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INTERNATIONAL ARBITRATION POWERLIST | UNITED KINGDOM

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The UK's finest

For 32 years, *The Legal 500* has been analysing the capabilities of law firms and sets across the United Kingdom. Our dispute resolution tables have been consistently one of the most used and read editorial sections. In the research team, we constantly track which sections are used most by clients, and this often matches up with an increase in that section from submissions, client referees, requests for interviews and feedback – all of which make up the research process. The international arbitration rankings are consistently one of our most popular sections and one of the most competitive areas for law firms, sets, lawyers and barristers.

This very much chimes with what we constantly hear anecdotally in the market, with international arbitration frequently cited as the preferred form of dispute resolution. And the arbitrations are growing in value – as I write this, we are hearing rumours of the first trillion-dollar arbitration.

The *International Arbitration Powerlist UK* showcases 200 of the UK's leading practitioners working in law firms and at the Bar (and, for good measure, a professor and a funder, both of whom sit regularly as arbitrators). As with any publication of this nature, we were faced with the dilemma of including as many worthy candidates as possible without diluting the significance of their listing. After lengthy discussions across the editorial team, we decided that 200 was the right number. The all-too-frequent criticism that international arbitration is a 'gentlemen's club' would be perpetuated by a smaller selection. While the established names in the field are impossible to overlook, we hope that by expanding the selection we have managed to include some surprises. More importantly, we wanted to highlight the incredible diversity of the London market. When it comes to international arbitration, no other city on earth has the same depth of talent. In the face of stiff challenges from other cities, and with the disruption (perceived or real) introduced by Brexit, we felt it was necessary to stand up for London and give a platform to the incredible array of legal talent it offers clients. This reflects *The Legal 500*'s support for London International Disputes Week. It also reflects our growing focus on arbitration.

A note on the information presented here: for lawyers with multiple Bar and court admissions we have listed the countries and states in which they are licensed to practice. In the interests of space (and common sense) we have let readers assume everyone else is licensed to practice in England and Wales. Likewise, those who are proficient in a language other than English will have this information listed, for everyone else it is blank. In a notoriously monoglot country, the fact that around 70% of those featured speak at least two (and in many cases several) languages is quite a demonstration of just how international the practice is.

We have hosted the International Arbitration Summit for the past four years in London each November, and are delighted to announce that we are taking this Summit global, with events coming up in Dubai, Singapore, New Delhi and Hong Kong later in 2019. And *The Legal 500* is increasing its commitment to coverage of international arbitration, in the UK and all around the world, with dedicated content, interviews and research coming soon.

David Burgess, publishing director

We would like to extend our thanks to all the individuals who came into our offices throughout January and February 2019 to be interviewed by the research team – as you will see in the *Powerlist*, some strong opinions and surprising revelations were made. And our congratulations to everyone who is recognised in this publication – London is still recognised as the preferred seat of arbitration globally, and the individuals in here represent the finest that London has to offer.

International Arbitration Events

The Legal 500 will be hosting a series of Commercial Arbitration Summits across the globe, bringing together GCs and senior in-house lawyers, along with leading practitioners and thought leaders, to discuss the key trends in one of the most strategic practice areas in global law.

The series kicks off in Dubai on 1 May before embarking on a tour of the major legal hubs around the world.

Full Schedule

Middle East
Dubai
1 May

Singapore
12 September

Turkey
Istanbul
October

Hong Kong
12 November

India
Delhi
November

Sweden
Stockholm
November

UK
London
November

Latin America
Florida
TBC

Switzerland
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TBC

To find out more, contact Gurpartap Basra
E: gurpartap.basra@legal500.com

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The leading figures

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190 Fleet Street

The world-class disputes space the City's been waiting for

A message from the chief executive of our sponsor The International Arbitration Centre

As London's newest dispute resolution centre, The International Arbitration Centre (IAC) is delighted to sponsor this new initiative by *The Legal 500*. It is no exaggeration to say that over the last ten years London has risen to become the new home of international arbitration, offering a selection of firms and chambers, partners, barristers and QCs, and a deep pool of supporting counsel, funders, and experts.

It boasts a system of law that is truly global, commercial courts that are the envy of the world, and wider judiciary that is both expert in and supportive of commercial arbitration. It also has a unique geographical location between the US and Asia, offering the perfect neutral ground. We are raising London's game and putting us back on the map at a time when great uncertainty surrounds our capital city. London is the preferred seat for international disputes.

The foundations behind the *Powerlist* are to recognise the top UK arbitral figures involved in international disputes. The foundations of the IAC are built around providing the facilities for this exact market.

In the run up to the launch of the IAC, we were pleased to open our doors and host the photoshoots for this publication, which as you will see features shots from our terrace, reception and arbitral breakout suite. We were also on hand to provide a sneak preview of our first hearing floor as construction neared completion to anyone interested, many of whom we hope to be hosting over the next 12 months.

At the heart of the IAC is confidentiality. Our first hearing floor houses one hearing at a time – parties will not see anyone that is not involved in that dispute on that floor. Our staff, if required, won't know who the parties are and we can operate by case reference number. For high-end disputes we offer a private driver drop off and total discretion. Each party is housed in a four-room suite, with conferencing, copying and audio-visual facilities. Teams are able to work in the suites, clients can watch the proceedings via a live stream, and private Wi-Fi and keycard access provides complete security.

The main hearing room on each floor of the venue, following feedback from leading arbitral figures, has been designed to allow efficient and comfortable proceedings – from the latest technology with the option to record the hearings in both audio and visual, to bespoke file storage, and seating for up to 30 individuals on Boss chairs, the same used at the G8 summit. The IAC is the perfect ADR facility. London is a premiere legal hub, home to a pool of world-class lawyers, and it now has a premiere ADR facility to settle the most complex disputes. The IAC is an independent centre so is available to host arbitrations, mediations, adjudications and FDRs.

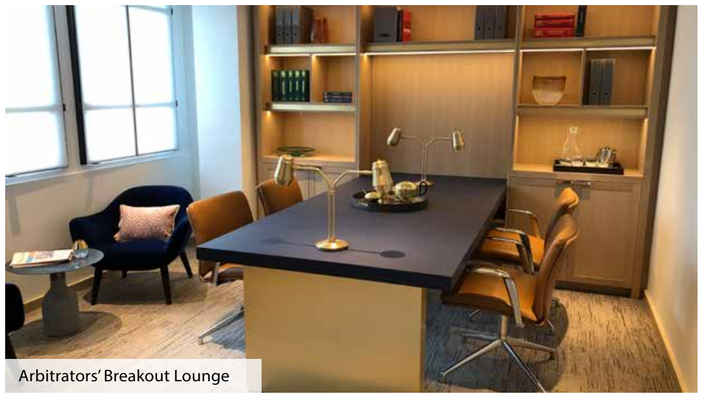
Congratulations to everyone who has made it on to *The Legal 500's International Arbitration Powerlist*.

Owen Lawrence (pictured)
Chief executive
International Arbitration Centre

View from behind the arbitrators


The Fleet Arbitration Hearing Room


Arbitrators' Breakout Lounge


Arbitrators' Breakout Lounge

THE BAR

Michael Crane QC
Fountain Court Chambers

Years in practice: 44
Years as an arbitrator: 15
Principal sectors: Insurance, aviation
Geographical areas of expertise: Worldwide
Languages: English, French

Michael Crane QC's practice comprises major commercial litigation and international arbitration. He has wide advocacy experience both in appellate and first instance courts and has been instructed in some of the leading commercial cases of recent years. He also represents clients in arbitrations both in London and abroad under a variety of arbitration regimes, more so since 2017, when he ceased to practice full time as counsel.

John Blackburn QC
Atkin Chambers

Years in practice: 48
Years as an arbitrator: 25
Principal sectors: Construction, engineering, oil and gas, transport, natural resources
Geographical areas of expertise: Worldwide

From 1984 until 2006, John Blackburn QC was in full-time practice as leading counsel based in London. During that period, he also developed an international arbitration practice, and has acted in the capacity of arbitrator in London, Paris, Geneva, Stockholm, Dubai, Hong Kong, Singapore, and the Caribbean. Blackburn now sits as a full-time arbitrator and has been appointed as sole, president, and party-appointed arbitrator in the Caribbean, France, Hong Kong, Singapore, Switzerland, Sweden, and the UAE under all the major international arbitration centres and rules. He also has extensive knowledge of the Asian market. The projects on which he sits as arbitrator are typically worth many hundreds of millions, and in some cases many billions, of pounds.

Sam Wordsworth QC
Essex Court Chambers

Years in practice: 25
Geographical areas of expertise: US, UK, Europe, Asia, Africa, Latin America, Middle East
Admissions: French Bar (*avocat à la cour, barreau de Paris*), English and Welsh Bar
Languages: English, French

Sam Wordsworth QC of Essex Court Chambers is a highly-respected international arbitrator and litigator within the field of public international law and related investor-state and international arbitration. He frequently acts on behalf of governments, including the UK, Russia, and the Kingdom of Lesotho, as well as investors before international tribunals including the ICJ and tribunals regarding the Law of the Sea. An expert in treaty disputes, Wordsworth is an experienced arbitrator of international law and often consulted on treaty interpretation, international watercourses, maritime boundaries, Law of the Sea, investment treaty disputes, state immunity, sanctions, and dispute resolution procedure. He is a visiting professor of investment arbitration at King's College, London and co-author of Halsbury's Vol. 61 *International Law and Foreign Relations* and one of the co-authors of the forthcoming *Oppenheim's International Law* 10th edition. Wordsworth has acted in cases of global political importance such as *Ukraine v Russia* concerning alleged financing of terrorism and racial discrimination before the ICJ and for Iran in the *Iran v USA* cases concerning alleged violations of the 1955 Treaty of Amity and certain Iranian assets. He has also provided the UK with an advisory opinion concerning the decolonisation of Mauritius and acted for Chile in *Bolivia v Chile* concerning the obligation to negotiate access to the Pacific Ocean. A QC since 2013, Wordsworth is at the top of his profession, an industry expert, and recognised for his skill in negotiation, diplomacy, and poise in sensitive international arbitration.

Toby Landau QC
Essex Court Chambers

Years in practice: 26
Principal sectors: Power and other large-scale infrastructure projects, oil and gas, telecommunications, shipping
Geographical areas of expertise: Worldwide
Admissions: England and Wales, New York, Bar of Northern Ireland, Bar of the British Virgin Islands, admitted to practise in the Dubai International Financial Centre (DIFC), registered foreign lawyer at the Singapore International Commercial Court

Toby Landau QC is a barrister and arbitrator in independent practice at Essex Court Chambers. He was called to the Bar in 1993 and has been silk since 2008. He specialises in international and commercial law, and in particular international and commercial arbitration. He regularly advises and appears as counsel before English and foreign courts, and international arbitrations worldwide. Landau has had one of the most distinguished careers of any living arbitrator and has argued over 300 major international arbitrations worldwide, as well as appearing regularly before the English courts at all levels. He was retained by the UK government to advise on and assist in drafting the English Arbitration Act 1996, in conjunction with Lord Saville. He has since argued many of the leading cases under the Arbitration Act 1996, including several ground-breaking cases before the UK Supreme Court (*Jivraj v Hashwani*, and *Dallah v Government of Pakistan*). Landau has also served as committee member and consultant to a number of institutions and states in the drafting of new or revised rules, including the governments of Pakistan, Bahrain, and Mauritius and, most recently, advising the SIAC on its revised arbitration rules. In April 2012, he was appointed to the panel of counsel of the attorney-general of Singapore. In 2017, he become the first QC to be called to the Singapore Bar since the country's independence.

Rooftop Lounge of the International Arbitration Centre

Sir Robert Akenhead
Atkin Chambers

Years in practice: 36
Years as an arbitrator: 25
Principal sectors: Construction, energy, oil and gas, engineering, information technology and communications, ship building, transport
Geographical areas of expertise: Global

In continuous practice from 1973 to 2007 as a specialist construction law barrister, Sir Robert Akenhead had an extensive UK and international workload, both in court and in arbitration. Between 2007 and 2015 he sat as a High Court judge (Queen's Bench Division) allocated to the Technology and Construction Court (TCC), and was judge in charge of the TCC from 2010 to 2013. As arbitrator, Akenhead offers 'efficiency in the administration of the arbitration, a good eye for detail, and the provision of prompt arbitration awards'.

As counsel he was frequently instructed by employers, developers, governments, local and administrative authorities, contractors, and all types of construction professionals, from architects to quantity surveyors, which took him to most parts of the world. Since becoming a full-time international arbitrator (in 2015) he is frequently appointed as president, sole, and party-nominated arbitrator in high-value complex disputes across the world under all the major international arbitration rules. These disputes involve defects, delay and disruption, professional negligence, and contractual and statutory interpretation claims and have been heard in Asia, Australasia, the Middle East, South America, and the UK. Apart from the UK he has particular expertise and knowledge of the Far East, Australasia, and South America.

Particularly interesting cases Akenhead has been involved with include a $300m oil defects case on a project in Kazakhstan, a substantial delay case on a power station project in the Philippines, a process plant case relating to a substantial project in Jordan, a delay in final account dispute relating to the provision of flotels for the Caspian Sea oil projects, and an Asia-Pacific airport project giving rise to disputes about termination.

In conversation with…

The large majority of arbitrators on international arbitrations are male and broadly of a Western background. There is a very real need to encourage women (of whom many are extremely well qualified) to sit as arbitrators and people of a non-Western background to do so as well.

I'm in my 70th year currently, some people may not know that I still play cricket and golf and also ski energetically.

Frederico Singarajah
Hardwicke

Years in practice: Ten
Years as an arbitrator: Three
Principal sectors: Energy, mining, infrastructure, shipping, insurance, securities, M&A
Geographical areas of expertise: Brazil, Latin America, emerging markets
Admissions: England and Wales, Brazil
Languages: English, Portuguese, Spanish

Frederico Singarajah (*pictured*) practises as a barrister and arbitrator with Hardwicke in London. He also practices in Sydney from Thirteen Wentworth Selborne. As a Brazilian native, Singarajah has developed a niche practice in Anglo-Latin legal issues. These include commercial litigation and international arbitration, bilateral trade and investment, and advice on a number of other jurisdictional issues. His areas of legal practice tend to fall within international sale of goods, dry shipping, upstream oil, infrastructure, and insurance. He is registered with the Brazilian Bar Association as a foreign consultant in Brazil, and contributes to Anglo-Brazilian legal development as a lead for Latin America on the International Committee of the Bar Council of England and Wales, and as co-chair of Lex Anglo-Brasil.

In addition to his work in Brazil and Latin America, Singarajah represents clients from a range of jurisdictions, including the US, France, Ukraine, Cyprus, Ghana, Australia, Hong Kong, India, and the UAE.

Roof Terrace of the International Arbitration Centre

Colin Edelman QC
Devereux Chambers

Years in practice: 40

Years as an arbitrator: 22

Principal sectors: Insurance, reinsurance, energy, commercial

Geographical areas of expertise: London, Bermuda, North America

Colin Edelman QC specialises in high-value complex commercial disputes with an emphasis on insurance, reinsurance, professional indemnity, and energy. He has been involved in a number of high-profile matters affecting the London and international insurance markets, including disputes arising out of most of the major natural disasters and financial collapses of the last decade.

Edelman has written and lectured extensively on issues affecting the insurance and reinsurance market. In 2008, he was authorised to sit as deputy High Court judge (Queen's Bench Division) and in 2012 he was authorised to sit as deputy High Court judge in the Commercial Court. He was appointed chair of the board of directors of Bar Mutual Indemnity Fund in 2013 and has been a director of Bar Mutual since 2007 and deputy chair since 2009.

As well as acting as an advocate in arbitrations, Edelman also regularly sits as an arbitrator in international and domestic insurance, reinsurance, and other commercial arbitrations. He has advised and assisted solicitors in the mediation of cases. He has acted as a mediator in insurance and professional negligence disputes and has a good record of achieving a settlement between the parties through the use of innovative approaches to the mediation process.

Rooftop Lounge of the International Arbitration Centre

Richard Salter QC
3 Verulam Buildings

Years in practice: 40+

Years as an arbitrator: 15

Principal sectors: Banking and finance

Geographical areas of expertise: Worldwide

Richard Salter QC is regarded as one of the leading commercial silks at the Bar. His practice covers commercial disputes of all kinds including contractual disagreements, joint ventures, and disputes relating to banking and finance, corporate finance, financial services, and insolvency, in which field he has a pre-eminent reputation both in court and in non-contentious advisory matters.

Salter's practice has taken him all over the world. He is a member of the Bar of the Eastern Caribbean Supreme Court and has appeared several times in the Commercial Court of the British Virgin Islands. He has been admitted *pro hac vice* for cases in the Bahamas, Cayman Islands, and the Isle of Man. He has also been involved in substantial advisory and litigious matters, both assisting local lawyers in court and appearing himself before arbitral tribunals, in India, Hong Kong, and Singapore, where he is a registered foreign lawyer with the Singapore International Commercial Court. He has also been involved in numerous proceedings at the Dubai International Financial Centre.

Salter was called to the Bar in 1975 and became QC in 1995. He sits as a deputy High Court judge in the Queen's Bench Division and the Commercial Court and as a recorder. He also sits as an arbitrator in ICC, LCIA, and other types of arbitrations. In his spare time, he assists with the postgraduate teaching of financial law subjects at the University of Oxford, where he holds the title of visiting professor. He is also a trustee of English Touring Opera, and chair of the Comité d'Honneur of Les Azuriales Opera.

The Honourable Charles N Brower
20 Essex Street

Years in practice: 56

Years as an arbitrator: 36

Geographical areas of expertise: Global

Admissions: New York State; District of Columbia; US Supreme Court; US Courts of Appeals for the First, Second, Sixth, Seventh, Eighth, Ninth and Eleventh Circuits; US District Courts for the Southern District of New York, District of Columbia, Western District of Kentucky, Central District of California, Northern District of Florida

Languages: English, Dutch, French, German, Russian

The phrase 'needs no introduction' is perhaps, when it comes to The Honourable Charles N Brower, a little understated. Variously described as 'the godfather' and the 'reigning king' of international arbitration, Brower's illustrious career has spanned almost 60 years and taken him all around the world.

Following eight years with White & Case in New York City (1961-69), where he acted both as a commercial trial and appellate attorney and as criminal defence counsel in prominent cases, Brower resigned his partnership to serve for four years (1969-73) in the US Department of State in Washington DC, where as acting legal adviser he was the chief lawyer of the department and principal international lawyer for the US government. Thereafter, he rejoined White & Case, co-founding its Washington DC office, where his practice, originally concentrated in the litigation of administrative and public law cases, came to be comprised almost exclusively of substantial international arbitrations.

He has served continuously since 1983 as a judge of the Iran-United States Claims Tribunal in The Hague, where he sat full-time from 1984 to 1988. That service was interrupted for some months in 1987 by White House service as deputy special counsellor to President Reagan. While continuing to serve in The Hague on a part-time basis, Brower resumed partnership in White & Case from 1988 until joining 20 Essex Street. As of 2014 he also serves as a judge ad hoc at the International Court of Justice.

Brower has served as judge ad hoc of the Inter-American Court of Human Rights, as a member of the Register of Experts of the United Nations Compensation Commission in Geneva, and as a member of the Panels of Arbitrators and of Conciliators of the ICSID (a member of the World Bank Group). He has represented various governments in proceedings before the International Court of Justice (World Court) and is a member of the panels of arbitrators of a number of arbitral institutions around the world.

In conversation with…

I first became a partner of White & Case in New York City on the basis of practice as a general commercial litigator, jury trial lawyer, and appellate lawyer, as well as criminal defence lawyer on court assignment in front-page cases, doing nothing international. In the 1960s, all that work was strictly corporate or transactional, and I had no interest in that whatsoever. I avoided all of the cases that were supposed to make firms a lot of money, such as enormous antitrust, securities, and similarly high-volume litigation which, in the days before computers and even electric typewriters, required young associates to spend weeks and sometimes months (if not years) sorting through documents in windowless rooms. Until I became a partner and then resigned four months later to accept a position in the State Department I had never professionally travelled further north than Schenectady, NY, west of Philadelphia, or south of Washington DC. That's how I learned to be a 'real lawyer', which of course has paid off handsomely since.

We should eliminate, somehow, all prejudiced arbitrators from selection, as well as counsel and parties determined to avoid the inevitable result, if at all possible, via a 'scorched earth' attack or 'guerrilla arbitration', including unjustified challenges and other unethical behaviour. In addition, arbitral institutions should revoke their rules that are unfriendly to arbitrators, for example disclosing the detailed bills of arbitrators to the parties, which encourage 'fourth arbitrator' attacks on tribunals' decisions and awards, restricting the assistance of tribunal secretaries, and threatening to reduce the compensation of arbitrators if they do not proceed fast enough – notwithstanding the parties may be responsible for the delays or they have chosen the busiest arbitrators as an 'insurance policy' for in-house counsel and outside counsel.

Rooftop Lounge of the International Arbitration Centre

Sean Brannigan QC
4 Pump Court

Years in practice: 23

Years as an arbitrator: Three

Principal sectors: Energy, construction/engineering, international trade

Geographical areas of expertise: UK, Asia-Pacific, Middle East, Australia

Admissions: England and Wales, Northern Ireland

Sean Brannigan QC is one of the world's leading QCs. He is joint head of chambers at both 4 Pump Court in London and Pump Court International in Hong Kong, and mainly practises in the UK, Hong Kong, the Middle East, and Ireland.

His practice concentrates on large-scale arbitrations and litigation concerning energy, engineering, and construction projects (including shipbuilding) and shipping disputes, where the highest standards of preparation, teamwork, and advocacy are required. His clients include UK and foreign governments and many of the world's largest construction companies.

He has particular experience of cases involving the law of other jurisdictions, having conducted trials and arbitrations concerning the laws of the UAE, Hong Kong, Northern Ireland and the Republic of Ireland, New York, Texas, Indonesia (Bali), Switzerland, and Greece. He has appeared regularly in the DIFC courts in Dubai, though he does believe that the DIFC rules are the most difficult to arbitrate under because of the 'almost certainty' of a losing party challenging an award. Brannigan is particularly praised for his ability to cross-examine, especially on difficult fraud and technical issues.

Peter Leaver QC
One Essex Court

Years in practice: 52
Principal sectors: Banking, insurance, financial services
Geographical areas of expertise: UK, Singapore, Hong Kong and Dubai
Languages: English, French

A QC since 1987 and called to the English and Welsh Bar in 1967, Peter Leaver QC brings a vast amount of experience to his arbitration practice at One Essex Court. He specialises in commercial arbitration and detailed corporate and institutional contract work, particularly in banking, insurance and financial services cases in multiple international jurisdictions. In his career he has held many senior positions within juridical and institutional settings. Leaver was a director of the Investment Management Regulatory Organisation between 1994 and 2000, was a deputy chair of the Regulatory Decisions Committee of the Financial Services Authority, and is a recorder of the Crown Court and deputy High Court judge. He is a member of the Chartered Institute of Arbitrators, the Dubai International Financial Centre courts, the SIAC panel, and the HKIAC panel. Other roles have included his membership of the Society of Legal Scholars, and between 1997 and 1999 he was chief executive of the FA Premier League, taking a sabbatical from the Bar. A master negotiator known for his powers of persuasion, Leaver is widely regarded as one of the UK's leading silks.

Roof Terrace of the International Arbitration Centre

David Phillips QC
Wilberforce Chambers

Years in practice: 43
Years as an arbitrator: 28
Admissions: England and Wales, BVI, Anguilla, Turks and Caicos Islands

Over the last 20 years, David Phillips QC has carved out a niche in sports arbitration, a field in which he is one of the world's leading experts. A member of both the FA judicial panel and the FA Premier League Panel, he has been instructed in numerous high-profile football-related disputes. In 2004, he acted for Fulham FC in pursuing fraud and breach of fiduciary duty-related claims against former manager Jean Tigana, a Queen's Bench Division hearing that also involved appeals from FIFA rulings to the Court of Arbitration for Sport in Switzerland. In 2007, he acted for Leeds United in the so-called 15-point controversy after the club had been deducted league points for failing to meet the Football League's rules on insolvency. 'Sports arbitration is a very serious business,' comments Phillips. 'Far beyond disputes about kicking a ball, you are dealing with clubs that are part of a multibillion-pound industry. An arbitration between a football club and its kit supplier is, in essence, a very high-value contract dispute.'

Phillips' other major area of focus as both counsel and arbitrator concerns disputes arising in the Caribbean. In 2013, he defended the government of Turks and Caicos against claims brought by investors who alleged the government had failed to honour development agreements for a series of fish-farming projects. If successful, the $400m claim would have bankrupted the country. He also acts for claimants and is currently representing an investor in its actions against a sovereign state in the South Pacific.

Nicholas Craig
3 Verulam Buildings

Years in practice: 21
Years as an arbitrator: 12
Principal sectors: Aviation, banking and finance, commodities, energy and natural resources, shipping
Geographical areas of expertise: UK, US, Europe, Middle East, Asia-Pacific

Widely regarded by those he has co-counselled with for his devastating skill as an advocate, Nicholas Craig has appeared as sole or lead counsel in commercial arbitrations and disputes with seats in London, New York, Dubai, Miami, Hong Kong, Singapore and Stockholm. He has also acted extensively in arbitrations before many of the international trade associations, including the London Metals Exchange, the Refined Sugar Association, the London Maritime Arbitrators Association, FOSFA, GAFTA and the International Cotton Association. Most of his cases have an international or transnational element and, in consequence, he has a wealth of experience in conflict of laws and jurisdictional issues. He is regularly instructed on applications for interim relief including freezing and search orders and anti-suit injunctions.

Zachary Douglas QC
Matrix Chambers

Years in practice: 19
Principal sectors: Environment and natural resources, human rights, sports
Geographical areas of expertise: Worldwide
Languages: English, Russian, French

A QC since 2015 with extensive experience as a dual-qualified solicitor and barrister, Zachary Douglas of Matrix Chambers is a recognised leader within international arbitration. With an encyclopaedic knowledge of international law, he is a professor of international law at the Graduate Institute of International and Development studies in Geneva, and a former member of the faculty of law at Cambridge University. Douglas appears before many international courts and tribunals as counsel, arbitrator, and expert witness, and stands before English and common law jurisdiction courts. He has acted as arbitrator in more than 130 cases, often as the sole-arbitrator. Douglas is fluent in French and Russian and can arbitrate and practise in both languages as well as English. He also serves as an adviser to governments on issues of public international law with specific expertise in the Law of the Sea, treaty law, international human rights, sovereign immunity, and constitutional reform. Additionally, he has represented individuals and companies before the European Court of Human Rights, frequently acts as arbitrator before the Court of Arbitration for Sport, and has represented the International Olympic Committee.

Roof Terrace of the International Arbitration Centre

John Tackaberry QC
39 Essex Chambers

Years in practice: 51
Years as an arbitrator: 40
Principal sectors: Commercial, construction, infrastructure
Geographical areas of expertise: Global

One of the most respected figures in international arbitration, John Tackaberry has spent 51 years (36 of them as a QC) advising as advocate and arbitrator. He has sat as an arbitrator since 1978, devoting his time almost entirely to this work since 1990. The commercial disputes he hears are broad and range from taxi franchise, image rights, commissions, agency, aircraft leasing, to maintenance. He is also experienced in all forms of construction disputes and infrastructure disputes, especially those concerning energy-related construction, and governance and professional conduct panels. He has a great deal of expertise in international disputes throughout Europe, the US, the Middle East, the West Indies, Africa, Hong Kong, Singapore, Malaysia, India and South America. He has been admitted to the Bars of California, Ireland, Hong Kong (ad hoc), Malaysia (ad hoc) and New South Wales, and has been heavily involved in ICC arbitrations.

He is, among other things, immediate past president of the Arbitration Club, past chair of the Chartered Institute of Arbitrators and first chair of its executive committee, and founding president of the Society of Construction Law. He has also served as a recorder of the Crown Court and a commissioner of the United Nations Compensation Commission.

Outside the world of arbitration, Tackaberry chairs a microfinance company, Street UK, which seeks to help those excluded from the traditional sources of finance by operating a group of companies where the commercial side makes a major contribution to the finances of the lending arm.

In conversation with…

My interesting stories are all very much involved in the detail of the arbitral process. Once, when sitting on a panel chaired by Maître Faure in a Belgian law ICC arbitration, we concluded that we had the power to issue an urgent interim award, very soon after the tribunal was established, requiring the respondent to reimburse the claimant half the deposit. In another instance, when sitting on a panel chaired by Alan Redfern in a foreign law arbitration, we met an unusual point where the respondent was arguing a position wholly impossible to reconcile with an earlier pleading in court and ruled that it was bound by the allegation contained in the pleading.

Michael Lee
20 Essex Street

Years in practice: 45

Years as an arbitrator: 20

Principal sectors: Banking and finance, commercial law, civil fraud, energy, natural resources

Geographical areas of expertise: Europe, Asia

Languages: English, French

Michael Lee is an experienced international commercial arbitrator practising principally from Singapore and London. Before joining the English Bar, he was a solicitor and a partner at Norton Rose Fulbright, where he managed the Paris office and the firm's international arbitration group. He has had over 30 years' experience practising commercial litigation in the English High Court and international arbitration, as well as co-ordinating and overseeing overseas litigation. He is a Fellow of the Chartered Institute of Arbitrators and a CEDR-accredited mediator.

Lee has a wide-ranging practice as an international arbitrator having served as a member of the tribunal in over 150 international arbitrations administered under the rules of various international arbitration institutions. Arbitrations in which he has been appointed have included disputes in the fields of energy supply, oil and gas, agency, joint ventures, expropriation, and engineering, as well as finance and banking, involving a variety of national laws and jurisdictions. He is on the panel of international arbitrators of the American Arbitration Association (ICDR), the SIAC, the HKIAC, the Beijing Arbitration Commission, the Kuala Lumpur Regional Centre for Arbitration (KLRCA), and the Indian Council of Arbitration.

Lee also has experience of mediation, having several times acted as mediator or co-mediator. He has also acted as counsel or legal adviser in numerous arbitrations under institutional rules, including ICC, LCIA, Stockholm Chamber of Commerce, and trade association rules as well as ad hoc arbitrations in the general commercial, banking, insurance, and commodities fields.

He was formerly the UK member of the ICC Court of International Arbitration, and is a member of the ICC Commission on International Arbitration.

Michael has written and edited various publications on international arbitration matters. He was co-editor of the IBA publication *Obtaining Evidence in Another Jurisdiction in Business Disputes* and has also spoken on arbitration and other forms of dispute resolution at various conferences and workshops including those organised by the International Bar Association, the American Bar Association, the Paris Bar, the Chartered Institute of Arbitrators, and the ICC.

Rooftop Lounge of the International Arbitration Centre

Duncan Matthews QC
20 Essex Street

Years in practice: 33
Years as an arbitrator: 20
Principal sectors: Banking and finance, corporate and shareholder disputes, commodities, energy and resources, insurance, transport
Geographical areas of expertise: Europe, Asia-Pacific, North and South America, the Middle East, Africa
Languages: French, Italian, German

Duncan Matthews QC is co-head of chambers at 20 Essex Street and, as of 2018, a director and board member of the LCIA. He advises and acts in English court proceedings at all higher court levels and overseas and has a large arbitration practice primarily as counsel, though also as arbitrator, in institutional and ad hoc proceedings in a number of jurisdictions. He is a registered foreign lawyer with the Singapore International Commercial Court and is admitted to the Bar of the Turks and Caicos ad hoc, the Bar of the East Caribbean Supreme Court, British Virgin Islands and admitted to the Bar of Nevis and St Kitts ad hoc.

Roof Terrace of the International Arbitration Centre

Lobby of the International Arbitration Centre

Clive Freedman
3 Verulam Buildings

Years in practice: 42
Years as an arbitrator: 16
Principal sectors: IT, financial services
Geographical areas of expertise: Mainly UK
Languages: English, French, German

Clive Freedman's practice covers a range of sectors, from financial services, building and engineering to commercial fraud, though he is best known for his work on IT and technology disputes, including internet, e-commerce and data protection matters. He is also involved in expert determinations concerning the interpretation of IT agreements and concerning share sale agreements, and is co-author of the leading textbook on expert determination. An aspect of his current (theoretical) work is examining how arbitration may be used to determine disputes arising from distributed ledger technology. He also maintains a website on GDPR (*gdpr-dpa.co.uk*).

In conversation with…

I first bought a computer within a few weeks of it being possible to go into a shop and walk out carrying one. In about 1978, I bought a Commodore PET, a cassette-based machine offering 8KB of 8-bit RAM. Loading 8KB of data into memory (nowadays less than one MS Word document) took a few minutes. That proved to be a bit on the light side for me so I went back to the shop and changed it for a 16KB model. A year or two later I got out my soldering iron and pliers and put in a 32KB memory chip. I have been obsessed with computer hardware, and writing software, ever since. Nowadays I like using a Raspberry Pi. I get 32GB of memory in a machine not much bigger than a credit card.

The first evening after I bought my computer I typed in a program line by line from a book I had bought. I was immediately fascinated that I could generate text and carry out complex calculations just by typing in lines of code. The first useful software I wrote was a mailing list program for the Drag Hunt I used to belong to. I used the Commodore PET to produce a list of names and addresses of the members – and remember this was in the days before word processors – so they could be printed out on sticky labels to send out mailings. The most used software I've written was for the display of judgments of the English courts (*www.bailii.org*). It converts judgments from word-processing files to html so they can be displayed on the website. In practical terms that means that whenever anyone goes on the website and looks up a judgment of the English High Court or Court of Appeal they see it being displayed using the software I wrote in 2002.

When in the 1980s I started to get cases and disputes involving software I was well placed. I didn't think of it as a specialisation at first because as far as I was concerned these were just one of many different types of contractual dispute. But then I realised that the same issues were coming up again and again in these cases and that one could think of it as a specialisation. Currently it is on the non-contentious side where one sees the interesting stuff like blockchain and distributed ledger technology. Disputes work in the field has historically been related to IT projects that have gone over budget and been cancelled, or disputes about the scope of a software licence.

There are moves to use distributed ledgers for what are known as smart contracts, which are contracts which are embedded in software and can be performed autonomously. When things go wrong with those contracts we will need dispute resolution mechanisms that can deal with that in a satisfactory way. To my mind that is probably not going to involve asking for a decision from a judge who was hearing criminal cases yesterday and divorce cases the day before that. One would need a specialist in the field who not only understands the technology but will reach a result that is consistent with how people need to use the technology. That is precisely what arbitration is good at securing for the parties.

There are possibilities of building dispute resolution systems into the technology to enable a decision in a dispute to be enforced automatically by transferring cryptocurrency from one party to another.

Hilary Heilbron QC
Brick Court Chambers

Years in practice: 40
Years as an arbitrator: 20
Principal sectors: TMT, financial services, pharmaceuticals, energy pricing, cargo, share purchase and subscription agreements, joint ventures, distributorship agreements
Geographical areas of expertise: Worldwide

Hilary Heilbron QC appears both as counsel and acts as arbitrator. She has acted as leading counsel in the Supreme Court, House of Lords, and Privy Council. Her arbitration practice covers a wide range of disputes including share purchase and subscription agreements (including related tax-sharing agreements), joint ventures, distributorship agreements, put and call options, and various other contractual issues in sectors ranging from telecommunications to pharmaceuticals and banking. Commenting on her work as arbitrator, a very experienced arbitration partner says: 'She is incredibly efficient and thorough and is close enough to the technical matters involved in the dispute to understand the issues effectively.' She is a member of the LCIA court and also trains arbitrators for the ICDR. Heilbron was appointed Queen's Counsel in 1989, the 29th woman to receive the honour. Forty years earlier, her mother, Rose Heilbron, had become one of the first two women to receive the honour, when she was appointed King's Counsel (as it was then) alongside Helena Normanton.

Arbitrators' Breakout Room of the International Arbitration Centre

David Brynmor Thomas QC
39 Essex Chambers

Years in practice: 26

Principal sectors: Aviation and aerospace, infrastructure, energy

Geographical areas of expertise: Europe, Middle East, Asia-Pacific (including India), US

David Brynmor Thomas QC practises as counsel in complex, high-value international commercial arbitrations arising from energy, infrastructure, joint venture, post-M&A, and shareholder disputes and is regularly appointed as an arbitrator in institutional and ad hoc arbitrations. He is a former chair of the board of trustees of the Chartered Institute of Arbitrators (CIArb) and an honorary professor in the Centre for Commercial Law Studies at Queen Mary University of London. Before being called to the Bar, he was a partner at Herbert Smith Freehills, where he practised as solicitor advocate. He was appointed Queen's Counsel in March 2019.

Roof Terrace of the International Arbitration Centre

Michael Black QC
XXIV Old Buildings

Years in practice: 40
Years as an arbitrator: 25
Principal sectors: Banking, construction, insurance, joint ventures, natural resources, oil and gas, shipping
Geographical areas of expertise: UK, Middle East, Africa, India, Singapore
Admissions: England and Wales, Eastern Caribbean Supreme Court

Michael Black QC is an international disputes lawyer specialising in arbitration and offshore litigation both as advocate and arbitrator.

He has an international reputation as an expert in dispute resolution procedures. He spent nearly five years as a member of the English Civil Procedure Rule Committee, in which time he was involved in the draftsmanship of the English Court Rules relating to arbitration claims. As a result of this experience, he was retained to draft the procedure rules for the courts of the Dubai International Financial Centre and was involved in the draftsmanship of the DIFC Arbitration Law 2008. In addition, he also has substantial experience in the PRC, India, and Africa.

Black is a member of the ICC Commission on Arbitration and ADR and the Task Force on Emergency Arbitrator Proceedings. He is also a member of the court of the Casablanca International Mediation and Arbitration Centre.

He has appeared as counsel in several leading English and Privy Council cases concerning arbitration.

Lord Grabiner QC
One Essex Court

Years in practice: 51
Principal sectors: Banking and financial services, energy and natural resources, insurance and reinsurance, IT and telecommunications, media, entertainment and broadcasting, professional liability, sovereign immunity

Called to the Bar in 1968 and made a QC in 1981, Lord Grabiner QC has built a formidable reputation in the years since as a truly exceptional silk and is now regarded as one of the foremost names of the Bar.

His significant court, arbitration, and advisory practice experience has been achieved through his involvement in some of the most prominent commercial disputes that have been fought in London, notably in the banking and finance, energy, oil and gas, civil fraud, competition and merger investigations and shareholder disputes fields. Equally experienced both as an advocate in the High Court and as an arbitration counsel, some of Lord Grabiner's most noteworthy arbitration matters have been related to the oil and gas industry, where his expertise is particularly sought-after.

Christopher Symons QC
3 Verulam Buildings

Years in practice: 40
Years as an arbitrator: 11
Principal sectors: Commercial, insurance and reinsurance, construction, oil and gas, commodities
Geographical areas of expertise: London, Bermuda, some Middle and Far East, Russia
Admissions: England and Wales, Northern Ireland, Ireland

After spending upwards of 40 years as a practising barrister, 26 of them as a QC, and 17 years as a deputy High Court judge, Christopher Symons QC now works as a full-time international commercial arbitrator and also accepts appointments as a mediator when a commercial approach is required.

During his years at the Bar, Symons was best known as a 'heavyweight' in insurance and reinsurance, including Bermuda Form arbitrations. His practice also covered professional negligence claims by professionals against their insurers, and the whole range of commercial disputes. These included financial disputes, shareholder and breach of warranty claims, energy, mining, and commodity disputes, as well as a large range of building and construction disputes, particularly those involving professionals. He made the decision to cease accepting instructions as counsel in 2016. At the same time he also ceased sitting as a deputy High Court judge.

Symons has sat as an arbitrator, as well as acting as counsel in arbitrations on a regular basis over the past ten years. By ceasing to accept instructions as a barrister the problems associated with conflicts of interest have largely disappeared. Over recent years, he has accepted appointments as an arbitrator to deal with insurance and reinsurance disputes, including those involving the Bermuda Form, construction disputes, commodity disputes, shareholder breach of warranty claims, telecommunications, pharmaceuticals, shipping, and other contractual claims. He is a member of the LCIA, ICC, ARIAS and ICCA and on the panel of arbitrators with the KLRCA.

Roof Terrace of the International Arbitration Centre

Alan Redfern
One Essex Court

Years in practice: 60
Years as an arbitrator: 30
Principal sectors: Telecommunications, construction, oil and gas, defence
Languages: English, French

Among the most experienced and skilled arbitrators currently accepting appointments in London, Alan Redfern has over 30 years' experience of complex international commercial arbitration cases (though he has been a solicitor acting on other matters for 60 years). He has worked as a full-time arbitrator at One Essex Court since leaving Freshfields Bruckhaus Deringer, where he was a partner for many years and played a significant role in developing the firm's arbitration practice. Most notably, he created the so-called Redfern Schedule which is employed in numerous arbitration proceedings to serve as a joint record giving the claimant, respondent and tribunal the opportunity to record requests for disclosure, party submissions, objections to these submissions, and summaries of the decision made by the tribunal based on individual requests. He has significant arbitration experience in a wide range of commercial matters, particularly those related to infrastructure and construction projects, as well as oil and gas arbitrations. As arbitrator, he is known as a strong case manager who keeps a firm hand on proceedings and delivers awards promptly. He was formerly vice president of the International Court of Arbitration at the ICC in Paris.

Andrew Bartlett QC
Crown Office Chambers

Years in practice: 45
Years as an arbitrator: 28
Principal sectors: Insurance and reinsurance, energy projects, construction and engineering, manufacturing disputes, financial services, professional liability, and other commercial contracts
Geographical areas of expertise: Europe, Middle East (including Iraq), Ethiopia, Singapore

Andrew Bartlett QC has been sitting as an arbitrator internationally since 1991 and although still in practice at the Bar, he is primarily an arbitrator with a speciality in insurance and reinsurance, energy products, construction and engineering, manufacturing disputes, financial services, professional liability and other types of commercial contracts. He is an accredited adjudicator, chartered arbitrator, bencher of Middle Temple, deputy High Court judge (England and Wales), and part-time judge of the Upper Tribunal. He has conducted and adjudicated arbitration proceedings in many countries and centres including Austria, Bermuda, Dubai, DIFC, England, France, Oman, Scotland, Singapore, US, Azerbaijan, Botswana, England, Ethiopia, Iraq, New York, Queensland (Australia), and Taiwan (Republic of China). Disputes he has managed have ranged into the billions of dollars.

Rooftop Lounge of the International Arbitration Centre

David Streatfeild-James QC
Atkin Chambers

Years in practice: 33
Principal sectors: Energy, natural resources and utilities; construction, engineering, and infrastructure; IT and telecoms
Geographical areas of expertise: Worldwide

A barrister of 30 years' experience, David Streatfeild-James QC is one of the leading specialist counsel advising on infrastructure project disputes worldwide. He handles cases in a range of sectors, from construction and engineering to energy, information technology and professional negligence, and is experienced in disputes arising under most standard construction contracts and forms, on and offshore fabrications, power and renewable energy projects, water treatment and waste plants, soft and hardware computer systems, and control and communication systems. He also has expertise with financing and service agreements, and public-private partnership contracts.

Andrew Foyle
One Essex Court

Years in practice: Solicitor (45 years), barrister (13 years)
Principal sectors: Construction, oil, defence, financial services and banking, insurance
Geographical areas of expertise: UK, US, Australia, Brazil, Nigeria, Turkey, Dubai, Oman, Bahrain, Saudi Arabia, Japan, the Philippines, China, Hong Kong, India
Admissions: England and Wales, Hong Kong

Andrew Foyle is a highly experienced international arbitrator and litigator with a global portfolio of appointments and cases. He began his career as a solicitor, qualifying in England and Wales in 1974 and Hong Kong in 1980, and made the switch to the Bar in 2006 after serving as international arbitration partner at Hogan Lovells. He has further developed a strong international arbitration practice at One Essex Court. Foyle is a specialist in commercial arbitration handling areas such as joint venture agreements, construction contracts, defence contracts, insurance disputes, and share purchase agreements. Foyle has great experience in the Asia-Pacific region including Japan, the Philippines, China, Hong Kong, India, and Singapore. He has also worked in the US, Australia, Brazil, Nigeria, Turkey, Dubai, Oman, Bahrain, and Saudi Arabia. Foyle has held seats as arbitrator in more than 70 LCIA, ICC, UNCITRAL, and ad hoc arbitrations. From 2006 to 2012 he was the UK member of the ICC Court of Arbitration, a member of its drafting sub-committee, and he worked on the revision of the updated rules of arbitration, which came into force in 2012.

Chantal-Aimée Doerries QC
Atkin Chambers

Years in practice: 25
Years as an arbitrator: Four
Principal sectors: Energy, natural resources and utilities, construction and engineering, shipbuilding
Geographical areas of expertise: UK, Europe, Asia-Pacific, Middle East
Languages: English, German

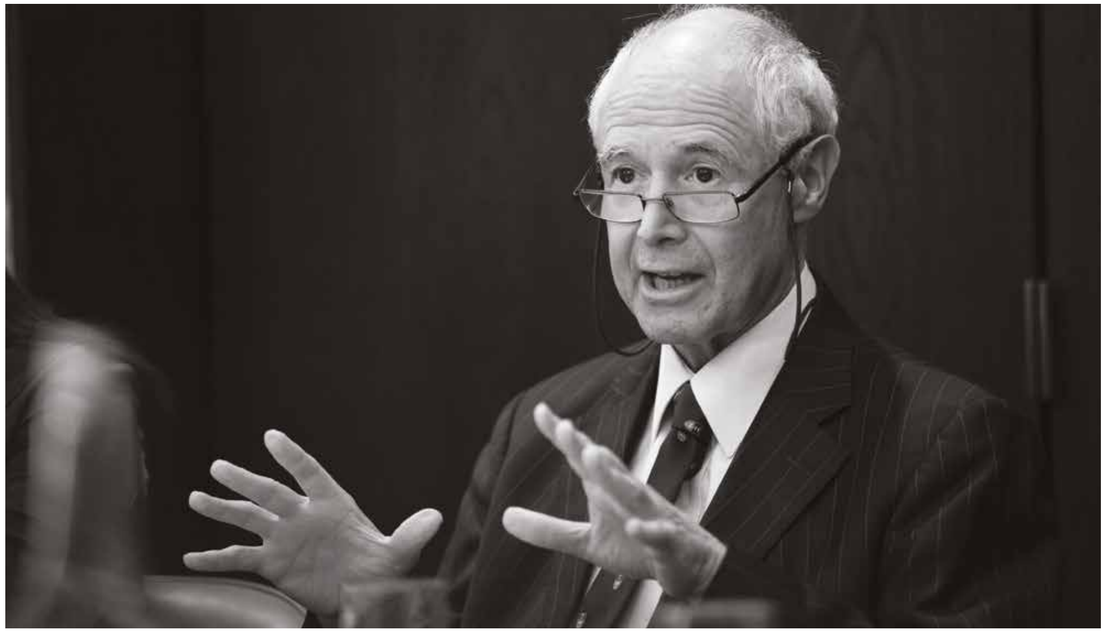
Chantal-Aimée Doerries QC is the head of Atkin Chambers and the immediate past chair of the Bar of England and Wales, a position she held in 2016. These roles have seen Doerries use her skills as counsel to advocate on behalf of both the Bar and London, particularly in jurisdictions where the role of barrister is less widely appreciated.

