



Partner

Washington, D.C. | 1900 K Street, NW, Washington,
DC 20006-1110

T +1 202 261 3307 | F +1 202 261 3333

London | 160 Queen Victoria Street, London EC4V
4QQ

T +44 20 7184 7557 | F +44 20 7184 7001

arif.ali@dechert.com

Practice Areas

International Arbitration > International Trade > Energy and Natural Resources >
Telecommunications, Media and Technology > Health Care > Life Sciences >
International and Insolvency Litigation > Government >

Arif Hyder Ali is the Co-chair of Dechert's International Arbitration practice, which consists of some 30 partners and associates across the firm's 27 offices. He splits his time between the firm's Washington, D.C. and London offices. He is also an Adjunct Professor of Law at Georgetown University, where he teaches international commercial and investment arbitration. From 2007 to 2012 he was an Honorary Lecturer and Global Faculty Member of the University of Dundee's Centre for Energy, Mining and Petroleum Law and Policy. In 2001, he was decorated with the Order of Bahrain (II) for his role in the resolution of Bahrain's maritime and territorial boundary dispute with Qatar before the International Court of Justice.

Mr. Ali has served as lead trial counsel in international investment, commercial and construction arbitrations under many of the major international and regional arbitral regimes and covering a broad range of industries and economic activity, including foreign direct investment; privatization; the construction, operation and commercialization of thermal, nuclear, and hydro power plants; oil and gas pipeline construction and concession-related matters; mining concessions; gas pricing disputes; natural resource exploitation projects and contracts; the development and operation of tourism and

hospitality projects; project finance and development agreements; contract stabilization and renegotiation issues; patents and trademarks; Internet governance and top-level domains; and information technology-related disputes. He has represented parties from the United States, Canada, Central and South America, Europe, the Middle East, Africa, and across Asia.

Mr. Ali is consistently rated as one of the world's leading international arbitration and public international law specialists by Chambers and Partners, Legal 500, Global Arbitration Review, Who's Who in American Law, Who's Who in Public International Law, The Legal Media Group's Guide to the World's Experts in Commercial Arbitration, Lawdragon, PLC Which Lawyer?, The International Who's Who of Business Lawyers, Washington Super Lawyers, The International Who's Who of Commercial Arbitration Lawyers and The Best Lawyers in America.

He is praised by peers and clients as "*possessed of diamond pedigree,*" a "*polished maestro in his field,*" a "*brilliant lawyer,*" a "*great advocate,*" and "*a very intelligent and knowledgeable international arbitration expert*" with "*extensive knowledge of complex arbitration issues,*" and a "*pragmatic approach.*" Clients say that he "*is a real pleasure to work with,*" and note "*his knowledge of and sensitivity towards region-specific legal issues,*" as well as "*his extensive knowledge in oil and gas, energy and mining matters.*" He also draws particular acclaim for his "*unique case preparation methods, which are the best and most rigorous in the field*" (*Chambers & Partners – USA: 2007, 2008, 2010, 2012; Global: 2011, 2012; Latin America: 2011, 2012*). In 2016, he was named MVPs of the Year by Law 360 for his accomplishments in international arbitration.

Mr. Ali frequently sits as an arbitrator in a wide variety of international commercial, construction (industrial and civil) and investor-state disputes, involving the governing laws of different jurisdictions and under various institutional regimes.

As part of his dispute resolution practice, Mr. Ali has also advised clients on risk mitigation and dispute avoidance strategies, and assisted clients in structuring resolutions to high-value and complex disputes working with bankers, insurance companies, public relations specialists, and other areas of expertise, as well as political advocacy.

He has taught at law faculties and spoken at more than a hundred conferences around the world on a wide range of topics in the fields of international arbitration, public international law, dispute avoidance and risk management, evidence in state-investor and international commercial arbitration; globalization and international economic development; rule of law and international investment; and diversity and the practice of international law.

From 1993 to 1996, he was a section chief at the UN Compensation Commission, a special division of the UN Security Council, and from 2000 to 2001, he served as senior counsel at the World Intellectual Property Organization Arbitration and Mediation Center.

