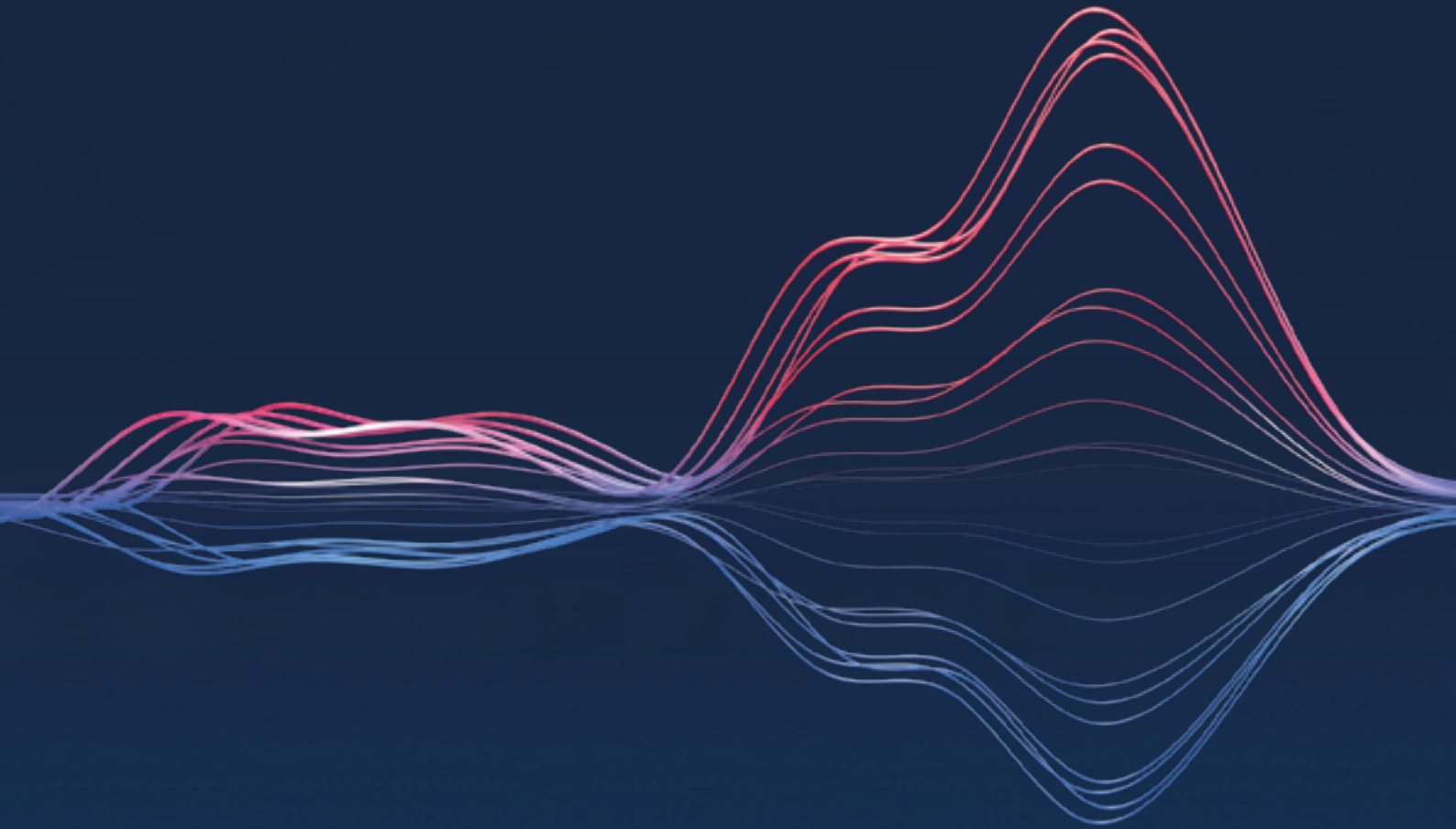


# International Arbitration

AN INTRODUCTION TO OUR GLOBAL PRACTICE





# The DLA Piper difference

DLA Piper is recognized for having a truly global International Arbitration practice. Our geographical scope means that we are able to deliver a single team working across multiple jurisdictions. This provides our clients with both around the clock responsiveness and the relevant local knowledge critical to resolving international disputes successfully.

