

Nassib G. Ziadé

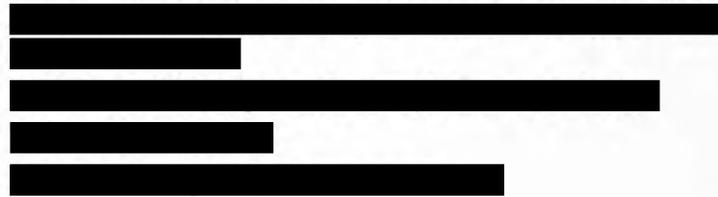


Chief Executive Officer

Bahrain Chamber for Dispute Resolution

Citizenship: Lebanese and Chilean

Languages: Fluent in Arabic, English and French; working knowledge of Spanish



Nassib G. Ziadé is the Chief Executive Officer of the Bahrain Chamber for Dispute Resolution (BCDR-AAA). Between July 2011 and August 2013, he served as the Director of the Dubai International Arbitration Centre (DIAC). Between 2007 and 2011, he was the Deputy Secretary-General of the International Centre for Settlement of Investment Disputes (ICSID), and between April 2008 and June 2009 was also the Acting Secretary-General of ICSID. He is a judge of the International Monetary Fund (IMF) Administrative Tribunal, and he regularly serves as tribunal chair or co-arbitrator in arbitrations relating to international commerce, construction, investment and public international law.

Mr. Ziadé has extensive senior managerial experience in the administration of international legal proceedings and the development of international tribunals. He is an expert in private and public international law, international arbitration, international investment law, international administrative law, and the law of conflicts of interest. From 1997 to 2007, he served as the Executive Secretary of the World Bank Administrative Tribunal. In 1998, he was appointed as a member of the World Bank's Grievance Process Review Committee, which reviewed and reformed the World Bank's internal conflict resolution system. He was involved in all subsequent reviews of the System through 2007. In addition, Mr. Ziadé advised the Government of Bahrain in 2002 on the establishment of its Constitutional Court. He has also advised several international organizations on the establishment and operation of their international administrative tribunals.

Mr. Ziadé is a member of the Board of Trustees and a Vice-Chairman of the Advisory Committee of the Cairo Regional Centre for International Commercial Arbitration (CRCICA), a member of the International Advisory Committee of the International Centre for Dispute Resolution (ICDR/AAA), and a former Court member at the London Court of International Arbitration (LCIA). He is a member of the Permanent Court of Arbitration (PCA), a member of the ICSID Panels of Arbitrators and Conciliators, and a Vice-President of the International Federation of Commercial Arbitration Institutions (IFCAI). He also served as a member of the Conflicts of Interest Subcommittee of the International Bar Association (IBA) Arbitration Committee between 2012 and 2014.

Mr. Ziadé has been a Visiting Professor, LLM Program of International Arbitration, at the University of Miami School of Law since 2010, and is a Visiting Professor of International Arbitration at the Faculties of Law of Saint-Joseph University in Lebanon and Dubai. He

taught the settlement of international economic disputes as a Visiting Professor at the University of Paris 1 (Panthéon-Sorbonne) in 2011, and international arbitration and international administrative law as a Visiting Professor at the Universities of Chile and Heidelberg in Santiago, Chile in 2001 and 2004. In 2012, he delivered a course on “the independence of arbitral bodies established in the framework of international organizations” at The Hague Academy of International Law, and in 2013 conducted a workshop on arbitration at the Paris International Academy for Arbitration Law.

Mr. Ziadé has published extensively in the fields of international law and arbitration law. He has organized several high-profile international colloquia, and is a frequent speaker on a diverse range of legal topics at international conferences. He was between 2011 and 2017 a member of the Advisory Committee of the Lauterpacht Centre for International Law at the University of Cambridge. He is a Patron and a Counsellor of the American Society of International Law (ASIL), and between 2007 and 2010 was a member of its Executive Council. Mr. Ziadé is also a member of the Société française pour le droit international, the Swiss Arbitration Association, the Comité français de l'arbitrage, and the International Council for Commercial Arbitration (ICCA). He is the Founder and the General Editor of the *BCDR International Arbitration Review*. He was Editor-in-Chief of the *ICSID Review—Foreign Investment Law Journal* between 2007 and 2011, after serving for a number of years as a member of its Board of Editors. Since 1991, he has been a member of the Editorial Advisory Committee of *International Legal Materials*, and since 1987 he has served as its Corresponding Editor for the Middle East. He is also a member of the Editorial Committee of the *International Journal of Arab Arbitration*.