Mr. Ali's working languages are English, Spanish, French and Urdu. He is also conversant in Hindi, Bengali, and Portuguese. He is an avid Manchester United fan, cricket fanatic, secret poet, undeterred chef, and intrepid adventurer. His love for the law is only surpassed by his love for his family.

Client Reviews

Mr. Ali has received several awards for client service and results, including, on multiple occasions, the *International Law Office's Client Choice Award* for International Arbitration, based on client interviews, excerpts of which follow:

- *“Having consulted other leading international law firms with formidable arbitration teams and reputations, we were immediately impressed with Mr Ali’s ‘Outside of the Box’ thinking and his uncanny ability to spot from the outset, potential argument angles that had been completely missed by the other firms.”*
- *“In my initial consultation with Mr. Ali, he clearly stood out amongst his peers. His uptake of our circumstances was rapid, his questions cut to the quick and his conclusions and advice were concise. I left the meeting with no doubt about my choice of representation.”*
- *“Mr. Ali has a thorough knowledge of international arbitration law which has obviously earned him great respect from his colleagues who rely on him; opposing counsel; and the arbitrators themselves, who obviously respect him.”*
- *“Mr. Ali’s preparation for hearings is thorough. He is demanding of himself and his colleagues and will not be outworked. Mr. Ali’s anticipation of the opposing side’s tactics is keenly intuitive.”*
- *“Presentation skills during the proceedings are concise, eloquent and persuasive. Mr. Ali’s focus and adaptability during the hearings is insightful. He thinks clearly on the run having the impressive ability to intake large volumes of information, boil that information down quickly, come to accurate conclusions and make moves on the fly.”*
- *“Mr. Ali has an outstanding intellect evident in his ability to quickly absorb relevant technical and scientific information. He combines his superior legal abilities and intellect with an unwavering commitment - a willingness to give every drop of effort he has inside him.”*
- *“Arif has an absolutely brilliant ability to rapidly understand the complexities of a business operation in the context of a contentious dispute, and to develop masterful strategies of advocacy that drive meaningful resolutions and advance the business objectives of the client. I never cease to be astounded by the facility with which he takes command of a seemingly overwhelming web of facts, witnesses, languages, and laws, and assembles it into an orderly and powerful narrative of advocacy. This ability is the ultimate client service, because Arif engages with and appreciates the intricacies of our business practices, and he is able to articulate the critical connections between those practices and the laws and contractual relationships that govern them.”*
- *“Equally important is Arif’s ability to transcend cultural barriers, embracing and nurturing relationships with our associates around the world to foster the trust and open communication that is critical to successful international representation. His dedication to developing his own team of incredibly talented and diverse colleagues is another example of his instinct that inclusiveness is important both for the benefit of the young lawyers he mentors, but also to provide engaged and effective client service to a global company.”*

Current Academic Research Projects

- Analysis and review of investment law-based consents.
- Application of the principle of good faith in international commercial and investment arbitration.
- Application of the principle of adverse inferences in international commercial and investment arbitration.

