

Yann Schneller

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Yann Schneller is a dispute resolution lawyer. He assists and represents clients in international arbitration proceedings and before the French Courts. He also regularly seats as arbitrator and dispute board member. A FIDIC Certified Adjudicator, Yann is included in FIDIC President's List of Approved Dispute Adjudicators.

EXPERIENCE AS DISPUTE BOARD MEMBER, ARBITRATOR AND SECRETARY OF ARBITRAL TRIBUNALS

- Sole member DAB in relation to the construction of sanitary landfill in Georgia (FIDIC Yellow Book 1999 Edition, amended). The dispute included claims for delay and additional costs relating to the Covid-19 pandemic, the non-payment of an IPC, termination of the Contract, release of a retention bond, defects and associated remedial works.
- Co-arbitrator in an ICC arbitration relating to the performance of construction works (FIDIC Red Book 1999 Edition, amended). The dispute included, notably, claims for delay and prolongation costs, the suspension of the works and the termination of the Contract. The dispute was governed by French law. The seat of the arbitration was Paris. The language of the arbitration was English (ICC Case No. 27803/SP).
- Sole arbitrator in an ICC arbitration relating to the performance of a consultancy services agreement for the performance of feasibility studies. The dispute was governed by the Laws of the Republic of Guinea. The seat of the arbitration was Paris. The language of the arbitration was French (ICC Case No. 26858/PAR).
- Sole arbitrator in an ICC arbitration relating to the performance and the termination of a lease agreement. The Expedited Procedure Provisions applied. The dispute was governed by Mauritanian Law. The seat of the arbitration was Paris. The language of the arbitration was English (ICC Case No. 25477/DDA).
- Sole arbitrator in an ICC arbitration relating to the conformity of the sale of nickel powder. The Expedited Procedure Provisions applied. The dispute was governed by French law. The seat of the arbitration was Paris. The language of the arbitration was English (ICC Case No. 24437/GR).
- Sole arbitrator in an ICC arbitration relating to the performance of a settlement agreement. The Expedited Procedure Provisions applied. The dispute was governed by French law. The seat of the arbitration was Paris. The language of the arbitration was English (ICC Case No. 23491/MHM).
- Secretary of the arbitral tribunal in an ICC arbitration relating to the termination of an agency agreement. The dispute was governed by French law. The seat of the arbitration was Paris. The language of the arbitration was French (ICC Case No. 19146/MHM).

- Secretary of the arbitral tribunal in an arbitration governed by the arbitration rules of the European Development Fund relating to the rehabilitation of a road in Haiti. The dispute was governed by the laws of Haiti. The seat of the arbitration was Paris. The language of the arbitration was French.
- Secretary of the arbitral tribunal in an arbitration governed by the arbitration rules of the European Development Fund relating to the rehabilitation of a road in Senegal. The dispute was governed by the laws of Senegal. The seat of the arbitration was Dakar. The language of the arbitration was French.

EXPERIENCE AS COUNSEL

- Acted in an ICC arbitration relating to the construction of sports facilities in West Africa. The amount in dispute was USD 30 million. The dispute was governed by the laws of France. The seat of the arbitration was Paris. The language of the arbitration was French (ICC Case No. 27671/SP).
- Acted in an emergency ICC arbitration to secure the funds for the enforcement of the award on the merits. The seat of the arbitration was Paris. The language of the arbitration was French (ICC Case No. 27671/SP(EA)).
- Acted in an ICC arbitration relating to the rehabilitation of a road and two stadiums in sub-Saharan Africa. The amount in dispute was USD 24 million. The dispute was governed by the laws of France and Canada. The seat of the arbitration was Paris. The language of the arbitration was French (ICC Case No. 27124/SP).
- Acted in an ICC arbitration relating to the rehabilitation of two hydro power plants in Mozambique. The dispute was amongst the partners of a consortium agreement. The amount in dispute was USD 12 million. The dispute was governed by the laws of France. The seat of the arbitration was Paris. The language of the arbitration was English (ICC Case No. 26674/AZO).
- Acted in an ICC arbitration relating to the construction and the operation of an agro-industrial park in the Democratic Republic of the Congo. The amount in dispute was USD 23 million. The dispute was governed by the laws of the Democratic Republic of the Congo. The seat of the arbitration was Paris. The language of the arbitration was English (ICC Case No. 23756/GR).
- Acted in an ICC emergency arbitrator proceeding relating to the right to exploit a strategic mineral deposit in the Democratic Republic of the Congo. The amount in dispute was USD 850 million. The dispute was governed by the laws of the Democratic Republic of the Congo. The seat of the arbitration was Paris. The language of the arbitration was French (ICC Case No. 23196/DDA(EA)).
- Acted in an ICC arbitration relating to the performance of an agency agreement. The amount in dispute was USD 2,5 million. The dispute was governed by French law. The seat of the arbitration was Paris. The language of the arbitration was English (ICC Case No. 22735/ZF/AYZ).