Mr. Ziadé studied private and public law, international law, administrative and political science, and business administration at Saint-Joseph University in Beirut, the American University of Beirut, Cambridge University and the University of Paris 1 (Panthéon-Sorbonne). He is fluent in Arabic, English and French, and has a working knowledge of Spanish.

SPECIALTIES

- Expert in private and public international law, international arbitration, international investment law, international administrative law, and the law of conflicts of interest
- Extensive senior managerial experience in the administration of international legal proceedings (arbitration, conciliation and litigation) both in private and public international law, and the development of international tribunals
- Co-arbitrator or chair in *ad hoc* and institutional arbitrations
- Author on legal and cultural subjects

EDUCATION (All degrees obtained with honors and distinction)

- University of Cambridge (England), LL.M., Master of International Law, 1985 (awarded Clive Parry Prize for International Law) (LL.M. thesis: “The Dispute Settlement Provisions of the 1982 Law of the Sea Convention”)
- St. Joseph University of Beirut, Lebanon:
 - *Licence/Maîtrise* in Private Law, 1983

- *Licence/Maitrise* in Public Law, 1983
- *Licence* in Administrative and Political Studies, 1984
- American University of Beirut, Lebanon, BA in Business Administration, 1984

PRACTICE AS ARBITRATOR

Tribunal chair or co-arbitrator in over 25 major arbitrations relating to international commerce, construction, investment and public international law, conducted in Arabic, English and French under the rules of the International Court of Arbitration of the International Chamber of Commerce (ICC), ICSID (Convention and Additional Facility), PCA, CRCICA, DIAC, the Abu Dhabi Commercial Conciliation and Arbitration Center (ADCCAC) and the Singapore International Arbitration Centre (SIAC), as well as in ad hoc proceedings, including under the UNCITRAL Arbitration Rules.

Arbitration work is limited by choice to the role of arbitrator and does not include work as counsel or expert.

Who's Who Legal said in 2019: "*Nassib Ziadé is a highly respected arbitrator with vast experience in commercial and investment treaty disputes. He is recognised for his specialist expertise in the construction sector.*"

Who's Who Legal said in 2020: "*Nassib Ziadé is recognised by peers as a 'top player on the MENA arbitration scene'. His expertise spans commercial, construction and investment arbitrations.*"

Who's Who Legal says in 2021: "*Nassib is a very sharp and rigorous arbitrator.*" "*He is a prominent figure in the field.*" "*He is a top player in arbitration.*"

Representative Experience as Arbitrator

- Co-arbitrator in an ICSID arbitration between a US company and Cameroon over the imprisonment of the company's owner and the alleged expropriation of an online platform to help fund community projects, brought under a bilateral investment treaty (BIT) (ICSID Case No. ARB/20/2) (pending, in French)
- Co-arbitrator in a SIAC arbitration between a UAE company and a Korean company relating to a sub-contract agreement for the provision of various consulting services associated with the design and construction of a tourism project in the UAE (pending, in English).
- Co-arbitrator in an ICC arbitration between Qatari investors operating in the pharmaceutical industry and the Kingdom of Saudi Arabia, brought under the Organisation of the Islamic Conference Investment Agreement (pending, in English).
- Co-arbitrator in an ICSID arbitration between a German company and the Kingdom of Morocco relating to the imposition of measures affecting the scrap metal shredding industry, brought under a BIT (ICSID Case No. ARB/19/2) (pending, in English and French).

