

# ARMESTO & ASOCIADOS

ÁRBITROS

## **JUAN FERNÁNDEZ-ARMESTO**

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Juan Fernández-Armesto é árbitro independente. Foi Presidente da Comissão Nacional do Mercado de Valores espanhola (CNMV) (1996-2000), sócio da sociedade de advogados Uría Menéndez (1983-1996) e Professor Catedrático de Direito Comercial da Universidad Pontificia Comillas - ICADE, Madrid (1988-2009).

### **Experiência como árbitro**

Desde 2001, Juan Fernández-Armesto tem vindo a atuar como presidente do tribunal arbitral, co-árbitro e árbitro único em mais de 160 arbitragens comerciais, de construção e de investimento. Em anexo encontra-se uma lista com a descrição detalhada de cada um dos casos em que participou.

A 1 de julho de 2018 Juan Fernández-Armesto atua como presidente do tribunal arbitral em seis arbitragens comerciais, quatro de construção e nove de investimento; e como co-árbitro em seis arbitragens comerciais.

### **Arbitragens comerciais e de construção**

Juan Fernández-Armesto interveio como árbitro em mais de 100 arbitragens comerciais, em litígios resultantes de contratos de compra e venda de empresas (falsidade das garantias, ajustes de preço, problemas de contabilidade), de acordos parassociais entre acionistas, de contratos de agência e distribuição, da extinção de *joint ventures*, de contratos financeiros, bancários e de turismo e outros contratos comerciais.

Interveio também como árbitro em diversas arbitragens de construção, relacionadas com barragens, centrais eléctricas, *pipelines*, empreitadas integrais e outros projetos de infraestruturas.

As arbitragens comerciais e de construção nas quais participou incluem mais de 80 casos administrados pela CCI, além de casos administrados pela AAA, LCIA, VIAC, DIAC e processos *ad hoc* segundo o Regulamento UNCITRAL.

### **Arbitragens de investimento**

Juan Fernández-Armesto intervém também como árbitro em arbitragens de investimento, nesse âmbito foi designado árbitro em mais de 45 procedimentos (em 32 como Presidente do Tribunal Arbitral ou da Comissão de Anulação, quatro vezes como co-árbitro nomeado pela parte requerente, três como co-árbitro nomeado pela parte requerida e uma como membro da Comissão de Anulação). As decisões públicas nos referidos procedimentos podem ser consultadas em [www.jfarmesto.com](http://www.jfarmesto.com)



### **Experiência pública**

Em outubro de 1996 foi designado pelo Conselho de Ministros como Presidente da Comissão Nacional do Mercado de Valores (CNMV), a autoridade supervisora dos mercados de valores espanhóis. Como Presidente da CNMV presidiu às intervenções do Conselho da Comissão em mais de 200 processos disciplinares, julgando comportamentos relacionados com o mercado de valores.

Em 2011 foi designado Vice-Presidente da Câmara de Recursos Conjunta das Autoridades Supervisoras Europeias (Autoridade Bancária Europeia [EBA], Autoridade Europeia dos Seguros e Pensões Complementares de Reforma [EIOPA] e Autoridade Europeia dos Valores Mobiliários e dos Mercados [ESMA]), o órgão que decide sobre os recursos contra as decisões destas Autoridades.

### **Experiência profissional e académica**

Entre 1983 e 1996 Juan Fernández-Armesto foi sócio da sociedade de advogados Uría Menéndez. Em 1993 passou a dirigir o departamento de contencioso e arbitragem e nesse âmbito atuou como advogado em mais de 40 arbitragens, domésticas e internacionais.

Em 1978 começou a dar aulas de Direito Comercial na Universidad Pontificia Comillas - ICADE, como Professor Assistente. Em 1988 foi designado Professor Ordinário e posteriormente Catedrático daquela Universidade, onde deu aulas até ao ano de 2009.

### **Curriculum vitae**

De nacionalidade espanhola, nasceu em Nova York em 1953, fez o ensino secundário em Bonn (Alemanha) e em Madrid, onde em 1972 obteve o título de *Abitur*. Realizou os seus estudos universitários no ICADE, Madrid, onde se licenciou em Direito em 1977 e em Ciências Empresariais em 1978. Em 1983 obteve o título de Doutor em Direito pela Universidade Autónoma de Madrid (excelente *cum laude*), defendendo uma tese sobre créditos documentários.

Bilíngue em castelhano-alemão; inglês; português e conhecimentos de francês.

### **Painéis e Associações Profissionais**

Membro do Painel de Árbitros do CIADI, nomeado pelo Reino de Espanha.

