



Julien Fouret
Partner

T:+33 (0) 1 55 73 40 31
M:+33 (0) 7 72 72 26 66
julienfouret@eversheds-sutherland.com

Julien focuses primarily on investment arbitration and international commercial arbitration, notably in the Construction and Oil and Gas Industries. He possesses vast experience in international arbitration having been counsel, chair, arbitrator or co-arbitrator in numerous arbitrations under the rules of the most prominent arbitral institutions. He is also a former Counsel of the Secretariat of the International Court of Arbitration of the International Chamber of Commerce.

Julien is the author of numerous publications including three books notably "*The ICSID Convention, Regulations and Rules – A Practical Commentary*" (Edward Elgar Publishing, 2019), as well as *Recueil des Commentaires des Décisions du CIRDI 2002-2007* (Comments on ICSID decisions 2002-2007) and *Enforcement of Investment Treaty Arbitration Awards* (Globe Law-2015). He is Editor-in-Chief of the ICC Dispute Resolution Bulletin.

He is a Vice-Chair of the IBA Arbitration Committee and is a former co-chair of the ASA below 40, the CFA 40 and of the IBA Arb40 subcommittee. He teaches international arbitration law in Masters programs at the Université Panthéon-Assas, Université Paris-Ouest Nanterre and the Université de Paris-Est Créteil. He is also a guest lecturer at the Université de Sherbrooke in Quebec, Canada.

LANGUAGES

French, English

PROFESSIONAL EXPERIENCE

Since 2019	Partner, Eversheds Sutherland
2015-2019	Partner, BETTO SERAGLINI
2012-2015	Counsel, Castaldi Mourre & Partners, Paris
2010-2012	Counsel of the Secretariat of the International Court of Arbitration of the International Chamber of Commerce, Paris

2008-2010	Associate, Derains & Gharavi, Paris
2007-2008	Associate, Salans, Paris
2006	Consultant, Investment Division, Directorate for Fiscal, Financial and Enterprise Affairs, OECD
2004-2006	Jurist, Shearman & Sterling LLP, Paris

ACADEMIC POSITION

Since 2018	Lecturer, Faculty of Law, University of Paris X (Nanterre)
Since 2012	Lecturer, Faculty of Law and Social Sciences, University of Paris II (Panthéon-Assas)
Since 2012	Lecturer, Faculty of Law and Social Sciences, University of Paris XII (Créteil)
Since 2013	Lecturer, Faculty of Law, University of Sherbrooke (Québec)
2010-2013	Lecturer, Faculty of Law and Social Sciences, University of Poitiers
2003-2004	Teaching assistant in Public International Law, University of Law, McGill University (Montréal)

EDUCATION

2002-2003	LL.M. (Master of Law), Institute of Comparative Law, McGill University, Montréal (Canada)
2001-2002	DEA (post-degree), Law of European and International Economic Relations, University of Paris X (Nanterre)
2000-2001	Maîtrise (degree), European and International Law, University of Paris X (Nanterre) and Legal Studies in English (D.E.J.A. II), University of Paris X (Nanterre)

PROFILE

Co-Editor in Chief, ICC Dispute Resolution Bulletin

Vice-Chair, IBA Arbitration Committee (2020-2022)

Secretary, IBA Arbitration Committee (2018-2020)

Website & Newsletter Officer, IBA Arbitration Committee (2016-2018)

Co-chair of the IBA Arb40 subcommittee (2014-2016)

Co-chair of the ASA Below 40 (2014-2017)

Co-director of the CFA 40 (2013-2015)

Member of the *Groupe de Travail de la Commission d'Arbitrage de la CCI sur les Institutions Financières et l'arbitrage international* (2014-2016)

Member of the International Law Association – French section (since 2014)

Member of the Arbitration Commission of the ICC

Member of the Arbitration Commission of ICC France

Member of the *Comité Français de l'Arbitrage*

Panel of Arbitrators at the Court of Arbitration for Sports (CAS)

Panel of arbitrators of the Kuala Lumpur Regional Center for Arbitration (KLRCA)

Panel of arbitrators of the *Chambre Arbitrale Internationale de Paris* (CAIP)

Member of the IBA

Member of the International Arbitration Institute (IAI)

Member of the European Society for International Law

Member of the *Société Québécoise de Droit International*

RANKINGS

Who's Who Legal 2020 – Global Arbitration Leader : Julien Fouret is a highly distinguished arbitration practitioner whom sources identify as *"one of the brightest minds of his generation"*. Other sources note, *"He is great for investment arbitration,"* as well as being *"a very good arbitrator and a very good counsel"*.

