

Ben Sanderson

Independent Arbitrator

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Ben Sanderson is an independent arbitrator based in Madrid and London, with extensive knowledge of complex international commercial and investment treaty arbitrations. Ben has 20 years' experience in international arbitration working at leading global law firms (DLA Piper, Skadden and Kirkland & Ellis). He has advised clients across a range of sectors, notably energy and natural resources, construction and infrastructure, and technology and telecoms. He has particular expertise in disputes arising in Africa and Latin America. Ben has represented both States and commercial parties in investment treaty claims, and he has advised international organisations on a range of public international law issues.

Ben is a member of ICC UK's Arbitration and ADR Committee and he is a Fellow of the Chartered Institute of Arbitrators. He is also a visiting lecturer on international arbitration and public international law for the Masters programmes at Universidad Carlos III, Madrid, and at IE University, Madrid.

Ben is a UK national, and speaks English, French and Spanish. Ben is qualified in England & Wales (2004).

Ben is ranked in all the major directories and has received the following client feedback:

- Chambers Global and UK 2024: International Arbitration – ranked in Band 6: *“Ben is an excellent lawyer. He is a capable advocate and has strong technical skills in international arbitration. He is also very collegial and friendly.” “Ben is an excellent strategic thinker and all-round solid arbitration lawyer.” “Ben has very good judgement, is focused on the case and maintains excellent client relations.”*
- Legal 500 Spain - Dispute Resolution 2023 – ranked as a Rising Star: *“Ben Sanderson is easy to communicate with, very responsive, provides clear answers, thinks ahead, has deep knowledge about investment arbitration and gives a sense of confidence.” “Ben Sanderson is always available, has invaluable insights into problems and invariably provides the correct answer. He possesses all the necessary qualities that an in-house lawyer needs and expects.”*
- Legal 500 UK Public International Law and International Arbitration 2023 – mention: *“Ben Sanderson sees the big picture, is pragmatic in his advice, and systematic in driving contentious matters to the best possible conclusions. Extremely sharp and experienced, he displays a very strong capacity to analyse complex matters quickly.”*
- Who's Who Legal Arbitration – Future Leaders 2023: *“He is a seasoned international arbitration specialist who is particularly good at distilling complex disputes and quickly getting to the heart of the matter.”*

- Global Arbitration Review, GAR 30 2022: “*Counsel Ben Sanderson in Madrid has great problem-solving creativity and is very personable and always available to assist.*”

ARBITRAL APPOINTMENTS

- 2021 - ICC Case 25893/GR – Sole arbitrator, expedited procedure, marine services sector

EXAMPLES OF COUNSEL EXPERIENCE

Commercial arbitration

- Representing the Government of Zambia in UNCITRAL arbitration proceedings relating to a multi-million dollar contract for the construction of housing
- Representing a Russian investment company in LCIA arbitration and English High Court proceedings in respect of a shareholder dispute
- Representing a Taiwanese solar energy company in relation to disputes arising under a supply agreement
- Representing a European affiliate of a US energy company in relation to an ad hoc arbitration concerning various disputes arising under a turn-key contract for the construction of a 1200 MW gas-fired power station in Spain
- Acting for a Singaporean energy company in respect of its rights under a fuel supply agreement with a Venezuelan state entity
- Representing a US supplier of gas turbine generators in relation to an ICC arbitration concerning various disputes arising under a supply agreement with a Kuwaiti company
- Advising a US company on enforcement of a multi-billion dollar ICC arbitration award against a Middle East State

Public International Law and Investment Law

- Representing AVZ in ICSID proceedings relating to an investment in the mining sector in the Democratic Republic of Congo (*AVZ International Pty Ltd., Dathcom Mining SA and Green Lithium Holdings Pte Ltd. v. Democratic Republic of the Congo*, ICSID Case No. ARB/23/20)
- Representing claimants in ICSID proceedings relating to an investment in the real estate sector in Georgia (*Basel LLC and Ronald Waldmann v. Georgia*, ICSID Case No. ARB/23/23)
- Representing Uganda in respect of threatened ICSID proceedings relating to an investment in the real estate sector
- Representing Hungary in ICSID proceedings relating to an investment in the waste management sector (*Christopher Jock Murdoch Mackenzie v. Hungary*, ICSID Case No. ARB/21/66)
- Representing Hungary in annulment proceedings relating to an ICSID award (*Sodexo Pass International SAS v. Hungary*, ICSID Case No. ARB/14/20)
- Representing Lithuania in the successful defence of a USD 300 million claim brought by a Russian fund in connection with the renationalization of Bank Snoras