Much of her practice as counsel relates to large infrastructure projects, oil and gas construction, commodities, and oil pricing work. Recent cases have involved disputes arising in Asia (Singapore, China, Korea, and Indonesia), Europe (Norway, Germany, and Switzerland), the Middle East (Qatar, Dubai), South America (Peru, Costa Rica), and Ukraine. She is also an experienced arbitrator.

In conversation with…

I was still a student when the role of solicitor advocate was first introduced. At the time some people thought it would be the end of the commercial Bar. Yet, nearly 30 years later, the Bar is still thriving. In many ways, the model the Bar offers is a very modern one – a focus on specialisation and excellence in advocacy delivered by self-employed lawyers working with relatively low overheads. It offers clients a commercially viable form of excellence and is a model that continues to punch above its weight. The UK should celebrate this wonderful institution as part of its unique offering to the global market for legal services.

Rooftop Lounge of the International Arbitration Centre



Dr Robert Gaitskell QC
Keating Chambers

Years in practice: 30
Years as an arbitrator: 20
Principal sectors: Construction, engineering, infrastructure
Geographical areas of expertise: Worldwide

Dr Robert Gaitskell QC specialises in technology, engineering, and construction disputes on an international scale. Currently acting as chairman of various arbitral tribunals, Gaitskell oversees matters related to oil and gas installations and pipelines, petro-chemical works, power stations, and other large-scale engineering projects. Some of his recent most prominent projects include acting as a dispute board member in regards to a hi-tech international power project, as well as serving as a chair of an UNCITRAL arbitral panel dealing with a Russian oil/gas processing facility dispute.

Gaitskell's areas of work span widely across the globe. In South-East Asia he chaired a tribunal process related to energy pricing in the region; he also recently mediated a Singaporean hi-tech dispute. Additionally, he is a tribunal member for a Dubai construction dispute and for a Qatari utilities dispute. In the African continent, Gaitskell is conducting a mining arbitration and in the UK he is currently working on defence projects, recently advising the Corporation of London on a landmark structural project.

He is both a lawyer and a professional engineer and is the editor of *Keating Construction Dispute Resolution Handbook*. He is also a former vice president of Europe's biggest professional engineering institution, the IEE/IET, and frequently lectures on legal and engineering subjects around the world, namely at CERN in Geneva and Xerox PARC in Silicon Valley.

Arbitrators' Breakout Room of the International Arbitration Centre

Paul Reed QC
Hardwicke

Years in practice: 30
Years as an arbitrator: Ten
Principal sectors: Construction, insurance, commercial
Geographical areas of expertise: UK, Caribbean, Middle East

Paul Reed QC specialises in insurance disputes, particularly those arising from construction projects, and regularly acts on professional liability and property damage cases around the world. He is instructed regularly in the Middle East, the Caribbean, Singapore, Hong Kong, and Australia and has been involved in disputes connected with almost every landmark building in the City of London, from the Leadenhall Building to the Shard. Much of his recent work has dealt with infrastructure power-generation disputes and weather-related damage, typically acting for insurers. 'The UK's experience of resolving complex construction, infrastructure, and insurance disputes is unparalleled', says Reed. 'In insurance, this experience dates back many centuries. English law is so highly developed that almost any issue that may arise in an insurance dispute (for example) has already been considered and resolved by several tribunals. That means you can rely on a pool of experts who have seen it all before.' Reed is the author of *Construction All Risks Insurance* and *Construction Professional Indemnity Insurance*, the leading textbooks in the field.

David Sutton
20 Essex Street

Years in practice: 18
Years as an arbitrator: 18
Principal sectors: Banking and finance, commercial law, civil fraud, energy and natural resources, private international law
Geographical areas of expertise: UK, France, Hong Kong
Admissions: England and Wales, Hong Kong, Paris
Languages: English, French

David Sutton, barrister and arbitrator at 20 Essex Street, has for many years been at the top of the international arbitration industry in London and other locations serving as the director of the LCIA, member of ICC Commission on International Arbitration, Fellow of the Chartered Institute of Arbitrators, and member of the IBA. He is a former solicitor and partner of Allen & Overy's dispute resolution division. He is a specialist in the commercial, banking, pharmaceutical, and oil and gas industries and has conducted arbitrations under all of the major rules systems at the ICC, the LCIA, the Stockholm Arbitration Institute, the Zürich Chamber of Commerce, the American Arbitration Association, and the HKIAC, as well as conducting ad hoc arbitrations under the UNCITRAL Arbitration Rules. Additionally, Sutton is a specialist in French law and a qualified avocat à la cour de Paris and has been a lecturer at Queen Mary University of London, Stockholm University, and Hong Kong University.

John Uff CBE QC
Keating Chambers

Years in practice: 49
Principal sectors: Engineering, construction, transport and infrastructure, oil and gas
Geographical areas of expertise: UK, US, Europe, Caribbean, Africa, Asia-Pacific, Middle East

John Uff CBE QC is a full-time arbitrator at Keating Chambers. He originally trained as a civil engineer, becoming a specialist in geotechnics, before joining Keating in 1970. He has worked on many substantial arbitrations, as sole arbitrator, chairman or tribunal member, throughout the world and has maintained close contact with the engineering world through the ICE and the Royal Academy of Engineering.

Perhaps most notably, Uff chaired and co-chaired the inquiries into the Southall and Paddington rail crashes; these roles led directly to the CBE he was awarded in 2002.

He has been made master of the Worshipful Company of Arbitrators of London in 2014 and a panel member of the Kuala Lumpur Regional Centre for Arbitration in 2017.

Christopher Style QC
One Essex Court

Years in practice: 42
Years as an arbitrator: Seven
Principal sectors: Banking and finance, energy and resources, construction and infrastructure, professional services, shipping and commodities, transport, insurance, healthcare and pharmaceuticals, technology and telecommunications
Geographical areas of expertise: Worldwide

Christopher Style (*pictured*) is a QC and arbitrator practising at One Essex Court. With over 40 years of experience in international dispute resolution he has an impressive reputation, and is known as 'an outstanding presiding arbitrator who demonstrates a close mastery of the file' and is 'efficient, sensible, and an excellent tribunal chair.' He practises full time as an arbitrator.

Style acts as counsel and arbitrator in institutional and ad hoc references involving many systems of law and with seats in many of the centres of international arbitration. He is a Fellow of the Chartered Institute of Arbitrators, deputy chair of the board of the LCIA, and one of the UK's representatives on the ICC Commission on Arbitration. He is also a CEDR-accredited mediator.

Between 1977 and 2012 Style practised at an international law firm. He acquired solicitor's higher courts rights in 1997, and was appointed silk in 2006. His practice has included disputes in many of the principal industry sectors, including banking and finance, energy and resources, construction and infrastructure, professional services, shipping and commodities, transport, hospitality and leisure, insurance, healthcare and pharmaceuticals, and technology and telecommunications. He was called to the Bar to develop his practice as arbitrator in international commercial arbitration.

Rooftop Lounge of the International Arbitration Centre

Ian Glick QC
One Essex Court

Years in practice: 49

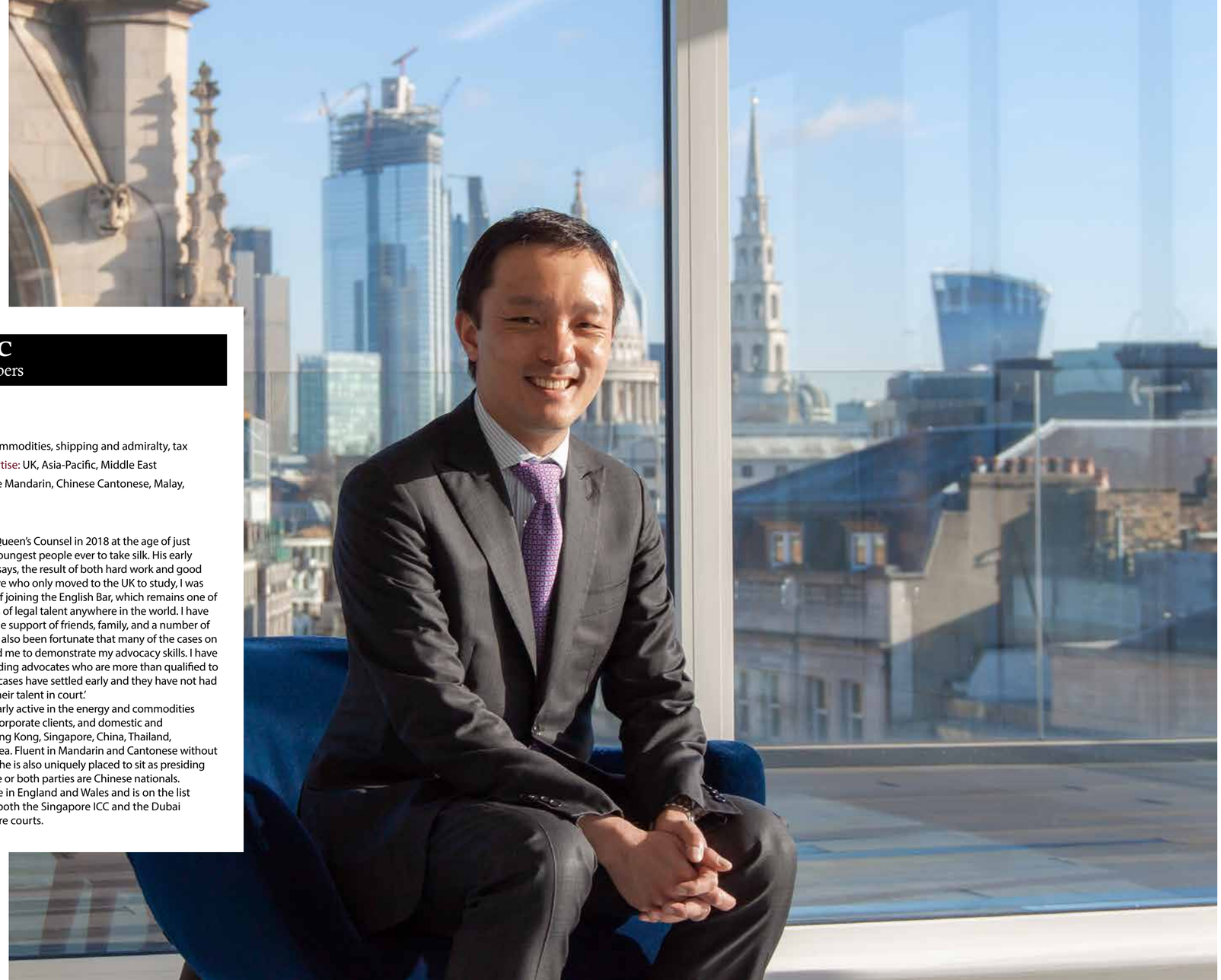
Years as an arbitrator: 18

Principal sectors: Banking and financial services, competition and EU law, energy and natural resources, insurance and reinsurance, IT and telecoms, media, tax

Geographical areas of expertise: Worldwide

Known for his supreme intelligence, tactical mastery, and command of arbitration proceedings, Ian Glick QC is an expert international commercial arbitrator as well as a commercial litigator. With 49 years practising law and 18 years sitting as an arbitrator, Glick is a well-known and celebrated lawyer. He has worked extensively in arbitration centres around the world including London, Paris, Milan, New York, Mumbai, Singapore, Lusaka, and Colombo in common law and civil coded jurisdictions and followed the ICC, LCIA, SCC, SIAC, and ICSID rules as well as ad hoc arbitrations. Glick has been instrumental within the international arbitration industry, particularly in its defence in litigation advancing the discipline through his acting on questions of arbitration law. For example, he acted in *Lesotho Highlands Development Authority v. Impregilo* in the House of Lords over whether it is permissible to exclude by contract the statutory power of arbitrators' powers to make an award in any currency and to grant pre-award interest. During his career, Glick has been involved in many other important cases and arbitrations such as acting as a junior counsel in the DTI during the export credit cases, and has served as chair of the Commercial Bar Association, and as a deputy High Court judge sitting in the Chancery Division Commercial Court. He is a Fellow of the Chartered Institute of Arbitrators.

Roof Terrace of the International Arbitration Centre



Jern-Fei Ng QC
Essex Court Chambers

Years in practice: 15
Years as an arbitrator: Two
Principal sectors: Energy, commodities, shipping and admiralty, tax
Geographical areas of expertise: UK, Asia-Pacific, Middle East
Languages: English, Chinese Mandarin, Chinese Cantonese, Malay, Indonesian

Jern-Fei Ng was appointed Queen's Counsel in 2018 at the age of just 38, making him one of the youngest people ever to take silk. His early appointment as QC was, he says, the result of both hard work and good fortune. 'As a Malaysian native who only moved to the UK to study, I was motivated by the prospect of joining the English Bar, which remains one of the most formidable sources of legal talent anywhere in the world. I have been very lucky to receive the support of friends, family, and a number of wonderful clients, but I have also been fortunate that many of the cases on which I have worked allowed me to demonstrate my advocacy skills. I have known a number of outstanding advocates who are more than qualified to become silk, but often their cases have settled early and they have not had the opportunity to display their talent in court.'

As counsel, Ng is particularly active in the energy and commodities space. He regularly acts for corporate clients, and domestic and international law firms in Hong Kong, Singapore, China, Thailand, Indonesia, Malaysia, and Korea. Fluent in Mandarin and Cantonese without holding a Chinese passport, he is also uniquely placed to sit as presiding arbitrator in cases where one or both parties are Chinese nationals.

He is admitted to practise in England and Wales and is on the list of registered advocates for both the Singapore ICC and the Dubai International Financial Centre courts.

In conversation with…

There are factors that make London uniquely placed as a market leader in international disputes work. It has a well-developed system of substantive law and well-tested arbitration legislation, a deep pool of legal talent, incredibly well resourced commercial courts, and a highly advantageous geographic location between the US and Asia. It also has a long history of equitably settling disputes. In short, London has a brand that nowhere else can match.

The mushrooming of different international dispute centres across the world, and particularly in Asia, certainly presents London with competition and shows we must be attentive to a growing and increasingly diversified base of end users, many of whom have different needs and demands when it comes to the settlement of international disputes. However, we must remember that arbitration is not a zero-sum game. Yes, there has been an increase in the number of cases heard in Hong Kong and Singapore, but there has also been a significant increase in the number of cases heard globally. For all the talk of threats and challenges from the East, I have not seen a diminution in the volume of international disputes work in London.

Rooftop Lounge of the International Arbitration Centre

John Marrin QC
Keating Chambers

Years in practice: 45

Years as an arbitrator: 23

Principal sectors: Construction, engineering, energy, oil and gas, software, rail and supply

Geographical areas of expertise: UK, Europe, Middle East, Asia-Pacific, Central Asia, Africa

Formerly recorder of the Crown Court and a former deputy High Court judge in both the Queen's Bench Division and in the Technology and Construction Court, as well as head of chambers for Keating Chambers – where he has practised for over three-and-a-half decades – between 2005 and 2010, John Marrin QC's (*pictured*) considerable talents and experience are brought to bear primarily on arbitration matters, where he has an exceptionally long and successful record.

Named on various international arbitration panels, Marrin is a Fellow of the Chartered Institute of Arbitrators, a Technology and Construction Bar Association accredited adjudicator, and a CEDR-accredited mediator. His appointments as a tribunal chair, party-nominated arbitrator, and sole arbitrator bear testament to his status as among the most highly sought-after individuals in this field globally, and have included complex and high-value cases involving companies based in a vast number of jurisdictions encompassing most of the globe. The institutional rules he has practised under similarly provide an almost exhaustive list of the major global organisations.

Roof Terrace of the International Arbitration Centre

Klaus Reichert SC
Brick Court Chambers

Years in practice: 27

Years as an arbitrator: 18

Geographical areas of expertise: Worldwide

Admissions: Irish Bar, English Bar (Middle Temple), Northern Irish Bar

Klaus Reichert SC specialises in international arbitration and has worked on, both as lead counsel and as arbitrator (frequently as chair), nearly 300 arbitrations across a wide range of subject matters, applicable laws, institutional rules and venues. He is a member of the Court of Arbitration for Sport, and a member of the International Basketball Federation (BAT) panel of arbitrators. His many high-profile representations include acting as counsel for Saudi Arabian company Dallah Real Estate in its landmark case against the Islamic Republic of Pakistan, which led to the UK Supreme Court and Paris Court of Appeal issuing opposing decisions on the validity of an ICC arbitration award rendered in Paris. A founding member of the Irish Arbitration Association, he was called to the Inner Bar in Dublin in 2010 and played a leading role in preparing the Irish legal community for the introduction of the Irish Arbitration Act in the same year. In 2012 he was elected to the governing board of the International Council for Commercial Arbitration.

Julian Lew QC
20 Essex Street

Years in practice: 42

Years as an arbitrator: 32

Principal sectors: Oil and gas, pharmaceuticals, private equity, joint ventures, intellectual property, investment, distribution/franchise

Geographical areas of expertise: Worldwide

Admissions: England and Wales, New York

Languages: English, French

Julian Lew QC has been involved in international arbitration for over 40 years, in several different guises: academic, counsel, and arbitrator. Before 2005, he was a partner and for some years the head of the international arbitration practice group of Herbert Smith Freehills. Lew now sits full time as an arbitrator, principally in international commercial and investment disputes, but also advises on procedural and substantive issues in international arbitration.

Lew's professional expertise is incredibly varied, and includes international transactions affecting investments; purchase and sale of corporate entities and assets; joint ventures; oil and gas exploration; development and production agreements; research and development and promotions of pharmaceutical and chemical products; mining and concession arrangements; distribution, agency, licensing, and construction contracts; international trade finance; trading arrangements with developing countries; EC law; and arbitration arising out of all such transactions.

He has acted as counsel in arbitrations across the globe and under all the major arbitration systems. He has been appointed as a sole, presiding, and co-arbitrator in arbitrations under the majority of arbitral rules.

On top of his work as an arbitrator, Professor Lew has been head of the School of International Arbitration, Centre for Commercial Law Studies, Queen Mary University of London since its creation in 1985. He writes extensively on many different aspects of international arbitration and trade law, and is the author and editor of numerous books.

Arbitrators' Breakout Room of the International Arbitration Centre

Rooftop Lounge of the International Arbitration Centre

Jeffrey Golden
3 Hare Court

Years in practice: 41

Years as an arbitrator: Five

Principal sectors:
Financial markets disputes

Geographical areas of expertise: Global

Admissions: State of New Jersey, the State of New York, Supreme Court of the United States

In the world of arbitration, Jeffrey Golden needs no introduction. Described as 'legendary', and credited with having 'written the law on derivatives', he is one of the giants on whose shoulders many stand.

Golden is a specialist arbitrator, mediator, and expert with broad experience of a wide range of capital markets matters, including swaps and derivatives, international equity and debt offerings, US private placements and listings, and mergers, acquisitions, and joint ventures. He has acted extensively for the International Swaps and Derivatives Association (ISDA), was a principal author of ISDA's master agreements, and has appeared as an arbitrator and as expert witness in several high-profile derivatives cases.

He began his legal career with leading Wall Street firm Cravath, Swaine & Moore, before joining Allen & Overy in 1994 as partner. He was the founding partner of the US law practice at A&O and senior partner in the firm's global derivatives practice. As well as serving as joint head of chambers at 3 Hare Court, Golden also serves as chair of The P.R.I.M.E. Finance Foundation in The Hague, and is a member of the foundation's Panel of Recognised International Market Experts in Finance. He is a governor and Honorary Fellow at the London School of Economics and Political Science, where he previously held an appointment as visiting professor. In 2016 he was elected and subsequently called as an Honorary Master of the Bench at the Honorable Society of Middle Temple.

In conversation with…

There has been plenty of debate about whether a lawyer should play both sides of the street as an arbitrator and alternatively as an advocate in arbitral proceedings. Because most of my casework arises from disputes in the financial markets, I act as a kind of counsel to the derivatives industry. For some time now my instructions, whether as arbitrator or expert, have tended to come when parties seek to know what is the right answer, whether or not it is a party's preferred answer. Even if I had more confidence in my advocacy skills, I would worry that taking on advocacy for others might compromise the independence – or at least the perception of the independence – of my position. And I have managed to keep pretty busy on that basis!

The best things about the UK as a place to arbitrate are the people, the tradition, and the relevance. I have great respect for the English trained and qualified lawyers, judges, and arbitrators with whom I have kept company. The study and development of English law has attracted more than its fair share of the best and the brightest over centuries. That has contributed to a legal tradition that is uniquely rich. And it must have been a factor in the role that English law now plays, and has played, both at home and internationally as a governing law – and why the UK often enjoys popularity as a forum of choice for arbitration in English law governed contracts.

English law rightfully enjoys the reputation that it has because of the clarity, certainty, continuity, and predictability that it gives to its citizens, to contracting parties, and, more broadly speaking in my particular professional area of interest, to financial market participants and the wider international community. For financial market matters, because of the breadth and flexibility of legal precedents that are there to draw upon, English law and these precedents provide a kind of legal liquidity. No doubt, the fact that the English language has established itself as the principal language of international commerce contributes too and in many cases makes a choice of English law a very natural one.

One of the biggest challenges facing international arbitration is the mistaken belief that arbitration necessarily competes with the courts for the same business, and this can lead to an attempt at overselling. The arbitration community should be keen to avoid defending its offering on the basis that it is always the better alternative, which can only lead to an unhelpful and oversimplified pantomime chorus of 'Oh, yes it is.' 'Oh, no it isn't.'

At P.R.I.M.E. Finance we do not view this as a competition: courts vs arbitration. We view our arbitration offering as a complement to the role that courts can play in fostering financial market stability. Our experts are engaged in domestic court cases as well and in providing technical assistance and support to judges in those courts.

Arbitration is not necessarily right for all types of disputes. However, there are also certain disputes where arbitration offers significant advantage over court resolution for reasons of enforceability, competence, and specialist expertise or flexibility. And even the courts recognise this, as do increasingly the markets. The biggest issue may therefore be one of education.

If I had the opportunity to change one thing about international arbitration, it would be to bring down the cost (and thereby the affordability/attractiveness) of international arbitration and recruit to the task, where necessary or beneficial, experienced specialist arbitrators with the competence to provide authoritative and correct answers in complex cases. Is that two changes?!

Diversity in international arbitration is important and beneficial; disciplining ourselves, as we should, to make this a priority will accelerate an appreciation of its relevance. We should aim for diversity in the broadest sense: gender, race, geographical representation, jurisdictional (common law, civil code, Sharia law, etc) and linguistic background, interdisciplinary collective experience (judicial, legal, and lay expertise) – these can all be relevant in the context of international arbitration.

Practising in a very international, cross-border environment over the years has made me sensitive to linguistic nuance and the risk of inadvertent misunderstanding when the language of the case is not the first language of all the parties – what I call the 'polyglot challenge'. Though I have taken that lesson into my arbitration practice, I learned from a sobering example of it when presenting to the Ministries of Finance and Justice in the Czech Republic a couple of decades ago.

At a time when the Czech Republic was contemplating EU membership, I had been sent by ISDA and the EBRD to promote law reform in support of the market's interest in the netting of derivatives exposures of creditors in insolvency proceedings. The underlying orientation of Czech law at the time was very pro-debtor, and as a result hostile to post-insolvency set-off. My task was to explain the subtle difference between 'netting' and 'set-off', and thus confirm that the market sought to protect netting – while the more general approach to set-off could be left unaffected – and assuage any concern that a more radical change would be necessary. I spoke in English, but my audience, while watching me, listened to the translator providing simultaneous translation. Many of my sentences began, 'Netting is not set-off because…'

When I finished my audience politely clapped. Afterwards I was approached by an official from the Ministry of Justice, who told me that he enjoyed my talk, but had been confused by the fact that I often made the point that 'set-off was not set-off', which he did not understand. I realised then that the Czech language did not have a word for 'netting' and that every time that I used the term it got translated as 'set-off', which rendered the exercise and the distinctions I'd been making rather useless!

Most people might not know, but I used to wear tights. At least, I used to wear the tight-fitting kit of a collegiate wrestler. I grew up in a small New Jersey town (more people worked in the building where I began my legal career than lived in my hometown) – a small town with a big heart and a legendary sporting tradition. Two of my high school classmates went on to play for American Super Bowl Champion teams.

The lads I grew up with were big. I started small, initially one of the smallest in my year, and grew later. Still, you needed to play a sport if you were to have a social life in my town, so I engaged in the one sport on offer where the competition was by weight class, and I could compete with others my own size.

That was a long time ago. Wrestling gave me stamina and discipline, and most importantly trained me to go out and give my all until the whistle blows. But I haven't seen the required weights of the lower weight classes that I used to compete in for a very long time!

Stephen Moriarty QC
Fountain Court Chambers

Years in practice: 32
Years as an arbitrator: 13
Principal sectors: Banking and financial services, aviation, insurance and reinsurance
Geographical areas of expertise: Worldwide

Stephen Moriarty QC is a barrister at Fountain Court Chambers with a broad commercial litigation, international arbitration, and advisory practice. 'I try to avoid being pigeonholed as a specialist in any particular field', says Moriarty. 'Fountain Court has a history of putting barristers into areas where they more or less have to write the law as they go along. You can't do that if you're working on your thousandth carbon copy of a simple shareholder dispute.' While varied, Moriarty's work as arbitration counsel has mainly focused on insurance and reinsurance disputes, in which field he is sought after, as well as defence-related disputes, joint venture disputes, aviation disputes, and disputes arising out of sale and purchase agreements. He also regularly accepts arbitral appointments. He began his career as an academic, spending eight years teaching at undergraduate and graduate level in the law faculty of the University of Oxford. He has been chair of the Commercial Bar Association and, until 2018, was head of chambers at Fountain Court.

Rooftop Lounge of the International Arbitration Centre

Andrew White QC
Atkin Chambers

Years in practice: 35
Years as an arbitrator: 20
Principal sectors: Construction and engineering, energy and natural resources, insurance, joint ventures, shipbuilding, ship repair, transport
Geographical areas of expertise: Australia, Europe, Asia-Pacific, Middle East, Gibraltar, Caribbean, New Zealand, Africa

Andrew White QC regularly appears as counsel in English High Court litigation, and international and domestic arbitrations, as well as mediations and expert determinations. He appeared in the House of Lords for the landmark decision of *Murphy v Brentwood District Council*.

Clients talk of his abilities as an authoritative, heavyweight, measured, and incisive advocate with an ability to master the most complex of cases while also being a commercial team player who works 'ferociously hard' on behalf of his clients. He is regularly instructed by the world's largest law firms on behalf of major construction, engineering, and energy companies, governments, and state entities.

White's practice includes large civil engineering and building disputes such as hospitals and airports, shipbuilding and ship conversion, rail and rolling stock, and significant work in energy – both oil and gas, and renewable projects. He is also called on for related disputes, such as contracts for the sale and purchase of oil and gas, and more general commercial work.

Most of his work is international in nature and in recent years he has acted in disputes in Europe, North and South America, Australia, the UAE, and across Asia. He has been instructed as counsel in the Court of Appeal in Gibraltar, in the High Court of Hong Kong and in arbitrations in Dubai, Abu Dhabi, Oman, Qatar, Singapore, Hong Kong, Brussels, Gibraltar, and Tanzania.

White has also been appointed as an arbitrator – both as chair and party-appointed – in UNCITRAL, ICC, SIAC, LCIA, and ad hoc arbitrations in England, Singapore, Nigeria, Switzerland, Paris, Trinidad, Australia, New Zealand, and New York. In 2018, he was appointed to the approved panel of arbitrators at the Astana International Arbitration Centre (AIAC) in Kazakhstan.

Prof Dr Kaj Hobér
3 Verulam Buildings

Years in practice: 37
Years as an arbitrator: 34
Principal sectors: Construction and civil engineering, technology, oil and gas, capital markets
Geographical areas of expertise: UK, Europe, US, Africa, Middle East, China
Admissions: Swedish Bar
Languages: English, Russian, Swedish, German, Danish, Norwegian

Aside from holding a long-distinguished reputation as a leading figure in the area of international arbitration, Professor Dr Kaj Hobér has over 30 years of experience dealing with the legal aspects of East-West trade. He has been integral to a variety of transactions, over the years accumulating experience in joint ventures, industrial cooperation agreements, turn-key contracts for various types of plants, construction and civil engineering contracts, capital markets transactions, and complex mergers and acquisitions, among others.

Encompassing an international scope within his professional life, Hobér has previously represented both Western, Central East European, and Russian parties in international arbitrations that have taken place in a number of international locations. He has also participated in several large oil arbitrations, involving primarily China, Northern Africa, the Middle East, and the former Soviet Union.

Prior to his current role, in the early 1990s, Hobér spent part of his career working on privatisation matters in Eastern Europe, within the Russian Federation and the Baltic States. In the Russian Federation, Hobér worked as a legal adviser, drafting legislation and regulation for the privatisation of state-owned enterprises.

Hobér currently serves as the chair of the board of the Arbitration Institute of the Stockholm Chamber of Commerce.

Richard Fernyhough QC
Keating Chambers

Years in practice: 49
Years as an arbitrator: 22
Principal sectors: Construction and engineering
Geographical areas of expertise: UK, Middle East, Caribbean
Admissions: England and Wales, Singapore, Hong Kong

Since 2009, longstanding leader in the field Richard Fernyhough QC has been in full-time practice as an arbitrator and adjudicator, having come from a background where he previously specialised as a barrister in construction and engineering law for over 35 years. During this time he appeared as counsel in several notable cases in the field of construction law, as well as in a number of large-scale cases in the House of Lords. He has been involved in arbitrations over the years on claims relating to a wide range of projects involving airports, commercial properties, hotels, oil rigs, power stations, and tunnelling projects.

Some of his recent adjudicator appointments include the dispute of the failure of a tunnel serving a hydro-electric power station, a dispute over the payment required under an agreement for the transportation of state prisoners, and a dispute over the accounting of train fares received on overground and underground networks.

Fernyhough is a former recorder of the Crown Court and previously served as deputy High Court judge, sitting in the Queen's Bench Division and in the Technology and Construction Court.

Richard Harding QC
Keating Chambers

Years in practice: 26
Years as an arbitrator: Ten
Principal sectors: Construction, commercial law
Geographical areas of expertise: Middle East (including Iran)
Languages: English, Arabic, German, Spanish, French, Persian

Richard Harding QC is a prominent leading English barrister advising in the field of international arbitration construction disputes in the Middle East and Gulf regions. Harding frequently acts in cases as either counsel or arbitrator in the Middle East, amassing significant experience of the laws of the United Arab Emirates, Egypt, Qatar, Kuwait, and Jordan. Harding studied Arabic and Persian at Oxford University and has particular interest in disputes regarding Iran.

Harding acts as counsel to governments, private employers, and professionals with cases encompassing a wide range of sectors, including oil and gas projects, mining, water infrastructure, railways, airports, commercial and residential property and marine structures and ports.

He currently is the founder chair of the Society of Construction Law in the Arabian and Persian Gulf and is also the co-ordinator for the ICC Task Force on the enforcement of foreign arbitration awards in the Middle East.

Peter Rees QC
39 Essex Chambers

Years in practice: 37
Years as an arbitrator: 18
Principal sectors: Oil and gas, construction and engineering, joint ventures, insurance and general commercial
Geographical areas of expertise: England and Wales, Asia-Pacific, Middle East, Europe, US

Peter Rees QC is recognised globally as one of the leading practitioners in the area of commercial arbitration. He is considered an expert in commercial litigation, international commercial arbitration, construction, and energy. He has wide-ranging experience in handling large-scale and complex disputes in various industrial and commercial sectors within diverse jurisdictions. He also has extensive knowledge in anti-bribery and corruption law, having notably led one of the teams in the investigation into Siemens, one of the largest corporate internal investigations into bribery and corruption.

Previously, Rees served as the legal director and a member of the executive committee of Royal Dutch Shell from January 2011 until 2014. In this role he was responsible for the Shell global legal function and for advising the Shell Group management in navigating all legal matters related to group-wide matters. Prior to joining Shell, Rees worked in private practice for 27 years at Norton Rose, including eight years as head of global dispute resolution, as well as spending five years as a litigation and arbitration partner at Debevoise & Plimpton.

Commenting on changes he believes necessary, Rees says: 'I would change the approach to document disclosure so that the default position is that there will not be any, other than that which a party relies upon in support of its case. Obviously there will be cases where requests to produce are necessary, but it should not be viewed as the norm.'

Roof Terrace of the International Arbitration Centre

Sir Bernard Rix
20 Essex Street

Years in practice: 49
Years as an arbitrator: Six
Principal sectors: Banking and finance, energy and natural resources, insurance and reinsurance, shipping, sport, commercial law, civil fraud
Geographical areas of expertise: Worldwide
Languages: English, French

Sir Bernard Rix has 20 years' experience in the Commercial Court and the Court of Appeal. As a recently retired Lord Justice of Appeal, he now dedicates his time to accepting appointments as an arbitrator and mediator. Rix is a member of several arbitrator panels including the HKIAC Panel of Arbitrators and the MOOGAS Panel of International Arbitrators and Mediators. He is also an ADR Group accredited mediator.

He has dealt with a wide range of judgments on arbitration related to aviation, banking, insurance and reinsurance, oil and gas, private and public international goods, and shipping disputes.

After graduating from New College Oxford and Harvard Law School, he was called to the Bar by Inner Temple in 1970. He went on to practise in commercial chambers at 3 Essex Court and in 1981 was appointed QC. He was appointed to the High Court in 1993 where he sat in the Commercial Court, serving as judge in charge in 1998-99. Notable points of his career include introducing the Woolf Reforms to the Commercial Court and embedding it in civil procedure law, as well as subsequently redrafting the Commercial Court's Guide and Practice Directions.

Rix has recently been appointed as professor of international commercial law at Queen Mary, University of London.

Stephen Furst QC
Keating Chambers

Years in practice: 43
Years as an arbitrator: 15
Principal sectors: Construction, technology, energy, oil and gas, engineering, shipbuilding
Geographical areas of expertise: UK, Middle East, Asia-Pacific, Russia, Central America, Latin America

Stephen Furst QC acts as an arbitrator on domestic and international arbitrations. He specialises in construction, engineering, energy, shipbuilding and technology-related disputes and has developed a reputation for handling the most technically challenging cases. He is the joint editor of *Keating on Construction Contracts*, a former deputy judge of the Technology and Construction Court and a recorder. His recent appointments include disputes concerning the Panama Canal, solar energy projects in Jordan, hydroelectric companies in Madagascar and a wide range of arbitrations relating to projects in Russia, Europe, Kazakhstan, Hong Kong, Korea, Republic of Ireland, Thailand and the UAE. Of the issues facing international arbitration, he says: 'There is a belief that unless "due process" is followed an award can be overturned. This results in less than robust management of arbitrations which in turn increases cost and causes delay. More arbitrations should be presided over by a single arbitrator, leaving panels of three for only the most difficult cases or where very large sums are in issue.' When not in chambers Furst paints and keeps bees.

J William Rowley QC
20 Essex Street

Years in practice: 49
Years as an arbitrator: 20
Principal sectors: Commercial law, energy and natural resources, insurance and reinsurance, EU and competition law
Geographical areas of expertise: Worldwide
Admissions: Ontario, Quebec, Alberta, New Brunswick
Languages: English, French

J William Rowley QC accepts a wide range of appointments as a renowned international arbitrator. He specialises in general commercial law, energy, infrastructure project disputes, public international law, competition, investment disputes, and insurance. Rowley has been involved in over 200 international and national arbitrations encompassing treaty systems and national laws within ICSID, NAFTA, and the ECT.

Rowley has recently been involved in numerous arbitrations, namely disputes involving offshore oilfield PSCs in France, Italy, the Netherlands, the UK, the US, and Nigeria as well as gas concession contract disputes in Iraq gas fields of over $20bn.

Rowley was previously elected as chair of McMillan LLP in 1996 and chair emeritus. On his retirement from partnership in 2009, he was also elected as special counsel. Rowley's area of practice at the Bar covers all aspects of international commercial law, including corporate governance, banking, competition, contracts, insurance, oil industry, and arbitration law and practice.

Luke Parsons QC
Quadrant Chambers

Years in practice: 34
Years as an arbitrator: 15
Principal sectors: Energy and natural resources, shipping and maritime, shipbuilding, insurance and reinsurance, admiralty, international trade and commodities, banking and financial services, aviation and travel, sports law
Geographical areas of expertise: UK, US, Europe, Asia-Pacific

The recipient of the Shipping Silk of the Year award at The Legal 500 Awards 2018, Luke Parsons QC is placed firmly among the very best barristers in the sector globally, and is called to handle the most complex, difficult, and high-value cases as a matter of course. His arbitrations almost always contain an international component, and he has sat as an arbitrator at the SIAC and in arbitration proceedings in Tokyo. He has also provided counsel on disputes under the New York Convention and has become highly sought after by international businesses seeking to make arbitration applications to English courts.

Domestically, Parsons has also had a major impact on the development of arbitration procedures in the UK, given that many of the disputes he has worked on have been leading cases for the Arbitration Act 1996. A noteworthy recent case in this bracket includes his 2016 action to resist a section 68 challenge to an arbitration award given to a Malaysian company. Also in 2016, Parsons was involved in the London Maritime Arbitrators Association case relating to the fatal loss of the cargo ship MS Bulk Jupiter, once again highlighting that the level of expertise he has accrued in the shipping sector over the course of a lengthy Bar career and, previously, as an underwriter, is valued by companies involved in the most high-value and high-profile cases in the maritime industry.

Roof Terrace of the International Arbitration Centre

Nigel Jones QC
Hardwicke

Years in practice: 42
Principal sectors: Banking and finance, joint venture, commercial fraud, insurance and insolvency, infrastructure, construction and property damage, franchising, commercial agency, sports law, energy, utilities
Geographical areas of expertise: Europe, Caribbean, Middle East
Languages: English, French

Joint head of Hardwicke, Nigel Jones QC is a highly experienced mediation advocate and counsel who has acted in arbitrations across a number of jurisdictions including the UK, Dubai, the Caribbean, Switzerland and Gibraltar and, increasingly, Brazil. Outside life in chambers, Jones pursued a complementary career for nearly 20 years as musical director to his wife's one-woman theatre show.

In conversation with…

The award for the most cutting quote goes to the former law lord who listened for all of five minutes to competing interlocutory arguments about disclosure and said: 'You hired me to resolve the dispute set out in my terms of reference and not to act as some sort of deputy master of the Queen's Bench Division. Perhaps you can all pop outside for an hour and agree how this case will be prepared for the final hearing and we can fix a date for when I will hear it and make the decision you are paying me for.'

Though one often hears complaints over time and cost in arbitration, we should remember arbitration clauses are usually negotiated by clients and inserted or waived through by non-contentious contract drafters. The reality of an international, three-arbitrator arbitration that takes three years is probably not what the drafters had in mind.

Nicholas Dennys QC
Atkin Chambers

Years in practice: 44
Years as an arbitrator: 20
Principal sectors: Construction, engineering and infrastructure, energy and natural resources, information technology, telecommunications
Geographical areas of expertise: Asia-Pacific, Middle East

A leading specialist in construction, civil engineering, professional negligence and information technology disputes, Nicholas Dennys QC acts as advocate and adviser domestically and overseas in court and arbitration proceedings concerning major construction, engineering, IT, road and rail transport, infrastructure and oil and gas projects. He has been appointed both as president, party nominated and as sole arbitrator in high-value, complex disputes across the globe, but predominantly in Africa, France, Hong Kong, Oman, Singapore, the UK and UAE. As counsel, he has acted on arbitrations in dozens of jurisdictions.

VV Veeder QC
Essex Court Chambers

Years in practice: 46
Years as an arbitrator: 33
Principal sectors: Banking and financial services, entertainment, insurance and reinsurance, transport, oil and gas, maritime, sports
Geographical areas of expertise: UK, US, Europe, Asia-Pacific
Languages: English, German, Spanish, French

Now a full-time arbitrator operating out of Essex Court Chambers' 24 Lincoln's Inn Fields office, VV Veeder QC built his stellar reputation overseeing a vast number of high-value disputes over the course of a 46-year career as a barrister. His arbitration experience has involved companies from a wide range of industry sectors, though many of his more prominent arbitrations have involved major clients in the energy sector.

The institutional rules he has overseen cases under are similarly many and varied, with ICC, LCIA, Stockholm Chamber of Commerce, ICSID, North American Free Trade Agreement and UNCITRAL principles featuring commonly in his work alongside his ad hoc arbitration.

Rooftop Lounge of the International Arbitration Centre

Bankim Thanki QC
Fountain Court Chambers

Years in practice: 31
Years as an arbitrator: 15
Principal sectors: Banking and finance; financial services; insurance and reinsurance; media, entertainment, and sport; travel; aviation
Geographical areas of expertise: UK, US, Europe, Asia-Pacific, Caribbean

One of the most prominent silks at the English Bar, Bankim Thanki QC is currently head of chambers at Fountain Court, after serving as deputy head for a number of years. The extremely impressive reputation he has carved out during the course of a more than three-decade career has been won in large part due to his excellent arbitration record.

He has been involved in several cases over US$1bn in value. Examples of these include his successful appearance in the Privy Council for Sonera in enforcing a US$1bn arbitration award given in its favour, and his acting for BAE Systems in an international reinsurance arbitration under LCIA rules involving US$3bn aircraft insurance cover. He is regarded as among the top choices for any complex international cases, and his talents are highly sought after by solicitors instructing on the most challenging commercial cases, especially in the aviation, insurance, financial services, and industrials sectors.

Simon Rainey QC
Quadrant Chambers

Years in practice: 37

Years as an arbitrator: 20

Principal sectors: Shipping and maritime, energy and natural resources, shipbuilding, insurance and reinsurance, aviation and travel

Geographical areas of expertise: Worldwide

Languages: English, French, Italian

Known for his expertise in working on complex trials and arbitrations, Simon Rainey QC is a highly regarded practitioner at the Commercial Bar, cited as a leading silk in the areas of shipping, commodities, commercial litigation and dispute resolution, international arbitration, energy and natural resources, and insurance and reinsurance.

Rainey has extensive experience in the commercial advisory and advocacy practice spanning commercial contractual disputes, international trade and commodities, shipping and maritime law. He appears in the Supreme Court, the Commercial Court and Court of Appeal, and has strong experience of arbitration, regularly appearing before all the domestic and international arbitral bodies and trade associations. He frequently sits as both sole and co-arbitrator within LCIA, ICC, LMAA, SIAC and UNCITRAL, giving expert evidence of English law courts in several countries.

Rainey also sits as a recorder in the Crown Court and as a deputy High Court judge on the Queen's Bench and Commercial Court.

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Loukas Mistelis
Queen Mary University

Years in practice: 26
Years as an arbitrator: 17
Principal sectors: Energy (oil, gas, renewables), construction, engineering and infrastructure, aviation (including aeronautical engineering), shipping, defence
Geographical areas of expertise: Europe, Middle East, Russia, Ukraine, Latin America, South-East Asia
Admissions: Athens Bar Association (1992)
Languages: English, German, Greek, French, Spanish, Russian, Polish

An academic outlier in this list, but one it would be impossible to overlook, Loukas Mistelis is the Clive M Schmitthoff Professor of Transnational Commercial Law and Arbitration and the director of the School of International Arbitration at the Centre for Commercial Law Studies, Queen Mary University of London. He is an acknowledged authority on international dispute resolution and investment treaty law and has researched and published on a range of topics, from the interface of investment and commercial arbitration and harmonisation of arbitration procedures to the status and role of international arbitrators. Before joining QMU he practised law in Germany, Greece and the UK. He has also acted as a consultant in Cambodia, Japan, Moldova, Nigeria, Poland, Ukraine, and Vietnam. Mistelis has advised several UK government agencies and international organisations, including the United Nations and the European Bank for Reconstruction and Development on law reforms. His substantial arbitration experience covers ad hoc and institutional cases involving parties from dozens of countries.

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Kenneth Beale and Natasha Harrison, Boies Schiller Flexner – Roof Terrace of the International Arbitration Centre

LAW FIRMS

Guy Pendell
CMS Cameron McKenna Nabarro Olswang

Years in practice: 20

Years as an arbitrator: Ten

Principal sectors: Financial services, technology, telecoms, corporate and commercial, life sciences, hotels and leisure

Geographical areas of expertise: UK, Europe, Russia, Ukraine, Middle East, South-East Asia

Guy Pendell heads the international arbitration group and wider disputes team at CMS, overseeing all contentious lawyers across the firm. His main areas of work include international arbitration involving complex commercial and corporate disputes, international projects and finance disputes. He has also carved out a niche advising on complex disputes in the hotels and leisure sector.

Pendell is an experienced solicitor advocate who sits as an arbitrator, and serves as the UK rapporteur for the ICC's standing task force on the New York Convention and a member of its editorial committee. He is a founding member of the International Arbitration Charity Ball Committee.

Roof Terrace of the International Arbitration Centre

Sherina Petit
Norton Rose Fulbright

Years in practice: 19
Years as an arbitrator: Four
Principal sectors: Commodities, construction, energy, financial services, infrastructure, oil and gas, pharmaceuticals, technology, transport
Geographical areas of expertise: India, Russia
Admissions: England and Wales, Bar Council of Maharashtra and Goa, India
Languages: English, Hindi, Gujarati

Sherina Petit heads Norton Rose Fulbright's international arbitration practice across Asia, Europe and Middle East, as well as the firm's India practice. Her experience covers several industries including energy, oil and gas, trade, transport, pharmaceuticals, commodities, technology and finance.

When discussing the biggest issues facing international arbitration, Petit says: 'The role and use of technology in international arbitration is a hot topic. While technology is viewed by many as a threat, it can offer various benefits towards transforming the arbitration landscape.' Nonetheless, Petit believes an emerging generation of counsel are embracing the use of technology in arbitral proceedings: 'Tribunal members in advance of the hearing are requesting e-briefs, which is an interactive version of the submission that contains hyperlinks to various exhibits and legal authorities, enabling the tribunal to navigate swiftly through the submission.'

Petit is the chair of the European Federation of Investment Law and Arbitration and is on the LCIA board of directors. She is also part of the ICC Indian Arbitration Group, the SIAC Users Council, the SIAC Users Council's Regional/National Committee for the UK and the Kuala Lumpur Court of Arbitration. Most recently, she co-authored a chapter of the book *Arbitration in England* edited by Julian Lew QC and a chapter of the book *Enforcing Arbitral Awards in India* edited by Nakul Dewan.

She is on the steering committee of the Pledge for Equal Representation for Women in Arbitration and has played an active role in sponsoring and promoting the Pledge through numerous events.

