

# Dr. Ucheora Onwuamaegbu

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Nationalities: Nigeria / UK



## Summary Biography

Uche Onwuamaegbu is a consulting attorney with ArentFox Schiff LLP, in Washington, D.C., who acts as arbitrator in international disputes. He has advised a broad range of private and sovereign clients concerning the dispute settlement aspects of their transactions, policy making, and implementation of complex projects. He has been involved in over 80 international arbitrations as arbitrator, counsel, tribunal secretary or administrator, in cases spanning industry sectors like agriculture, banking/finance, construction, employment, energy and natural resources (oil, gas & mining), financial services, hospitality, manufacturing, sports/e-sports, e-commerce, tourism, technology, telecommunications and transportation. He is President of the Silicon Valley Arbitration and Mediation Centre, while also serving as an independent member of the international advisory panel for the multibillion-dollar post-Gulf War Kuwait National Focal Point for environmental remediation program.

## Highlight of Work History

Present International Attorney, ArentFox Schiff LLP, Washington, D.C.

- Working with sovereign and corporate clients including in negotiation of trade and investment treaties and contracts

Arbitrator in international disputes before different *fora* around the globe

- Disputes under contracts, treaties and national laws; involving energy/natural resources, employment, financial services, hospitality/tourism, manufacturing, technology, telecoms, transportation, sports, and Esports.

Adviser on multi- billion (*post-Gulf War*) Kuwait Environmental Remediation Program

- Member, international Advisory Panel that provides independent oversight of Program

2001–2010 Counsel; Senior Counsel; The World Bank, International Centre for Settlement of Investment Disputes (ICSID), Washington, D.C. Worked as team leader and as tribunal secretary/case administrator in cases across industry sectors like agriculture, construction, energy and natural resources (oil, gas & mining), financial services, hospitality, tourism, technology, telecommunications and transportation. Among the parties were the governments of Armenia, Bangladesh, Bolivia, Chile, Georgia, Guyana, Egypt, Hungary, Indonesia, Jordan, Kazakhstan, Kyrgyzstan, Lebanon, Malaysia, Romania, Saudi Arabia, Seychelles, Slovenia, Trinidad & Tobago, Turkey, Ukraine, USA and Zimbabwe.

1994-2001 Assistant; Legal Officer; Senior Legal Officer; United Nations Compensation Commission, Geneva, with portfolio including a unique multi-party consolidated claim by a Central Bank on behalf of over 800k migrant workers for non-transfer of remittances by Iraqi banks; also claims by airlines, shipping companies, banks, and insurance companies.

1993-1994 Andrews Solicitors, London

1988-1993 T. Cryan & Co. Solicitors, London

## Recent arbitration-related experience

- President of Tribunal, Investor-State arbitration in Banking/Finance sector, *Qatar National Bank (Q.P.S.C.) v. Republic of South Sudan and Bank of South Sudan* (ICSID)
- Member, Annulment Committee, investment treaty arbitration in the Electric Power & Other Energy sector, *Viaduct d.o.o. Portorož, Vladimir Zevnik and Boris Goljevšček v. Bosnia and Herzegovina* (ICSID)
- Member, Annulment Committee, investment treaty arbitration in the real estate/construction sector, *Edmond Khudyan and Arin Capital & Investment Corp. v. Republic of Armenia* (ICSID)
- Sole Arbitrator, international E-Sports / E-Gaming dispute (AAA-ICDR)
- Sole Arbitrator, international E-Commerce dispute (AAA-ICDR)
- Sole Arbitrator, international licensing dispute (AAA-ICDR)
- Sole Arbitrator, manufacturing sector dispute between Mexico and US parties (ICC)
- Member, Annulment Committee, investment treaty arbitration in the renewable energy sector, *JGC Holdings Corporation v. Kingdom of Spain* (ICSID)
- Member, Annulment Committee, investment treaty arbitration in the renewable energy sector, *ESPF Beteiligungs GmbH, et al., v. Italian Republic* (ICSID)
- Member, Annulment Committee, investment treaty arbitration in the financial services sector, *Sodexo Pass International SAS v. Hungary* (ICSID)
- Co-arbitrator, investment treaty arbitration in the agriculture sector, *Sunlodges Ltd et al v. The United Republic of Tanzania* (PCA)
- Co-arbitrator, multi-party financing dispute between oil company and several banks (ICC)
- Co-arbitrator, construction dispute between an African State entity and an Asian State-owned investor (ICC)
- Co-arbitrator, appeal in high profile sports competition standards dispute (CAS)
- Co-arbitrator, appeal in sport federation-leadership ethics-related dispute (CAS)
- Co-arbitrator, coaching contract dispute involving a national football federation (CAS)
- Co-arbitrator, appeal in doping dispute (CAS)
- Sole arbitrator, international real estate dispute (DIAC)
- Discovery Master, investment treaty arbitration between a European State and a US corporation (ICSID)
- Claimant's counsel, investment treaty arbitration in the agriculture sector, *Oded Besserglik v. Republic of Mozambique* (ICSID)

## Sample advisory work for sovereigns

- Project on establishment of Nigeria's Niger Delta Hydrocarbon Remediation Program (2016-20), including oversight mechanism for technical and financial accountability; negotiations with local communities and major oil companies
- Project on issuance of Nigeria's first Sovereign Green Bond (2017- 18) – Advice on implications under international investment law

