

Ucheora Onwuamaegbu

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Nationalities: Nigeria / UK



Summary Biography

Ucheora Onwuamaegbu is an attorney with Arent Fox LLP, in Washington, DC., who acts as arbitrator in international disputes. He advises a broad range of private and sovereign clients in connection with the dispute settlement aspects of their transactions, policy making, and implementation of complex projects, and also represents clients in investment and commercial disputes. He has been involved in over 80 international arbitrations as arbitrator, counsel, tribunal secretary or case administrator, in cases spanning across such industry sectors as agriculture, banking/finance, construction, energy and natural resources (oil, gas & mining), financial services, hospitality, sports, tourism, technology, telecommunications and transportation. He is a member of the international advisory panel of the Kuwait National Focal Point, providing oversight for the multibillion-dollar post-Gulf War environmental remediation program.

Work History

- Present International Attorney, Arent Fox LLP, Washington, D.C.
- Providing advice and representation to sovereign and corporate clients including in international investment and commercial disputes; negotiation of trade and investment treaties and contracts
- Adviser on (*post-Gulf War*) Kuwait Environmental (*oil spill*) Remediation Program
- Negotiation of agreement between the UN and Government of State of Kuwait for transfer of oversight of USD3 billion Program
 - Establishment of systems and controls for technical and financial accountability including audit, procurement policies; means of collaboration on the Program between agencies of government and ministries including Oil, Defense, Water, Agric
 - Authoring numerous reports on progress and accountability, dealing with inquiries and generally acting as liaison between the Government and the UN on the Program
 - Member of Advisory Panel that provides independent oversight of Program
- Arbitrator in international disputes before different fora around the world
- Disputes under contracts, treaties and laws; involving natural resources, financial services, hospitality/tourism, technology, telecoms, transportation and sports
- 2001–2010 Counsel; Senior Counsel; Team Leader, The World Bank, International Centre for Settlement of Investment Disputes (ICSID), Washington, D.C., working as tribunal secretary or case administrator. These cases span a broad range of industry sectors, including agriculture, construction, energy and natural resources (oil, gas & mining), financial services, hospitality, tourism, technology, telecommunications and transportation; and involved countries such as 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 that included a unique multi-party consolidated claim by the Central Bank of Egypt on behalf of over 800,000 workers in Iraq for the non-transfer of remittances by Iraqi banks to beneficiaries in Egypt; as well as claims by airlines and shipping companies, banks and insurance companies.

1993-1994 Andrews Solicitors, London

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

Recent arbitration-related experience includes:

- 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 renewable energy sector, *ESPF Beteiligungs GmbH, et al., v. Italian Republic* (ICSID)
- Member, Annulment Committee, investment treaty arbitration in the *financial* service 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 oil sector financing dispute (ICC)
- Co-arbitrator, construction dispute between an African State entity and an Asian State-owned investor (ICC)
- Co-arbitrator, appeal in a competition standards dispute (CAS)
- Co-arbitrator, appeal in ethics-related dispute (CAS)
- Co-arbitrator, contract dispute involving a national football federation (CAS)
- Co-arbitrator, appeal in a 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)

Recent advisory work for sovereigns:

- 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; coordination between government ministries including national planning, petroleum, finance; liaison with embassies and international development agencies
- Issuance of Nigeria’s first Sovereign Green Bond (2017- 18) – Advice on implications under international investment law
- Negotiation of a trade treaty between a world economy and a developing country to serve as template for future such treaties
- Adviser to Nigeria on Economic Diplomacy Initiative (2016) - Design of a web-based project using existing diplomatic infrastructure in over 90 countries to create market access for Nigerian businesses in those countries and to attract businesses to Nigeria from there

- Review of National Investment Law
- Review of National Environment Law
- Review of draft Model Law on establishment of Export Trading Companies

Recent advisory work for corporate clients:

- Review of a licensing agreement involving a leading European fashion brand, Christian Louboutin SA
- Detailed pre-action analysis for a telecommunications company in Latin America

Other Activities

- Board Member and co-Lead, Europe/Middle East/Africa User Group, Silicon Valley Arbitration and Mediation Center, and member Working Group on Dispute Resolution in Blockchain-based Transactions
- Board Member, Lagos Court of Arbitration
- Member, Panel of Arbitrators of various arbitral institutions including ICSID, AAA-ICDR (international), Court of Arbitration for Sport (CAS), World Intellectual Property Organization (WIPO) Arbitration and Mediation Center, Korean Commercial Arbitration (KCAB) (International Panel), and various regional arbitral institutions, including in China, Nigeria, South Africa and UAE
- Editorial Board Member, The Yearbook on International Investment Law and Policy of the Columbia Centre
- Member, Peer Review Board, ICSID Review: Foreign Investment Law Journal
- Member, International Law Association, Committee on International Commercial Arbitration
- Member, Editorial Board, ICC Dispute Resolution Bulletin
- Member, ICC Commission on Arbitration and ADR
- Member, Users' Council, Singapore International Arbitration Centre
- Member, International Bar Association Investment Treaty sub-Committee, 2007-2010
- Co-Chair, American Bar Association (ABA) Section on International Law, International Courts Committee, 2006 – 2008; Co-Vice Chair, 2004-2006

Select Publications

Book Chapters

- *International Dispute Settlement Mechanisms*, Arbitration under International Investment Agreements: A guide to key issues, 2nd ed. Oxford University Press, 2018
- *Ad hoc Arbitration*, Elgar Encyclopedia of International Economic Law, in Thomas Cottier and Krista Nadakavukaren Schefer (eds), 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

- *Suggestions for amendments to the ICSID Rules*, ICSID Rules and Regulations Amendments Process, 2018
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
- *Resolution of Oil and Gas Disputes at ICSID*, International Oil and Gas Conference, London, 2004, http://www.worldbank.org/icsid/news/news_21-1.pdf

Education

<i>King's College London</i>	PhD (Doctor of Philosophy in Law), 2019 [<i>"The case for Tailor-made Remedies in Investor State Arbitration and a Mechanism to Implement them"</i>]
<i>College of Law, London</i>	Law Society Finals, 1992-1993
<i>Holborn Law College, London</i>	Common Professional Exams, 1989-1991
<i>Nigeria Law School</i>	Bar Finals, (BL Hons.), 1986-1987
<i>University of Nigeria</i>	Bachelor of Laws, (LL.B. Hons.), 1986

Qualifications

<i>District of Columbia Bar</i>	Licensed to practice as a Special Legal Consultant, 2015
<i>Law Society of England and Wales</i>	Solicitor, Supreme Court of England and Wales, 1994
<i>Council of Legal Education</i>	Barrister and Solicitor, Supreme Court of Nigeria, 1987

Guest Lecturer: Regular guest lecturer at law schools around the world including Columbia University, New York; Georgetown University, Washington, DC; McGill University, Montreal, Canada; Kuwait International Law School; Xiamen University, China; Stanford University, Palo Alto

Languages: English, Igbo; proficient in French; basic Arabic and Spanish