Membro da Corte do London Court of International Arbitration (LCIA) e do Dubai International Arbitration Centre (DIAC).

Presidente do Club Español del Arbitraje (2017- ).

Membro do Governing Board da ICCA (2017- ).

Vice-Presidente do Comitê de Arbitragem da International Bar Association (IBA) (2008-2009).



### **Livros, artigos e conferências**

Juan Fernández-Armesto publicou dois livros, diversos capítulos em obras coletivas e inúmeros artigos jurídicos e informativos, e participou como orador em mais de duzentos atos públicos.

Pode aceder-se a uma lista completa dos seus artigos e ao texto de muitos deles, bem como às suas conferências, na área de “Publicações e Conferências” em [www.jfarnesto.com](http://www.jfarnesto.com)



**LIST OF ARBITRATIONS IN WHICH JUAN FERNÁNDEZ-ARMESTO  
HAS PARTICIPATED AS ARBITRATOR SINCE 2001**

**A) Commercial Arbitrations**

**2001**

1. **Portuguese Buyer vs. French Seller**, sole arbitrator, ICC, sale of machinery, Portuguese law, English language, (2001).
2. **Spanish Company vs. two Spanish Companies**, sole arbitrator, Corte de Arbitraje de Madrid, contract claim, Spanish law and language, (2001).
3. **German Investor vs. Spanish Company and Spanish Individuals**, co-arbitrator, ICC, joint venture agreement, Spanish law and language, (2001).
4. **Austrian Seller vs. Spanish Buyer**, co-arbitrator, ICC, sale of machinery for wind energy, Spanish law, English language, (2001).
5. **Spanish Company vs. German Company**, co-arbitrator, ICC, turnkey construction contract, Spanish law and language, (2001).

**2002**

6. **Cuban Companies vs. Mexican Bank**, co-arbitrator, ICC, financial transaction, Mexican law, Spanish language, (2002).
7. **French Hotel Chain vs. Spanish Owner**, co-arbitrator, Corte de Arbitraje de Madrid, hotel management agreement, Spanish law and language, (2002).

**2003**

8. **Canadian Company vs. Bolivian State Agency**, chairman, UNCITRAL, construction agreement, Bolivian law, Spanish and English languages, (2003).
9. **Omani Owner vs. Spanish Hotel Company**, co-arbitrator, UNCITRAL, two hotel management agreements, Omani/Sharia law, English language, (2003).
10. **Dutch Company vs. Spanish Distributor**, co-arbitrator, ICC, distribution contract, Spanish law, English language, (2003).
11. **Spanish Investor vs. Bolivian Company**, co-arbitrator, ICC, joint venture agreement, Bolivian law, Spanish language, (2003).
12. **Mexican Producer vs. US Distributor**, co-arbitrator, AAA, distribution agreement, law of California, English language, (2003).



13. **Spanish Company vs. Spanish Company**, co-arbitrator, Corte de Arbitraje de Madrid, breach of joint venture agreement, competition law, Spanish law and language, (2003).
14. **Spanish Construction Company vs. Spanish Owner**, co-arbitrator, *ad hoc*, construction agreement, Spanish law and language, (2003).
15. **Subsidiary of Italian Company vs. Spanish Company**, co-arbitrator, ICC, gas distribution agreement, English language, (2003).

#### **2004**

16. **Private Equity Investors vs. Seller**, co-arbitrator, *ad hoc*, share purchase agreement, Spanish law and language, (2004).
17. **Luxembourg Bank Holding vs. Central European Republic**, chairman, ICC, dispute arising from privatization of a bank, Austrian law, English language, (2004).
18. **Spanish Real Estate Company vs. Spanish Construction Company**, co-arbitrator, Corte de Arbitraje de Madrid, construction agreement, Spanish law and language, (2004).
19. **Spanish Seller vs. United Kingdom Buyer**, sole arbitrator, CIMA, share purchase agreement, Spanish law and language, (2004).
20. **Brazilian Subsidiary of US Company vs. Brazilian Company**, chairman, ICC, breach of shareholders' agreement, Brazilian law, English language, (2004).
21. **Private Equity Investors vs. Spanish Seller**, co-arbitrator, Corte de Arbitraje de Madrid, share purchase agreement, Spanish law and language, (2004).

