

## **The Honorable L. Yves Fortier, PC, CC, OQ, QC, Ad. E., LLD**

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### **Quebec Bar 1960**

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On December 31st, 2011, Mr. Fortier severed his long-time relationship with Norton Rose OR, (formerly Ogilvy Renault) “the Firm”. He was then Chairman Emeritus of the Firm. From 1992 until 2008, he was Chairman of the Firm.

Since January 1st, 2012, Mr. Fortier is now a sole practitioner. He practices law in Montréal as an independent mediator/arbitrator. He also has offices in Toronto and London. He is recognized as one of the top arbitrators in the world.

Mr. Fortier has served as Chairman or party-appointed arbitrator on more than 250 arbitral tribunals, either ad hoc or constituted by different arbitral institutions, including the International Court of Arbitration of the International Chamber of Commerce (Paris), the London Court of International Arbitration (LCIA), the Hong Kong International Arbitration Court (HKIAC), the Singapore International Arbitration Centre (SIAC), the China International Economic and Trade Arbitration Commission (CIETAC), the American Arbitration Association, the Court of Arbitration for Sport, the Zurich Chamber of Commerce, the International Centre for Settlement of Investment Disputes (ICSID), the Canadian Commercial Arbitration Centre, the British Columbia International Commercial Arbitration Centre and the ADR Chambers International Panel. He has also served as Chairman or party-appointed arbitrator on more than 40 Investor-State International Tribunals. From 1984 to 1989 he was a member of the Permanent Court of Arbitration at The Hague. From 1998 to 2001, he was President of the London Court of International Arbitration (LCIA). In May 2012, Mr. Fortier was appointed Chairman of the World Bank’s Sanctions Board. He served in that capacity until September 2015. In August 2013, Mr. Fortier was appointed as a member of the Security and Intelligence Review Committee of Canada and sworn in as a member of the Privy Council. In August 2016, Mr. Fortier was appointed Chairman of the Enforcement Committee of the European Bank for Reconstruction and Development (EBRD).

From July 1988 until January 1992, Mr. Fortier took leave from his law practice to take up an appointment as Canada’s Ambassador and Permanent Representative to the United Nations in New York. During his term at the United Nations, Mr. Fortier was Canada’s Chief Delegate to the 43rd, 44th, 45th and 46th Sessions of the UN General Assembly. In September 1990, he was elected Vice-President of the 45th General

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Assembly. From January 1989 to December 1990, Mr. Fortier served as Canada's Representative on the Security Council of the United Nations and in 1989 he was President of the Council.

As a trial lawyer with extensive experience in the practice of commercial, corporate and competition law, Mr. Fortier has pleaded important cases before all court jurisdictions in Canada and before domestic and international arbitral tribunals. He has also served as counsel to many Royal Commissions and Commissions of Inquiry in Quebec and Canada.

### **Law school and education**

B.A., Université de Montréal, 1955

B.C.L., McGill University, 1958 (Civil Law)

He then attended the University of Oxford as a Rhodes Scholar where he obtained an advanced degree in common law:

B.Litt. (Oxon), 1960.

### **Selected client work**

Mr. Fortier has acted for the following parties:

- The Government of Canada, as counsel before the International Court of Justice at The Hague in the Canada-US Gulf of Maine Maritime Boundary case (1984) and before the ad hoc International Tribunal constituted to determine the maritime boundary between Canada and France in the North Atlantic (1991)
- The Government of Canada as its Chief Negotiator in the negotiation with France of a Maritime Boundary in the North Atlantic (1987-1989)
- The Government of Quebec as its special negotiator with the Cree Nation (1993) and as its lead negotiator with the Innu Nation (2006-2012)
- The Government of Canada as its Chief Negotiator in the negotiation with the United States of the Pacific Salmon Treaty (1994-1998)
- The Secretary General of the United Nations as his Special Envoy to Malaysia (1997) and his Personal Representative and Mediator in the Equatorial Guinea and Gabon boundary dispute (2003-2008)
- The Government of Nova Scotia as its lead counsel before the international tribunal constituted to determine the offshore boundary between the province of Nova Scotia and the province of Newfoundland and Labrador (2001)
- The Government of Canada as its lead counsel in the Supreme Court of Canada Reference concerning Quebec (1998)

