

Ms. Lucy Martinez

- Independent arbitrator and counsel: www.martinez-arbitration.com.
- Arbitrator (sole, co-, or presiding) in ACICA, HKIAC, ICC, LCIA, and SIAC arbitrations, including in expedited proceedings, governed by laws of Australia, England, Hong Kong, India, Singapore, and Thailand.
- Advising and representing private and sovereign clients in disputes relating to investment treaties, contracts, and/or national investment legislation, including in AAA, ICC, ICSID, LCIA, UNCITRAL, and *ad hoc* arbitrations, governed by international and domestic (common and civil) law; reviewing draft dispute resolution clauses in contracts; and advising on various international pro bono projects.
- Industry experience includes banking, construction, energy (oil, gas, electricity, mining), finance, gambling, hospitality, hotel management, insurance and reinsurance, leisure sectors, life sciences, satellite technology, shipping, sports, supply of goods, telecommunications, and trademarks.
- Sessional Lecturer in International Arbitration (part-time), TC Beirne School of Law, University of Queensland, Brisbane, Australia.
- Nationality: Australian.
- Contact: lucymartinez@martinez-arbitration.com; +44 7793859651 (UK)/ +61 404529518 (Australia).

Professional Qualifications

- Attorney, New York State Bar, 2004 (current).
- Solicitor, Supreme Court of Queensland, Australia, 2001.

Education

- LLM Columbia Law School (New York), 2003.
- BA/LLB University of Queensland (Australia), 1998 (First Class Hons., University Medal, Valedictorian).

Arbitrator Appointments

- ACICA:
 - Sole arbitrator in dispute between Australian individuals and companies relating to financial services. Applicable law: Queensland. Seat: Brisbane, Australia. Expedited arbitration.
- HKIAC:
 - Sole arbitrator in dispute between Hong Kong and Thai companies and nationals relating to loan agreement. Applicable law and seat: Hong Kong.
 - Co-arbitrator in dispute among Chinese, BVI, and Ethiopian companies relating to construction of energy project. Applicable law and seat: Hong Kong. Expedited arbitration.
- ICC:
 - Sole arbitrator in dispute between UK and UAE companies relating to shipping contracts. Applicable law: English. Seat: London, UK.
 - Sole arbitrator in dispute between UK and US companies relating to natural gas project. Applicable law: English. Seat: London, UK.
 - Sole arbitrator in dispute between Singaporean and Chinese companies relating to construction project. Applicable law and seat: Singapore. Expedited arbitration.
 - Presiding arbitrator in dispute between German and Singaporean companies relating to electricity supply and performance bond guarantees. Applicable law: English. Seat: London, UK.
 - Mock co-arbitrator in dispute between Chinese and US companies relating to life sciences contracts. Applicable law and seat: New York.

- LCIA:
 - Sole arbitrator in dispute between UK and Greek companies relating to supply of goods in shipping industry. Applicable law: English. Seat: London, UK.
 - Sole arbitrator in dispute between UK company and Cameroonian national relating to loan agreement. Applicable law: English. Seat: London, UK.
 - Sole arbitrator in dispute between UK company and French national relating to loan agreement. Applicable law: English. Seat: London, UK.
 - Sole arbitrator in dispute between Russian and US nationals relating to loan agreement. Applicable law: English. Seat: London, UK.
 - Sole arbitrator in dispute between Indian and Singaporean companies relating to seismic data services in oil and gas industry. Applicable law: English. Seat: London, UK.
 - Co-arbitrator in dispute between UK company and Maltese national relating to partnership agreement. Applicable law: English. Seat: London, UK.
 - Presiding arbitrator in dispute between Korean and Indian companies relating to construction of offshore mooring facility. Applicable law: English. Seat: London, UK.
 - Presiding arbitrator in dispute between Maltese company and British national relating to aircraft hire services. Applicable law: English. Seat: London, UK.
 - Presiding arbitrator in dispute between Swedish and Belize companies relating to securities loan agreement. Applicable law: English. Seat: London, UK.
- SIAC:
 - Sole arbitrator in dispute between Singaporean and Hong Kong companies relating to broadcasting rights and settlement agreements. Applicable law and seat: Singapore.
 - Sole arbitrator in dispute between Hong Kong and Thai companies relating to hotel management agreement. Applicable law: Thai. Seat: Singapore.
 - Sole arbitrator in dispute between individuals and companies from Sri Lanka, Seychelles, and Maldives relating to hospitality investment. Applicable law: English. Seat: Singapore.
 - Sole arbitrator in dispute between Indian and UK companies relating to telecommunications agreement. Applicable law: Indian. Seat: Singapore. Expedited arbitration.
 - Sole arbitrator in dispute between Philippine and UK companies relating to supply of goods. Applicable law and seat: Singapore. Expedited arbitration.
 - Sole arbitrator in dispute between US and Indian companies relating to technology and power plants. Applicable law: Indian. Seat: Singapore. Expedited arbitration.