#### **2005**

22. **Spanish Sellers vs. Spanish Subsidiary of Italian Buyer**, chairman, ICC, share purchase agreement, Spanish law and language, (2005).
23. **US Company vs. Spanish Company**, co-arbitrator, ICC, joint venture agreement, Spanish law, English language, (2005).
24. **International Construction Consortium vs. Colombian State Owned Company**, chairman, ICC, construction agreement, Colombian law, Spanish language, (2005).
25. **Mexican Subsidiary of US Company vs. Mexican State Owned Company**, chairman, ICC, construction agreement, Mexican law, Spanish language, (2005).
26. **Chilean Company vs. German Supplier**, co-arbitrator, ICC, plant construction agreement, English language, (2005).



27. **Argentinean Company vs. International Supplier**, chairman, ICC, construction agreement, English language, (2005).
28. **German Airplane Leasing Company vs. Mexican Lessor**, chairman, ICC, aircraft lease agreements, German law, English language, (2005).
29. **Spanish Insurance Company vs. UK Insurance Company**, co-arbitrator, Corte de Arbitraje de Madrid, sale of insurance company, Spanish law and language, (2005).
30. **Spanish Buyer vs. German Supplier**, co-arbitrator, ICC, machinery supply agreement, Spanish law and language, (2005).
31. **Spanish Seller vs. Spanish Buyer**, co-arbitrator, LCIA, share purchase Agreement, Spanish law, English language, (2005).
32. **Spanish Company vs. Spanish Gas Supplier**, co-arbitrator, *ad hoc*, gas distribution agreement, determination of gas price, Spanish law and language, (2005).
33. **Spanish Subsidiary of Italian Financial Company vs. Spanish Seller**, co-arbitrator, *ad hoc*, share purchase agreement, Spanish law and language, (2005).

#### **2006**

34. **Spanish Subsidiary of Portuguese Company vs. Spanish Subsidiary of Swedish Company**, co-arbitrator, ICC, share purchase agreement, Spanish law and language, (2006).
35. **Spanish Company vs. Spanish Utility**, co-arbitrator, Corte de Arbitraje de Madrid, electricity distribution agreement, Spanish law and language, (2006).
36. **British Company vs. State Owned Company**, chairman, ICC, construction agreement, expropriation, Iranian law / Sharia law, English language, (2006).
37. **Luxembourg Company vs. Dutch Company**, co-arbitrator, ICC, share purchase agreement, Spanish law, English language, (2006).
38. **Spanish lawyer vs. Spanish law firm**, chairman, *ad hoc*, partnership agreement, Spanish law and language, (2006).

#### **2007**

39. **Spanish Construction Company vs. Spanish Subsidiary of Italian Company**, chairman, Corte de Arbitraje de Madrid, construction agreement, Spanish law and language, (2007).
40. **Spanish Listed Company vs. International Insurance Company**, co-arbitrator, *ad hoc*, insurance claim, Spanish law and language, (2007).



41. **Gibraltar Company vs. Spanish Football Club**, co-arbitrator, ICC, joint venture agreement, Spanish law and language, (2007).
42. **Spanish Company vs. French Insurance Company**, sole arbitrator, CIMA, insurance claim, Spanish law and language, (2007).
43. **American Utility vs. Agency of Central American State**, co-arbitrator, UNCITRAL, distribution of energy, law of El Salvador, English language, (2007).
44. **Argentinean Company vs. German Company and Argentinean Subsidiary of German Company**, chairman, ICC, joint venture agreement, extraordinary legislation, Argentinean law, Spanish language, (2007).

#### **2008**

45. **German Buyer vs. Spanish Sellers**, co-arbitrator, ICC, share purchase agreement, Spanish law, English language, (2008).
46. **Dutch Subsidiary of Portuguese Company vs. Portuguese Listed Company**, chairman, ICC, share purchase agreement, Portuguese law and language, (2008).
47. **Uruguayan Association vs. Financial Company**, chairman, ICC, sale of investment funds, Uruguayan law, Spanish language, (2008).
48. **Brazilian Buyer vs. Brazilian and US Sellers**, chairman, ICC, share purchase agreement, Brazilian law, Portuguese language, (2008).
49. **Spanish Sellers vs. Norwegian Buyer**, co-arbitrator, Tribunal Arbitral de Barcelona, share purchase agreement, Spanish law and language, (2008).
50. **Spanish Buyer vs. Spanish / UK Listed Company**, co-arbitrator, ICC, share purchase agreement, Spanish law and language, (2008).
51. **Spanish Sellers vs. Spanish Utility**, co-arbitrator, CIMA, sale of wind farm, Spanish law and language, (2008).
52. **Spanish Seller vs. Spanish Buyer**, sole arbitrator, Corte Española de Arbitraje, share purchase agreement, Spanish law and language, (2008).
53. **French Listed Company vs. Spanish Shipping Company**, co-arbitrator, ICC, share purchase agreement in the shipping sector, Spanish law, English language, (2008).
54. **Spanish Sellers vs. Spanish Buyer**, co-arbitrator, *ad hoc*, share purchase agreement, Spanish law and language, (2008).



