

# BETTO SERAGLINI



Julien FOURET  
Partner

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Julien Fouret specializes in international arbitration, focusing primarily on investment arbitration public international law and international commercial arbitration. Julien possesses vast experience in international arbitration having been counsel, chair, arbitrator or co-arbitrator in numerous arbitrations under the rules of the most prominent arbitral institutions. He is also a former Counsel of the Secretariat of the International Court of Arbitration of the International Chamber of Commerce.

## LANGUAGES

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French, English

## PROFESSIONAL EXPERIENCE

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Since 2015	Partner, BETTO SERAGLINI
2012-2015	Counsel, Castaldi Mourre & Partners, Paris
2010-2012	Counsel of the Secretariat of the International Court of Arbitration of the International Chamber of Commerce, Paris
2008-2010	Associate, Derains & Gharavi, Paris
2007-2008	Associate, Salans, Paris
2006	Consultant, Investment Division, Directorate for Fiscal, Financial and Enterprise Affairs, OECD
2004-2006	Jurist, Shearman & Sterling LLP, Paris

## ACADEMIC POSITION

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Since 2018	Lecturer, Faculty of Law, University of Paris X (Nanterre)
Since 2012	Lecturer, Faculty of Law and Social Sciences, University of Paris II (Panthéon-Assas)
Since 2012	Lecturer, Faculty of Law and Social Sciences, University of Paris XII (Créteil)
Since 2013	Lecturer, Faculty of Law, University of Sherbrooke (Québec)

2010-2013	Lecturer, Faculty of Law and Social Sciences, University of Poitiers
2003-2004	Teaching assistant in Public International Law, University of Law, McGill University (Montréal)

## EDUCATION

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2002-2003	LL.M. (Master of Law), Institute of Comparative Law, McGill University, Montréal (Canada)
2001-2002	DEA (post-degree), Law of European and International Economic Relations, University of Paris X (Nanterre)
2000-2001	Maîtrise (degree), European and International Law, University of Paris X (Nanterre) and Legal Studies in English (D.E.J.A. II), University of Paris X (Nanterre)

## PROFILE

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Co-Editor in Chief, ICC Dispute Resolution Bulletin  
 Secretary, IBA Arbitration Committee (2018-2020)  
 Website & Newsletter Officer, IBA Arbitration Committee (2016-2018)  
 Co-chair of the IBA Arb40 subcommittee (2014-2016)  
 Co-chair of the ASA Below 40 (2014-2017)  
 Co-director of the CFA 40 (2013-2015)  
 Member of the *Groupe de Travail de la Commission d'Arbitrage de la CCI sur les Institutions Financières et l'arbitrage international* (2014-2016)  
 Member of the International Law Association – French section (since 2014)  
 Member of the Arbitration Commission of the ICC  
 Member of the Arbitration Commission of ICC France  
 Member of the *Comité Français de l'Arbitrage*  
 Panel of arbitrators of the Kuala Lumpur Regional Center for Arbitration (KLRCA)  
 Panel of arbitrators of the *Chambre Arbitrale Internationale de Paris* (CAIP)  
 Member of the IBA  
 Member of the ICC Young Arbitrators Forum  
 Member of the International Arbitration Institute (IAI)  
 Member of the LCIA Young International Arbitration Group (YIAG)  
 Member of the European Society for International Law  
 Member of the *Société Québécoise de Droit International*

## RANKINGS

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Legal 500 EMEA 2019: "Julien Fouret is 'very effective at leading a case in his chosen direction'."

Chambers Global 2019: "Julien Fouret gives 'straightforward advice and gets to the point!'"

Who's Who Legal - Arbitration 2019: Analysis - Leading individuals - "Julien Fouret is praised as "very good counsel, especially in investment arbitration". He acts as counsel, chair and arbitrator and impresses peers with "excellent knowledge of procedures and international law"."

Décideurs 2019:  
"Excellent" – Litigation & Arbitration – International Arbitration

Décideurs 2018:  
"Leading" – Africa Desk – Arbitration & International Litigation  
"Excellent" – Litigation & Arbitration – International Arbitration – Mediation / Africa Desk – Oil, Gas, Mining, Natural Resources and Energy  
'Highly recommended' – Africa Desk – Arbitrator

Who's Who Legal France: International Arbitration 2018: "Julien Fouret is "very reliable and great on French law" according to market commentators who note him as a highly active figure in the arbitration field. He is recognised for his work as both arbitrator and counsel across a range of proceedings."