Rooftop Lounge of the International Arbitration Centre

Will Thomas
Freshfields Bruckhaus Deringer

Years in practice: 18
Principal sectors: Oil and gas, mining, telecoms
Geographical areas of expertise: Middle East, Far East, Africa
Languages: English, French, German, Spanish

A partner at Freshfields since 2017, Will Thomas regularly advises states, state entities and private multinational companies in the energy, infrastructure, and telecoms sectors. His practice splits roughly equally between commercial, investor-state and inter-state arbitration, along with advisory work on a wide range of international law issues, including sanctions regimes and embargoes, with a particular focus on Iran. He has represented parties in proceedings before the ICJ and the Iran-US Claims Tribunal. 'The experience of "growing up" acting as counsel and advocate for Iran before the Iran-US Claims Tribunal was extraordinary,' he says, 'and allowed me to work on interesting, high-value, and intellectually challenging matters, and in front of eminent arbitrators. The unique political context and history added to the richness of the experience'.

Thomas lectures widely on international boundary dispute resolution, including at King's College London, the International Foundation for the Law of the Sea and the International Boundaries Research Unit. He also teaches courses on international arbitration at both the University of Versailles and Sciences Po, Paris. He spent the first 16 years of his career in the Paris office of Eversheds.

In conversation with…

Arbitration must deal with due process paranoia: if it is to continue to compete with litigation before national courts, arbitrators need to feel comfortable going about their work with appropriate alacrity, robustness and decisiveness. Otherwise, we will risk losing some of the once-touted advantages of arbitration.

Peter Ashford
Fox Williams

Years in practice: 33

Principal sectors: Transport and logistics, natural resources (including clean energy)

Peter Ashford, partner in litigation and dispute resolution at Fox Williams, is a widely admired international commercial arbitrator recognised for his specialist experience and knowledge. Qualified in 1986, Ashford rose to partner at Cripps Harries Hall, now Cripps, in 1991 and joined Fox Williams as a partner in 2012. He is author of the *Handbook on International Arbitration*, as well as multiple guides to the IBA rules on taking of evidence in international arbitration. In addition to his arbitration practice, Ashford has considerable expertise in commercial litigation, especially in aid or support of arbitration, including fraud and dishonesty claims and defences, complex claims, tactics and innovative approaches.

Jonathan Leach
Eversheds Sutherland

Years in practice: 19

Years as an arbitrator: Five

Principal sectors: Energy, trade, commodities, joint ventures

Geographical areas of expertise: Asia-Pacific, Africa

Languages: English, French

Jonathan Leach is a partner at Eversheds Sutherland's dispute management practice group in London, specialising in international arbitration. He has almost 20 years' experience advising and representing companies, banks, and states in connection with disputes arising in various industry sectors, in particular energy and natural resources, international trade, transportation, and financial services. He has handled commercial and investor-state arbitrations under all the major institutional rules.

Leach is a Fellow of the Chartered Institute of Arbitrators and a qualified advocate before the Higher Courts of England and Wales and the Singapore International Commercial Court. Before joining Eversheds Sutherland, he trained and worked at Hogan Lovells in London and Singapore, where he led that firm's South-East Asia international arbitration practice.

Roof Terrace of the International Arbitration Centre

In conversation with…

We are in what some have called a golden age of arbitration, and there is strong evidence for its continuing popularity. The statistics of the leading institutions around the world show a year-on-year growth in the number of international arbitrations they handle. Perhaps the best explanation for arbitration's rising popularity has been its role in supporting the globalisation of trade. Increasing cross-border trade has led to a growth in the number of international contracts with arbitration clauses, and the confidence of businesses that their international contracts can be enforced and will therefore be respected by foreign counterparties is doubtless in itself a driver of global trade. International arbitration derives from the co-existence of diverse legal traditions and cultures. There is no pre-determined set of procedural rules. It has a transnational character, which many commentators say should be regarded as an autonomous legal order entirely disconnected from any national legal system. It is this truly global nature that attracted me to the area as a practitioner. However, over the last two years we have seen a fragmentation and scepticism towards globalised trade, and even questions around the merits of globalisation itself. So if a major reason for arbitration's rising popularity has been its critical role in supporting the globalisation of trade, do the anti-globalisation trends that we are presently experiencing mean there will be less of a place for arbitration in the future? I don't think so. Because what we are also seeing is an increasing amount of thought leadership in arbitration coming from places outside of Europe and the US, and the rise of arbitration in developing markets. Such a rise has gone hand-in-hand with a rebalancing of economic power from West to East. Arbitration has already been cited as the ideal choice for China's Belt and Road project contracts, and Singapore and Hong Kong in particular look to be well positioned as seats.

For now, London remains the most popular seat for international arbitration for some excellent reasons, but Singapore and Hong Kong are in the chasing pack. London needs to stay on its guard to remain in the top spot. Competition between the global arbitration seats is intense, but that can only be a good thing for arbitration as a whole.

Arbitration must be seen to adapt and move with the times, and I have every reason to believe that arbitration will evolve and that it will continue to thrive. I also believe the concerns that have been raised will be addressed, both in terms of investment and commercial arbitration, and that it will remain the most popular form of dispute resolution for cross-border contracts in the foreseeable future. It is not a perfect system, but just like the European Union, or any other institution or system involving players with diverging and directly competing interests, it can never be perfect. In my view, it needs some fine tuning rather than a new chassis and engine.

> "The confidence arbitration gives businesses that international contracts will be enforced and respected is a driver of global trade."

Jeff Sullivan
Gibson, Dunn & Crutcher

Years in practice: 18

Years as an arbitrator: Five

Principal sectors: Energy, infrastructure, mining, telecoms, general commercial

Geographical areas of expertise: Europe, US, Central Asia, Middle East

Admissions: England and Wales, Washington DC Bar

Jeff Sullivan is partner at Gibson, Dunn & Crutcher where he specialises in investment treaty arbitration, international commercial arbitration, infrastructure and energy disputes, and public international law. His practice focuses on disputes arising in the energy, extractive industries and infrastructure sectors, particularly in relation to long-term supply, concession, production sharing and operating, engineering, procurement and construction, joint venture and other construction agreements.

He is the author of numerous academic articles and chapters on international investment law and arbitration and is frequently invited to speak at international conferences and seminars. He is also an advisory board member of the Institute for Transnational Arbitration, a member of the Energy Charter Treaty Secretariat's legal advisory task force, and sits on the executive board of the European Federation for Investment Law and Arbitration and the executive committee of the Foundation for International Arbitration Advocacy.

Sullivan started his career in the US at Foley & Lardner before becoming partner at Allen & Overy. He has been based in the UK for the last 13 years.

Roof Terrace of the International Arbitration Centre

In conversation with…

The diversity of cases we see in the UK is extraordinary. I've done cases involving parties from every part of the world and covering a vast array of commercial sectors. The quality of lawyering is also very high, which makes it much more enjoyable.

Too many lawyers play it safe when it comes to selecting arbitrators. We have an excellent pool of arbitration lawyers to choose from, particularly in London, and I hope that we will start to see more diversity among the arbitrators hearing major cases. My current bugbear is that it takes far too long to receive an award. Arbitrators are very busy and it has become almost accepted to wait 8-12 months after a final hearing to receive an award. That must change or clients will look for faster alternatives.

Jonathan Warne
CMS Cameron McKenna Nabarro Olswang

Years in practice: 31
Principal sectors: Financial services, corporate and commercial
Geographical areas of expertise: Europe, South-East and North-East Asia

Previously head of the dispute resolution team at Nabarro, Jonathan Warne was appointed to lead CMS's litigation and arbitration team following its 2017 merger with Nabarro and Olswang.

Warne has advised on domestic and cross-border disputes in a number of areas, including financial services, company commercial, fraud, insolvency-related proceedings, competition disputes and investigations. He has also acted on many of the leading pension litigation cases and has been involved in some of the leading disputes arising out of the last financial crisis, including Lehman Brothers and Kaupthing.

A council member of the Inter-Pacific Bar Association, Warne has played a central role in developing the Singapore offerings of both Nabarro and CMS. He has also written extensively on the role of general counsel (GC) and has led a GC thought leadership initiative over a number of years.

Adrian Jones
Crowell & Moring

Years in practice: 22
Principal sectors: Oil and gas, extractives, financial services
Geographical areas of expertise: Africa, Russian Federation, Caribbean

Adrian Jones is a partner in Crowell & Moring's London office and serves on the steering committee of the firm's international dispute resolution group. His practice focuses on international arbitration in the oil and gas, mining, construction, and financial services sectors.

He has particular experience with high value and complex international arbitration cases, both under institutional rules and ad hoc. Jones has experience working with clients in Russia and the CIS, the Middle East, and Sub-Saharan Africa in matters involving sums up to and in excess of $1bn. In the oil and gas sector, he acts for both national and international oil companies in connection with cases involving the interpretation or renegotiation of long-term contracts.

He also has considerable experience in representing investors in arbitrations arising out of bilateral investment treaties and in contractual claims against states. In the financial services sector, he has been involved in a number of shareholder disputes, and has acted in a number of high value cases involving hedge funds. He has also represented major financial institutions in connection with multi-jurisdictional regulatory investigations and advised in connection with proceedings before the Financial Services and Markets Tribunal.

Clare Connellan
White & Case

Years in practice: 15
Principal sectors: Construction, engineering, infrastructure, energy, oil and gas, renewables, offshore, shipbuilding
Geographical areas of expertise: Europe, Middle East, Japan, Latin America, North Africa

Clare Connellan frequently advises multinational companies, state entities, contractors, owners, and operators on construction and infrastructure arbitrations. Based in White & Case's London office, she works with the international arbitration, and construction and engineering groups and has been involved in arbitrations under ICC, LCIA, LMAA and Cairo Regional Centre for International Commercial Arbitration rules as well as ad hoc arbitrations, including under the UNCITRAL rules. She has also spent time on secondment to the LCIA as counsel, and is a CEDR-accredited mediator.

She leads the firm's business and human rights interest group and is regularly consulted in relation to issues such as the UN Guiding Principles on Business and Human Rights and the Modern Slavery Act, as well as business and human rights training.

Roof Terrace of the International Arbitration Centre

Duncan Bagshaw
Stephenson Harwood

Years in practice: 15
Years as an arbitrator: One
Principal sectors: Oil and gas, energy, joint venture and shareholder disputes, construction, infrastructure projects
Geographical areas of expertise: Sub-Saharan Africa, South America, Europe

Duncan Bagshaw's practice sees him regularly engaged in high-profile matters in Latin America (particularly Venezuela), Central and Eastern and Western Europe and across Africa (especially Nigeria and Ghana, the East African Community countries, Cote d'Ivoire, and Ethiopia), typically acting for governments and leading entrepreneurs.

He recently acted along with Stephenson Harwood partner Kamal Shah against a major international body on behalf of a stateless person. Bagshaw's client, who had claimed asylum in Kenya after his entire family were killed in his home country, had started the arbitration himself before seeking help from a law firm in Kenya, who contacted Bagshaw for assistance. The case was resolved consensually and the client ended up settling safely in another country.

Bagshaw spent the first eight years of his career as a barrister and conducts his own advocacy, though he emphasises that the independent Bar is an important resource to his practice.

In conversation with…

The biggest issue facing international arbitration is the difficulty in finding proportionate, cost-effective procedures for smaller cases – even those where the amount is into the low millions of US dollars.

I once cross-examined a high-profile witness by asking him about parts of his autobiography, which I had bought on Amazon. It was very interesting!

Roof Terrace of the International Arbitration Centre

Gurbinder Grewal
Dentons

Years in practice: 14

Principal sectors: Construction, infrastructure

Geographical areas of expertise: UK, Russian Federation and CIS, Middle East, Africa

Languages: English, Punjabi

Gurbinder Grewal (*pictured*) specialises in contentious construction and engineering disputes through arbitration, adjudication, litigation and alternative dispute resolution. He typically acts for employers, main contractors and specialist subcontractors in a wide range of sectors in disputes relating to payment, defects, claims for variations, extensions of time, loss and expense, and professional negligence.

Grewal is also experienced as project counsel on live construction and engineering matters with cost overruns, assisting clients or contractors in managing claims and avoiding disputes. He writes regularly for *Construction News* and *Construction Law*.

His recent work includes advising on an ICC arbitration brought by a contractor for post-termination losses arising out of the design and construction of a hotel development in Asia, and acting on an arbitration arising from the termination of partial engineering, procurement and construction contracts, relating to the design and construction of an innovative gas extraction project in Africa. The arbitration involved issues of termination, delay, defects and feasibility of cutting-edge technology.

In conversation with…

Many of the current efforts to improve diversity (which are to be applauded) are at institutional level, whereas arbitrators are often party appointed. The difficulty is persuading parties to think beyond their usual candidates and to consider equally capable but diverse candidates, whether as arbitrators, counsel or experts. In order to do so, there needs to be greater visibility and profile for diverse and capable candidates.

A witness we were concerned may appear arrogant was asked by opposing counsel why he had moved jobs and countries. The witness explained how he had fallen in love and given up everything to be closer to his partner. This not only humanised the witness but knocked opposing counsel's confidence for the remainder of the cross-examination. A lesson in only asking a question you know the answer to!

Jane Jenkins
Freshfields Bruckhaus Deringer

Years in practice: 33

Principal sectors: Oil and gas, energy and infrastructure, construction and engineering, real estate development and related insurance disputes

Geographical areas of expertise: Worldwide

Jane Jenkins is the head of the engineering procurement and construction team and co-head of the major projects practice at Freshfields, where she brings together services from across the firm to help clients in disputes arising from planning, procurement, execution, financing and investment in major projects. Jenkins' practice sees her regularly advising on the structuring and delivery of major projects covering procurement, contract management and dispute resolution, including alternative dispute resolution, arbitration and litigation for oil and gas majors, international contractors, investors in major projects and developers. She has recently been involved in a series of gas supply arbitrations raising issues of significant importance to her client's national economy. Jenkins has authored two leading textbooks on construction arbitration and co-writes modules on complex procurement and remedies as part of the King's College London Diploma of Procurement Law, under the professorship of Michael Bowsher QC.

In conversation with…

I was fortunate enough to work with Alan Redfern (now of One Essex Court) as an associate on the Eurotunnel cases, and I cut my teeth on a series of expert panel references and three ICC arbitrations under his expert supervision. He was and remains an inspiring mentor. The most notable aspect of the disputes arose from the contract being governed by the common principles of English and French law, so every dispute entailed an exercise in comparative law. Perhaps the most notable development, however, in the series of disputes arising from that project was the House of Lords (now the Supreme Court) electing to hear the appeal on the question of whether the English High Court can grant an injunction in aid of a foreign arbitration in the House itself around the Woolsack as opposed to using a committee room. Our client was somewhat bemused by the process, but it was an amazing experience for a young lawyer.

Rooftop Lounge of the International Arbitration Centre

Kate Davies
Allen & Overy

Years in practice: 14

Principal sectors: Energy, telecoms, automotive, construction, pharmaceuticals and life sciences

Geographical areas of expertise: UK, Europe, Africa, Asia-Pacific, Central Asia

Languages: English, Dutch, French

Kate Davies is a partner in Allen & Overy's international arbitration group, and has extensive expertise in both international commercial and investment treaty arbitration. In relation to her commercial arbitration expertise, Davies has experience of both institutional (eg LCIA, ICC, PCA, VIAC, SIAC, ICSID) and ad hoc arbitrations sited in common and civil law jurisdictions. She has expertise in commercial disputes across a range of different industries and arising out of a number of bespoke and industry-specific agreements. Her investment treaty cases have included acting in the Abyei case, which led to the independence of South Sudan, and representing the Islamic Republic of Pakistan in several investment treaty disputes. The commercial side of her practice has seen her represent clients in a wide range of jurisdictions in the energy, telecommunications, automotive, extractive industries, technology, construction and pharmaceutical sectors. Before joining A&O, Davies was counsel in the international arbitration group of Wilmer Cutler Pickering Hale and Dorr from 2006 to 2013.

Gaëtan Verhoosel
Three Crowns

Years in practice: 21

Years as an arbitrator: 15

Principal sectors: Energy, telecoms, retail industry, gaming, construction, insurance

Geographical areas of expertise: Europe, Africa, Middle East, Latin America, Asia, Russia and CIS

Admissions: Senior Courts of England and Wales (solicitor), Barreau de Paris, Ilustre Colegio de Abogados de Madrid

Languages: English, Spanish, Dutch, French

Three Crowns co-founder Gaëtan Verhoosel has served as advocate and arbitrator in a large number of both commercial and investment treaty arbitrations, many of which have been particularly significant in terms of the financial recoveries or the novelty of the legal issues involved.

His global practice has seen him represent clients including ExxonMobil, Occidental, Trafigura, OCP, ContourGlobal, Petronas, the Sultanate of Oman, and Naturgy (formerly Gas Natural) in a number of high-value and commercially sensitive arbitrations, including disputes against Venezuela, Ecuador, Colombia, Ghana, and India. Most recently he led a team which helped secure a favourable settlement for a major US private equity house in two International Chamber of Commerce arbitrations with Brazilian counterparties arising from a share purchase agreement.

Prior to co-founding Three Crowns, Verhoosel was a partner and the global co-chair of the international arbitration practice at Covington & Burling. Before entering private practice, he served as a legal adviser at the World Trade Organization in Geneva, where he advised dispute settlement panels adjudicating disputes between sovereigns across a range of industry sectors. He is the 2019 incoming co-chair of the IBA Arbitration Committee and was appointed to the ICSID Panel of Arbitrators by the Kingdom of Belgium. He teaches international investment law at King's College School of Law in London.

Roof Terrace of the International Arbitration Centre

Marie Berard
Clifford Chance

Years in practice: 16
Years as an arbitrator: Three
Principal sectors: Banking, oil and gas, construction, power, telecoms, joint ventures/M&A
Geographical areas of expertise: UK, Europe, CIS, Africa
Languages: English, French

Marie Berard has acted as counsel and advocate for multinational corporations, governments, and individuals on a wide range of international arbitration proceedings, both on an ad hoc basis and under the rules of the LCIA, ICC, SCC and the ICAC (Russia). Her work spans many sectors, with particular emphasis on the finance, energy, oil and gas, construction, telecommunications and real estate sectors. Much of Berard's recent work has involved Russia-related cases, including acting for the defendants in *Deripaska and Danilina v Chernukhin*, a case that started as an arbitration before proceeding to the English courts to become one of most high-profile oligarch disputes in terms of intensity of fighting and press reporting. She coordinates Clifford Chance's pro bono partnership with the National Autistic Society (NAS), and has acted as advocate before the First-tier Tribunal (Special Educational Needs and Disability) representing parents of children on the autistic spectrum. She has also represented the NAS in third-party interventions before the Supreme Court.

Rooftop Lounge of the International Arbitration Centre

Craig Tevendale
Herbert Smith Freehills

Years in practice: 19
Years as an arbitrator: Seven
Principal sectors: Energy, construction and infrastructure, telecoms, M&A, defence
Geographical areas of expertise: North Africa, Middle East, Central Asia
Languages: English, Arabic, French

Craig Tevendale is UK head of arbitration at Herbert Smith Freehills and a member of the firm's Africa and Kazakhstan groups. Fluent in Arabic and French, he is frequently instructed in disputes arising from investments, projects and transactions in North Africa and the Middle East, Central Asia, Turkey and Sub-Saharan Africa.

In recent years, he has handled high-profile cases in Egypt, Algeria, Iraq, Saudi Arabia, Kazakhstan, Azerbaijan, Madagascar, Angola, Tanzania and Namibia, and worked on a number of sanctions-related disputes in Iran. Working in these challenging markets, says Tevendale, means his work frequently goes beyond understanding the legal issues at stake: 'There is always a geo-political overlay in the most interesting arbitration cases, but it is not necessarily a central part of most arbitrations. In my areas of geographical focus, it often is.'

He frequently publishes and lectures on a range of issues, from private international law to energy law, and is a member of The Cairo Regional Centre for International Commercial Arbitration's advisory committee, the ICC UK National Committee and the ICC Commission.

In conversation with…

It is no exaggeration to say there is a legitimacy crisis in international arbitration on the investor-state side. You see that trend with the replacement for the North American Free Trade Agreement, you see it taking place in states like Tanzania, where negative experiences with arbitration have led the state to the view that they should never use it again in government contracts, and I have seen elements of it in some of the cases I have been working on. States can be one-eyed when it comes to arbitration. They assume the odds are against them, but if you actually look at the figures, states successfully defend cases more often than not. Most politicians do not necessarily understand how important treaty protection is to a multinational when it is considering where to invest. Governmental proclamations won't stop private parties from seeing the benefits of arbitration for their businesses; they are smart enough to work it out for themselves. The problem is that the anti-arbitration discourse has not been countered effectively.

Although the alleged crimes of treaty arbitration don't apply to commercial contracts in the same way, the worry is that this will contaminate commercial arbitration. Governments withdrawing from bilateral and multilateral instruments can have a chilling effect and these actions diminish the perceived benefit that parties look to get from arbitration. We need effective lobbying to underline the value of legal services, the benefits investors get from these protections, and the real difference it makes to industry and society. Institutions have done some useful work here, but there is no unified or effective voice to advocate at a transnational level and counter some of those narratives.

My father worked in the Middle East and I visited the region often when growing up. I developed an interest in the culture, history and the language so I decided to read Arabic at university. I spent a year studying in Kuwait between the two Gulf wars. Now I get the chance to use those Arabic skills in my cases and there are good business reasons for visiting the region often. It's easy to get caught up in the busyness of what we do, but I never lose sight of how fortunate I am to do something so varied and interesting to me.

One of the most surprising moments I had in a case was when two of the most eminent law professors in a South-East Asian country were appointed to give expert evidence on the national law. The claim was for hundreds of millions of dollars, the issues very complex. Under cross-examination, my expert witness was asked if he had ever worked with the other expert. He cheerfully informed the tribunal that they were both DJs on the same local radio station. It's not often you get an answer which surprises counsel on both sides!

Phillip Capper
White & Case

Years in practice: 28
Years as an arbitrator: 18
Principal sectors: Construction, engineering
Geographical areas of expertise: Europe, Middle East, India
Languages: English, French

Among the most highly regarded construction lawyers in the world, Phillip Capper is partner and head of international arbitration at White & Case and Nash Professor of Engineering Law at King's College London. He has led on arbitrations arising in connection with some of the largest projects in the world, from the Channel Tunnel to the expansion of the Panama Canal, and on many cross-border arbitrations arising in connection with rail infrastructure, highways, oil and gas facilities, and power and water plants, as well as the application of international technical standards. He has chaired tribunals and has served as sole and party-appointed arbitrator in ICC and LCIA arbitrations. The author of numerous leading textbooks on construction law and international arbitration, he is former chair of the Faculty of Law at the University of Oxford and an honorary member of the Society of Construction Law and the Royal Institution of Chartered Surveyors.

Charlie Caher
Wilmer Cutler Pickering Hale and Dorr

Years in practice: 12
Principal sectors: Construction, insurance, financial services, oil and gas, telecoms, aerospace, energy
Geographical areas of expertise: London, Paris, Stockholm, Singapore, The Hague, Bermuda, Brunei

Charlie Caher is a partner in the London office of Wilmer Cutler Pickering Hale and Dorr, where he has practised international arbitration and English High Court litigation for the last ten years.

Caher's recent work includes representing a major US oil and gas exploration company in a $300m ICC arbitration sited in London regarding a drilling rig dispute in West Africa; representing a European supplier of technologies and services in a $1m ICC construction arbitration sited in Lima; and representing one of the shareholders in a $100m UNCITRAL ad hoc arbitration concerning a failed telecommunications joint venture in South-East Asia.

In addition to his commercial arbitration practice, he has also represented a major international construction company in a series of complex and high-profile construction litigation disputes before the English High Court and Court of Appeal, and represented the Sudan People's Liberation Movement/Army (SPLM/A) in the public international law Abyei case. He has been an adjunct professor at Pepperdine Law School's London campus, where he taught the international commercial arbitration course.

Anna Maxwell
Enyo Law

Years in practice: 17
Principal sectors: Energy, natural resources
Geographical areas of expertise: Worldwide

Anna Maxwell specialises in large, complex international commercial arbitration and investment arbitration matters and is also an experienced commercial litigator. Highlights from her practice include leading a global team of lawyers advising an oil and gas major on a strategically and financially pivotal dispute in Latin America. 'It was hugely intense over a fairly long period,' comments Maxwell, 'but incredibly rewarding in achieving a positive result for the client. What really stood out for me was how a large multi-jurisdictional team of independent law firms gelled together seamlessly to provide streamlined advice to the client on an urgent basis as and when needed, 24-7. Long-lasting professional relationships have spun out of that one case.'

In conversation with…

The numbers of female arbitral appointments and senior female practitioners remain low and certainly do not reflect the calibre of women working in international arbitration at the mid-to-senior level. Law firms have started to recognise that women with families can operate just as effectively as their male counterparts on a flexible basis, but steps need to be taken to actively encourage and facilitate this happening. At the junior end, things look more positive and we are seeing plenty of bright and enthusiastic women starting their careers in international arbitration. I would like to see male-dominated firms becoming more committed to giving these bright and enthusiastic young women every opportunity to grow and realise their potential in international arbitration, letting go of untested assumptions about the perceived limitations of women in international arbitration (or senior dispute resolution more generally). They will not regret it.

Rooftop Lounge of the International Arbitration Centre

Chris Parker
Herbert Smith Freehills

Years in practice: 17

Years as an arbitrator: 5

Principal sectors: Oil and gas, life sciences, mining

Geographical areas of expertise: Sub-Saharan Africa, Middle East

One of Herbert Smith Freehills' leading young partners, Chris Parker has broad experience of advising on international disputes in the energy, mining and pharmaceuticals and life sciences sectors.

He has acted as counsel and advocate in ad hoc and institutional arbitrations in a number of jurisdictions and under various governing laws. Before returning to the firm's London office in 2015 he had spent time working with its Shanghai and New York arbitration teams.

Among standout matters, Parker successfully represented the subsidiary of a major African urban land development group in its claims for fraudulent misrepresentation and breach of contract in relation to the Tatu City project in Kenya, and acted for an international pharmaceutical company in a high-value arbitration in Singapore arising from licensing and research agreements.

In conversation with…

My background is very international. I've practised arbitration in mainland China, I spent three years in New York when we opened our office there and I've appeared in arbitration hearings in Paris, Singapore, Hong Kong, Geneva, Zambia and New York (as well as London). That international experience makes me a better arbitration advocate – it gives an insight into how arbitrators from different legal backgrounds might approach a legal issue differently and helps in interacting with witnesses.

The UK Arbitration Act is a brilliant piece of legislation and the English courts stand behind it. Ultimately, that is what you want from a seat: a stable arbitration framework and a capable judiciary that knows how to implement it. If you're a client facing a bet-the-company dispute, you can be comfortable arbitrating it in London, without a doubt. We have the best pool of counsel for arbitration work anywhere in the world. Obviously counsel and arbitrators are portable, and will fly around the world, but we do need to recognise just how strong London is as a place to arbitrate.

Institutions play a critical role, particularly in appointing the tribunal. Some clients do have a preference for a particular institution, perhaps because they're used to them, and there are differences between the institutions. But ultimately I wouldn't advise spending negotiation leverage insisting on a particular institution: the major institutions are all solid choices.

I would encourage all counsel to put some younger names on their shortlists. The classic approach was to say: 'We need someone with gravitas' and opt for an arbitrator with 30 or 40 years' experience. Most arbitrators in that bracket are male. There are many brilliant arbitrators in their 40s and 50s, and that opens up a much more diverse pool of arbitrators. The institutions recognise this and are working hard to improve diversity. When it comes to party appointments, it's the client's decision at the end of the day, but we can and should help inform that decision. An effective arbitration counsel should be driving that discussion; it's a key part of our job. We need to keep on reminding clients that diversity is not just an equality issue. It is about the effectiveness of tribunals. You will get better tribunals and therefore better results by broadening the pool of arbitrators.

Cyber security is a threat the arbitration world needs to take seriously. Many arbitrators and counsel are not alive to the sensitivity of the information they hold electronically. While cyber security is high on the list for big firms and chambers, some arbitrators are sole practitioners who store everything on their personal laptops. Some will have appropriate cyber protection, but others may not. As an extreme example, there are stories of draft awards containing price-sensitive information being circulated between arbitrators using normal web-based email accounts. That is completely unacceptable from a cyber security perspective. It should be standard practice for the parties, counsel and the tribunal to discuss cyber security protections at the outset of the arbitration.

Nicholas Peacock
Herbert Smith Freehills

Years in practice: 19

Years as an arbitrator: Nine

Principal sectors: TMT, banks and financial institutions, energy/power, manufacturing, consumer products

Geographical areas of expertise: UK, India, South-East Asia, Russia and CIS, Nordics, Anglophone Africa

Nicholas Peacock has gained a reputation as one of the leading UK-based arbitration counsel advising on Indian matters. Currently head of Herbert Smith Freehills' (HSF) India disputes practice, he has acted for a number of prominent clients on matters in the region, including for UK-based Vedanta Resources on a claim under the UK-India bilateral investment treaty, and an Asian telecoms company on a joint venture dispute involving parallel ad hoc and institutional arbitrations in India and the UK.

Peacock previously headed HSF's Singapore arbitration practice, a position he held between 2009 and 2012. He currently serves on the SIAC Users Council and is a council member for the Mumbai Centre for International Arbitration.

In addition to India and South-East Asia-facing work, Peacock has an active European and African practice, working closely with HSF's Moscow office on London-seated Russian arbitrations. He also serves as co-chair of the firm's Nordic group. His wider practice covers international commercial and investment arbitration, along with commercial litigation and alternative dispute resolution. Additionally, he has acted on a number of regulatory disputes, high-value complaints and internal investigations.

He is a writer and commentator on a variety of dispute resolution topics, in particular in the areas of commercial and investment arbitration, and choice of law and forum in cross-border transactions.

In conversation with…

Discussions on the 'rise of Asian arbitration' have tended to focus on Hong Kong and Singapore, but an often overlooked story here is arbitration in mainland China. CIETAC [China International Economic and Trade Arbitration Commission] has a vast caseload and handles far more arbitrations than both HKIAC and SIAC combined. Of course, restrictions in Chinese law mean that certain cases can't go offshore, but the size and complexity of the matters being handled in China generally is growing and very significant commercial disputes are now being heard onshore.

Indian courts are taking an increasingly pro- arbitration stance. Partly this is bound up with a real desire to make India investor and arbitration-friendly, which is led by the high courts, but there is also a real awareness among the senior judiciary that Indian courts are stretched and do not have the resources to intervene (for example, there are 19 judges for roughly every million people in India). There has also been a broadening in the scope of arbitrability and the courts are placing fewer limitations on the types of matters that can be referred to arbitration. Just how far arbitration can reduce the huge burdens on the courts is open to debate, but for counsel and business, the move to encourage arbitration is to be taken as a positive sign.

The growth of arbitration worldwide and the growing number of institutions is bringing up a wider and wider base of people who may sit as an arbitrator. In that sense, one can expect more diverse arbitrator appointments as a natural consequence of more diverse commercial relationships. Indian, Russian, Chinese or African parties are increasingly likely to suggest arbitrators they know and feel comfortable with, as having both local or regional expertise coupled with experience of institutional or ad hoc arbitration.

Kate Cervantes-Knox
DLA Piper

Years in practice: 17

Years as an arbitrator: Four

Principal sectors: Energy, construction, telecoms and technology

Geographical areas of expertise: Europe (particularly Central and Eastern Europe), Africa and Latin America

Languages: English, Spanish, French, German

The commercial side of Kate Cervantes-Knox's practice typically sees her acting for construction and oil and gas companies, while her investment treaty arbitration matters have involved companies in the renewable energy, technology and telecommunications space, in addition to a number of states. These matters have included representing the Government of Georgia in ICSID arbitration claims valued at $700m, a Spanish solar energy business in its LCIA arbitration in London with a Spanish manufacturer of solar energy panels, and a global oil company in ICC proceedings in relation to an oil pipeline project in the Yemen. Most recently, she was a key part of the DLA Piper team that secured a significant victory for the Republic of Kenya, defeating a $2bn ICSID claim arising in connection with a bi-lateral investment treaty. She is the designer and editor of the quarterly DLA Piper International Arbitration Newsletter and is a visiting professor at the University of Law, London. In the last five years, her practice has focused increasingly on Latin America-related disputes, particularly those arising from public-private partnership agreements. She has previously lived in Buenos Aires and Madrid and is a fluent Spanish speaker.

Rooftop Lounge of the International Arbitration Centre

In conversation with…

I worked on a gaucho ranch in Patagonia while on sabbatical. Indirectly, that was how I met my husband. I rescued a stray dog, which I brought back to London with me. I took it for a walk in a local park one morning when a Dalmatian ran up to us. I got chatting to its owner who eventually became my husband. Perhaps I should sell the film rights!

Richard Bamforth
CMS Cameron McKenna Nabarro Olswang

Years in practice: 28
Years as an arbitrator: Eight
Principal sectors: TMT, energy, financial services, life sciences
Geographical areas of expertise: Western Europe, Central and Eastern Europe, Asia (Singapore, India, Hong Kong)

Head of CMS's arbitration group Richard Bamforth advises on complex cross-border disputes in the media, finance, energy and telecommunications sectors. His most recent cases include representing a Middle Eastern conglomerate in a number of high-value pieces of High Court litigation and international arbitrations against financial institutions and business counterparties and representing a Central European based shareholder in a joint venture dispute before the courts of an offshore jurisdiction over rights of access to information.

Bamforth sits as an arbitrator, appointed by parties and the arbitral institutions and is accredited as a mediator by the Centre for Effective Dispute Resolution. From 2017, Bamforth has been leading the UK legal community's preparations for London International Disputes Week.

In conversation with…

The idea for London International Disputes Week (LDIW) took root in August 2017. I had long thought that other jurisdictions were protecting and projecting their reputations more effectively than the UK, particularly in the arbitration space. With the Brexit issue looming, I began to discuss these ideas with other counsel to see if there might be an appetite for an event helping to promote London's many virtues as a disputes centre. It quickly became apparent that there was a real desire in the London legal community to [do] something. Discussions of a similar nature were taking place elsewhere, led by [The Rt Hon Dame Elizabeth] Gloster and Jonathan Wood of RPC, both of whom have been big champions of LDIW.

We are not looking to promote London for London's sake, nor will we be extolling the virtues of English law – which are many – at the expense of other systems. It's not about saying, 'come to London' and it's not about knocking other centres. While all of those involved in LDIW fervently believe London is a great place to settle disputes, we also think there is a genuine debate to be had about the future of disputes globally. London should be leading that debate. It has a great history of helping business settle disputes, it is home to one of the largest dispute resolution communities globally and has some of the best legal infrastructure, including courts, translators and other ancillary services. The export of English law, or more broadly the common law, has helped shape the legal world. All of those things mean that any conversation on the past, present and future of London as a disputes hub goes far beyond London.

LDIW has been a joyously collaborative process. The willingness of so many firms and chambers to come together for the greater good is very pleasing to see. The flagship conference we are hosting is organised by a group made up of the ICC UK, the LCIA, the Chartered Institute of Arbitrators, the Law Society and the Bar Council. That shows how willing the entire profession is to take a more bullish stance on what makes London great.

Going through this process has made me realise that my world is actually quite narrow. Commercial disputes lawyers tend to forget about shipping arbitration and commodities arbitration.

Carmen Martinez Lopez
Three Crowns

Years in practice: 13
Principal sectors: Oil and gas, production sharing, joint ventures
Geographical areas of expertise: Latin America, Spain
Admissions: England and Wales, New York, Madrid
Languages: English, Spanish, French

Carmen Martinez Lopez has appeared as advocate in numerous investment treaty and commercial arbitrations, both under the rules of the major arbitral institutions and ad hoc, and involving a variety of jurisdictions, with a particular focus on Latin America and Spain.

Her most recent experience includes the representation of an energy company in an investment dispute against the Republic of Colombia, a consortium of oil and gas companies in a tax stabilisation dispute against a Latin American state, an energy company in a shareholders' dispute relating to a joint venture gas marketing company, a mining junior in its investment dispute against the Kingdom of Spain, and a private equity investor in its investment dispute against the Kingdom of Spain.

She is dual-qualified in civil law and common law, and regularly handles contentious work in English, Spanish, and French. She is admitted to the New York and Madrid Bar, in addition to being a solicitor in England and Wales. Martinez Lopez is the president of the British Chapter of the Spanish Arbitration Club (Club Español del Arbitraje), and a member of the Arbitrator Appointment Committee of the Madrid Arbitration Court.

Dominic Roughton
Boies Schiller Flexner

Years in practice: 24
Years as an arbitrator: Seven
Principal sectors: Oil and gas, telecoms, joint ventures, international law
Geographical areas of expertise: Asia-Pacific, Africa
Languages: English, French, German, Japanese

A Jamaican citizen who spent 12 years in Tokyo acting for a client base of oil, telecoms, trading houses and various governments, Dominic Roughton has a deep understanding of how clients in a number of jurisdictions and cultures approach disputes. During his time in Tokyo, Roughton advised English law matters as a Gaikokuho-Jimu-Bengoshi (registered foreign lawyer) and was the official representative of the LCIA in Japan. He joined Boies Schiller Flexner in 2017, where he continues to represent companies with interests across Asia, Africa, and in the Middle East, including Iran. Many of his cases have involved jurisdictional disputes concerning parallel proceedings before other arbitral tribunals and in national courts in the US, England, and in offshore jurisdictions. In addition to his jurisdictional litigation experience, he also undertakes substantive commercial litigation in both the English courts and foreign courts.

Duncan Speller
Wilmer Cutler Pickering Hale and Dorr

Years in practice: 17
Principal sectors: Aviation, oil and gas, insurance and reinsurance, telecoms, banking
Geographical areas of expertise: UK, US, Europe, Asia-Pacific
Languages: English, French, Japanese

Duncan Speller is an English barrister and partner in the London office of Wilmer Cutler Pickering Hale and Dorr. He has represented clients in more than 100 institutional and ad hoc arbitrations, sited in both common and civil law jurisdictions, and has substantial experience of commercial litigation in both the English Court of Appeal and in the commercial and chancery divisions of the High Court. As counsel, he has particular expertise in international arbitrations related to the Middle East, India, Russia and East Asia and in the oil and gas, aviation and financial services sectors. In 2016, he was elected to the governing body of the Bucharest International Arbitration Court. In addition to his work as arbitration counsel, Speller is a published author and has taught arbitration law and commercial law, including at the University of Cambridge and the University of Nottingham. He is co-author of *A Practical Guide to International Commercial Arbitration*, has written the chapter on England and Wales in the *International Arbitration Review* for the past six years and wrote the chapter on arbitration in England and Wales in one of the leading German publications on international arbitration (*Handbuch Internationales Wirtschaftsrecht*).

Jonathan Wood
RPC

Years in practice: 41
Years as an arbitrator: 20
Principal sectors: International trade, insurance and reinsurance, banking and trade finance, joint ventures
Geographical areas of expertise: UK, Central and Eastern Europe, Middle East, South-East Asia, North America

Jonathan Wood has more than 40 years of experience advising clients on a broad range of matters. Now head of international arbitration at RPC, Wood has deep expertise in international trade and has acted as adviser to the UK government's export credit agency (UKEF) for over 25 years. In addition to international trade (covering commodities, shipping, marine insurance, and regulatory), his work as counsel has principally been in the fields of banking and trade finance, joint ventures and insurance and reinsurance, with particular focus on credit and political risk insurance.

Before joining RPC in 2010, he spent 27 years at Clyde & Co and assisted in establishing the firm's Dubai office in the 1980s. Early in his career, Wood spent seven years as a criminal defence lawyer attending court nearly every day. This, he says, has given him a deep respect for the advocacy work conducted by the Bar. 'I know what being "trial fit" means, and solicitor advocates do not cut it. They do not appear with sufficient frequency to be trial fit and are not equal to the English Bar. The QC kite mark for solicitor advocate in arbitration is, by and large, laughable.'

Wood is chair of the Board of Trustees of the Chartered Institute of Arbitrators, and former chair of the IBA's International Sales Committee. He is registered as a foreign lawyer in Singapore, where he was based with RPC from 2014 to 2017, and has been admitted *pro hac vice* in Maine on a major case.

Rooftop Lounge of the International Arbitration Centre

In conversation with…

The best thing about the UK as a place to arbitrate is the relationship between the English courts and the arbitral community, underpinned by the 1996 Arbitration Act. There is an unrivalled concentration of expertise in England, both in terms of institutions such as the LMAA, LCIA, GAFTA, FOSFA, RICS, LCA, LME, CIArb and others, and the infrastructure and support services provided by lawyers, experts and the like. Add to this the flexibility of the common law coupled with judicial precedent and relative certainty and you have a winning formula.

The big issues facing arbitration are cost, diversity and credibility in the face of public opinion. There is a lack of understanding about the validity of the process in international commerce [and it has been] tainted by the use of arbitration in the public law arena. Diversity in terms of ethnicity, gender, culture and nationality remains a big issue. To remedy this we should introduce diversity as a topic in all education courses on arbitration, including the excellent programmes run by CIArb worldwide.

To improve arbitration I think we need to break the hold of the biggest international law firms. They have developed an unhealthy domination of the process, so that clients feel the need to spend excessive amounts on big-name firms to achieve equality of arms.

Early in my career, I practised as a criminal defence and civil liberties lawyer for seven years in the North of England. I did my first case in Strasbourg under the European Convention of Human Rights in 1976, which changed the rules relating to prisoners' right of access to lawyers and representation in prison disciplinary proceedings. I successfully defended a mother charged with murdering her baby on the basis it was a cot death. This was a much more responsible assignment than shuffling money around the system.

Amusing stories? I once acted for the Turkish government in relation to a claim arising out of massive damage caused by a major earthquake. I spent many hours trying to explain the difference between arbitration and mediation. The comment I received was that mediation was just like buying a carpet!

Andrew Cannon
Herbert Smith Freehills

Years in practice: 19

Principal sectors: Energy, government and public sector, infrastructure, defence, consumer, banks and other financial institutions

Geographical areas of expertise: Europe (especially France), Africa

Admissions: England and Wales

Languages: English, French

Andrew Cannon is a partner at Herbert Smith Freehills (HSF) specialising in international arbitration, public international and EU law. He typically acts on Africa and Europe-based cases in the energy, infrastructure, defence and financial services sectors. Cannon has acted before arbitral tribunals under all major institutional rules and governing laws, and a number of international and domestic courts.

In 2001, he left HSF to take up a position as a legal adviser at the Foreign and Commonwealth office (FCO). While at the FCO he was posted to the UK's Mission to the UN in New York in 2002, and to the UK Permanent Representation to the EU in Brussels between 2004 and 2008, including during the last UK presidency in 2005. He advised the government on many and varied aspects of international and EU law and policy.

He returned to HSF in 2010 to practice arbitration and public international law. He has recently re-joined the firm's London office after three years in Paris, and continues to work closely with the Paris office.

In conversation with…

I went to university just after the fall of the Berlin Wall. It was a time when finding new ways for states to engage and co-operate was very much a pressing issue intellectually. At Cambridge, I studied under people like James Crawford and Christopher Greenwood, current or former judges of the International Court of Justice, and was fortunate to see these ideas develop from an early stage. The multilateralism that underpins international law has come under increasing pressure recently, but the challenges this presents keeps this area of practice a vibrant and developing one.

States are becoming increasingly cautious as regards treaty arbitration. I have worked for governments so can understand their position. States are always the respondents. The negative side is clear while the positive side is something rather less tangible, and finding empirical data to support the positive case that treaties bring FDI and GDP growth is not always straightforward. This can be particularly the case for emerging markets, although we are seeing these issues play out more and more in developed countries too. There is a growing consensus that treaties need to be clearer and acknowledge that states have the right to regulate in the public interest – it is of course a matter for states themselves to develop and enhance the terms of the relevant treaties.

We have worked with the Government of Sierra Leone and the Sierra Leone Law Reform Commission on the development of their arbitration law, in the context of potential accession to the New York Convention. This would be a significant change in a country that is looking to attract more foreign investment. The support of the local legal community is of course also critical, as they in turn support businesses to understand the implications for dispute resolution clauses in their contracts, particularly with foreign companies coming into the country.

Paris and London have much to recommend them as seats of international arbitration. Both have excellent facilities, a sound legal framework and a supportive court system, and the rivalry is healthy for both jurisdictions.

Arbitrators' Breakout Room of the International Arbitration Centre

Kamal Shah
Stephenson Harwood

Years in practice: 18

Principal sectors: Energy, banking, infrastructure, construction, FMCG

Geographical areas of expertise: Africa, India

Languages: English, Gujarati, Hindi, Kiswahili, French

Kamal Shah is a partner at Stephenson Harwood in London, where he heads the firm's Africa and India groups. He acts for governments, government entities, banks, private corporations, and high-net-worth individuals in a range of matters, including those relating to projects and infrastructure, joint ventures, banking and finance, shareholder arrangements, energy, and a range of schemes commonly used to defraud individuals and corporations.

In conversation with…

Everyone thinks arbitration is a gravy train. We need a consolidation of the (too) many new centres, most of which will never be successful and only serve to create confusion in the mind of the users and lawyers. Too many lawyers want to become arbitrators, rather than becoming good lawyers first. This is a universal problem.

A few years ago while doing an arbitration in a coastal city, an institution-appointed arbitrator asked the parties to deliver some documents to his hotel after the arbitration was over. I agreed to take them over as I was staying in the hotel next door. I was directed to the swimming pool where the arbitrator was lounging with a cocktail and took the documents with a statement like 'this is the life, isn't it?' to which I said nothing. The same arbitrator was spotted sipping champagne on sitting days at a previous hearing in the same city on the same matter. Sometime later we discovered that he had been sacked a few years before by an employer for having his hands in the till! Luckily this is a rare occurrence.

Maurice Kenton
Clyde & Co

Years in practice: 21
Principal sectors: Resources sector (including mining and upstream oil and gas), insurance, hydroelectric, solar energy
Geographical areas of expertise: Brazil, South Africa, Tanzania, US, Norway, UK, China, Belgium, Australia
Languages: English, Afrikaans

Maurice Kenton is a partner in the global arbitration group at Clyde & Co in London. He has particular experience in the mining, oil and gas, power, telecommunications, infrastructure, and insurance sectors, where he has worked for private and state parties on high-value and complex international disputes across five continents. His work in the insurance sector is focused on large-scale property and construction disputes involving business interruption and delay in start-up issues, primarily in the mining and power sectors for insurers and reinsurers. Before joining Clyde & Co in 2011, Kenton headed the international arbitration team at Barlow Lyde & Gilbert.

In conversation with…

The arbitration community in the UK benefits from international recognition and confidence in the depth of practitioner and arbitrator expertise and experience, but London steals the show. The city itself is a drawcard. Foreign clients and witnesses like being here quite apart from its obvious strength as a pre-eminent global centre for arbitration with unsurpassed choice, facilities, and dispute resolution infrastructure.

In game theory terms, participants in the world economic order seem to be moving from co-operative to non-co-operative behaviours. Moves towards protectionism and away from international economic integration will have a long-term effect on cross-border trade and investment and, in turn, international arbitration. Similarly, resource nationalism will ultimately have a chilling effect on investor-state arbitration as a result of countries seeking to renegotiate their bilateral investment treaties, or withdrawing from them altogether. I would like to see the courts of all signatories to the New York and Washington conventions apply their enabling legislation in accordance with the true nature and scope of the commitments made in those instruments. The courts of the developed centres of arbitration, including in the UK, lead the way but international arbitration will only realise its true potential when the approach they espouse is the global norm.