Our team of over 100 arbitration specialists is located not only in established arbitration centres around the world, but also in key emerging markets. Our unique geographic footprint – with offices in more than 40 jurisdictions – means that we meet the changing demands of global business. We serve our clients' interests

by combining market-leading arbitration expertise with in-depth legal and sector knowledge.

Disputes do not take place in a vacuum; they are firmly rooted in a cultural, political and economic context. Our global reach means that we are able to provide our clients with more than just legal advice:

we can offer practical, commercial guidance on how best to resolve complex disputes.

We deliver the highest quality service to many of the world's leading corporations. We also have a strong track record of acting for investors, financial institutions and sovereign States.



## Recognition for our Team

*“DLA is an international law firm with an excellent client base and very experienced and knowledgeable lawyers; a reliable and loyal business partner with a very professional flexibility.”*

(Chambers and Partners, 2019)

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*“DLA Piper’s international arbitration team has an “outstanding understanding of the local dynamics.”*

(Chambers and Partners, 2019)

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*A “highly efficient, diligent and responsive team of lawyers who never fail to deliver.”*

(Chambers and Partners, 2019)

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*Ranked as the Third most recognized legal brand*

(Acritas Global Elite Law Firm Brand Index 2018)

*In 2018, DLA Piper was again recognized as a leading firm for International Arbitration in Global Arbitration Review's annual rankings of the world's most active arbitration practices.*

(Global Arbitration Review GAR 100, 2018)



## Expert Knowledge in Key Sectors

### Energy

Political and economic volatility in the ever challenging energy sector has contributed to a significant rise in the number of complex, high-value disputes. These disputes, whether contractual, regulatory or arising under public international law, demand not only legal expertise in the relevant field, but also a deep understanding of the macro-economic and political factors which can be key to managing legal and commercial risk in the sector.

Our dedicated energy team comprises lawyers around the globe who deliver first-rate legal services to organisations operating in all segments of the energy sector. From power, oil, gas, nuclear and renewables to carbon markets and climate change – the breadth of our energy experience is a distinguishing feature of our practice.

#### RECENT EXPERIENCE INCLUDES:

- Representing Gazprom in a series of SCC arbitrations against the Ukrainian gas company Naftogaz involving multi-billion dollar claims relating to the supply, transit and pricing of gas.
- Representing a Russian oil company in an SCC arbitration in Stockholm in respect of a claim for USD 50 million in relation to a dispute over the termination of a contract for the provision of seismic services.
- Representing a Russian oil company in LCIA proceedings relating to the termination of a drilling services contract for oil prospecting offshore of Africa.

- Representing a Central European petroleum company in a USD 200 million dispute regarding the valuation of an adjustment to the purchase price of its interest in an oil pipeline.
- Representing an international crude oil trading company in English, Nigerian and Dutch proceedings against a major Nigerian importer of oil products relating to amounts owed for the sale and conversion of an oil tanker.
- Representing a major shareholder in an international commodities producer in a dispute with another shareholder relating to the unilateral termination of a long term electricity supply contract, with damages estimated in the region of USD 2 billion.
- Representing an oil and gas major in an English law London seated LCIA arbitration on a significant gas pricing dispute.
- Representing a major Italian gas company in an ICC arbitration claim valued at USD 250 million concerning a gas pricing dispute in Libya in the context of changes in the European gas price market.
- Representing a Maltese solar energy company in a LCIA arbitration claim in London against a Spanish purchaser of solar energy panel wafers.
- Representing a Norwegian wholly-owned subsidiary of a major US gas supplier in connection with an ad hoc arbitration against a significant European oil and gas company concerning gas price adjustments in a long-term gas supply contract.
- Representing a Taiwanese defendant in a USD 270 million arbitration against a Norwegian energy company in connection with an energy supply agreement.



## Construction and Infrastructure

Infrastructure and construction projects worldwide are technically complicated, strategically important and high value. Our dedicated team of industry specialists routinely advise clients on disputes concerning delay, additional costs, liquidated damages, defects, professional negligence and termination.

### RECENT EXPERIENCE INCLUDES:

- Representing a South-East European government in its defence of a EUR 250 million ICC arbitration dispute concerning a multi-billion euro project to design and construct more than 70 kilometres of commuter railway, a new tunnel and all associated infrastructure (including over 40 new railway stations).
- Representing Samsung Engineering in mediation and separate ICC arbitration of a USD 200 million dispute arising from the design and construction of an ultra-low sulphur diesel refinery plant and a continuous catalyst regenerator platformer complex in Trinidad.
- Representing Lotte Chemicals in a GBP 50 million ICC arbitration against a German engineering company arising from the construction of a complex chemical processing plant in the UK.
- Representing Technip France SAS, a leading engineering and construction company in the energy industry, in a USD 2 billion, French language ICC arbitration against Sonatrach relating to the cancellation of a contract to expand and upgrade the Algiers refinery.