## **2009**

55. **Indian Buyer vs. Spanish Sellers**, chairman, LCIA, share purchase agreement in the construction sector, Spanish law, English language, (2009).
56. **Spanish Sellers vs. Spanish Buyer**, co-arbitrator, Corte de Arbitraje de Madrid, share purchase agreement, Spanish law and language, (2009).
57. **Spanish Subsidiary of Private Equity Fund vs. Sister Company of the same Private Equity Fund**, adjudicator, *ad hoc*, termination of joint venture, Spanish law, English language, (2009).
58. **Spanish Buyers vs. German and Spanish Sellers**, co-arbitrator, ICC, share purchase agreement in the leasing sector, Spanish law, English language, (2009).
59. **Argentinean Company vs. French Company**, chairman, ICC, machinery supply agreement, French and Argentinean law, English language, (2009).
60. **Dutch Subsidiary of Mexican Company vs. Austrian Company**, co-arbitrator, ICC, share purchase agreement in the construction sector, Austrian law, English language, (2009).
61. **Spanish Listed Utility vs. Spanish Subsidiary of German Listed Company**, co-arbitrator, *ad hoc*, termination of joint venture agreement in the electricity sector, Spanish law and language, (2009).

## **2010**

62. **Spanish Listed Financial Institution vs. Spanish Financial Institution**, chairman, Corte de Arbitraje de Madrid, joint venture agreement, Spanish law and language, (2010).
63. **State Owned Corporation vs. Sovereign State of the EU**, chairman, ICC, purchase agreement in the defence sector, English language, (2010).
64. **Peruvian Company vs. American Company**, co-arbitrator, Corte de Arbitraje de Madrid, shareholders' agreement in the life insurance sector, *amiable compositeur*, Spanish language, (2010).
65. **Spanish Listed Construction Company vs. Spanish Construction Company**, chairman, Corte de Arbitraje de Madrid, construction and development agreements, Spanish law and language, (2010).
66. **Spanish Company vs. two Spanish Companies and one Belgian Company**, co-arbitrator, ICC, real estate contracts, Spanish law, English language, (2010).





## **2011**

67. **Greek Company vs. French Company**, chairman, ICC, pharmaceutical contract, French law, English language, (2011).
68. **Dutch Gas Company vs. German Gas Buyer**, chairman, UNCITRAL, gas supply agreement, Dutch law, German language, (2011).
69. **Spanish Companies vs. Spanish Bank**, chairman, Corte de Arbitraje de Madrid, financial derivatives contracts, Spanish law and language, (2011).
70. **British Company vs. Spanish Company**, co-arbitrator, ICC, supply agreement, Spanish law, language to be determined, (2011).
71. **Belgian Company vs. German Company**, chairman, ICC, supply agreement, German law, English language, (2011).
72. **Guatemalan Company vs. German Company**, chairman, ICC, agency agreement, law to be determined, English language, (2011).
73. **Spanish Company vs. Spanish Company**, co-arbitrator, Corte de Arbitraje de Madrid, share purchase agreement, Spanish law and language, (2011).
74. **Polish Company vs. two Russian Companies**, co-arbitrator, UNCITRAL, gas supply agreement, law to be determined, English language, (2011).
75. **Romanian Company vs. Italian Company and Dutch holding**, co-arbitrator, ICC, privatization agreements, Romanian law, English language, (2011).

## **2012**

76. **Spanish Company vs. Spanish Company**, chairman, CIMA, construction and development agreement, Spanish law and language, (2012).
77. **Spanish Company vs. Spanish Bank**, chairman, Corte de Arbitraje de Madrid, financial derivatives contract, Spanish law and language, (2012).
78. **Two United Arab Emirates Companies vs. United Arab Emirates Company**, chairman, DIAC, construction and development agreements, Dubai and UAE laws, English language, (2012).
79. **Brazilian Company vs. Brazilian Company**, chairman, ICC, supply agreement, Brazilian law, Portuguese language, (2012).
80. **Middle Eastern Pipeline Operator vs. Middle Eastern Gas Producer and Middle Eastern Buyer of Gas**, chairman, ICC, gas supply and purchase agreement, English law and language, (2012).



