



Diora Ziyaeva

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Diora Ziyaeva is a member of Dentons' International Dispute Resolution group. Her practice focuses on international investment arbitration, international commercial arbitration, complex commercial litigation, and public international law.

Licensed in New York and Uzbekistan and fluent in seven languages, Diora serves as counsel in a broad range of complex disputes under numerous bilateral/multilateral investment treaties and contracts, successfully handling cases ranging in value from \$10 million to \$20 billion, with experience in energy, oil and gas, mining, telecommunications, construction, and aerospace disputes in Latin America, Central Asia, Middle East, Eastern Europe, Oceania and Africa.

Diora has over a decade of experience representing corporate clients, States and State-owned entities in investor-state and commercial arbitration proceedings, both institutional and ad hoc, including the International Center for Settlement of Investment Disputes (ICSID), the International Chamber of Commerce (ICC), Singapore International Arbitration Centre (SIAC), Hong Kong International Arbitration Centre (HKIAC), London Court of International Arbitration (LCIA), Stockholm Chamber of Commerce (SCC), and the United Nations Commission on International Trade Law (UNCITRAL), as well as post-arbitral disputes (annulment and enforcement) for both private and public operators.

Diora also advises parties in international litigations involving proceedings in foreign and domestic courts, and has represented parties before the federal and state courts in the United States, including the United States Supreme Court.

Diora is a Council on Foreign Relations Term Member.

Diora is a Certified Mediator by the Centre for Effective Dispute Resolution. She is a Council member for the International Institute for Conflict Prevention and Resolution (CPR).

Diora serves as an Adjunct Professor of Law at Cornell Law School, where she teaches the Practice of International Arbitration, and at Fordham University School of Law, where she teaches investment treaty arbitration.

Experience

- Representing a Canadian mining company in an ICSID arbitration against the State of Colombia based upon violations of the Canada-Colombia Free Trade Agreement.

- Representing a US client in US\$22 million LCIA arbitration and US\$14 million ICC arbitration, against foreign airline company to recover client's investments. Highlights include obtaining awards for full amounts sought and successfully enforcing them in the courts of Russian Federation.
- Representing the State of Papua New Guinea in an arbitration brought under the ICSID Rules over a dispute regarding taxes on crude oil production. Favorable settlement led to US\$12.2 million in unpaid taxes for goods and services, in addition to attorneys' fees and costs.
- Representing a UK based client against the State of Poland under the UK-Poland Bilateral Investment Treaty for the expropriation of a potash mining project.
- Represented a North African State and large public interest company under the International Chamber of Commerce Rules of Arbitration.
- Representing a US investor against the State of Egypt under the US-Egypt Bilateral Investment Treaty regarding the expropriation of the investor's assets in the cotton industry.
- Represented a European bank in an ongoing suit brought in Pennsylvania state court seeking payment of more than \$200 million in connection with the construction development.
- Representing commercial aviation services company in connection with the breach of an agreement under English law in ICC arbitration.
- Represented a construction company in LCIA matter involving termination of a Middle Eastern joint venture with over US\$300 million in dispute.
- Represented a Hong Kong company in AAA arbitration and litigation in US federal court in defense of claims in excess of a million based upon breach of contract.
- Represented an Albanian oil refinery in consolidated ICC arbitration concerning the disappearance of oil valued at more than US\$26 million.
- Represented a Central Asian state and state enterprises in ICSID arbitrations brought by Turkish companies under a bilateral investment treaty.
- Represented a South American state in ICSID arbitrations against petroleum companies under a bilateral investment treaty.
- Represented foreign clients in obtaining two arbitral awards in related ICSID arbitrations involving disputes concerning construction of various projects in Turkmenistan.
- Represented government in an UNCITRAL arbitration brought by a US company under a bilateral investment treaty.

Honors and Awards

- Listed as a Recognized Lawyer by *The Legal 500*, 2022
- Recognized as a "Future Leader," *Who's Who Legal: Arbitration*, 2021 and 2022
- Recognized as one of the 2018 *American Bar Association On the Rise – Top 40 Young Lawyers*