I am proud to say that Clyde & Co was one of the founding signatories to the Equal Representation in Arbitration Pledge in 2016 and to me diversity is commercial good sense. It's about making a deliberate effort to introduce candidates with a broad range of talents and taking the time to do the research necessary to allow clients to make informed decisions. 'Arbitration' and 'choice': two words that are closely associated with the idea that arbitration allows parties greater autonomy over the dispute process. It's pretty standard commercial thinking to seek to make one's offering appealing to the commercial environment in which we operate and practitioners who do not provide clients with that choice risk negative selection.

A few years ago my team and I had been camped out in a hotel in Western Australia, taking witness statements for a solid ten days and had developed cabin fever of the variety that requires a complete change of environment. Being someone who spent every Friday to Sunday and most holidays of his youth in the Indian Ocean, and it being a bright sunny Saturday morning, I suggested we make an early start and spend the morning at the beach. We found a quiet spot near Cottesloe and three of our group of four had spent barely five minutes in the water when the fourth, waving energetically from the shore, summoned me to my mobile phone and an anxious client. 'Have you finished writing up the statements?' was the question. 'Actually, not yet,' was my answer. 'Well, then please get out the water,' came the response and, before my irritation at this intrusion on our Saturday became too acute, there followed, 'the reason the beach is deserted is because there was a shark attack there last night.' I got an unusually swift response from the team when I relayed those client instructions.

I aspire to being able to grow a respectable beard. When that day comes, I shall be taking up my maps of the ancient world and running off with my first love, archaeology.

Roof Terrace of the International Arbitration Centre

Ania Farren
Vannin Capital

Years in practice: 16
Years as an arbitrator: Five
Principal sectors: Energy, construction and infrastructure, banking and financial services, leisure, international trade, corporate disputes
Languages: English, Polish, French

Ania Farren is a managing director at litigation funder Vannin Capital where she oversees the funding of arbitration matters. In addition to working full time at Vannin, she accepts appointments as an arbitrator and is a member of Quadrant Chambers' separate arbitrator wing, Arbitrators at 10 Fleet Street.

'Both my work at Vannin and my work as an arbitrator involves looking at cases from the same perspective,' says Farren. 'The question any funder asks when reviewing a case is, "what are the chances of this being successful?" There is a great complementarity to doing that while also remaining active as an arbitrator.'

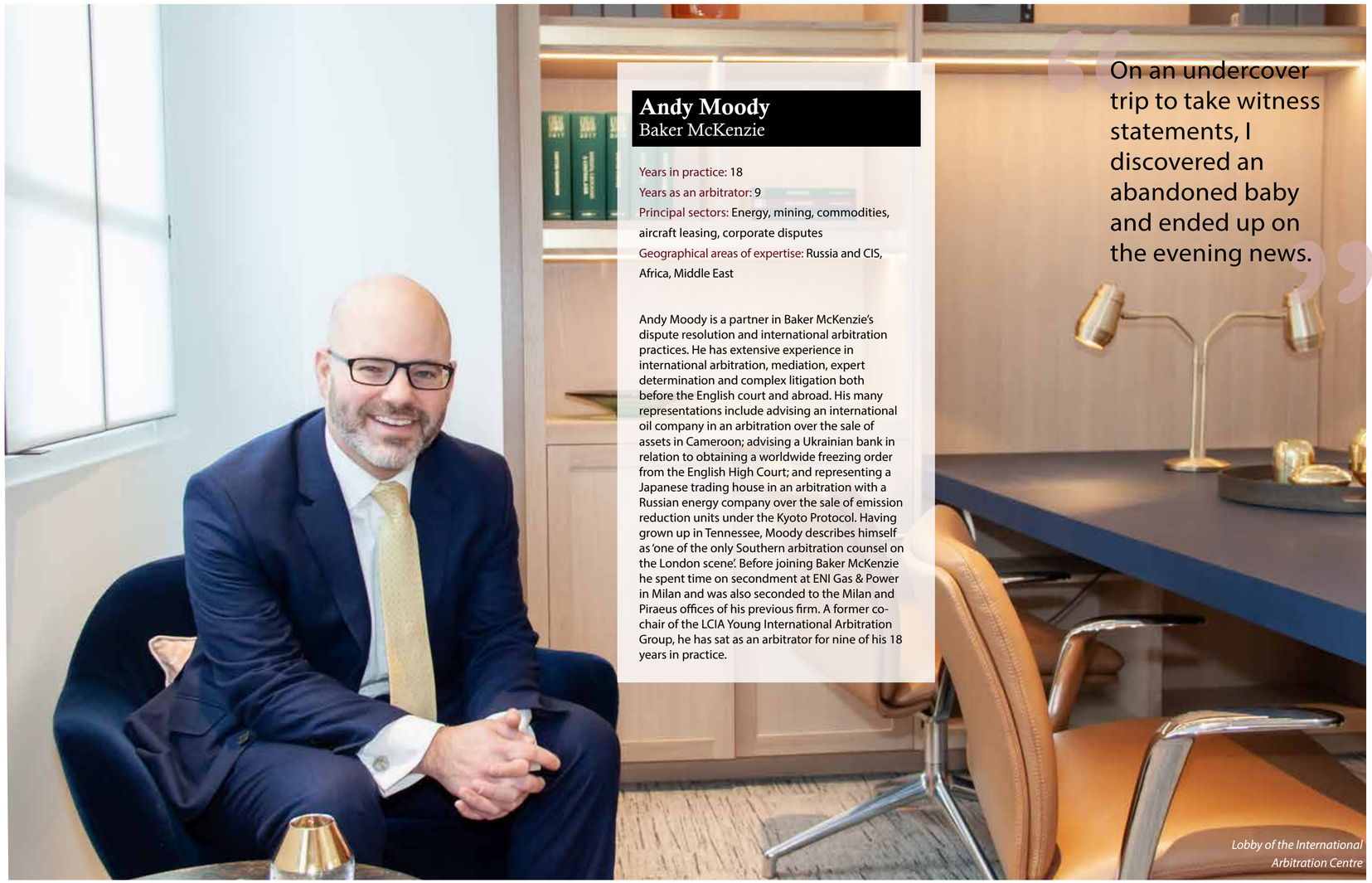
Prior to joining Vannin in 2018, Farren was a partner in Bryan Cave Leighton Paisner's international arbitration group. 'I had made partner and loved the work but moving to a funder offered something new and different,' she says. 'Disputes funding is a massively growing market and the opportunity to work for one of the leading providers was irresistible. Working at Vannin gives me an unparalleled level of insight into the dynamics of high-profile cases. I often see five ICSID cases a week. One would simply never get that view of the London market working as counsel. It's also very enjoyable to see how the various different law firms work, particularly for someone like me who is curious and a bit nosy!'

Historically, most of the clients of funders were law firms. An increasing number of corporates are now approaching us to look at how they can turn their legal functions into profit centres within the organisation, which sits alongside a much greater awareness among in-house teams of the whole disputes process. Speak to any partner in an arbitration practice and they will tell you they are spending more and more time negotiating fee structures. There has been a real shift in the market and funders will be at the centre of it all. I suspect an increasing number of senior people in arbitration will be moving to funders in the coming years.'

In her previous role as counsel, Farren worked on a number of prominent energy-related disputes, including Yukos, a $114bn claim that was at the time the largest ever arbitration by value. At considerably over $50bn, the award in the case was 30 times higher than the previous record settlement reached just three years earlier.

Between 2012 and 2017, she was UK representative to the International Chamber of Commerce Young Arbitrators Forum (ICC YAF) and now serves as vice chair to the ICC's UK Committee for Arbitration and ADR. She was a member of the ICCA/Queen Mary taskforce on third-party funding and chaired the sub-committee on privilege.

As the first woman to join Arbitrators at 10 Fleet Street, Farren is conscious of the need to increase the number of female arbitrator appointments. 'The institutions have done as much as they can here. It is now down to law firms to make sure more women get to partner level. In the short-term, a relatively easy way to address the lack of female appointments would be for any arbitration with two male appointments to give serious consideration to appointing a female chair unless it is utterly impossible in the circumstances to do so. Given the number of experienced and talented women who are able to accept appointments, it should never be impossible to find a female chair.'



Andy Moody
Baker McKenzie

Years in practice: 18

Years as an arbitrator: 9

Principal sectors: Energy, mining, commodities, aircraft leasing, corporate disputes

Geographical areas of expertise: Russia and CIS, Africa, Middle East

Andy Moody is a partner in Baker McKenzie's dispute resolution and international arbitration practices. He has extensive experience in international arbitration, mediation, expert determination and complex litigation both before the English court and abroad. His many representations include advising an international oil company in an arbitration over the sale of assets in Cameroon; advising a Ukrainian bank in relation to obtaining a worldwide freezing order from the English High Court; and representing a Japanese trading house in an arbitration with a Russian energy company over the sale of emission reduction units under the Kyoto Protocol. Having grown up in Tennessee, Moody describes himself as 'one of the only Southern arbitration counsel on the London scene'. Before joining Baker McKenzie he spent time on secondment at ENI Gas & Power in Milan and was also seconded to the Milan and Piraeus offices of his previous firm. A former co-chair of the LCIA Young International Arbitration Group, he has sat as an arbitrator for nine of his 18 years in practice.

> On an undercover trip to take witness statements, I discovered an abandoned baby and ended up on the evening news.

Lobby of the International Arbitration Centre

In conversation with…

I was lucky enough to sit as arbitrator after only nine years in practice. As a [former] co-chair of the LCIA Young International Arbitration Group, I had a pretty good profile and was able to build a wide network from an early point. My first appointment was for a Georgian law firm who knew me from an earlier case and I have then obtained a number of LCIA appointments. I do not fall into the 'young' bracket any more, but my advice to younger practitioners is to seek out opportunities and your networks as soon as you can. It is never too early. At the same time, there is an inherent challenge to bringing through more young arbitrators. I am lucky in that my firm is broadly supportive, but it has to be recognised that you cannot survive as a partner in a City law firm if your practice is too focused on sitting as an arbitrator. It is not lucrative enough if you're trying to build and maintain a practice, that's just the economics of it. However, there is a great developmental benefit to doing as much of it as you can. Being on the other side of the fence helps you act as counsel. Having written an award and worked with co-arbitrators helps you understand the dynamics of the tribunal in a subtler way.

The reality is everyone still wants to come to London. We face a challenge from the growth of new, competing, reliable, credible arbitration centres. They have been reasonably successful, but I still regularly encounter clients and counterparties from these countries who would rather have the case heard in London. English law is still trusted, esteemed and the most used foreign law around the world, and not just in a European context. The wish to come here is not going to go away in my opinion. There is also the 'long tail' effect. So many contracts have been entered into over the last ten years with London arbitration clauses that people will be fighting here for many years to come.

My most memorable business trip has to be when I found an abandoned baby in Istanbul. I was with two colleagues: Juliet Blanch, who is now an independent arbitrator, and Nick Lawn, who is now at Skadden, on a trip to take witness statements. It was supposed to be very hush, hush and below the radar. We had arrived in town before the witnesses had and were staying near the spice bazaar in the area of the Rüstem Pasha Mosque, which has some amazing Iznik tiles, so I insisted we go see it. On the stairs off the spice market, we noticed a duffle bag, which as we saw it then moved. We opened it up and there was a newborn baby inside. We told the imam at the mosque, who called for the police and an ambulance. Before we knew it, we were on the evening news. That was our cover blown!

Scott Vesel
Three Crowns

Years in practice: Ten
Principal sectors: Oil and gas, construction, energy, technology, agribusiness
Geographical areas of expertise: Europe, North America, Africa, Middle East, Latin America, Asia, CIS
Admissions: England and Wales, New York
Languages: English, Russian, German, French, Latvian, Spanish

Scott Vesel has a decade of experience handling complex international investment and commercial arbitrations in the oil and gas, construction, energy, technology and agribusiness sectors. In addition to his private practice in international arbitration, he has served as an attorney-advisor at the US Department of State and at an international organisation.

His current and recent matters include representations of: a Middle Eastern state in an ongoing ICSID arbitration related to an oil and gas project; an oil and gas major in an UNCITRAL arbitration with a CIS state arising out of a production sharing agreement; a European energy company in a shareholders' dispute with another European energy company, relating to a joint venture gas marketing company; an oil and gas major in post-award ICSID proceeding related to an award against a Latin American state; a French-German consortium in an ICC arbitration arising out of a contract to construct a nuclear power plant in Finland; and a European mining company in an ICC arbitration arising out of a contract to expand a mining project in an African country.

In conversation with…

London is home to an exceptionally rich community of expertise, in terms of arbitrators, counsel and expert witnesses. English law is exceptionally well developed, and tends to provide reliable and predictable answers to most contractual disputes. One limited area where it falls short in this respect concerns disputes over contractual limitations of liability and exceptions to such limitations for 'gross negligence'.

I believe the biggest challenge for international arbitration right now is the lack of trust of non-participants in a process that is (to them) opaque and non-transparent. This is particularly the case for investment arbitration. I also think that parties and arbitrators should use the power they have to innovate procedurally.

When it comes to diversity in international arbitration, there is no 'magic bullet'. The legitimacy and quality of the arbitral process requires law firms, arbitral institutions and others involved in the process to focus on ensuring that the community of counsel, arbitrators and experts better mirrors the diversity of the community of users and other stakeholders in the arbitral process.

Rob Lambert
Clifford Chance

Years in practice: 30
Years as an arbitrator: 20
Principal sectors: Defence, oil and gas, mining, construction, power, telecoms
Geographical areas of expertise: Europe, Asia-Pacific, US, Middle East, Africa, Australia

Rob Lambert is a highly regarded international arbitrator and disputes partner at Clifford Chance. He has over 30 years of legal experience and is a specialist in litigation, dispute resolution and international commercial arbitration in a wide variety of sectors. He is a member of the LCIA, ICC and the Panel of Arbitrators of HKIAC, and has handled arbitration cases under ICC, LCIA, ICSID, UNCITRAL and other international rules. He is a highly experienced and persuasive advocate who has appeared as lead counsel for international arbitral tribunals as well as sitting as an arbitrator regularly for 20 years. Some highlights of his practice include serving as lead counsel in a $1bn dispute with the UK government related to the termination of a state-of-the-art immigration system and serving as lead counsel in a multimillion-dollar dispute involving an international property developer against a Russian construction company in Moscow. With stern negotiation and tactical ability, Lambert is a highly decorated arbitrator recognised for his talent and experience.

Rooftop Lounge of the International Arbitration Centre

Ed Poulton
Baker McKenzie

Years in practice: 16
Years as an arbitrator: Seven
Principal sectors: Financial services, retail, energy, electronics, aviation and telecoms
Geographical areas of expertise: Europe (including Eastern Europe), Latin America, India
Languages: English, French, Spanish

Ed Poulton is one of the few counsel to specialise in post-M&A arbitration and is the consulting editor of the leading text in the field, *Arbitration of M&A Transactions*. His practice in this area covers everything from breach of warranty or indemnity to fraud claims that arise in connection with these disputes. His wider practice covers all forms of dispute resolution, ranging from contract disputes to more specialist claims in the banking sector and investment treaty claims. He also sits as arbitrator in ICC and LCIA arbitrations.

Standout matters include acting as part of the legal team and advocate acting for Czech bank ČSOB in six ICC arbitrations involving claims and counterclaims for more than $2bn, acting as one of the advocates at the final hearing for an Argentine and a French company in two successful ICSID cases against the United States of Mexico and for a major bank in LCIA proceedings against an Eastern European state-owned entity. He has also advised on matters in and relating to parties in Africa and Asia.

In conversation with…

I have seen the political dimensions of arbitration first hand. Following a long-running dispute, we were on our way to the hearing when we received a phone call from the other side (a state) to offer a settlement. It turned out that the president of their country was about to go on a trip to the country our client (the investor) was from and wanted to have all these issues ironed out before his state visit. Being told the president himself had authorised the deal overnight was a real example of politics trumping everything else, which sticks in my mind. Although it's still only my second favourite arbitration story. I once had a hearing where the opposing witnesses were called Fokoff and Bageroff!

Dorothy Murray
King & Wood Mallesons

Years in practice: 14

Principal sectors: Banking and financial services, oil and gas, telecoms, natural resources, mining, real estate

Geographical areas of expertise: Russia and CIS, China

Dorothy Murray is a partner in the London office of King & Wood Mallesons (KWM). As arbitration counsel, she advises on a broad range of commercial and investment disputes in various fora, and also deals with arbitration-related litigation, including jurisdictional challenges, enforcement and set aside of awards. She has particular experience acting for clients and in disputes arising from Russia and the CIS, most notably Ukraine, but has acted for clients from all over the world, typically in cases where the dispute has a London seat or nexus, or involves English or public international law. She also has expertise working for government and state-owned entity clients and, in line with KWM's regional focus, is now handling an increasing amount of work for Chinese companies and investors.

In conversation with…

My whole career has been a series of lucky breaks. I joined [KWM legacy firm] SJ Berwin in 2010 with the intention of moving wholly into banking litigation. I never actually did very much of it because I was swept into an LCIA arbitration, representing Russia's largest mobile operator in a control battle for a Kyrgyz telecoms operator. It was a beautiful multi-jurisdictional arbitration with a $1bn claim, which involved co-ordinating three new LCIA arbitrations, resisting an existing award in England, fighting two sets of proceedings in Luxembourg, including criminal proceedings, and dealing with issues involving the Isle of Man, Seychelles and the British Virgin Islands. It was my first exposure to a truly international arbitration. I was a senior associate and ended up co-ordinating the whole piece. It was ultimately one of the cases that helped make me a partner. Shortly after that, Justin Michaelson left SJ Berwin for Fried Frank. He was the only partner focused predominantly on international arbitration at the time and it left a gap in the team. That certainly helped me make a case to my transactional colleagues that, as partner, I would bring expertise useful to the firm.

London stands out as a disputes centre for the unparalleled variety of practitioners and expertise it offers in one venue. The diversity I see around me in my own team and office is a real illustration of this. I am a female litigation and arbitration specialist UK lawyer in an Asian headquartered international firm working for a Russian, CIS, Chinese and Asian client base. This diversity of skills and expertise is reflected in the wider arbitration ecosystem that London offers, from experts to translators.

International arbitration is facing multiple challenges to its legitimacy, especially in the investor state context. On the commercial side, the rise of increasingly credible alternatives in the form of international commercial courts, and the wider adoption of cross-border judgment enforcement, presents a challenge. Arbitration also faces a tension between balancing the adoption of perceived international best practice without becoming so homogenised that it alienates potential users coming from the rich variety of legal systems this world boasts.

My idea for increasing the diversity of arbitrator appointments is to cap the number of party appointments an arbitrator can accept under any institution. So, after say 15 party appointments to an ICSID panel, an arbitrator could be chair but not the appointee of any party. That way their experience can still come into play when selected by their panel members or the institution, but parties will have to consider a broader pool of talent. Institutions have realised they can do more to improve diversity, but they only very rarely get to make appointments. There needs to be some way of nudging parties to think of the broader pool, and perhaps caps are one way of encouraging a wider dialogue about it. Diversity is an answer to some of the current legitimacy concerns and it is good for clients because it give them more options.

I can well imagine the type of response this will generate: 'It limits party autonomy, people should be free to choose, and diversity isn't the end goal.' Then things get bogged down in academic papers and sub-committees for the next ten years. One solution to this would be to work with the various centres that are putting forward rules for expedited procedures when it comes to smaller claims. One could argue that the parties are already limiting their autonomy when it comes to these types of expedited procedures so the limits to autonomy argument is not as strong. One could therefore apply caps to these type of claims, increasing the pool of arbitrators who handle expedited procedures as a first stage.

Roof Terrace of the International Arbitration Centre

Matthew Bate
Winston & Strawn

Years in practice: 20

Principal sectors: Energy, mining, construction, infrastructure

Geographical areas of expertise: Europe, Middle East, Africa, Russia and CIS, Asia, US, Latin America

Admissions: New York Bar, United States Eastern and Southern Districts of New York

Languages: English, French, German

Matthew Bate (*pictured, left*) has practised in international arbitration for almost 20 years, with this being the sole focus of his practice for the last 15 years. He started his career in New York and spent over ten years practising in Paris and Geneva before joining Winston & Strawn in London.

His practice is truly global. He has handled commercial and investment disputes across Europe, the Middle East, Africa (both Sub-Saharan and North), Russia and the CIS, Asia, and the Americas. A substantial part of his caseload stems from projects in emerging markets. His client base includes both multinational corporations as well as smaller companies and individuals on occasion.

Having trained as a US trial lawyer, Bate is at ease in a trial setting and is well-versed in the techniques of cross-examination and oral argument. 'I find that clients value having a lawyer who is ready to be their lead advocate in all aspects of the dispute, and who has lived with the case and the evidence at every stage from inception to trial,' he comments. 'I think one of my strong suits is my ability to marshal a complex constellation of facts and evidence. Most cases in international arbitration turn on the facts of the dispute. To be an effective advocate, you have to dive into the evidence, master the details and become an expert in the subject matter of the dispute. Handling complex infrastructure disputes has been a great way to hone these advocacy skills.'

Last year, Bate was part of the Winston team that tried and won a large international arbitration brought on behalf of a consortium of three Turkish companies against a German company arising out of a contract for the design, fabrication, assembly and commissioning of a tunnel-boring machine. The machine was to be used to construct 26 tunnels for a new high-speed rail link between Ankara and Istanbul as part of the One Belt, One Road initiative. In addition to receiving a highly favourable outcome for his client, he received a crash course in geo-mechanical engineering along the way.

In conversation with…

The emergence of third-party funding has been a real game changer recently. Given the amounts involved and the final and binding nature of arbitral awards, international arbitration claims are attractive to third-party funders. We have seen a real proliferation in the use of third-party funding as well as the types of funding products available. It has been exciting to work at the forefront of this new development in our industry and to help clients navigate the options available to them.

Roof Terrace of the International Arbitration Centre

Michael Stepek
Winston & Strawn

Years in practice: 30

Years as an arbitrator: Ten

Principal sectors: Energy, mining, transportation, power generation, joint ventures, foreign investment

Geographical focus: Europe, CIS, Africa, Middle East

Admissions: State of Illinois

Michael Stepek (*pictured, right*) has acted as counsel in international arbitrations throughout Europe, the CIS, Middle East, Asia-Pacific, and Africa. This experience, says Stepek, has educated him in the differences between various legal systems, and the different ways in which lawyers and international arbitrators approach the same dispute. 'It strikes me that this experience is significant to clients, as it is helpful to advise them as to the approach they may need to take to any given dispute notwithstanding the approach they might otherwise be comfortable with taking given their domestic origin.' His practice has a particular emphasis on disputes involving the control of corporate entities, foreign direct investment, concession agreements, major infrastructure projects, and joint ventures.

In conversation with…

I began working in London before the 1996 Arbitration Act. Much has changed since then. London City Airport felt like it was in the middle of nowhere. Now it is a part of the city. In terms of arbitration, London was itself somewhat provincial. There was no doubt that Paris was the centre of the arbitration world. Slowly, I noticed more and more work flowing into London. This, along with the increasing predominance of English law, eventually made London the home of international arbitration.

International arbitration seems to be facing an issue of confidence. On the whole the system works well, yet there are multiple calls for changes, ranging from eliminating party autonomy in the selection of arbitrators to limiting access to arbitration in international investment disputes. Debate on these and other topics is always healthy to be sure and it should continue, but international arbitration is still the most useful manner in which to finally determine a cross-border dispute.

Diversity begins and is developed through the hiring process of young lawyers. In my practice, it has always been a point to hire and develop legal talent from all backgrounds not simply because it is the right thing to do from a societal perspective, but because it is the right thing to do for an effective international arbitration practice. Lawyers appearing in an international arbitration practice are expected to persuade arbitrators who may come from a variety of national, legal, cultural, and linguistic backgrounds. It is difficult to see how this might be accomplished in all the different settings if the lawyers are homogenous.

Melis Acuner
Cadwalader, Wickersham & Taft

Years in practice: 16
Principal sectors: Energy, telecoms, financial services
Geographical areas of expertise: Europe, Middle East, Africa, Turkey, Russia and CIS
Admissions: England and Wales, Paris
Languages: English, French, Turkish, Spanish

Melis Acuner is a partner in Cadwalader, Wickersham & Taft's global disputes group and leads the London-based international dispute resolution team.
She has extensive experience advising clients in international arbitration, litigation, and criminal and civil investigations. Acuner has acted for corporations, individuals and governments across a range of industry sectors, including oil and gas, energy, telecommunications, consumer goods, media, construction, banking and finance, insurance and pharmaceuticals, and has acted on several of the largest high-profile disputes before the LCIA.

She is admitted in England and Wales and France, and is a board member of the British Turkish Lawyers Association, a member of the ICC Commission on Arbitration and ADR.

In conversation with…

Arbitrations are like a political and crime thriller. Everything happens, from legal tactics to actual guerrilla tactics. It's a fascinating world. Parties should agree, at the outset of an arbitration, the procedural rules binding them, to minimise the opportunities for delay tactics, and to avoid any mismatched expectations and understandings which may be argued. Selecting a strong and patient tribunal, willing to intervene when the parties cannot agree, is vitally important.

I started working with Michael Polkinghorne at Coudert Brothers in the international arbitration department in Paris. They had a phenomenal arbitration team with impressive lawyers and great cases. A year later, I joined White & Case with Michael and continued to develop experience in the energy sphere alongside a good mix of commercial and investment treaty arbitrations. My time at Coudert and White & Case was very formative and gave me the interest to pursue a career in this field.

The only way to improve gender diversity in international arbitration is to promote more women to partner level in international law firms, which in turn will impact on female arbitrator appointments.

Steven Finizio
Wilmer Cutler Pickering Hale and Dorr

Years in practice: 26
Years as an arbitrator: Ten
Principal sectors: Oil and gas, telecoms, financial services
Geographical areas of expertise: Europe, Asia, Africa, US
Admissions: California, District of Columbia, registered foreign lawyer in England and Wales

Steven Finizio's practice focuses on complex commercial and regulatory issues arising from investor-state, shareholder, joint venture and M&A disputes in a wide range of sectors. In 2018 alone, he was counsel in eight full hearings ranging from gas price reviews to manufacturing and services disputes.

In addition to maintaining a busy practice as counsel, Finizio has been a great contributor to the wider development of international arbitration. He has assisted a Central European government, pro bono, in drafting new arbitration legislation and was part of a team that argued the first freedom of expression case in the African Court on Human and Peoples' Rights (in *Lohé Issa Konaté v Burkina Faso*) and he recently was involved in several successful cases before the European Court of Human Rights. He teaches, writes, and speaks frequently on international arbitration issues around the world.

Rooftop Lounge of the International Arbitration Centre

In conversation with…

I have no niche. As counsel I want to work everywhere in the world on a wide range of issues without being constrained by a territory or specialism. That is what makes international arbitration such an exciting practice area and it reflects WilmerHale's philosophy of how to run a practice. We want a team that can work all over the world, and that can really bring an international understanding to cases. That said, I don't like saying I have no niche. I'd rather say I have many niches. Energy disputes will always be an important part of international arbitration, and I want to know as much about how arbitration is developing in Africa as in Eastern Europe or Asia.

Arbitration has been a premium practice. For many firms, the market is changing. As more firms move into the market and practice expands, lawyers are beginning to ask more questions about what clients really expect and there is more uncertainty on what lawyers are delivering. Because of the nature of international arbitration, you may need to do more work for a large arbitration than for even a major litigation. However, it is important to know what is right for a particular case. Competition is a good thing, but we need to be careful about turning international arbitration into a volume business, because quality inevitably suffers. Many clients only do one arbitration every five or ten years, and if a firm does mediocre work, they will be reluctant to go to arbitration again.

When it comes to arbitration, extrapolating from good or bad experiences is more common than it is when going through the courts. Clients will say that they do not want to consider arbitration because of a bad experience a decade ago. That casts a long shadow. Getting it right is in all of our interests. It also means not reflexively approaching international arbitration as a 'light' version of local court practice, but really considering the right approach for that particular case.

Melanie Willems
Haynes and Boone

Years in practice: 27

Years as an arbitrator: Ten

Principal sectors: Commercial contract, energy, construction, engineering

Geographical areas of expertise: Worldwide

Melanie Willems is head of international arbitration at the London office of Haynes and Boone. She is experienced in all forms of alternative dispute resolution, including expert determination, mediation, and adjudication and has extensive experience in ad hoc proceedings and under major international rules. She also represents clients in the UK courts and sits as an arbitrator.

After becoming solicitor advocate in 2000, she began her own advocacy on small cases, notably before sporting association tribunals, before taking on large, international cases in the fields of energy, construction and projects disputes. She once obtained what might still be the lowest-ever drugs ban for taking cocaine for a client in the Court of Arbitration for Sport in Lausanne. More recently, Willems worked with her team against two Magic Circle firms representing oil majors, achieving a favourable result for the client. Willems regularly appears against QCs and encourages her team members to do the same: 'An arbitration counsel who isn't keen on advocacy is a bit like being a surgeon who isn't keen on operating.'

In conversation with…

Arbitration practitioners should be cautious not to give credibility to seats or institutions that lack the necessary impartiality and independence. To state the obvious, self-interest does not excuse support for inadequate systems of dispute resolution. If I could make one change to international arbitration, I would ensure that only counsel properly qualified to advise on the matters they are involved in work on international arbitration cases. There is much abuse.

Ben Knowles
Clyde & Co

Years in practice: 25

Principal sectors: Oil and gas, trade, telecoms

Geographical areas of expertise: Worldwide

Ben Knowles is the co-chair of Clyde & Co's global arbitration group. He represents a broad range of clients and has notable recent experience within the Middle East acting for oil and gas, trade and commodities and telecoms clients. His recent work has involved representing a national oil company in various arbitrations arising out of anti-dumping legislation, and representing an international offshore company in relation to the expropriation of assets by a South American government. One of his more bizarre cases involved him cross-examining US witnesses from oil companies who were wearing Stetsons and cowboy boots. It was, in his words, 'culturally eye-opening'. A little known fact about Knowles: he sang as a chorister at the wedding of Charles and Diana in 1981.

Roof Terrace of the International Arbitration Centre

Zachary Segal
Mishcon de Reya

Principal sectors: Banking and finance, international trade, energy, construction, life sciences

Geographical focus: Russia and CIS, Central and Eastern Europe

Zachary Segal is a legal director in Mishcon de Reya's international arbitration group. His work as arbitration counsel is almost exclusively international in nature and focuses on emerging markets, including – but not limited to – disputes arising in Russia and the CIS and Central and Eastern Europe.

He also has considerable experience of arbitration-related litigation before state courts, including applications for injunctive relief, challenges to arbitral awards and matters relating to enforcement.

In conversation with…

For all the crosswinds that are circling around London, and there are many, the reality is that few, if any, places have as reliable and as serious a judicial system. It is our job as London practitioners to make sure that we stay at the forefront. The things that make London an attractive place to arbitrate are not in any way, shape or form dependent on the UK's role as a member of the EU. Arbitration is a choice to remain outside any particular jurisdiction's courts, and I don't think there's anywhere in the world, including the obvious places like Paris and New York, that has the same quality of arbitrators, counsel and experts on offer who live and work within a mile or so of each other.

No lawyer wants their clients to be buffeted around by economic uncertainty, but in terms of London's status as a seat, I don't see why macro-economic events should affect its place as the premier destination for international arbitration. Indeed, since the enforcement of an English judgment or the enforceability of an English jurisdiction clause may well be affected by changes to our role vis-à-vis the European Union, it may well be that work is diverted from the courts and to arbitration.

Egishe Dzhazoyan
King & Spalding

Years in practice: 16

Principal sectors: Energy, banking, telecoms, mining

Geographical areas of expertise: Russia and CIS, US, Middle East

Admissions: England and Wales, Moscow City Bar, Russia

Languages: English, German, Russian, Armenian

Egishe Dzhazoyan is a dual qualified (Russia and UK) partner in King & Spalding's London office. His practice focuses primarily on energy disputes in Russia and CIS, though he increasingly handles high-profile matters in the US and the Middle East. Dzhazoyan has worked on over 160 cases in his career, including around 80 arbitrations, many with a value in excess of $1bn. He has also advised clients in connection with numerous court proceedings, including the highest levels of the English and the Russian judiciaries and in complex offshore disputes relating to commercial fraud and asset recovery. He joined King & Spalding from Steptoe & Johnson in 2013, following in the footsteps of Thomas Sprange QC. Before joining Steptoe, Dzhazoyan spent five years practising in Moscow.

In conversation with…

One tends to remember the cases one loses. In 2013 I concluded a case brought by BNP Paribas against my client, Russian Machines, part of [Oleg Deripaska-owned] Basic Element, one of Russia's largest industrial conglomerates. My client had taken a loan from a syndicate of banks, including BNP Paribas, to invest in a large Canadian auto-components company. The shares acquired from that investment were pledged immediately as security for the loan, but when the market collapsed in 2008 they lost a lot of their value creating a deficit between the value of the shares and the loan. When the bank demanded a guarantee to cover for the loss, we disputed its validity. That led to a four-year LCIA arbitration battle with a certain satellite litigation in the English court. Long story short, we managed to delay it tactically and pick up a few interlocutory wins along the way. We lost in the end but managed to get what I and my client considered to be a very favourable settlement.

London is still number one for Russian disputes. I don't buy into the whole Singapore hype as far as Russians are concerned. I haven't gone into the numbers but from the people I have spoken to I don't see any diminution in the Russian appetite for London. Unless sanctions become so unbearable that Russian clients have to cut ties, I don't see it happening.

Clients have become much more sophisticated in terms of funding. They are demanding blended rates, contingency fee arrangements, or are teaming up with funders to pursue disputes. While I do not see the number of cases dropping, we and many other firms will be more selective with the cases we take on. It is a very saturated market where almost everyone will claim expertise in Russian cases, for example. A number of firms are trying to commoditise the work and we, as respectable practitioners, end up suffering reputational damage from the negative outcomes.

When it comes to investment treaty arbitration the system is broken. I am very much on the pro-investor side so I think states are being given too much deference in these matters, particularly when it comes to enforcement. The process takes forever and investors have absolutely no control while states can use diplomatic or other means to try to influence the process. These cases also have a huge problem with diversity. There are a handful of arbitrators appointed so often that you already know who is pro-state and who is pro-investor. As counsel, you almost know in advance how things will play out.

Rather than just talk about diversity I'd be interested to know what various counsel are doing to change things when they put together a file for a client – do they find themselves going to the same tried and tested people or looking more broadly at the market? Often it is the former, and the people who talk about diversity the most are the guiltiest parties!

Tribunals are drowning in truckloads of paper. I would like to see a mechanism that imposes time limits, deadlines or page limits within the framework of arbitral rules. Let's say you cannot have more than two rounds of submissions and those submissions should run to no more than 150 pages unless you have permission from the tribunal. This has been done successfully in the High Court with civil procedural rules, special permission from a judge is required to run a skeleton argument longer than 25 pages in length.

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Nicholas Gould
Fenwick Elliott

Years in practice: 30

Years as an arbitrator: 20

Principal sectors: Construction and engineering, energy, telecoms and IT, property, insurance

Geographical areas of expertise: UK, Europe, Middle East, Africa, Asia, South America

A chartered surveyor who spent the first part of his career working on construction and building projects, Nicholas Gould has wide experience dealing with time, money and defects issues related to large-scale projects on both the technical and legal side. As counsel and arbitrator, he brings this unique dual expertise to a range of disputes, acting for contractors, employers, and governments in the building, construction, engineering, infrastructure, transport, energy (including all forms of power production, renewables, solar, nuclear), oil and gas, and process engineering sectors. 'Renewable energy and nuclear power plants present interesting challenges,' says Gould. 'The evolving nature of renewable energy, including solar power, means that owners, developers and contractors are often faced with evolving technology, which leads to interesting legal issues for arbitration.'

Gould served as chair of the ICC's committee on expertise for seven years, supporting the ICC's arbitration commission in its work in relation to both its rules and locating experts for this and tribunals.

In conversation with…

If you try hard enough, you can locate an expert in any particular area. We were once asked to find an expert in light rail that could speak and write in both English and Finnish but was not a Finnish national. We managed to find two potential engineering experts that fulfilled those criteria. The ICC is still very good at fulfilling this role.

I always find the large-scale infrastructure projects interesting. They are complex and involve a large number of documents, and any issues that arise as well as the personalities involved always make these interesting and challenging. For example, in one case of termination the contractor was then held on site by armed forces. A helicopter evacuation was eventually successful after negotiations with various diplomatic institutions had failed.

I recently a published a chapter in a book on outer-space law. It considered cross- border dispute resolution relating to space hardware. There are a set of international arbitration rules relating to space activities. It is not as bizarre as you might initially think. At one time, there were only a limited number of government organisations in the world launching satellites. This has changed. Many countries are now involved in the production of microsatellites, and components and the world relies upon these for international communications. I suspect that we will see disputes arising from space hardware and this will be a slow area of growth in the future.

The world is still divided into those who recognise and enforce awards promptly, and those where enforcement is a slow and very challenging process. The challenge here really is about importance of the government appreciating the reciprocal nature of enforcement in order to ensure that businesses can continue to operate and that they will be dealt with fairly. It would be helpful if all domestic arbitration laws that cover international arbitration also dealt with situations solving interim contractual remedies. In other words, if the contract includes expert determination or a dispute adjudication board then immediate statutory recognition and enforcement of that contractual decision on an interim basis should be recognised and therefore potentially enforceable in a domestic court. Currently, to enforce the decision of an expert determination or a dispute adjudication board a party has to commence arbitration and then effectively go through the entire dispute process all over again in order to obtain an award and payment.

While many of the arbitration rules are more than adequate, dissatisfaction arises from the institution. For example, the ICC and LCIA are both very well organised. On the other hand, the Romanian arbitration institute is surprising in its actions or inactions. In the Middle East DIAC in Dubai does a very good job in moving forward the arbitrations and the Ruler's Court is very supportive while ADCCAC in Abu Dhabi could perhaps learn something from its well-regarded international colleagues.

Charlie Lightfoot
Jenner & Block

Years in practice: 17

Principal sectors: Defence, energy, infrastructure, telecoms

Geographical areas of expertise: UK, Europe (particularly Eastern Europe), Russia and CIS, Turkey

Charlie Lightfoot is the managing partner of Jenner & Block's London office and leads the firm's London-based litigation and arbitration practices. His recent experience includes advising on international disputes in a variety of sectors, including energy, defence, infrastructure, and telecommunications. He has appeared as advocate both in the English High Court and in many arbitral proceedings. The real strength of arbitration in the UK, he says, is the 'depth and quality of practitioners, arbitrators, judges, and academics involved in the practice and theory of international arbitration, and that the best part of English law in settling commercial disputes is its certainty and predictability – parties will, by and large, be held to their bargains.'

Deborah Ruff
Pillsbury Winthrop Shaw Pittman

Years in practice: 19

Years as an arbitrator: Five

Principal sectors: Energy, construction, telecoms, financial services

Geographical areas of expertise: Middle East and North Africa, Russia and CIS, Japan

Languages: English, French, German, Spanish, Italian

Deborah Ruff joined the London office of Pillsbury Winthrop Shaw Pittman in 2017 as partner and global head of international arbitration. An international arbitration lawyer of considerable pedigree, Ruff has extensive experience in multi-jurisdiction disputes, with a focus on high-value and complex international arbitration in the energy, infrastructure and construction, telecommunications, and financial sectors. She has conducted arbitration proceedings in a number of jurisdictions, including London, Paris, Geneva, Zürich, Stockholm, Dubai, Hong Kong, Beijing, Singapore, New York, Lima, Algiers, San Francisco and Tashkent among others. She was the first woman invited to speak at Regent's Park mosque, where she gave an address on arbitration in the Islamic World.

Kevin Perry
Cooley

Years in practice: 33

Principal sectors: Banking, fraud, construction and civil engineering dispute

Geographical areas of expertise: Worldwide

Kevin Perry has acted for various multinational companies based in different parts of the world and has a broad range of experience, including contentious banking issues, fraud asset tracing, general contract (often with a heavy technical element), construction and civil engineering disputes, and disputes arising out of M&A transactions. He also has considerable experience in multijurisdictional litigation and international arbitration, with particular interest in the risk management issues facing corporate clients in handling disputes internally.

In conversation with…

Transcribers can be a source of amusement. In one hearing a new transcriber was brought in. As the names were being entered into the live transcript all the lawyers and two out of the three arbitrators had an attack of giggles. The poor expert witness had no idea what was going on!

Ellis Baker
White & Case

Years in practice: 27

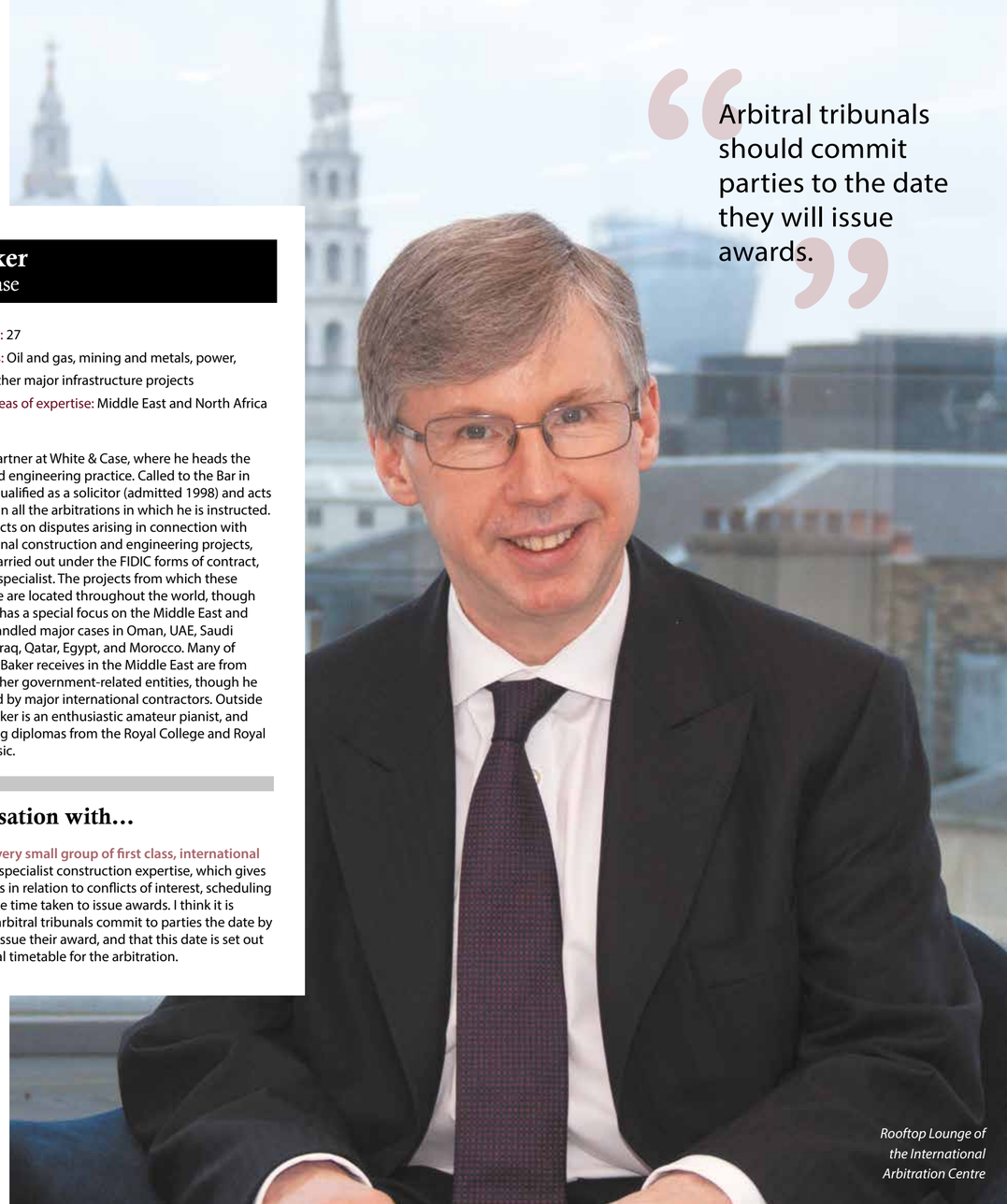
Principal sectors: Oil and gas, mining and metals, power, transport and other major infrastructure projects

Geographical areas of expertise: Middle East and North Africa

Ellis Baker is a partner at White & Case, where he heads the construction and engineering practice. Called to the Bar in 1991, Baker re-qualified as a solicitor (admitted 1998) and acts as lead counsel in all the arbitrations in which he is instructed. Baker typically acts on disputes arising in connection with major international construction and engineering projects, many of them carried out under the FIDIC forms of contract, in which he is a specialist. The projects from which these arbitrations arise are located throughout the world, though Baker's practice has a special focus on the Middle East and Africa. He has handled major cases in Oman, UAE, Saudi Arabia, Kuwait, Iraq, Qatar, Egypt, and Morocco. Many of the instructions Baker receives in the Middle East are from sovereigns or other government-related entities, though he is also instructed by major international contractors. Outside of arbitration Baker is an enthusiastic amateur pianist, and holds performing diplomas from the Royal College and Royal Academy of Music.

In conversation with…

There is only a very small group of first class, international arbitrators with specialist construction expertise, which gives rise to difficulties in relation to conflicts of interest, scheduling hearings, and the time taken to issue awards. I think it is important that arbitral tribunals commit to parties the date by which they will issue their award, and that this date is set out in the procedural timetable for the arbitration.



"Arbitral tribunals should commit parties to the date they will issue awards."

Rooftop Lounge of the International Arbitration Centre

Sandy Cowan
Grant Thornton

Years in practice: 16
Principal sectors: Energy and natural resources, construction, TMT
Geographical areas of expertise: Africa, Europe, Middle East

Sandy Cowan is a director at professional services network Grant Thornton where he leads the international arbitration group. A specialist in forensic accountant and shareholder disputes, he has carved out a niche acting on complex international arbitrations for both claimants and defendants as adviser and expert witness. He has acted on cases at a number of institutions including ICSID, the LCIA and the ICC, as well as a large number of ad hoc cases in a range of jurisdictions and sectors, including acting on behalf of Standard Chartered Bank in its 2016 ICSID award in a long-running arbitration concerning the financing of a power station in Tanzania. He is an associate of the Institute of Chartered Accountants and an accredited counter fraud specialist.

Samantha Rowe
Debevoise & Plimpton

Years in practice: Ten
Principal sectors: Energy
Geographical areas of expertise: Latin America, Central and Eastern Europe, North America, Middle East
Admissions: England and Wales, New York Bar
Languages: English, French, Spanish, Portuguese

Samantha Rowe is a London and Paris-based partner at Debevoise & Plimpton and a member of the firm's dispute resolution and business integrity groups. She represents both private clients and states in disputes across the globe. In particular, she has represented a number of clients from across Latin America (both Brazil and Spanish-speaking jurisdictions), including in disputes governed by local law. She has also represented clients from Central and Eastern Europe, North America and the Middle East, as well as investors with interests around the world, including in South-East Asia and Africa.