Who's Who Legal France: International Arbitration 2017: "Julien Fouret is a 'dynamic' lawyer with 'a very international practice'."

GAR 100 2017: "Julien Fouret is a 'distinguished gentleman and a great lawyer. He is particularly focused on the relationship with the client and always available even for a quick advice'."

Who's Who Legal Arbitration: Future Leaders – Partner 2017: "Julien Fouret is an 'excellent and knowledgeable practitioner', praised for his international outlook. He is among the most highly rated partners in our research."

Legal 500 EMEA 2016: "Julien Fouret is an 'investment arbitration expert'."

Who's Who Legal France: International Arbitration 2016: "The 'versatile and cognisant' Julien Fouret is also praised for his work in investment arbitration."

## CREDENTIALS AS COUNSEL

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### Amongst others:

Representation of a Mediterranean State in a BIT arbitration concerning an alleged expropriation in the telecommunications sector.  
(19 billion dollars, ICSID, English language)

BIT Arbitration relating to the expropriation of a Western investor in an Eastern European State in various industrial sectors and in real estate.  
(12 billion USD - UNCITRAL/BIT, Seat in Madrid, English language)

Breach of Public-Private Partnership in the mining sector in West Africa.  
(4 billion dollars, Civil Law, ICC The Hague, French language)

Representation of European investors against a European State in a BIT arbitration concerning discriminatory measures and expropriation suffered in the food-processing industry.  
(1 billion dollars, ICSID, English language)

Representation of a European State in a BIT arbitration concerning the liberalisation of the health insurance industry.  
(900 million dollars, UNCITRAL Paris, English language)

Representation of a consortium of European companies following the construction of a LNG terminal.  
(700 million euros, ICC Paris, French law, English language)

Representation of an Oil & Gas industry partnership in a dispute related to the construction of an oil & gas infrastructure in Europe.  
(550 million euros, French law, ICC Paris, French language)

Representation of a North American investor in a BIT arbitration against an Asian State in connection with the liberalisation of the energy sector.  
(500 million dollars, UNCITRAL Geneva, English language)

Representation of a major energy sector player on a shareholders dispute concerning a joint venture in North Africa.

(500 million euros, ICC Geneva, Spanish law, English and Spanish language)

Representation of an African company against Senegal in an ICSID arbitration about an expropriation in the energy sector (ICSID ARB/18/24).

(400 million euros, Civil Law, Senegalese law, ICSID, English as the language of arbitration)

Representation of a European investor against a State of Central Asia in a BIT arbitration concerning an expropriation in the construction sector.

(150 million dollars, ICSID, English language)

Representation of a European investor against a Sub-Saharan African State in an arbitration concerning an expropriation in the gas sector.

(100 million dollars, ICSID, English language)

Representation of a major energy sector player concerning guarantees following the construction of an electric plant.

(95 million euros, ICC Geneva, Swiss law, English language)

Representation of a North American investor against an Eastern European State in a BIT arbitration concerning discrimination and violation of the fair and equitable treatment in the broadcasting industry.

(80 million dollars, ICSID, English language)

Representation of a European company in a dispute relating to the construction of a pipeline in North Africa.

(75 million euros, ICC Paris, Algerian law, French language)

Representation of a global energy company in an arbitration related to an iron mine in Sierra Leone.

(75 million USD, LCIA London, English law, English language)

Representation of a Brazilian company against a French bank concerning Export Documentary Credit.

(70 million euros, ICC Paris, English language)

Representation of a European investor against a State of Central Asia in a BIT arbitration concerning an expropriation in the textile industry.

(50 million dollars, ICSID, English language)

Representation of European investors against an African State in an arbitration based on a BIT and an investment law concerning discriminatory measures and expropriation in different industry sectors.

(35 million euros, ICSID, French language)

Representation of an Oil & Gas industry partnership in a dispute related to the construction of an oil & gas infrastructure in Europe.

(35 millions euros, French law, ICC Paris, French language)

Representation of a European agrifood company concerning a Distribution Agreement.

(30 million euros, ICC Paris, French law, English language)

Dispute between shareholders in the affordable luxury sector.

(23 million euros, FAI Helsinki, Finish law, English language)

Representation of a European State in a BIT arbitration concerning alleged violations of fair and equitable treatment and a denial of justice vis-à-vis a European investor.

