



ARBITRATION CHAMBERS

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Lucy Reed

Arbitrator

142 W 57th Street, 11th floor
New York, NY 10019
United States

33 Wyndham Street
Suite 17-002, LKF Tower
Central, Hong Kong

Tel.: +1 (646) 828 9292
Mob.: +1 (917) 280 5996

Tel.: +852 2140 6555

Email: lucy.reed@arbchambers.com

Website: www.arbchambers.com

Lucy Reed is an arbitrator based in New York, specializing in investor-State and complex international commercial disputes. She is President of the International Council for Commercial Arbitration (ICCA) and a Vice President of the Singapore International Arbitration Centre Court, having formerly served as a Vice President of the ICC Court, President of the American Society of International Law, the Chair of the Institute for Transnational Arbitration (ITA), and a member of the LCIA Court and the HKIAC Board.

From 2016 through 2019, Ms. Reed was the Director of the Centre for International Law and a Professor on the Law Faculty of the National University of Singapore. From 1998 until 2016, she was a Partner with Freshfields Bruckhaus Deringer, where she led the global international arbitration group and represented private and public clients in high-stakes international disputes. Before Freshfields, Ms Reed was General Counsel of the Korean Peninsula Energy Development Organization, in which capacity she led negotiations with North Korea, and a senior attorney with U.S. State Department and U.S. Agent to the Iran-United States Claims Tribunal in The Hague.

Ms. Reed has sat in over 50 commercial and investor-State arbitrations. She is listed in Chambers & Partners Most In Demand Arbitrators – Global Wide, and has previously been rated a Band 1 leading international arbitration practitioner by Chambers Global and a Leading Individual for international arbitration in Asia Pacific Legal 500. Ms Reed is a recipient of the Asia Women in Business Laws Award for Best in Dispute Resolution (2014) and the Prominent Woman in International Law 2011 award made by the American Society of International Law's Women in International Law Interest Group.

Qualifications

- University of Chicago Law School, J.D. (Law Review) 1977
- Brown University, B.A. (*Magna Cum Laude*) 1974

Principal areas of practice

- International investment law and investor-State disputes
- International commercial arbitration

- Joint ventures and shareholder disputes
- Energy and commodities

Admitted

- New York (1985)
- Washington D.C. (1977)

Professional work experience

- Member of Arbitration Chambers (2020 – present)
- Director of the Centre for International Law and Professor of Practice on the Faculty of Law of the National University of Singapore (July 2016 – 2019)
- Partner of Freshfields Bruckhaus Deringer LLP (Singapore 2014 – May 2016; Hong Kong 2012 – 2014; New York 1998 – 2012)
- Counsel of Freshfields Bruckhaus Deringer LLP in New York (1998 – 2000)
- General Counsel, Korean Peninsula Energy Development Organization (1995 – 1998)
- Counsel of Arent Fox LLP (1993 – 1995)
- Attorney-Adviser in the Office of the Legal Adviser, U.S. Department of State (1985 – 1993); U.S. Agent to the Iran-U.S. Claims Tribunal (1989-1992)
- Associate of Wald, Harkrader & Ross LLP in Washington D.C. and London (1979 – 1985)
- Law Clerk to the late Judge Barrington D. Parker, Jr., U.S. District Court for the District of Columbia (1977 – 1979)

Appointments as Arbitrator

Ms. Reed has served as Chair, sole arbitrator and co-arbitrator in investor-State and complex commercial cases under the rules of the International Centre for Settlement of Investment Disputes (ICSID), the Permanent Court of Arbitration (PCA), International Chamber of Commerce (ICC), American Arbitration Association (AAA) and International Centre for Dispute Resolution (ICDR), London Court of International Arbitration (LCIA), Singapore International Arbitration Centre (SIAC), Hong Kong International Arbitration Centre (HKIAC), Kuala Lumpur Regional Centre for Arbitration (KLRCA, now AIAC), as well as under the Rules of the UNCITRAL and in *ad hoc* cases.