- Acted in an ICC arbitration relating to the construction of an industrial building. The amount in dispute was USD 12 million. The dispute was governed by French law. The seat of the arbitration was Paris. The language of the arbitration was French (ICC Case No. 22494/GR).
- Acted in an ICC arbitration relating to the performance of a contract for the sale of copper. The amount in dispute was USD 15 million. The dispute was governed by French law. The seat of the arbitration was Paris. The language of the arbitration was French (ICC Case No. 22003/DDA).
- Acted in two ICC arbitrations relating to the sale of a strategic asset and the performance of a distribution agreement in Morocco. The amount in dispute was USD 65 million. The dispute was governed by Moroccan law. The seat of the arbitration was Paris. The language of the arbitration was French (ICC Cases No. 21970/DDA and No. 22614/DDA).
- Acted in an ICC arbitration relating to the supply and installation of the air-conditioning system of the new Tripoli airport tower control. The amount in dispute was USD 2,5 million. The dispute was governed by French law. The seat of the arbitration was Paris. The language of the arbitration was French (ICC Case No. 21737/DDA).
- Acted in an ICC arbitration relating to the electrification and the modernization of a railway in Tunisia. The amount in dispute was USD 40 million. The dispute was governed by French law. The seat of the arbitration was Paris. The language of the arbitration was French (ICC Case No. 19460/EMT/GR).
- Acted in two ICC arbitrations relating to the construction of a gas terminal. The amount in dispute was USD 300 million. The dispute was governed by French law. The seat of the arbitration was Paris. The language of the arbitration was French (ICC Cases No. 18466/MHM and No. 22833/GR).
- Acted in an ICSID arbitration relating to the operation of a cement manufacturing plant in Egypt. The amount in dispute was USD 70 million. The arbitration was conducted in English and French (ICSID Case No. ARB/21/35).
- Acted in an ICSID arbitration relating to the withdrawal of the rights to exploit the Simandou iron ore deposit in the Republic of Guinea. The amount in dispute was USD 5 billion. The arbitration was conducted in English and French (ICSID Case No. ARB/15/46).
- Acted in an ICSID arbitration relating to the construction and the management of a business district in the Republic of Guinea. The amount in dispute was USD 107 million. The language of the arbitration was French (ICSID Case No. ARB/12/36).
- Acted in an CCJA-OHADA arbitration relating to the repayment of a bank loan for the construction of a hotel in Tchad. The amount in dispute was USD 5 million. The seat of the arbitration was Abidjan. The language of the arbitration was French (Case No. 016/2018/ARB).