She is fluent in French and Spanish and proficient in Portuguese, and frequently handles contentious matters involving these languages. Her recent practice highlights include representing the state of Qatar and a number of Qatari entities and individuals in international claims arising out of the measures imposed by the United Arab Emirates, Saudi Arabia, Bahrain, and Egypt against Qatar. In proceedings before the International Court of Justice against the United Arab Emirates, Rowe and her team won an order for provisional measures.

Rooftop Lounge of the International Arbitration Centre

In conversation with…

My first ever cross-examination was conducted in Spanish in a hotel conference room in Zürich, and the next three were translated from English into Portuguese in a Debevoise conference room in New York. That reinforced my view that arbitration is the most global and exciting area of legal practice.

Most school, and a great many university students in the UK simply do not know what international arbitration is. We hosted a sponsors for educational opportunity networking event at Debevoise recently, which aimed to expose talented students from ethnic minority or low socioeconomic backgrounds to City law firms. We received a lot of positive, and inspiring, feedback from students who were excited at the prospect of a legal practice that encompasses travel, different cultures and pressing political issues, and are now considering a career in this area. We need much more of that, on a much bigger scale.

As one of the true global cities, and the most popular seat of arbitration in the world, London is a great place to arbitrate because we handle disputes between parties from all four corners of the globe, in every sector, and under every imaginable choice of law. There is never a dull moment! The best thing about English law is the certainty that it provides to parties – they will be held to the agreement set out in their contract. Of course, that can also be the worst thing for a client seeking to escape that agreement!

I do all of my own advocacy (together with my colleagues at Debevoise). Having now experienced an arbitration in which external barristers were also engaged, I found that it added significant inefficiencies—not to mention costs—for the client. It is a better-value proposition to have the same team of lawyers handle all aspects of the case, from beginning to end.

Corruption as a defence to treaty and contractual claims, especially where the respondent is a state or a state-owned entity, is one of the more pressing substantive issues facing international arbitration today. It raises fascinating and complex questions of choice-of-law, burden and standard of proof, and can have very serious consequences for the claimant parties where a tribunal makes findings of corruption. However, different tribunals have taken different approaches, and it is difficult to find a coherent body of case law. In short, it is an area of law that is ripe for development.

Jon Tweedale
Addleshaw Goddard

Years in practice: 20
Years as an arbitrator: Two
Principal sectors: Energy (oil, gas, and renewables), life sciences, manufacturing and engineering, retail, hospitality, professional services
Geographical areas of expertise: East Africa, Asia, Latin America, Europe

Jon Tweedale has 20 years' experience advising on international commercial disputes. He has acted as counsel for multinationals, banks and governments in international arbitrations under most arbitral rules. Much of Tweedale's work comes from Europe, representing clients who are either based in Europe or do business there, though his practice is, he says, 'pretty much *sans frontières*. I have worked on disputes concerning joint ventures in East Africa, infrastructure projects in Asia and M&A transactions in Latin America. The common theme is a dispute resolution provision providing for arbitration in London, typically under the ICC, LCIA, or UNCITRAL rules'.

Tweedale's client base is likewise an eclectic mix, ranging from FTSE 100 companies and other multinationals, high-net-worth individuals and governments, to relatively small companies and business vehicles such as partnerships. He is a Solicitor-Advocate (Civil Proceedings) of the Supreme Court of England and Wales and has substantial experience advising on proceedings in the Commercial Court in London.

In conversation with…

International arbitration is the ultimate travel adaptor; a product designed to provide a neutral forum and balance the divergent approaches of different legal systems, which are often subtle, sometimes radical, but always relevant. It is a sophisticated piece of equipment, developed over decades, which is most effective when operated by specialists. Business travellers who assume that it can be used by those who have not read the instructions or received training run the risk of equipment failure and electrocution.

It has become a crowded market. To safeguard arbitration's many benefits, it will be important to ensure that new entrants buy in to the unique features of the process, especially those that engender equal respect for the approaches of other legal traditions and cultures. There is a risk that developments such as the influx of former judges now sitting as arbitrators will result in approaches more suited to court litigation being adopted more of the time, particularly in relation to issues such as disclosure.

During the hearing of my first international arbitration case, the presiding arbitrator asked counsel whether they would like the hearing room to remain unlocked during the lunch adjournment so they could access their papers. Counsel for each party thanked the arbitrator for his thoughtfulness and confirmed that they would indeed like the room to be kept open. The presiding arbitrator responded that, in that case, he would arrange for the room to be locked. His proficiency in English was such that he had not understood the verbal exchange that had taken place. (And remember, this was the opening exchange in the final hearing of a complex dispute concerning claims for tens of millions of dollars, scheduled for two weeks, and to be conducted entirely in the English language!) Thankfully, this is a misrepresentative experience. Throughout my career, I have consistently been humbled by the eloquence of advocates and arbitrators who speak English as a second language.

Roof Terrace of the International Arbitration Centre

Rajinder Bassi
Kirkland & Ellis

Years in practice: 21
Years as an arbitrator: Three
Principal sectors: Financial services, oil and gas, pharmaceuticals, telecoms
Geographical focus: Middle East, US, Europe
Languages: English, Punjabi

Rajinder Bassi has represented multinational corporations and government entities in international arbitrations, institutional and ad hoc proceedings involving a wide range of subject matters, applicable laws and venues. Her practice as arbitration counsel covers a very broad range of commercial matters, including joint venture and shareholder disputes and post-M&A disputes across a number of sectors, including financial services, oil and gas, pharmaceuticals, and telecoms. She also represents clients involved in cross-border litigation before the English High Court. She was formerly Kirkland & Ellis's graduate recruitment partner and now serves as training principal for the London office. She is also co-chair of the gender subcommittee of the firm-wide diversity committee and acts as co-chair of the London chapter of Women In Law Empowerment Forum.

In conversation with…

Despite efforts to reduce the time and costs of international arbitration the reality is that there remains great scope for recalcitrant respondents to slow down the arbitral process and tribunals typically give a lot of leeway to parties for fear of awards being challenged later down the line. Clients find this to be a frustrating aspect of international arbitration.

Garreth Wong
Bird & Bird

Years in practice: 15
Years as an arbitrator: Five
Principal sectors: Energy and natural resources, telecoms, aviation, life sciences, technology, financial services, hospitality
Geographical areas of expertise: Europe, Africa, China and South-East Asia, Central and Eastern Europe, Russia, Middle East
Languages: English, Malay

Garreth Wong represents clients in complex litigation and commercial and investment treaty arbitrations under various institutional rules and under a wide variety of national laws, including English, US, Canadian, European, African and Chinese laws. He has particular experience with emerging markets and advises a broad client base that includes corporate investors, multinationals, states, and governmental authorities.

Wong began his career as a barrister with Matrix Chambers and says the advocacy ethos has stayed with him. 'I certainly have the mentality that the buck stops with me and that the ultimate responsibility for driving a case forward lies with me.' In recent years, Wong has worked on an increasing number of investor-state cases. Around 18 months ago he was instructed in respect of an ICSID claim against Sri Lanka in relation to a hotel development project. In addition to this ongoing matter, he recently won a mandate in respect of a US$150m ICSID arbitration regarding a renewables project in a developing country. Immediately before joining Bird & Bird in 2013, Wong was a member of Freshfields Bruckhaus Deringer's arbitration group. He regularly sits as arbitrator and is on the LCIA's database of arbitrators and WIPO's list of arbitrators.

In conversation with…

I have been fortunate to have lived in a number of countries. Malaysia, where I was born, has three large ethnic groups, each with their distinctive and rich culture, customs and language. In addition, I have lived in Singapore, the Netherlands and now the UK. Communication – whether with clients or with an international tribunal – is a cornerstone of any legal practice. In international arbitration, that needs to deal not only with linguistic hurdles, but also cultural sensitivities, and I am fortunate to be able in my professional career now to draw upon my past experience. One of the great privileges of working in this field is the international exposure. I recall staying in a large African capital for a two-week trial in a multibillion-dollar arbitration – one evening, I was hungrier than normal and did not pay particularly close attention to what I was taking from the hotel's buffet offering. I then discovered that my plate included bushmeat curry, goat, and dried fish and offal stew. The cuisine was so good, I went back for a second helping!

Roof Terrace of the International Arbitration Centre

Johannes Koepp
Baker Botts

Years in practice: 15
Years as an arbitrator: Six
Principal sectors: Energy, telecoms, finance, aviation
Geographical areas of expertise: Europe, Asia, Africa, US
Admissions: England and Wales, Germany
Languages: English, German, French, Spanish

Johannes Koepp is a partner in Baker Botts' international arbitration and dispute resolution group. His practice focuses on both commercial and investor-state matters, and has seem him represent clients before most major arbitral institutions, as well as in ad hoc proceedings. He is particularly experienced in multijurisdictional disputes arising out of energy, joint ventures, telecommunications and financial services.

Koepp also advises on public international law issues and the litigation of international disputes in state courts. He is also experienced in European Convention on Human Rights matters, acting both on the complainant and the respondent side.

Prior to entering private practice, Koepp worked as a research fellow at the University of Geneva for two years. During this time, he completed his doctoral thesis, which analysed and compared various third-party procedures in the field of international dispute settlement. He taught law at universities in Switzerland, Germany and Spain.

Koepp also acts on sole and party-appointed arbitrator, and is included on the roster of several major arbitral institutions. He is the founder and current chair of the London chapter of the German Institution of Arbitration.

In conversation with…

In my first merits hearing as a first chair advocate we were brought in only weeks before the hearing and my client's key witnesses agreed to give very difficult, completely new testimony only two hours before the hearing after having pondered over it until the early hours at the hotel bar. Shortly thereafter, I had to open the hearing with a completely new case!

When I was a kid, I wanted to become a Lutheran priest. I changed my mind and years later participated in an international dancing contest (La Coupe Internationale de la Salsa). I was eliminated in the first round. I am now a chess addict!

Natasha Harrison
Boies Schiller Flexner

Years in practice: 22
Principal sectors: Banking, finance
Geographical areas of expertise: UK, Europe, US

Natasha Harrison is the managing partner of Boies Schiller Flexner's London office.

An experienced English barrister and solicitor, she typically acts on behalf of funds, investment banks, corporations, and governments in high-stakes international litigation and arbitration. She has extensive experience in all types of finance and business disputes, including distressed debt investments, investments in special situations and emerging markets, sovereign debt investments, securitisations and complex finance arrangements, and has litigated many of the most important investor disputes of the last decade.

Roof Terrace of the International Arbitration Centre

> "Appointing more women as arbitrators is only a start. We need a culture that values women's voices in the workplace."

In conversation with…

I trained as a barrister and have inherited a deep respect for the specialist skills of the English Bar, particularly in English court litigation, but have spent most of my career working at US firms, to whom the idea of a split profession is absurd. In most cases my preference is to instruct counsel if we are facing a heavy hearing before the English courts. In contrast, for arbitration work I prefer that we do most, or all, of the advocacy ourselves.

The perception that international arbitration is an exclusive members' club, with significant barriers to entry, is a danger to the industry. Particularly damaging is the perception that members of the supposed club are only interested in appointing one another as arbitrator and/or counsel which in turn gives rise to perceived conflicts. The consequence of this is that it undermines the rigour of decision making, or the perception that it might, which in turn undermines confidence in the process.

As one of the few female managing partners of a US law firm, the question of diversity is close to my heart. I have been encouraged to see the increased recognition in the past few years of the gender imbalance in both senior arbitration lawyers and in arbitrator appointments. In addressing the shortfall in appointments, the Equal Representation in Arbitration Pledge has done a great deal of good work to encourage consideration of the many female excellent arbitrator candidates. But the challenge with a scheme like the Pledge – as its organisers would be the first to acknowledge – is that it treats only a small part of the problem. At present the profession still often fails to advance the careers of women to the point where they can serve as arbitrators. Part of this is about ensuring that firms recognise the value of parental leave and flexible working. But to focus on that is not enough (and perhaps a little patronising – after all, men should be taking parental leave too…). We also need a cultural change that values women's voices in the workplace. I think that this is happening – I am proud of the number of confident, respected, and articulate women who work at Boies Schiller Flexner – but needs consistent support at each firm. Of course, gender is only one aspect of inequality, and arbitration still has much to do in ensuring a diversity of cultural, economic, and ethnic backgrounds. Again, I think that there has been progress – arbitration is far more international than in the past – but we still need to work to widen access to the profession. This needs to begin at an early stage and one of our most rewarding recent pro bono projects has been our partnership with The Brokerage, which works to provide access to the professions for children from non-traditional backgrounds.

Patrick Taylor
Debevoise & Plimpton

Years in practice: 13

Principal sectors: Natural resources, energy, telecoms, pharmaceuticals, professional services

Geographical areas of expertise: Africa, Eastern Europe, Russia and CIS, and Latin America

Admissions: England and Wales, Ireland

Languages: English, French, Spanish

Patrick Taylor is a partner in the international dispute resolution group at Debevoise & Plimpton. One of five partners in the London office to focus solely on arbitration, his practice has a particular focus on the upstream oil and gas, energy and telecommunications sectors, and, increasingly, professional services, retail, and financial services work.

Recently, Taylor has been a driving force behind Debevoise's incredible run of success in obtaining provisional measures of relief from investment courts. He was part of the team that worked on and secured an historic decision by an ICSID tribunal for Italian company Hydro in its dispute with the government of Albania. The ruling recommended that Albania take all actions necessary to suspend the extradition of, and related criminal proceedings against, two claimants. He was also involved in the Nova Group's arbitration proceedings against the government of Romania, in which the Debevoise team obtained a binding ruling of the ICSID preventing arrest and extradition. The latter case made headlines when Romania failed to observe this ruling by issuing a European arrest warrant.

Taylor comments: 'Tribunals have historically been extremely reluctant to be perceived to be curtailing the ability of the host state to avail itself of its criminal machinery in order to take measures against individuals. However, because it can have such an impact on investors, particularly where officers of the investor are targeted for criminal sanctions relating ultimately to a dispute between the state and the investor, tribunals have been pushing the bounds on what they are willing to do. Hydro and TNG are two very interesting cases where the tribunals recommended measures to prevent that going ahead.'

In conversation with…

London is the leading dispute resolution centre in the world for good reason. It has world-leading facilities, infrastructure, legal counsel, courts, law, and professional services. The jurisdiction respects party-autonomy and gives clients access to arbitration specialists who have seen it all and are thought-leaders in the market, assuring clients the very best service they could hope to receive. There can be no better attribute than helping to promote commercial certainty, and that is what English law excels at.

Arbitration must provide clients with better value for money. Too many tribunals are reluctant to apply a firm hand to the conduct of proceedings to ensure that guerrilla tactics are punished. In investment cases there is a lack of public trust, which has eroded arbitration's reputation. Arbitration needs some good PR in the coming years. Making it more time and cost-efficient, through the effective application of technology and better training of arbitrators, will help to improve its public image.

One of the real joys of my areas of practice is the diversity and excitement that they deliver for the participants. I have found myself in situations that I would scarcely have believed if you told me about them before my career started. From negotiating new tax rules directly with the minister of finance of a CIS state, to attending meetings in prisons and scanning my office for listening devices, the job never ceases to surprise.

Rooftop Lounge of the International Arbitration Centre

Jessica Gladstone
Clifford Chance

Years in practice: 14

Principal sectors: Investment treaty, private equity, foreign investment, banking, oil and gas, mining, construction, power, telecoms

Geographical areas of expertise: UK, Europe, Middle East, Africa, Asia

Jessica Gladstone advises on all areas of commercial and public international law, and has experience negotiating multilateral treaties and representing the UK before a range of international institutions. She typically handles cases for a wide range of parties, from corporates to states and international organisations, including sovereign wealth funds. Recently, she was involved in a dispute that saw the first successful application to the LCIA for the appointment of an emergency arbitrator to provide interim relief. Other mandates on which Gladstone has advised include a $1.2bn arbitration between Malaysia and Singapore and a dispute between the British Caribbean Bank and the attorney general of Belize over a decision to nationalise the telecoms industry in Belize. She was previously legal adviser at the UK's Foreign and Commonwealth Office, where she managed international and domestic litigation, and has represented the UK at the UN General Assembly, in the Council of Europe and in cases before the European Court of Human Rights. Immediately before joining Clifford Chance in 2015 she was international counsel and solicitor advocate at Debevoise & Plimpton.

Arbitrators' Breakout Room of the International Arbitration Centre

> "International arbitration is increasingly important as a mechanism and we need to make sure it is sustainable."

In conversation with…

Investment treaty cases are facing uncertain times.
On the one hand, there are many trade deals being promised by actors at an EU level, and a proliferation of new mechanisms for agreeing such deals and handling potential disputes that may arise. At the same time, there is a counter-trend to push back against this. You can see in some of the new BITs coming out that the right to regulate is more clearly articulated, and failure to comply with human rights standards and local laws is more clearly written in. However, we must all accept that international arbitration is increasingly important as a mechanism and we need to make sure it is sustainable.

Steven Williams
CMS Cameron McKenna Nabarro Olswang

Years in practice: 27

Principal sectors: Infrastructure, construction, energy, oil and gas, marine

Geographical areas of expertise: UK, Europe

Steven Williams is a partner and co-head of the infrastructure, construction and energy disputes group at CMS Cameron McKenna Nabarro Olswang. Highly experienced in all forms of construction dispute resolution – including litigation, international arbitration, adjudication and forensic investigation – he has advised on some of the most complex construction and infrastructure-related arbitrations of the last ten years. He is a member of the Technology and Construction Solicitors Association where he chairs the sub-committee on civil litigation, a CEDR mediator and a member of the Chartered Institute of Arbitrators.

Roof Terrace of the International Arbitration Centre

Timothy Foden
LALIVE

Years in practice: 14

Admissions: England and Wales, District of Columbia, Maryland (US) (inactive), Eleventh Circuit Court of Appeals

Principal sectors: Mining, energy

Geographical areas of expertise: Africa, India, Australia, North America

Timothy Foden works as counsel in investor-treaty and complex commercial arbitrations in the mining and energy sectors, typically in disputes arising from commercial contracts or against a sovereign. He also does a great deal of investor treaty work and handled the first ever ICSID claim by an Indian claimant. In 2018, he left Quinn Emanuel Urquhart & Sullivan to join LALIVE, an international law firm based in Switzerland, to help lead its newly opened London office. Commenting on the move, Foden says: 'I am enjoying every moment at LALIVE, a firm that has played and continues to play such an important role in the development of international arbitration. With the London office, we now have a strong foothold in the common law world, where clients now have greater access to the firm's excellent and diverse pool of arbitration specialists in Geneva, Zürich and, of course, London.'

Cyrus Benson
Gibson, Dunn & Crutcher

Years in practice: 27
Years as an arbitrator: Ten
Principal sectors: Oil and gas, mining/minerals, infrastructure, telecoms
Geographical areas of expertise: EU, Middle East, Russia, Africa, Asia
Admissions: Solicitor, England and Wales; New York Bar

An experienced arbitrator, Cyrus Benson, partner at Gibson, Dunn & Crutcher, advises clients, including major oil and gas and mining companies, in commercial and investment treaty arbitrations under all major institutional rules. Trained and qualified to the New York Bar, and England and Wales, Benson is an international financial legal expert experienced in complex litigation, particularly in high levels of the US state and federal court system. Adept at tactical negotiation and making simple the legally complex, Benson is co-chair of the firm's international arbitration practice group. Recently, Benson has represented major clients including an oil company in a $1.5bn ICC arbitration involving an Eastern European refinery, pipeline and export company, worked on claims under the Energy Charter Treaty, and a major ICSID arbitration involving the termination of a geothermal concession in Africa.

George Burn
Bryan Cave Leighton Paisner

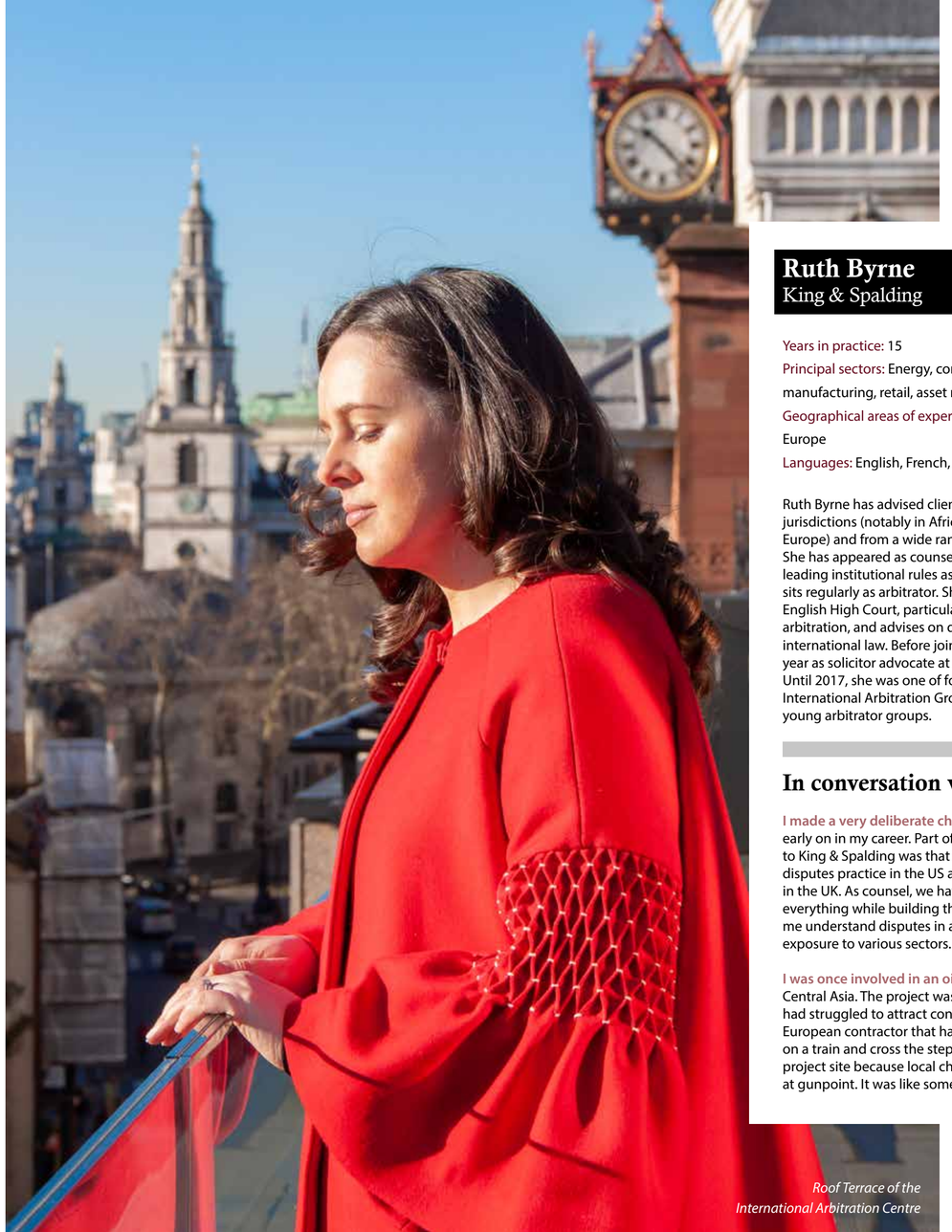
Years as an arbitrator: 20
Years as arbitrator: Eight
Principal sectors: Infrastructure, energy, natural resources, mining, real estate, construction, engineering, pharmaceuticals, sports
Geographical areas of expertise: Africa, Middle East, Asia-Pacific, Russia and CIS, Central and Eastern Europe

Known for his fairness, negotiation and mediation talent, George Burn, partner at Bryan Cave Leighton Paisner (BCLP), is an expert international arbitrator with a global reach. He has sat in arbitration seats across the Middle East, Africa, South Asia, South-East Asia, East Asia, the CIS and Central and Eastern Europe under all of the major rule sets, including ICSID, ICC, UNCITRAL, LCIA, SIAC, Stockholm Chamber, Permanent Court of Arbitration and more. He is a specialist in investor-state commercial arbitration as well as other public-private sector disputes in the infrastructure, energy, natural resources, mining, real estate investment, construction and engineering fields. Burn is a highly capable counsel and arbitrator with an award-winning reputation for investor-state arbitration, often representing clients with claims under bilateral and multi-lateral investment treaties. In these cases, he is known for his groundbreaking use of public international law and issues involving jurisdictional matters, INTERPOL Red Notices and other international criminal legal actions. Co-head of BCLP's international arbitration practice, from London along with colleagues in Miami and Abu Dhabi, Burn is a major figure within the industry.

Anthony Sinclair
Quinn Emanuel Urquhart & Sullivan

Number of years in practice: 20
Principal sectors covered: Oil and gas, energy, mining, telecoms, infrastructure, utilities
Geographical areas of expertise: Middle East, North Africa, Central Asia, Europe
Admissions: New Zealand, England and Wales

Anthony Sinclair specialises in international commercial arbitration, investment treaty arbitration and public international law. A partner at Quinn Emanuel Urquhart & Sullivan since 2012, he initially qualified as a barrister and solicitor in New Zealand (1999), where he worked with top-tier firm Chapman Tripp. His work typically focused on emerging markets, and he has acted as counsel and arbitrator in notable cases involving parties from Africa, Eastern Europe and Russia. He also has extensive experience handling disputes under bilateral investment treaties and the Energy Charter Treaty, acting as counsel for both private investors and states. In 2017, he was part of the Quinn Emanuel team that secured victory on behalf of Dubai government-owned global port operator DP World against the Republic of Djibouti. The high-profile LCIA arbitration arose after Djibouti had attempted to break out of a suite of contracts relating to a container terminal worth around $2bn, and resulted in a decision that the contracts remained valid and binding, which it subsequently refused to recognise. On the state side, he acted as counsel to the Ministry of Communications of the Republic of Azerbaijan in defence of a $430m claim brought by a telecommunications company over alleged breach of a joint venture agreement. Many of Sinclair's cases involve disputes arising out of long-term contracts between sovereigns and foreign investors. He represents both investors and states. Sinclair has a PhD from Cambridge University and is a co-author of the second (and soon third) edition of *The ICSID Convention: A Commentary*.



Roof Terrace of the International Arbitration Centre

Ruth Byrne
King & Spalding

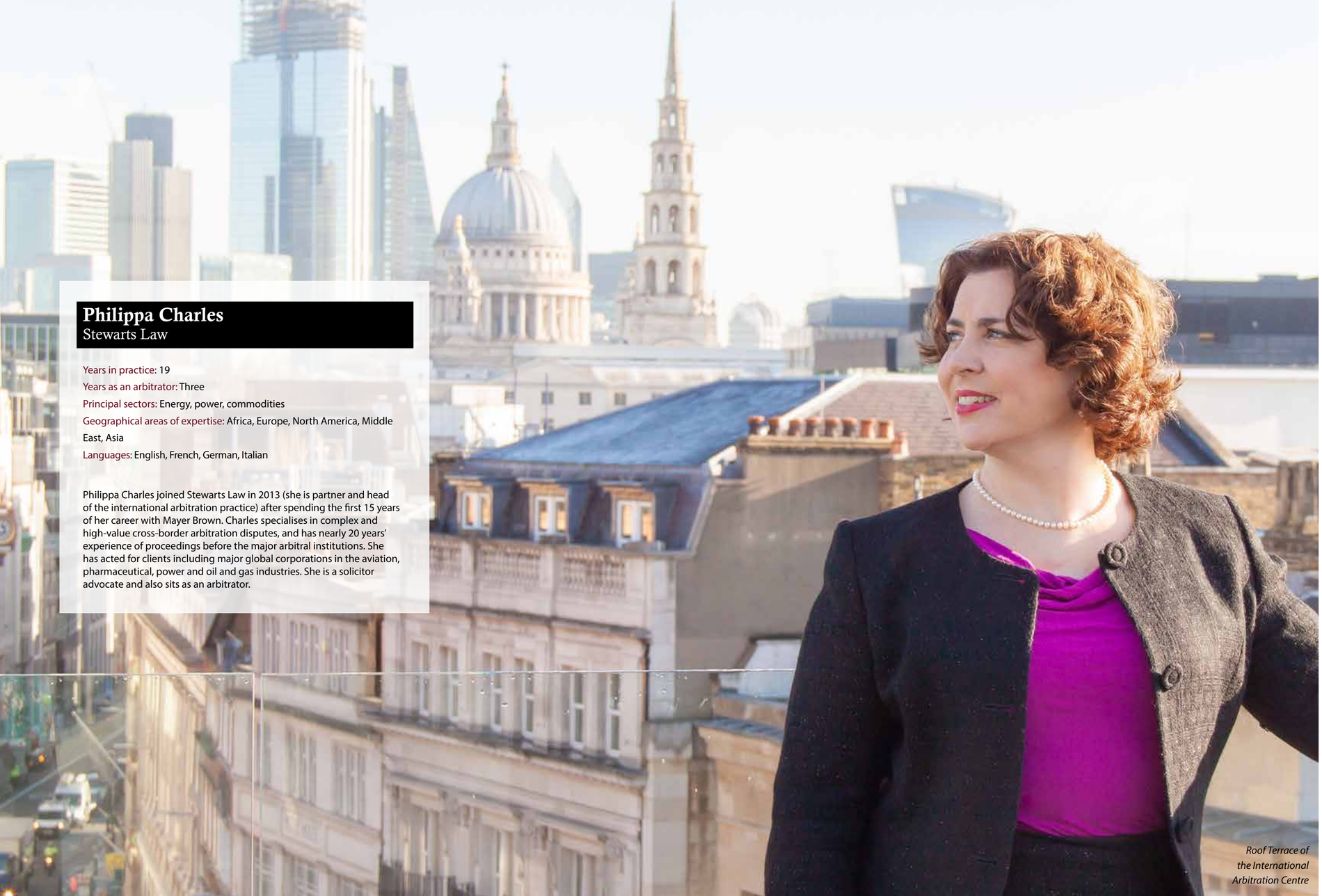
Years in practice: 15
Principal sectors: Energy, construction, mining, manufacturing, retail, asset management, banking
Geographical areas of expertise: Africa, Middle East, Eastern Europe
Languages: English, French, Spanish

Ruth Byrne has advised clients on disputes arising in multiple jurisdictions (notably in Africa, the Middle East and Eastern Europe) and from a wide range of different industry sectors. She has appeared as counsel in arbitrations under all of the leading institutional rules as well as ad hoc arbitrations and sits regularly as arbitrator. She also appears frequently in the English High Court, particularly in proceedings in support of arbitration, and advises on questions of public and private international law. Before joining King & Spalding she spent a year as solicitor advocate at the Financial Services Authority. Until 2017, she was one of four co-chairs of the LCIA Young International Arbitration Group, one of the earliest established young arbitrator groups.

In conversation with…

I made a very deliberate choice to keep a mixed practice early on in my career. Part of the attraction about moving to King & Spalding was that it had a very-well-established disputes practice in the US and a lot of room to grow in the UK. As counsel, we have had to turn our hand to everything while building the practice up. That has helped me understand disputes in all their aspects and get a broad exposure to various sectors.

I was once involved in an oil and gas drilling rights case in Central Asia. The project was in so remote a location that they had struggled to attract contractors. Eventually, they found a European contractor that had been prepared to put its drills on a train and cross the steppe. The drills never arrived at the project site because local chieftains and bandits held them up at gunpoint. It was like something out of the Wild West.



Roof Terrace of the International Arbitration Centre

Philippa Charles
Stewarts Law

Years in practice: 19

Years as an arbitrator: Three

Principal sectors: Energy, power, commodities

Geographical areas of expertise: Africa, Europe, North America, Middle East, Asia

Languages: English, French, German, Italian

Philippa Charles joined Stewarts Law in 2013 (she is partner and head of the international arbitration practice) after spending the first 15 years of her career with Mayer Brown. Charles specialises in complex and high-value cross-border arbitration disputes, and has nearly 20 years' experience of proceedings before the major arbitral institutions. She has acted for clients including major global corporations in the aviation, pharmaceutical, power and oil and gas industries. She is a solicitor advocate and also sits as an arbitrator.

In conversation with…

My interest in arbitration stems from experience going all the way back to vacation placements I did in the summer of 1994. I was taken to an arbitration hearing and was fascinated by how different it was to court proceedings, and how deeply the solicitors could become involved in those processes, including by undertaking advocacy at those hearings. I also liked the flexibility of a process which is largely controlled by the wishes of the parties, as well as its international aspects.

I developed my knowledge through undertaking courses with the Chartered Institute of Arbitrators, and was fortunate to work with colleagues undertaking arbitrations in Paris, New York and elsewhere through my years at Mayer Brown. It is not perfect, of course, but arbitration still interests me as a process as much as I enjoy it in practice.

Building a personal network is hugely important in arbitration; peer recognition is critical to winning either referrals or being considered for arbitration appointments.

I am now part of a task force working on methods to improve the conduct of witness evidence-taking in arbitration with a view to reducing memory distortion. It is a fascinating topic in its own right – and people from different legal backgrounds see the issues very differently – but it's also a great profile raising opportunity to be seen to be involved with thought leadership on such a global scale.

The future of investor-state arbitration is currently very much in flux. Between the setting up of a multilateral investment court under the auspices of the EU (but with the ambition to compete with ICSID) and the fallout from the CJEU decision in *Achmea*, it seems to me that the landscape for those specialising in that area is bound to change materially in the short to medium term.

I would like to see firms making efforts to ensure that equal numbers of men and women are able to attend conferences and other networking opportunities. That's often where relationships are formed that lead to opportunities to originate work and to progress careers. Firms don't always have a say in who is invited to speak at conferences, but they can open out opportunities to attend and to network to diverse representatives of their practice, rather than reserving those opportunities to a very limited number of people.

Roberta Downey
Hogan Lovells

Years in practice: 25

Principal sectors: Infrastructure, energy, resources and projects, mining and resources, nuclear power

Geographical areas of expertise: Europe, Africa, Middle East, Asia, Central America, Caribbean

Languages: English, French, Russian

A recognised expert in the arbitration of construction and engineering projects, Hogan Lovells partner Roberta Downey has conducted arbitrations and other forms of alternative dispute resolution across Europe, Africa, the Middle East, Asia, Central America and the Caribbean. Some of Downey's practice highlights include advising Malaysian contractors over a dispute involving a bilateral investment treaty, and acting for British clients on a joint venture dispute with litigation and arbitration in Russia, Kazakhstan, the British Virgin Islands and Sweden.

Nick Henchie
Vinson & Elkins

Years in practice: 25

Principal sectors: Construction and engineering, energy, infrastructure, mining and metals

Geographical areas of expertise: Worldwide

Nick Henchie has acted on some of the most complex and high-profile construction-related disputes of recent years, from the Channel Tunnel rail link to the Marmaray rail project in Istanbul. He is particularly well known for his many representations of the Panama Canal Authority in disputes arising from the expansion of the Panama Canal. A partner at Vinson & Elkins since 2011, Henchie has an increasingly active practice, advising on the engineering aspects of major energy projects, particularly offshore works and vessels. He is also a leading expert in the International Federation of Consulting Engineers forms of construction contract, and frequently acts in both arbitrations and litigations in the Technology and Construction Court.

Sarah Vasani
Addleshaw Goddard

Years in practice: 13

Principal sectors: Energy, oil and gas, mining

Geographical areas of expertise: Africa, Middle East, Central Asia, India, Latin America

Admissions: England and Wales, District of Columbia, Texas

Languages: English, Spanish, French

Sarah Vasani heads Addleshaw Goddard's investor-state dispute resolution practice. As a solicitor-advocate, she regularly represents her clients' interests before international tribunals, and advises clients on investment (re)structuring and on strategies for minimising the prospects of full-blown disputes. She has acted for a number of multinational oil majors and conglomerates, including Chevron, ConocoPhillips and Reliance Industries, and for national oil and energy companies. Before joining Addleshaws in 2016, she spent a decade in the London, Houston and Washington, DC offices of King & Spalding. She is visiting professor at the University of Bedfordshire and author of a number of publications focused on international arbitration.

Alejandro Escobar
Baker Botts

Years in practice: 11

Years as an arbitrator: Four

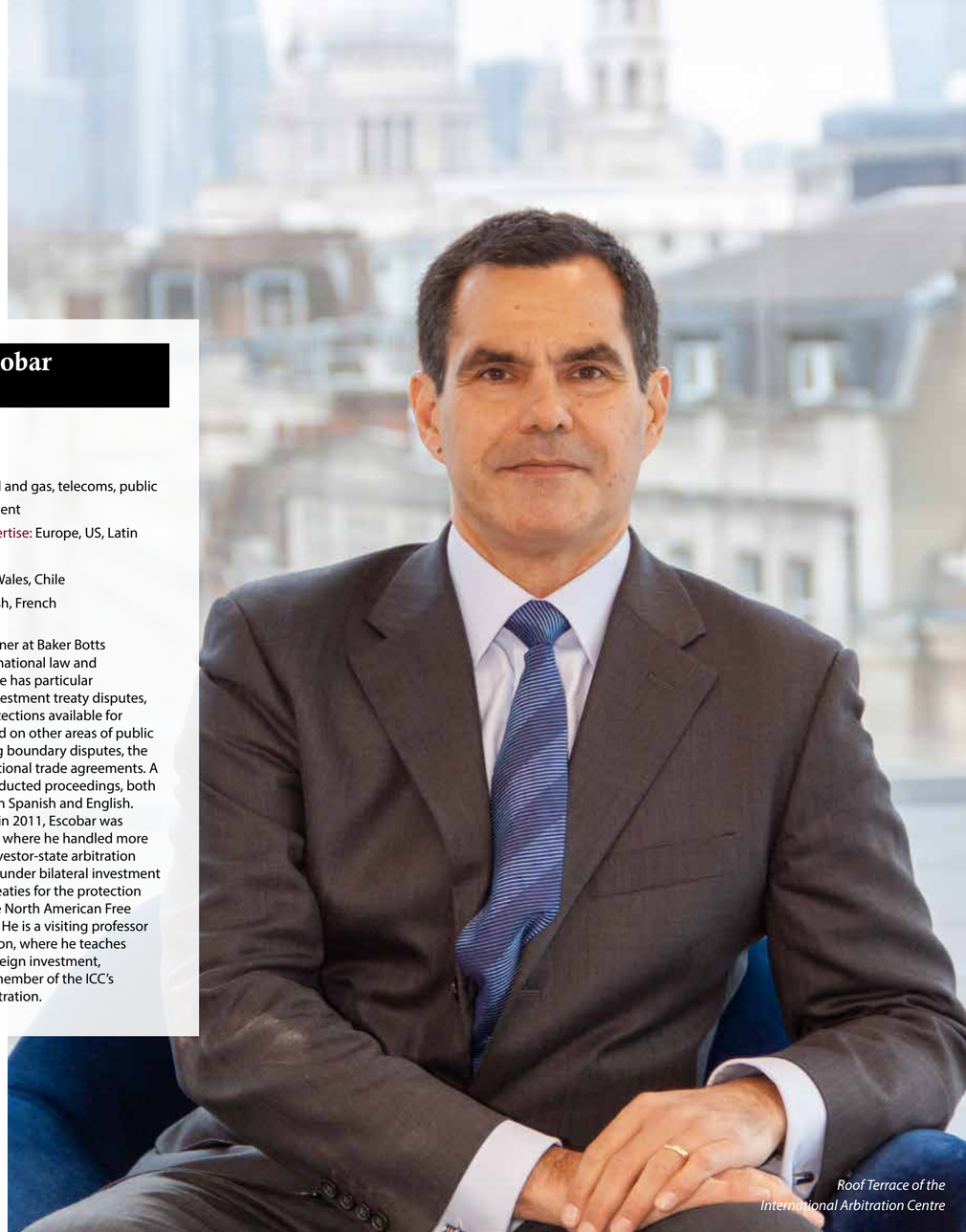
Principal sectors: Power, oil and gas, telecoms, public concessions and procurement

Geographical areas of expertise: Europe, US, Latin America

Admissions: England and Wales, Chile

Languages: English, Spanish, French

Alejandro Escobar is a partner at Baker Botts specialising in public international law and international arbitration. He has particular experience advising on investment treaty disputes, the international legal protections available for investment structuring, and on other areas of public international law, including boundary disputes, the law of the sea, and international trade agreements. A Chilean citizen, he has conducted proceedings, both as counsel and arbitrator, in Spanish and English. Before joining Baker Botts in 2011, Escobar was senior counsel at the ICSID where he handled more than a dozen of the first investor-state arbitration proceedings ever brought under bilateral investment treaties and multilateral treaties for the protection of investments, such as the North American Free Trade Agreement (NAFTA). He is a visiting professor at University College London, where he teaches the international law of foreign investment, and represents Chile as a member of the ICC's International Court of Arbitration.



Roof Terrace of the International Arbitration Centre

Adrian Bell
CMS Cameron McKenna Nabarro Olswang

Years in practice: 14

Principal sectors: Construction, engineering, energy

Geographical areas of expertise: Middle East, Africa, Asia-Pacific

Adrian Bell has a diverse practice that covers a range of disputes procedures both in the UK and internationally, including commercial litigation and arbitration, expert determinations, mediations, adjudications and English High Court proceedings.

One of the leading advisers on complex construction disputes cases, Bell serves as co-head of CMS's infrastructure, construction and energy disputes group, and as joint managing director for Asia and the Middle East.

Bell believes that managing costs in international arbitration, a subject on which he has published widely, is a pressing issue: 'The need to embrace innovation, particularly innovative case management procedures, is something which arbitrators and arbitration practitioners should be at the forefront of. Striving to develop quicker and more cost-effective ways to resolve disputes through arbitration is essential if we are to remain at the forefront of the profession.'

Expanding on this theme, Bell says tribunals need to demonstrate 'more efficiency and proportionality in the running of arbitrations. Arbitrators ultimately want an enforceable award, but this often means that they spend unnecessary time and money seeking clarity from both sides on either procedural matters or, in certain circumstances, points of law. It would be better if they made these decisions themselves – in such cases the decision could still be fair and impartial'.

Bell's representations include: a Geneva-based ICC arbitration for a Spanish energy company and its partners concerning a dispute under a production-sharing contract in North Africa under the local laws; a UNCITRAL arbitration in Geneva for a Turkish energy company on claims under a project agreement regarding an infrastructure project in Jordan under the local law; and representing Japanese contractors in relation to delay claims arising from the construction of a $1bn power and desalination plant in Saudi Arabia. Bell has also been involved in a number of disputes arising under the NEC (New Engineering Contract), a plain-language contract for use in the building and engineering sector, which seeks to avoid disputes by clarifying roles and expectations.

He is a committee member of the Technology and Construction Solicitors Association, a member of the International Bar Association, the LCIA Young International Arbitration Group, the Solicitors' Association of Higher Courts Advocates and the Society of Construction Law.

In conversation with…

The calibre of potential arbitrators from the London Bar is exceptional and any arbitration seated in London is also governed by an arbitration act which, in terms of procedural clarity, is one of the best.

In terms of gender diversity, initiatives such as the Pledge are excellent and encourage more women to get involved in arbitration, particularly as potential arbitrators. There should be more awareness in respect of these initiatives. However, age diversity is an overlooked concern – there is still a tendency to appoint tried and tested arbitrators from the 'old guard' which exacerbates a risk that in years to come there will be an even smaller pool of qualified and experienced arbitrators. It may be an idea for institutions to put in place regulations mandating arbitrators under a certain level of experience [must sit] for disputes under a certain value. This may be a way to encourage younger arbitrators to build up experience.

I recently had a hearing where one of the party- appointed arbitrators forgot to turn up!

Caroline Pope
Bryan Cave Leighton Paisner

Years in practice: 34

Principal sectors: Construction, engineering, real estate, oil and gas

Geographical areas of expertise: UK, Europe, Middle East

Caroline Pope (*pictured*) has more than 30 years' experience advising clients across the engineering and construction industry in a range of contentious matters. She was recently elected, unopposed, as chair of the Technology and Construction Solicitors' Association (TecSA). As counsel, Pope has advised on arbitrations connected to some of the most high-profile construction projects and developments in Europe and the Middle East. She also maintains an active practice as litigator and mediator. 'International arbitration can be so incredibly time-consuming and all-embracing that it's good to keep a practice where one also handles matters that run to shorter time frames', says Pope. 'It's also useful to have a mixed practice when training associates, as it allows them to cut their teeth on cases that go to completion over the course of months rather than years so they can get a feel for the disputes process from end to end'. In 2009, Pope established Berwin Leighton Paisner's presence in the Middle East, opening its Abu Dhabi office along with senior associate Charles Lilley. 'To open an office there the year after the crash was a challenge, particularly as we were focusing the practice on the firm's strengths in real estate and the built environment while spending on projects was being scaled back', comments Pope. 'However, it sent a signal that we were coming in for the long-haul and taught us a lot about how to use arbitration clauses in such a way that clients would feel comfortable progressing with new projects.'

Rooftop Lounge of the International Arbitration Centre

Rooftop Lounge of the International Arbitration Centre

Dominic Spenser Underhill
Spenser Underhill Newmark

Years in practice: 29

Years as an arbitrator: 17

Principal sectors: Banking and finance, civil defence, partnership and shareholder, general commercial

Geographical areas of expertise: Europe, Middle East, North Africa, Russia and CIS, Central Asia, South America, Australia

Languages: English, Italian, French

Dominic Spenser Underhill specialises in international arbitration, and regulatory and disciplinary law. He regularly sits as arbitrator in domestic and international hearings. His many appointments have included acting as sole arbitrator in a telecoms joint venture dispute between Iraqi and UAE parties under ICC rules, as sole arbitrator in a product supply dispute between US and Saudi parties, and as part of a panel in a claim concerning territorial invasion in a global distributorship arrangement between Brazilian and Chinese parties under UNCITRAL rules. He was previously head of international arbitration at Mayer Brown (London and Paris offices) until 2004, when he left to concentrate on his career as an arbitrator. He was joined in 2007 by former Baker McKenzie partner Chris Newmark to form Spenser Underhill Newmark. He has been a member of the ICC Commission of International Arbitration and ADR since 1998 and is a member of the LCIA.

In conversation with…

I became a partner at (Mayer Brown legacy firm) Rowe & Maw in 1996, just as the Arbitration Act was introduced. International work began to creep in slowly, but it was an easy move to combine arbitration with other work. Now it has exploded into an almost unrecognisable practice. The level of expertise has undoubtedly increased and it has become a career path for young lawyers. However, I think the fundamentals remain unchanged, and many of the debates we see playing out in the profession risk losing sight of what it is we do as counsel. As a general observation, arbitration counsel think too much about their own profession and not enough about the needs of business. Arbitration has always been about making business work, wherever in the world it is. Now, that's diversity!

Some state courts are now really getting their act together and competing with arbitration in terms of time and efficiency, cost and quality work product. In response, arbitration must revive its quintessential commerciality. Everything else will follow – increased speed, lower cost, and less over-lawyering.