Ms. Reed's representative matters include:

Investor-State and Public International Law Cases

- Presiding arbitrator, *Raiffeisen Bank International AG and Raiffeisen Bank Austria v Republic of Croatia*, ICSID Case No. ARB/17/34, 2018: banking sector.
- Presiding Arbitrator, *Dirk Herzig, as Insolvency Administrator over the Assets of Unionmatex Industricanlagen v Turkmenistan*, ICSID Case No. ARB/18/35, 2018: manufacturing/commodities sector.
- Presiding arbitrator, *Asian company v African Government entity*, UNCITRAL/PCA, 2018: public construction sector.
- Presiding arbitrator, *Chinese entity v Asian Government entity*, UNCITRAL/PCA, 2018: power sector.
- Presiding arbitrator, *Eyre and Montrose Development v Sri Lanka*, ICSID Case No. ARB/16/25, 2016: property sector.
- Co-arbitrator, *UK investors v Asian state*, UNCITRAL, 2016: telecoms sector.

- Presiding arbitrator, *Ministry of Land and Property of the Republic of Tatarstan v. Ukraine*, UNCITRAL/PCA, 2016: energy sector.
- Presiding arbitrator, *European/African investor v African state*, UNCITRAL/PCA, 2016: financial sector.
- Presiding arbitrator, *Ansung Housing Co. Ltd v China*, ICSID Case No. ARB/14/25, 2016: resort sector (public Award).
- Presiding arbitrator, *European investors v European state*, ad hoc/ICSID, 2015: property sector.
- Gulf Cooperation Council and ICANN (ICDR Case No. 01-14-0002-1065), *Partial Final Declaration of the Independent Review Process Panel*: high level domain name dispute (public Award).
- Arbitrator, Eritrea-Ethiopia Claims Commission, ad hoc/PCA), 2001- 2009 (public Awards) (the mandate of the Commission, as set out in the parties' peace Agreement of December 12, 2000, was to decide claims related to the armed conflict between them for "violations of international humanitarian law, including the 1949 Geneva Conventions, or other violations of international law").

International Commercial Cases

- Presiding arbitrator, *Japan, Korean and Taiwanese companies v U.S. company*, ICC, 2020, licensing agreement, manufacturing sector.
- Co-arbitrator, *U.S. and Korean companies v Korean company*, ICC, 2019, re: joint venture dispute, construction sector.
- Presiding arbitrator, *Multinational energy company v South American, BVI and Bahamas entities*, ICC, 2018, re: shareholders' dispute, energy sector.
- Co-arbitrator, *Liechtenstein company v Asian Government Ministry*, ICC, 2018, re: sales contract dispute, aerospace/satellite sector.
- Co-arbitrator, *Australian entity v Korean entity*, SIAC, 2018, re: consultancy agreement, commodities sector.
- Co-arbitrator, *Middle Eastern entity v Middle Eastern entity and Cayman Islands entity*, ICC, 2018, re: shareholders' agreement, telecoms sector.
- Co-arbitrator, *Middle Eastern entity v Middle Eastern entities and Cayman Islands entity*, ICC, 2018, re: shareholders agreement, telecoms sector.
- Sole arbitrator, *South East Asian entities v South East Asian and European entities*, ICC, 2018, re: aircraft sector.
- Presiding arbitrator, *UK and Canadian individuals v Mauritius and Malaysian entities*, SIAC, 2016, re: share purchase agreement.
- Co-arbitrator, *African entity v Singapore entity*, SIAC, 2016, re: share purchase agreement.
- Co-arbitrator, *Malta/Jersey entities v Middle Eastern entities*, ICC, 2016, re: energy sector.
- Co-arbitrator, *BVI entities v BVI entities*, HKIAC, 2016, re: share purchase agreements, pharmaceutical sector.
- Sole arbitrator, *Asian company v Mauritius company*, SIAC, 2016, re: share purchase agreement.
- Sole arbitrator, *Mauritius company v BVI company and others*, SIAC (Expedited Procedure), 2016, re: hospitality sector share purchase agreement.
- Co-arbitrator, *Korean company v Barbados company*, ICC, 2016, re: fashion distribution agreement.
- Presiding arbitrator, *Mauritius entity v Singapore entity*, SIAC, 2016, re: banking sector.
- Co-arbitrator, *Malaysian company v Malaysian company*, KLRCA, 2015, re: power purchase agreement.

