



## Ben Sanderson

### Of Counsel

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Ben is Of Counsel and the Practice Manager responsible for the global International Arbitration practice at DLA Piper. Ben also sits as an arbitrator and is a Fellow of the Chartered Institute of Arbitrators.

He has extensive experience advising clients in international arbitration disputes across a range of sectors including energy, mining and technology. He has represented both States and commercial parties in investment treaty claims. He recently co-lead a team which obtained a decisive victory for the Republic of Kenya for which his team was nominated "International Arbitration Team of the Year" by Legal Business and the decision was shortlisted by Global Arbitration Review for the "Award of the Year" award.

In 2021 and 2022, Ben was ranked by as a Future Leader in Who's Who Legal for Arbitration. Clients commented "*Ben is a seasoned international arbitration specialist who is particularly good at distilling complex disputes and quickly getting to the heart of the matter.*" "*Ben has an exceptional understanding of the special United Nations framework under the UN charter, making him an ideal choice for such disputes.*" Legal 500 includes the following client recommendations "*'first-rate' of counsel Ben Sanderson is the global practice manager for the firm's international arbitration group*" and "*of counsel Ben Sanderson [is] excellent at running international arbitrations that involve large teams of lawyers based in different countries.*" "*Ben Sanderson is professional and sensible.*" "*Of counsel Ben Sanderson combines an extensive and impressive practice in public international law and arbitration matters, as well as an exceptionally deep academic understanding of public international law.*"

Ben is a visiting lecturer on international arbitration and public international law for the Masters programme at Universidad Carlos III, Madrid, and at IE University, Madrid.

## CREDENTIALS

### Education

St. Catherine's College, Oxford, UK,  
B.A., English and Modern Languages  
(French) (1999) Hons. First Class

Université de Paris III - Sorbonne  
Nouvelle, Paris, France; Masters

### Professional Qualifications

Solicitor of the Senior Courts of  
England and Wales

Fellow of the Chartered Institute of  
Arbitrators (FCIArb)

### Languages

English

French

Spanish

## ARBITRAL APPOINTMENTS

- 2021 - ICC Case 25893/GR – Sole arbitrator, expedited procedure



## COUNSEL EXPERIENCE

- Representing Hungary in annulment proceedings relating to an ICSID award (*Sodexo Pass International SAS v. Hungary* ICSID Case No. ARB/14/20)
- Representing Lithuania in the defence of a USD 300 million claim brought by a Russian fund in connection with the renationalization of Bank Snoras AS (*Fund for the Protection of Investors' Rights in Foreign States v Lithuania*, UNCITRAL, PCA Case No. 2019-48)
- Representing INTERPOL in PCA arbitration proceedings relating to a public international law claim brought following the arrest in China of INTERPOL's former President (*Ge Gao, Hongwei Meng, Zihong Meng and Ziheng Meng (China) v INTERPOL*, PCA Case No. 2019-19)
- Representing UNHCR in threatened UNCITRAL arbitration proceedings relating to a USD 60 million dispute with a supplier of services in Uganda
- Representing the Government of Kenya in the successful defence of a bilateral investment treaty claim brought under the auspices of ICSID by investors in the mining sector (*Cortec v. Republic of Kenya*, ICSID Case No. ARB 15/29)
- Representing the Government of Zambia in UNCITRAL arbitration proceedings relating to a multi-million dollar contract for the construction of housing
- Representing the Government of Timor-Leste in the defence of a bilateral investment treaty claim brought under the auspices of ICSID by investors in the energy sector (*Lighthouse Corporation v. Democratic Republic of Timor-Leste*, ICSID Case No. ARB 15/2)
- Representing a UK services company in a bilateral investment treaty claim against the Republic of Argentina, involving complex assignment issues (*ICS Inspection and Control Services Limited (United Kingdom) v. Republic of Argentina*, UNCITRAL, PCA Case No. 2010-9)
- Representing an African government in the defence of a bilateral investment treaty claim (UNCITRAL) brought by investors in the mining sector
- Representing a global steel company in respect of a multi-billion mining dispute in Africa and advising on potential investment treaty claims to be brought under the auspices of ICSID
- Representing investors in ICSID arbitration proceedings against the Republic of Georgia under the Energy Charter Treaty (ECT) and two bilateral investment treaties (*Ioannis Kardassopoulos v. Georgia*, ICSID Case No. ARB/05/18)
- Representing a Russian investment company in LCIA arbitration and English High Court proceedings in respect of a shareholder dispute
- Representing a Taiwanese solar energy company in relation to disputes arising under a supply agreement
- Representing a European affiliate of a US energy company in relation to an ad hoc arbitration concerning various disputes arising under a turn-key contract for the construction of a 1200 MW gas-fired power station in Spain
- Acting for a Singaporean energy company in respect of its rights under a fuel supply agreement with a Venezuelan state entity
- Representing a US supplier of gas turbine generators in relation to an ICC arbitration concerning various disputes arising under a supply agreement with a Kuwaiti company