81. **Spanish Bank vs. Spanish Company**, sole arbitrator, *ad hoc*, financial derivatives contract, Spanish law and language, (2012).
82. **Bolivian Company vs. Mexican Company and its Mexican parent Company**, chairman, IACAC, shareholders agreement, Bolivian law, Spanish language, (2012).
83. **Ecuadorian Company vs. Ecuadorian Public Company**, chairman, ICC, public service concession agreement, Ecuadorian law, Spanish language, (2012).
84. **Finnish Company vs. EU State**, co-arbitrator, UNCITRAL, transfer of technology and *know-how* in connection with the manufacture of armored vehicles, law of the Respondent State, English language, (2012).
85. **Portuguese Subcontractor vs. Portuguese Contractor**, co-arbitrator, ICC, construction agreement, Portuguese law, English language, (2012).

### **2013**

86. **Eastern European Distributor vs. Spanish Automobile Company**, co-arbitrator, VIAC, distributorship agreement, Spanish law, English language, (2013).
87. **Spanish Bottled Water Company vs. Spanish Bank**, chairman, Corte de Arbitraje de Madrid, financial derivatives contract, Spanish law and language, (2013).
88. **Spanish Insurance Company vs. Spanish Banks**, co-arbitrator, CIMA, insurance joint venture agreement, Spanish law and language, (2013).
89. **Angolan Company vs. US Group**, co-arbitrator, ICC, service agreement in the oil industry, Angolan law, English language, (2013).
90. **Foreign Investor vs. Public Entity of a Central American Republic**, chairman, ICC, joint venture in the electricity market, Spanish language, (2013).
91. **Spanish Gas Producer vs. Italian Gas Producer**, co-arbitrator, ICC, shareholders agreement, Spanish law, English language, (2013).
92. **Investors in the Electrical Market vs. Public Entity of an American Republic**, co-arbitrator, ICC, investment in the electric sector, Spanish language, (2013).
93. **Private Companies vs. European Republic**, chairman, ICC, privatization in the ship building sector, English language, (2013).

### **2014**

94. **Spanish Company vs. Portuguese Company**, chairman, Corte de Arbitraje de Madrid, sale in the solar energy sector, Spanish law and language, (2014).



95. **Iberian Law Firm vs. Partner**, chairman, Corte de Arbitraje de Madrid, dispute arising out of by-laws, Spanish law and language, (2014).
96. **Brazilian Company, Chilean Company and Spanish Company vs. Peruvian Company**, co-arbitrator, ICC, dispute arising out of shareholders' agreement under Peruvian law, Spanish language, (2014).
97. **European Companies vs. European State Owned Entities and European Companies**, chairman, UNCITRAL Rules, share purchase agreement in the aluminium sector, English language, (2014).
98. **Swiss Bank vs. Dutch Bank**, chairman, ICC, sale and purchase in the banking sector, Dutch law, English language, (2014).
99. **International Oil Company vs. South American National Oil Company**, chairman, CIAC, adjustment of contractual royalties, Spanish language, (2014).
100. **State Owned Oil and Gas Company vs. Agency of a State**, chairman, ICC, concession agreement, Portuguese language, (2014).
101. **European Republic vs. Private Companies**, chairman, ICC, privatization in the ship building sector, English language, (2014).

## **2015**

102. **Sterling Merchant Finance Ltd. vs. Government of the Republic of Cape Verde**, sole arbitrator, UNCITRAL, PCA, services agreement, English language, (2015).
103. **Western European Gas Company vs. Eastern European Gas Company**, co-arbitrator, ICC, price revision under gas sale and purchase agreement, Swiss law, English language, (2015).
104. **Peruvian Company vs. Peruvian and Colombian Companies**, chairman, ICC, turnkey construction contract, Peruvian law, Spanish language, (2015).
105. **International Construction Company vs. Central American Public Agency**, chairman, ICC, construction contract, Spanish language, (2015).
106. **Ecuadorian Sellers vs. Buyer and Related Companies (Spanish and Ecuadorian)**, chairman, ICC, share purchase agreement, Ecuadorian law, Spanish language, (2015).
107. **Mexican Consortium vs. Mexican State Owned Corporation**, chairman, ICC, public service construction agreement, Mexican law, Spanish language, (2015).
108. **PT Ventures, SGPS, S.A. (Portugal) vs. República de Cabo Verde (Cabo Verde) vs. Cabo Verde Telecom, S.A. (Cabo Verde)**, chairman, ICC, shareholders' agreement, Portuguese language, (2015).



109. **Spanish Company vs. Dutch Company et al.**, co-arbitrator, ICC, share purchase agreement, Spanish law, English language, (2015).