EXPERIENCE

Energy, Oil and Gas

- **The investor** in *MOL Hungarian Oil and Gas Company v. Republic of Croatia (ICSID Case No. ARB/13/32)*, in which claims are asserted under the Energy Charter Treaty for the unfair and inequitable treatment and expropriation of MOL's oil and gas sector investments in Croatia. The proceedings are being held in Washington, D.C.
- **MOL Hungarian Oil and Gas Company** in *PCA Case No. 2014-15*, an UNCITRAL arbitration brought by the Republic of Croatia to terminate shareholder and gas master agreements with MOL based on allegations of corruption. The seat of the arbitration is The Hague, the Netherlands. Croatian law governs.
- The **Czech Republic** in *WNC Factoring Limited v. The Czech Republic (PCA Case No. 2014-34-UNCITRAL)*, in which claims are asserted under the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Czech and Slovak Federal Republic for the Promotion and Protection of Investments for unfair and inequitable treatment and expropriation of the claimant's investments in the Czech Republic to acquire the shares of a state-owned enterprise in a privatization. The seat of the arbitration is The Hague, the Netherlands.
- **Hungary** in *EDF International v. Hungary (PCA Case No. 2009-13)*, in which claims were asserted under the Energy Charter Treaty for the unfair and inequitable treatment and expropriation of EDF's power sector investments as result of Hungary's measures to give effect to EU state aid rules. The seat of the arbitration is The Hague, the Netherlands.
- **A consortium of oil and gas companies** in *Pluspetrol Perú Corporation and others v. Perupetro S.A. (ICSID Case No. ARB/12/28)* in a dispute arising out of the threatened termination of a gas supply contract for alleged failure to pay royalties. The seat of the arbitration was Washington, D.C. Peruvian law governed. The language of the arbitration was Spanish.
- **Duke Energy International** in defending against the Republic of Peru's request to annul the award in *Duke Energy International Peru Investments No. 1 Ltd v. The Republic of Peru (ICSID Case No. ARB/03/28)*. The proceedings took place in Washington, D.C.
- **The investor** in *Duke Energy International Peru Investments No. 1 Ltd v. The Republic of Peru (ICSID Case No. ARB/03/28)*, a dispute concerning the alleged breach by the government of a legal stabilization investment agreement, expropriation as a result of the improper assessment of various taxes, as well as the government's unfair and discriminatory treatment of the investment in violation of international law. The proceedings were held in Washington, D.C.
- **The investor** in *Duke Energy Electroquil Partners and Electroquil S.A. v. The Republic of Ecuador (ICSID Case No. ARB/04/19)* under the US-Ecuador bilateral investment treaty and a specifically-negotiated submission agreement in connection with claims arising out of the breach of power purchase agreements. The proceedings were held in Washington, D.C. International and Ecuadorian law governed.
- **A Spanish construction contractor** in ICC arbitration proceedings against the Greek owner of an oil refinery. The seat of arbitration was Zurich, Switzerland. Greek law governed.
- **UEG Araucaria Ltda.**, a Brazilian joint venture company, in a Paris-based ICC arbitration against Companhia Paranaense de Energia Ltda., a state-owned utility, arising out of a long-term power purchase agreement and also involving issues related to the construction of the power plant. The seat of arbitration was Paris, France. Brazilian law governed.

- **A Bolivian company** in ICC arbitration relating to the construction of a gas pipeline. The seat of the arbitration was Montevideo, Uruguay. Bolivian law governed. The language of the arbitration was Spanish.
- **A Houston-based energy services company** in ICC arbitration concerning the construction of a gas-fired power plant in Brazil. The seat of the arbitration was Houston, Texas. Texas law governed.
- **A Houston-based oil and gas company** in UNCITRAL conciliation proceedings with a state-owned oil company relating to the state party's demand for the renegotiation of the parties' long-term production sharing agreement. The seat of the conciliation was Paris, France. French law governed.
- **A Houston-based energy services company** in arbitration under the UNCITRAL arbitration rules relating to the breach of a power purchase agreement. The seat of arbitration was Miami, Florida. Guatemalan law governed.

Mining

- **The investor** in *Pac Rim Cayman LLC v. Republic of El Salvador (ICSID Case No. ARB/09/12)*, one of the first arbitrations under the Central America-Dominican Republic-United States Free Trade Agreement (CAFTA-DR) and El Salvador's foreign investment law. The dispute arose out of the government's refusal to issue environmental and exploitation licenses. The proceedings took place in Washington, D.C.
- **The investor** in *Adel A Hamadi Al Tamimi v. Sultanate of Oman (ICSID Case No. ARB/11/33)*, one of the first arbitrations under the US-Oman Free Trade Agreement, in which claims were raised for expropriation and unfair and inequitable treatment of the claimant's investment in a limestone quarry.
- **A junior silver mining company** in connection with its investment protection options for an investment in a Central American country.
- **One of the world's largest mining companies** in a dispute against an Asian government and a state-owned mining company. The dispute involved claims under international investment treaties, an investment agreement, and the country's foreign investment law.
- **One of the world's largest mining companies** in a dispute involving a large iron ore deposit against an African government.
- **One of the world's largest precious metals mining companies** in connection with potential ICSID arbitration proceedings against a Sub-Saharan African government. The representation involved significant political lobbying activities of various governments, as well of several multilateral financial institutions in an effort to resolve the dispute amicably.

