



**British Institute of
International and
Comparative Law**

Investment Treaty Forum

Sixth Public Conference

Expropriation in Investment Treaty Law

Federico Ortino, British Institute of International & Comparative Law, London.

Dr Federico Ortino has joined the British Institute in January 2005 as Fellow in International Economic Law and Director of the Investment Treaty Forum. He is an adjunct professor in International Economic Law at the University of Florence. He is a member of the ILA Committee on International Trade Law and co-rapporteur to the ILA Committee on the Law of Foreign Investment. He is a qualified attorney in Italy and in the state of New York.

He holds a law degree from the University of Florence, School of Law (1996, magna cum laude), a master of laws from Georgetown University Law Center (1997, with distinction) and a doctorate from the European University Institute, Florence (2002). He has worked as legal consultant for law firms in Florence, London and Brussels as well as for the United Nations Conference on Trade and Development in Geneva. In 2004, he was Emile Noël Fellow and Fulbright Scholar at the Jean Monnet Center of New York University. He has lectured University students in London, Florence, Rotterdam, Edinburgh, Trento, Siena, Verona.

Recent Publication include:

"Treaty Interpretation and the WTO Appellate Body Report in *US – Gambling: A Critique*", in 9 *Journal of International Economic Law* (1, 2006)

"The Social Dimension of International Investment Agreements: Drafting a New BIT/MIT Model?" in 7 *International Law FORUM du droit international* (4, 2005)

"From Non-Discrimination to Reasonableness: A Paradigm Shift in International Economic Law?", *Jean Monnet Working Papers* (1, 2005)

Basic Legal Instruments for the Liberalisation of Trade: a Comparative Analysis of EC and WTO Law (Oxford, Hart Publishing, 2004)

Jan Paulsson, Freshfields Bruckhaus Deringer, Paris

Jan Paulsson is based in Paris. He is joint head of the public international law group and head of the international arbitration group. He holds degrees from Harvard, Yale and the University of Paris.

He has acted as counsel or arbitrator in over 400 international arbitrations, including very large cases in the energy and investment fields. He has conducted cases under the auspices of the ICC, and under the rules of UNCITRAL, ICSID, LCIA, and the AAA, as well as before the International Court of Justice.

Mr. Paulsson was lead counsel to the government of Bahrain in its land and maritime border dispute with Qatar, the longest case in the history of the International Court of Justice, which ended with the Judgment of 16 March 2001.

He has extensive experience with international organisations, including UNCITRAL, UNITAR, WIPO and the World Bank. He is a Judge of the World Bank Administrative Tribunal, and was a member of the ad hoc sports arbitration tribunals on site at the Atlanta, Nagano, and Sydney Olympic Games. Jan is the President of the LCIA (London Court of International Arbitration) and was a Vice-President from 1985 to 2001. He is the author of several textbooks and numerous articles on the subject of international arbitration, in particular the standard reference work *ICC Arbitration* (3rd edition 2000) which he co-authors with Messrs. W.L. Craig and W.W. Park. He speaks English, French and Swedish.

Session one

Dr Mona Al-Sharmani, Weil, Gotshal & Manges LLP, New York

Mona Al-Sharmani is an associate in the New York office of Weil, Gotshal & Manges LLP, where she has been a member of the firm's Banking and Finance Group since 2001.

In the early 1990s, Ms. Al-Sharmani spent three years of her professional career working as a Legal Attaché to the Permanent Mission of Somalia to the United Nations in New York where she worked on international law related issues.

Ms. Al-Sharmani received an LLM with a concentration in International Finance from Harvard Law School in 2001, as well as a PhD from the Johns Hopkins School of Advanced International Studies (SAIS) where her doctoral dissertation focused on a legal analysis of national investment codes of developing countries. In addition, Ms. Al-Sharmani earned an LLB from Cairo University in Egypt in 1989.

Ms. Al-Sharmani is a member of the American Bar Association and is admitted to practice in the State of New York.

Recent Articles

"Dispute Settlement at ICSID: Requirements Ratione Personae." Project on Dispute Settlement in International Trade, Investment and Intellectual Property. Section 2.4. Christoph Schreuer Ed. Geneva, CH: UNCTAD. 2003.