- Representing an Asian energy company in LCIA arbitration proceedings commenced by a consortium of two Asian companies in connection with disputes relating to the construction of a jack up drilling rig for use in the Caspian sea.
- Representing an East European state-owned nuclear power company, in a succession of disputes and a potential ICC arbitration arising from the delayed completion of temporary and permanent spent-fuel storage facilities at a nuclear power plant. The value of the disputes exceeds EUR 150 million.
- Representing an Asian petroleum company in a significant Singapore-seated ICC arbitration against a well-known Iranian construction company in respect of a large oil field development project in Iran.
- Representing a Turkish energy company in a EUR 500 million ICC arbitration against an EPC contractor relating to the delayed completion of a power plant, including consideration of issues

of undue influence and economic duress arising from the pressure by funders on the energy company to accept amendments to the contract proposed by the contractor.

- Representing a state-owned nuclear power company in an UNCITRAL arbitration concerning liability for heavily damaged fuel rods.
- Representing an Asian construction company in an ICC arbitration against Norwegian public authorities concerning a major civil engineering project in Norway.
- Representing a construction company in an ad hoc arbitration against a foreign State concerning a major development in Norway arising out of termination of the construction agreement. The arbitration was seated in Norway and governed by Norwegian law.



## Mining

Our team of specialist mining lawyers have experience in handling complex mining disputes that can arise at any time in the mine life cycle.

### RECENT EXPERIENCE INCLUDES:

- Representing the Republic of Guinea in its investigation of corruption in the acquisition of rights to one of the world's most important iron ore deposits. Following the withdrawal of those rights, we are now representing Guinea in ICSID proceedings brought by the investor, BSGR, in what is reported to be one of the most important and high-value mining disputes in the world. (BSG Resources Limited, BSG Resources (Guinea) Limited and BSG Resources (Guinea) SÀRL v. Republic of Guinea (ICSID Case No. ARB/14/22)).
- Representing the Republic of Kenya in a multi-billion dollar ICSID arbitration brought by investors in the mining sector. This claim is the highest value and most strategically important investment treaty claim Kenya has ever faced. (Cortec Mining Kenya Limited, Cortec (Pty) Limited and Stirling Capital Limited v. Republic of Kenya (ICSID Case No. ARB/15/29)).

- Representing CCX Colombia in an ICC arbitration concerning the sale of the largest coal reserves in Latin America.

### IPT

We have a dedicated technology sector disputes team helping clients manage both risks and disputes. We are experienced in disputes arising across a broad spectrum of technology sector issues, from software to IT service contracts, and from IT infrastructure to outsourcing.

### RECENT EXPERIENCE INCLUDES:

- Representing a major US software and hardware company in an AAA arbitration seated in London and related litigation proceedings brought in California and Delaware. The proceedings arose in respect of a dispute with a Swiss mobile software company regarding the unlicensed use of its intellectual property, breach of contract and copyright, together with unfair competition claims.
- Representing Albtelecom, the privatised telecommunications operator in Albania, in its defence of a EUR 120 million ICC arbitration relating to an Albanian law claim brought by a rival telecommunications operator regarding an interconnection agreement.

- Representing a large Asian technology service provider in a NOK 1.2 billion institutional arbitration concerning a long-term comprehensive redesign of key communication services offered by a major European telecommunications company. The arbitration is seated in Norway and is governed by Norwegian law.

## Financial Services

Our team regularly advises banks and other financial institutions on a range of contentious matters.

### RECENT EXPERIENCE INCLUDES

- Representing a major global bank in a EUR 75 million ICC arbitration against various European financial institutions and a European State in claims arising from the takeover and restructuring of another major European bank in 2007.
- Representing the valuation agents in a USD 1 billion London seated English law LCIA arbitration in connection with a dispute between the fund managers, the fund, and the valuation agents, arising out of a collapse of a Bermuda-based hedge fund.

