

Ms. Lucy Martinez

- Independent counsel and arbitrator, based in Australia and the United Kingdom.
- Extensive experience advising and representing private and sovereign clients in international disputes relating to investment treaties, contracts, and/or national investment legislation, including in AAA, ICC, ICSID, LCIA, UNCITRAL, and *ad hoc* arbitrations; reviewing draft dispute resolution clauses in contracts; sitting as arbitrator (sole, co- and presiding) in HKIAC, ICC, LCIA, and SIAC disputes; and advising on various international pro bono projects.
- Industry experience includes energy (oil, gas, electricity, mining), telecommunications, satellite technology, banking and finance, insurance and reinsurance, trademarks, shipping, gambling and leisure sectors.
- Contact: lucymartinez@martinez-arbitration.com; +44 7793859651 (UK)/ +61 404529518 (Australia)
- www.martinez-arbitration.com

Significant Counsel Experience

- Representing ConocoPhillips in parallel ICSID and ICC arbitrations against Venezuela and PDVSA relating to energy assets (recent ICSID award of US\$9 billion and ICC award of US\$2 billion in favour of client).
- Representing a consortium of oil and gas majors in a cost recovery arbitration with a State-owned company relating to energy assets in West Africa (amount in dispute: ~US\$1.5 billion) (confidential).
- Representing a UAE company in an UNCITRAL arbitration with a State-owned company regarding gas supply in the Middle East (amount in dispute: ~US\$14 billion) (confidential).
- Representing a US company in a WIPO mediation and potential arbitration with a European company regarding breach of contract and trademark issues (confidential).
- Representing a Cypriot company in an UNCITRAL arbitration with a State-owned company regarding indemnities under a share purchase agreement, and a parallel investment treaty arbitration with a European State (confidential).
- Representing Swissbrough Diamond Mines Ltd. and others in an investment treaty arbitration against Lesotho relating to diamond mines.
- Representing Weather Investments in an ICSID arbitration against Algeria relating to telecommunications assets (amount in dispute: ~US\$5 billion).
- Representing Total in the quantum phase of an ICSID arbitration against Argentina relating to energy assets (amount in dispute: ~US\$1 billion).
- Representing the Republic of Turkey in three ICSID arbitrations under the Energy Charter Treaty relating to hydroelectric plants (amount in dispute: ~US\$17 billion).
- Representing a German company in a dispute with an Asia-Pacific State relating to telecommunications assets (confidential).
- Representing a UK company in an UNCITRAL arbitration with a Canadian company relating to funding of an oil platform in the North Sea (confidential).
- Representing a US company in an ICC arbitration with a European company relating to rock concerts in Eastern Europe (confidential).
- Representing a US company in multiple LCIA arbitrations against a UK insurer relating to political risk insurance for energy assets in Latin America (confidential).
- Advising the Government of Canada in a NAFTA/UNCITRAL arbitration relating to a waste processing plant in Canada.
- 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.

Arbitrator Appointments

- HKIAC:
 - Sole arbitrator in a dispute between a Hong Kong company and Thai companies/ individuals relating to a loan agreement.
- ICC:
 - Sole arbitrator in a dispute between a UK company and a UAE company relating to shipping contracts.
 - Presiding arbitrator in a dispute between a German company and a Singaporean company relating to electricity supply and performance bond guarantees.
- LCIA:
 - Sole arbitrator in a dispute between a UK company and a Greek company relating to supply of goods in the shipping industry.
 - Sole arbitrator in a dispute between a UK company and a Cameroonian national relating to a loan agreement.
 - Sole arbitrator in a dispute between a UK company and a French national relating to a loan agreement.
 - Co-arbitrator in a dispute between a UK company and a UK-based individual relating to a deed of accession and partnership agreement.
- SIAC:
 - Sole arbitrator in a dispute between a Singaporean company and a Hong Kong company relating to broadcasting rights and settlement agreements.

Significant Pro Bono Experience

- Representing international amicus in a petition to the U.S. Supreme Court regarding an individual on death row, *Bobby James Moore v. Texas* (certiorari granted June 2016; appeal upheld March 2017).
- Working with an international NGO on legal issues relating to female genital mutilation/ cutting, including amicus filings in various national court proceedings.
- Working with the International Refugee Assistance Project on refugee resettlement applications.
- Advising a South East Asia-based NGO on the right to water under international law.
- Drafting “shadow reports” regarding States’ compliance with 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 the HIV/AIDS epidemic.

Recognition

- Who’s Who Legal: Arbitration, and Future Leaders (Most Highly Regarded Individuals) (2017-2019): “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).

Professional Qualifications

- Attorney, New York State Bar, July 2004.
- Solicitor, Supreme Court of Queensland, Australia, February 2001.

Education

- L.L.M. Columbia Law School (New York), May 2003.
- B.A./L.L.B. University of Queensland (Australia), Dec. 1998 (First Class Honors, University Medal, Valedictorian).

Memberships/ Associations

- Member of HKIAC Users' Council, and List of Arbitrators.
- Member of ICC Australia.
- Member of LCIA European Users' Council.
- Member of American Society of International Law, ArbitralWomen, Australasian Forum for International Arbitration, and International Law Association.
- Member of Board of Governors, Pakistan Centre for Law and Society.
- ICCA Ambassador (2016-2018).
- American Arbitration Association, ICDR Young & International – Executive Board Member (2010-2013).
- International Bar Association: 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 (2007-2011); Forum event coordinator (2005).

Publications

- *Corruption, Fraud, and Abuse of Process in Investment Treaty Arbitration*, in Barton Legum (ed.), THE INVESTMENT TREATY ARBITRATION REVIEW (2018), 3rd ed. (co-author with Carmen Martinez Lopez).
- *Of Taxes and Stabilization*, in J. William Rowley et. al. (eds.), THE GAR GUIDE TO ENERGY ARBITRATIONS (2017), 2nd 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).
- *United States 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.
- *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 and Peter & Partners Conference, Istanbul, Turkey, September 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 Arbitration 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 International Oil and Gas Law Conference, 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/CI Arb 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 and Mineral Law and 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

- 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 (New York).
- 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 at T.C. Beirne School of Law, University of Queensland (Administrative Law).

References

- Constantine Partasides QC, Three Crowns (London), constantine.partasides@threecrownsllp.com.
- Lucy Reed, National University of Singapore, lucy.reed@nus.edu.sg.
- Paul Friedland, White & Case (New York), paul.friedland@whitecase.com.
- The Hon. Justice Mary Gaudron, former Justice of the High Court of Australia (Sydney, Australia), former President of ILO Administrative Tribunal (contact details available upon request).