

Luis Miguel Velarde Saffer

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Education

Harvard Law School, Cambridge, MA

Master in Laws - LL.M, May 2013

Honors: Student Fellow, Foundations of Private Law Research Program (awarded stipend)

Pontificia Universidad Catolica del Peru, Lima, Peru

Abogado (Law degree), October 2009

Honors: Ranked 2 in a class of 204

Activities: Editor-in-Chief, THEMIS Law Review (July 2005 – February 2007); assistant professor of Contract Law, Property Law and Legal Acts.

Experience

Lalive, Geneva, Switzerland (Band 2, International Arbitration, Chambers Europe 2021)

Senior Associate, International Arbitration Department (start date: February 2022)

Dechert LLP, Paris, France (Band 1, International Arbitration, Chambers Latin America 2022)

Senior Associate, International Arbitration Department (July 2014 – May 2021)

- Worked on more than 11 investment arbitrations and commercial arbitrations (on behalf of both private parties and States) spanning several industries, including mining, construction, transport, energy, aeronautics, and port operation. Lead associate in several of these arbitrations, responsible for defining the strategy, implementing it, liaising with / reporting to the client, and ensuring the high quality of the final submission. Carried out cross-examinations at hearings. Acted as secretary to arbitral tribunals and assisted in the preparation of expert legal reports. Actively involved in business development activities.

Representative cases

- Represented a company owned by an Australian Investment Fund in an ICSID arbitration against the Republic of Peru arising from delays in the construction of a highway (ICSID Case No. ARB/18/17)
- Represented Colombian investors in an ICSID arbitration against the Republic of Chile arising out of, among others, the expropriation of their investments in the transportation industry (ICSID Case No. ARB/17/16)
- Advised a Belgian port operator in a dispute against the Republic of Uruguay arising from a concession in the port of Montevideo
- Represented the Republic of Colombia in an ICSID arbitration against a Swiss company arising from the State's imposition of a fine due to the wrongful modification of a contract to exploit coal (ICSID Case No. ARB/16/6)
- Represented the Republic of Paraguay in a UNCITRAL/PCA arbitration against a Portuguese construction company arising from delays in the construction and implementation of the metro-bus system in Paraguay (PCA 2020-14)
- Represented the Plurinational State of Bolivia in a UNCITRAL/PCA arbitration arising out of a concession contract for the maintenance and operation of the three international airports of the country (PCA 2011-14)
- Represented the Plurinational State of Bolivia in a UNCITRAL/PCA arbitration arising out of the reversion of mining concessions located in Bolivia (PCA 2013-15)
- Represented the Plurinational State of Bolivia in a UNCITRAL/PCA arbitration arising out of the reversion of a mine lease and tin smelters located in Bolivia (PCA 2016-39)

- Represented the Republic of Paraguay in an ICC case against the subsidiary of a Uruguayan company arising out of a contract for the maintenance and improvement of highways
- Represented a Latin American state entity in two ICC arbitrations related to various contracts for electricity generation
- Represented the port authority of a South American State in a commercial arbitration against a Chinese company arising out of a port concession contract (Quito Chamber of Commerce)

Baker & Hostetler LLP, Washington DC, USA (Band 1, International Arbitration, Chambers USA 2021)
International Legal Analyst, Arbitration and Litigation Team (May 2013 – December 2013)

- Carried out research and prepared memoranda for domestic and international disputes. International research was focused on potential CAFTA claims, and domestic research covered multiple US jurisdictions in asset recovery claims. Took an active role in the preparation of academic articles, including on topics such as oral advocacy and the primacy effect in arbitration.

Benites, Forno & Ugaz Abogados, Lima, Peru (Band 1, Litigation Department, Chambers Peru 2012)
Associate, Private Law & Litigation Department (January 2008 – July 2012)

- Provided legal advice to local and international companies in the ordinary course of their businesses (e.g., Fluor Corporation). Worked closely with the Litigation Department of the Firm, providing strategic and legal advice for use in trials and arbitration disputes. Assisted in the preparation of expert legal opinions rendered in arbitration proceedings.

Representative cases

- Advised an American airplane manufacturing company in a judicial dispute, governed by Peruvian law but litigated in the courts of the State of Illinois, derived from an airplane accident in Peru.
- Advised a telecommunications company in an ad hoc arbitration against Peru arising out of alleged contract breaches (highly technical dispute requiring the explanation of technical concepts in layman terms).
- Led due diligence, and advised a major Peruvian bank in its acquisition of a majority stake in two Peruvian universities
- Acted as in-house counsel for a 10-month period for Olympic Peru Inc., Sucursal del Peru, an oil and gas company which holds the concession to explore and exploit Block XIII in the north of Peru

Books (*originals in Spanish*)

- Luis M. Velarde & Oscar Sumar, “*Contratos: Teoría y Práctica. Apuntes del Derecho Comparado*”, Universidad del Pacifico ed. (2015).

Professorships

- Contract Law Professor, Universidad del Pacifico and Pontificia Universidad Católica del Perú (March 2014 – July 2014). Honored by law students with the “Best Law Professor” award.
- Contract and Property Law, Adjunct Professor (March 2008 – December 2010)

Other publications and conferences

- Regularly publish and speak at conferences on topics related to international arbitration.

Representative publications

- Tiago Duarte-Silva & Luis Miguel Velarde Saffer, “*Investment Disputes Involving Mineral Assets: Relevant Statistics & Trends*”, Transnational Dispute Management 3, International Oil & Gas Arbitration (2021)
- Luis Miguel Velarde Saffer & Amir Farhadi, “*Lessons from the Deathbed of the Trans-Pacific Partnership (TPP): Are Recent Critiques of the Investor-State Dispute Settlement (ISDS) System Warranted?*”, IBA – Dispute Resolution International (May 2017)
- Eduardo Silva Romero & Luis Miguel Velarde Saffer, “*The extension of the arbitral agreement to non-signatories in Europe: A uniform approach?*”, The American University Business Law Review, Vol. 5, Issue 3 (2016)
- Eduardo Silva Romero & Luis Miguel Velarde Saffer, “*Nuevos desarrollos de la jurisprudencia internacional en materia de extensión del convenio arbitral a partes no signatarias*”, ICC Bolivia (2016)
- Luis Miguel Velarde Saffer & Jonathan Lim, “*Judicial Review of Investor Arbitration Awards: Proposals to Navigate the Twilight Zone between Jurisdiction and Admissibility*”, Dispute Resolution International (IBA), Vol. 8, No. 1, May 2014, p. 85-93.
- J.W. Lim; L.M. Velarde Saffer (2014), “*Opportunities and Risks in the Upcoming BG Group v Argentina Decision*”, January 2014, www.transnational-dispute-management.com (TDM, ISSN 1875-4120).

Nationalities, Professional Memberships and Languages

- Peruvian, Chilean, French
- Licensed to practice Law in Peru (2009)
- List of arbitrators, American Chamber of Commerce in Peru, Centre of Analysis and Conflict Resolution of the Pontificia Universidad Catolica del Peru, Centro de Arbitraje de Mexico
- IBA Member
- Latin American Representative, Asia Pacific Forum for International Arbitration (AFIA)
- Founding member, Latin American Arbitration Practitioners EU (LATAP)
- Spanish (native), English (fluent), French (fluent).