- Advising a US company on enforcement of a multi-billion dollar ICC arbitration award against a Middle East State
- Acting for a UK company in appeal to the European Court of Justice relating to the European Commission Decision on the Copper Fittings Cartel (Case C-286/11P *European Commission v Tomkins Ltd*)

## PUBLICATIONS

- Spain: Investment Treaty Arbitration, published in Lexology Getting The Deal Through, 2020 and 2021
- Awards: Challenges, published in The Guide to Challenging and Enforcing Arbitral Awards, ed. J William Rowley QC, GAR, 2021 and 2019
- Investment Arbitration in Africa, published in GAR's Middle Eastern and African Arbitration Review 2021
- La financiación de litigios: una solución financiera a la pandemia, DLA Piper, 14 May 2021
- Revised IBA Rules on the Taking of Evidence in International Arbitration, DLA Piper, 17 March 2021
- Investment protection falls victim to Brexit - Analysis of the EU-UK Trade and Cooperation Agreement, DLA Piper, 26 January 2021
- Litigation funding in Africa: Maximizing opportunities, DLA Piper, 4 November 2020
- Africa Arbitration Review, DLA Piper, 15 October 2020
- Online Arbitration Hearings: A review of key developments in response to COVID-19, DLA Piper, 28 September 2020
- English High Court allows rare appeal of arbitral award on point of law, DLA Piper, 21 August 2020
- COVID-19 et protectionnisme : Quelles protections pour les investisseurs étrangers, published in Les Echos, 28 May 2020
- The end of Intra-EU BITs. Now what? (Part 1), DLA Piper, 15 May 2020
- Virtual hearings report, DLA Piper, 14 May 2020
- Defensas de los Estados Frente a Reclamos de Inversión Derivados del COVID-19, DLA Piper, 29 April 2020
- COVID-19: ¿Una base legítima para reclamos de inversión?, DLA Piper, 21 April 2020
- COVID-19 – a legitimate basis for investment claims?, DLA Piper, 16 April 2020
- English courts release latest statistics on arbitration related applications, DLA Piper, 7 April 2020
- Ethiopia Ratifies the New York Convention, DLA Piper, 24 March 2020
- The Hague Rules on Business and Human Rights Arbitration, DLA Piper, 18 February 2020
- Arbitrating climate change disputes, DLA Piper, 20 January 2020
- "Recent Trends in Investment Arbitration in Africa", published in GAR's Middle Eastern and African Arbitration Review 2019
- Modernisation of Sweden's Arbitration Act, DLA Piper, 26 March 2019
- Russia's Supreme Court demonstrates a pro-arbitration approach, DLA Piper, 15 February 2019



- The Prague Rules: "Civil" War On The Evidence In International Arbitration, DLA Piper, 24 January 2019
- ICC update - Conduct of Arbitration, DLA Piper, 22 January 2019
- Developments in African Arbitration, published in GAR's Middle Eastern and African Arbitration Review 2018
- Tribunal upholds applicability of principles of lawyer-client privilege and common interest privilege in ICSID arbitration, DLA Piper, 17 October 2018
- Ecuador reforma su derecho de las inversiones, DLA Piper, 24 September 2018
- Challenges to arbitral awards in England: a case update, DLA Piper, 15 June 2018
- La tormenta de Achmea se dirige directa hacia España, DLA Piper, 4 June 2018
- English Court takes firm stance on set aside, DLA Piper, 25 May 2018
- Appeals under the English Arbitration Act 1996, DLA Piper, 11 May 2018
- The Dutch move to terminate intra-EU BITs following the Achmea decision, DLA Piper, 10 May 2018
- El Acuerdo UE-México, instrumento de promoción de inversiones extranjeras, DLA Piper, 30 April 2018

#### **PROFESSIONAL MEMBERSHIPS**

- Fellow of the Chartered Institute of Arbitrators (FCIArb)
- London Court of International Arbitration and Young International Arbitration Group
- International Bar Association
- ICC (UK) and Young Arbitrators Forum
- British Institute of International and Comparative Law