- Presiding arbitrator, *Indonesian and BVI companies v Indonesian and BVI companies*, SIAC, 2015, re: timber sales contracts.
- Presiding arbitrator, *BVI companies v BVI company*, ICC, 2014, re: forestry sales contracts.
- Sole arbitrator, *U.S. multinational company v U.S. company*, ICC, 2011, re: equipment sales contract.
- Co-arbitrator, *U.S. company v Belgian company*, LCIA, 2011, re: financial IT services agreement.
- Co-arbitrator, *U.S. company v Egyptian company*, AAA/ICDR, New York, 2010, re: commodities purchase and sale agreements.
- Presiding arbitrator, *U.S. company v Italian company*, AAA/ICDR, Texas, 2010, re: sales agreement for oil refinery heavy equipment.
- Party-appointed arbitrator, *Indian individual v Indian individuals*, ad hoc/LCIA India, New Delhi, 2009, re: real estate agreement.
- Presiding arbitrator, *U.S. company v Brazilian entities*, ICC, New York, 2007, re: post-acquisition disputes in consumer goods sector.
- Party appointed arbitrator, *Chilean company v Chinese company*, AAA/ICDR, New York, 2005, re: mineral sales agreement.
- Presiding arbitrator, *U.S. company v U.S. company*, ad hoc, New York, 2005, re: steam purchase agreement.
- Presiding arbitrator, *U.S. company v U.S. individual*, ICC, New York, 2004, re: sale and purchase agreement and related shareholder's agreement and management agreement in the fashion sector.
- Presiding arbitrator, *German company v Chinese company*, ICC, New York, 2003, re: stock purchase agreement in high-tech sector.
- Party-appointed arbitrator, *U.S. company v Asian companies*, New York, 2002, re: joint venture in telecommunications sector.
- Sole arbitrator, *U.S. company v Canadian company*, AAA/ICDR, New York, 2001, re: graphics manufacturing and distributorship agreements.
- Party-appointed arbitrator, *U.S. company v Australian company*, AAA, New York, 2001, re: reinsurance agreements.
- Presiding arbitrator, *Mexican company v Dutch company*, ICC, New York, 2001, re: joint venture agreement in the consumer goods sector.
- Presiding arbitrator, *Russian company v U.S. company*, UNCITRAL (ICSID appointing authority), Washington, 1998, re: telecommunications contract.
- Presiding arbitrator, *Azerbaijani company v. Austrian company*, LCIA, London, 1998, re: refinery reconstruction contract.
- Sole arbitrator, *U.S. company v. Chinese company*, ICC, New York, 1998, re: minerals contract.
- Sole arbitrator, *U.S. company v U.S. companies*, AAA/ICDR, New York, 1997, re: government contract for environmental services.
- Sole arbitrator, *U.S. company v U.S. company*, AAA, New York, 1994, re: services contract in the transportation sector.
- Sole arbitrator, *U.S. companies v U.S. individual*, AAA, New York, 1994, re: guarantee agreement.

Experience in Practice

Ms. Reed served as counsel in international arbitrations for more than 40 years, prior to her 2016 transition to academic and independent arbitrator work. A select list of major cases as counsel in investor-State arbitration and international commercial arbitration appears below.

- Eastern Mediterranean Gas, developer of the post-Camp David “Peace Pipeline” between Egypt and Israel, and its investors, in two ICC and two treaty arbitrations arising from attacks on the pipeline during the Arab Spring and repudiation of the underlying contracts.
- CMS Energy in obtaining the first ICSID bilateral investment treaty award against Argentina, succeeding at all three instances of jurisdiction, merits and annulment.
- The Republic of Turkey in obtaining jurisdictional dismissals in three Energy Charter Treaty arbitrations brought under the ICSID Additional Facility Rules, as well as in parallel proceedings in the European Court of Human Rights.
- Liechtenstein in its case against Germany before the International Court of Justice (Certain Property).