Gary B Born, WilmerHale, London

Practice

Mr. Born is one of Europe's leading counsel in international commercial arbitrations. He has participated in more than 300 international arbitrations, including four of the largest disputes in ICC history and several of the most significant ad hoc arbitrations in recent history. Mr. Born is uniformly ranked by Euromoney, Chambers, Legal 500, and Global Counsel as one of the leading practitioners in the field, including one of the top ten international arbitration practitioners in the world and one of the three leading practitioners in London. He is described by competitors and clients in Chambers and other publications as "awesome," "inimitable," and "extremely talented." Mr. Born is also the author of leading publications on international commercial arbitration, including *International Commercial Arbitration* (2d ed. 2001).

Mr. Born heads the firm's 35-person international arbitration group, which is based in London and integrated with related practices in our New York, Washington, Berlin and Brussels offices. Mr. Born has represented European, US, Asian and other companies in arbitrations under all leading institutional rules (ICC, LCIA, AAA, Vienna, Stockholm, ICSID) and in ad hoc arbitrations in all leading international situses (London, Paris, Geneva/Zurich, Vienna, Stockholm, New York, Washington, Singapore). He has particular experience in joint venture, M&A, investment banking and other financial services, project finance, intellectual property and insurance disputes.

Mr. Born also advises on the litigation of international disputes in US courts. He has particular experience in the fields of jurisdiction, enforcement of judgments, conflict of laws and international judicial cooperation, and also serves as an expert witness on aspects of US private international law in foreign proceedings. He is the author of *International Litigation in United States Courts* (Kluwer 3d ed.), one of the leading commentaries in the field.

Mr. Born also sits as arbitrator (presiding arbitrator, sole arbitrator and co-arbitrator). He has served as arbitrator in 40 institutional and ad hoc arbitrations.

Recent Highlights

Mr. Born successfully represented a major European telecommunications company in several of the largest arbitrations in ICC history. (See *American Lawyer* "major arbitration player in Europe" (May 2001)). He recently successfully represented a major US energy company in an LCIA arbitration over off-shore oil rights sited in London, a European conglomerate in a fast-track arbitration in Zurich, a major industrial group in an ad hoc insurance arbitration sited in London, a leading European oil company in an ICC arbitration sited in London, a private equity firm in an ICC arbitration sited in Geneva, a US insurance company in an M&A arbitration in Paris, and a major multinational capital equipment manufacturer in institutional and other arbitrations in multiple European fora arising from power plant projects.

Mr. Born also has represented states and corporate parties in disputes involving public international law disputes. He represented Eritrea in an ad hoc arbitration against Yemen, private parties in controversies under various bilateral investment treaties, and a major foundation in an ad hoc arbitration against a European state raising novel issues of public international law.

Among Mr. Born's recent significant litigation matters are representation of various European entities in the Holocaust Assets and Forced Labor litigations and representation of a major US petroleum company in defending against efforts to enforce purported foreign judgments in the United States.

Professional Activities

Mr. Born is the author of several leading treatises and casebooks on international arbitration and litigation, including *International Commercial Arbitration: Commentary and Materials* (2d ed. 2001), *International Arbitration and Forum Selection Agreements: Planning, Drafting and Enforcing* (2d ed. 2006), and *International Civil Litigation in United States Courts* (3d ed. 1996). The first chapter of *International Arbitration and Forum Selection Agreements: Planning, Drafting and Enforcing* is available on-line (see publications link, left margin). He also has published and spoken widely on issues of international arbitration and litigation.

Mr. Born has taught law at Georgetown University Law Center, University of Virginia College of Law, University College London and the University of Arizona College of Law. He is a member of the American Law Institute and also has served on the Executive Council of the American Society of International Law, and as co-chair of the ABA International Section, Committee on International Aspects of Litigation.

Honors and Awards

PLC Which Lawyer? Yearbook 2006 (leader in dispute resolution in England and Wales)

Chambers Global: The World's Leading Lawyers (2006)

Chambers UK: A Client's Guide to the UK Legal Profession (one of three leading arbitration practitioners in Europe, since 2000)

PLC Which Lawyer? Yearbook 2005 (leading arbitration practice in UK)

Euromoney, 2003: "The Best of the Best: The World's Top Twenty Experts in Commercial Arbitration"

Global Counsel, 2003: "World's Top Ten International Arbitration" lawyers

Euromoney's "2003 Guide to the World's Leading Litigation Lawyers"

Sophie Nappert, Denton Wilde Sapte, London

Sophie Nappert heads the Arbitration Group at Denton Wilde Sapte and is a dual-qualified lawyer in the UK and in Canada. She is trained and has practised both in civil law and common law jurisdictions. She advises on current issues in investment arbitration, and is particularly involved in the prevention and management of disputes in the energy, power projects and infrastructure sectors.