Hospitality and Tourism

- **The investor** in *H&H Enterprises Investment Inc. v. Arab Republic of Egypt (ICSID Case No. ARB/09/15)* in ICSID arbitration under the US-Egypt Treaty for the Protection and Promotion of Investments. The proceedings took place in Washington, D.C.
- **A multi-national hotel management company** in ICC arbitration against a Dubai-based hotel owner. The dispute arose out of a hotel management agreement. The seat of arbitration was London, England. UAE law governed.
- **A multi-national hotel management company** in ICDR arbitration against the owner of an iconic hotel in Dublin, Ireland. The dispute arose out of the owner's attempts to terminate the hotel management agreement. The seat of the arbitration was Dublin, Ireland. Irish law governed.

- **A multi-national hotel management company** in ICC arbitration against a Lebanese national relating to a hotel property located in Beirut. The seat of the arbitration was Paris, France. Lebanese and Maryland law governed.
- **A multi-national hotel management company** in ICC arbitration against a state-owned enterprise in connection with non-performance of a hotel management agreement. The seat of the arbitration was London, England. Jamaican law governed.

Internet Governance

- **Dot Registry LLC** in an ICDR Independent Review Proceeding (IRP) against ICANN regarding the top-level domains .INC, .LLC and .LLP. The proceedings were seated in California and Washington, D.C. International and California law governed.
- **DotConnect Africa** in an IRP against ICANN regarding the top-level domain .AFRICA. The proceedings were seated in Washington, D.C. International and California law governed.
- **Employ Media LLC** in ICC arbitration against ICANN relating to ICANN's threatened termination of Employ Media's registry agreement to operate the top-level domain .JOBS. The seat of arbitration was Los Angeles, California.
- **ICM Registry** in the first ever full IRP against ICANN regarding the .XXX sponsored top-level domain. This was the first decision to state that general principles of international law apply to the governance of the Internet. The proceedings were seated in Washington, D.C.
- **Amazon.com, Inc.** in its dispute with ICANN regarding the top-level domain .AMAZON.
- **Afilias plc** in its dispute with ICANN regarding the top-level domain .WEB.
- **Dot Gay LLC** in its dispute with ICANN regarding the top-level domain .GAY.
- **Dot Music LLC** in its dispute with ICANN regarding the top-level domain .MUSIC.

Other Commercial

- **A U.S. office products retailer** in connection with SIAC arbitration proceedings against an Indian party.
- **An inter-governmental international organization** in UNCITRAL arbitration proceedings against a South Asian company relating to procurement issues.
- **An Egyptian company** in Dubai International Arbitration Centre (DIAC) arbitration proceedings relating to a shareholder dispute.
- **Banc of America Securities** in connection with its efforts to enforce one of the first ever ICSID awards against the Government of Argentina.
- **An Argentine claimant** against a **Chilean defendant** in ICDR arbitration proceedings seated in Buenos Aires, Argentina, relating to a fee dispute governed by Argentine law.

Includes matters handled at Dechert or prior to joining the firm.

EDUCATION

- Columbia University, B.A., 1986, *summa cum laude*, Phi Beta Kappa Honors Society

- New York University School of Law, J.D., 1990, Vanderbilt Medal, member of the *Annual Review of American Law*, President of the International Law Students Association

ADMISSIONS

- District of Columbia
- Registered Foreign Lawyer, England and Wales

LANGUAGES

- English
- Spanish
- French
- Urdu
- Hindi
- Bengali
- Portuguese

MEMBERSHIPS

- Editorial Board, **Arbitration and Mediation Review**
- Editorial Board, **Dispute Resolution International**
- Advisory Board Member, **Foreign Direct Investment International Moot Court Competition**
- Advisory Board Member, **International Bar Association's Subcommittee on Investment Arbitration**
- Users Council, **Singapore International Arbitration Centre (SIAC)**