- Acted in an CCJA-OHADA arbitration relating to the termination of a concession agreement for the operation of a container terminal in the Republic of Guinea. The amount in dispute was USD 45 million. The dispute was governed by the OHADA Treaty and the Uniform Acts. The seat of the arbitration was Abidjan. The language of the arbitration was French (Case No. 001/2011/ARB).
- Acted in a CCAT arbitration relating to the repairs of motor train components. The amount in dispute was USD 1.5 million. The dispute was governed by French law. The seat of the arbitration was Tunis. The language of the arbitration was French (Case CCAT N°11).
- Acted in an arbitration governed by the UNCITRAL arbitration rules relating to the expropriation of an investment in the telecommunications sector in Poland. The amount in dispute was USD 2 billion. The language of the arbitration was English (PCA Case AA.283).
- Acted in an arbitration governed by the arbitration rules of the Franco-German Chamber of Commerce relating to the termination of a supply agreement. The amount in dispute was USD 30 million. The dispute was governed by French law. The seat of the arbitration was Paris. The language of the arbitration was English.
- Acted in an *ad hoc* arbitration relating to the rights to use a car manufacturer trademark. The amount in dispute was USD 18 million. The dispute was governed by French law. The seat of the arbitration was Paris. The language of the arbitration was French.
- Acted in many litigation proceedings before French Courts including construction, commercial, post-acquisition and shareholders' disputes, expert proceedings, enforcement and annulment of arbitral awards, recognition and enforcement of foreign judgements in France.

OTHER FIDIC CONTRACTS EXPERIENCE

- Counsel in amicable settlement discussions regarding the construction of several buildings as part of the construction of a nuclear plant. The contract price was EUR 87 million. The amicable dispute resolution process involved the drafting of an entitlement analysis, claim management and negotiation assistance (FIDIC Yellow Book 1999, amended).
- Counsel in an amicable claim resolution process resulting in the successful settlement of a claim for an extension of time and additional costs relating to the construction of a conference center. The original contract price was 200 million dollars. The amount in dispute was 190 million dollars (FIDIC Red Book 1999, amended).
- Counsel in an amicable claim resolution process resulting in the successful settlement of a claim for an extension of time and additional costs relating to the construction of roads and associated utilities. The original contract price was 200 million dollars. The amount in dispute was 122 million dollars (FIDIC Red Book 1999, amended).
- Counsel in an amicable claim resolution process resulting in the successful settlement of a claim for an extension of time and additional costs relating to the construction of roads,

junctions, tunnels and land bridges. The original contract price was 71 million dollars. The amount in dispute was 58 million dollars (FIDIC Red Book 1999, amended).

- Counsel in an amicable claim resolution process for the resolution of a claim for an extension of time and additional costs relating to the construction of 57 skywalks. The original contract price was 93 million dollars. The amount in dispute was 40 million dollars (FIDIC Red Book 1999, amended).
- Counsel in an amicable claim resolution process for the resolution of a claim for an extension of time and additional costs relating to the construction of a financial plaza. The original contract price was 77 million dollars. The amount in dispute was 19 million dollars (FIDIC Red Book 1999, amended).
- Counsel in negotiations for the resolution of a claim for an extension of time and additional costs relating to the construction of a high-rise building. The original contract price was 710 million dollars. The amount in dispute was 250 million dollars (FIDIC Red Book 1999, amended).
- Counsel in an amicable claim resolution process resulting in the successful settlement of a claim for an extension of time and additional costs relating to the execution of a contract for the construction of two high-rise office buildings. The original contract price was 306 million dollars. The amount in dispute was 370 million dollars (FIDIC Yellow Book 1999, amended).
- Counsel in an amicable claim resolution process resulting in the successful settlement of a claim for an extension of time and additional costs relating to the design and the construction of two office buildings. The original contract price was 351 million dollars. The amount in dispute was 167 million dollars (FIDIC Yellow Book 1999, amended).
- Counsel in an amicable claim resolution process resulting in the successful settlement of a claim for an extension of time and additional costs relating to the construction of dedicated car parks. The original contract price was 163 million dollars. The amount in dispute was 84 million dollars (FIDIC Yellow Book 1999, amended).
- Counsel in an amicable claim resolution process for the resolution of a claim for an extension of time and additional costs relating to the design, construction, and operation of an automated waste collection system. The original contract price was 34 million dollars. The amount in dispute was 13 million dollars (FIDIC Gold Book 2008, amended).
- Counsel in an amicable claim resolution process for the resolution of a claim for an extension of time and additional costs relating to the design, construction and operation of a chilled water plant. The original contract price was 207 million dollars. The amount in dispute was 10 million dollars (FIDIC Gold Book 2008, amended).
- Counsel in negotiations for the resolution of numerous claims following the termination of a contract for the design and the construction of four office buildings. The original contract price was 410 million dollars. The amount in dispute was 83 million dollars (FIDIC Yellow Book 1999, amended).