Chambers Global 2020 : « *Julien Fouret joined Eversheds Sutherland from BETTO SERAGLINI in September 2019. He advises on commercial arbitrations, including expropriation cases and shareholders disputes in the gas sector. Clients appreciate that he "brings academic understanding and real strategic understanding to cases."* »

Who's Who Legal France: International Arbitration 2019: "Julien Fouret is well liked by peers in the market, and is described as *"a very good and ambitious all-round lawyer, with a strong academic background and knowledge of investment arbitration"*.

Legal 500 EMEA 2019: "Julien Fouret is *'very effective at leading a case in his chosen direction'.*"

Chambers Global 2019: "Julien Fouret gives *'straightforward advice and gets to the point'.*"

Who's Who Legal - Arbitration 2019: Analysis - Leading individuals - "Julien Fouret is praised as *"very good counsel, especially in investment arbitration"*. He acts as counsel, chair and arbitrator and impresses peers with *"excellent knowledge of procedures and international law"*."

Décideurs 2019: "Excellent" – Litigation & Arbitration – International Arbitration

Décideurs 2018:

"Leading" – Africa Desk – Arbitration & International Litigation

"Excellent" – Litigation & Arbitration – International Arbitration – Mediation / Africa Desk – Oil, Gas, Mining, Natural Resources and Energy

"Highly recommended" – Africa Desk – Arbitrator

Who's Who Legal France: International Arbitration 2018: "Julien Fouret is *"very reliable and great on French law"* according to market commentators who note him as a highly active figure in the arbitration field. He is recognised for his work as both arbitrator and counsel across a range of proceedings."

Who's Who Legal France: International Arbitration 2017: "Julien Fouret is a *'dynamic'* lawyer with *'a very international practice'*."

GAR 100 2017: "Julien Fouret is a *'distinguished gentleman and a great lawyer. He is particularly focused on the relationship with the client and always available even for a quick advice'*."

Who's Who Legal Arbitration: Future Leaders – Partner 2017: "Julien Fouret is an *'excellent and knowledgeable practitioner'*, praised for his international outlook. He is among the most highly rated partners in our research."

Legal 500 EMEA 2016: "Julien Fouret is an *'investment arbitration expert'*."

Who's Who Legal France: International Arbitration 2016: "The *'versatile and cognisant'* Julien Fouret is also praised for his work in investment arbitration."

CREDENTIALS AS COUNSEL

Amongst others:

Representing of a Mediterranean State in a BIT arbitration concerning an alleged expropriation in the telecommunications sector.
(19 billion dollars, ICSID, English language)

Representing an African State in an ICC arbitration relating to an EPC contract with two European companies relating to delays and disruptions during the execution of the Contract.

Representing a North American EPC contractor in relation to two ICC arbitrations concerning alleged delays and defects in the engineering and construction of a sulphuric acid recovery plant and a phosphate plant in Jordan.

Advising an EPC contractor on an arbitration under the UNCITRAL Rules in which claims were made against it for its work under FEED and EPC contracts for an Adriatic LNG terminal.

Representing an EPC contractor in an ICC Arbitration with respect to the construction of a pipeline in a North African Country.

BIT Arbitration relating to the expropriation of a Western investor in an Eastern European State in various industrial sectors and in real estate. (12 billion USD - UNCITRAL/BIT, Seat in Madrid, English language)

Representing a consortium of European companies following in an ICC dispute arising out of an EPC contract for the construction of a LNG terminal. (700 million euros, ICC Paris, French law, English language)

Representing a European company in an ICC Dispute following the Breach of Public-Private Partnership in the mining sector in West Africa.(4 billion dollars, Civil Law, ICC The Hague, French language)

Representation of European investors against a European State in a BIT arbitration concerning discriminatory measures and expropriation suffered in the food-processing industry. (1 billion dollars, ICSID, English language)