Arbitration Panels

Ms. Reed has been appointed to the following panels:

- Asian International Arbitration Centre (AIAC)
- BVI International Arbitration Centre (BVI IAC)
- China International Economic and Trade Arbitration Commission (CIETAC)
- Hong Kong International Arbitration Centre (HKIAC)
- Korean Commercial Arbitration Board (KCAB)
- ICSID (2008-2018, designated by ICSID)
- Singapore International Arbitration Centre (SIAC)
- Vienna International Arbitration Centre (VIAC)

Research, Publications & Lectures

A selection of Ms. Reed’s publications are listed below.

Books and Book Chapters:

- *Ethics and Soft Law, Arbitration in Singapore: A Practical Guide* (S. Menon, F. Xavier, Chong Y.L., L. Reed, eds., 2nd ed., Sweet & Maxwell Singapore, 2018)
- With Simon Consedine, *Fair and Equitable Treatment: Legitimate Expectations and Transparency, Building International Investment Law: The First 50 Years of ICSID* (M. Kinneer, G. Fischer, J.M. Almeida, L.F. Torres, M.U. Bidegan, eds., Wolters Kluwer, 2016)
- With Jonathan Davis, *Ratione Personae, Who is a Protected Investor?, International Investment Law* (M. Bungenberg, J. Griebel, S Hobe, A. Reinisch, eds., C.H.BECK-HartNomos, 2015)
- **A Guide to the SIAC Arbitration Rules** (M. Mangan, L. Reed, J. Choong, OUP, 2014)
- *Sanctions Available for Arbitrators to Curtail Guerrilla Tactics, Guerrilla Tactics in International Arbitration* (G. Horvath and S. Wilske, eds., Wolters Kluwer 2013)
- *Perspectives on Choice of Law, Enforcement, Investment Treaties and Arbitration Clauses, Long Term Contracts* (K. Dharmananda & L. Firios, eds., The Federation Press, 2013)
- **Guide to ICSID Arbitration** (L. Reed, J. Paulsson and N. Blackaby, 2nd ed., Kluwer, 2011)
- **The Freshfields Guide to Arbitration Clauses in International Contracts** (J. Paulsson, N. Rawding, L. Reed, 3rd ed., Kluwer, 2011)
- With A. Yanos, *Pre-Hearing Advocacy in International Arbitration, The Art of Advocacy in International Arbitration* (D. Bishop, ed., 2nd ed., Juris Publishing, 2010)

- With L. Martinez, *Treaty Obligations to Honor Arbitral Awards and Diplomatic Protection, Enforcement of Arbitration Awards Against Sovereigns* (D. Bishop, ed., JurisNet LLC, 2009)
- With G. Hancock, *US-Style Discovery: Good or Evil?*, **Written Evidence and Discovery in International Arbitration: New Issues and Tendencies** (T. Giovannini and A. Mourre, eds., ICC, 2009)
- *International Claims Tribunals: What International Criminal Prosecutors Might Need to Know, Proceedings of the Second International Humanitarian Law Dialogs* (ASIL, 2009)
- *Mixed Private and Public International Law Solutions to International Crises* (Lectures delivered at The Hague Academy of International Law, July 2001), 306 **Recueil des Cours/Collected Courses of the Hague Academy of International Law** 177 (Martinus Nijhoff, 2005)

Articles and Published Papers:

- *The David Caron Rule of X*, 37 **Berkeley J. Int'l Law** 163 (2019)
- Inaugural Schiefelbein Global Dispute Resolution Conference Lecture, *Ultima Thule: Prospects for International Commercial Mediation* (2019) (Sandra Day O'Connor School of Law, <https://events.asucollegeoflaw.com/schiefelbein/past-conferences>)
- *Law-Making in International Arbitration: What Legitimacy Challenges Lie Ahead?*, **ICCA Congress Proceedings 2018** (publication pending)
- *The 10th John E.C. Brierly Memorial Lecture, International Dispute Resolution Courts: Retreat or Advance?*, 4 **McGill J. Dispute Res.** 129 (2017-2018)
- *The Queen Mary – Freshfields Arbitration Lecture 2016, Ab(use) of Due Process: Sword vs Shield*, 33 **Arb. Int'l** 361 (2017)
- With J. Freda, *The Maxwell Lecture – After ICCA Singapore, After ICCA Miami: The Next Questions*, 30 **ICSID Review** 10 (2015)
- *The 2013 Hong Kong International Arbitration Centre Kaplan Lecture – Arbitral Decision-Making: Art, Science or Sport?*, 30 **J. Int'l Arb.** 85 (2013)
- With R. Kirkness, *Old Seeland, New Netherland and New Zealand: Some Thoughts on the Possible “Discovery” of Investment Treaty Arbitration in New Zealand*, 43 **Victoria U. Wellington L. Review** 687 (2012)
- With J. Bannon Vanto, *The Case for Increased Use of Dispositive Motions in International Arbitration*, **Paris J. Int'l Arb.** 33 (2011)
- *Assessing Civil Liability for Harms to Women During Armed Conflict: The Rulings of the Eritrea-Ethiopia Claims Commission*, 11 **Int'l Criminal L. Review** 589 (2011)
- *The De Facto Precedent Regime in Investment Arbitration: A Case for Proactive Case Management* (NUS Conference on International Investment Arbitration, January 2010), 25 **ICSID Review** 95 (2010)
- With H. Garry, *Not So Fine Lines in Transnational Governance: Blurring of Public and Private in the International Legal Order*, 16 **ILSA J. Int'l & Comp. Law** (2010)
- With L. Martinez, *The Convenient Myth of David and Goliath in Treaty Arbitration*, 3 **World Arb. and Med. Review** 443 (2009)
- With I. Granoff, *Treaties in U.S. Domestic Law: Medellín v. Texas in Context*, 8 **Law & Practice of Int'l Courts and Tribunals** 1 (2009)
- *Less is More, More or Less* (ITA Annual Workshop 2008, keynote address on damages), 2 **World Arb. & Med. Review** 101 (2008)
- With J. Sutcliffe, *The Americanization of International Arbitration*, 16 **Mealey's Int'l Arb. Report** 37 (2001)

- With D. Bishop, *Practical Guidelines for Interviewing, Selecting and Challenging Party Appointed Arbitrators in International Commercial Arbitration*, 14 **Arb. Int'l** (1998)
- With D. Caron, *Post Award Proceedings Under the UNCITRAL Arbitration Rules*, 11 **Arb. Int'l** 429 (1995)

Professional activities and qualifications

Ms. Reed is President of ICCA for the term 2020-2022. She is one of two Vice Presidents of the SIAC Court, a Member of the U.S. Council on Foreign Relations and a Member of the New York Arbitration Club. She formerly served as President of the American Society of International Law, Chair of the Institute for Transnational Arbitration (ITA), a Vice President of the ICC Court, and a member of the LCIA Court, the ICC Governing Body, the HKIAC Board of Directors and the Investment Treaty Forum.

Ms. Reed is an editor of the Oxford International Arbitration Series, and has served on the editorial boards of the Journal of International Arbitration and the ICSID Review.

Ms. Reed has been a guest lecturer, primarily on investment treaty arbitration and conciliation of State-level disputes, at the University of Pretoria, the Shanghai University of Political Science and Law, Yale Law School, Harvard Law School, Columbia Law School, New York University Law School, and the University of Virginia Law School. From 2010-2012, Ms. Reed was an Adjunct Professor of Investment Treaty Arbitration at the University of Miami School of Law, and from 1985-1987, she was an Adjunct Professor at the Washington School of Law of the American University in Washington D.C.