Significant Counsel Experience

- Representing ConocoPhillips in parallel ICSID and ICC arbitrations against Venezuela and PDVSA relating to energy projects (awards in favour of client: ~US\$9 billion/ICSID, ~US\$2 billion/ICC).
- Representing UK investor in potential ICSID arbitration against African country relating to gold mine (confidential).
- Representing consortium of oil and gas majors in cost recovery arbitration with State-owned company relating to energy projects in West Africa (amount in dispute: ~US\$1.5 billion) (confidential).
- Representing UAE company in UNCITRAL arbitration with State-owned company regarding gas supply in Middle East (amount in dispute: ~US\$14 billion) (confidential).
- Representing US company in WIPO mediation and potential arbitration with European company relating to breach of contract and trademark issues (confidential).
- Representing Cypriot company in UNCITRAL arbitration with State-owned company regarding indemnities under share purchase agreement, and parallel investment treaty arbitration with European State (confidential).
- Representing Swissbourn Diamond Mines Ltd. and others in investment treaty arbitration against Lesotho relating to diamond mines.

- Representing Weather Investments in ICSID arbitration against Algeria relating to telecommunications project (amount in dispute: ~US\$5 billion).
- Representing Total in quantum phase of ICSID arbitration against Argentina relating to energy projects (amount in dispute: ~US\$1 billion).
- Representing Republic of Turkey in three ECT/ICSID arbitrations relating to hydroelectric plants (amount in dispute: ~US\$17 billion).
- Representing Republic of Bulgaria in ECT/ICSID arbitration with Cypriot company relating to oil refinery (amount in dispute: ~US\$500 million).
- Representing German company in UNCITRAL arbitration with Asia-Pacific State relating to telecommunications projects (confidential).
- Representing UK company in UNCITRAL arbitration with Canadian company relating to funding of oil platform in North Sea (confidential).
- Representing US company in ICC arbitration with European company relating to rock concerts in Eastern Europe (confidential).
- Representing US company in multiple LCIA arbitrations against UK insurer relating to political risk insurance for energy projects in Latin America (confidential).
- Advising Government of Canada in NAFTA/UNCITRAL arbitration relating to waste processing plant.
- Advising multiple clients in relation to potential arbitrations, dispute resolution clauses, and national court litigation ancillary to arbitration, including anti-arbitration injunctions, interim measures, and enforcement.

Significant Pro Bono Experience

- Representing international amicus in petition to U.S. Supreme Court regarding individual on death row, *Bobby James Moore v. Texas* (certiorari granted June 2016; appeal upheld March 2017).
- Working with international NGO on legal issues relating to female genital mutilation/ cutting, including amicus filings in various national court proceedings.
- Working with International Refugee Assistance Project on refugee resettlement applications.
- Advising South-East Asia-based NGO on right to water under international law.
- Drafting “shadow reports” regarding States’ compliance with various human rights treaties.
- Working with Lawyers Without Borders on projects relating to property and inheritance rights of women and children in various countries in light of HIV/AIDS epidemic.

Recognition

- Who’s Who Legal: Arbitration, or Future Leaders (2017-2022): “an outstanding name with bigger and better things still yet to come; she already completely outstrips the seniority of her call”.
- UK Legal 500: Dispute Resolution/ Public International Law (2016); Next Generation Lawyer (International Arbitration) (2017).

Memberships/Associations

- Current:
 - Abu Dhabi Global Market Courts Arbitration Centre Panel of Arbitrators.
 - American Arbitration Association / International Centre for Dispute Resolution Panel of Arbitrators.
 - Asian International Arbitration Centre Panel of Arbitrators; Honorary Member of AIAC Academy Faculty.
 - Australian Centre for International Commercial Arbitration Fellow / Panel of Arbitrators; ACICA Queensland State Committee Member.
 - Australian Communications and Media Authority Register of Bargaining Code Arbitrators.
 - Behai Asia International Arbitration Centre Panel of Arbitrators.

