



Alain Farhad

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Practice Focus

- International Dispute Resolution

Education

- Cornell Law School, LL.M., 2003
- Université de Paris I, Panthéon Sorbonne, 2002
- University of Leicester, 2000

Admissions

- DIFC, Dubai, 2011
- Paris, 2007
- New York, 2005

Languages

- English
- French
- Farsi

Professional Affiliations

- Member of the ICC UAE Steering Committee
- Representative of the ICC YAF for the MENA region

Alain is a partner in our International Dispute Resolution Group.

He acts as legal counsel in international disputes arising out of commercial contracts and investment protection treaties. He is also regularly appointed to act as sole arbitrator, co-arbitrator or chairman of arbitral tribunals in a variety of international arbitration proceedings.

Alain is admitted as an attorney and counselor at law in the State of New York and as an Avocat à la Cour in Paris. He also has rights of audience before the DIFC Courts. Alain holds degrees from the University of Paris, Leicester University and Cornell Law School.

He has acted as counsel in over 40 international arbitration proceedings conducted under the ICC, ICSID, LCIA, DIAC and UNCITRAL rules. He has assisted clients in a large number of business sectors including the construction, distribution, telecommunications, oil and gas, pharmaceutical and real estate industries. He has also represented a number of governments as well as state owned entities in commercial or investment treaty disputes.

Alain is a member of the Steering Committee of the ICC UAE arbitration commission, a member of the DIFC-LCIA users' council working group and a representative of the ICC YAF in the MENA region.

He regularly publishes and speaks at conferences in relation to international arbitration matters. He is also a lecturer at the University of Versailles on international arbitration and construction projects and at the University of Sorbonne Abu Dhabi on French law.

He is fluent in English, French and Farsi and has some knowledge of Romanian, German and Russian.

RECENT EXPERIENCE

Illustrative examples of Alain's experience includes:

Investment treaty arbitration

- Counsel to the Government of Ukraine in an UNCITRAL arbitration initiated by OAO Tatneft pursuant to the Ukraine-Russia bilateral investment treaty in relation to the control of a Ukrainian oil refinery. (OAO Tatneft v. Ukraine, UNCITRAL arbitration, Global Arbitration Review, 10 October 2008).

- Counsel to the claimants in an ICSID arbitration initiated pursuant to the Sweden – Romania bilateral investment treaty following the abrogation by the government of Romania of certain fiscal incentives (*Micula v. Romania, ICSID Case No. ARB/05/20*).
- Counsel to the Government of Croatia in an ICSID arbitration initiated by MOL under the Energy Charter Treaty (*MOL v. Croatia, ICSID Case No. ARB/13/32*)

International commercial arbitration

- Counsel to an international holding company in an ICC arbitration governed by UAE law in relation to a project relating to the development of a distribution network in Ethiopia.
- Counsel to a leading international pharmaceutical company in an ICC arbitration seated in Kuwait City governed by English and Kuwaiti law in a dispute arising out of the termination of a distribution agreement in Kuwait.
- Counsel to an Emirati real estate development company in several multibillion dollar DIAC arbitration matters governed by UAE law arising from project development agreements in the United Arab Emirates.
- Counsel to a leading French luxury goods company in an ICC arbitration governed by French law against its former perfume licensee after the termination of the license agreement and breach by the licensee of its post termination obligations.
- Counsel to a Chinese geophysical contractor in an ICC arbitration against a Mauritanian oil company, subsidiary of a Russian oil company in relation to a seismic survey contract in Mauritania. English, Mauritanian and general principles of international law governed the substance of this dispute.

Construction arbitration

- Counsel to an Emirati entity in an LCIA arbitration governed by Moroccan law arising out of a construction agreement concluded in relation to a real estate project in Morocco.
- Counsel to an Emirati contractor in relation to a USD 50 million dispute arising from a sub-contracting agreement with a French contractor for the construction of hotel resort in Morocco.
- Counsel to an international contractor in relation to a USD 200 million dispute arising from a road construction project in Oman.

Arbitrator appointments

- Numerous appointments as sole arbitrator, co-arbitrator appointed by a party or an institution, or chairman of arbitral tribunals in commercial disputes arising from a wide range of commercial and construction contracts.