

What's New?

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The TransLex-Team and I are deeply saddened by the passing of Johnny Veeder QC on March 8, 2020. The world of international arbitration has lost one of its greatest protagonists, a true legend and a man with a prodigious knowledge of arbitration, with a fascinating and warm personality and with a fine sense of humour.

I met Johnny for the first time in the mid 1990s at my first editorial conference of Arbitration International at Schloss Cecilienhof, the venue of the Potsdam Conference of July/August 1945. Johnny was the founder, long-time editor-in-chief and co-editor of that journal. I was profoundly impressed by his warm reception. Even though he had never seen me before, Johnny welcomed me as if I had been on the editorial board for many years. As a young professor, I invited Johnny to deliver the keynote address at one of the first annual meetings of the Center for Transnational Law in the castle of Münster University in 2001. He spoke about "Confidentiality in International Commercial Arbitration". The audience, mostly young German law students and lawyers, was hanging on his every word. In the same year, Johnny published his findings on the "Soviet Eggs" arbitration of the 1920 between a Soviet supplier and a German importer in the Liber Amicorum for Karl-Heinz Böckstiegel. At the "Festschrift" dinner, my wife noted that Johnny identified himself so much with the subject of his Festschrift-contribution that he even had little eggs on his tie.

Johnny's superb sense of humor was legendary. No one will forget Johnny's promotion of the academic career of the mysterious (because fictitious!) Mr. Ylts from doctor iuris to a permanent professorship. I have told generations of students about this remarkable academic career. "Professor Dr. A. F-J. Ylts" even reviewed one of my books in a 1998 issue of Arbitration International. When I saw the review, I called Johnny and asked him "Johnny, who on earth is Professor Ylts?" Johnny responded: "Oh, you don't know him? He is a very famous arbitration specialist!", only to burst out laughing some seconds later and to unveil the secret. At the peak of his academic career, Professor Dr. Ylts published (or rather wanted to publish) his article "The 'Y2K Problem' and Arbitration" in the first issue of 2000 of Arbitration International. It consisted of only one page with the remark that "[it] is regretted that for technical reasons, publication of this article was rendered impossible". The asterisk footnote explained that Ylts had "begun his arbitration career as secretary to the arbitration tribunal in the Macao Sardine Case (1986), see Sir Michael Kerr, 3 Arb Int 79". Johnny's cover-up was so realistic that even the editors of the ASA Bulletin, in their review of this issue, thought it necessary to express "th[eir] hope that this is the last what we hear from this author about this topic". In December 2017, I invited Johnny to deliver the keynote address at the 20th anniversary celebration of the Center for Transnational Law in May 2018. I suggested to him "Arbitral Humor" as a topic and told him that I once received, at a DIS conference in Hamburg on April 21, 1999, from one of my co-panelists, the late Michael Kerr (Lord Justice as he then was), a copy of his famous article on the "The Macao Sardine Case" with a [personal](#)

[dedication](#) "*English arbitral humour - a forensic fable*". Johnny was excited ("*If I can do the date, I shall come!*"), but in the end he was unable to resolve a conflict in his schedule.

From the very beginning, Johnny was also an ardent supporter of our TransLex-Project. Over the years, we received many encouragements from him ("*You are doing great work, do keep it going!*"). Johnny also laid the groundwork for the TransLex-Archive of Historic Arbitration Awards & Historic Arbitration Materials many years ago when he sent me, much to my surprise, a copy of the German original of the famous [Lena Goldfields](#) Award of September 1930 which he had discovered during his research in Russian archives in Moscow. The Award was the subject of Johnny's famous article "The Lena Goldfields Arbitration: The Historical Roots of Three Ideas" which was published in the October 1998 issue of the International & Comparative Law Quarterly. For us, the *Lena Goldfields* Award provided the stimulus to open a new section in TransLex, devoted to the collection of historic arbitration and ADR documents. Many more documents were to follow from Johnny over the years, such as the [Scottish Arbitration Act](#) of 1426, which Johnny found in a library at the University of Oxford, the handwritten original of the [Parthenia Award](#) of 1883, and the [Dawson's Fields](#) Award of 1972 by the late Sir Michael Kerr. Our detailed account of the famous [Alabama Claims](#) Arbitration Award of 1872 is in part based on Johnny's profound interest in this case which culminated in his reflections in the inaugural Charles N. Brower Lecture on International Dispute Resolution "The Historical Keystone to International Arbitration: The Party-Appointed Arbitrator—From Miami to Geneva". Johnny also brought me in touch with Derek Roebuck who kindly added a number of documents to the Archive during the past years, including [England's oldest surviving award](#) of 118 AD.

When I informed Johnny in September 2016 of a new document which I had found during family vacations in Canada, the "[Great Peace of Montreal](#)", Johnny told me about his "*father's ancestors, then based in Schenectady (in the north of New York, formerly New Holland). They were early Dutch settlers who intermarried with the Mohawks and are still called by some: 'Mohawk-Veeder's'*". Johnny was also very enthusiastic about his "*own find this summer, the arbitration award published in 1808 concerning General van Rensselaer (a relative by marriage of Alexander Hamilton). It was a multiparty dispute between five gentlefolk regarding their respective physical assaults in the streets of Albany (New York), decided by three arbitrators. The lawyer for the General was my ancestor (Van Vechten); and one assault took place at 'Veeder's Corner'*".

In March 2019, Johnny Veeder and I spoke at the Russian Arbitration Day in Moscow. Johnny's presentation on the history of Russian-German trade and arbitration in the 1920s was as fascinating and inspiring as always. It led to the inclusion of further [documents](#), which had been the subject of his conference presentation, into the TransLex-Archive.

In light of Johnny's seminal contributions to the TransLex Archive, we have decided to rename it in honour of him. Johnny's unparalleled legacy will continue to inspire me and my team in our future work, both with respect to TransLex and the law of transnational arbitration.

Klaus Peter Berger

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The fifth edition of the "TransLex-Principles with Commentary" (XXXII + 145 pages) has just been published. Copies will be provided to the participants of the Cologne Academies on Int'l. Business Mediation & Arbitration which start on August 25. Please contact us if you are interested in receiving a copy.

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We have uploaded new and rare historic documents related to the [Alabama Claims Award](#) of 1872, a historic milestone in inter-state arbitration. We have also added to our Archive the earliest reference to mediation in South Africa of [April 1, 1837](#). Many thanks to the Arbitration Foundation of Southern Africa ([AFSA](#)) for providing us with these rare materials!

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