- Chartered Institute of Arbitrators Fellow.
- Hong Kong International Arbitration Centre Panel of Arbitrators; HKIAC Users' Council Member; HK45 Member.
- International Chamber of Commerce Australia Member; ICC Commission on Arbitration and ADR Member.
- Korean Commercial Arbitration Board Panel of International Arbitrators.
- London Court of International Arbitration European Users' Council Member.
- Maldives International Arbitration Centre Secondary List of Arbitrators.
- Saudi Center for Commercial Arbitration Arbitrator Roster Member.
- Shanghai Arbitration Commission New Panel (7th Cohort) of SHAC Arbitrators (Overseas).
- Singapore International Arbitration Centre Reserve Panel of Arbitrators.
- Sport Resolutions (UK) Arbitrator Legal Panel Member.
- UK Adjudicators International Panel of Arbitrators.
- Commonwealth Secretariat Pool of Specialist Consultants, Trade, Oceans and Natural Resources Advisory Directorate - Member.
- ICCA Research Project: Does a Right to a Physical Hearing Exist in International Arbitration? National Reporter for Australia.
- Equal Representation in Arbitration Pledge Steering Committee – Member.
- Pakistan Centre for Law and Society, Board of Governors – Member.
- Member of: American Society of International Law; ArbitralWomen; British Institute of International and Comparative Law; International Council for Commercial Arbitration; International Law Association; Law Council of Australia International Law Section; Resolution Institute (General Member, and Member of Arbitration Subcommittee); Rising Arbitrators Initiative; UNCITRAL National Coordination Committee for Australia.
- Past:
 - ICCA Ambassador (2016-2018).
 - AAA, ICDR Young & International – Executive Board Member (2010-2013).
 - IBA: North American & Investment Treaty Articles Editor, Arbitration Newsletter (2009-2010); Rapporteur of Sub-Committee on Extraterritorial Criminal Jurisdiction (2007-2008).
 - International Law Association, American Branch: Book Review Editor (2008-2010).
 - New York City Bar Association: Committee on Foreign and Comparative Law (2005-2008); Council on International Affairs (2005-10); International Law Committee (2008-2010).
 - USCIB Young Arbitrators Forum: Steering Committee (2007-11); Forum event coordinator (2005).

Publications

- *A Black Swan Event? Implications of COVID-19 for Damages and Valuations in International Arbitration*, Kluwer Arbitration Blog, March 2021 (co-author with James Nicholson, Noah Rubins QC, Hafez Virjee).
- *Does a Right to a Physical Hearing Exist in International Arbitration? National Report – Australia*, ICCA RESEARCH PROJECT, December 2020 (co-author with Jay Tseng).
- *Virtual Hearings and Due Process – Recent Australian Court Decisions* (2020) 8(3) *The ACICA Review*, 22-25 (co-author with Jay Tseng).
- *Corruption, Fraud, and Abuse of Process in Investment Treaty Arbitration*, in Barton Legum (ed.), *THE INVESTMENT TREATY ARBITRATION REVIEW* (2019), 4th ed. (co-author with Carmen Martinez Lopez).
- *Of Taxes and Stabilization*, in J. William Rowley et. al. (eds.), *THE GAR GUIDE TO ENERGY ARBITRATIONS* (2018), 3rd ed. (co-author with Constantine Partasides).
- *Proportionality in Investment Treaty Arbitration And Beyond: An “Irresistible Attraction”?* (2015) 2 *BCDR Int'l Arb. Review*, 1-28 (co-author with Carmen Martinez Lopez).
- *The Convenient Myth of David and Goliath in Treaty Arbitration* (2009) 3 *World Arbitration & Mediation Review* 443-63 (co-author with Lucy Reed).