Representation of a European State in a BIT arbitration concerning the liberalisation of the health insurance industry. (900 million dollars, UNCITRAL Paris, English language)

Representation of an Oil & Gas industry partnership in a dispute related to the construction of an oil & gas infrastructure in Europe. (550 million euros, French law, ICC Paris, French language)

Representation of a North American investor in a BIT arbitration against an Asian State in connection with the liberalisation of the energy sector. (500 million dollars, UNCITRAL Geneva, English language)

Representation of a major energy sector player on a shareholders dispute concerning a joint venture in North Africa. (500 million euros, ICC Geneva, Spanish law, English and Spanish language)

Representation of an African company against Senegal in an ICSID arbitration about an expropriation in the energy sector (ICSID ARB/18/24). (400 million euros, Civil Law, Senegalese law, ICSID, English as the language of arbitration)

Representation of a European investor against a State of Central Asia in a BIT arbitration concerning an expropriation in the construction sector. (150 million dollars, ICSID, English language)

Representation of a European investor against a Sub-Saharan African State in an arbitration concerning an expropriation in the gas sector. (100 million dollars, ICSID, English language)

Representation of a major energy sector player concerning guarantees following the construction of an electric plant. (95 million euros, ICC Geneva, Swiss law, English language)

Representation of a North American investor against an Eastern European State in a BIT arbitration concerning discrimination and violation of the fair and equitable treatment in the broadcasting industry. (80 million dollars, ICSID, English language)

Representation of a European company in a dispute relating to the construction of a pipeline in North Africa. (75 million euros, ICC Paris, Civil law, French language)

Representation of a global energy company in an arbitration related to an iron mine in Sierra Leone. (75 million USD, LCIA London, English law, English language)

Representation of a Brazilian company against a French bank concerning Export Documentary Credit. (70 million euros, ICC Paris, English language)

Representation of a European investor against a State of Central Asia in a BIT arbitration concerning an expropriation in the textile industry. (50 million dollars, ICSID, English language)

Representation of European investors against an African State in an arbitration based on a BIT and an investment law concerning discriminatory measures and expropriation in different industry sectors. (35 million euros, ICSID, French language)

Representation of an Oil & Gas industry partnership in a dispute related to the construction of an oil & gas infrastructure in Europe. (35 millions euros, French law, ICC Paris, French language)

Representation of a European agrifood company concerning a Distribution Agreement. (30 million euros, ICC Paris, French law, English language)

Dispute between shareholders in the affordable luxury sector. (23 million euros, FAI Helsinki, Finish law, English language)

Representation of a European State in a BIT arbitration concerning alleged violations of fair and equitable treatment and a denial of justice vis-à-vis a European investor. (10 million euros, ICSID, English language)

CREDENTIALS AS ARBITRATOR

Amongst others:

Emergency arbitrator of an ICC Tribunal regarding preservation of evidence and bank guarantees with respect to a construction dispute in South America.

Chairman of an ICC Arbitral Tribunal in an arbitration relating to pipelines construction between European Company and Two North African companies.

Chairman of an arbitral tribunal in an ICC arbitration relating to the construction of a power station opposing a Middle Eastern company to another Middle Eastern company.

Sole Arbitrator in a case between two major European companies arising out of an EPC contract for the construction of a hospitality facility.

Chairman of an ICC Arbitral Tribunal in an arbitration relating to a construction contract in the Hospitality industry between European Company and two Middle Eastern companies.

Co-arbitrator in an ICC construction arbitration relating to clean energy projects in a European Country.

Chairman in a CEPANI arbitration between a European Company and Middle Eastern Companies arising out of a Real Estate/Construction project in a European Country.

Co-arbitrator in an ICC arbitration between an African supplier and a European major Pharmaceutical Company

Sole Arbitrator in an ICC Dispute relating to patent infringement between two major publishing companies

Sole Arbitrator in Danish Institute arbitration between the Ministry of Foreign Affairs of a European State and an African NGO regarding the construction of health related facilities.

Sole Arbitrator in a ICC arbitration between a Taiwanese company and a UK company for the construction of a Waste treatment facility.