In my early years in practice, different jurisdictions baked very different cakes and offered very different things. To that extent, they did not compete. Nowadays they do. Perhaps the clearest example is the commercial courts in Singapore replicating the way law is practised in London. This was unheard of 20 years ago. Complacency is the biggest enemy of all and in an increasingly competitive global marketplace London needs to do everything it can to stay ahead of the pack.

Before I studied law, I studied philosophy and ancient languages, including Latin, Greek, Hebrew and Syriac. I also used to row (a boat, not have an argument) competitively.

> "Arbitration counsel think too much about their own profession and not enough about the needs of business."

Dorine Farah
Baker Botts

Years in practice: 12
Principal sectors: Energy, infrastructure, mining, real estate, technology
Geographical areas of expertise: Middle East, US, Europe, Russia and CIS
Languages: English, Arabic

Dorine Farah, a partner in the London office of Baker Botts, has not lost an arbitration case in the last ten years. As counsel, she typically advises on a mixture of commercial and investment-treaty arbitration disputes arising from large projects in the energy and infrastructure, real estate and technology sectors. Her standout matters include acting for Ecuador as respondent in an UNCITRAL arbitration tried in the Hague and brought by a US claimant under the US-Ecuador bilateral investment treaty. Farah was lead associate on the case, which ran from 2010 to 2012, and was instrumental in formulating strategy, interviewing witnesses, and drafting arguments. The arbitration resulted in a successful award for her client. More recently, she has been involved in a price-review case governed by New York law. This, says Farah, was a technically difficult case in a novel area of law that introduced many uncertainties. 'From an intellectual point of view it was highly satisfying to persuade the tribunal to do something quite novel and it was extremely engaging to break up the argument and see how we could persuade the tribunal through sheer force of logic and reason. At the end of the hearing we were all close to being experts in the LNG industry. That's the great thing about international arbitration: you can work on huge, cross-border matters with billions of dollars involved one day and revert to being a technical, argument-focused lawyer the next. There really is no career like it.'

In conversation with…

Gaining advocacy experience was the main reason I went into arbitration. There is nothing quite like the thrill of speaking live in the hearing room and anticipating what your opponent, witness or tribunal will say next. There is a very human element to it; you're dealing with the psychology of the people involved and strategising in real time, constantly trying to read the dynamics between the tribunal and the other side.

As disputes increasingly become cross- border and international in nature, having people who understand the background of their tribunal is beneficial. That means diverse teams will become a strategic necessity of international arbitration. Fundamentally, arbitration is about persuasion and that requires understanding how different people react in a given situation. I am of Palestinian heritage, I grew up in Jordan and moved to Britain when I was 18 to study international law and work on cross-border disputes. That gives me a range of perspectives to draw upon. When you bring people from many different personalities and backgrounds together to test an argument the result is a much more robust presentation of facts.

Arbitrators must be more accountable, and the need for a quality-control mechanism is becoming increasingly apparent. While an appeal-type procedure is not desirable, it is important to have some kind of mechanism to ensure decisions reflect good legal reasoning.

Rooftop Lounge of the International Arbitration Centre

> "There is nothing quite like the thrill of speaking in the hearing room."

Belinda Paisley
Reed Smith

Years in practice: 33

Principal sectors: Energy, hotel, banking, telecoms

Geographical areas of expertise: UK, Kazakhstan

Belinda Paisley specialises in international arbitration with a particular focus on investor-state cases.

She has wide experience of freezing orders and search orders, and also has experience of expert determinations relating to the adjustments to sale consideration and earn-out provisions.

She has handled cases in the energy, hotel, banking and telecommunications sectors, and has acted in many shareholder and other commercial disputes. Her recent experience includes disputes over the transfer of subsoil licences, the interpretation of provisions in production-sharing agreements, the effect and enforceability of stabilisation provisions, and breaches of other commercial agreements. She has acted in disputes arising out of BITs and the Energy Charter Treaty before ICSID, dealing with such issues as unlawful expropriation, unfair and inequitable treatment, and denial of justice.

Paisley is an honorary legal adviser at the City Citizens' Advice Bureau where, for the last 15 years, she has provided legal advice on a wide range of disputes.

Simon Kamstra
Addleshaw Goddard

Years in practice: 32

Principal sectors: Energy and utilities, healthcare, industrials, transport

Geographical areas of expertise: UK, Europe, Asia-Pacific

Languages: English, French

Simon Kamstra is a partner and head of international arbitration at Addleshaw Goddard. He is described by a senior arbitrator as someone who displays 'a high degree of tactical intelligence, superlative judgement, the right degree of cynicism and appropriate aggression' in hearings. His work as counsel sees him regularly involved in company and shareholder disputes, M&A-related claims, sports law, cross-border litigation and injunctive work, public law and judicial review.

In conversation with…

In terms of career fulfilment, political context, cultural variety and stimulation, as well as exposure to matters of very high quantum and importance, arbitration offers everything a lawyer could want. Those are very important things to chase in a career and I am glad I did.

The skills and tactics of a successful counsel are learned much earlier in one's career than conventional wisdom would lead you to believe. This is particularly true in the increasingly sophisticated, global world of arbitration. Many of the younger associates I work with are tactically more astute than a lot of senior partners I've come across.

I find the industrialisation of arbitration depressing. It has become an adjunct to vast legal corporations and degenerated into a competition over who can flex the most muscle. It is antithetical to the spirit of arbitration and it is bad for clients. This is no doubt why we are also seeing an increased cynicism about the prospect of procedural challenge and ever more attempts to buck the system and get out of a decision on technicalities. It was once unthinkable to accuse arbitrators of bias, professional impropriety or procedural impropriety, though it now seems to be standard.

Lobby of the International Arbitration Centre

Franz Schwarz
Wilmer Cutler Pickering Hale and Dorr

Years in practice: 22
Years as an arbitrator: 16
Principal sectors: Telecoms, energy, oil and gas, pharmaceuticals
Geographical areas of expertise: England, Germany, Switzerland, Austria, CEE, Russia, Asia, Latin America, Africa
Admissions: Austria
Languages: English, German, Italian, Russian

Franz Schwarz is co-chair of the international arbitration group at Wilmer Cutler Pickering Hale and Dorr, which he joined as an associate in 1999. He was made partner in 2007, and took up the co-chair role in 2010. Schwarz's practice focuses on complex multi-jurisdictional disputes and he has extensive experience with arbitral practice, procedure, and advocacy in both civil and common law systems.

Schwarz has been involved in more than 200 arbitrations as counsel and arbitrator, both ad hoc and before all major arbitral institutions (including ICC, LCIA, Vienna and Stockholm), at multiple seats and governed by a broad variety of substantive and procedural laws.

He regularly counsels clients on conflict of laws issues and international enforcement of arbitration awards and judgments, including against state entities, and frequently advises parties on the protection of foreign investments under bilateral investment treaties and similar instruments.

Schwarz frequently serves as arbitrator, including as chairman of arbitral tribunals, and is included on the roster of several major arbitral institutions. He has been recognised for the last ten consecutive years by *The Legal 500* as an elite lawyer for dispute resolution.

On top of his practice work, Schwarz speaks regularly on international arbitration topics, and also teaches international arbitration at the University of Zurich, the Europainstitut in Saarbrücken, and the Vienna University School of Economics.

He currently serves on the executive board of the Swiss Arbitration Association, and between 2003 and 2007 served on the executive board of the American Arbitration Association's ICDR Young & International Arbitration programme, which he co-founded.

In conversation with…

I bring a fairly unique perspective to the arbitral process as someone who has been trained as a civil lawyer, but has practised in England for 20 years. The conceptual understanding of both civil and common law approaches allows me to develop arguments more effectively and present them more persuasively to international tribunals.

It is a privilege to work in arbitration precisely because the field is so diverse. London is a fantastic platform to do cases with parties from all over the world, across a vast array of sectors and industries, and so each case truly is different. It's challenging, stimulating, and oftentimes entertaining.

Many people in the field do not know that I studied photography for a while and never go on a business trip without my camera. The beauty of international arbitration is that your travel takes you to some interesting and wonderful places.

Tom Duncan
Ashurst

Years in practice: 18
Principal sectors: Construction, engineering
Geographical areas of expertise: Europe, Middle East, Africa, Asia-Pacific

Tom Duncan specialises in construction and engineering law with a focus on complex dispute resolution on a domestic and international scale. As well as representing clients in the UK in arbitration, adjudication and litigation in the High Court in London, he has also worked in several different jurisdictions in the Middle East, Continental Europe, Africa and Asia.

He advises in disputes in several different sectors including oil and gas, renewable energy, transport infrastructure and real estate development in UNCITRAL, ICC and LCIA arbitrations. Duncan also helps clients manage and mitigate risk during the design and construction of projects.

Jay Alexander
Baker Botts

Years in practice: 32
Years as an arbitrator: Five
Principal sectors: Energy and natural resources, technology (including telecoms)
Geographical areas of expertise: Worldwide
Admissions: Washington, DC, admissions in multiple federal courts throughout the US, registered foreign lawyer in England and Wales

Jay Alexander co-chairs Baker Botts' international arbitration and international disputes resolution group. The cases on which he advises frequently involve the laws of more than one jurisdiction as well as public international law. He also litigates enforcement proceedings and defends the interests of foreign sovereigns in US courts. Before going into practice, Alexander spent a year working for present Supreme Court Justice Ruth Bader Ginsburg while she was serving on the United States Court of Appeals for the District of Columbia Circuit. He then spent 15 years at Washington DC-based trial boutique Miller, Cassidy, Larroca & Lewin doing white-collar criminal defence and civil fraud-related trial and appellate work before joining Baker Botts.

In conversation with…

The hearing room is the ultimate high. I do advocacy for the love of advocacy, but clients do appreciate that we get into the cases and dig down deep. Doing all the groundwork also means that there's rarely a surprise.

I have been qualified for over 30 years. In that time the volume of cases and the variety of issues in arbitration have increased significantly. As the market has become bigger, the ethical control participants are able to exert naturally deteriorates and the penalties for misbehaviour become harder to self-enforce. The big question we are now facing is whether soft law needs to take the place of tacit self-policing. We are already beginning to see some signs of a move toward this with the push against investor-state arbitration and the all too frequent accusations and largely unjustified public perceptions that international arbitration is an insider's game that serves a purpose other than the just resolution of disputes. This is a threat to arbitral flexibility and should not be the approach we take.

Roof Terrace of the International Arbitration Centre

Ben Giaretta
Mishcon de Reya

Years in practice: 19

Years as an arbitrator: Nine

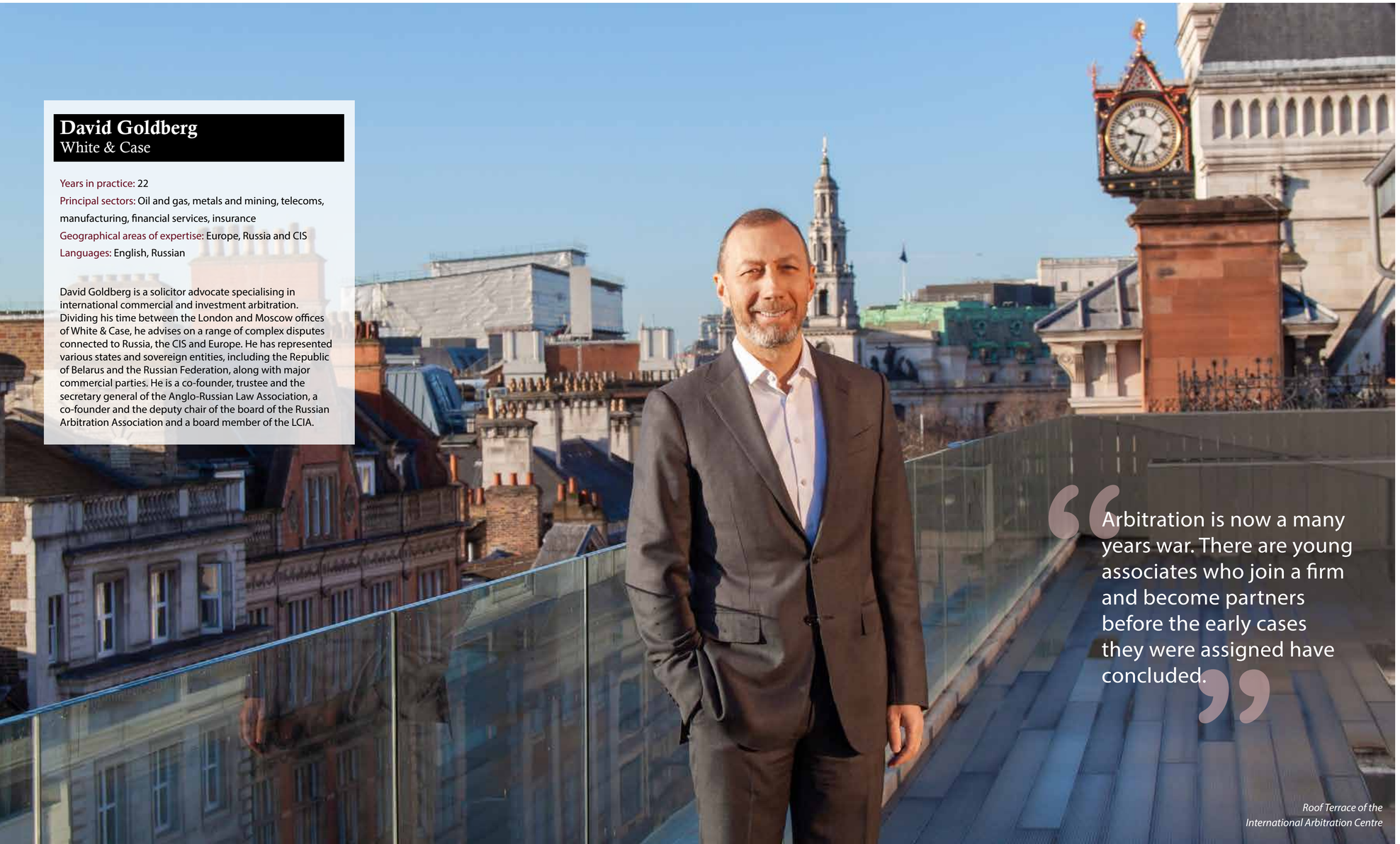
Principal sectors: Oil and gas, power, mining, petrochemicals, telecoms, shipping, insurance, construction, engineering and infrastructure

Geographical areas of expertise: UK, Europe, Middle East, Africa, Asia

Ben Giaretta is a dispute resolution partner specialising in arbitrations in the energy, construction, engineering and infrastructure sectors. He has considerable expertise in matters connected with India and the wider Asia-Pacific region, and spent seven years living and working in Singapore (where he set up Ashurst's office in the city), before returning to the UK and joining Mishcon de Reya. Giaretta has had more opportunity than most to witness the rapid growth of newer arbitral institutions, but he says London remains one of the world's leading centres: '[London] is at the crossroads of the international arbitration world. One is constantly meeting visitors from all over the globe who are either working on a case or are passing through on the way to somewhere else. This creates a fertile environment. In the competition between global seats, one needs also to remember that the depth of talent in the arbitration community [in London] is very international, with excellent arbitration practitioners from a range of jurisdictions.'

However, he continues, the global arbitration industry is becoming a victim of its own success. 'On the one hand it is in rude health, with thousands of people working on thousands of cases every year, but there is what one might call a crisis of legitimacy, in particular with the criticism of investment treaty arbitration by some governments, and the criticism of increasing time and cost by some users. It is difficult, however, to see how things might change substantially, short of the adoption of a truly disruptive technology. This could see wider use of immersive virtual hearing rooms, for example. More realistically, page limits on all written submissions would encourage people to draft more concisely.'

Roof Terrace of the International Arbitration Centre



David Goldberg
White & Case

Years in practice: 22

Principal sectors: Oil and gas, metals and mining, telecoms, manufacturing, financial services, insurance

Geographical areas of expertise: Europe, Russia and CIS

Languages: English, Russian

David Goldberg is a solicitor advocate specialising in international commercial and investment arbitration. Dividing his time between the London and Moscow offices of White & Case, he advises on a range of complex disputes connected to Russia, the CIS and Europe. He has represented various states and sovereign entities, including the Republic of Belarus and the Russian Federation, along with major commercial parties. He is a co-founder, trustee and the secretary general of the Anglo-Russian Law Association, a co-founder and the deputy chair of the board of the Russian Arbitration Association and a board member of the LCIA.

> “Arbitration is now a many years war. There are young associates who join a firm and become partners before the early cases they were assigned have concluded.”

Roof Terrace of the International Arbitration Centre

In conversation with…

The New York Convention on enforcement of foreign arbitral awards is by far the most successful international legal convention in human history. It is also grossly outdated. I don’t see how we can continue our practice based on a 60-year-old document. Some of the greatest arbitration thinkers and practitioners have criticised the very idea of introducing any changes to the Convention. Most of the arguments against reform concern the process of amending the Convention rather than substance. There is a fear of changing things, a defeatist attitude and a lack of hope. There are people who are generally in favour of reforming the Convention who remain very pessimistic on the potential change. I grew up in the Soviet Union, at the time the largest country in the world. Stability was presented as one of the biggest advantages of the Soviet society over the instable, unpredictable and divided Western capitalist world. We all feared any change. The stability that I thought as a child was unshakeable proved to be a fiction. In 1991, the Berlin Wall collapsed and the Soviet Union collapsed too. That has taught me to be very sceptical about the fear of failure and the fear of change inherent in the ‘if it is not broken, do not fix it’ mentality. After 60 years of success and being incredibly effective, the New York Convention is showing its age. If it is not broken yet, the cracks are widening with each ten-year anniversary. In short, the New York Convention is in need of modernisation.

Arbitrations have become much more hostile, larger value, higher stakes and are taking far longer to resolve. When I started my practice 20 years ago, I was working on over 30 cases at the same time almost unsupervised. But the cases were small. Arbitration is now a many years war. There are young associates who join a firm and become partners before the early cases they were assigned have concluded.

Rooftop Lounge of the International Arbitration Centre

Nathan Searle
Hogan Lovells

Years in practice: 16

Principal sectors: Automotive, consumer goods, industrial, TMT, financial services, energy, natural resources

Geographical areas of expertise: Africa, Central and Eastern Europe, Russia and CIS, India

Nathan Searle is a partner in international arbitration and Africa groups at Hogan Lovells. Searle has particular expertise in African-related disputes, which currently account for two-thirds of his practice and sees him spending extended periods in various African jurisdictions. 'Many African countries are still very relationship driven', comments Searle. 'You meet someone in a hotel lobby, they know someone who knows someone. It takes time to build those relationships of trust and the only way to do it is by being out there. It's also great to see the impact arbitration can have on a country. The types of matters we're doing really make a difference on the ground. Acting for a state-owned entity that is being sued for hundreds of millions means you're putting a lot of money back into the treasury.'

Searle also acts regularly for clients in Russia and the CIS and India. A dual British and Australian citizen, he spent several years practising in Sydney with Herbert Smith Freehills before joining Hogan Lovells in 2006. He is a co-chair of the LCIA Young International Arbitration Group and a consultant to the Association of Young Arbitrators Nigeria.

In conversation with…

Africa suffers from a perception problem. Bad news travels far and is generalised, and there is a tendency to categorise any negative decision as 'a problem for Africa', even if the decision only applies to a specific jurisdiction. You are far less likely to hear about the good news and success stories coming from African countries. Let's take, for example, Rwanda making every effort to show that it is an open market where arbitral decisions will be respected, or the recent decision in the Kenyan courts concerning enforcement of arbitral awards. These things get very little airtime outside the countries involved. Counsel and businesses need to open their eyes to the maturity of many African markets rather than make blanket assumptions based on bad experiences in a few countries.

I am seeing a growing number of African arbitrators, even in cases heard in London. Two of my most recent cases have had African arbitrators appointed. Cultural diversity rarely gets the coverage it merits, so this is a positive development. The LCIA has been very good in helping to build the profile and experience of African arbitrators, and as the number of arbitrators comfortable with different seats and the laws grows, we will start to see more disputes seated across the continent.

Roof Terrace of the International Arbitration Centre

Louise Woods
Vinson & Elkins

Years in practice: Nine

Principal sectors: Energy, construction, banking and financial services, real estate development

Geographical areas of expertise: Europe, North America, Africa, Latin America, South-East Asia

Languages: English, French, Spanish

Louise Woods is a partner at Vinson & Elkins and a member of the firm's international dispute resolution practice group. A significant proportion of her recent disputes and advisory work has had Africa and Latin America connections, though she works with clients and counsel from a wide range of geographies, cultures and industry sectors. Fittingly for an arbitration counsel who once flew from London to New Zealand for a one-day hearing, her childhood involved a lot of travel: of Scottish-Italian descent, Woods grew up in Birmingham, London, Boston and Paris.

She has experience working on high-value, complex commercial and investor-state arbitrations, and is particularly skilled in assimilating and critically assessing vast quantities of information. She is a strong believer in giving clients real-time feedback as their case develops, ensuring that strategies are adapted in light of changing landscapes, and is often actively involved in brokering successful settlements that meet her clients' commercial aims.

Highlights from her practice to date include *Al-Warraq v Indonesia*, an investor-state arbitration under the Investment Agreement of the Organisation of Islamic Cooperation (the OIC Agreement). Woods acted for Al-Warraq, a Saudi national, whose claim related to the nationalisation of his stake in the Indonesian bank, PT Bank Century, following its bailout by the regulator, Bank Indonesia, in 2008. Indonesia challenged the tribunal's jurisdiction on the basis that the OIC Agreement did not include a standing offer by the member states to arbitrate disputes with foreign investors. In a precedent-setting decision, the tribunal rejected Indonesia's argument, allowing Al-Warraq's claim to proceed and opening the door to foreign investor claimants across the 27 OIC member states to arbitrate their investment disputes with host member states.

She is currently serving a second term on the board of ArbitralWomen, a non-profit organisation for the promotion of women and diversity in international arbitration, and is actively looking for her first appointment as arbitrator.

In conversation with…

My maternal grandfather ran an ice cream shop at 99 Portobello High Street, Edinburgh where his father claims to have invented the 99 cone (seriously, google it). My paternal grandfather was one of two men who, in 1934, canoed in kilts across the Minch from Glasgow to Skye. He wrote stories about their adventures and posted them back to the newspapers. Their journey is recorded in *The Canoe Boys: The First Epic Scottish Sea Journey by Kayak*. Walk into any pub on the West Coast of Scotland and mention the Canoe Boys and they'll know who you mean.

I came relatively late to the law. Prior 'careers' include means testing Legal Aid applications for the Legal Services Commission, working reception for a media agency in the West End, pulling pints in the Wetherspoons on Highbury Corner and working onboard Eurostar as a customer services assistant, in that oh-so-fetching early noughties canary yellow uniform…

Matthew Saunders
Ashurst

Years in practice: 27

Principal sectors: Energy, resources

Geographical areas of expertise: Scandinavia, Russia, Australia, Africa

Matthew Saunders is global head of Ashurst's international arbitration group and a partner in the dispute resolution department of its London office. He advises sovereign and federal governments, international energy businesses, multinational corporations and financial institutions in contract and investment treaty arbitrations, typically in the energy and resources sectors. His mandates include acting for Gazprom in a Stockholm-seated arbitration relating to the supply and pricing of gas to a Ukrainian state-owned enterprise with claims in excess of $23bn.

Saunders joined Ashurst in 2016 following 15 years at DLA Piper, including eight years as global head of the firm's arbitration group, in which capacity he was jointly responsible for the development and growth of the practice from its inception. He is a member of the LCIA, the Chartered Institute of Arbitrators and the Association of International Petroleum Negotiators.

> "I defended Georgia just as it went to war with Russia and had to ask for an adjournment. The tribunal said it was the best excuse they'd seen."

Arbitrators' Breakout Room of the International Arbitration Centre

In conversation with…

One of the challenges facing London is the split profession. As a result, we don't have a single professional body to promote London as a centre for arbitration. In Sweden, one sees both the Swedish Arbitration Association and the SCC working to promote Stockholm. The Paris Bar has amended its rules to support arbitration in general and witness preparation in the context of international arbitration, while in Hong Kong and Singapore the relationship between state actors and private disputes forums is even clearer. The LCIA can't and shouldn't advocate for London because it is an international arbitration institution, but the case for both law firms and chambers getting together and agreeing on a common strategy has never been more pressing. Rightly or wrongly, the perception that the UK, and by extension London, is becoming less friendly to foreigners is becoming more prevalent. It is a matter of urgency for the London disputes community to find a way of checking this and making it clear that London is open for business.

As counsel, I defended Georgia just as it went to war with Russia. I had to write a letter to the tribunal saying: 'Dear sirs, as you'll doubtless be aware, our client has been invaded so we need an adjournment.' The tribunal did say afterwards that it was the best excuse for an adjournment they'd ever seen.

One of the junior counsel in our team was called up for military service as a reserve. The Georgian army was very well equipped but the reserves had Soviet uniforms in storage, which looked very much like the Russian ones! The counsel told me he had tied a bit of blue fabric to his epaulettes so he would not get shot by his own soldiers.

I met Eduard Shevardnadze as part of a hearing. It's not every day that you get to meet one of the architects of the modern world. I had read about him and knew he was instrumental in overseeing the demise of the Soviet Union without open warfare. Discussing pipeline disputes with him was a memorably surreal experience.

When I was a kid there was a popular series of magazines that had cut-away drawings of how things work. I always use this as a model when I am trying to explain the role of arbitration counsel to juniors. We get to see how the world works. An LNG ship stores its cargo at minus 273 degrees celsius. That is NASA technology. To the uninitiated, an LNG dispute is like an oil dispute. Once you learn about the engineering challenges involved, you realise how wrong that is. It is impossible to fall out of love with a profession where you're constantly challenged to learn new things.

When I started my career, the movers and shakers in London arbitration were old men from shipping or insurance practices. The new generation of counsel speak several languages, were born or have lived outside the UK, and are generally better educated. At the same time, I feel we are neglecting them. The increasingly specialised nature of arbitration as a legal practice means a whole generation of counsel are being rushed through the system and are missing out on the discipline that comes with working in a parallel litigation practice. I haven't done any litigation for a decade but my background as a litigator is still useful. You need to understand the rules of the game before you go into a world where the rules don't apply!

Mark Roe
Pinsent Masons

Years in practice: 38
Principal sectors: Construction, oil and gas, engineering, technology
Geographical areas of expertise: Europe, Middle East, Africa

Head of international arbitration at Pinsent Masons, Mark Roe, is a specialist in construction and engineering disputes. He typically acts on behalf of main contractors in the oil and gas and construction sectors, and has particular experience acting on disputes in the Middle East, Asia and Africa. Roe has acted as lead counsel on international arbitrations in a variety of leading institutions in both civil and common law jurisdictions, and regularly appears in the UK Technology and Construction Court. He joined Masons (now Pinsent Masons) in 1981 and became partner in 1985.

Christopher Pugh
Freshfields Bruckhaus Deringer

Years in practice: 28
Principal sectors: Energy, financial services, telecoms, private equity, consumer, industrials
Geographical areas of expertise: Worldwide

Christopher Pugh is one of the most highly regarded senior practitioners in the field of commercial arbitration. He was head of Freshfields' disputes practice from 2009 to 2015 and co-managing partner of the firm from 2015 to 2017. He has been one of the pre-eminent figures in energy disputes for many years, however his practice encompasses a much broader range of sectors. Recently, these have included retail, franchises, construction, pharmaceuticals and telecoms. He also brings deep experience in post-M&A and joint venture arbitrations.

In the last 18 months, his work has included hearings in Paris (for a major global oil company in a termination arbitration), Perth, Australia (for the owner in a substantial construction arbitration) and in London (relating to M&A).

Karel Daele
Mishcon de Reya

Years in practice: 22
Years as an arbitrator: Six
Admissions: High Court of England and Wales, Bar of Belgium
Principal sectors: Energy, oil and gas, infrastructure, general commercial, construction
Geographical areas of expertise: Sub-Saharan Africa, CIS, Europe
Languages: English, French, Dutch

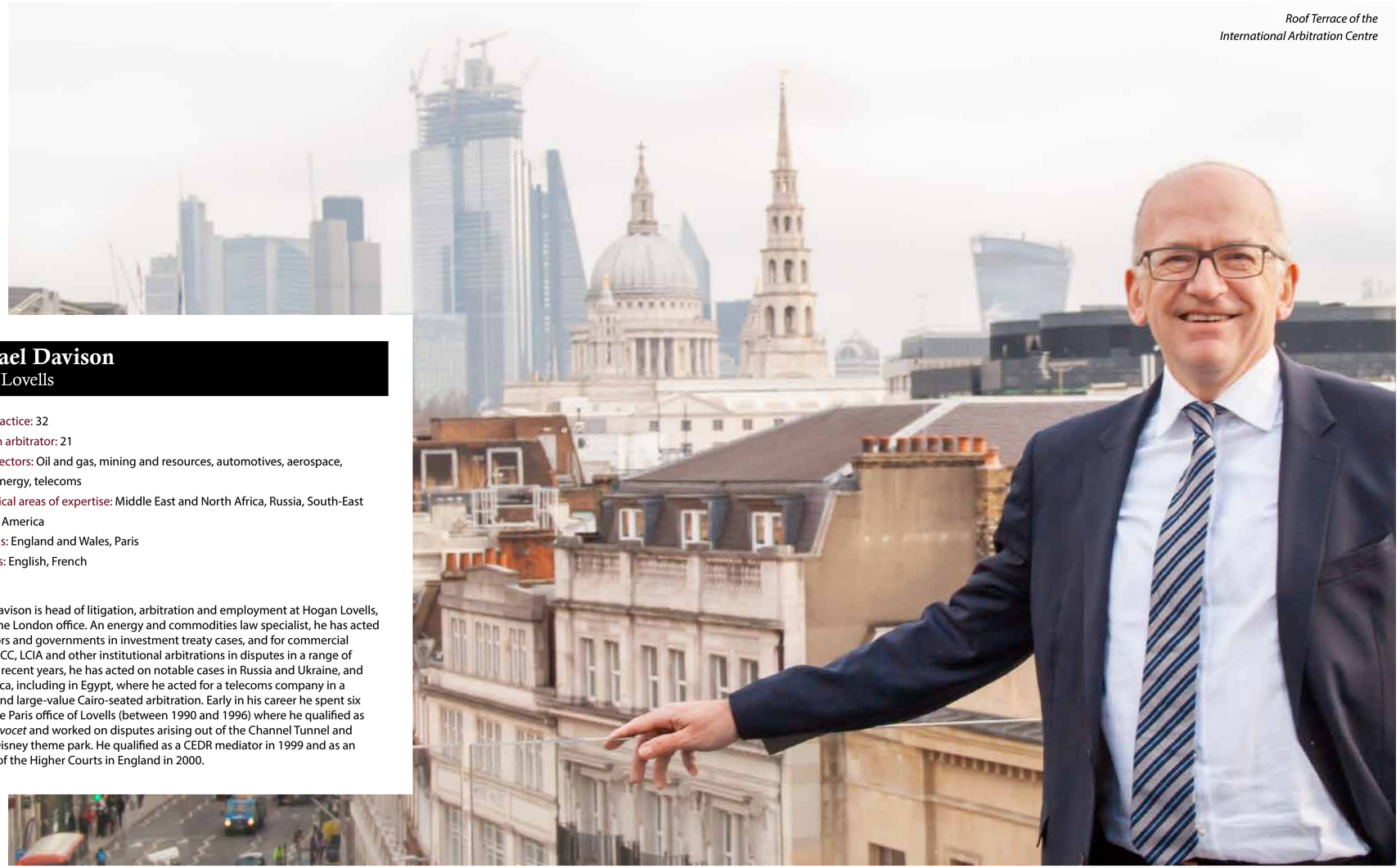
Karel Daele is partner and head of international arbitration at Mishcon de Reya, and one of the leading global authorities on investor-state arbitrations and disputes in Africa. He started his career as a civil law litigator in Belgium, before moving to Tanzania where he represented African states and state-owned companies in disputes under the ICSID and UNCITRAL rules. He continues to focus on African investor-state disputes, although now acts more on the investor side. His recent matters include representing international diversified mining company BSG Resources in its ICSID case against the Republic of Guinea, a case involving allegations of corruption and one of the biggest claims in recent years, and as member of a UNCITRAL tribunal, hearing a dispute between an African investor and South Sudan over a failed power project. Africa-facing matters account for roughly 60% of Daele's practice, with the rest of his time split evenly between cases in the CIS (Ukraine, Azerbaijan, Uzbekistan and Georgia) and Europe, particularly Belgium, France, the UK, Albania and Poland.

Raid Abu-Manneh
Mayer Brown

Years in practice: 23
Principal sectors: Energy, utilities, rail, infrastructure
Geographical areas of expertise: Africa, India, Middle East
Languages: English, Arabic, German

Raid Abu-Manneh is a partner in the construction and engineering team at Mayer Brown and head of the arbitration group in London. He focuses on large and complex projects involving contractors and other clients in the energy, utilities, rail and infrastructure sectors, and has experience in various types of projects including private finance initiative and public-private partnership, and backed by international finance. Formerly a co-leader of Mayer Brown's Middle East dispute group, he has worked on high-value cases in Qatar, the UAE and Saudi Arabia, and disputes in Egypt, Kuwait, Yemen and Libya. His wider practice sees him advising on risk management in the design and construction of projects to help clients avoid or gain favourable ground in disputes.

Lobby of the International Arbitration Centre



Roof Terrace of the International Arbitration Centre

Michael Davison
Hogan Lovells

Years in practice: 32
Years as an arbitrator: 21
Principal sectors: Oil and gas, mining and resources, automotives, aerospace, defence, energy, telecoms
Geographical areas of expertise: Middle East and North Africa, Russia, South-East Asia, Latin America
Admissions: England and Wales, Paris
Languages: English, French

Michael Davison is head of litigation, arbitration and employment at Hogan Lovells, based in the London office. An energy and commodities law specialist, he has acted for investors and governments in investment treaty cases, and for commercial parties in ICC, LCIA and other institutional arbitrations in disputes in a range of sectors. In recent years, he has acted on notable cases in Russia and Ukraine, and across Africa, including in Egypt, where he acted for a telecoms company in a complex and large-value Cairo-seated arbitration. Early in his career he spent six years in the Paris office of Lovells (between 1990 and 1996) where he qualified as a French *avocet* and worked on disputes arising out of the Channel Tunnel and the Euro Disney theme park. He qualified as a CEDR mediator in 1999 and as an advocate of the Higher Courts in England in 2000.

In conversation with…

Anyone who is bored of arbitration is bored of life. The buzz of meeting people from so many different cultures and backgrounds is something I can never imagine walking away from. Litigators can do the same kind of cases year in year out, but an arbitrator literally never sees the same case twice. It's the most exciting and global of professions. I spent six months in Pakistan, six months in Libya, and many nights wandering in awe round Lahore. I was in Egypt for each of the three revolutions. Lawyers are generally cultured and educated people, but spending time in the cradle of Arabic legal culture made me realise that the world is a bigger and more interesting place than I had been led to believe. Trying to get to The Cairo Regional Centre for International Commercial Arbitration during the demonstrations in Tahrir Square opened my eyes to the fact that anyone who knows the laws of a country without understanding its past and future is missing out.

> "Anyone who is bored of arbitration is bored of life."

Roof Terrace of the International Arbitration Centre

Sylvia Noury
Freshfields Bruckhaus Deringer

Years in practice: 18

Principal sectors: Energy and natural resources (mainly oil, gas, and mining), telecoms, infrastructure, defence

Geographical areas of expertise: Argentina, Bolivia, Chile, Ghana, India, Iran, Libya, Kenya, Nigeria, Peru, South Africa, Tanzania, Uganda, Venezuela, Yemen

Languages: English, Spanish, French

Sylvia Noury is head of Freshfields Bruckhaus Deringer's international arbitration group in London, as well as head of its African disputes group. She previously practised in both its Paris and New York offices. Noury specialises in commercial and investment treaty arbitrations, particularly in emerging markets, and has particular expertise in the energy, natural resources, and telecoms sectors advising corporate and government clients. Noury advises a range of clients on sanctions, force majeure, and public international law issues arising from their contracts and commercial relationships in sanctioned countries. She further advises clients on how best to mitigate risk, settle, or avoid disputes altogether.

Noury holds positions and memberships in a variety of arbitral institutions, including board member of the SCC's Arbitration Institute and Nominations Sub-Committee of ICC UK. She is the founder and co-chair of the steering committee of the Equal Representation in Arbitration Pledge. She has spoken and published widely in the field of arbitration.

In conversation with…

As a junior lawyer I did not focus on the lack of women in my team, or more broadly in my field. I focused on doing exciting and challenging work, meeting interesting clients and witnesses, travelling the world, and winning cases. At all times, I received a huge amount of support and encouragement from my male colleagues, particularly Nigel Blackaby, who swiftly co-opted me into his master plan to build from scratch the firm's (now award-winning) Latin American arbitration practice. Somehow, all of this distracted me from the fact that every hearing, conference, event and meeting I attended in the world of arbitration was male dominated – particularly in the microcosm of Latin American BIT cases. Indeed, it was not until relatively recently that I attended a hearing with even one female arbitrator. (No prizes for guessing who: Professor Gabrielle Kaufmann Kohler.) And more recently still that I faced my first (lead) female opposing counsel. (Melida Hodgson of Foley Hoag, who I was both surprised and delighted to see leading a large team in an ICSID hearing with only one male member).

While I had stubbornly ignored the issue as a junior lawyer, in the run up to partnership it came more sharply into focus. There was only one female partner in our global arbitration group: Lucy Reed. And she had been recruited laterally. There were no obvious role models who could help me navigate the road to partnership in the over-achieving arbitration group at Freshfields; a road that was particularly daunting to a newly-wed woman whose main priority in life was starting a family. Luckily for me, my new husband gave me the right advice: 'Just do it. What's stopping you? It's what every man would do. You'll be great.'

Navigating that particular road opened my eyes to the minority in which I stood. I became increasingly conscious of the paucity of women at senior levels: in partnerships of law firms, arbitral tribunals, institutional committees, conference panels, leadership positions in general. And it became increasingly unpalatable. This creeping discomfort culminated in 2015, when I decided, spurred on by conversations with a few female clients including Jo Cross at BP, and Jackie van Haersolte-van Hof at the LCIA, to take some action.

And so the Equal Representation in Arbitration Pledge was born. What began as a good idea in the eyes of 25 women and men gathered around a dinner table at a restaurant in Berkeley Square in April 2015, quickly morphed into a successful international campaign. Over the next year, to ensure global reach and buy-in, similar dinners gathering cross sections of the international arbitration community were held in every other country where Freshfields had an arbitration team. By 2016, a high-powered steering committee – comprising members from a variety of arbitral institutions, firms, chambers, corporations, and jurisdictions – was established. The steering committee, which I co-chair alongside Wendy Miles QC, put together a Pledge with concrete commitments to address the under-representation of women on international arbitral tribunals. The objectives of the Pledge were and remain to improve the profile and representation of women in arbitration; and to appoint women as arbitrators on an equal opportunity basis.

Today, signatories to the Pledge number 2,870, comprising 2,320 individuals and 550 organisations, including most of the major arbitral institutions. I have been delighted and stunned in equal measure by its success, not only in terms of the sheer number and quality of signatories, which has led to enhanced global awareness of the issue, but also how those signatories have faithfully implemented the commitments they signed up to, resulting in concrete progress. Since the inception of the Pledge, statistics from arbitral institutions show a marked improvement in the gender diversity of arbitrators. I have witnessed first-hand the two institutions in which I hold positions (the SCC Arbitration Institute, led by Pledge steering committee member Annette Magnusson, and the ICC UK appointments committee, led by the impressively feminist Matthew Weiniger QC) take meaningful and tangible strides in the appointment of women arbitrators. I have seen an immediate and dramatic change in the representation of women on conference panels. More anecdotally, I see and hear of lists of arbitrator candidates becoming more gender balanced, and of all-male lists being sent back. Previously male-dominated committees are being shaken up within arbitral institutions and other organisations. And firms active in arbitration are taking a critical look at their partnership numbers and leadership structures. My own recent elevation to London head of international arbitration at Freshfields is, I hope, but one example.

To end on a personal note. Following that dinner in London in April 2015, the world changed for me. Two weeks later, my two-year-old daughter was diagnosed with cancer. This led to a sustained period of absence from work, while my daughter underwent intense chemotherapy, followed by frequent stints in hospital for the next two years. Some re-prioritisation naturally occurred during this time, but one project that stayed top of my list was the Pledge. By the time we launched the Pledge in May 2016, my daughter was fully on the road to recovery. And at the first anniversary of the Pledge in May 2017, I brought my six-week-old son to the drinks party to celebrate (on message in his Pledge 'onesie'). When I eventually retire from the wonderful world of arbitration, I know that – head and shoulders above the fascinating cases, exciting hearings, and successful awards and settlements – the Pledge is the professional achievement that I will be most proud of.

Tony Dymond
Debevoise & Plimpton

Years in practice: 26
Principal sectors: Energy, infrastructure, corporate, financial services
Geographical areas of expertise: UK, Asia-Pacific
Admissions: England and Wales, Hong Kong

An English barrister and solicitor who is also qualified to practise in Hong Kong, Tony Dymond acts as co-chair of Debevoise & Plimpton's Asia arbitration practice and is a partner in the firm's international dispute resolution group, based in London. He has appeared in arbitrations under the principal arbitration rules, and in the English and Hong Kong courts. He has also acted for the Hong Kong Securities and Futures Commission in the first exercise of its statutory power to bring unfair prejudice proceedings. His recent arbitration matters have included a series of cases relating to the construction of oil and gas platforms for use in deep-water operations, including drill ships and semisubmersible platforms. Before joining Debevoise in 2014 he was a partner at Herbert Smith Freehills, where he established and was managing partner of the firm's Seoul office.

Philip Chong
DLA Piper

Years in practice: 26
Years as an arbitrator: Ten
Principal sectors: Energy, infrastructure
Geographical areas of expertise: China, Russia, Middle East
Languages: English, Malay, Chinese

Philip Chong has focused on international dispute resolution for over 20 years, particularly in the energy sector. He has represented a number of large multinational energy companies, including Gazprom, Sinopec and many of the European and US oil majors, on disputes involving claims over $1bn. For example, he led the DLA Piper team representing Gazprom in its long-running and hard-fought gas supply contract arbitration against Naftogaz, which led to Chong's client receiving an award of more than $2bn in early 2018. It was a case, says Chong, highlighting how the work of arbitration counsel has become global. 'We were a team of London-based lawyers working on a Stockholm seated arbitration under Swedish law and involving Russian and Ukrainian parties. There was no nexus to the UK other than the fact that London has a deep pool of world-leading experts.'

Rooftop Lounge of the International Arbitration Centre

Andrew Savage
Watson Farley & Williams

Years in practice: 22
Principal sectors: Energy, insurance, commodities, shipping, construction
Geographical areas of expertise: Europe, Africa, Asia-Pacific

Andrew Savage heads the global dispute resolution group at Watson Farley & Williams. His practice specialises in commercial and finance disputes and international arbitration. He has acted for and against state entities including the Federal Republic of Germany, the Republic of Zambia, the Republic of Italy and the government of Pakistan. His standout arbitration cases include representing the government of Pakistan before the High Court, Court of Appeal and Supreme Court in successfully resisting the enforcement of an ICC arbitration award rendered in Paris relating to a circa $300m payment, together with related court proceedings in Paris. The case has one of the most widely discussed arbitrations in the UK and is renowned internationally. Early in his career, Savage worked on an arbitration involving the Tajik state aluminium company in which all communications had to be encrypted for fear of espionage. The fear proved well founded, and the wider ramifications mean that both Savage and his firm are still involved in vestiges of the dispute to this day.

Christopher Colbridge
Kirkland & Ellis

Years in practice: 25
Principal sectors: Automotives, industrials, energy, extractives
Geographical areas of expertise: Europe, Middle East, Asia-Pacific, Latin America
Admissions: England and Wales, Paris
Languages: English, French, Spanish

Christopher Colbridge heads the international arbitration and litigation group of Kirkland & Ellis in London where he specialises in investment treaty arbitration. He has represented multinational corporations, governments and government-owned entities in a number of prominent ICSID and UNCITRAL hearings, and regularly appears before international arbitral tribunals, English courts, and other courts around the world. He also has significant experience in conducting white-collar crime investigations on a global basis. Before joining Kirkland in 2005, he was head of the international arbitration and litigation group at Shearman & Sterling's London office. He is dual-qualified as a solicitor in England and Wales and as *avocat à la cour de Paris*.

David Herlihy
Skadden, Arps, Slate, Meagher & Flom

Years in practice: 30
Principal sectors: Energy, TMT
Geographical areas of expertise: Europe, Latin America
Admissions: England and Wales, Ireland, New York Bar
Languages: English, French, Spanish

David Herlihy's practice focuses on complex international commercial arbitration and investment treaty arbitration, as well as broader issues of public international law. He has particular experience acting in investment treaty disputes across multiple industries, and in Spanish-language disputes in Europe and Latin America. He also acts as counsel in court proceedings arising out of international arbitrations. In investment treaty matters, Herlihy has acted both for states and for commercial parties acting against states, most recently as part of Skadden, Arps, Slate, Meagher & Flom's high-profile arbitration on behalf of Vodafone against the Republic of India. His representations on behalf of states have included leading the Skadden team that secured victory for the Republic of South Sudan in its ICSID dispute with Sudapet, a case that saw the dismissal of more than $1bn in claims following the country's secession from Sudan in 2011, and acting for the Slovak Republic in its successful defence of a bilateral investment treaty dispute. Prior to joining Skadden, he held a judicial clerkship at the Supreme Court of Ireland. He has served on the ICC Commission on Commercial Law and Practice as well as the ICC Task Force on Arbitration Involving States or State Entities.

Joe Tirado
Garrigues

Years in practice: 27
Number of years as arbitrator: 13
Principal sectors: Energy, infrastructure and engineering, banking
Geographical areas of expertise: Latin America, Central and Eastern Europe and South-East Asia
Languages: English, Spanish, French, Portuguese

Joe Tirado is co-head of international arbitration and alternative dispute resolution at Garrigues, the largest firm in Continental Europe by turnover and the European firm with the largest international footprint in Latin America. With many of the firm's clients based in civil law countries, Tirado helps build bridges to the common law on disputes arising under English law-governed contracts and matters referred to the LCIA. 'London is not typically associated with Latin America,' comments Tirado. 'For cultural and linguistic reasons, and also perhaps because of the perceived dominance of US players in Latin American markets, it has been neglected by UK-based businesses, including law firms. However, as Latin American issuers increasingly look for new sources of funding, we are seeing more relationships being formed. Further, as the general volume of cross-border work in Latin America increases, the number of contracts signed under English law has risen sharply.'

Born in the UK and with dual UK and Spanish citizenship, Tirado has conducted hearings in Spanish both as counsel and arbitrator. He joined Garrigues in 2016 and is based at the firm's London office. He was previously a partner at the London office of Winston & Strawn and, before that, head of international arbitration at Norton Rose.