AS (Fund for the Protection of Investors' Rights in Foreign States v Lithuania, UNCITRAL, PCA Case No. 2019-48)

- Representing INTERPOL in the successful defence of PCA arbitration proceedings relating to a public international law claim brought following the arrest in China of INTERPOL's former President (*Ge Gao, Hongwei Meng, Zihong Meng and Ziheng Meng (China) v INTERPOL, PCA Case No. 2019-19*)
- Representing UNHCR in threatened UNCITRAL arbitration proceedings relating to a USD 60 million dispute with a supplier of services in Uganda
- Representing the Government of Kenya in the successful defence of a bilateral investment treaty claim brought under the auspices of ICSID by investors in the mining sector (*Cortec v. Republic of Kenya, ICSID Case No. ARB 15/29*)
- Representing the Government of Timor-Leste in the defence of a bilateral investment treaty claim brought under the auspices of ICSID by investors in the energy sector (*Lighthouse Corporation v. Democratic Republic of Timor-Leste, ICSID Case No. ARB 15/2*)
- Representing a UK services company in a bilateral investment treaty claim against the Republic of Argentina, involving complex assignment issues (*ICS Inspection and Control Services Limited (United Kingdom) v. Republic of Argentina, UNCITRAL, PCA Case No. 2010-9*)
- Representing an African government in the defence of a bilateral investment treaty claim (UNCITRAL) brought by investors in the mining sector
- Representing a global steel company in respect of a multi-billion mining dispute in Africa and advising on potential investment treaty claims to be brought under the auspices of ICSID

EU Law

- Acting for a UK company in appeal to the European Court of Justice relating to the European Commission Decision on the Copper Fittings Cartel (Case C-286/11P *European Commission v Tomkins Ltd*)

EDUCATION

- St. Catherine's College, Oxford, UK, B.A., English and Modern Languages (French) (1999) Hons. First Class
- Université de Paris III - Sorbonne Nouvelle, Paris, France, Masters (2000)
- College of Law, London, UK, Postgraduate Diploma in Law (2001) and Legal Practice Course, Distinction (2002)

PROFESSIONAL MEMBERSHIPS

- Fellow of the Chartered Institute of Arbitrators (FCIArb)
- ICC UK Arbitration and ADR Committee 2022 – to date
- LCIA Equality, Diversity & Inclusion Committee 2023 – to date
- African Society of International Law – Co-chair of the Dispute Resolution Interest Group 2022 – to date
- Mentor on the London Very Young Arbitration Practitioners Mentorship Programme

- Mentor on the African Arbitration Association Mentorship Programme
- British Institute of International and Comparative Law – Investment Treaty Forum

RECENT SPEAKING ENGAGEMENTS

- Panelist, “The users’ perspectives: what corporations, States and their counsel expect”, African Arbitration Association 4th Annual Conference, Cape Town, South Africa, 14 October 2023
- Panelist, “Arbitration in Africa”, SOAS Conference, Cape Town, South Africa, 11 October 2023
- Moderator, “The Institutional Challenge”, Open de Arbitraje, Madrid, Spain, 10 May 2023
- Keynote address, “The future of international arbitration”, Annual Business Litigation Conference hosted by Triniti Jurex, Vilnius, Lithuania, 6 December 2022
- Panelist, “Securing funding for dispute resolution in Africa”, African Arbitration Association 3rd Annual Conference, Accra, Ghana, 5 November 2022
- Speaker, “A Roadmap for Africa: Reconciling Climate Change Policies and Investment Law Obligations”, African Society of International Law 11th Conference, Cairo, Egypt, 28 October 2022
- Moderator, “Perspectivas “in house” de la eficiencia en arbitrajes internacionales”, Open de Arbitraje, Madrid, Spain, 7 October 2021
- Panelist, “Top tips for your first arbitral appointment”, ICC UK Arbitration & ADR Technical Webinar, 22 April 2021
- Moderator, “Arbitraje en África”, Open de Arbitraje, Madrid, Spain (online), 7 October 2020
- Moderator, “Fraud and Corruption in International Arbitration”, 8th East Africa International Arbitration Conference, online, 27 August 2020
- Keynote address, “Tracking Africa’s Arbitration and Alternative Dispute Resolution (ADR) Mechanisms: It is Business Unusual”, 2nd Annual Conference of the Nairobi Centre for International Arbitration, Mombasa, Kenya, 5 March 2020