- *Treaty Obligations to Honor Arbitration Awards and Diplomatic Protection*, in Doak Bishop (ed.), ENFORCEMENT OF ARBITRATION AWARDS AGAINST SOVEREIGNS (2009) (co-author with Lucy Reed).
- *The Law on Property Grabbing 3: Property and Inheritance Rights of HIV/AIDS Widows and Orphans – The Law of Mozambique and the Standards of International Law*, (2009) 10 Int’l Academy of African Business and Development Proceedings 517 (co-author with Peter Schroth).
- *The Energy Charter Treaty: An Overview* (2008) 14(2) ILSA Journal of International and Comparative Law 406 (co-author with Lucy Reed).
- *Extraterritorial Criminal Jurisdiction*, in International Bar Association, REPORT OF THE TASK FORCE ON EXTRATERRITORIAL JURISDICTION (2008) (Rapporteur of Sub-Committee).
- *The UNCITRAL Arbitration Rules: A Commentary* (2007) 101 American Journal of International Law 519-24 (co-author with Paul Friedland).
- *The Interplay of Contract Claims and Treaty Claims: Bayindir v. Pakistan* (2006) 21(5) Mealey’s International Arbitration Report (co-author with Daina Bray).
- *Law in Australia in 2025: Eight Predicted Trends*, A Woman’s Place: Women in the Law in Queensland (2006) (publication by the Library of the Supreme Court of Queensland).
- *U.S. Supreme Court Reviews Alien Tort Statute* (2004) 78 Australian Law Journal (*ALJ*) 628-30.
- *September 11th, Iraq, and the Doctrine of Anticipatory Self-Defense* (2003) 72 University of Missouri-Kansas City Law Review 123-91.
- *Arbitral Subpoenas Under U.S. Law and Practice* (2003) 14(3) The American Review of International Arbitration 197-229 (co-author with Paul D. Friedland; quoted by Second Circuit Court of Appeals in *Life Receivables Trust v. Syndicate 102 at Lloyd’s of London*, 549 F.3d 210 (2008)).
- *Prosecuting Terrorists at the International Criminal Court* (2002) 34 Rutgers Law Journal 1-62.
- *Confessions and Admissions to Undercover Police and Police Agents* (2000) 74 ALJ 391-407.
- Book Reviews and Case Notes:
 - *The Principles and Practice of International Commercial Arbitration* (2009) 81 American Branch of the International Law Association (*ABILA*) Newsletter 3.
 - *Making Foreign Investment Safe: Property Rights and National Sovereignty* (2008) 80 ABILA Newsletter 2.
 - *Picking Federal Judges: Lower Court Selection from Roosevelt through Reagan* (1998) 20 (1) University of Queensland Law Journal (*UQLJ*) 150-51.
 - *The Standard of Knowledge Required Under Statutory Motor Vehicle Insurance Policies - Evans v Accident Insurance Mutual Holdings Ltd* (1998) 20(1) UQLJ 104-09.

Presentations/ Seminars

- Multiple presentations to clients and in-house attorneys regarding arbitration clauses, international arbitration (investment and commercial), political risk insurance, and investment treaties.
- *Introduction to Arbitration, Basic Concepts and Instruments*, Resolution Institute, March 2022.
- *Has COVID Changed the ADR Funding Landscape? Recent International ADR Funding Developments*, Legal Plus – Qatar & MENA: 7th Annual International Arbitration Virtual Summit, March 2022.
- *Tech Disputes Demystified*, HK45, January 2022.
- *In-House Costs in International Arbitration*, V&T Law Firm, January 2022.
- *Enforcement of Awards – Different Regions, Different Options in the Current Climate*, Legal Plus – Asia: Annual International Arbitration & Corporate Crime Virtual Summit, December 2021.
- *International Arbitration and the Australian Consumer Law*, New South Wales Bar Association International Committee/ ACICA, December 2021.
- *COVID-19 Pandemic and International Arbitration – Where Do We Stand, 18 Months In?*, Resolution Institute, October 2021.
- *What Arbitrators Want From the Parties – A Multi-Jurisdictional Fireside Chat*, ICC YAF, September 2021.