*“A client who instructed DLA Piper in a dispute of maximum importance to his company says it was the team’s dedication that impressed him the most. No stones were left unturned until they had found the angles and issues that made the case what it ended up being, giving us the leverage we were looking for in a complicated dispute against very experienced opponents.”*

(Global Arbitration Review, 2018)



# Unrivalled Presence in Key Emerging Markets

International arbitration is no longer the exclusive preserve of the likes of London, Paris and New York. Global business is changing the traditional status quo, and we at DLA Piper have moved with the times. Whether you are doing business in Beijing or Bangkok, Kyiv or Kigali, Seoul or Shanghai, DLA Piper is able to deliver a team with market-leading insight and expertise.

## Africa

Our significant presence in Africa distinguishes DLA Piper's international arbitration practice from many of its competitors. In addition to offices in Casablanca and Johannesburg DLA Piper Africa has a presence in eighteen African jurisdictions\*. DLA Piper is unique insofar as it is able to provide clients with a presence on the ground in Arabic, Anglophone, Francophone and Lusophone Africa.

Significant instructions in Guinea, Nigeria, the Democratic Republic of Congo, Egypt, Tanzania and Kenya (to name but a few) evidence the firm's unique offering in Africa. We are able to offer clients market leading lawyers based across Africa who provide expert knowledge of the relevant and specific legal, business and cultural context of the dispute. Our local teams not only have significant arbitration practices in their own right, but they also play a vital role in many of our key international arbitration cases, in particular, where we have acted for States and investors in investment treaty arbitrations.

\*Algeria, Angola, Botswana, Burundi, Ethiopia, Ghana, Kenya, Mauritius, Mozambique, Namibia, Nigeria, Rwanda, Senegal, Tanzania, Tunisia, Uganda, Zambia and Zimbabwe.



### RECENT EXPERIENCE INCLUDES:

- Representing a Nigerian oil and gas company in relation to disputes arising out of its sale of a gas distribution and marketing company, in particular in relation to the payment of deferred consideration under the SPA.
- Representing the Republic of Ghana as Respondent in an UNCITRAL arbitration arising out of a dispute with project developer Balkan Energy under a long-term power purchase agreement.

- Representing the Democratic Republic of the Congo in a USD 200 million dispute with a hedge fund relating to worldwide efforts to enforce two ICC arbitral awards worldwide, including conducting both annulment and enforcement litigation in the Paris and California.
- Representing a global telecoms group in an ICC arbitration in relation to a dispute regarding the breach of the terms of a settlement agreement relating to its operations in the Democratic Republic of Congo.
- Representing a leading engineering and construction company in the energy industry in ICC proceedings with respect to the termination of a construction contract by an Algerian state-owned enterprise.
- Representing an African telecommunications group in an ad hoc arbitration governed by the OHADA Uniform Arbitration Act in a USD 600 million dispute brought by a former co-shareholder in a West African GSM provider.

## Eastern Europe and CIS

We have represented clients on some of the region's most strategically and financially significant arbitration claims. With offices throughout the region, DLA Piper is able to offer clients unparalleled knowledge of the legal and political climate to leverage the best results for clients.

### RECENT EXPERIENCE INCLUDES:

- Representing Gazprom in a series of SCC arbitrations against the Ukrainian gas company Naftogaz involving claims multi-billion dollar relating to the supply, transit and pricing of gas. This instruction followed on from successful representation of Gazprom affiliate RosUkrEnergo in eight consolidated arbitrations under the SCC Rules against Naftogaz. An award was issued in our client's favour in excess of USD 2.1 billion which was the largest award obtained in international arbitration in 2011, according to American Lawyer magazine.
- Representing a leading oil and gas multinational in ICC proceedings with respect to the relinquishment of three petroleum concession agreements by an East European state owned enterprise.
- Representing an Asian energy company in LCIA arbitration proceedings commenced by a consortium of two Asian companies in connection with disputes relating to the construction of a jack up drilling rig for use in the Caspian sea.
- Representing the Government of St Petersburg in a USD 500 million investment dispute in an ad hoc arbitration under the UNCITRAL rules in Stockholm in relation to a joint venture dispute arising from the construction of an airport. We also acted on the successful

defence of a challenge to the award that had been made in our client's favour.

## Latin America

DLA Piper has a substantial footprint to service Latin American disputes. We have offices in Bogotá, Buenos Aires, Lima, Mexico City, Miami, San Juan and Santiago. We also have a presence in Rio de Janeiro and São Paulo with DLA Piper relationship firm, Campos Mello Advogados.