- Counsel in negotiations for the resolution of numerous claims following the termination of a contract for the design and the construction of 44 towers offering office, residential and commercial accommodation as well as two five-stars hotels. The original contract price was 3,7 billion dollars. The amount in dispute was 1,2 billion dollars (FIDIC Yellow Book 1999, amended).

OTHER ALTERNATIVE DISPUTE RESOLUTION EXPERIENCE

- Counsel in amicable settlement discussions regarding the construction of a stadium and related facilities in sub-Saharan Africa. The contract price was EUR 83 million. The amount in dispute was EUR 15 million. The contract was governed by French law. The amicable dispute resolution process involved the drafting of an entitlement analysis, claim management and negotiation assistance.
- Counsel in the amicable resolution of a dispute relating to the construction of an LNG plant in Algeria. The contract price was USD 2 billion. The amount in dispute was USD 340 million. The contract was governed by Algerian law. The amicable dispute resolution process involved the drafting of contract interpretation analysis, the drafting of an extension of time claim, the drafting of a request for arbitration and negotiation assistance. The matter was successfully settled.
- Counsel in two mediations involving two energy majors relating to the operation of two power plants. The first mediation involved the renegotiation of the contract terms and conditions. The second mediation involved the resolution of a dispute following the termination of the contract for the operation of the second plant. The first matter was successfully settled.
- Frequently assists the legal, project and delivery teams in the amicable resolution of construction disputes. This includes interpretation of contract provisions, assistance in amicable and collaborative dispute resolution, drafting contract amendments and settlement agreements. Frequently assists the legal, project and delivery teams with COVID-19, war in Ukraine, inflation, shortages and other related claims.

EXPERIENCE AS TRAINER

20 April 2023	Training on the FIDIC Yellow Book (1999 and 2017 editions) (8h)	Legal and project teams of a construction company
6 April 2023	Training on programming (3h)	Legal and project teams of a construction company
February 2023	Training on claims management (including under the FIDIC Forms of Contract) (16h)	Legal and project teams of an engineering company
Jan. 2023 (4 th session)	Seminar on the Drafting of an Arbitration Clause (4h)	University Paris-Saclay, <i>Certificate of Arbitration Practice</i>
Dec. 2022 (3 rd session)	Case Study on the Conduct of an International Arbitration (20h)	Universities of Bordeaux, Toulouse and Lyon, <i>Masters in Economic Cooperation and Business Law</i> (Hanoi, Vietnam)