Insights

- Author, "Force majeure and hardship in the Central Asia Region - Chapter on Turkmenistan," Juris Legal (Forthcoming)
- Author, "International Investment Law and Arbitration in Central Asia: Emerging Issues - Chapter on Investment Legislation of Central Asian States," Kluwer Law International (Forthcoming)
- Co-author, "Competence-Competence and Obtaining Pre-Award Judicial Review of Arbitrability in the Americas" in *The Arbitration Review of the Americas 2022, Global Arbitration Review* (August 2021)
- Author, "Does a Right to a Physical Hearing Exist in International Arbitration? - Chapter on Uzbekistan," International Council for Commercial Arbitration (May 2021)
- Author, "Recognition and Enforcement of Foreign Arbitral Awards in Russia and Former USSR States" in Wolters Kluwer (March 2021)
- Co-author, "New Terrain for International Arbitration: The International Dispute Resolution track at the 99th Annual International Law Weekend," *Kluwer Arbitration Blog* (November 2020)
- Co-author, "The Singapore Mediation Convention and its Potential Impact on Mediation in the Americas" in *The Arbitration Review of the Americas 2021, Global Arbitration Review* (October 2020)
- Co-author, "**The Collisions of Law and of Fora: Focus on International Dispute Resolution at the 98th Annual International Law Weekend**," *Kluwer Arbitration Blog* (December 2019)
- Author, "Признание, приведение в исполнение и отмена международных арбитражных решений в Туркменистане" ("Recognition, enforcement and annulment of the foreign arbitral awards in Turkmenistan") in Russian Arbitration Association Publication dedicated to the 60th Anniversary of the New York Convention. The Russian Federation (August 2019)
- Author, "Arbitration in the Face of Chaos," *Global Arbitration Review* (April 2019)
- Co-author, "Enforcing Awards Set Aside at the Seat: the United States Perspective," *Transnational Dispute Management* (January 2019)
- Co-author, "Turkmenistan Chapter" in *Law and Practice of International Arbitration in the CIS Region* (ed. Kaj Hober & Yarik Kryvoi). *Kluwer Law International*, The Netherlands (September 2017)
- Co-author, "Managing Risk in International Arbitration: Third Party Funding Developments in Asia." *The Blog of The CPR Institute*, New York, NY (August 2017)
- Co-author, "State liability to foreign investors in the renewable energy sector: Eiser v Spain and its implications." *The International Bar Association, Section on Energy, Environment, Natural Resources and Infrastructure Law* (September 2017)
- Co-author, "Legal Trends and Developments of International Arbitration in South Africa." *Transnational Dispute Management*, the Netherlands (2016)
- Associate editor, Brill Research Perspectives series, "International Investment Law & Arbitration," Juris Publishing (2016)
- Author, "Arbitral Tribunals Tend to Pay Lip Service to the *Chorzów* Factory Full Reparation Principle, Disregarding the Context and Full Implication of the Dictum," *Journal of Damages in International Arbitration* (August 2015)

- Editor, *Interim and Emergency Relief in International Arbitration*, Juris Publishing/International Law Institute (May 2015)
- Co-author, "Provisional Measures in ICSID Arbitration – the Irreparable Harm Requirement," Juris Publishing/International Law Institute, Washington, DC (May 2015)
- Co-author, "*Yukos v. Russian Federation*: Observations on the Tribunal's Ruling on Damages," *Transnational Dispute Management*, the Netherlands (April 2015)
- Co-author, "Unauthorized Transfer or Assignment of Interests or Shares in Investor-State Arbitration," *Oxford University Press*, UK (May 2014)
- Co-author, "Investor State Arbitration in Central Asia," *Transnational Dispute Management*, the Netherlands (September 2013)
- International Law Association (American Branch): Member; Co-Chair, Investment Law Committee
- American Bar Association (International Law Section): Vice-Chair, Eurasia/Russia Committee
- American Bar Association (International Law Section): Steering Group Member, International Human Rights Committee
- International Bar Association
- International Council for Commercial Arbitration
- Harvard Club of New York
- United States Council for International Business
- Arab Bankers Association of North America
- ICC Young Arbitrators Forum
- New York City Bar Association, International Commercial Disputes Committee
- London Court of International Arbitration (LCIA), Young International Arbitration Group (YIAG)
- Chartered Institute of Arbitrators (ACI Arb)

Presentations

- Speaker, "Investment Law and the Future of International Energy Governance," International Law Weekend, International Law Association (American Branch), October 29, 2021
- Speaker, "Force Majeure and hardship," Uzbek Arbitration Week (UzAW), September 9, 2021
- Speaker, "Understanding the Threats and Barriers to Revive the Joint Comprehensive Plan of Action - The role of dispute resolution mechanisms in safeguarding international treaties, Tehran Regional Arbitration Centre (TRAC), June 15, 2021
- Speaker, "Climbing The Big Law Ladder: Opportunities, Challenges, And Beyond," American Turkic International Lawyers Association, March 31, 2021
- Presenter, "Dentons Time 8 on Investment Treaty Arbitration," Dentons webinar, January 2021
- Speaker, "International arbitration and the consequences of applying the new rules of Russia's Commercial Procedure Code: Russian courts' exclusive jurisdiction over sanctions-related disputes," Dentons International Arbitration Conference, Moscow (online), September 2020
- Presenter, "Emerging international dispute trends relating to COVID-19," Dentons Webinar, July 2020

