

# COMMERCIAL ARBITRATION

COMMERCIALLY ASTUTE LEGAL ADVICE FROM DEDICATED  
SPECIALISTS HOWEVER COMPLEX THE ARBITRATION

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Our dedicated arbitration specialists across the globe work together to advise clients in every aspect of arbitration, including drafting complex dispute resolution clauses, resolving disputes, and assisting clients to locate assets and enforce arbitral awards.

We advise on commercial arbitrations however complex under a broad spectrum of laws from both civil and common law systems. We are experienced in arbitrating under the rules of all major arbitration institutions, as well as having conducted numerous ad hoc arbitrations. Our genuine sector knowledge, commercial awareness and regional sensitivity are unrivalled. We advise clients and conduct arbitrations in a number of languages. Once you have an arbitral award, we can help you to enforce it around the world.

Choosing arbitrators and expert witnesses can be highly significant in achieving a successful outcome and we offer our clients in-depth knowledge of both. Members of the arbitration group regularly sit as arbitrators and this valuable insight into the arbitral process from a different perspective helps us to identify winning strategies.

Our practitioners conduct their own advocacy as part of a fully integrated service. We also regularly act in court proceedings in support of arbitration and have achieved ground-breaking outcomes for our clients in a number of jurisdictions.

We have a wide range of commercial clients and our experience spans multiple sectors, including aerospace & defence, banking & finance, construction & engineering, consumer products, energy & natural resources, infrastructure and transport, manufacturing & industrials, mining, pharmaceuticals, hospitality & leisure and TMT.

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## [INSIDE ARBITRATION](#)

This publication, Inside Arbitration, is intended to give our clients that personal insight by sharing with you the perspectives of our international arbitration partners from across the globe. Our articles look at the global landscape for disputes and dispute resolution, commenting on regional trends in particular markets or sectors or identifying future trends. We also focus on particular points of interest arising from our cases with wider relevance and how, practically, we addressed those issues, often by combining the skills of our practitioners across our global network. There are interview pieces aimed at drawing out some of the truly unique skills and backgrounds of our partners. Finally, we aim to take advantage of our contacts across the global arbitration market to bring our clients the inside track from regional and international institutions.

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# RECENT EXPERIENCE

## **AN INTERNATIONAL RESTAURANT FRANCHISE CHAIN**

Representing an international restaurant franchise chain in defending an ICC arbitral claim brought against it by a former franchisee in Asia who alleged that the franchise agreement had been wrongfully terminated

## **LEADING GLOBAL HOTEL CHAIN**

Advising in relation to a DIFC-LCIA arbitration against an Owner arising out of disputes regarding non-payment of fees and alleged mismanagement. The arbitration included a number of complex issues regarding hotel management and applications for interim relief and partial summary judgment

## **SCF II**

Advising SCF II, a subsidiary of the major African urban land development group, Rendevour, in an LCIA arbitration in relation to the Tatu City project in Kenya. SCF II succeeded in the arbitration in relation to its claims for fraudulent misrepresentation and breach of contract. We have also assisted SCF II in relation to enforcement of the award in Mauritius

## **A MULTINATIONAL ENERGY COMPANY**

Representing a multinational energy company in dealing with sham arbitration proceedings in Africa and potential claims under an investment treaty (potential ICSID, international law).

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## **HYUNDAI HEAVY INDUSTRIES**

Representing Hyundai Heavy Industries on its successful settlement in an ICC arbitration arising out of the US\$10.3 billion Barzan gas pipeline project in Qatar

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## **BP**

Advising BP on contentious issues in contract and in tort, and in multiple jurisdictions and fora including the UK inquest proceedings, arising from the terrorist incident at the In Amenas gas facility in Algeria between 16-19 January 2013

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## **ACCOLADES**



**GLOBAL ARBITRATION REVIEW TOP 30 2020**

RANKED TOP 3 IN THE WORLD, RANKED AMONGST TOP 5 IN THE WORLD 2016 - 2020



"RENOWNED INTERNATIONAL ARBITRATION GROUP WITH IMPRESSIVE GLOBAL REACH"



**TIER 1 - LEGAL 500 UK 2020**

HERBERT SMITH FREEHILLS LLP IS RIGHTLY RESPECTED IN THE MARKET AS A TOP OPERATOR IN THE FIELD OF INTERNATIONAL ARBITRATION AND IT HAS SUPERB, PRAGMATIC AND HARDWORKING LAWYERS AT EVERY LEVEL.





"STANDOUT ARBITRATION CAPABILITY COUPLED WITH AN UNRIVALLED BREADTH OF REGIONAL COVERAGE"



**CHAMBERS EUROPE 2020**

"THE FIRM GARNERS PRAISE FOR ITS INTERNATIONAL EXPERTISE, WITH ONE SOURCE NOTING THAT IT IS 'WELL KNOWN AMONG THE LOCAL LEGAL COMMUNITIES FOR ITS ACTIVE PRESENCE AND EXCELLENT EXPERTISE IN CROSS-BORDER TRANSACTIONS,'"



# OUR PEOPLE



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