

BERIN SIMGE HIKMET

Barrister-at-Law at Malins Chambers, London, U.K. (malinschambers.com)
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Education

University of London, London, U.K.

LL.M. (Master of Laws) degree with a specialization in International Business Law

Date of Graduation: March 2009

Obtained Grade: Merit

Modules Taken: Regulation and Infrastructure of Arbitration, Applicable Laws and Procedures in International Commercial Arbitration, EC Competition Law, and International Trade Law

Inns of Court School of Law, London, U.K.

Barrister at Law qualification obtained at Bar Vocational Course

Obtained Grade: Very Competent

Called to the Bar of England and Wales in October 2000 (Middle Temple Inn)

BPP Law School, London, U.K.

Diploma in Law, *Date of Graduation:* June 1999

University of Bristol, Bristol, U.K.

B.Sc. degree in Economics and Accounting, *Date of Graduation:* June 1998

Rugby School, Rugby, Warwickshire, U.K.

3 Advance Levels: Mathematics, Economics, Politics

1 Advance/Scholarship Level: Further Mathematics

Date of Graduation: June 1995

Experience

12/07 to Present

Self-employed barrister – practice areas: International Commercial Dispute Resolution, Investor - State Disputes, Public International Law, Investment Structuring.

- Advised clients from wide spectrum of industries, including but not limited to energy, construction, textile, agriculture and farming.
- Instructed as counsel in disputes conducted under the rules of the ICSID, ICC, UNCITRAL, LMAA and various regional arbitration rules.
- Advises on third-party funding options and assists claimants with preparation and presentation of cases to third party litigation/arbitration funders.
- Advises on pre-dispute strategy including corporate restructuring, foreign investment protection, BIT planning and settlement agreements.
- Instructed and acted as counsel alongside prominent law firms, in several investor-state disputes representing both States/State-entities and investors. (Reported cases: ICSID Case No. ARB/09/9, ICSID Case No. ARB/12/6, ICSID Case No. ARB/11/20, ICSID Case No. ARB/10/1, ICSID Case No. ARB/10/24)
- Successfully defended against jurisdiction in the matter of *Kılıç İnşaat İthalat İhracat Sanayi ve Ticaret Anonim Şirketi v. Turkmenistan* (ICSID Case No. ARB/10/1) and against jurisdiction and merits in the matter of *İçkale İnşaat Ltd. Şirketi v. Turkmenistan* (ICSID Case No. ARB/10/24).
- Instructed as lead counsel in an arbitration involving a share purchase agreement between two petrochemical companies conducted under regional arbitration rules.
- Successfully represented claimant company in an International Chamber of Commerce (ICC) arbitration involving a dispute under an electricity supply agreement subject to English law initiated against a Middle Eastern State.
- Successfully represented claimant in a charterparty dispute between two Turkish Companies in a London Maritime Arbitrators Association (LMAA) Arbitration.

9/18 to Present

- CMC Accredited Mediator by the Bar of England and Wales (May 2019)

- Guest Lecturer at Kadir Has University, Istanbul, Turkey.
- Certified and admitted as an arbitrator by Dubai International Arbitration Center and Energy Disputes Arbitration Center.

06/07 to 09/07

Consultant, Law Offices of Gürel Yörük, Istanbul, Turkey

- Participated in various M&A deals and preparation of due diligence reports.
- Prepared research reports on EU Competition Law and its application in the Turkey.
- Advised internally on alternative dispute resolution including research on applicable laws and procedures, arbitral institutions and clauses.

05/06 to 07/06

Consultant, Cerrahoglu Law Firm, Istanbul, Turkey

- Assisted in ICC Arbitrations in construction disputes involving International Federation of Consulting Engineers (FIDIC) contracts.
- Researched various aspects of construction disputes, in particular, interpretation of FIDIC clauses from previous ICC Awards, potential challenge of awards.

04/02 to 10/06

Tenant, 2 Paper Buildings, Chambers of Sir Desmond De Silva Q.C, London, U.K.

Developed a Crown Court practice both as prosecution and defense counsel in cases involving robbery, assault, firearms, drugs and sexual offences. Further gained experience in international litigation and international commercial fraud. Below is a sampling of the relevant instructions:

- Junior defense counsel in *R v. Ethemi and Kadiu*, which involved ten counts of offences including rape, indecent assault and living off immoral earnings and drugs.
- Appealed successfully against sentence at the English Court of Appeal in a case involving infliction of grievous bodily harm against a police officer, *Tombe v. R.*, reducing sentence from 10 years to 8 years.
- Appealed successfully against sentence at the English Court of Appeal in a case involving domestic burglary, *Vaio v. R.*, reducing sentence of 30 months to 18 months.
- Instructed as junior counsel to prosecute two defendants charged jointly with blackmail in *R v. Cakir and Korkmaz*.
- Represented the Turkish Savings Deposit Insurance Fund, a governmental entity, as second junior counsel in a commercial fraud case, *TMSF v. Wisteria Bay Ltd. and others*, filed in the Cayman Islands based on Fraudulent Dispositions Law and involving seizure of assets valued at \$60m based on the Turkish Banking Law.

10/00 to 04/02

Pupil, 2 Paper Buildings, Chambers of Sir Desmond De Silva Q.C., London, U.K.

- Instructed as junior counsel in serious criminal cases involving importation and supply of Class A Drugs for lengthy periods and assisted leading counsel.
- Assisted members of Chambers with tasks involving research, drafting and opinion writing in criminal law and international commercial disputes.
- Held conferences to advise lay clients and instructing solicitors on likelihood of success at first instance and appellate courts.

Associations

Registered at the Bar of England and Wales as a self-employed Barrister-at-Law

Member of the Chartered Institute of Arbitrators (CIArb)

Member of the Young Arbitrators Forum of the International Chamber of Commerce

Arbitral Women

Languages

Bilingual in English and Turkish

Referees

Her Honour Judge Usha Karu
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