Sophie holds degrees in Civil Law and Common Law from McGill University (Canada), a Diploma in Public International Law from the Institute of International and Comparative Law (Magdalen College, Oxford) and a Masters Degree in Law from the University of London.

Session Two

Chair: Professor Dr Christoph Schreuer, University of Vienna

Christoph Schreuer is a graduate of the Universities of Vienna, Cambridge and Yale. Over an academic career spanning more than thirty years, he has published numerous articles and several books in the field of international law. He has covered such diverse areas as human rights, adjudication by national and international courts and tribunals, sovereign immunity, the law of international organizations, the sources of international law and the future of sovereignty.

Since 1992 he has concentrated on international investment law and has written several articles on the subject. The main product of this activity is a 1500 page commentary on the Convention on the Settlement of Investment Disputes between States and Nationals of Other States under the title "The ICSID Convention: A Commentary".

He has spent most of his academic career at the Department of International Law of the University of Salzburg, Austria. From 1992 to 2000 he was the Edward B. Burling Professor of International Law and Organization at the Paul H. Nitze School of Advanced International Studies (SAIS) of the Johns Hopkins University in Washington, D.C. Since October 2000 he is Professor of International Law at the University of Vienna, Austria.

His current teaching activities include general courses on international law, the law of international organizations, international investment law, and international courts and tribunals. He has given many guest lectures in a variety of countries.

Recent unpublished papers include:

"The Relevance of Public International Law in International Commercial Arbitration: Investment Disputes";

"Shareholder Protection in International Investment Law" and

"The Concept of Expropriation under the ETC and other Investment Protection Treaties"

Domenico di Pietro, Mayer Brown Rowe and Maw, London

Experience

International Arbitration and Dispute Resolution: large institutional (ICC, LCIA, AAA and Swiss Institutions) and ad hoc arbitrations relating to oil and gas, construction, joint ventures, telecom and mainstream commercial agreements such as sponsorship, licensing, supply of commodities • experienced in international disputes between large corporations, public bodies and international institutions relating to sport issues • advised on the drafting of arbitration clauses, escalation clauses and submission agreements • provided expert legal advice on various issues under English law to an Italian Courts.

International commercial contracts and trade finance: thorough experience in long-term contracts and their adaptation to supervening events • main areas of practice are trade, finance, sports related commercial agreements • advised major companies and sport federations on contractual matters related to the organisation of international sporting events such as broadcasting rights, sponsorship and financing.

Notable Engagements

Dispute arising out of satellite services between Asian sovereign State and Multinational (institutional arbitration).
Dispute arising out of contract for building of warships between European sovereign State and European Joint Venture (ad hoc arbitration).

David Fraser, Baker and Mckenzie, London

Practice Areas

David Fraser is a partner in the Dispute Resolution Department of Baker & McKenzie in London. He has been a practising solicitor for more than 30 years and has acted in a wide range of commercial and corporate dispute settlements. He is a solicitor advocate with rights of audience in all English Civil Courts and a member of the New York State Bar.

Practice Description

Business disputes involving litigation and arbitration.

Representative Clients, Cases or Matters

- Representing claimants in judicial review of decision of Institute of Actuaries in 2004.
- Team leader in successful application by Camelot for judicial review of decision by National Lottery Commission in 2000.
- Counsel for defendant in Equitable Life litigation.
- Team leader in English litigation involving disputes between Geest plc and Fyffes plc concerning banana quota rights and contractual warranties.
- Acting for State parties concerning English court jurisdiction and scope of state immunity.
- Consultant member of team acting for Interbrew in judicial review of 2002 decision of UK Competition Commission.
- Mediation of a variety of litigation cases.
- Acting in variety of London insurance market reinsurance disputes.
- Carriage by sea litigation.