Oct. 2022 (5 th session)	Techniques of Drafting Memorials and Oral Advocacy (preparation for Moot Court Competitions) (6h)	University Paris-Saclay, <i>Masters in Arbitration and International Commerce</i> (MACI)
27 Sept. 2021	FIDIC Contracts: dispute resolution mechanisms and guarantee provisions (4h)	Legal and project teams of a transport company
9 Sept. 2021	The Conduct of International Arbitration Proceedings by Arbitrators (4h)	French National Committee of the ICC (ICC France)
11 March 2021 (4 th session)	ICC Complex Arbitrations (4h)	French National Committee of the ICC (ICC France)
30 Jan. 2020	CCJA-OHADA Arbitration (2h)	Legal and project teams of a transport company
10 Dec. 2019 (3 rd session)	Management of Arbitration by In-House Counsel (4h)	French National Committee of the ICC (ICC France)
15 Oct. 2019 (3 rd session)	Arbitration in the Construction Industry (4h)	French National Committee of the ICC (ICC France)
19 Sept. 2019 (4 th session)	ICC Expedited Arbitration (4h)	French National Committee of the ICC (ICC France)
24 May 2019 (4 th session)	ICC Emergency Arbitration (4h)	French National Committee of the ICC (ICC France)
18 April 2019	Drafting an Arbitration Clause (4h)	Training delivered to the legal and project teams of a contractor
11 April 2019 (6 th session)	Drafting an ICC Arbitral Award (4h)	French National Committee of the ICC (ICC France)
12 March 2019	Seminar on International Commercial and Investment Arbitration (4 days)	Personnel of different ministries of the Republic of Guinea (Conakry, Guinea)
Oct. 2018 (3 rd session)	Case Study of an International Commercial Arbitration Procedure (20h)	French National Committee of the ICC (ICC France)
19 June 2018	Seminar on International Commercial and Investment Arbitration (4 days)	Personnel of different ministries of the Republic of Guinea (Conakry, Guinea)
June 2018	Seminar on the Drafting of the Arbitration Clause and the Commencement of Arbitration (6h)	University of Montpellier, <i>Specialized Studies Certificate on domestic and international litigation</i>
April 2016	Design Obligations of the Contractor in the FIDIC Red and Yellow Books 1999 (4h)	Legal and project teams of a contractor

Dec. 2015	Fact Witnesses in International Arbitration (4h)	Legal and project teams of a contractor
April 2015	Arbitration in the Construction Industry (4h)	Legal and project teams of a contractor
Nov. 2014	The Basics of International Arbitration (4h)	Legal and project teams of a car manufacturer
May 2014	Complex Arbitrations (4h)	Legal team of an energy major

SPEAKING ENGAGEMENTS

8 March 2023	<i>The Resolution of Dispute in International Construction Projects</i>	Masters in Real Estate and Construction Law (Paris II)
27 Oct. 2022	<i>Study of ICC Awards dealing with FIDIC Contracts</i>	Dispute Resolution Board Foundation
1 April 2022	<i>DAB/DAAB and Arbitration</i>	Paris Arbitration Week
21 Sept. 2021	<i>How Artificial Intelligence Will Reshape the Value Chain of Construction Disputes</i>	Paris Arbitration Week
21 Sept. 2021	<i>Construction Delay, causation, and expert evidence</i>	Paris Arbitration Week
20 Sept. 2021	<i>The Challenges of Disruptions Claims</i>	Paris Arbitration Week
29 April 2021	<i>French recent case law pertaining to Arbitration</i>	French National Committee of the ICC (ICC France)
16 Dec. 2020	<i>The New ICC Arbitration Rules: Return on Experience of an Arbitrator on the Use of the Expedited Procedure Provisions</i>	French National Committee of the ICC (ICC France)
6 Dec. 2019	<i>Contract Management from the Eyes of the Court</i>	Open Contract Management Forum
6 Dec. 2018	<i>The new Expedited Procedure Provisions of the ICC Arbitration Rules</i>	Open Contract Management Forum

MEMBERSHIPS

- ICC Commission on Arbitration and ADR
- Society of Construction Law
- Dispute Resolution Board Foundation
- IBA International Construction Projects Committee

LANGUAGES

- English
- French

EDUCATION, QUALIFICATIONS & CERTIFICATIONS

- Construction Law & Dispute Resolution MSc, *King's College London*, 2022 (London, UK)
- FIDIC Summer School, *King's College London*, September 2021
- FIDIC Certified Adjudicator, August 2021
- Paris Bar Admission, 2011
- Master 2, Law of Economic Globalization, *Sciences-Po Paris* and *Paris 1*, 2008 (Paris, France)
- Master 2, Law of Economic Cooperation, *University of Bordeaux*, 2007 (Hanoi, Vietnam)
- Master 1, International Law, *University of Bordeaux*, 2006 (London, UK)
- Licence en droit, *University of Bordeaux*, 2005 (Bordeaux, France)