

International Arbitration & White & Case

A global practice





The International Arbitration practice at White & Case is widely recognized as preeminent in its field.

For us, international arbitration isn't the occasional instruction; it's all we do. With more arbitration practitioners in offices around the world than any other firm, we cover every jurisdiction, arbitral forum and industry sector, and work under multiple laws and in diverse languages.

We act for global corporations, financial institutions, investors and sovereign states, and we have a high number of repeat clients. They turn to us because they trust our skill, experience and reputation to achieve the best possible outcome for them, and because our partners personally handle all their cases. Our high-profile cases often make headlines, and they include some of the most important decisions in international arbitration history.

The legal directories, including *Chambers Global*, *The Legal 500* and *Global Arbitration Review*, place our practice in the elite category. Members of our team are among the most highly ranked international arbitration practitioners in the world.

A top-tier practice with a track record of handling complex cases

With more than 180 arbitration lawyers globally, we have the largest international arbitration practice in the world. Our lawyers are based in the key arbitral centers of New York, Washington, DC, London, Paris, Geneva, Stockholm and Singapore, and we have significant on-the-ground arbitration capability in Mexico City, Miami, Houston, Madrid, Frankfurt, Warsaw, Moscow, Dubai, Doha, Riyadh, Hong Kong and beyond.

We are a truly global team

Our practice is independently recognized by *Chambers* as being “the farthest reaching and most evenly spread of the specialist arbitration firms.” No other law firm has our strength and depth of coverage in the United States, Europe and in emerging markets worldwide. This means that we are able to operate with little or no learning curve no matter where in the world your dispute takes us.

Members of our team are leading individuals in international commercial arbitration and investor-state arbitration. And many of us hold prominent positions at key arbitral institutions and on thought leadership committees. Our group’s collective experience brings with it unrivaled insight into arbitrators, institutions, expert witnesses and opposing counsel, which can make all the difference to the outcome of your dispute.

We are trusted with high-stakes claims

We represent clients and achieve groundbreaking results in some of the most complex and high-value disputes in the world.

On one of the longest-running and most technically complex cases to be referred to the ICC, we obtained a major victory for our client, an Asian contractor, in a US\$1.4 billion Spanish-language arbitration relating to the construction of an oil refinery in Latin America.

And in a politically charged US\$1 billion dispute relating to public works that had remained unpaid for 30 years, we obtained an award of €550 million, plus costs, for Commisimpex against the Republic of the Congo.

We have a long list of “firsts”

Our work on commercial arbitration and more than 100 investor-state arbitrations regularly makes headlines for the landmark results we achieve. And we have won cases where clients have already tried and failed before the same arbitral institution using different counsel.

For example, we represented tens of thousands of Italian holders of Argentine bonds in a US\$2.4 billion claim before ICSID. In a seminal decision, which was named “Most Influential Award of the Decade” by OGEMID, the tribunal found jurisdiction over the case, giving the green light to the first-ever mass claim in investment arbitration history.

And in a landmark ICSID case that expands the protection afforded to foreign investors under international law, we secured victory for Swiss client SGS by persuading the tribunal to adopt an innovative interpretation of the “umbrella clause.” SGS had twice before brought such claims against two other states without success.

We offer a complete service

We advise on international disputes under virtually any substantive law, arbitral forum and industry sector, and in multiple languages. We work with original-language documents, interview witnesses in their native language and conduct proceedings in the language of choice.

We advise clients at every stage of the dispute resolution process, from the drafting of dispute resolution clauses to pre-proceeding issues and the conduct of proceedings, through to the enforcement of arbitral awards. We also advise on alternative dispute resolution methods, such as disputes boards and mediation, and can provide guidance on the best dispute resolution options in any given situation.



“Clearly the best in the business”

**“Undoubtedly pre-eminent
in the field”**

Chambers Global

“At the top”

**“A stellar international
arbitration reputation”**

The Legal 500

“First class”

“A force in the global market”

Global Arbitration Review

Number One Worldwide

Global Arbitration Review 2015 – 2019

Band 1

Chambers Global, Europe, USA, France 2019

**Most successful firm
in ICSID arbitration**

Credibility International 2014

Hands-on experience in key sectors

Our lawyers are experienced dispute resolution practitioners in sectors including aviation, aerospace, construction, defense, energy, financial services, hospitality, information technology, manufacturing, media, mining, nuclear, oil & gas, power, real estate, telecommunications and in cases for or against states.