Current and recent arbitration cases

- Counsel for claimant in ICSID arbitration case no. ARB.(AF)/04/03 involving claim against United States of Mexico.
- Counsel for claimant in ICSID arbitration case no ARB(AF)/04/04 involving claim against United States of Mexico.
- Co-Counsel for respondent in ICC arbitration case no. 12190/TE involving dispute between banking institutions in the Czech Republic.
- Counsel for respondent in LCIA arbitration case no. 3434 involving allegations of gross negligence in expert evaluation.
- Co-Counsel for respondent in ICC arbitration case no. 10803/ACS involving dispute over design rights for military bridges.
- Counsel for claimant in UNCITRAL arbitration case no. UN2365 involving breach of consultancy agreement concerning Russian real estate.
- Counsel for respondent in LCIA arbitration case no. 8080 involving ownership of Kazakh minerals.
- Counsel for respondent in LCIA arbitration case no. 8081 involving fraudulent inducement of bank loans.
- Counsel for respondent in LCIA arbitration case no. 8082 involving investment by Russian metal investors.
- Counsel for respondent in LCIA arbitration case no. 8104 involving ownership of Kazakh minerals.
- Counsel for respondent in UNCITRAL arbitration case no. UN8083 involving recovery of banking debt.
- Counsel for respondent in UNCITRAL arbitration case no. UN8105 involving recovery of banking debt.
- Counsel for the respondent Oman Refinery LLC in UNCITRAL arbitration against an oil major concerning responsibility for off-spec fuel oil shipment.
- Counsel for claimant oil trader in ad hoc arbitration against trading partner concerning liability for oil shortage.
- Counsel for respondent oil trader in ad hoc arbitration concerning liability for cargo contamination.

- Counsel for respondent oil trader in arbitration in Moscow against former Soviet oil trading organisation under FTAC rules.
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Publications, Presentations and Articles

- Arbitration of International Commercial Disputes under English Law: The American Review of International Arbitration 1997/Vol. 8 No. 1.
- Arbitration in Latin America: Int. A.L.R. Vol 5 Issue 2, May 2002.
- Chapter on Challenging Arbitration Awards in International Arbitration Checklists, Juris, 2004.

Professional Affiliations

- Law Society of England and Wales.
- Member of the Investment Treaty Forum of the British Institute of International and Comparative Law, an association bringing together practitioners and academics to work on this rapidly developing area of international law.

Career

A graduate of the University of Birmingham in 1969 and admitted as a solicitor in 1973, David practised in London until 1975 when he joined Baker & McKenzie's office in Hong Kong. He remained there until 1979 when he returned to London, becoming a partner in 1982. He was admitted to the New York State Bar in 1983. From 1990 to 1999 David was the managing partner of the disputes department in the London office and he now heads the firm's international arbitration practice

Education and Bar Admittance

Solicitor Advocate, England and Wales
New York Bar

Languages

English.

Greg Reid, Linklaters, London

Practice Areas

Litigation & Arbitration

Profession

CEDR Accredited Mediator
Fellow of the Chartered Institute of Arbitrators
Solicitor of the Supreme Court of England and Wales

Experience

Over 18 years' experience of International Commercial Arbitration and Litigation, including conduct as counsel of numerous arbitrations under the ICC, LCIA, UNCITRAL and ICSID rules and ad hoc proceedings. Particular expertise in the areas of Energy and Infrastructure Projects. Co-author of the Linklaters Dispute Toolkit and author of numerous articles on arbitration topics and a regular speaker at arbitration conferences

Professional Experience

2002 - Partner, Linklaters London
1999 - 2002 Partner, International Arbitration Group, Linklaters Paris
1997 - 1999 Partner, Linklaters London
1990 - 1997 Assistant Solicitor, Linklaters London
1988 - 1990 Assistant Solicitor, Linklaters Paris
1985 - 1988 Assistant Solicitor, Linklaters London
1982 - 1985 Articled Clerk, Speechly Bircham

Session Three

Chair: Professor Vaughan Lowe, All Souls College, Oxford and Essex Court Chambers

Professor Vaughan Lowe is Chichele Professor of Public International Law and a Fellow of All Souls College in the University of Oxford and a practising Barrister at Essex Court Chambers, mainly in the field of international law, with cases in the International Court of Justice, the UN Compensation Commission, ad hoc Arbitral Tribunals and English courts. Work has included matters such as the territorial status of and boundaries in the Caspian Sea; territorial conflicts in south-east Asia; rights of passage and navigation; jurisdictional questions in relation to competition laws; international law aspects of privatisation programmes; claims arising out of the invasion of Kuwait by Iraq; Fisheries

disputes; investment disputes; and various aspects of independence and statehood negotiations. Other consultancy work includes provincial/federal continental shelf disputes; international merger regulation; extraterritorial application of US export controls, antitrust and securities laws; extradition; claims to fisheries zones. He conducted reviews of environmental implications of defence projects and is a trainer on the law of the sea and the laws of war for naval officers. He was Counsel for Japan in the Southern Bluefin Tuna case, for the Czech Republic in the CME and Lauder arbitrations, and for Ireland in the MOX case.