### RECENT EXPERIENCE INCLUDES:

- Representing a Mexican billionaire in an ICC arbitration against other Mexican nationals over the ownership and rights to control a large Mexican conglomerate worth close to USD 1 billion.
- Representing the Brazilian concessionaire of an urban toll road project located in Lima, Peru, in an arbitration against its main EPC contractor due to contract termination, involving reciprocal claims in the order of USD 100 million.
- Representing Huntington, one of the largest U.S. defence contractors in a USD 400 million ad hoc arbitration against Venezuela in connection with the repair and maintenance of two frigates.
- Representing a leading global developer of renewable energy supplies in a USD 30 million ICC arbitration against a top Mexican beer producer in connection with an energy supply agreement.
- Representing the concessionaire of a major transport infrastructure project in Lima in an ICSID arbitration against the Republic of Peru involving a US\$280 million claim due to alleged breach of contract.

## Middle East

DLA Piper has unrivalled coverage across the Middle East with offices in Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates. Our local knowledge means that we are to give our clients a distinct advantage, particularly when it comes to enforcement of arbitral awards. In 2016, our team achieved the landmark enforcement of a foreign arbitral award in Saudi Arabia, the first of its kind under the Kingdom's new arbitration and enforcement laws

### RECENT EXPERIENCE INCLUDES:

- Representing a global contractor in two complex multi-million dollar construction disputes between developer, contractor and sub-contractor concerning the design, supply and installation of security systems at a new state-of-the-art airport development in Doha.
- Representing a South Korean contractor in a joint venture dispute concerning a major infrastructure project in Abu Dhabi, and alleged mismanagement of the project by the joint venture partner.
- Representing a German food company against a Middle East distributor in an ICC arbitration for breach of a distribution contract.
- Representing a multinational oil company in a contract dispute before the Dubai International Arbitration Center.
- Representing a Dubai-based property developer in relation to a termination dispute arising out of a contract for the construction of a hotel on the Palm, Dubai.
- Representing two Saudi claimants in relation to a dispute with a Bahrain entity concerning franchising rights for a football school program in Saudi Arabia.



# Investment Arbitration

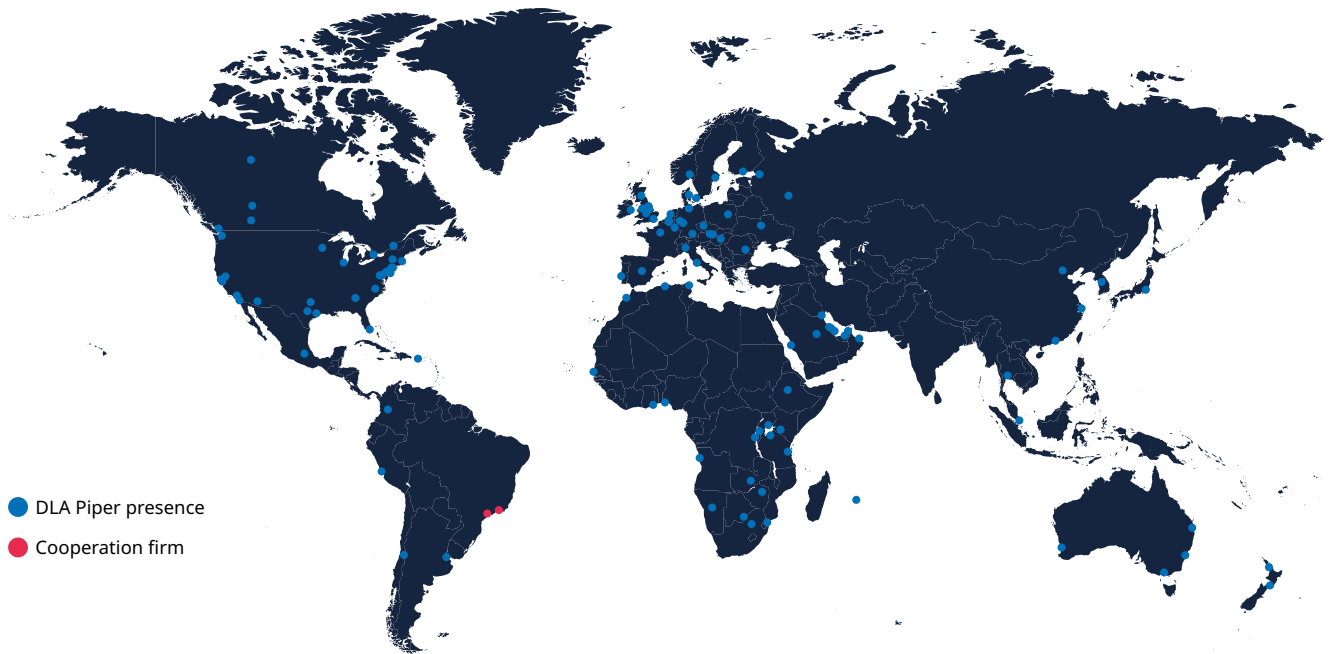
DLA Piper has a respected team of seasoned investment law lawyers in London, Paris and New York. Our presence in the key global jurisdictions means that we have been successful in offering clients access to lawyers with the relevant local law expertise coupled with the investment treaty experience in our arbitration hubs. We also have an excellent reputation acting for States, notably in Europe and Africa.