Rooftop Lounge of the International Arbitration Centre

Alexander Uff
Shearman & Sterling

Years in practice: 21
Principal sectors: Energy, construction, mining and metals, retail and consumer, technology, media, telecoms
Geographical areas of expertise: Europe, Africa, Middle East, Latin America, North America
Admissions: England and Wales (Bar), New York
Languages: English, French

Alexander Uff is a partner in the international arbitration practice at Shearman & Sterling. He joined the Paris office in 2007 and relocated to Shearman's London office in 2013.

He provides advice and representation to corporations, states, and state-owned entities in complex international commercial and investment treaty arbitrations. These have included joint venture and shareholder disputes in the chemical, agribusiness and retail industries, acting on behalf of investors and states in investor-state arbitrations, large-scale technical and infrastructure disputes related to civil infrastructure, power plants, urban development and mining projects, and in energy disputes, including on behalf of state-owned companies. His industry experience also covers matters in the telecommunications, insurance, pharmaceutical and defence sectors.

Uff is qualified as a barrister in England and Wales and is a member of the New York State Bar; he is also a member of the LCIA, the ICCA, the ASA, British Institute of International and Comparative Law, and Gray's Inn.

Mostly recently, Uff has represented two international contractors as respondents in an ICC arbitration in London initiated by a Middle Eastern state-owned company. The dispute concerns the development of a world-class medical facility in the Middle East where the law of the claimant's state applies in a claim in excess of $3.7bn.

Roof Terrace of the International Arbitration Centre

Kenneth Beale
Boies Schiller Flexner

Years in practice: 15
Principal sectors: Oil and gas, energy, financial services, telecoms, manufacturing
Geographical areas of expertise: Russia and CIS, Central and Eastern Europe
Admissions: District of Columbia, Maryland, Registered Foreign Lawyer in England and Wales
Languages: English, Russian

Kenneth Beale's practice focuses on bet-the-company international arbitration and white-collar criminal defence matters. For the past 15 years, he has successfully represented clients in multibillion-dollar international commercial and investor-state arbitrations before nearly all leading institutions, sited at multiple seats, and governed by a wide variety of laws. A Russian speaker, he has particular expertise representing clients in disputes involving Russia, Central and Eastern Europe.

He has served as an adjunct professor of law at numerous universities, most recently the University of Pennsylvania law school, and has taught international arbitration advocacy as part of the Foundation for International Advocacy in Arbitration's programme. He also has written and spoken extensively on international arbitration. He clerked for the honourable Carolyn King of the US Court of Appeals for the Fifth Circuit and the honourable Peter Messitte of the US District Court for the District of Maryland.

Steve Abraham
Baker McKenzie

Years in practice: 19
Principal sectors: Energy (especially renewable energy and clean technology), extractives, infrastructure, financial services
Geographical areas of expertise: Africa, Middle East, Central and Eastern Europe, Russia and CIS
Languages: English, French

Steve Abraham is a partner in Baker McKenzie's dispute resolution practice in London who focuses on disputes in the energy, mining and infrastructure sectors. He regularly advises on investment treaties and public international law disputes and advises on dispute avoidance and project management issues. He also periodically sits as an arbitrator.

His significant representations have included acting for Chinese engineering contractor in LCIA arbitrations concerning the construction of oil pipelines in Kuwait, acting for an internationally renowned luxury hotel group in a series of ICC arbitrations and related court proceedings in London related to a development in North Africa and for the developers of the Channel Tunnel Rail Link project in a series of adjudications brought by contractors. Before joining Baker McKenzie in 2013, Abraham was partner at Norton Rose.

Vivek Kapoor
Stephenson Harwood

Principal sectors: Construction and engineering, energy and natural resources
Geographical areas of expertise: India, Indonesia, CIS, Central and Eastern Europe
Admissions: England and Wales, India

Vivek Kapoor specialises in international commercial and investment treaty arbitration. He advises and represents both private and state-owned entities from multiple jurisdictions in Asia, Europe, CIS, Africa and the Middle East, in disputes governed by a variety of common and civil law regimes and public international law. He also advises on investment protection issues arising under bilateral treaties and investor-state contracts, and the interaction between international law and domestic law in relation to international projects. Dual-qualified as a barrister in England and Wales and an advocate in India, he has full rights of audience in the Indian courts, and has successfully represented private parties – both Indian and Fortune 500 multinational corporations – before the Supreme Court of India and the high courts of various states in India. He has also worked in the US and Singapore.

Ximena Herrera-Bernal
Shearman & Sterling

Years in practice: 15
Principal sectors: Energy, construction
Geographical areas of expertise: UK, Europe, Latin America, Africa
Admissions: Colombia, New York, England and Wales
Languages: Spanish, English, French, Italian

Ximena Herrera-Bernal is a member of the international arbitration and public international law practices at the London office of Shearman & Sterling. She initially trained and qualified in Colombia and has since advised on many of Shearman's Latin America-related disputes. She advises companies and states in international arbitrations under the ICC, ICSID, Construction Industry Arbitration Council, LCIA and UNCITRAL rules, with a focus on disputes in the oil and gas, power, infrastructure, telecommunications and distribution sectors. Before joining Sherman, she clerked for Justices Vladimiro Naranjo Mesa and Eduardo Cifuentes Muñoz of the Constitutional Court of Colombia, and spent time working as a capital markets and project finance lawyer at Milbank, Tweed, Hadley & McCloy in New York. Previously based at Shearman's Paris office, she was promoted to partner in 2018.

Ian Meredith
K&L Gates

Years in practice: 31
Years as an arbitrator: 11
Principal sectors: Joint venture and shareholder disputes, distribution agreements, mining and extractives, oil and gas, aviation and aerospace, telecoms
Geographical areas of expertise: EU, Russia and CIS, Central and Eastern Europe, North, West, East and Southern Africa, South and South-East Asia, the Americas

Ian Meredith is a partner at K&L Gates and coordinator of the firm's international arbitration group. His practice focuses on international disputes across a range of sectors, encompassing both commercial and public international law issues. He has been involved in the arbitration of several disputes flowing from investment within and relating to Russia and various countries of the former Soviet Union, India, Iraq and new member and candidate countries of the EU. Many of the disputes he has advised on have involved allegations of fraud or other forms of impropriety and increasingly the disputes have involved state or quasi-state actors. He also advises on political risk issues in the context of investments across a range of sectors, and is increasingly involved in the structuring of investments to provide scope to invoke multilateral and/or bilateral investment treaty protections.

Over the last few years, Meredith has been involved in various cases connected to the aerospace sector, the *M/T Prestige* case arising from the sinking of an oil tanker off the Spanish coast, and the ongoing *Halliburton v Chubb* case that flows from the Deepwater Horizon incident. The latter concerns a challenge to an arbitrator under the Arbitration Act and is due to be heard in the UK Supreme Court in November 2019.

In conversation with…

On the eve of a hearing, I received a call from a forensic expert who was then a partner in a major accountancy firm. The hearing was scheduled to take place in London and he had called to inform me that he was in Raffles Hotel in Singapore and would not be returning. There followed some heated discussion with him and his firm's general counsel which ultimately ended satisfactorily. I also once had a case where a technical expert, when shown his report (containing his signature) said, 'Gentleman, I have never seen that document in my life'. It was of course his report – his evidence will live long in the memory of all who heard it. We won the case.

Roof Terrace of the International Arbitration Centre

Kieron O'Callaghan
Hogan Lovells

Years in practice: 18

Principal sectors: Energy and natural resources, TMT

Geographical focus: Middle East, Africa, Asia-Pacific, Europe

Kieron O'Callaghan is a partner in Hogan Lovells' international arbitration and litigation practice group, based in the London office. Trained as a litigator, he moved into what he describes as the 'much more layered and interesting' world of arbitration after being drafted in to help on cases early in his career. He has since focused his practice on complex, high-value international commercial arbitrations, acting for both commercial parties, investors and states. He also deals with challenges to, and enforcement of, awards.

His practice focuses on the fields of energy and natural resources, international trade, life sciences, telecoms and transportation, particularly aviation. He has assisted major and multinational energy corporations in many jurisdictions. O'Callaghan has contributed to numerous publications, and spoken regularly at arbitration and energy industry events, and is a member of the International Bar Association, Association of International Petroleum Negotiators and ICC Commission on Arbitration and ADR.

Rooftop Lounge of the International Arbitration Centre

Gary Born
Wilmer Cutler Pickering Hale and Dorr

Years in practice: 34
Number of years as arbitrator: 28
Principal sectors: All commercial sectors (including energy, M&A, joint venture, intellectual property, sale of goods, financial services, corporate and insurance)
Geographical areas of expertise: Europe, US, Asia-Pacific
Admissions: District of Columbia; England and Wales, Registered Foreign Lawyer
Languages: English, German

Described by one counsel as 'a global superstar of international arbitration', Gary Born is widely regarded as the world's pre-eminent authority on international commercial arbitration. Chair of Wilmer Cutler Pickering Hale and Dorr's international arbitration practice group, he has participated in more than 600 international arbitrations, including four of the largest ICC arbitrations and several of the most significant ad hoc arbitrations in recent history. He has particular experience in joint venture, investor-state, M&A, investment banking and other financial services, project finance, energy, oil and gas, intellectual property and insurance disputes. In addition to his work as counsel, Born serves as president of the SIAC Court of Arbitration, as well as in an advisory capacity at arbitral institutions around the world, including Hong Kong, New York, Seoul and Jerusalem. He is an honorary professor of law at the University of St Gallen, Switzerland and Tsinghua University, China.

In conversation with…

International arbitration, like globalisation, has always been cyclical. There have been high points and low points. Current developments around the world, whether pursuing a renegotiation of NAFTA or subjugating influence in Asia-Pacific with Trump's withdrawal from the Trans-Pacific Partnership, can be seen as predictors of a retrenchment and a move away from arbitration. However, it is important not to get carried away. I think the weather forecast is in fact a lot more mixed and one has to wait and see.

The arbitration community needs to devote more of its own time, both paid and unpaid, to making the process work. Just as the law firms and the legal profession in every country rightly encourages lawyers to engage in pro bono activities, we ought to do our own pro bono activities in the international arbitration communities.

Arbitration has advanced the rule of law in very important ways. In international commercial disputes, the rule of law is advanced precisely because arbitral awards are enforceable in 159 jurisdictions around the world and counting. That is not true of national court judgements. With investment arbitration, the ability of tribunals, and the ability of parties to have the rule of international law applied to protect investors, and also to protect host states, is a fundamentally important aspect of what we do. Those are, for me, both giving effect to the party's right to amend their relationships and advancing the rule of law.

When I was asked to be president of the Court of Arbitration at SIAC, my first reaction was, 'I know a lot about arbitration, but why would I want to do that?' Actually, I have learned so much by having to sit in that role, because we as counsel or as arbitrators tend to see what is frankly a limited number of cases, no matter how busy our practice may be. In a sense, through a keyhole, we see those cases with extraordinary intensity and detail. We do not necessarily understand the overall flow of cases and broader trends in international arbitration. I think one of the things I have learned from my time with SIAC is how many arbitrations go extraordinarily smoothly and in a relatively routine and boring fashion. The mechanism works. I have also learned a good deal about the complexity and diversity of arbitration in other parts of the world. There is a lot that we here in the UK can learn from centres in other parts of the world, and a lot that other parts of the world can learn from what we do in the field.

Past behaviour is the best predictor of future behaviour. When one studies how international arbitration, for want of a better term, was conducted a thousand or more years ago, it actually looks a lot like what we do today. To the extent that records exist, we find things like page limits and time limits for arbitrators to make awards, we find parties represented by counsel of their choice, and we find three-person tribunals with one arbitrator chosen by each of the parties and the two co-arbitrators choosing the presiding arbitrator. In many ways, the fundamentals of the arbitral process are eerily familiar. Given that long and stable history, I don't expect the fundamentals of arbitration to change.

Robert Volterra
Volterra Fietta

Years in practice: 23
Years as an arbitrator: 15
Admissions: Ontario, England and Wales
Languages: English, French, Spanish, Italian

Founder of the only legal practice dedicated exclusively to public international law, Robert Volterra advises and represents governments, international organisations and private clients on a wide range of contentious and non-contentious public international law and international dispute resolution issues, including international boundaries, transboundary resources and bilateral investment treaties. He regularly acts before the International Court of Justice, as counsel and arbitrator before all major institutions and in ad hoc proceedings. Formerly head of the public international law group at Latham & Watkins, he left in 2011 to establish boutique firm Volterra Fietta.

The cases he has acted on are among the most prominent (and interesting) of recent times, are frequently referenced in textbooks, and are relied upon precedents and guides by domestic and international courts and tribunals. He is a visiting professor of international law at University College London and a visiting senior lecturer at King's College London, where he teaches the international law of foreign investment and the international law of boundary disputes. He sits on the management board of the Investment Treaty Forum and is on the Expert Panel for States of UNCTAD's Programme on Dispute Settlement in International Trade, Investment and IP.

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Tim Hardy
CMS Cameron McKenna Nabarro Olswang

Years in practice: 40

Years as an arbitrator: Six

Principal sectors: Corporate, commercial, financial, trade, mining, and shipping

Geographical areas of expertise: Europe, Africa, North America

Widely respected for his experience handling complex international commercial arbitrations in the corporate, commercial, financial, trade, mining, and shipping sectors, Tim Hardy is a formidable arbitrator and expert mediator. He is a consultant of CMS' commercial litigation team in London and frequently handles challenging financial, commercial, professional negligence, product and corporate reputational matters. Sitting as an arbitrator for six years, he brings his 40 years of commercial legal and litigation experience to the table. He is a solicitor advocate who prefers to conduct his own advocacy when time allows. Hardy is a member of the CEDR Select, the ICAEW's Mediation Panels, a fellow of the Chartered Institute of Arbitrators and chair of the Institute's practice and standards Committee. Recent highlights of his practise include acting for a private equity fund in an ICSID arbitration sat in Paris, against the state of Montenegro, as well as acting for a group of investors in a UNCITRAL arbitration against a Middle Eastern state for the wrongful release of milestone payments from a security escrow account. Hardy views the UK as an excellent place to conduct arbitration due to the English Arbitration Act and the support of the English judiciary to the principle of maximum support for the arbitral process with the minimum of interference. He is an advocate of arbitration over the 'labyrinthine court processes' and believes that there is no best arbitration rule set. Instead he says that, 'there is no one single best set of rules, rather what will be best for each dispute will depend on factors such as the seat, the governing law of the contract, the nature of the dispute and industry terms available', even if, as he says, the parties can occasionally have worse behaviour than his team of rugby minis, which he coaches on weekends. He is a recognised leader of the field with a strong arbitration practice and celebrated commercial acumen.

Stuart Dutson
Simmons & Simmons

Years as an arbitrator: Five

Principal sectors: Oil and gas, technology, media and telecoms, financial services

Geographical areas of expertise: Russia and CIS, Africa, China, South-East Asia

Languages: English, German

A highly respected and experienced arbitrator and partner at Simmons & Simmons, Stuart Dutson has made a name for himself in oil and gas, technology, media and telecommunications, and financial services for his robust negotiation skills and technical accumen. Often working on challenging arbitrations with multiple parties, tiers and jurisdictional agreements, Dutson is an excellent arbitrator tactician. He is well acquainted with the specifics of arbitration in Russia and the CIS, Africa, China and South-East Asia, holding multiple admissions: solicitor advocate in England, a barrister and solicitor in Australia, a legal practitioner in the Dubai International Financial Centre and a barrister in Malawi, where Dutson served as Malawi's state advocate from 2000 to 2001. Recently he has worked on several complex arbitration cases including representing a Russian bank in a dispute with a leading Israeli investor under a personal guarantee claim under English law and LCIA procedural rules. Additionally, he represented a Liechtenstein trust in a dispute with a Russian beneficiary under LCIA rules regarding a claim against a Russian investment company's unlawful margin calls and unauthorised investments.

Roof Terrace of the International Arbitration Centre

Greg Fullelove
Osborne Clarke

Years in practice: 17

Principal sectors: Energy and utilities, financial services

Geographical areas of expertise: UK, Europe, Russia and CIS

Languages: English, Spanish

Greg Fullelove is a specialist in international commercial and BIT arbitration, as well as public international law. He has acted as counsel and advocate in both international commercial and BIT arbitrations, with particular experience in financial services, mining and energy disputes. He possesses particular expertise in renewable energy arbitrations, including solar and hydroelectric disputes. Recently, his practice has involved an increasing number of digital business-related disputes, including in the video games and e-sports sectors. In addition to his work as arbitration counsel, he has been involved in litigation at all levels of the English court system and in 2004 served as judicial assistant to The Rt Hon Lord Woolf. Fullelove qualified at Freshfields Bruckhaus Deringer and practised there from 2000 until he joined Osborne Clarke in 2012. He is co-editor and co-author of *Arbitration in England*.

In conversation with…

One of the thing I like about arbitration is the stories. The people you meet, the battles you have, and the places you visit make it endlessly fascinating. Unfortunately these are stories we can never tell, even to close friends, which is the chief downside of working as arbitration counsel!

My training as a singer has helped me succeed as arbitration counsel. I learned to sing under the tutelage of some very good conductors, who placed a lot of emphasis on being precise and remaining calm. My particular love was polyphony down the ages, from the 15th century through to the modern day, though I decided during my studies not to turn professional, but rather to become a lawyer instead. I have carried it on intermittently since. When I was an associate at Freshfields I used to sing at Temple Church in a group called the Holst Singers.

Rooftop Lounge of the International Arbitration Centre

Constantine Partasides QC, Three Crowns – Roof Terrace of the International Arbitration Centre

PRIVATE PRACTICE QCs

Lord (Peter) Goldsmith QC
Debevoise & Plimpton

Years in practice: 46
Years as an arbitrator: 20
Principal sectors: Energy, mining, construction, financial services
Geographical areas of expertise: Europe, India, China, the Caribbean, Africa, Hong Kong, Singapore
Admissions: England and Wales, Belize, New South Wales, Northern Ireland, Paris, St Kitts and Nevis, Cayman, Bulgaria, the Bahamas, Bermuda
Languages: English, French, German

Lord (Peter) Goldsmith is Queen's Counsel and Privy Counsel, London co-managing partner and chair of European and Asian litigation at Debevoise & Plimpton. He has appeared at all levels of courts in the UK and in many cases in the House of Lords, the Privy Council, and the Court of Appeal as well as international and European courts and in the courts of a number of other jurisdictions, including the highest court in the Caribbean. He practised from Fountain Court Chambers from 1972 to 2001, specialising principally in commercial, corporate, and international litigation and appellate work. He became QC in 1987 and has judicial experience as a Crown Court Recorder and a Deputy High Court Judge.

Lord Goldsmith was appointed Attorney General in 2001, acting as chief legal adviser to the government on matters of domestic, European, and international law. He represented the government in numerous cases in UK and international courts. He also argued as counsel in the House of Lords in two of the 15 cases regarded as the most important British cases of the last 150 years.

As a young lawyer, he started a legal advice centre in the East End of London and, later in his career, founded the Bar of England and Wales' Pro Bono Unit, a nationwide charity providing the free legal services of thousands of barristers (of which he remains president). He was the first chair of the Access to Justice Foundation, a cross-profession initiative that raises money to support pro bono organisations across the country and is by statute the sole recipient of pro bono costs award.

Recent cases include representing 300,000 dispossessed Nigerian citizens before the African Commission of Human Rights in the Gambia in respect of their forcible eviction and the destruction of their homes at Maroko Lagos, and acting as lead advocate in the Supreme Court of Belize for an intervening legal rights organisation in the case of Caleb Orozco against the Attorney General of Belize. The latter case led in 2016 to the Chief Justice striking down as unconstitutional the country's law criminalising homosexuality.

Audley Sheppard QC
Clifford Chance

Years in practice: 34
Years as an arbitrator: 20
Principal sectors: Oil and gas, energy and resources, mining and metals, real estate
Geographical areas of expertise: UK, Europe, Middle East, Africa, US
Admissions: England and Wales, New Zealand

Audley Sheppard QC is global co-head of the international arbitration group at Clifford Chance. He has over 30 years of experience, specialising in the resolution of major disputes arising out of infrastructure and energy projects.

He trained and qualified in New Zealand before joining Coward Chance in the UK in 1986. He took silk in 2015.

Sheppard was elected chair of the LCIA board in 2017. He is also a member of the ICC Court of Arbitration, co-chair of the IBA arbitration committee, and rapporteur of the International Law Association arbitration committee.

Roof Terrace of the International Arbitration Centre

Stuart Isaacs QC
King & Spalding

Years in practice: 37
Years as an arbitrator: 27
Principal sectors: Energy, financial services, infrastructure
Geographical areas of expertise: London, Asia-Pacific
Admissions: England and Wales, New York Bar, licensed to practise as a foreign lawyer in Singapore
Languages: English, French, Spanish, German

Stuart Isaacs QC's practice covers all aspects of international commercial law, with a particular focus on complex contractual and corporate disputes in the energy, financial and infrastructure sectors. More broadly, his global practice covers a range of complex commercial disputes, including energy, trade, banking, insurance, shipping and civil fraud, and involves private international law and enforcement issues in multi-jurisdictional disputes and interlocutory relief, such as freezing orders.

In more than 30 years of practice, he has appeared in hundreds of court cases and arbitrations, both in London and around the world. He appears regularly in English superior courts, the European Court of Justice, and in jurisdictions in Asia and the Caribbean. He became a Queen's Counsel in 1991. He has been appointed to numerous arbitration tribunals and also sits as an accredited mediator. He sits regularly as an arbitrator and has been a deputy judge of the High Court in England since 2004.

> Every arbitration is a microcosm of potential procedural reform.

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Constantine Partasides QC
Three Crowns

Years in practice: 20

Years as an arbitrator: 15

Principal sectors: Energy, telecoms, M&A, financial services, environmental, real estate

Geographical areas of expertise: Europe, North America, Africa, Middle East, Latin America, Asia-Pacific, Russia and CIS

Languages: English, French, Greek

Constantine Partasides QC, a founding partner of Three Crowns, has appeared as counsel on some of the largest commercial arbitrations of the last decade. He has recently led teams that obtained a monetary award for clients against the Kurdistan Regional Government for $1.98bn, a final award for a consortium of clients against the Nigerian National Petroleum Corporation in excess of $2bn and a final award for ConocoPhillips against PDVSA, also in excess of $2bn.

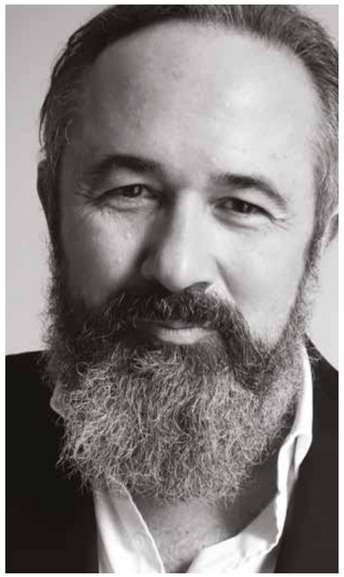
While Partasides' most significant arbitrations have involved representing oil majors such as ExxonMobil, ConocoPhillips, BP and Occidental Petroleum in claims running to many billions of dollars, his broad practice has seen him acting for financial services and private equity companies such as American Express and Elliott Management. He has also advised and represented both investors and states in disputes arising under bilateral and multilateral investment treaties, including as counsel of record in the high-profile ICSID successes for the Republic of Kenya in *World Duty Free v Republic of Kenya*, and for the Republic of Lithuania in *Parkerings v Republic of Lithuania*.

In conversation with…

Every arbitration is a microcosm of potential procedural reform. Parties are given a very wide choice and the arbitral tribunal is given a very broad discretion. Because of that, international arbitration is much quicker and nimbler in meeting the demands of users than is possible through a national judiciary that depends on legislative reform, or a once-in-a-generation civil procedure rule reform. Every arbitration is an advance on the prior one and its evolution to meet user demand tends to be built into the system. Essentially, therefore, the system is self-correcting when it comes to meeting user expectations and needs.

There are consequences and costs of success. One of the consequences of going mainstream, as arbitration has, is that people are shining a spotlight on the arbitral process like never before. The arbitral process needs to make sure it measures up well while in the spotlight. There are increasing demands for transparency at a variety of levels. Users like predictability and predictability is difficult to achieve if you don't know what's going on in the vast majority of cases. Transparency has primarily been a demand in investment treaty arbitration but, in my view, it will increasingly be demanded of commercial arbitration as well. There will inevitably be calls for greater regulation of the process, including more and clearer guidelines. One of the challenges of the arbitral process is meeting those demands without losing the idea of arbitration, which is a process that can be a microcosm of potential procedural reform precisely because it is not subject to inordinate regulation.

Virtue has long been a participant in the arbitral process's capital. An arbitrator trades on virtue and has a self-interest in maintaining the highest possible standards. That Darwinist survival of the most virtuous is still a driver in the international arbitration process, but as the constituency of users and number of participants increases, the risk of unethical interventions from the one-time user or counsel becomes more serious.



John Savage QC
King & Spalding

Years in practice: 27
Years as an arbitrator: 19
Principal sectors: Energy, construction
Geographical areas of expertise: Global, with a particular focus on Asia
Admissions: England and Wales, Paris, Singapore (registered foreign lawyer – International Commercial Court)
Languages: English, French

John Savage QC (*pictured*) has more than 20 years' experience representing governments, corporations and high-net-worth individuals.

His practice has seen him acting as counsel on over 200 arbitrations in dozens of jurisdictions and under all major institutional rules. He has, however, developed a particular expertise in Asia, typically working for blue-chip multinational clients, such as Chevron Corporation, ConocoPhillips, General Electric, Samsung C&T Corporation and Shell.

Savage has done his own advocacy on all but one case in his career to date, something he describes as the best part of the job. In addition to his work as counsel, Savage has been appointed chair of the tribunal, sole arbitrator and co-arbitrator in more than 35 commercial and investment treaty arbitrations, in Asia and beyond. He is a director of the SIAC and one of two vice-presidents of the SIAC Court of Arbitration.

Aloke Ray QC
White & Case

Years in practice: 20
Principal sectors: International arbitration, construction, oil and gas, power, financial services, telecommunications
Geographical areas of expertise: India, Indonesia, Korea, UK, Middle East, Europe
Admissions: England and Wales, New York State Bar
Languages: English, Bengali

Appointed Queen's Counsel in March 2019, Aloke Ray is an industry expert in international arbitration within the construction, oil and gas, power, financial services and telecommunications sectors. Ray is partner and co-head of the international arbitration practice in London at White & Case. Dual qualified in England and Wales and the US (New York), Ray is an adept negotiator and talented tactical counsel.

Stephen Jagusch QC
Quinn Emanuel Urquhart & Sullivan

Years in practice: 29
Years as an arbitrator: 20
Geographical areas of expertise: Worldwide
Admissions: New Zealand, England and Wales

Stephen Jagusch QC is global chair of Quinn Emanuel Urquhart & Sullivan's international arbitration practice. An acknowledged industry leader in investment treaty disputes, he has acted both for and against sovereign states in hundreds of cases, both as counsel and arbitrator. Jagusch is particularly valued for his advocacy; he once extracted evidence of corruption during a cross-examination that led to the collapse of over $1bn worth of claims. Before joining Quinn Emanuel in 2013 he spent 12 years with Allen & Overy and five years with Freshfields Bruckhaus Deringer, including four in the firm's Paris office working under Jan Paulsson. He started his career as a litigator at Simpson Grierson in Auckland. He was appointed QC in 2016.

In conversation with…

'I have been accused of being an arbitration evangelist. I have stood in arbitration's corner; I have worn arbitration's trunks. I believe in the power of arbitration and the incalculable good it has achieved in the global economy and in the peaceable resolution of disputes. A global economy without international arbitration would be the scariest of all worlds.'

Thomas Sprange QC
King & Spalding

Years in practice: 18
Years as an arbitrator: Six
Principal sectors: Energy, IT, telecoms, construction, mining
Geographical areas of expertise: India, Russia and CIS, Australia, Turkey
Admissions: England and Wales, Ireland (current), New South Wales (not current)

Thomas Sprange QC (*pictured*) is a partner in King & Spalding's London office where he represents clients in a wide range of international disputes under local, private and public international law. Appointed Queen's Counsel in 2015, Sprange conducts all his own advocacy in international arbitrations and the bulk of his own advocacy in front of the English Courts.

He has acted as lead counsel in more than 100 international arbitrations in the leading arbitration institutes, and regularly appears as co- and sole arbitrator.

He trains in Muay Thai and has a vicious spinning back elbow.

In conversation with…

Arbitrating in London gives you access to predictability and the depth of analysis provided by the original and best common law system in the world (spoken by an Aussie!). The only real deficiency of the English law is it allows for too much irrelevant skirmishing before the substantive hearings and lack of precision in witness statement evidence.

There are increasing difficulties in enforcing awards against recalcitrant award debtors, particularly states. Lawyers like nice well written awards. Clients like cash.

I once observed a very senior Swiss chair of a tribunal and an illustrious English QC argue heatedly about whether it was appropriate to say to a witness: 'I put it to you sir that your evidence is a tissue of lies.' It was a clash of cultures and egos of titanic proportions.

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Stephen Fietta QC
Fietta

Years in practice: 22
Principal sectors: Public international law
Geographical areas of expertise: Worldwide
Languages: English, French, Italian

Appointed QC in 2019, Stephen Fietta is the founder and principal of international law boutique firm Fietta. He has worked at the forefront of public international law for almost 20 years, advising on cases before the International Court of Justice, International Tribunal for the Law of the Sea, European Court of Justice, European Court of Human Rights and multiple domestic courts. His many representations include acting for the claimant in one of the largest successful ICSID claims in history and acting for the investor in one of the largest ever successful investment arbitration claims against an EU state. From 1997 to 2002 he was legal adviser to the Home Office of the UK government, during which time he spent 18 months on secondment as the UK National Expert to the European Court of Human Rights in Strasbourg.

Paula Hodges QC
Herbert Smith Freehills

Years in practice: 28

Years as an arbitrator: 11

Principal sectors: Energy, mining, TMT, infrastructure, consumer products

Geographical areas of expertise: Europe, Africa, Asia

Paula Hodges QC is head of the global arbitration practice at Herbert Smith Freehills and has over 20 years' experience of advising on international disputes, particularly in the energy, telecommunications and technology sectors. While her particular areas of focus include Europe, Africa and Asia, she has helped clients in many jurisdictions, including Africa, Asia, Australia, Canada, France, Russia and the CIS, Sweden, Switzerland, the UK and the US.

A specialist in international arbitration, Hodges has represented clients in many jurisdictions in both ad hoc arbitration and in proceedings at major arbitral institutions, including London, Paris, Geneva, Zurich, Stockholm, New York, Dubai, Hong Kong and Singapore. Her wider disputes practice has seen her involved in several high-profile cases before the High Court in London, and she has also appeared before the Court of Appeal and Supreme Court.

Her advocacy skills were formally recognised in 2014 when she was appointed Queen's Counsel. In 2018, Hodges was appointed as the next president of the LCIA Court, effective May 2019. She has been a vice president of the Court for several years and also an LCIA board member for a decade.

In conversation with…

I am a great supporter of the LCIA and will be increasingly so as president. The LCIA plays a very important and increasingly global role in promoting the strength of London when it comes to arbitration. It is much more streamlined than many other institutions and very user friendly. Everybody knows what the arbitrators are paid and what the secretariat is charging.

I'm all for centres introducing technology but I think the benefits can be overstated. Camera problems, time-zone differences and the like make it awkward. Maybe I'm old fashioned but I would prefer to do cross-examination face-to-face. You don't get the same tension if you're doing it over video link, particularly if it's a major witness. As arbitrator it is even more important because you're making a judgement about the witnesses' credibility.

It is an honour and privilege to be working in arbitration. I get to visit different countries and experience their various different cultures, laws and ways of doing business. It is hard work keeping up with the developments but I would not have it any other way. It's a great area of the law to practise in. Young lawyers are waking up to that and want to get involved.

It is very positive to see a growing number of silks working in private practice. Long may it continue. I flirted with the idea of going to the Bar before deciding it wasn't for me. But I have always been interested in advocacy. I qualified in 1989, just as the new legislation was going through granting higher rights to solicitors as well. Herbert Smith Freehills has always been at the forefront of this. However, the wave of people applying for silk that we all expected when solicitors were granted higher rights has been very slow in coming. The Bar is still very strong and on mega litigation cases, clients invariably ask for a famous QC. Arbitration is a bit different. Solicitors are able to get much more advocacy experience in arbitration and I think that this will result in many more arbitration counsel applying for silk.

The main institutions are helping a lot on gender and age diversity but they all struggle to some degree when it comes to bringing through talent in developing markets and jurisdictions. Many of those institutions now have young practitioner organisations with a global membership. I have suggested that they try to pair experienced arbitrators and counsel with people from the more developing jurisdictions. For instance, I could start mentoring a young practitioner in a jurisdiction where there is a gap on the arbitrator list and where I am a frequent visitor. That person may then feel more comfortable in trying to break into the circle of established arbitrators. I think it is otherwise quite challenging to get to know the right people if you're from a market that is newer to arbitration.

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Nigel Rawding QC
Freshfields Bruckhaus Deringer

Years in practice: 34

Principal sectors: Oil and gas, mining, telecoms, banking and financial services

Geographical areas of expertise: Russia and CIS, Africa, Europe, North America

Admissions: England and Wales, Hong Kong

Nigel Rawding QC is one of the most widely respected practitioners in the field of commercial arbitration. His work includes numerous LCIA, ICC, UNCITRAL and ad hoc arbitrations and other cases, mainly as counsel but also occasionally sitting as arbitrator. He has also represented clients in a wide variety of UK High Court commercial litigation cases.

An experienced solicitor advocate, Rawding was appointed QC in 2016 in recognition of his advocacy skills. One seasoned arbitrator who has seen Rawding in hearings comments: 'In terms of techniques of persuasion he is a master craftsman. His style of advocacy is charmingly hypnotic. He is probing and firm while not being aggressive for its own sake. He certainly doesn't engage in histrionics.' Rawding says that rare opportunities to sit as an arbitrator have been invaluable in developing these skills. 'While conflicts and the pressures of running a busy practice can make it difficult to take appointments, it is invaluable experience for any arbitration counsel. Evaluating a case you are not arguing allows you to understand what works and what doesn't work in a hearing. You can see when advocates are overreaching or failing to acknowledge difficult points and problematic pieces of evidence. It helps drive home the point that the best way to establish credibility with a tribunal is to act with straightforwardness, courtesy and a degree of humility.'

Over more than 30 years working as counsel, including 27 as partner, a defining feature of Rawding's practice has been its unusual breadth. In addition to the traditional staples of oil and gas and extractives disputes, he advises regularly on telecoms cases and, increasingly, on arbitrations in the banking and wider financial services sector. His geographical scope is similarly broad. Rawding has spent time at Freshfields' offices in New York and Hong Kong, worked on significant matters in Russia and Nigeria and, most recently, handled complex cases in Europe and North America. In an increasingly competitive global disputes market, he remains confident that London will remain a leading choice of seat for international arbitration.

'Brexit should be seen as an opportunity for the UK arbitration community to consolidate its position by reminding users that the New York Convention will remain unscathed and any uncertainty as to the enforceability of court judgments post-Brexit does not affect arbitration awards', he says. 'English law continues to be a hugely popular choice for international commercial transactions and there is no reason to suppose that will change. Choosing London as the seat for resolving disputes is an easy and logical next step. However, there is no room for complacency. London-venue arbitration is not a cheap option and other jurisdictions have made increasing efforts to boost their popularity by modernising facilities and introducing latest-generation technology into the arbitral process. We have been somewhat more conservative in our approach and there is certainly a case to be made for more innovation in this area.

Penny Madden QC
Gibson, Dunn & Crutcher

Years in practice: 24
Years as an arbitrator: Ten
Principal sectors: TMT, energy, oil and gas
Geographical areas of expertise: US, Europe, Asia-Pacific, Africa
Languages: English, German

Co-chair of Gibson, Dunn & Crutcher's international arbitration practice group Penny Madden QC (*pictured*) represents clients across the globe in a wide variety of arbitration proceedings, handling a roughly even mix of commercial and investor-state matters. In addition to her work as counsel, she regularly sits as an arbitrator. Madden has acted on cases before the LCIA, ICC, UNCITRAL, ICSID, Permanent Court of Arbitration in The Hague, SIAC, HKIAC, and London Maritime Arbitrators Association.

Madden says talk of a post-Brexit decline in London-seated arbitration is misguided. 'We should be absolutely clear as a profession that there will be no enforcement issues under any post-Brexit outcome. Besides which, English Commercial Court judges are of a very high calibre and generally have a strong grasp of arbitration issues.'

She was appointed to Queen's Counsel in 2016, though was only able to submit her application because the Hatton Garden jewellery robbery had set off fire alarms in the area, forcing the Appointments Committee to extend the deadline by a day. Like many arbitration counsel, her career has had elements of a spy thriller. 'In our *Global Telecom Holding (GTH) v Algeria* case, the chief executive of the Algerian subsidiary fled from Algeria in the boot of a car, on the back of a camel and by crawling across the desert into Tunisia,' she recalls.

Arbitrators' Breakout Room of the International Arbitration Centre

Karyl Nairn QC
Skadden, Arps, Slate, Meagher & Flom

Years in practice: 31
Years as an arbitrator: 15
Principal sectors: Banking and finance, oil and gas, commodities, pharmaceuticals, telecommunications
Geographical areas of expertise: Worldwide
Admissions: Australia, England and Wales

The first woman to be appointed as the head of an international arbitration practice in London (where she co-heads Skadden, Arps, Slate, Meagher & Flom's international litigation and arbitration group), Karyl Nairn QC is regularly appointed as counsel or arbitrator in complex international cases. In 2015, she successfully defended the government of the Republic of South Sudan against expropriation claims arising from its succession from Sudan, leading to the successful dismissal of more than $1bn in claims brought by the Sudan National Petroleum Corporation (Sudapet). She also led a successful $100m ICSID arbitration claim on behalf of businessmen Rony Fuchs and Ioannis Kardassopoulos against the Republic of Georgia following allegations of entrapment, false imprisonment and torture. In addition to her work as counsel and arbitrator, Nairn is a seasoned High Court litigator who led Roman Abramovich's defence against claims brought by former Russian oligarch Boris Berezovsky in the largest private litigation case in British legal history. Nairn served as a member of the ICC International Court of Arbitration from 1999 to 2015, including as a vice president. She is a member of the advisory board of JUSTICE, an all-party law reform and human rights organisation and charity dedicated to strengthening the justice system in the UK.

Louis Flannery QC
Stephenson Harwood

Years in practice: 28

Years as an arbitrator: 13

Principal sectors: International commercial transactions, investment treaty cases, banking and financial disputes, agency agreements, joint ventures, partnership disputes

Geographical areas of expertise: Worldwide

Languages: English, French, Spanish, Hebrew, Russian, German

Appointed Queen's Counsel in 2018, Louis Flannery is partner and head of international arbitration at Stephenson Harwood. He specialises in arbitration and litigation, with a particular focus on fraud and conflict law issues, and has extensive experience of international commercial arbitration under all major institutional rules, as well as substantial advocacy experience before international tribunals and courts, including the High Court and Court of Appeal. Perhaps most notable among Flannery's many cases was *Fiona Trust*, a seven and a half year legal battle dubbed 'the shipping trial of the century' by *The Times* that eventually saw Flannery and his client, Dmitry Skarga, win victory in the Court of Appeal.

In conversation with…

I started life as a mixed practitioner in Reigate and spent my first five years in practice being eviscerated by judges and magistrates in the courts of South London and Surrey. It was not the most glamorous of settings but I don't think there is any better training as an advocate.

The skills required of a good cross-examiner have changed a lot in recent years. When I learnt the art of cross-examining, trials had almost no contemporaneous documents to draw on, and most evidence was based on witness's recollections. Now, every single communication is documented and stored. Cross-examining a witness to establish where they were or what they said at a given time is redundant. Cross-examination is now more concerned with one's ability to assemble meaning from a confusing mass of information rather than elicit new information.

The best advertisement for the integrity of international commercial arbitration is that, in 98% of cases, awards are unanimous. That is a superb demonstration of integrity. It means that, as a matter of empirical fact, arbitrators do not regard themselves as beholden to their appointing party.

I can't sit in respectful silence as arbitrator. Unless the submissions are first class and the cross-examinations are going at pace, I will intervene.

During the *Fiona Trust* case, a Russian client was being cross-examined about allegedly receiving a contribution toward the cost of his wife's flat in Moscow. The cross-examiner, who is now a High Court judge, said, 'I put to you that it was a bribe, and I put it to you that you accepted this bribe to please your wife'. My client, who was rather large and tough looking, stood up and stared at him. After a brief and very uncomfortable silence he said, 'I have other ways of pleasing my wife' (accompanied to much laughter). The cross-examiner later confided to me it was first time he'd been utterly floored by a response from a witness.

The Savoy bar has named a cocktail after me. You can go to the Savoy American Bar and ask for a Louis Flannery QC. It's whiskey, calvados, lemon juice, and bitters.

I once chaired a tribunal hearing in Dar es Salaam in a Tintin t-shirt after my luggage was held up in Nairobi.

> "I once chaired a tribunal hearing in Dar es Salaam in a Tintin t-shirt."

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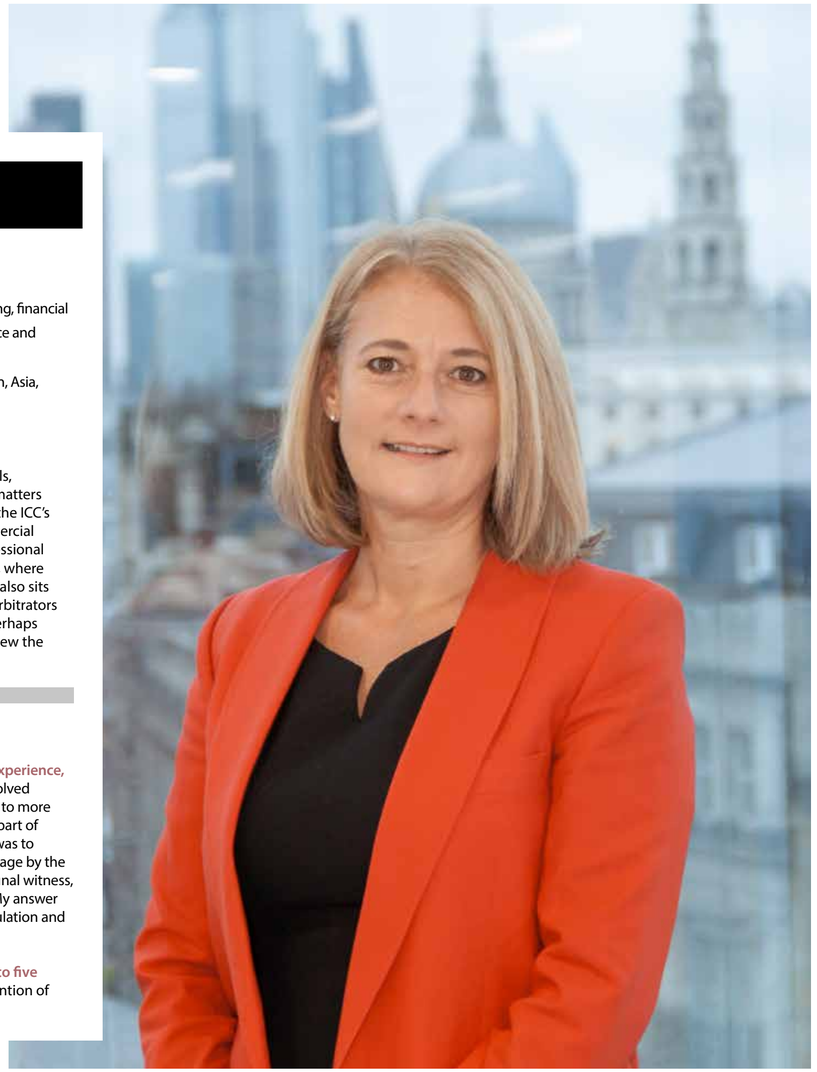

Wendy Miles QC
Debevoise & Plimpton

Years in practice: 25
Years as an arbitrator: 15
Principal sectors: Energy, natural resources, gaming, manufacturing, financial services, pharmaceutical, licensing, telecommunications, insurance and construction
Geographical areas of expertise: UK, Europe, Russia, the Caribbean, Asia, Africa, New Zealand, US
Admissions: England and Wales, New Zealand

Wendy Miles QC has spent 25 years representing multinationals, sovereign states and state entities in public international law matters across a range of sectors. Miles is currently a vice president of the ICC's Court of Arbitration and regularly sits as an arbitrator in commercial disputes. She is a representative member to a number of professional bodies, including the ICC Commission on Arbitration and ADR, where she co-chairs the task force looking at costs in arbitration. She also sits as chair of the board of trustees of the Chartered Institute of Arbitrators (of which she is also a Fellow). Of her many representations, perhaps the most notable was advising South Sudan in a case that redrew the boundaries of the oil-rich Abyei region.

In conversation with…

Every single case is interesting and provides its own unique experience, but one particularly memorable experience in South Sudan involved the local administrator identifying and providing us with access to more than 30 witnesses for interview about traditional land usage as part of a tribal mapping exercise in a boundary dispute. The objective was to collect detailed evidence about traditional land and resource usage by the particular tribes over a 200km^2 territory. When we reached the final witness, the administrator asked if we needed to speak to anyone else. My answer was 'yes, a woman'. Our interviews had omitted 50% of the population and 50% of the users of the lands and resources we were mapping.

I left New Zealand in 1998 and intended to be away for two to five years, but instead have stayed 20 years in London with no intention of leaving anytime soon.

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Sophie Lamb QC
Latham & Watkins

Years in practice: 18
Principal sectors: Energy, oil and gas, mining, automotives, telecoms, pharmaceuticals, financial services
Geographical areas of expertise: Europe, Asia-Pacific, Africa, US
Languages: English, French

Sophie Lamb QC is global co-chair of the international arbitration practice at Latham & Watkins. Widely acknowledged as one of the leading arbitration practitioners of her generation, Lamb is frequently involved in novel cases that push the boundaries of law or involve issues of wider public interests. As counsel, she has represented high-profile clients including the Republic of Korea, ExxonMobil, and Mobile TeleSystems in some of the most prominent and complex arbitrations of recent years. She also acts in complex commercial, corporate and international litigation, and appellate cases in the English and overseas courts. She began her career as a barrister at One Essex Court, where she worked closely with Lord Grabiner QC, and has appeared as advocate at every level in the English courts, including the Supreme Court. Lamb serves as the UK representative member of the ICC International Court of Arbitration and a member of the ICC UK policy committee. She was appointed Queen's Counsel in February 2018.

In conversation with…

Arbitration has given me the opportunity to get involved in climate change justice and, more broadly, to work at the intersection between human rights, business and what it means to be a responsible corporate actor. Over the last couple of years, I have been involved in transformational cases that raise issues of multinational responsibility for pollution and other human rights impacts taking place outside the UK. Thinking of legal frameworks that address changing public expectations of corporate actors is very exciting.