Experience in the ICSID / Investment protection fields includes advice on the drafting and interpretation of concession contracts, on jurisdictional and procedural issues in investment arbitration, and on questions of the treatment of foreign investments by host States and the responsibilities of government towards foreign investments and the funding of overseas investment projects. Professor Lowe acted as Counsel to the Czech Republic in the recent *Lauder* and *CME* litigation, and has advised on other investment disputes settled by agreement.

Recent Publications

'Clear and Present Danger: Responses to Terrorism' *International & Comparative Law Quarterly* 54, Part 1, January 185-196

'The ITLOS Opinions of Judge Ivan Shearer' 24 *Australian Year Book of International Law* 145-157

'*Security Concerns and National Sovereignty in the Age of World-Wide Terrorism*', *Martinus Nijhoff Publishers* (Towards World Constitutionalism – Issues in the Legal Ordering of the World Community, 2005)

'The British Year Book of International Law' Oxford University Press LXXV vii and 990

'The Place of Dr Thomas Baty in the International Law Studies of the 20th Century' The Commemorative Seminar for Dr Thomas Baty: Contributions of Dr Thomas Baty and Their Reappraisal/University of Tokyo

Abby Cohen Smutny, White & Case, Washington DC

Abby Cohen Smutny is a partner of White & Case LLP, resident in Washington, D.C. Ms. Smutny specializes in international dispute resolution through arbitration or litigation. She has particular experience in matters involving investment disputes with State parties, including issues of State responsibility, sovereign immunity and investment treaty protections. Ms. Smutny has represented both sovereign and private parties in many arbitrations before ICSID, its Additional Facility, the ICC as well as in ad hoc arbitrations.

Ms. Smutny is a member of the Executive Council of the American Society of International Law and past president of the International Law Section of the Washington DC Bar Association. She is a graduate of Vassar College, the London School of Economics and the University of Chicago School of Law.

Audley Sheppard, Clifford Chance LLP, London

Audley Sheppard is a Partner in the International Law and International Arbitration Groups of Clifford Chance LLP in London.

Audley has considerable experience of dispute settlement under Bilateral Investment Treaties. He has acted as counsel in BIT arbitrations for States (including the Czech Republic and the Republic of Hungary) and investors (including arbitrations against India arising from the Dabhol power project). He is on the Advisory Board of the Investment Treaty Forum of the British Institute of International and Comparative Law, and a member of the International Law Association Committee on Investment Protection.

Audley has over eighteen years specialising in the resolution of disputes arising out of complex infrastructure projects and other international investments. He has conducted many ICC, LCIA, AAA, UNCITRAL and ICSID arbitrations. He also regularly sits as an arbitrator.

Audley has law and commerce degrees from Victoria University, New Zealand, and a masters in law from the Cambridge University, England. He is Co-Chair of the IBA Arbitration Committee, Rapporteur of the International Law Association Arbitration Committee, on the Editorial Board of the *International Arbitration Law Review* and of *Business Law International*, and a Member of the ICC Commission on International Arbitration. He is a Fellow of the Chartered Institute of Arbitrators

Todd Weiler, Naftaclaims.com

Specialized Experience in International Investment Law

- Selected as one of the top 45 under 45 in international commercial arbitration by the *Global Arbitration Review*.
- Involved in many of the earliest NAFTA Chapter 11 claims and disputes.
- Arbitrator, expert consultant and counsel in numerous ongoing investor-state disputes under various investment protection treaties.
- Adjunct Professor at the Washington College of Law at American University in Washington, D.C. and a Global Faculty Member at the Centre for Energy, Petroleum & Mineral Law & Policy at the University of Dundee in Dundee, Scotland.

Editor and co-author of:

- *NAFTA Investment Law & Arbitration: Past Issues, Current Practice, Future Prospects* (Transnational: NY, 2004).

- International Investment Law & Arbitration: Leading Cases from the ICSID, NAFTA, Bilateral Treaties and Customary International Law (Cameron May: London, 2005).

Zachary Douglas, University College London and Matrix Chambers

Zachary Douglas practised for several years in international arbitration and public international law at Freshfields Bruckhaus Deringer in Paris before joining the Law Faculty of University College London as a lecturer in September 2005 and Matrix in March 2006.