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Mr. Fortier has also acted as an adjudicator in the following matters:

- The land and maritime boundary dispute between Bahrain and Qatar (1997) and the boundary dispute between Colombia and Nicaragua (2002) as Judge ad hoc of the International Court of Justice
- The United Nations Compensation Commission in Geneva (Iraq-Kuwait) as Chairman of Panel "C" (1993) and Panel F3 (1999)
- The Claims Resolution Tribunal for Dormant Accounts in Switzerland as Arbitrator and Senior Claims Judge (1998-2002)
- *Ireland v United Kingdom* (the MOX Plant Case) as a member of the International Tribunal for the Law of the Sea
- The Eurotunnel dispute (*France-Manche v UK and France*) as a member of the international arbitral tribunal

## Membership and Activities

### (i) Law

- President Canadian Bar Association (1982-1983)
- Founding Director, Law for the Future Fund
- Honorary Member, American Bar Association
- Honorary Vice-President, London Court of International Arbitration (LCIA) (former President 1998-2001)
- International Bar Association
- International Commission of Jurists (Canadian Section) Member of Council
- Union Internationale des Avocats (Vice-Président, 1983-1988)
- American Society of International Law
- International Law Association (Canadian Branch)
- Director, Canadian Institute for Advanced Legal Studies (2000 - 2014)
- Fellow, American College of Trial Lawyers (Regent 1992 – 1996)
- Trustee of the Financial Assistance for Settlement of International Disputes of the Permanent Court of Arbitration (2009 - )

### (ii) Public Affairs

- Governor, McGill University (1975-1985)
- Director, Montréal Neurological Institute (1975-1985)
- Director, Montréal Clinical Research Institute (1978-1983)
- Director, Historica Canada (2003 - )
- Trustee, International Accounting Standards Board (2000 – 2007)
- Trustee, McGill Institute for the Study of Canada (2013 - )

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### (iii) Corporate

- Mr. Fortier is a former Chairman of Alcan Inc. (2002 – 2007) and the former Governor of the Hudson's Bay Company (1997 – 2006)
- Mr. Fortier is a former Director of many public Corporations, including:
  - Royal Bank of Canada
  - Trans Canada Pipelines Limited
  - Dupont Canada Inc.
  - Westinghouse Canada Inc.
  - Manufacturers Life Insurance Company
  - Rio Tinto Plc

### Honors and Awards

- Doctor of Laws *honoris causa*: Law Society of Upper Canada (1989),
- Companion of the Order of Canada 1991 (highest ranking in the order)
- Médaille d'Or, Quebec Bar (1992)
- Doctor of Laws *honoris causa*: Acadia University (1992),
- Doctor of Laws *honoris causa*: University of British Columbia (1993),
- President's Award, Canadian Bar Association (1993)
- Doctor of Laws *honoris causa*: Université de Montréal (2000),
- Doctor of Commerce *honoris causa*, Ryerson University (2004)
- Doctor of Laws *honoris causa*: McGill University (2006)
- *Advocatus Emeritus*, Quebec Bar (2007)
- Director Emeritus for Excellence in Corporate Governance in Quebec (2007)
- *The American Lawyer/ Focus Europe* - Arbitration Scorecard (2007): Top Arbitrator in the World
- International Commission of Jurists' Walter S. Tarnopolsky Human Rights Award (2008)
- Doctor of International Studies *honoris causa*, Université Laval (2008)
- *Best Lawyers' Lawyer of the Year*, 2011 - International Arbitration, Montréal
- *Best Lawyers in Canada*, 2011 - International Arbitration, Alternative Dispute Resolution, Administrative and Public Law

### Languages

Fluent in French and English. Some knowledge of Italian and Spanish.