- Co-arbitrator in an arbitration between a Qatari company and the Kingdom of Saudi Arabia relating to broadcasting, brought under the Organisation of the Islamic Conference Investment Agreement (pending, in English).
- Co-arbitrator in an UNCITRAL construction arbitration between a UAE company and Libya, brought under the Organisation of the Islamic Conference Investment Agreement and administered by the PCA (pending, partial award on the preliminary issue rendered, in English).
- Co-arbitrator in an ICSID arbitration between a Qatari company (Al-Jazeera) and Egypt relating to multimedia broadcasting, brought under a BIT (ICSID Case No. ARB/16/1) (pending, decision on provisional measures rendered, in English).
- Co-arbitrator in a construction arbitration between an Austrian company and Libya, brought under a BIT and governed by the ICSID Additional Facility Rules (ICSID Case No. ARB(AF)15/1) (award rendered, in English).
- Co-arbitrator in an UNCITRAL arbitration between Tunisian investors and Gabon relating to the construction of social housing, brought under the Organisation of the Islamic Conference Investment Agreement and administered by the PCA (PCA Case No. 2015-25) (award rendered, in French).
- Co-arbitrator in an UNCITRAL arbitration between Saudi investors and Egypt relating to tourism construction projects, brought under the Organisation of the Islamic Conference Investment Agreement and a BIT and administered by the PCA (pending, in Arabic and English).
- Co-arbitrator in an ICC arbitration between an Indian company and a Middle Eastern State, its Ministry of Electricity and a governmental utility company relating to turnkey contracts for electricity substations and transmission lines (resigned further to rendering a dissenting opinion on admissibility, in English).
- Co-arbitrator in an ICC construction arbitration between Turkish investors and Syria, brought under a BIT (award rendered, in English).
- Chair in a CRCICA arbitration between an Egyptian party and a multinational relating to land ownership and a construction project for residential, administrative, leisure and commercial purposes (settled, in Arabic).
- Co-arbitrator in an ICC arbitration between Egyptian and Thai shareholders arising from an investment in carbon black production (settled, in English).
- Co-arbitrator in an ICC construction arbitration between an Indian company and a UAE company (award rendered, in English).
- Co-arbitrator in two DIAC arbitrations between a Syrian individual and a UAE entity relating to the sale and purchase of three units in a development project in Sports City Dubai (awards rendered, in English).

- Co-arbitrator in a CRCICA arbitration between Syrian, British and Egyptian entities relating to the construction of touristic resorts in Syria (award rendered, in Arabic).
- Co-arbitrator in two CRCICA arbitrations between parties from Egypt and Libya relating to the sale of shares in a company in the hospitality sector (awards rendered, in Arabic).
- Chair in an ADCCAC arbitration between two UAE entities relating to the construction of a large-scale multi-purpose complex in Abu Dhabi (award rendered, in Arabic and English).
- Chair in an ADCCAC arbitration between two UAE entities relating to a construction management contract (settled, in English).
- Chair in an *ad hoc* arbitration relating to a large Middle Eastern engineering and construction company's ownership of and entitlement to share rights (settled after decision on jurisdiction was rendered, in Arabic and English).
- Chair in an *ad hoc* arbitration between Egyptian and Syrian entities relating to the provision of drilling services (award incorporating settlement agreement rendered, in English).
- Co-arbitrator in an *ad hoc* arbitration between UAE, Lebanon and French companies relating to a consultancy agreement (settled, in English).

PRACTICE AS JUDGE

Member of the IMF Administrative Tribunal appointed by the IMF Managing Director after requisite consultations, since June 2019.

INSTITUTIONAL EXPERIENCE

Bahrain Chamber for Dispute Resolution (BCDR-AAA)

Chief Executive Officer, since September 2013

Appointed by BCDR-AAA's Board of Trustees after requisite consultations.

Head the Secretariat and represent the BCDR-AAA before the courts and in its dealings with third parties.

Ensure that the BCDR-AAA operates in all respects in accordance with the highest international standards, while maintaining its integrity and the independence of its operations.

Oversee the administration of arbitration and mediation proceedings and the appointment of arbitrators.

Led the drafting of state-of-the-art arbitration rules and mediation rules for the BCDR-AAA in Arabic, English and French.

Launched a new legal periodical, the *BCDR International Arbitration Review*, and serve as its General Editor.

Launched a new international arbitration training program and provide training as part of that program, with a view to developing local and regional expertise in international arbitration.

Organized several high-profile international colloquia in Bahrain and represented the BCDR-AAA as a speaker in international conferences within and beyond the region.

Dubai International Arbitration Centre (DIAC)

Director, July 2011–August 2013

Appointed by DIAC's Board of Trustees after requisite consultations.

Ensured that DIAC operated in all respects in accordance with the highest international standards, while maintaining its integrity and the independence of its operations.

Oversaw the administration of over 900 arbitration proceedings.

Provided DIAC's Executive Committee with legal opinions on the merits of over 75 challenges brought against arbitrators.

Represented DIAC as a speaker in international conferences within and beyond the region.

International Centre for Settlement of Investment Disputes (ICSID)

Deputy Secretary-General, October 2007–July 2011 (Acting Secretary-General, April 2008–June 2009)

Chief Counsel, July 2007–October 2007

Elected Deputy Secretary-General by ICSID's Administrative Council upon nomination by its Chairman, the President of the World Bank, after requisite consultations.

Initiated wide-ranging reforms to strengthen ICSID's operations and bolster ICSID's international stature.