- Project on Economic Diplomacy Initiative of Nigeria's Ministry of Foreign Affairs (2016)
- Negotiation of trade treaty between a world economy and a developing country to serve as template for future such treaties
- Review of a National Investment Law
- Review of a National Environment Law
- Review of a draft Model Law on establishment of Export Trading Companies

#### **Sample advisory work for corporate clients**

- Review of a licensing agreement involving a leading European fashion brand
- Advise on funding of a USD3 Billion sovereign debt owed to industry union
- Detailed pre-action analysis for a telecommunications company in Latin America

#### **Other Activities**

- President, Board Member, and chair, Africa/Europe/Middle East User Group, Silicon Valley Arbitration and Mediation Center, and member Working Group on Dispute Resolution in Blockchain-based Transactions
- Member, Panel of Experts of the WIPO - International Games and Esports Tribunal (IGET)
- Board Member, Lagos Court of Arbitration
- Member, Panel of Arbitrators of various arbitral institutions including AAA-ICDR (international), Court of Arbitration for Sport (CAS), World Intellectual Property Organization (WIPO), Arbitration and Mediation Center, Korean Commercial Arbitration (KCAB) (International Panel), Abu Dhabi Global Market (ADGM) Arbitration Centre, and regional arbitral institutions, including in China, Kuwait, South Africa and UAE
- Member, Peer Review Board, ICSID Review: Foreign Investment Law Journal
- Member, International Law Association, Committee on International Commercial Arbitration
- Member, Users' Council, Singapore International Arbitration Centre
- Co-Chair, American Bar Association (ABA) Section on International Law, International Courts Committee, 2006 – 2008; Co-Vice Chair, 2004-2006

#### **Select Publications**

##### **Book Chapters**

- *Stay of Enforcement of Awards under the ICSID Convention – Trends and Issues*, Arbitration International, Volume 39, Issue 2, June 2023, Pages 279–292
- *Blockchain, Smart Contracts and International Arbitration*, International Commercial Arbitration Practice: 21<sup>st</sup> Century Perspectives, 2<sup>nd</sup> ed. Lexis Nexis, Dec 2021
- *International Dispute Settlement Mechanisms*, Arbitration under International Investment Agreements: A guide to key issues, 2<sup>nd</sup> ed. Oxford University Press, 2018
- *Ad hoc Arbitration*, Elgar Encyclopedia of International Economic Law, Edward Elgar Publishing, 2017
- *Africa and the Changing Landscape of Investor State Arbitration*, ICCA Congress Series No. 19, Wolters Kluwer, 2017

- *Limiting the Participation of Developed States: Impacts on Investor State Arbitration*, Second Thoughts: Investor-State Arbitration between Developed Democracies, CIGI 2016
- *Directness of Claims by Foreign Companies in Remote Locations*, War Reparations and the UN Compensation Commission, Oxford University Press, 2014
- *FDI, the Global Crisis and Sustainable Recovery, Transnational Corporations*, vol.20, UNCTAD, April 2011
- *International Dispute Settlement Mechanisms*, Arbitration under International Investment Agreements: A guide to key issues, Oxford University Press, 2010
- *Using Treaties to Determine Rules of Procedure in Investor-State Arbitration*, The future of investment arbitration, Oxford University Press, 2009, also published in ICSID Review – *Foreign Investment law Journal*, 2008

### Articles

- *A managed dispute-resolution insurance scheme for countries in investor-state arbitration: Ensuring early legal representation of respondents*; *Columbia FDI Perspectives*, No. 327 March 21, 2022; <https://ccsi.columbia.edu/sites/default/files/content/docs/fdi%20perspectives/No%20327%20-%20Onwuamaegbu%20-%20FINAL.pdf>
- *Suggestions for amendments to the ICSID Rules*, ICSID Rules and Regulations Amendments Process, 2018 [https://icsid.worldbank.org/en/amendments/Documents/Onwuamaegbu\\_Uche](https://icsid.worldbank.org/en/amendments/Documents/Onwuamaegbu_Uche)
- *The dispute resolution trends in treaties affecting African/Asian investors and African/Asian States*, *TDM Special edition on Africa (TDM 4, 2016)*
- *Limiting the Participation of Developed States: Impacts on Investor State Arbitration*, CIGI Investor State Arbitration Series, Paper No. 12, August 2016
- *Why Investment Disputes are on the Rise*, This Day, January 18, 2007
- *The Role of ADR in Investor State Dispute Settlement: the ICSID Experience*, AAA/ICC/ICSID Joint colloquium, New York, November 2005, [http://www.worldbank.org/icsid/news/news\\_22-2.pdf](http://www.worldbank.org/icsid/news/news_22-2.pdf)
- *Resolution of Oil and Gas Disputes at ICSID*, International Oil and Gas Conference, London, 2004

### Education

*King's College London*

PhD (Doctor of Philosophy in Law), 2019 [“*The case for Tailor-made Remedies in Investor State Arbitration and a Mechanism to Implement them*”]

*College of Law, London*

Law Society Finals, 1992-1993

*Holborn Law College, London*

Common Professional Exams, 1989-1991

*Nigeria Law School*

Bar Finals, (BL Hons.), 1986-1987

*University of Nigeria*

Bachelor of Laws, (LL.B. Hons.), 1986

### Qualifications

*District of Columbia Bar*

Licensed to practice as a Special Legal Consultant, 2015

*Law Society of England and Wales*

Solicitor, Supreme Court of England and Wales, 1994

*Council of Legal Education*

Barrister and Solicitor, Supreme Court of Nigeria, 1987