#### **2016**

110. **Spanish Company and Colombian Company vs. Colombian Consortium, two Korean Companies and a Spanish Company**, co-arbitrator (chairman: J. Jiménez Gutiérrez; co-arbitrator: F. de Vivero), ICC, construction agreement, Colombian law, Spanish language, (2016).
111. **Auditing Firm (Belgium) vs. Certain Individuals (Italy)**, chairman (co-arbitrators: P. Hollander and L. Lévy), ICC, Belgian law, English language, (2016).
112. **UAE Investor vs. Brazilian Investors**, chairman (co-arbitrators: P. Batista Martins and V. Galíndez), ICC, shareholders agreement relating to a major construction project, Brazilian law, English language, (2016).
113. **Mining Company vs. International Supplier**, co-arbitrator (chairman: D. Arias; co-arbitrator: E. Zuleta-Jaramillo), Cámara de Comercio de Lima, construction dispute, Peruvian law, English language, (2016).
114. **Oil Refinery vs. Engineering and Construction Company**, chairman (co-arbitrators: A. Jana and Sir V. Ramsey), ICC, engineering, procurement and construction agreement, law of the State of New York and law of a South American country, English language, (2016).
115. **Latin American Telecom Provider vs. Latin American National Regulatory Authority**, chairman (co-arbitrators: B. Sepúlveda and F. Cantuarias), domestic arbitration, concession agreement, Spanish language, (2016).

#### **2017**

116. **Lebanese Bank vs. Several Borrowers**, chairman (co-arbitrators: S. Prevezer and T. Baloch), LCIA, loan agreement, English law, English language, (2017).
117. **Oil and Gas Company vs. African State-Owned Entity**, chairman (co-arbitrators: E. Damião Gonçalves and J. E. Nunes Pinto), UNCITRAL (ICC), production sharing contract, Portuguese language, (2017).
118. **Spanish Temporary Union of Companies vs. Spanish State-Owned Company**, co-arbitrator (chairman: J. Mairata Laviña; co-arbitrator: E. Benito Sancho), Corte Civil y Mercantil de Arbitraje, construction contract, Spanish law, Spanish language, (2017).
119. **Chilean Company vs. Chilean and Italian Companies**, chairman (co-arbitrators: D. Arias and C. Conejero), ICC, construction contract, Chilean law, Spanish language, (2017).



120. **Togolese and Luxembourg Companies vs. Dutch and Luxembourg Companies**, co-arbitrator designated by Claimant (chairman: H. Alvarez; co-arbitrator: H. Heilbron), ICC, share purchase agreement, English law, English language, (2017).

**2018**

121. **Luxembourg Holding Company vs. Luxembourg Holding Company**, chairman (co-arbitrators: A. Hierro and D. Arias), ICC, share purchase agreement, Portuguese law, English language. Counsel to Claimant: PLMJ Advogados; Counsel to Respondent: Morais Leitão, Galvão Teles, Soares da Silva & Associados. (2018).
122. **International Construction Company vs. Central American Public Agency**, chairman (co-arbitrators: H. Grigera Naón and J. E. Nunes Pinto), ICC, construction contract, law of Central American Republic, Spanish language. Counsel to Claimant: Derains & Gharavi; Counsel to Respondent: In-house. (2018).



**B) Investment Arbitrations and other International Public Law Proceedings**

**2004**

123. **Unisys Corporation vs. Argentine Republic**, chairman, ICSID Case No. ARB/03/27, investment arbitration under BIT, English language, (2004). (Suspended).
124. **SAUR International vs. Argentine Republic**, chairman, ICSID Case No. ARB/04/4, investment arbitration under BIT, Spanish language, (2004).

**2006**

125. **Banco Central do Brasil (Brasil) vs. Banco Central del Uruguay (Uruguay)**, chairman, arbitration between central banks under ALADI Rules, Spanish language, (2006).
126. **Phoenix Action Ltd. vs. The Czech Republic**, co-arbitrator, designated by Respondent, ICSID Case No. ARB/06/5, investment arbitration under BIT, English language, (2006).

**2007**

127. **Mr. Tza Yap Shum vs. Republic of Peru**, co-arbitrator, designated by Respondent, ICSID Case No. ARB/07/6, investment arbitration under BIT, Spanish language, (2007).
128. **Mr. Joseph Charles Lemire vs. Ukraine**, chairman, ICSID Case No. ARB/06/18, investment arbitration under BIT, English language, (2007).
129. **City Oriente Limited vs. Republic of Ecuador and Empresa Estatal Petróleos del Ecuador (Petroecuador)**, chairman, ICSID Case No. ARB/06/21, under investment contract, Spanish language, (2007).
130. **Mr. Vito G. Gallo vs. Government of Canada**, chairman, UNCITRAL, PCA, investment arbitration under NAFTA, English language, (2007).