CAS Co-Arbitrator in an appellate case between a Football Club, The Federation and the National League.

Co-arbitrator in a Franco-Italian CMAP arbitration on liability guarantees.

PUBLICATIONS

Books

The ICSID Convention, Rules and Regulations: A Commentary, Elgar's Commentaries Series, Edward Elgar Pub. Co-edited with R. Gerbay et G. Alvarez, 2019

Enforcement of Investment Treaty Arbitration Awards: A Global Guide, Globe Law and Business Publishing, 2015

Recueil des Commentaires des Décisions du CIRDI (2002-2007), Editions E. Bruylant, 2009 (with Dany Khayat)

ARTICLES

English:

"Enforcement of the Yukos awards: a second Noga saga or a new Sedelmayer fight?", ICSID Review - Foreign Investment Law Journal Vol. 30, Number 2, Spring 2015

"France" in S. Jagusch & E. Triantafylou (ed.), Getting the Deal Through – Investment Treaty Arbitration 2015, (2014) at 22 (with Pierre Daureu)

"Pre-closing disputes" in E. Poulton (ed.), Arbitration of M&A Transactions: A Practical Global Guide, Globe Business Publishing, 2013, 311 with Alexis Mourre)

"France" in S. Jagusch & E. Triantafylou (ed.), Getting the Deal Through – Investment Treaty Arbitration 2014, (2013) at 19 (with Pierre Daureu)

"Stay(ing) on Track or Falling off the Edge: The Absence of Legal Security in the Ad hoc Committees' Decisions Under Article 52(5) of the ICSID Convention", (2012) 27.2 ICSID Review – Foreign Investment Law Journal 303

"The Malicorp Saga: A Spaghetti Bowl of Proceedings", (2012) 4.2 International Journal of Arab Arbitration 7

"A Practical Guide: Research Tools in International Investment Law" in Arbitration Under International Investment Agreements: A Guide to the Key Issues, Oxford University Press, 2010, directed by Katia Yannaca-Small

"Denunciation of the Washington Convention and Non-Contractual Investment Arbitration: "Manufacturing Consent" to ICSID arbitration?", (2008) 25.1 Journal of International Arbitration 71

"The World Bank and ICSID: Family or Incestuous Ties?", (2007) 4.1 International Organizations Law Review 121

French:

"Compétence matérielle: bien, propriété et investissement" dans W. Ben Hamida & F. Coulée (dir.), Convergences et contradictions du droit des investissements et des droits de l'homme: une approche contentieuse, Pedone, 2017, p. 65

"Le chapitre X de l'accord économique et commercial global Canada-Union Européenne: Une solution équilibrée au débat sur le recours à l'arbitrage dans le règlement des différends entre investisseurs et États?" in Mélanges Pierre Mayer – published in 2015 (with A. Mourre)

"Dettes souveraines des Etats et Arbitrage CIRDI, un mariage arrangé?" in G. Dufour, D. Pavot (dir.), La crise des dettes souveraines: approches croisées Canada – Europe, Lexis Nexis, Montréal – Paris, 2014, 335

"La sentence arbitrale et les recours contre cette sentence", Contribution lors du Colloque Paris I – Paris II du 22 mai 2005: Le choix du mécanisme de règlement des différends investisseur/Etat (Etude comparative des mécanismes CIRDI, CNUDCI et CCI), Revue Droit des Affaires 57

"Une nouvelle donne juridique – La protection des investissements étrangers au Liban", (2007) 42 Revue Libanaise de l'Arbitrage Arabe et International 11 (with Dany Khayat)

"CMS c. LG&E' ou l'état de nécessité en question", (2007-2) Revue de l'Arbitrage 249

"Du rôle de la Cour internationale de Justice: peau neuve ou peau de chagrin? Quelques réflexions sur l'arbitralisation de la Cour mondiale", (2003) 16.2 Revue Québécoise de Droit International, pp. 191-233

(published in 2005) (with Mario Prost)

"*La multiplication des juridictions internationales: de la nécessité de remettre quelques pendules à l'heure*" (2002), 15.2 *Revue Québécoise de Droit International*, pp. 117-138 (published in 2004) (with Mario Prost)

COMMENTAIRES DE JURISPRUDENCE

English:

"International Centre For Settlement of Investment Disputes (ICSID)" (2014-1), 13.1 *The Law and Practice of International Courts and Tribunals* 117 (with Dany Khayat)

"International Centre For Settlement of Investment Disputes (ICSID)" (2013-3), 12.3 *The Law and Practice of International Courts and Tribunals* 475 (with Dany Khayat)

"International Centre For Settlement of Investment Disputes (ICSID)" (2013-1), 12.1 *The Law and Practice of International Courts and Tribunals* 113 (with Dany Khayat)

"International Centre For Settlement of Investment Disputes (ICSID)" (2012-1), 11.1 *The Law and Practice of*

International Courts and Tribunals 137 (with Dany Khayat)

French:

"*L'arrêt Gold Reserve: une mine d'or d'enseignements, note sous Paris, Pôle 1 - Ch. 1, 7 Février 2017*" 2017.2 *Rev. Arb.* 566 (with Alexandre Reynaud)

"*Panorama de jurisprudence française*", *Cahiers de l'arbitrage/Paris Journal of International Arbitration* (with Priscille Pedone) (Since number 2012.4)

"*Centre international pour le règlement des différends internationaux relatifs aux investissements*" (2009), 22.2 *RQDI* 231 (with Dany Khayat)

"*Centre international pour le règlement des différends internationaux relatifs aux investissements*" (2008), 21.2 *RQDI* 291 (with Dany Khayat)

"*Centre international pour le règlement des différends internationaux relatifs aux investissements*" (2007), 20.1 *RQDI* 309. *Jurisprudence 2007* (with Dany Khayat) "*Centre international pour le règlement des différends internationaux relatifs aux investissements*" (2006), 19.1 *RQDI* 271. *Jurisprudence 2006* (with Dany Khayat)

"*Centre international pour le règlement des différends internationaux relatifs aux investissements*" (2005), 18.2 *RQDI* 313. *Jurisprudence 2005* (with Dany Khayat)

"*Centre international pour le règlement des différends internationaux relatifs aux investissements*" (2004), 17.2 *RQDI* 231. *Jurisprudence 2nd semester 2004* (with Dany Khayat)

"*Centre international pour le règlement des différends internationaux relatifs aux investissements*" (2004), 17.1 *RQDI* 160. *Jurisprudence 1st semester 2004* (with Dany Khayat)

"*Centre international pour le règlement des différends internationaux relatifs aux investissements*" (2003), 16.2 *RQDI* 257. *Jurisprudence 2nd semester 2003* (with Dany Khayat)

"*Centre international pour le règlement des différends internationaux relatifs aux investissements*" (2003), 16.1 *RQDI* 223. *Jurisprudence 1st semester 2003* (with Dany Khayat)

"*Centre international pour le règlement des différends internationaux relatifs aux investissements*" (2002), 15.2 RQDI 167. Jurisprudence 2002 (with Dany Khayat)

REPORTS

"Investment Arbitration Session – Report on Session of the Arbitration Committee at the IBA Annual Conference in Boston", (2014) 19.1 IBA Arbitration News 21

"IAI Seminar, Paris, December 14, 2007 – The Precedent in International Arbitration", (2008) 26.1 Bulletin ASA 183

OECD, "Essential Security Interests under International Investment Law", in OECD, *International Investment Perspectives – Freedom of Investment in a Changing World*, OECD Publishing, 2007, 93 (Consultant)

REVIEW

English:

"Book Review – Contemporary Issues in International Arbitration and Mediation – The Fordham Papers 2010" (2012) 29.1 *Journal of International Arbitration* pp. 129-132

"Book review of Legal Framework for the Admission of FDI of Thomas Pollan" (2007), *Revue Québécoise de Droit International*, (www.rqdi.org)

"Book review of Takeover Law in the EU and the USA – A Comparative Analysis of Christin M. Forstinger" (2003), 16.1 *Revue Québécoise de Droit International*, pp. 371-373 (published in 2005)

French:

"*Recension de l'ouvrage Droit International Public (7th ed.) des Professeurs Daillier et Pellet*" (2001), 14.2 *Revue Québécoise de Droit International*, pp. 299-303 (published in 2003)