- *Doing the Right Thing, the Right Way*, AIAC ADR Week, Diversity Day, August 2021.
- *The Rising Arbitrator's Challenge: Navigating the Promise and Perils of Your First Appointments*, ACICA45/ Rising Arbitrator's Initiative, May 2021.
- *A Practical and Comprehensive Guide to Arbitration*, Legalwise, March 2021.
- *A Black Swan Event? Implications of COVID-19 for Damages and Valuations in International Arbitration*, Delos Dispute Resolution, November 2020.
- *Diversity in Arbitral Proceedings: Opportunities and Challenges in the Wake of Remote Work and Virtual Hearings*, Corrs Chambers Westgarth, Australia Arbitration Week, October 2020.
- *Recent Australian Court Decisions: Virtual Hearings and Due Process* - SIAC Counsel, August 2020; HKIAC Counsel, September 2020; ACICA Judicial Liaison Committee, September 2020.
- *Conducting an Arbitration: Procedural Meetings and Interim Measures*, ACICA45 Lifecycle of an Arbitration Series, July 2020.
- *Developments in International Investment Law: Diversity in International Investment Arbitration*, Department of Foreign Affairs & Trade, Trade & Investment Law Outreach Event, Canberra, Australia, December 2019.
- Multiple events at Australia Arbitration Week, Brisbane, November 2019: (1) *Insights into ICC Australia*; (2) *Young ICCA / ACICA 45 International Arbitration Skills Training Workshop*; (3) *Burford Capital: Legal finance as a tool to promote diversity in arbitration*; (4) *ICC Young Arbitrators Forum: The way of the future – arbitration or other options?*
- *Investor-State Arbitration*, University of Queensland LLM Course in International Commercial Arbitration, Brisbane, Australia, March 2019.
- *The GAR Live Question Time*, GAR Live Hong Kong, November 2018.
- *Drafting a Request for Arbitration and the Answer*, ISTAC/Peter & Partners, Istanbul, Sept. 2018.
- *Corruption, Fraud and Abuse of Process in International Commercial Arbitration*, ILA Biennial Conference, Sydney, Australia, August 2018.
- *The GAR Live Inquisition - Power of the institution vs Party autonomy*, GAR Live Singapore, May 2018.
- *London's International Arbitration future – does it depend on being a financial centre?*, GAR Live London, May 2018.
- *Investor-State Arbitration*, UNSW/Australia Awards South and West Asia, International Arb. Training for Attorney General's Department, Democratic Socialist Republic of Sri Lanka, Sydney, May 2018.
- *Corruption, Illegality and Abuse of Process in International Arbitration*, CARDS' Tour de Arbitration, Singapore, December 2017.
- *Tax Disputes and Investor Protection*, IEL-SEERIL Int'l Oil and Gas Law Conf., London, June 2017.
- *Recent Challenges in the Enforcement of Investment Treaty Awards*, Cambridge Arbitration Day, Cambridge, March 2017.
- *The EU's Proposed New Investment Court*, Queen Mary School of International Arbitration and Arbitral Women Conference, London, April 2016.
- *BITs: Substantive Protections*, LegalWeek, London, November 2015.
- *The Role of Judges and Arbitrators in Natural Resources Activities*, IBA, Vienna, October 2015.
- *Legal Secretaries: Myths and Realities*, LCIA/CIArb Event, London, September 2015.
- *The Doctrine of Proportionality*, Cambridge International Law Weekend, March 2015.
- *Burden and Standard of Proof*, ICC YAF, Prague, November 2012.
- *International Arbitration*, International Lawyers for Africa, London, October 2012 and September 2011.
- *International Investment Arbitration*, Centre for Energy/Petroleum/Mineral Law/Policy, Dundee, June 2011.
- *Investment Treaty Arbitration*, Chartered Institute of Arbitrators Diploma on Int'l Commercial Arbitration, Sydney, Australia, 2007/2009; Kuala Lumpur/Penang, Malaysia, 2008/2010.
- *A Dark Side of Investor-State Arbitration: Fraud, Corruption, Abuse of Process, and Other Improprieties by Claimants*, Int'l Investment Treaty Law and Arbitration Conference, Sydney, Australia, February 2010.
- *Investor-State Arbitration*, 2009 Int'l Arbitration Lecture, Sydney, Australia, August 2009.

- *Drafting Arbitration Clauses*, International Law Institute Seminar: Arbitration and Mediation, Washington, D.C., October 2008.
- *International Law and Human Rights*, Training Session for International Law and Human Rights Internship Program at New York University, March 2003.

Previous Employment

- February-November 2020: Senior Lecturer (Part-Time), University of Queensland - International Arbitration; Public International Law; Contract Law.
- January 2015-January 2018: Counsel, Three Crowns LLP (London).
- February 2007-April 2013: Senior Associate, International Arbitration Group, Freshfields Bruckhaus Deringer LLP (2007-2010: New York; 2011-2013: London).
- September 2003-January 2007: Associate, International Arbitration Group, White & Case LLP (NY).
- February-May 2003: Lecturer, International Law, Columbia University (Graduate School of Arts & Sciences, MA in Human Rights).
- July 2001-May 2003: Associate in Law, Columbia Law School (teaching Legal Writing and Research to first year law students).
- March-May 2002: Internship, Permanent Australian Mission to the United Nations.
- February-May 2002: Internship, Coalition for an International Criminal Court.
- February-July 2001: Lecturer, University of New South Wales (Litigation), University of Sydney (Constitutional Law, Legal Research).
- January 2000-February 2001: Associate to the Hon. Justice M.G. Gaudron, High Court of Australia (equivalent to United States/United Kingdom Supreme Court).
- January 1999-January 2000: Associate to the Hon. Justice J.B. Thomas, Queensland Court of Appeal.
- February-November 1998: Part-time tutor, University of Queensland (Administrative Law).