Construction

We advise on international construction arbitrations around the world and in disputes boards and similar alternative dispute resolution procedures. Our group includes the legal advisor to the FIDIC contracts committee, which produces the most widely used forms of construction contracts in the world. We are particularly experienced in multiparty arbitrations, which often arise out of construction projects.

Energy

In the energy and oil & gas sectors, we have some of the world's leading arbitration practitioners. We have deep experience in all types of energy disputes, and act for owners and developers, contractors, suppliers, sponsors, investors, lenders, joint venture companies, sovereigns and others in arbitrations relating to production sharing agreements, concession agreements, power plants, hydroelectric plants, coal and gas-fired energy facilities, oil refineries, LNG, LPG and petrochemical plants.

Financial services

Arbitration is an increasingly accepted dispute resolution option for banking, insurance and other financial institutions. We have built up a significant body of expertise in this area, and work closely with our colleagues who undertake transactional work for such clients in order to provide a cohesive, integrated and efficient service.

Foreign investment

We are uniquely experienced in representing both investors and states in disputes arising under investment treaties (both bilateral and multi-lateral) and investment contracts. We are recognized as a market leader in this area by all legal directories, and have particular strength in disputes involving sovereigns in Africa, Asia, Eastern Europe and Latin America.

Nuclear

We have world-leading experience in the nuclear power sector and a thorough understanding of the industry through our preeminent position advising on large-scale nuclear power projects, related financings and dispute resolution for more than three decades. We have advised governments and private sector clients on some of the most cutting-edge projects of recent times.

Telecommunications, Media and Technology (TMT)

Many multinational TMT companies view arbitration as a preferred dispute resolution option. The sector is a specialized one, and our lawyers have the experience to master the technical details of a dispute. We are also well-versed in acting for clients in disputes over manufacturing, licensing and distribution agreements, which frequently arise in technology-related industries.



“Strong in the oil and gas, power and construction sectors”

“Expertise in international construction (FIDIC), oil and gas, joint ventures and telecommunications matters”

“Pre-eminent in sovereign/investor disputes, the Firm also has a strong reputation for handling infrastructure and finance work”

Chambers Global

**International Arbitration
Law Firm of the Year**

Who’s Who Legal 2018 – 2019

**International Arbitration
Law Firm of the Year**

Benchmark Litigation 2018

**International Arbitration
Law Firm of the Year: Governmental**

U.S. News & World Report—Best Lawyers 2018

Our International Arbitration practice at a glance



Ranked “Number 1 International Arbitration Practice Worldwide” by *Global Arbitration Review*

Track record of achieving groundbreaking results in complex, high-stakes disputes

The largest International Arbitration practice of any firm, with more than 180 dedicated arbitration lawyers

Leading individuals, including some of the most respected, experienced and highly ranked arbitration practitioners in the world

Recent examples of our work

International commercial arbitration

Asian oil industry contractor

Success in complex construction case

In one of the longest running and most technically complex cases to be referred to the ICC, we obtained a major victory for our client, an Asian contractor, in a US\$1.4 billion Spanish-language arbitration relating to the construction of an oil refinery and pipelines in Latin America.

Congolese contractor

Victory in long-running ICC arbitration

In a politically charged US\$1 billion dispute relating to public works that had remained unpaid for 30 years, we obtained an award of €550 million, plus costs, for Commisimpex against the Republic of the Congo.

Nuclear power plant purchaser

Multibillion-dollar nuclear dispute

In one of the world's largest and most complex infrastructure disputes, we represented the purchaser of a nuclear power plant in multi-billion dollar arbitration and litigation relating to the design and construction of a nuclear power plant. In 2018, we negotiated an agreement that ended the arbitration while retaining the main principles of the plant contract.

Construction contractors

Construction dispute with global economic significance

In one of the world's most significant construction disputes, we represent the contractors in a multi-billion dollar dispute with the Panama Canal Authority regarding the US\$5.5 billion Panama Canal expansion project. Given the Canal's importance to world trade, the dispute has major global economic significance.

Recent examples of our work

Investor-state arbitration

Abaclat & others v. Argentine Republic

Most influential award of the last decade

We represented tens of thousands of Italian holders of Argentine bonds in a US\$2.4 billion ICSID arbitration under the Argentina-Italy bilateral investment treaty. The case related to sovereign default, a critical legal and political issue in Latin America, and involved the largest known number of claimants in a single arbitration.