Oversaw the administration of arbitration and conciliation proceedings (during my term: 97 arbitration requests, 1 conciliation request, 24 requests for annulment, 2 requests for revision, 4 requests for interpretation and 7 requests for rectification were filed; and 68 arbitration awards, 24 decisions on jurisdiction, 14 decisions on the stay of enforcement of awards, 20 decisions on provisional measures, 14 decisions on proposals for disqualification of arbitrators, 3 decisions on proposals for disqualification of counsel, 16 annulment decisions, 8 rectification decisions and 1 conciliation report were issued).

Recommended 40 arbitrators and 43 *ad hoc* annulment committee members for appointment by the ICSID Administrative Council Chairman.

Performed appointing authority functions under the UNCITRAL Rules, NAFTA and other treaty arrangements, and decided on a request for the challenge of an arbitrator in the NAFTA/UNCITRAL case of *Vito Gallo v. Canada*.

Represented ICSID before the ICSID Administrative Council and the World Bank's Board of Executive Directors.

Served as Editor-in-Chief of ICSID's international legal periodical, the *ICSID Review- Foreign Investment Law Journal*.

World Bank Administrative Tribunal

Executive Secretary, January 1997-June 2007

Appointed by the President of the World Bank after requisite consultations.

Reorganized and strengthened the Tribunal's Secretariat, and oversaw its smooth functioning.

Administered and monitored over 260 cases covering matters such as ethics and corruption, gender and race discrimination, and various other employment-related issues; 250 of the cases concluded with judgments during my tenure.

Supervised the preparation of files for Tribunal sessions, participated in the sessions, and performed tasks related to the issuing and publication of judgments.

Led the revision of the Tribunal's Statute and procedural rules.

Organized the first-ever congresses of judges and registrars of international administrative tribunals and practitioners in the field, and published the proceedings of the congresses.

Represented the Tribunal before the World Bank's Board of Executive Directors.

Acted as Secretary to advisory committees commissioned to recommend to the President of the World Bank candidates for nomination to the Tribunal.

Acted as a member of the World Bank's Grievance Process Review Committee, which reformed the World Bank's internal conflict resolution system.

Served as Special Assistant to an Investigator (Sir Robert Jennings, former President of the International Court of Justice) appointed by the Tribunal to investigate questions of fact in a case involving the World Bank's President and senior management.

International Centre for Settlement of Investment Disputes (ICSID)

Legal Counsel, June 1990 - January 1997

Legal Researcher, May 1986 - June 1990

Acted as Secretary of several arbitration tribunals, one *ad hoc* committee (annulment proceeding) and one conciliation commission.

Regularly advised and provided written opinions in Arabic, English and French to senior staff in the World Bank Group, private practitioners and high-level government officials on arbitration and investment matters.

Assumed editing and managerial responsibilities for a number of ICSID publications (*ICSID Review—Foreign Investment Law Journal*, *Investment Laws of the World*, *News from ICSID*).

Other responsibilities included preparation of research papers for the then Senior Vice-President and General Counsel of the World Bank (Ibrahim F.I. Shihata), as well as work on certain aspects of the establishment of the Multilateral Investment Guarantee Agency (MIGA).

General practice in international business law in Beirut and London, 1983–1986

Special Assistant to Samir A. Saleh, former Vice-Chairman of the Court of Arbitration of the International Chamber of Commerce and a specialist in Middle Eastern law.

POLICY ADVICE AND LEGAL DRAFTING

- Member, International Bar Association (IBA) Arbitration Sub-Committee, responsible for reviewing the 2004 Guidelines on Conflicts of Interest in International Arbitration, 2012–2014.
- Member, Drafting Committee for new Protocols to the PCA Arbitration Rules 2012, since 2020
- Member, Grievance Process Review Committee set up by senior management of the World Bank to review the Bank's dispute resolution processes, whose work led to a report entitled "Reforming the World Bank Group's Internal Conflict Resolution System," June–December 1998.
- Advised the Government of Bahrain on the establishment of a Constitutional Court, one of the first in the region, and produced the definitive text in Arabic of the Court's Statute adopted by the Bahraini Government, March–July 2002.
- Advised international organizations, including the United Nations, on the establishment and operation of their international administrative tribunals and the reform of their internal grievance systems, 2004–2007.
- Advised governments on the drafting of their arbitration and investment legislation, 1991–1996.
- Representative of Bahrain at the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth and thirty-ninth sessions of the UNCITRAL Working Group III (Investor-State Dispute Settlement Reform) (New York, 23-27 April 2018) (Vienna, 29 October – 2 November 2018) (New York, 1-5 April 2019) (Vienna, 14-18 October 2019) (Vienna, 20-24 January 2020) (Vienna, 5-9 October 2020), at the sixty-ninth, seventieth, seventy-first and seventy-second sessions of the UNCITRAL Working Group II (Dispute Settlement) (New York, 4-8 February 2019) (Vienna, 23-27 September 2019) (New York, 3-7

February 2020) (Vienna, 21-25 September 2020), and at the fifty-first and fifty-third sessions of UNCITRAL (New York, 25 June – 13 July 2018) (Vienna, 14-18 September 2020).

