. https://doi.org/https://www.lcia.org/News/lcia-news-annual-report-on-2023-lcia-court-and-african-users-c.aspx
Nedeva, S., Aakaansha, A., Wang, C., & Glynou, M. (2022). *Bias of arbitrators: a critical analysis on the law post-Halliburton v. Chubb and a comparative approach*. *2*(1), 31–92. https://doi.org/https://orcid.org/0000-0002-9147-998X
Rini Eka Agustina. (2024). Efektifitas Arbitrase sebagai Penyelesaian Perselisihan. *Ethics and Law Journal: Business and Notary*, *2*(1), 263–272. https://doi.org/10.61292/eljbn.130
Rodliyah. (2023). Jurnal Risalah Kenotariatan. *Jurnal Risalah Kenotariatan*, *4*(1), 271–293.
Rogers, C. A. (2009). *The Ethics Of International Arbitrators*. *8*(1), 1–23.
Rogers, J., Jones-Fenleigh, H., & Sanitt, A. (2018). International arbitration report. *Norton Rose - International Arbitration Report*, *10*, 17–19.
Schultz, T. (2022). Editorial Series on Unusual Sources of Inspiration for International Dispute Settlement. *Journal of International Dispute Settlement*, *13*(3), 341–342. https://doi.org/10.1093/jnlids/idac019

Sharan, S. (2024). Injustice Unveiled: - Analyzing The Implications of Ineffective Arbitration Prosedures in A Globalized World. *White Black Legal International Law Journal*, *2*(16), 1–28. https://doi.org/https://www.doi-ds.org/doilink/01.2024-75992614/INJUSTICE UNVEILED: - ANALYZING THE IMPLICATIONS O

Solhchi, M., & Baghbanno, F. (2023). Artificial Intelligence and Its Role in the Development of the Future of Arbitration. *International Journal of Law in Changing World*, *2*(2), 56–76. https://doi.org/10.54934/ijlcw.v2i2.56

Stephanie, P. (2023). Arbitrator Responsibility. *Jus Mundi*.

Stipanowich, T. J. (2021). Arbitration, Mediation and Mixed Modes: Seeking Workable Solutions and Common Ground on Med-Arb, Arb-Med and Settlement-Oriented Activities by Arbitrators. *Harvard Negotiation Law Review*, *26*, 265–369. https://doi.org/https://journals.law.harvard.edu/hnlr/wp-content/uploads/sites/91/26-HNLR-265-Stipanowich.pdf

Taqwa, M. D., Laksmi Prabhaswari, A., & Putri Subiyanto, M. J. (2024). Inconsistency in Recognition and Enforcement of Foreign Arbitral Awards: Non-Compliance or Normative Factors? *Jurnal Bina Mulia Hukum*, *8*(2 SE-Articles), 175–258.

Yuying, Z. (2024). Sustainable Arbitration Along the Belt and Road Initiative: The Green Model Clause. *Journal of International Arbitration*, *41*(2), 179–206. https://doi.org/10.54648/joia2024009