In August 2011, the tribunal issued a seminal “Decision on Jurisdiction and Admissibility,” establishing jurisdiction over the claims and giving the green light to the first-ever mass claim in investment arbitration history. The decision won “Most Influential Award of the Last Decade” at the 2012 OGEMID Awards.

In May 2016, the parties reached an historic settlement with Argentina, whereby the Government agreed to pay 150 percent of the principal value of the affected bonds—an extraordinary achievement in a cutting-edge dispute that lasted more than a decade.

Československá obchodní banka, a. s. v. Slovak Republic

US\$867 million award for Czech bank ČSOB after defeating two rounds of jurisdictional objections

We achieved a major victory for the claimant, ČSOB, obtaining an award of more than US\$867 million, plus US\$10 million in costs, the largest ICSID arbitration award ever rendered and paid. Prior to succeeding on the merits, we defeated two rounds of jurisdictional objections raised by the Slovak Republic and obtained orders for provisional measures opposed by the Slovak Republic.

Global & Globex v. Ukraine

Groundbreaking shutdown of claim

We defended Ukraine against an ICSID claim brought by two US investors, Global Trading and Globex International, by successfully applying for summary dismissal under ICSID Rule 41(5). This represented the first-ever instance where a tribunal summarily dismissed the merits of an ICSID claim under this Rule.

Metal-Tech Ltd v. Republic of Uzbekistan**First-ever investment treaty case to be dismissed on corruption grounds**

We represent Uzbekistan in six investment arbitrations, including an ICSID claim brought by Metal-Tech under the Uzbekistan-Israel bilateral investment treaty relating to an alleged investment in the Uzbek mineral processing industry.

In a unanimous award dated October 4, 2013, the tribunal refused jurisdiction over Metal-Tech's request for more than US\$170 million in damages, finding that Metal-Tech had made corrupt payments to obtain its alleged investment. The case is the first investment treaty claim ever to be dismissed on corruption grounds. The decision was nominated by *Global Arbitration Review* for "Most Important Published Decision of 2013 in Jurisprudential Terms."

SGS Société Générale de Surveillance v. Republic of Paraguay**Major victory for Swiss client SGS in landmark award**

We achieved a significant victory for Swiss company SGS in an ICSID arbitration against Paraguay in a dispute arising out of non-payment for inspection services under the Swiss-Paraguay bilateral investment treaty. In a groundbreaking award, SGS's position was fully vindicated when the tribunal adopted an innovative interpretation of the investment treaty's "umbrella clause." SGS had twice before brought such claims against two other states, using different counsel, without success.

Gold Reserve v. Venezuela**US\$740 million award for Canadian mining company**

In a true "bet-the-company" case, we achieved a momentous victory for Gold Reserve in a long-running ICSID arbitration against Venezuela relating to one of the world's largest undeveloped gold/copper deposits. In a unanimous award, the tribunal found that Venezuela had acted unlawfully in violation of the Canada-Venezuela bilateral investment treaty and awarded Gold Reserve more than US\$740 million in damages and legal costs.

About White & Case

White & Case is a global law firm with longstanding offices in the markets that matter today. Our on-the-ground experience, our cross-border integration and our depth of local, US and English-qualified lawyers help our clients work with confidence in any one market or across many.

We guide our clients through difficult issues, bringing our insight and judgment to each situation. Our innovative approaches create original solutions to our clients' most complex domestic and multijurisdictional deals and disputes.

By thinking on behalf of our clients every day, we anticipate what they want, provide what they need and build lasting relationships. We do what it takes to help our clients achieve their ambitions.

#1 Global 20 Law Firm

Law360 2019

One of the Most Innovative Law Firms in Europe and North America

*Financial Times Innovative Lawyers Europe 2018 Report
Financial Times Innovative Lawyers North America 2018 Report*

First in Diversity

The American Lawyer Diversity Scorecard 2018

Law Firm of the Year, Restructuring

International Financial Law Review 2019

Top for International Arbitration

Global Arbitration Review 2019

Competition Group of the Year

Law360 2019

Energy and Infrastructure Team of the Year

The Lawyer 2018

M&A Deal of the Year

The Deal 2018

Best Green/SRI Law Firm

GlobalCapital 2018

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whitecase.com

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