**2008**

131. **TCW Group, Inc. and Dominican Energy Holdings vs. The Dominican Republic**, co-arbitrator, designated by Respondent, UNCITRAL, investment arbitration under CAFTA, English language, (2008).

**2009**

132. **Nova Scotia Power Incorporated vs. Bolivarian Republic of Venezuela**, chairman, PCA, investment arbitration under BIT, English language, (2009).



133. **Spanish Investor vs. Cuba**, co-arbitrator, designated by Claimant, ICC, investment arbitration under BIT, Spanish language, (2009).
134. **Holcim Limited, Holderfin B.V. and Caricement B.V. vs. Bolivarian Republic of Venezuela**, chairman, ICSID Case No. ARB/09/3, investment arbitration under BIT, English language, (2009).

#### 2010

135. **Abengoa, S.A. and Cofides, S.A. vs. United Mexican States**, co-arbitrator, designated by Claimant, ICSID Case No. ARB(AF)/09/2, investment arbitration under BIT, Spanish language, (2010).
136. **ATA Construction, Industrial and Trading Company vs. Hashemite Kingdom of Jordan**, Member of Annulment Committee, ICSID Case No. ARB/08/2, English language, (2010).

#### 2011

137. **Astaldi S.p.A. vs. Republic of Honduras**, President of the Annulment Committee, ICSID Case No. ARB/07/32, Spanish language, (2011).
138. **Flughafen Zürich A.G. and Gestión e Ingeniería IDC S.A. vs. Bolivarian Republic of Venezuela**, chairman, ICSID Case No. ARB/10/19, investment arbitration under BIT, Spanish language, (2011).
139. **Shell Nigeria Ultra Deep Limited (SNUD) vs. Federal Republic of Nigeria**, chairman, ICSID Case No. ARB/07/18, investment arbitration under BIT, English language, (2011).

#### 2012

140. **OI European Group B.V. vs. Bolivarian Republic of Venezuela**, chairman, ICSID Case No. ARB/11/25, investment arbitration under BIT, Spanish and English languages, (2012).
141. **Netherlands Investor vs. Government of Cuba and Public Cuban Company**, co-arbitrator designated by Claimant, ICC, investment arbitration under BIT, (2012).
142. **Caratube International Oil Company LLP vs. Republic of Kazakhstan**, President of the Annulment Committee, ICSID Case No. ARB/08/12, English language, (2012).
143. **Occidental Petroleum Corporation and Occidental Exploration and Production Company vs. Republic of Ecuador**, President of the Annulment Committee, ICSID Case No. ARB/06/11, English and Spanish languages, (2012).

#### 2013



144. **Rusoro Mining Ltd vs. Bolivarian Republic of Venezuela**, chairman, ICSID Case No. ARB(AF)/12/5, investment arbitration under BIT, English and Spanish languages, (2013).
145. **SV Capital OÜ vs. European Banking Authority**, Vice President of the Joint Board of Appeal of the European Supervisory Authorities, appeal of a decision of EBA under Article 60 (1) of Regulation (EU) No. 1093/2010, English language, (2013).
146. **Tenaris S.A. and Talta – Trading e Marketing Sociedade Unipessoal Lda. vs. Bolivarian Republic of Venezuela**, chairman, ICSID Case No. ARB/12/23, investment arbitration under BIT, English and Spanish languages, (2013).
147. **Global Private Rating Company “Standard Rating” Ltd. vs. European Securities and Markets Authority**, Vice President of the Joint Board of Appeal of the European Supervisory Authorities, appeal of a decision of ESMA under Article 60 (1) of Regulation (EU) N° 1095/2010, English language, (2013).

#### **2014**

148. **Edenred S.A. vs. Hungary**, chairman, ICSID Case No. ARB/13/21, investment arbitration under BIT, English language, (2014).
149. **European Company vs. European Republic**, chairman, ICC, investment arbitration under BIT, English language, (2014).
150. **SV Capital OÜ vs. European Banking Authority (EBA)**, II, Vice President of the Joint Board of Appeal of the European Supervisory Authorities, appeal of a decision of EBA under Article 60 (1) of Regulation (EU) No. 1093/2010, English language, (2014).
151. **Investor Protection Europe sprl vs. European Securities and Markets Authority (ESMA)**, Vice President of the Joint Board of Appeal of the European Supervisory Authorities, appeal of a decision of ESMA under Article 60 (1) of Regulation (EU) No. 1095/2010, English language, (2014).
152. **Cyprus Popular Bank Public Co. Ltd. vs. Hellenic Republic**, chairman, ICSID Case No. ARB/14/16, investment arbitration under BIT, English language, (2014).
153. **Highbury International AVV, Compañía Minera de Bajo Caroní AVV, and Ramstein Trading Inc. vs. Bolivarian Republic of Venezuela**, chairman, ICSID Case No. ARB/14/10, investment arbitration under BIT, Spanish language, (2014).