## RECENT EXPERIENCE INCLUDES:

- Representing the Republic of Guinea in its investigation of corruption in the acquisition of rights to one of the world's most important iron ore deposits. Following the withdrawal of those rights, we are now representing Guinea in ICSID proceedings brought by the investor, BSGR, in what is reported to be one of the most important and high-value mining disputes in the world. (BSG Resources Limited, BSG Resources (Guinea) Limited and BSG Resources (Guinea) SÀRL v. Republic of Guinea (ICSID Case No. ARB/14/22))
- Representing the Republic of Kenya in a multi-billion dollar ICSID arbitration brought by investors in the mining sector. This claim is the highest value and most strategically important investment treaty claim Kenya has ever faced. (Cortec Mining Kenya Limited, Cortec (Pty) Limited and Stirling Capital Limited v. Republic of Kenya (ICSID Case No. ARB/15/29)).
- Representing Hungary in an ICSID arbitration relating to the alleged unlawful expropriation of rights to farmland (Magyar Farming Company Ltd, Kintyre Kft and Inicia Zrt v. Hungary (ICSID Case No. ARB/17/27)).
- Representing the Sultanate of Oman in the defence of first ever claim brought under the US-Oman Free Trade Agreement. The claims were valued at USD 275 million and arose out of various concession and lease agreements relating to mining rights. (Adel A Hamadi Al Tamimi v. Sultanate of Oman (ICSID Case No. ARB/11/33)).
- Representing the Republic of Moldova in an ICSID arbitration brought under the bilateral investment treaty between France and Moldova. The Claimant sought damages in excess of USD 55 million for alleged mistreatment of investments in duty free stores on the Romania-Moldova border and at the Chisinau airport. (Franck Charles Arif v. Republic of Moldova (ICSID Case No. ARB/11/23)).
- Representing the Republic of Timor-Leste in ICSID proceedings brought by an investor in the energy sector, Lighthouse Corporation. (Lighthouse Corporation Pty Ltd and Lighthouse Corporation Ltd, IBC v. Democratic Republic of Timor-Leste (ICSID Case No. ARB/15/2)).
- Representing Georgia in a USD 700 million consolidated ICSID arbitration under the Greece/Georgia and Israel/Georgia bilateral investment treaties and the Energy Charter Treaty arising from a trans-Caucasus pipeline project. (Ioannis Kardassopoulos and Ron Fuchs v. the Republic of Georgia (ICSID Case Nos. ARB/05/18 and ARB/07/15)).
- Representing a Turkish mobile phone operator in an expropriation case of over USD 4 billion brought under the Turkey-Iran bilateral investment treaty against the Islamic Republic of Iran arising from the loss of the first private nationwide GSM license. (Turkcell İletişim Hizmetleri A.Ş. v. The Islamic Republic of Iran, UNCITRAL).

## Contact Us

For more information, please contact us at [arbitration@dlapiper.com](mailto:arbitration@dlapiper.com)



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*“DLA Piper has huge strength in depth and operates brilliantly as a team. The practice includes specialisms in energy, infrastructure and investment treaty disputes; has a significant public international law group; and is highly experienced in Africa-related work. “*

*(Legal 500, 2019)*

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*“DLA Piper fields a team of experienced investment treaty disputes lawyers, while its broader public international law practice encompasses advisory work for states, trade issues and sanctions work.”*

*(Legal 500, 2019)*