(10 million euros, ICSID, English language)

## CREDENTIALS AS ARBITRATOR

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### Among others:

Emergency arbitrator of an ICC Tribunal regarding preservation of evidence and bank guarantees with respect to a construction dispute in South America.

Chairman of an ICC Arbitral Tribunal in an arbitration relating to pipelines construction between European Company and Two North African companies.

Chairman of an arbitral tribunal in an ICC arbitration relating to the construction of a power station opposing a Syrian company to an Iranian company.

Sole Arbitrator in Danish Institute arbitration between the Ministry of Foreign Affairs of a European State and an African NGO.

Sole Arbitrator in a CCI arbitration between a Taiwanese company and a UK company.

Co-arbitrator in a Franco-Italian CMAP arbitration on liability guarantees.

## PUBLICATIONS

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### Books

The ICSID Convention, Rules and Regulations: A Commentary, Elgar's Commentaries Series, Edward Elgar Pub. Co-edited with R. Gerbay et G. Alvarez (to be published in 2019)

Enforcement of Investment Treaty Arbitration Awards: A Global Guide, Globe Law and Business Publishing, 2015

Recueil des Commentaires des Décisions du CIRDI (2002-2007), Editions E. Bruylant, 2009 (with Dany Khayat)

### ARTICLES

#### English:

"Enforcement of the Yukos awards: a second Noga saga or a new Sedelmayer fight?", ICSID Review - Foreign Investment Law Journal Vol. 30, Number 2, Spring 2015

"France" in S. Jagusch & E. Triantafilou (ed.), Getting the Deal Through – Investment Treaty Arbitration 2015, (2014) at 22 (with Pierre Daureu)

"Pre-closing disputes" in E. Poulton (ed.), Arbitration of M&A Transactions: A Practical Global Guide, Globe Business Publishing, 2013, 311 with Alexis Mourre)

"France" in S. Jagusch & E. Triantafilou (ed.), Getting the Deal Through – Investment Treaty Arbitration 2014, (2013) at 19 (with Pierre Daureu)

"Stay(ing) on Track or Falling off the Edge: The Absence of Legal Security in the Ad hoc Committees' Decisions Under Article 52(5) of the ICSID Convention", (2012) 27.2 ICSID Review – Foreign Investment Law Journal 303

"The Malicorp Saga: A Spaghetti Bowl of Proceedings", (2012) 4.2 International Journal of Arab Arbitration 7

"A Practical Guide: Research Tools in International Investment Law" in Arbitration Under International Investment Agreements: A Guide to the Key Issues, Oxford University Press, 2010, directed by Katia Yannaca-Small

"Denunciation of the Washington Convention and Non-Contractual Investment Arbitration: "Manufacturing Consent" to ICSID arbitration?", (2008) 25.1 Journal of International Arbitration 71

"The World Bank and ICSID: Family or Incestuous Ties?", (2007) 4.1 International Organizations Law Review 121

#### French:

*"Compétence matérielle: bien, propriété et investissement"* dans W. Ben Hamida & F. Coulée (dir.), Convergences et contradictions du droit des investissements et des droits de l'homme: une approche contentieuse, Pedone, 2017, p. 65

*"Le chapitre X de l'accord économique et commercial global Canada-Union Européenne: Une solution équilibrée au débat sur le recours à l'arbitrage dans le règlement des différends entre investisseurs et États?"* in Mélanges Pierre Mayer – published in 2015 (with A. Mourre)

*"Dettes souveraines des États et Arbitrage CIRDI, un mariage arrangé?"* in G. Dufour, D. Pavot (dir.), La crise des dettes souveraines: approches croisées Canada – Europe, Lexis Nexis, Montréal – Paris, 2014, 335

*"La sentence arbitrale et les recours contre cette sentence"*, Contribution lors du Colloque Paris I – Paris II du 22 mai 2005: Le choix du mécanisme de règlement des différends investisseur/État (Etude comparative des mécanismes CIRDI, CNUDCI et CCI), Revue Droit des Affaires 57

*"Une nouvelle donne juridique – La protection des investissements étrangers au Liban"*, (2007) 42 Revue Libanaise de l'Arbitrage Arabe et International 11 (with Dany Khayat)

*"CMS c. LG&E' ou l'état de nécessité en question"*, (2007-2) Revue de l'Arbitrage 249

*"Du rôle de la Cour internationale de Justice: peau neuve ou peau de chagrin? Quelques réflexions sur l'arbitralisation de la Cour mondiale"*, (2003) 16.2 Revue Québécoise de Droit International, pp. 191-233 (published in 2005) (with Mario Prost)