Zachary's experience includes acting as counsel in investment treaty arbitrations and commercial arbitrations under the ICC, LCIA, SCC, UNCITRAL and ICSID Arbitration Rules and as legal secretary to the tribunal in several investment treaty cases including under NAFTA. He has also advised several governments on issues of public international law (law of the sea, treaty law, international human rights and humanitarian law) and constitutional reform, and was counsel to the International Olympic Committee in the cases arising out of the Olympic Games in Salt Lake City and Athens.

Australian-born Zachary (LLB(Hons) BA (UniMelb) BCL(Hons)(Oxon)) is fluent in Russian and French, having spent several years living and working in both countries. He is the author of one of the leading studies on investment treaty arbitration 'The Hybrid Foundations of Investment Treaty Arbitration' (2004) 74 BYIL pp 151-289, which was recently quoted with approval by the English Court of Appeal in Occidental Exploration & Production Company v The Republic of Ecuador [2005] EWCA Civ 1116. He lectures in private and public international law and has published articles on a diverse range of subjects including the legal status of detainees at Guantánamo Bay, regulatory expropriation, Russian constitutional law and international arbitration. His forthcoming book on investment treaty arbitration will be published by Cambridge University Press in early 2007.

Conclusion and Close

Alejandro Escobar, Latham & Watkins, London

Education

Doctor of Philosophy, University of Cambridge – July 1997
Bachelor in Juridical and Social Sciences, University of Chile – March 1990

Areas of Expertise

Alejandro practices in public international law and international arbitration. Alejandro was formerly Senior Counsel at the International Centre for Settlement of Investment Disputes (ICSID) in Washington, D.C., where he handled more than a dozen of the first investor-State arbitration proceedings ever brought under bilateral investment treaties (BITs) and multilateral treaties for the protection of investment, such as the North American Free Trade Agreement. Alejandro advises on investment treaty, arbitration and international law issues. Before joining Latham & Watkins, Alejandro practiced in Herbert Smith's London office.

Representative Matters

Alejandro has acted in a number of matters, including:

- Advising the Republic of Ecuador in three separate arbitration proceedings brought under the Ecuador-United States BIT and conducted under the ICSID Convention, with MCI Power Group LC and New Turbine, Inc., Duke Energy Electroquil Partners and Empresa Eléctrica del Ecuador, Inc., respectively
- Advising Telekom Malaysia Berhad in a BIT arbitration, conducted under the UNCITRAL Arbitration Rules, with the Government of the Republic of Ghana
- Advising the Chilean company Empresas Lucchetti S.A. and its Peruvian subsidiary in a BIT arbitration, conducted under the ICSID Convention, with the Republic of Peru
- Advising the claimant in an ICC arbitration proceeding concerning an investment by an Irish company in Southern Africa
- Advising a leading petrochemicals company in regard to international investment protections and related restructuring of investments in a South American country

- Advising a multinational telecommunications company in regard to dispute settlement procedures concerning an investment in the middle east
- Advising the State of Barbados in its maritime delimitation arbitration with Trinidad and Tobago under the United Nations Convention on the Law of the Sea
- Advising a global internet service provider on the enforcement of judgments in multiple jurisdictions
- Sitting as arbitrator in an LCIA proceeding

Language Proficiency

Alejandro is a native Spanish speaker and has a working knowledge of French.

Nigel Blackaby, Freshfields Bruckhaus Deringer, Paris

Nigel is a partner in our international arbitration group and is head of our Latin America dispute resolution group, based in Paris.

Nigel acts as counsel and arbitrator in ad hoc and institutional arbitrations with a particular focus on Latin American commercial arbitration and arbitrations under investment treaties. He has represented foreign investors in Latin America and Latin American corporations in arbitration proceedings under the auspices of ICSID, UNCITRAL, ICC, LCIA and AAA in both the English and Spanish languages. The disputes have arisen out of sectors as diverse as financial services, telecommunications, alcoholic beverages, soft drinks, metal refraction, tobacco, oil and gas and water concessions. He is currently representing several foreign investors in arbitrations arising out of the Argentine crisis.<?

Nigel is an editor of *Arbitration International* and the *Revista Brasileira de Arbitragem*, founder of the Young International Arbitration Group and a member of the executive of the LCIA Latin America Users' Committee. He is editor and co-author of *International Arbitration in Latin America* (Kluwer, 2003), a co-author of *A Guide to ICSID Arbitration* (Kluwer, forthcoming) and a visiting lecturer on arbitration at the University of Paris-I Sorbonne.

Nigel speaks English, French, Spanish and Portuguese and has law degrees from the University of Exeter (UK) and Aix-Marseille III (France).