- Panelist, “True or False: Thanks to Reforms Proposed Under the Auspices of the ICSID and UNCITRAL, Investor-State Dispute Settlement is Finally Headed in the Right Direction,” Juris’ 14th Annual Investment Treaty Arbitration Conference, Washington, DC, June 2020
- Panelist, “Rising Stars: Perspectives from a New Generation of Practitioners,” The Evolution of Arbitration: A Sea of Changes and Opportunities for the Future, Harvard International Arbitration Law Students Association (HIALSA), February 29, 2020
- Moderator, “Investment Law and Human Rights: Friends, Strangers, or Enemies?” panel discussion, ILA American Branch’s Annual International Law Weekend, New York, October 2019
- Panelist and Organizer, “Protecting Human Rights in the Age of Artificial Intelligence,” May 2019
- Speaker, Panel on International Arbitration at Tashkent Law Spring, an international legal forum held in the Uzbekistan capital that drew approximately 1,000 attendees. Organized by the Ministry of Justice of the Republic of Uzbekistan. Tashkent, Uzbekistan, April 2019
- Speaker, Workshop on Damages in ICSID Awards, 8th Investment Treaty Arbitration Conference, Prague, Czech Republic, October 2018
- Reporter, ITA Workshop “Multiple Proceedings, Multiple Parties, and International Arbitration: What a Tangled Web We Weave”, June 2018
- Speaker, “Global Enforcement of International Arbitral Awards,” International Law Institute seminar, May 2018
- Speaker, “Enforcing Awards Set Aside at the Seat: the United States Perspective,” United Nations Commission on International Trade Law International Conference, Seville, Spain, April 2018
- Speaker, Young ICCA Skills Training Workshop, “Effective Use of Evidence in International Arbitration,” Moscow, December 2017
- Speaker, International Law Institute, “Enforcement of Foreign Arbitral Awards: Requirements of the New York Convention and the ICSID Convention,” Washington, DC, November 2017
- Speaker, “Women in International Arbitration,” Harvard Law School, February 2018
- Speaker, “Consent in International Arbitration,” American University of Armenia, Yerevan, Armenia, September 2017
- Speaker, “Contemporary Issues & Emerging Trends in International Arbitration” Cornell Law School, February 2017
- Speaker, “U.S. Courts System,” Module for a delegation of judges and legal practitioners from the Republic of Kazakhstan, New York, NY, December 2016
- Speaker, “Drafting Arbitration Agreements,” GA Telesis, Training for General Counsels, Ft. Lauderdale, Florida, November 2016
- Moderator, ICC Young Arbitrators Forum: Settlement in International Arbitration, New York City, NY, October 2016
- Speaker, “Introduction to International Arbitration,” Series of Lectures for an official delegation of judges and legal practitioners from the Afghanistan Center for Dispute Resolution, Kuwait City, Kuwait, October 2016
- Speaker, “Interim Measures in Investment Arbitration: Irreparable Harm Standard,” Kobe University Summer School of Asian Law and Dispute Management, Kobe, Japan, August 2015
- Speaker, “Investment Arbitration in Central Asia,” Kobe University Summer School of Asian Law and Dispute Management, Kobe, Japan, August 2015

- Speaker, “Lost on the way to Chorzów: Have arbitrators just been paying lip service to the PCIJ’s seminal case in their damages analyses?” Juris’ 9th Annual Investment Treaty Arbitration Conference, Washington, DC, February 26, 2015
- Speaker, “Expropriation in International Arbitration,” International Law Institute’s training program on International Investment Agreements and Investor State Arbitration, Washington, DC, December 4, 2014
- Lecturer, “Enforcement of Arbitral Awards in the US Courts,” University of Messina, Italy, October 14, 2014
- Lecturer, “American Civil Litigation and Dispute Resolution,” University of Messina, Italy, October 13, 2014
- Speaker, “Consent, Investment and Investor in Investor State Arbitration” and “Damages and Other Remedies in International Investment Arbitration,” International Law Institute’s Seminars, Washington, DC, December 2-6, 2013

Prior and Present Employment

Diora came to Dentons after spending six years as an international arbitrations associate at another notable firm in New York. She also worked as a research analyst with the Russian and Eurasian Program at the Carnegie Endowment for International Peace in Washington, DC, focusing on Eurasian economic and energy policy issues. In Uzbekistan, as part of her undergraduate legal studies, she interned with the Chamber of Commerce and Industry, where she assisted international investors in developing new commercial opportunities. In addition to that, Diora served as a legal clerk for the Constitutional Court of Uzbekistan and as a legal associate at the Uzbekistan Ministry of Foreign Affairs.

Areas of Focus

Practices

- Litigation and Dispute Resolution
- Investment Treaty Arbitration
- International Commercial Arbitration
- Arbitration
- Public International Law
- Alternative Dispute Resolution (ADR)
- Energy Litigation
- Commercial Litigation
- Construction and Engineering Disputes

Industry Sectors

- Construction
- Energy

- Financial Institutions
- Government
- Mining
- Technology
- Luxury, Fashion and Beauty

Region

- Africa
- Latin America and the Caribbean
- Central and Eastern Europe
- Central Asia
- Middle East

Education

- Harvard Law School, 2009, LL.M.
- University of World Economy and Diplomacy, 2007, degree in law (JD equivalent) with great distinction, graduated first in class
- Georgetown University, 2005,
- European College of Liberal Arts, 2004,
- Westminster University, 2003,

Admissions and Qualifications

- New York
- US Court of Appeals for the Second Circuit
- US District Court for the Central District of Illinois
- US District Court for the Eastern District of New York
- US District Court for the Southern District of New York
- US Supreme Court
- Uzbekistan

Languages

- French
- German
- Kazakh
- Russian
- Turkish
- Uzbek