*"La multiplication des juridictions internationales: de la nécessité de remettre quelques pendules à l'heure"* (2002), 15.2 Revue Québécoise de Droit International, pp. 117-138 (published in 2004) (with Mario Prost)

#### COMMENTAIRES DE JURISPRUDENCE

#### English:

"International Centre For Settlement of Investment Disputes (ICSID)" (2014-1), 13.1 The Law and Practice of International Courts and Tribunals 117 (with Dany Khayat)

"International Centre For Settlement of Investment Disputes (ICSID)" (2013-3), 12.3 The Law and Practice of International Courts and Tribunals 475 (with Dany Khayat)

"International Centre For Settlement of Investment Disputes (ICSID)" (2013-1), 12.1 The Law and Practice of International Courts and Tribunals 113 (with Dany Khayat)

"International Centre For Settlement of Investment Disputes (ICSID)" (2012-1), 11.1 The Law and Practice of

International Courts and Tribunals 137 (with Dany Khayat)

French:

"L'arrêt Gold Reserve: une mine d'or d'enseignements, note sous Paris, Pôle 1 - Ch. 1, 7 Février 2017" 2017.2 Rev. Arb. 566 (with Alexandre Reynaud)

"Panorama de jurisprudence française", Cahiers de l'arbitrage/Paris Journal of International Arbitration (with Priscille Pedone) (Since number 2012.4)

"Centre international pour le règlement des différends internationaux relatifs aux investissements" (2009), 22.2 RQDI 231 (with Dany Khayat)

"Centre international pour le règlement des différends internationaux relatifs aux investissements" (2008), 21.2 RQDI 291 (with Dany Khayat)

"Centre international pour le règlement des différends internationaux relatifs aux investissements" (2007), 20.1 RQDI 309. Jurisprudence 2007 (with Dany Khayat) "Centre international pour le règlement des différends internationaux relatifs aux investissements" (2006), 19.1 RQDI 271. Jurisprudence 2006 (with Dany Khayat)

"Centre international pour le règlement des différends internationaux relatifs aux investissements" (2005), 18.2 RQDI 313. Jurisprudence 2005 (with Dany Khayat)

"Centre international pour le règlement des différends internationaux relatifs aux investissements" (2004), 17.2 RQDI 231. Jurisprudence 2nd semester 2004 (with Dany Khayat)

"Centre international pour le règlement des différends internationaux relatifs aux investissements" (2004), 17.1 RQDI 160. Jurisprudence 1st semester 2004 (with Dany Khayat)

"Centre international pour le règlement des différends internationaux relatifs aux investissements" (2003), 16.2 RQDI 257. Jurisprudence 2nd semester 2003 (with Dany Khayat)

"Centre international pour le règlement des différends internationaux relatifs aux investissements" (2003), 16.1 RQDI 223. Jurisprudence 1st semester 2003 (with Dany Khayat)

"Centre international pour le règlement des différends internationaux relatifs aux investissements" (2002), 15.2 RQDI 167. Jurisprudence 2002 (with Dany Khayat)

REPORTS

"Investment Arbitration Session – Report on Session of the Arbitration Committee at the IBA Annual Conference in Boston", (2014) 19.1 IBA Arbitration News 21

"IAI Seminar, Paris, December 14, 2007 – The Precedent in International Arbitration", (2008) 26.1 Bulletin ASA 183

OECD, "Essential Security Interests under International Investment Law", in OECD, International Investment Perspectives – Freedom of Investment in a Changing World, OECD Publishing, 2007, 93 (Consultant)

REVIEW

English:

"Book Review – Contemporary Issues in International Arbitration and Mediation – The Fordham Papers 2010" (2012) 29.1 Journal of International Arbitration pp. 129-132

"Book review of Legal Framework for the Admission of FDI of Thomas Pollan" (2007), *Revue Québécoise de Droit International*, ([www.rqdi.org](http://www.rqdi.org))

"Book review of Takeover Law in the EU and the USA – A Comparative Analysis of Christin M. Forstinger" (2003), 16.1 *Revue Québécoise de Droit International*, pp. 371-373 (published in 2005)

French:

"*Recension de l'ouvrage Droit International Public (7th ed.) des Professeurs Daillier et Pellet*" (2001), 14.2 *Revue Québécoise de Droit International*, pp. 299-303 (published in 2003)