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154. **Onix Asigurari S.A. vs. European Insurance and Occupational Pensions Authority (EIOPA)**, Vice President of the Joint Board of Appeal of the European Supervisory Authorities, appeal of a decision of EIOPA under Article 60 (1) of Regulation (EU) No. 1094/2010, English language, (2015).





155. **PT Ventures, SGPS, S.A. vs. Republic of Cabo Verde**, chairman, ICSID Case No. ARB/15/12, investment arbitration under BIT, Portuguese language, (2015).
156. **Álvarez y Marín Corporación S.A. and others vs. Republic of Panamá**, chairman, ICSID Case No. ARB/15/14, investment arbitration under BIT and FTA, Spanish language, (2015).

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157. **Andrus Kluge, Boris Belyaev, Radio Elektroniks OÜ and Timur Dyakov vs. European Banking Authority (EBA)**, Vice President of the Joint Board of Appeal of the European Supervisory Authorities, appeal of a decision of EBA under Article 60 (1) of Regulation (EU) No. 1093/2010, English language, (2016).
158. **Cyprus Investor vs. Eastern European State**, chairman (co-arbitrators: S. Alexandrov and M. Clodfelter), UNCITRAL, investment arbitration under BIT, English language, (2016).
159. **Turkish Investor vs. North African State**, chairman (co-arbitrators: P. Mayer and G. Khairallah), ICC, investment arbitration under BIT, English language, (2016).
160. **Lion Mexico Consolidated LoP. vs. United Mexican States**, chairman (co-arbitrators: D. J. A. Cairns and R. Ramírez), ICSID Case No. ARB(AF)/15/2, investment arbitration under NAFTA, English language, (2016).
161. **Glencore International A.G. y C.I. Prodeco S.A. vs. Republic of Colombia**, chairman (co-arbitrators: O. Garibaldi and C. Thomas), ICSID Case No. ARB/16/6, investment arbitration under BIT, (2016).

### 2017

162. **Central European Company vs. Central European State**, chairman (co-arbitrators: M. Wirth and T. Sójka), UNCITRAL, PCA, BIT-based arbitration, gambling industry, English language, (2017).
163. **FinancialCraft Analytics Sp. z o.o. (formerly named Global Rating Sp. z o.o.) vs. The European Securities and Markets Authority (ESMA)**, Vice President of the Joint Board of Appeal of the European Supervisory Authorities, appeal of a decision of ESMA under Article 60(4) of Regulation (EU) No. 1095/2010, English language, (2017).
164. **Anglo-Adriatic Group Limited vs. Republic of Albania**, chairman (co-arbitrators: G. von Segesser and B. Stern), ICSID Case No. ARB/17/6, investment arbitration under BIT, English language, (2017).
165. **DP World Limited vs. Kingdom of Belgium**, chairman (co-arbitrators: B. Stern and S. Alexandrov), ICSID Case No. ARB/17/21, investment arbitration under BIT, English language, (2017).



166. **Pawlowski AG and Project Sever s.r.o. vs. Czech Republic**, chairman (co-arbitrators: J. Beechey and V. Lowe), ICSID Case No. ARB/17/11, investment arbitration under BIT, English language, (2017).

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167. **Russian Company vs. Eastern European State**, chairman (co-arbitrators: B. Stern and S. Alexandrov), UNCITRAL, investment arbitration under multilateral treaty, English language. Counsel to Claimant: Baker & McKenzie; Counsel to Respondent: White & Case. (2018).
168. **Gramercy Funds Management LLC and Gramercy Peru Holdings LLC vs. Republic of Peru**; chairman (co-arbitrators: S. Drymer and B. Stern), UNCITRAL administered by ICSID, investment arbitration under TPA USA-Peru; English and Spanish languages. Counsel to Claimant: Debevoise & Plimpton; Rodrigo, Elias & Medrano. Counsel to Respondent: White & Case. (2018).
169. **Edenred S.A. vs. Hungary**, chairman (co-arbitrators: F. Orrego Vicuña and C. von Wobeser), ICSID, revision of investment arbitration award rendered in 2016, English language. Counsel to Applicant: Horváth & Partners DLA Piper; Counsel to Respondent: Hogan Lovells. (2018).

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