



Ana Stanič, B. Com., LLB, LLM (Cambridge)

Arbitrator and Founder and Director of E&A Law Limited

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Ana has been advising for over 25 years on matters of energy law, EU law and international law with specific emphasis on dispute resolution. She has been appointed as an arbitrator and has acted as counsel for companies and States in numerous commercial arbitrations (including gas price review arbitrations) and investment treaty arbitrations, with a particular focus on energy, infrastructure, maritime border disputes, and shareholder disputes. Ana has also advised States on inter-State disputes including before the Court of Justice of the EU. As a member of the Slovenian government she negotiated 10 Bilateral Investment Treaties and a Free Trade Agreement.

Currently Visiting Professor at Technische Universität (Berlin) and UIBE (China) in public international law, arbitration and energy law. She was appointed a member of PCA Court of Arbitrators in 2019.

PRINCIPAL AREAS OF PRACTICE

- Energy and Infrastructure Disputes
- Contract and Shareholder Disputes
- EU Law
- Energy Transactional and Regulatory
- International trade and Investment Law
- Public International Law including HGA and boundary disputes

ACADEMIC QUALIFICATIONS

- *PhD*, Cambridge, forthcoming, 2021
- *LLM*, Cambridge, specialising in International Dispute Settlement, Private Commercial Litigation, EU Law, and Public International Law, **First Class Honours**, 1997
- *Bachelor of Laws*, University of New South Wales (UNSW), Australia, **Top 6%**, 1994
- *Bachelor of Commerce (Banking and Finance)*, UNSW, **Top 3 %**, 1994

NATIONALITY : Australian, Slovenian, British

ADMITTED: Ireland (2020), England and Wales (2000), Australia (1998)

PROFESSIONAL EXPERIENCE

- *E&A Law Limited*, 2007 – onwards: Director
- *Skadden Arps* (London), 2004 - 2007: Senior Associate
- *Vinson & Elkins* (London), 2000 – 2004: Senior Associate
- *Clifford Chance* (London), 1998 - 2000: Solicitor
- *Central Bank of Slovenia* (Slovenia), 1996: Bank Supervisor
- *Slovenian Ministry of Economic Relations*, Slovenia (1995): Legal Counsel

APPOINTMENT AS ARBITRATOR

Ana has sat as an arbitrator by the ICC and SCC *inter alia* concerning large energy infrastructure projects in respect of English and non-English governing law arbitrations

SELECTED EXPERIENCE AS COUNSEL

ICC

- arbitration seated in London raising complex questions of English law concerning jurisdiction, conflicts of laws and proof of foreign law and equity
- arbitration seated in London concerning the construction of a power station in Spain
- arbitration seated in London concerning a contractual dispute
- arbitration seated in Vienna concerning an introducer agreement. English as governing law

LCIA

- arbitration concerning an Euro 1.5 billion shareholder dispute raising issues of HK, English and Russian law as well as competition law issues

VIAC

- arbitration in Vienna concerning an employment and contractual dispute. English as governing law

LMO

- arbitration between a Qatari and Ukrainian company concerning a shipping and contract dispute. English as governing law

UNCITRAL

- USD 200 million gas price review arbitration. English law as governing law
- USD 150 million gas price review arbitration. Norwegian law as governing law

ICSID

- representing an energy company in case concerning breaches of EU environmental law
- representing an energy company against Bosnia and Serbia concerning investments in energy infrastructure
- representing Croatia against a Belgium investor concerning real estate investment
- representing an investor against Georgia concerning an oil concession

OTHER RELEVANT EXPERIENCE

Energy Transactional and Regulatory

- negotiating a concession agreement with India to construct a USD 1 billion LNG Terminal
- advising on issues of EU energy and international law concerning Nord Stream, the Southern Gas Corridor and South Stream
- advising the World Bank on gas reform in the Ukraine and the EU law issues concerning the restructuring of Naftogaz
- advising on a gas pipeline project in Central Asia, including re. host government agreements with transit states
- advising on gas price review negotiations
- advising World Bank, European Commission and other financial institutions on gas reform in numerous countries including Ukraine, Albania and Egypt

EU Law

- advising on inter-State disputes concerning EU and international law
- advising a State on dispute with European Central Bank
- advising a State on Commission's proposals to amendment to the Security of Gas Supply Regulation and Regulation on Inter-governmental Agreements
- advising on the Commission's proposals to amend EU legislation concerning electricity market
- advising energy companies on the provisions of the EU Third Energy Package including re. unbundling, exemptions for pipelines and LNG Terminals from TPA and TSO certification, as well as regarding domestic laws transposing EU energy law into national law
- advising energy company on the compliance of UK renewables policy with EU law on state aid
- advising on EU competition law as it relates to energy companies including re. potential claim for abuse of dominant position in the gas market
- representing parties before the European Court of Justice
- advising on the inter-relationship between EU law and international law

Environment and Climate Change

- advising an EU state on EU and international environmental law in relation to an inter-State dispute concerning the construction of a LNG terminal
- advising on Law of the Sea questions including concerning plastic as pollution
- advising companies and states on energy transition to zero carbon economy including on drawing up laws and regulations

Public International Law

- advising on an inter-State dispute before the PCA
- advising a European State on an inter-State dispute concerning a large energy infrastructure project
- advising on maritime border disputes and straddling oil and gas reserves in Europe, East Med and Africa
- negotiated 10 Bilateral Investment Treaties and Free Trade Agreements
- advising on transit of oil and gas, international trade law and investment law
- advising on questions of state succession, statehood and self-determination

General Commercial and Financial

- prudential bank supervisor

- excellent understanding of accounting, finance and banking
- advising states and financial institutions on complex syndicated loan agreements
- advising on restructurings of energy companies and banks in CEE
- advising energy companies on numerous mergers and acquisitions including conducting legal due diligence

ARBITRATION PANELS

CIETAC

VIAC

Croatian Court of Arbitration

Slovenian Arbitration Court

Georgian International Arbitration Centre

Member of PCA Court of Arbitrators in the Hague

Member of ICC Commission on Arbitration and ADR, ICC Task for on Climate Change and ICC Commission on Arbitration in CEE

ACADEMIC EXPERIENCE

- *UIBE Law School*, China, Visiting professor in public international law, 2018 – present
- *Technische Universität*, Germany, Visiting professor in EU energy law, 2015 – present
- *CEPMLP, Dundee University*, UKK Visiting professor of international investment treaty and international commercial arbitration (ICA), 2013 – 2019
- *School of African and Oriental Studies*, UK, Visiting lecturer in ICA and investment treaty arbitration, 2007 – 2012
- *Notre Dame University*, UK, Visiting professor of ICA, 2007 – 2013
- *British Institute of International and Comparative Law*, UK, Research fellow – public international law, 2003 – 2004
- *Lauterpacht Research Centre of International Law*, UK, Research fellow – public international law, 2003 – 2004

LANGUAGES

English, Slovene, Bosnian/Croatian/Serbian, Italian, Catalan (intermediate) French (intermediate), Macedonian (basic), Russian (basic), Spanish (basic)

COUNTRIES OF EXPERIENCE: UK, CEE, Ukraine, Kazakhstan, Georgia, Russia, China, East Med, Spain, Italy, Nigeria, Australia, Iran and Turkey