ACADEMIC APPOINTMENTS

- Member, Executive Board, Saint-Joseph University Dubai, since 2014.
- Visiting Professor, Saint-Joseph University Beirut Faculty of Law, LLM Program, teaching a general course on arbitration (April–May 2015, May 2016, May 2017, May 2018, May 2019, June 2020).
- Professor, Saint-Joseph University Dubai Faculty of Law, Undergraduate Program, teaching a course on arbitration, in Arabic (May 2013).
- Visiting Professor, University of Miami School of Law, LLM Program of International Arbitration, teaching a course on investment arbitration (February–March 2010, January–February 2011, January–February 2012, February 2013, February 2014, February 2015, February 2016, February 2017, and February 2018), and a course on the role of arbitration institutions (February–March 2019).
- Visiting Professor, University of Paris 1 (Panthéon/Sorbonne), teaching a course on the settlement of international economic disputes, in French (April 2011).
- Professor, The Hague Academy of International Law, Section of Public International Law, teaching a course on the independence of arbitral bodies established in the framework of international organizations, in French (July 2012).
- Professor, The International Academy for Arbitration Law, Paris, teaching a course on DIAC arbitration (July 2013).
- Visiting Professor, Joint Program of LLM Studies in International Law, Trade and Investment, Universities of Chile and Heidelberg, Santiago, Chile, teaching a course on selected issues in international arbitration and international administrative law (October 2004).
- Visiting Professor, Program of Studies in International Law: Law of Commerce and International Business, University of Chile, Faculty of Law & Institute of International Studies, Chile, teaching a course on arbitration and developing countries (December 2001).
- Visiting Lecturer, International Graduate Law Program, School of Advanced International Studies (SAIS), Johns Hopkins University, Washington, DC, lecturing on the activities of the World Bank Administrative Tribunal (April 1998).
- Visiting Lecturer, LLM Program, American University, Washington College of Law, lecturing on international dispute settlement techniques (April 1991).
- Visiting Lecturer, LLM Program, American University, Washington College of Law, lecturing on the settlement of state contract disputes (June 1988).

- Frequent *ad hoc* lecturer on international arbitration and aspects of international law.

PROFESSIONAL AFFILIATIONS & PANEL MEMBERSHIPS

- Vice-Chairman, CRCICA Advisory Committee since 2012; Member, CRCICA Board of Trustees, since 2018.
- Member, ICDR/AAA International Advisory Committee, since 2015.
- Member, LCIA Court, 2010–2015.
- Vice-President, IFCAI, since 2017; Council Member, IFCAI, 2008–2012 and 2013–2017.
- Member, ICSID Panels of Arbitrators and Conciliators, since 2011.
- Member, PCA, since 2008.
- Member, CRCICA Panel of Arbitrators, since 2009.
- Member, Roster of Approved Arbitrators of the International Development Law Organization (IDLO), 2010–2013.
- Member, Advisory Committee, Lauterpacht Centre for International Law, University of Cambridge, 2011-2017.
- General Editor, *BCDR International Arbitration Review*, since 2014.
- Editor-in-Chief, *ICSID Review—Foreign Investment Law Journal*, 2007–2011; Member, Board of Editors, *ICSID Review—Foreign Investment Law Journal*, 2000–2003; Assistant Editor, *ICSID Review—Foreign Investment Law Journal*, 1994–2000; Member, Editorial Committee, *ICSID Review—Foreign Investment Law Journal*, 1987–1994.
- Corresponding Editor for the Middle East, *International Legal Materials*, since 1987; Member, Editorial Advisory Committee, *International Legal Materials*, since 1991.
- Member, Editorial Committee, *Journal of Arab Arbitration*, since 2009.
- Member, American Society of International Law (ASIL) Annual Meeting Program Committee for 2005 and 2011.
- Patron, ASIL, since 2004.
- Member, ASIL Executive Council, 2007–2010; Counsellor, ASIL, since 2014.
- Member, ASIL, since 1987.
- Member, Société française pour le droit international, since 2000.
- Member, Comité français de l'arbitrage, since 2013.
- Member, ICCA, since 2012.

- Member, Swiss Arbitration Association, since 1988.