Philip Clifford QC
Latham & Watkins

Years in practice: 26

Years as an arbitrator: 18

Principal sectors: Oil and gas, energy, construction

Geographical areas of expertise: Russia and CIS, Middle East, Europe, China

One of London's leading international arbitration specialists, Philip Clifford QC advises on complex, cross-border disputes arising out of the oil and gas, power, and construction industries, as well as shareholder, joint venture, and M&A disputes across a range of sectors and regions. With particular expertise in energy, he regularly represents clients in cross-border matters ranging from international gas-supply contract disputes to construction and nuclear disputes. In addition to his work as counsel, he often sits as an arbitrator and is currently a UK representative on the ICC Commission on Arbitration. He is co-author of a leading text on the LCIA Arbitration Rules, a Fellow of the Chartered Institute of Arbitrators and a solicitor advocate. He has previously served both as global co-chair of Latham & Watkins' international arbitration practice, as well as chair of the London litigation and trial department. Clifford began his career working under John Beechey at Clifford Chance and was among the first generation of UK-based lawyers to work in a truly dedicated arbitration team. He was appointed Queen's Counsel in February 2018.

In conversation with…

I am very focused on leading from the front, being in charge of the team and acting as lead advocate. A lot of firms fall into the leveraged model where if you're lucky you'll get the main counsel back at the end. That's not the way we operate. I don't just start the case then bugger off and leave it to others.

I recently attended an LCIA dinner for alumni of the first young arbitration group. The YIAG [Young International Arbitration Group] was formed by several of that generation, who were motivated to make a name for themselves and step away from acting as understudies. The group contained people like Toby Landau and Constantine Partasides. At the time, we were the young up-and-coming generation and it was a rather small and collegial group. We are now the established names in the field and the YIAG has grown to become a very broad and diverse organisation.

Having seen the rise of London as a disputes centre, I am constantly aware of how much of what is taken for granted today was, not so long ago, seen as faddish and transient. For example, treaty arbitration only started partway through my career. There is an awful lot said and written about the subject now, but I remember when people said it would be a flash in the pan!

I see no serious challenge to London's place as the leading centre for international disputes. The combination of things that would have to happen to seriously affect London's place in the world of disputes – including the collapse of the banking industry, a decline in the use of English language and English law, and the introduction of a credible alternative centre – are so unlikely to happen cumulatively that today's arbitration counsel are not likely to see it in their lifetimes.

There is no treaty for the enforcement of court judgments with the global reach of the New York Convention, and there is no substitute for arbitration if you want enforceability. You just will not see people comfortable litigating in the courts of the opposing party's state, and as global business and trade grows, it is inevitable that arbitration will grow with it.

For all the criticisms of arbitration becoming lengthier and more costly, the reality is if you make something quicker and cheaper you damage the quality. Counsel and end-users need to think about what they are trying to accomplish by arbitrating in the first place. Do they want an untried and untested system, or one that is proven to work well over thousands upon thousands of cases?

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Arbitrators' Breakout Room of the International Arbitration Centre

Matthew Weiniger QC
Linklaters

Years in practice: 24

Years as an arbitrator: Ten

Principal sectors: Energy, financial services

Geographical areas of expertise: UK, Russia and former CIS states, Africa, Singapore

Languages: English, French, Spanish

Matthew Weiniger QC is the global co-head of international arbitration at Linklaters. He specialises in international arbitrations, public international law, and trade law, while also advising on non-contentious matters involving the protection of investments under public international law. He has particular expertise in investment treaty arbitrations.

Weiniger has conducted numerous international arbitrations – both ad hoc and institutional – in cases arising from all major industry sectors, in particular energy and financial services. Much of his experience has been gained in emerging markets.

Recent work highlights include representing Malaysia in its successful arbitration against Singapore arising out of the Malaysia-Singapore Points of Agreement of 1990. The value of the dispute was over US$1.5bn and the matter was heard under the Permanent Court of Arbitration Optional Rules for arbitrating disputes between two states. Weiniger also acted for Eurotunnel in *Eurotunnel v France and Great Britain* (a Permanent Court of Arbitration-administered arbitration). Eurotunnel succeeded in its claim against Great Britain and France for breaches of it concession agreement and the treaty under which the concession was granted. The breaches arose out of the problems Eurotunnel faced in relation to clandestine migrants and the Sangatte hostel.

David Kavanagh QC
Skadden, Arps, Slate, Meagher & Flom

Years in practice: 28

Principal sectors: Oil and gas, TMT, banking and finance

Geographical areas of expertise: UK, Europe, US

Global co-head of Skadden, Arps, Slate, Meagher & Flom's international litigation and arbitration group, David Kavanagh QC has acted on some of the largest and most complex arbitration disputes of the last decade. The cases on which Kavanagh acts often have consequences that spread far beyond the parties involved. In 2011, he secured an injunction on behalf of Alfa-Access-Renova (AAR), a 50% stakeholder in TNK-BP, to prevent BP from partnering with Russian state-owned oil company Rosneft to explore Russia's Arctic shelf. In June 2016, he was part of the Skadden team that helped Docomo, Japan's largest telecoms company, win an award for damages in its LCIA arbitration against India's Tata Sons over breach of shareholder agreement. The case resulted in one of the largest LCIA awards in recent years ($1.2bn), made headline news in India and has been heralded as a vindication of both investor rights and the enforceability of arbitration awards in India. Kavanagh's broader practice sees him represent major investment banks and hedge funds in financial litigation, often in the High Court, and advising on civil and criminal investigations under the UK Bribery Act and US Foreign Corrupt Practices Act.

Reza Mohtashami QC
Three Crowns

Years in practice: 21
Years as an arbitrator: 12
Principal sectors: Energy (oil and gas upstream and power generation), telecoms, infrastructure
Geographical areas of expertise: Middle East, Africa, Asia
Admissions: Senior courts of England and Wales, solicitor advocate, Queen's Counsel, courts of the Dubai International Financial Centre
Languages: English, Farsi, French

Reza Mohtashami QC has a global practice focusing on disputes arising in emerging markets, particularly the Middle East and Africa. He regularly represents international companies in the energy and telecoms sectors, as well as Middle Eastern authorities and ministries. Prior to joining Three Crowns in 2018 he worked at Freshfields Bruckhaus Deringer's offices in London, Paris, New York and Dubai, where he established the firm's global arbitration practice in the Middle East. The practice has since expanded from one partner, Mohtashami, to a successful office with two partners, a counsel and 15 associates. His recent experience includes obtaining a $1.98bn award on behalf of Crescent Petroleum and Dana Gas in an LCIA arbitration brought against the Kurdistan Regional Government; securing a successful settlement on behalf of Beijing Urban Construction in an ICSID arbitration against the Republic of Yemen following a landmark decision on jurisdiction; and acting as lead counsel to an East Asian national oil company in an UNCITRAL arbitration against an IOC in relation to the development of a gas field in the East China Sea. He is an officer of the IBA arbitration committee, a trustee of the DIFC-LCIA Arbitration Centre and co-authored the book *Guide to the LCIA Arbitration Rules*.

In conversation with…

I qualified as an English solicitor then promptly left to practise abroad. In my 16 years away I spent eight years in Paris, two years in the US and six years in Dubai (all at Freshfields) before returning to practise in the UK. That has given me a varied insight and broad experience into the world of international arbitration. London still retains certain characteristics and idiosyncrasies when it comes to arbitration, many of which are unfamiliar to those who practise elsewhere. There is, for example, a London way of conducting the procedure with pleadings submitted first followed by an exchange of evidence, which is the default under the LCIA rules, which is alien to practise elsewhere in Europe. You also have the influence of the split profession. I have done many cases seated in London against solicitor firms who have instructed counsel. Of course it happens elsewhere, particularly in the Middle East, largely as a consequence of the influence of English firms, but it is more unusual in European-seated or North American-seated arbitrations.

My decision to join Three Crowns was very much driven by a desire to practise at a firm that is focused on my business, which is international arbitration, without having the complications of being a partner in a full-service law firm. I suspect that more litigation and arbitration practitioners will think about changing their practice toward a setup that's focused on disputes. Some may go to the Bar, others may go to boutiques or specialist law firms, but the trend will continue. For those wishing to take appointments as arbitrator it also significantly reduces the conflicts footprint. At a large international firm the prospects of accepting an appointment on a decent-sized case as arbitrator without any of the involved parties having some relationship with the firm is very slim indeed.

There are many good female arbitrators practising at law firms, at the Bar or in academia, who are eligible for consideration as arbitrators. The importance of gender diversity among arbitrator panels and practitioners has now been recognised almost universally and substantial efforts have been made to address it, although the goal of gender balance is some years away. However, the significant imbalance in geographical diversity has not yet been recognised so widely. The fact remains there are just not enough appointments of arbitrators coming out of Africa, Asia or the Middle East, to name just the three regions with which I am most familiar. People tend to default to the usual suspects, which means going to London or Paris or the other established centres in Europe and drawing from the established pool. There are good arbitrators coming out of Asia, Africa and the Middle East – not in great numbers but they are there. They need to receive more appointments so they can get more experience and this would also encourage other practitioners in those regions to consider sitting as arbitrators.

In the solicitor community, there is reluctance among practitioners to apply for silk. I would encourage more practitioners to apply. The QC assessments panel has made it clear what the criteria are and that has made it possible for solicitors to see whether they have the requisite experience to apply. It is now possible to apply without any exposure to advocacy in the English courts. At present, solicitor advocates getting silk represent a tiny proportion of the overall number. In my year (2018), only five out of approximately 110 were solicitors (representing the successful candidates resulting from only ten solicitors who applied). It is still likely that most solicitor silks will come from the arbitration side of the practice because they are likely to have more significant advocacy opportunities.

Rooftop Lounge of the International Arbitration Centre

Natalie Sheehan, Freshfields Bruckhaus Deringer – Roof Terrace of the International Arbitration Centre

RISING STARS

Claire Morel de Westgaver
Bryan Cave Leighton Paisner

Years in practice: Ten
Years as an arbitrator: Two
Principal sectors: TMT, real estate, IP, hospitality
Geographical areas of expertise: UK, US, Europe, Africa
Admissions: England and Wales, New York Bar

One of the rising stars of Bryan Cave Leighton Paisner's disputes practice, Claire Morel de Westgaver regularly advises on arbitrations relating to joint ventures, licences, cross-border sale or service agreements, investments, and human rights. She has particular expertise in technology disputes and arbitrations involving questions of cyber security. These, she says, will be increasingly important areas for international arbitration. 'Beside the uncertainties around ISDS, the biggest issue facing [the industry] is the digitalisation of dispute resolution, for example in terms of the use of technology in case assessment and arbitral proceedings, and in protecting the integrity of proceedings and proprietary information from cyber threats.'

A Belgian citizen, dual-qualified in both England and Wales and the US (New York), her practice tends to focus on the UK, US, Europe, and Francophone Africa, though she has acted as counsel in proceedings conducted under the rules of all major arbitral institutions and under the national laws of multiple jurisdictions, including China and Pakistan.

Morel credits her rapidly growing profile in the world of international arbitration to the support of her colleagues at BCLP. 'The very first case I was involved in [at the firm] exposed me to some impressive arbitrators and an absolutely fabulous team. I will forever remain grateful to my colleague, a brilliant advocate and great strategist, for the opportunity to cross-examine witnesses on such an important high-stakes case. These were my first cross-examinations and I was very intimidated but honoured to perform before such eminent arbitrators and counsel. Even though I was (secretly) pregnant with my third child and was suffering from severe sickness, I have only fantastic memories of this hearing.'

As a multi-cultural, multi-lingual woman working below partner level, Morel has seen first-hand how different perspectives can improve the quality of a firm's service. 'Diversity clearly has a positive impact on the quality of the arbitral process as it does for any type of business or organisation. Imagine a debate on a topic such as the death penalty or Brexit involving three people of the same gender and nationality who went to the same university roughly around the same time. Now imagine a debate over the same topic involving three people of different age, gender, and origins. This is why diversity in international arbitration matters. It improves the quality of the deliberations and ultimately the process.'

Rooftop Lounge of the International Arbitration Centre

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Hanna Roos
Quinn Emanuel Urquhart & Sullivan

Years in practice: Ten

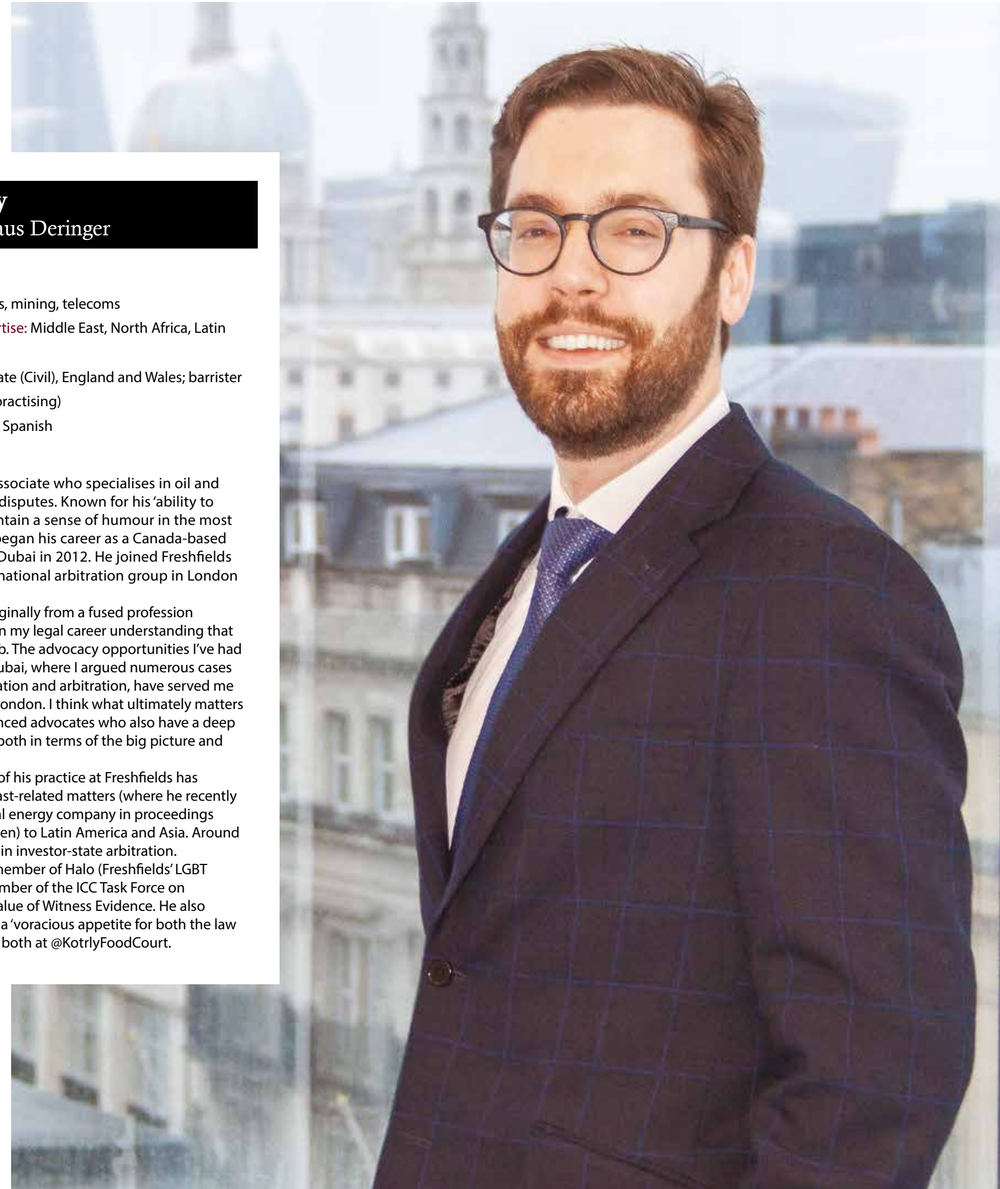
Principal sectors: Pharmaceuticals, life sciences, oil and gas, renewable energy, construction, nuclear, commodities, mining, satellite, insurance, telecoms, private equity

Geographical areas of expertise: Sub-Saharan Africa, Middle East

Hanna Roos specialises in high-value international arbitrations in a range of sectors – particularly energy, pharmaceuticals, and life sciences. Her wider practice covers construction, nuclear, commodities, mining, satellite, insurance, banking, telecoms, and private equity. She has published research on cyber security and arbitration, and sits on the conflict prevention and resolution arm of a working group that recently produced the well-received Cybersecurity Protocol for International Arbitration. Several of the arbitrations on which she has acted have been highly significant in their potential contributions to a range of issues in cross-border dispute resolution. In 2017, Roos served as external lecturer to an international masters programme in pharmacology at two Italian universities, drawing on her academic research in the field. For this work, Professor Tim Cox of the department of medicine at Cambridge University has labelled Roos 'one of the most significant thinkers' of her generation.

In conversation with…

I started doing medical research in Cambridge while pursuing my law degree. My research looked at strategies for encouraging innovative drugs, particularly in connection with rare diseases. The US introduced legislation to encourage pharmaceuticals to invest in rare-disease treatments with the Orphan Drug Act of 1983, which was followed by analogous EU legislation in 1999. It was one of the most successful pieces of legislation and generated a number of life-saving treatments, but many governments, particularly in the EU, were not prepared to purchase them due to the expense involved. My research developed arguments to justify the purchase of such treatments so that patients with rare diseases would not be marginalised. Access to drugs and pharmaceutical innovation have since become very hot topics, and it is fascinating as a lawyer to see how intrinsic issues in ethics such as the right to life, access to medicine, and innovation have transformed into a mainstream field in the pharma industry.'



Michael Kotrly
Freshfields Bruckhaus Deringer

Years in practice: Ten

Principal sectors: Oil and gas, mining, telecoms

Geographical areas of expertise: Middle East, North Africa, Latin America, UK, Canada

Admissions: Solicitor advocate (Civil), England and Wales; barrister and solicitor, Ontario (non-practising)

Languages: English, French, Spanish

Michael Kotrly is a senior associate who specialises in oil and gas, mining, and telecoms disputes. Known for his 'ability to stay level-headed and maintain a sense of humour in the most stressful of situations,' he began his career as a Canada-based litigator before moving to Dubai in 2012. He joined Freshfields Bruckhaus Deringer's international arbitration group in London 18 months later.

Kotrly comments: 'I'm originally from a fused profession (Ontario, Canada), so I began my legal career understanding that advocacy was part of the job. The advocacy opportunities I've had practising in Toronto and Dubai, where I argued numerous cases as sole counsel in both litigation and arbitration, have served me well in my practice here in London. I think what ultimately matters to clients is to have experienced advocates who also have a deep understanding of the case, both in terms of the big picture and also in terms of the detail.'

The geographical scope of his practice at Freshfields has extended beyond Middle East-related matters (where he recently represented an international energy company in proceedings against the Republic of Yemen) to Latin America and Asia. Around 80% of his work is currently in investor-state arbitration.

Kotrly is a proud senior member of Halo (Freshfields' LGBT network group) and is a member of the ICC Task Force on Maximising the Probative Value of Witness Evidence. He also describes himself as having a 'voracious appetite for both the law and food' and tweets about both at @KotrlyFoodCourt.

Emma Martin
Ashurst

Years in practice: Nine
Principal sectors: Energy, mining/resources, construction/infrastructure, public international law
Geographical areas of expertise: Scandinavia, Africa
Languages: English, Spanish

Emma Martin has extensive experience of arbitrations seated in Scandinavia and/or subject to Scandinavian substantive and procedural laws. She has acted as co-counsel in four such arbitrations over the last eight years, one of which involved the consolidation of seven different proceedings. She has counselled on commercial and investment treaty disputes in North and West Africa and has advised on arbitrations relating to projects based in South, East, and West Africa. Many of her cases take place in the energy sector, and she has particular experience of gas price reopeners, liquefied natural gas, and renewables disputes. She also has experience in the mining, telecoms, and construction and infrastructure sectors.

Martin has acted as part of the lead advocate team on all three of her most recent cases, conducting cross-examination and delivering opening and closing submissions. She will also play this role in her current matters, two of which are due to go to hearing in 2020 and 2021.

In conversation with…

International arbitration is in need of modernisation. It was initially promoted as a more efficient alternative to litigation. However, the pace with which the modern world, and technology in particular, has developed, renders certain arbitral practices and procedures outdated. There is a lack of guidance as to the production of electronic documents in particular. As a result, parties can use the document production process tactically – particularly where electronic documents are involved – as a means of creating satellite disputes, causing delay, and increasing costs. Tribunals need to take an active role in case management, and seek to foresee and address procedural issues that may arise from an early stage. Institutions and Bar associations also need to update their rules and guidance to address modern-day complexities, in a manner that clarifies the scope of the parties' duties and closes the gap which can be used to frustrate the process.

A successful arbitration requires effective collaboration among the legal team, which may include colleagues in other practice areas who have specialist sector expertise, with co-counsel based in other jurisdictions and time zones, and who may come from a different legal background, and with the client team. Involving the client in the collaborative approach to a case is particularly important as they will often have valuable insight that will be lost if they are not treated as an equal. Technology can ensure the client remains fully integrated in the legal team, and is able to play an active role in how the proceedings are conducted.

I worked on a Norwegian ad hoc arbitration a few years ago. The dispute arose under a long-term gas sales and purchase agreement that had been amended to change, among other things, the substantive governing law from English to Norwegian law. The case enlightened me to the difference in approach between lawyers from civil law and common backgrounds, and to the importance of arbitration practitioners having a full understanding of the applicable procedural laws in play. It is only with a proper understanding of such things that we can avoid users of the arbitral process being caught by surprise and ensure a level playing field.

Arbitration is presently subject to unprecedented levels of public scrutiny. In recent years, we have seen the US withdraw from the Trans-Pacific Partnership and seek to renegotiate the North American Free Trade Agreement; the European Commission start infringement proceedings against a number of member states, asking them formally to denounce their intra-EU bilateral investment treaties (BITs); and the European Court of Justice issue a decision that intra-BITs infringe EU law. A number of states, either influenced by such a decision, or concerned more generally about the rise in multimillion (or even billion) dollar awards obtained by investors, have sought to renegotiate, or even terminate their BITs. All 28 of the EU member states have agreed to terminate their intra-EU BITs; some states have withdrawn from ICSID; and others from the Energy Charter Treaty. All of this creates uncertainty for foreign investors, and threatens to undermine the arbitral process more generally. Of course, every state will differ in how it seeks to deal with these issues and it is here that Brexit may present a particular opportunity for arbitration – will it mean that commercial parties opt to arbitrate where they would have before referred their disputes to the English courts? Will foreign investors seek to invest through the UK (or to enforce their awards under intra-EU BITs) so as to avoid the consequences of Achmea? Only time will tell.

On a recent business trip to visit a client's solar plant in Morocco, I was mistaken for a TV actress by the customs officer. He was less than impressed when I 'fessed up that I was 'just' a lawyer!

> "I was mistaken for a TV actress by a customs officer in Morocco."

Rooftop Lounge of the International Arbitration Centre

Nathalie Allen Prince
Boies Schiller Flexner

Years in practice: Ten

Principal sectors: Telecoms, engineering, finance, gaming, investor-state treaty arbitrations

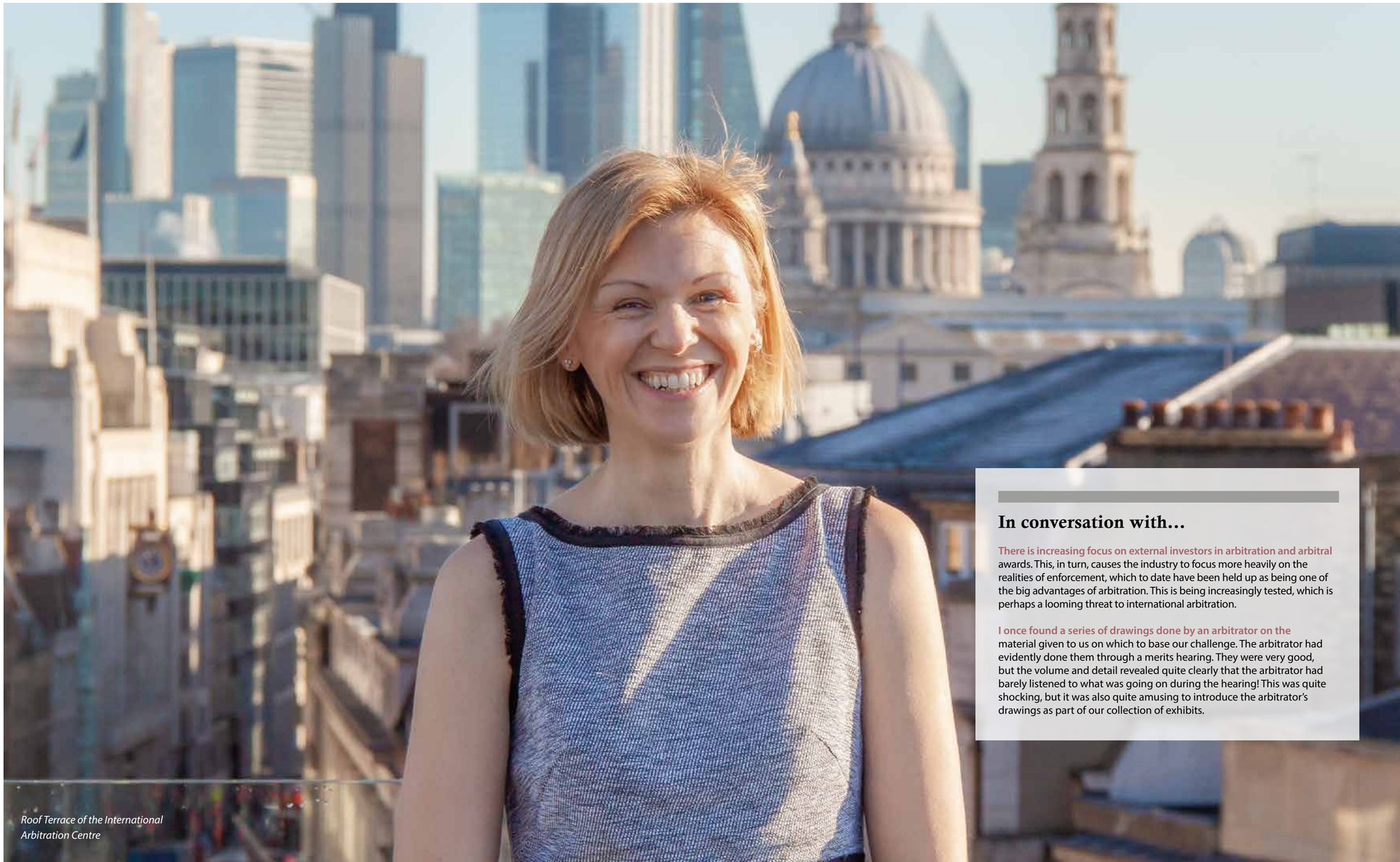
Geographical areas of expertise: International, but with an African and European focus

Nathalie Allen Prince regularly acts as counsel under numerous arbitral rules and enforcement proceedings in different jurisdictions. She has significant experience in commercial and investor-state arbitrations and represents clients in many different industries, including manufacturing, licensing, telecommunications, insurance, construction, energy, and finance.

Her standout matters include (when at Wilmer Cutler Pickering Hale and Dorr) successfully challenging the chair of the tribunal at the quantum stage. 'This was a very high hurdle and the process of challenging under the ICC rules was very interesting and complex,' she comments. 'It was also very difficult to find out much about prior successful and unsuccessful challenges. The case continued to be interesting because we successfully managed to have certain merits issues effectively reconsidered by virtue of the quantum analysis, resulting in the damages awarded against our client being halved from the original amount requested.'

At Boies Schiller Flexner, she worked on an UNCITRAL arbitration arising out of the termination of a contract. As the legality of such termination was also under consideration by certain African courts, she and the team successfully fought an anti-enforcement injunction. The team was successful in the High Court and in the Court of Appeal, which resulted in successful settlement of the arbitration. The issues under consideration in the arbitration, the English court, and the African courts were complex and overlapped heavily, which made for a very tricky and delicate representation of their client.

> "I once found a series of drawings done by an arbitrator who had evidently barely listened to what was going on during the hearing!"



Roof Terrace of the International Arbitration Centre

In conversation with…

There is increasing focus on external investors in arbitration and arbitral awards. This, in turn, causes the industry to focus more heavily on the realities of enforcement, which to date have been held up as being one of the big advantages of arbitration. This is being increasingly tested, which is perhaps a looming threat to international arbitration.

I once found a series of drawings done by an arbitrator on the material given to us on which to base our challenge. The arbitrator had evidently done them through a merits hearing. They were very good, but the volume and detail revealed quite clearly that the arbitrator had barely listened to what was going on during the hearing! This was quite shocking, but it was also quite amusing to introduce the arbitrator's drawings as part of our collection of exhibits.

Robert Meade
Bracewell

Years in practice: Eight

Principal sectors: Energy, with a focus on oil and gas

Geographical areas of expertise: Europe, Africa, Middle East, Asia

Robert Meade is a senior associate with Bracewell. He handles high-stakes international disputes in the oil and gas exploration, midstream, and downstream sectors, as well as disputes related to infrastructure, construction, and international trade. His experience includes representing clients in disputes concerning joint operating agreements, production-sharing contracts, and construction contracts, and on issues arising out of joint ventures and asset acquisitions. Meade has acted on a number of international arbitrations under the LCIA and ICC rules as well as disputes in the English High Court.

Having started his career at Ashurst in 2009 as a trainee, Meade is one of the most promising young counsel on the London scene.

In conversation with…

The best thing about the UK as a place to arbitrate is that it is a known quantity with respected, pro-arbitration courts and a strong bench of arbitration practitioners with an international focus. English law gives emphasis to the words of the contract and will hold parties to their bargains. When the majority of commercial disputes turn on the interpretation of contractual clauses, this becomes important. Party autonomy and contractual freedoms are also protected.

National courts are a threat to arbitration. The English courts, for example, have taken steps to streamline their procedures, which has increased their competitiveness. If arbitrators and arbitration counsel don't take steps to ensure the efficiency of the arbitral process, parties might opt to refer their disputes to the national courts instead.

Leilah Bruton
Freshfields Bruckhaus Deringer

Years in practice: 15

Principal sectors: Energy, telecoms

Geographical areas of expertise: UK, Africa, Middle East

Languages: English, French, Spanish

Senior associate Leilah Bruton (*pictured*) is a member of Freshfields Bruckhaus Deringer's international arbitration and public international law teams. She has represented clients in numerous investor-state and commercial arbitration matters in both institutional and ad-hoc commercial arbitrations. Her practice has a particular emphasis on energy and telecoms disputes in Africa and the Middle East, encompassing construction, environmental, handover and cost-recovery claims, tax disputes, end-of-life disputes, production-sharing contract disputes involving government and state-owned entities, and disputes arising from adverse state interference in long-term oil and gas contracts. Her clients include major and super-major oil and gas companies, as well as large independents. Bruton commands a strong reputation for technical excellence in the market and is a rising star of the Freshfields team. She regularly presents and teaches, and publishes articles on commercial arbitration topics. Based in London, she has previously spent time in the firm's Amsterdam and Paris offices.

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Rooftop Lounge of the International Arbitration Centre

Myfanwy Wood
Ashurst

Years in practice: Nine

Principal sectors: Energy, mining, construction/ infrastructure, public international law

Geographical areas of expertise: Africa, Europe, Asia-Pacific

Admissions: Australian practising certificate

Languages: English, Spanish, French

Myfanwy Wood is a senior associate in the dispute resolution group at Ashurst with particular expertise in arbitrations in Africa or involving Africa-based parties. Her recent work has involved parties from Angola, Nigeria, Zambia, Sierra Leone, Ghana, and Morocco. Predominantly, these disputes concern oil and gas, renewables, infrastructure, construction, and mining. As a result, she has considerable expertise in the technical aspects of the energy sector, particularly offshore exploration and production, and other energy and resource-related matters, and in successfully bringing together very large scale and complex technical disputes in foreign jurisdictions. 'It is important to thoroughly understand the industries in which clients work and equally as important to understand the technical aspects of a project in order to give accurate and commercial legal advice,' comments Wood. 'I also find the science and technology behind such projects fascinating. I never cease to be impressed with the type of projects my clients operate.'

Wood's clients include public and private multinational oil and gas companies, global mining companies, and other leading infrastructure and energy corporations. 'When a dispute is governed by local law I work closely with talented local legal practitioners to achieve the best outcome,' she adds. 'Working with local legal practitioners is also a great source of knowledge with respect to the political climate, and helps one to better understand differences in legal and commercial cultures.'

In addition to her work in Africa, Wood also has significant experience advising on disputes in Europe, Asia, and Australia in relation to major energy and infrastructure projects, including the nuclear industry, having worked on one of Europe's largest nuclear facilities.

In conversation with…

One of the biggest issues facing arbitration at the moment is an increased scepticism and sometimes hostility toward investor-state disputes from states themselves. We see this for example with states such as South Africa, Indonesia, Italy, Bolivia, Ecuador, Venezuela, and Russia withdrawing from either ICSID, BIT, or other agreements such as the ECT. We have also seen it in relation to a rejection of the investment court system proposed as part of CETA and increased scrutiny of trade agreements in general, particularly from the US. In some cases this can reasonably be attributed to lack of awareness on the part of the state as to the ramifications of certain provisions contained within particular BITs or other treaties when they were agreed. It is, for example, reported that when Pakistan was sued under the Switzerland BIT, Pakistan did not have a copy of that agreement and had to request one from Switzerland. Promoting a greater understanding of how particular trade agreements work and how they can be advantageous to states as well as to investors will be important over the coming years.

The concept of party autonomy is at the heart of arbitration and it is from that autonomy that certain efficiencies stem. For example, parties can usually dictate their timetable, limits on particular evidence or other documents, the adoption of different models to conduct proceedings, and many other elements. There is sometimes, however, a tendency for institutions and practitioners to impose overly formal or time-consuming steps which might not be necessary for a particular dispute or in the best interests of achieving a commercial outcome.

Arbitration and its community is working hard to make arbitration more appealing as a form of dispute resolution to a broader range of sectors. Inroads are, for example, being made with respect to financial institutions; the concept of summary judgment is an important step forward in that respect. Also, in areas such as employment law, adapting arbitration to suit the particular disputes that arise in that area of law will be important to ensuring that arbitration continues to expand.

An important step to improving diversity is to recognise how much law firms can play a part in promoting the issue. In the days leading up to the official launch of the Pledge, I was involved in the second International Women's Conference at UNESCO in Paris where this issue was discussed. It is a lot easier for clients and institutions to choose female arbitrators and practitioners if law firms actively promote and encourage their female practitioners. At Ashurst, I am active with the Women's Network Committee which helps foster successful careers for women at Ashurst. However, things are changing and those changes are visible. In a recent arbitration we conducted in Africa our team was led by local female counsel and the team was made up predominately of women, including the client.

> "Things are changing. A recent arbitration we conducted in Africa was led by local female counsel and the team was mostly women, including from the client's side."

Nicholas Lawn
Skadden, Arps, Slate, Meagher & Flom

Years in practice: 13

Principal sectors: Investor-state arbitration with a sector focus on telecommunications

Geographical areas of expertise: India

Languages: English, French, Spanish

Promoted to counsel in 2016, Nick Lawn is one of the rising stars of London arbitration. He has a broad practice covering both commercial and investor-state arbitration, with a particular focus on public international law. In recent years, he has acted on a number of investment treaty disputes involving India. In particular, he has been one of the key members of the counsel team acting for Vodafone in a high-profile multibillion-dollar UNCITRAL arbitration against the Republic of India arising out of Vodafone's $11.1bn acquisition of an interest in Hutchison Whampoa's Indian telecoms business in 2007. The multibillion-dollar matter touches upon a number of issues surrounding a state's exercise of its powers of taxation and the use of retrospective legislation.

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> "The arbitration industry needs a better PR machine to counter negative press."

Rachael O'Grady
Mayer Brown

Years in practice: Nine

Principal sectors: Telecommunications, taxation, mining, oil, retail

Geographical areas of expertise: Worldwide, but with significant experience in Africa and the Middle East

Languages: English, French, Spanish, Portuguese

Rachael O'Grady is a senior associate in Mayer Brown's international arbitration group in London, where she focuses on investor-state disputes and commercial arbitration. She joined Mayer Brown in 2011 and spent three years in the firm's Paris office before moving to London. Prior to that, she was deputy counsel in the UK and Commonwealth Team at the ICC in Paris, where she managed over 100 ICC arbitrations spanning all industries. She also developed an in-depth knowledge of the then-new ICC rules that came into effect on 1 January 2012. Her institutional experience at the ICC, as well as her experience living and working in other jurisdictions (Paris, Brazil, and Mozambique) and speaking English, Portuguese, Spanish, and French, has enabled her to adapt to each case for the benefit of the clients.

In conversation with…

The negative press that has surfaced as a result of the ISDS debate means the arbitration industry needs a better PR machine to counter the criticisms that have been so publicly and unfairly broadcast in the newspapers.

I love sailing, though the areas in which I sail often have no signal, meaning that there is about one week a year during which I am totally uncontactable. However, now I have two children under the age of two, sailing trips are on hold for a while!

Roof Terrace of the International Arbitration Centre

Margaret Ryan
Shearman & Sterling

Years in practice: Eight
Principal sectors: Energy, mining and metals, financial services
Geographical areas of expertise: Europe, Africa, North America
Admissions: New York Bar
Languages: English, French, German

Canadian national Margaret Ryan is a senior associate in Shearman & Sterling's international arbitration and public international law practices, and a member of the firm's mining and metals group. Her practice focuses on investment and energy disputes involving parties in Africa and Europe, particularly those related to the supply of gas and large construction projects. Her matters include acting for the claimants in an ICSID arbitration brought against the Republic of Armenia under the US-Armenia bilateral investment treaty, acting for Egypt as respondent in two investor-state arbitrations concerning alleged violations of investors' rights under a series of bilateral investment treaties, and representing a North African energy company in an ad hoc arbitration in London. In 2018, Ryan completed a five-month secondment at AngloAmerican in London.

Andrea Stauber
King & Spalding

Years in practice: 11
Principal sectors: Construction, engineering, infrastructure, and energy
Geographical areas of expertise: Europe, Asia, Australia, US, Africa
Admissions: High Court of Australia, Supreme Court of South Australia

Andrea Stauber is a senior associate in King & Spalding's international arbitration practice. Based in London, she previously worked as an associate in the firm's Singapore office, after moving from Australia, where she worked for both Crawford Legal and King & Wood Mallesons.

Stauber's focus is on complex international commercial disputes, particularly in the construction, engineering, infrastructure, and energy sectors. She has advised owners and developers, main contractors, subcontractors, and consultants on a variety of projects, including roads, airports, power plants, oil and gas processing facilities, wind farms, and chemical plants.

She is experienced in litigation, adjudication, mediation and expert determination, and regularly provides strategic risk management and dispute avoidance advice throughout the execution phase of projects.

While on secondment to a US client, Stauber provided ongoing advice to project teams and management about contract administration, dispute avoidance, and dispute resolution in relation to the construction of a combined-cycle power plant within an LNG facility.

Her recent work has included representing a Korean contractor in a Singapore-seated UNCITRAL arbitration arising out of disputes concerning the construction of a mine in Western Australia (for a claim in excess of AUS$2.5bn); and acting for a major chemical company in relation to disputed delay, variation, and defect claims, and entitlement to liquidated damages arising from the construction of a process plant.

Rooftop Lounge of the International Arbitration Centre

Amanda Lee
Seymours

Years in practice: Nine
Years as an arbitrator: Two
Principal sectors: Automotive, finance, hospitality (hotels), and waste management (recycling) sectors
Geographical areas of expertise: UK, US, Eastern Caribbean
Admissions: England and Wales – solicitor advocate (Civil), New York Bar, US Supreme Court

Amanda Lee is an arbitrator and consultant in the commercial litigation and arbitration team at Seymours. She is dual-qualified as a solicitor-advocate, with rights of audience in civil proceedings in the higher courts, and a New York Attorney. She advises on a broad range of international and domestic arbitration and litigation matters, typically in connection with commercial contracts, M&A, insurance and energy-adjacent sectors such as waste management and recycling. She also maintains a commercial litigation and Privy Council appellate practice. Lee is a director of ArbitralWomen and was the first female chair of the Chartered Institute of Arbitrators' Young Members Group, where she was responsible for promoting the interests of CIArb's 4,000 young members worldwide. She also dances Argentine tango.

Arbitrators' Breakout Room of the International Arbitration Centre

In conversation with…

I joined Seymours and pretty much overnight became the second lawyer on a £90m case. It was a baptism of fire, but that's the advantage of joining a specialised firm. Seymours is conflict free. We approach cases from a project-management perspective and aim to put together a bespoke team, usually involving barristers with specific expertise, to handle any given case. This enables us to handle cases as efficiently and cost-effectively as possible.

Improving the visibility of qualified arbitrators and counsel from jurisdictions that are not recognised as leading arbitral seats would be a good first step to increasing diversity. This is something that ArbitralWomen does in respect of female practitioners. Creating opportunities for young and aspiring practitioners and arbitrators who practise all over the world to obtain quality experience as counsel and to shadow experienced arbitrators is important, but one of the challenges is to make sure that such opportunities are available not just to those practising at leading firms but to those practising in smaller firms, as sole practitioners, in jurisdictions around the world, and those who may not have the financial resources to take time away from work in order to hone their skills.

Evgeniya Rubinina
Freshfields Bruckhaus Deringer

Years in practice: 14

Principal sectors: Metals and mining, oil and gas, construction, manufacturing, consumer goods

Geographical areas of expertise: Russia and CIS, Central and Eastern Europe, the Baltics, Central Asia

Admissions: England and Wales, Russia, New York

Languages: English, French, Russian

Evgeniya Rubinina is a triple-qualified international arbitration lawyer admitted to practise in England and Wales, Russia, and New York. Her practice focuses on investment arbitration, international commercial arbitration, and public international law and sees her representing both investors and states in investment treaty arbitrations, as well as acting as advocate in international commercial disputes under LCIA, ICC, and SCC rules. The matters she has worked on have ranged from banking to metals processing to consumer goods. Now based in London, she has previously worked at Freshfields Bruckhaus Deringer's Paris office. Prior to joining the firm, she worked for the World Bank Group's ICSID, where she served as administrative secretary to arbitral tribunals and assisted with arbitrations under ICSID and UNCITRAL rules. She has also worked for the Permanent Court of Arbitration in The Hague.

In conversation with…

The facts of most arbitration cases would not be out of place in an adventure film. It's so diverse you never get bored.

Third-party funding is something all firms need to take seriously. Not only do funders allow more cases to be brought but they add an extra layer of discipline on counsel. Having a sophisticated funder monitoring costs and budgeting is useful. They also bring a lot of experience and a fresh perspective. That can add a lot of value to clients.

The London arbitration community is less closed than many others. There is a bigger overlap between litigation and arbitration and you frequently encounter teams doing both, which makes it a less claustrophobic environment. The arbitration community in London is also very well connected, which brings efficiencies along with incentives to behave in a decent manner. Unethical behaviour will become known in the community and that knowledge spreads quickly by word of mouth. While there will always be a limited pool of people who have dealt with the more complex and more interesting cases, there is a great benefit to diversity. In particular, having young and less busy arbitrators available can only help to popularise international arbitration.

Lobby of the International Arbitration Centre

Oliver Marsden
Freshfields Bruckhaus Deringer

Years in practice: Ten

Principal sectors: Financial services, private equity, satellite communications, retail, energy, extractives

Geographical areas of expertise: Europe, Africa, Middle East, Asia-Pacific

Freshfields Bruckhaus Deringer senior associate Oliver Marsden has a principal focus on commercial contract arbitration. He has particular expertise in the financial services, private equity, satellite communications, retail, energy, and extractives sectors. He also has extensive experience of handling high-value tax arbitrations and in complex post-acquisition disputes. He has acted as counsel in arbitrations under the LCIA, ICC, SCC, HKIAC, UNCITRAL, and ICSID rules, including as oral advocate, and has served as secretary to a number of distinguished arbitral tribunals. He co-authored the new 'Arbitration and ADR' volume of the *Encyclopaedia of Forms and Precedents*, published in June 2018, which includes a new commentary on the UK Arbitration Act 1996, and has also published articles on topics including set-aside awards and banking arbitration, and delivered a course on oral advocacy at Cologne University.

Julia Kalinina Belcher
Pillsbury Winthrop Shaw Pittman

Years in practice: Six

Principal sectors: Energy, construction, petrochemicals, financial services

Geographical areas of expertise: Middle East, North Africa, Russia and CIS

Languages: English, French, Russian

Julia Kalinina Belcher is counsel based in Pillsbury Winthrop Shaw Pittman's London office. A native Russian speaker, she has advised on disputes in the Ukraine, Kazakhstan, Russia, and Uzbekistan, as well as in the Middle East and North Africa. Her clients include companies in the petrochemicals, real estate development, and oil and gas industries. She has also covered investor-state disputes and international litigation.

She has extensive experience of international arbitration at the LCIA, ICC International Court of Arbitration, Dubai International Arbitration Centre, and Arbitration Institute of the Stockholm Chamber of Commerce. She regularly conducts her own advocacy at hearings and is also experienced in arbitration-related litigation.

She trained at Dewey & LeBoeuf before moving to Fulbright & Jaworski in 2012, and Pillsbury in 2017.

Natalie Sheehan
Freshfields Bruckhaus Deringer

Years in practice: 11

Principal sectors: Energy, natural resources, telecommunications, finance, pharmaceuticals

Geographical areas of expertise: Africa, Middle East, Latin America

Languages: English, German, French, Spanish

Natalie Sheehan (*pictured*) is a senior associate in Freshfields Bruckhaus Deringer's international arbitration group in London, having previously worked in its Paris office. She specialises in international arbitration and litigation with a focus on emerging markets, in particular in Africa, the Middle East, and Latin America. She has expertise in the energy, natural resources, telecommunications, finance, pharmaceuticals, and not-for-profit sectors. She also advises international and non-governmental organisations on matters of international law, and works on business and human rights issues.

Her representations have included advising a telecoms company in UNCITRAL arbitration proceedings against the Government of Yemen, representing a shareholder in Russian and South African mining companies in an LCIA arbitration and related proceedings in the English High Court, and advising the Republic of South Africa in an ICSID arbitration brought by foreign investors.

Rooftop Lounge of the International Arbitration Centre

Veronica Connolly
Stewarts

Years in practice: Six

Principal sectors: Energy, power, construction, shareholder, joint venture disputes

Geographical areas of expertise: Anglophone Africa, Europe, Middle East

Veronica Connolly trained and qualified at Clifford Chance, working at its offices in London, Moscow and Dubai (where she was seconded to the arbitration team of a government-owned entity) before joining Stewarts. She has represented clients in a number of jurisdictions including Europe, the Middle East, Africa, and South America across a range of sectors and frequently acts and advises in relation to shareholder and contractual disputes.

In conversation with…

I would encourage clients to consider the appointment of arbitrators who are qualified or resident in jurisdictions outside traditional arbitral centres where appropriate, particularly in large international disputes that will require arbitrators to consider evidence on, and apply the laws of, other jurisdictions.

Rooftop Lounge of the International Arbitration Centre