

**STEPHAN ADELL**

Partner

**Bar admissions**

Dominican Republic, Paris

**Languages**

Spanish, English, French

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**AREAS OF EXPERTISE**

- Commercial Arbitration
- Investment Arbitration
- Engineering and Construction
- Oil & Gas
- Energy
- Corporate and Commercial law

**PROFESSIONAL PRACTICE**

A dual Bolivian-French national with over 17 years of international arbitration experience, Stephan Adell's practice focuses on international commercial and investment arbitration. He has intervened in over **100 international arbitrations**, particularly focusing on complex construction and investor-State disputes. He also acts as arbitrator.

Stephan has acted under major arbitration rules and institutions such as the International Centre for Settlement of Investment Disputes (ICSID), the United Nations Commission on International Trade Law (UNCITRAL), the International Chamber of Commerce (ICC), the London Court of International Arbitration (LCIA), the Dubai International Arbitration Centre (DIAC) and the International Centre for Dispute Resolution (ICDR).

He has acted as counsel in more than **35 investment arbitrations**, and over **23 engineering and construction cases**. In Latin America, Stephan has acted in Argentina, Bolivia, Brazil, Chile, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Mexico, Peru, and Venezuela.

Stephan was a member of the International Arbitration Court of the ICC for 6 years. Before founding Adell & Merizalde, he worked at two top-tier firms in international arbitration (Paris and Dubai offices).

He is co-chair of the ICC Advanced Arbitration Academy for Latin America and teaches Arbitration Law and Alternative Dispute Resolution at *Instituto OMG*.

Stephan has been recognized as a Global Leader and Thought Leader by Who's Who Legal: Arbitration. He has also been acknowledged by Global Arbitration Review, The Legal 500, Leaders League and Chambers and Partners.

**AWARDS & RECOGNITIONS**

- Who's Who Legal: Thought Leaders in Arbitration
- Who's Who Legal - Global Arbitration Review: Global Leader in International Arbitration
- The Legal 500: Key Lawyers - France
- Latin Lawyer
- Best Lawyers

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*According to a state client, a team recently led by Stephan Adell "provided 'outstanding client service'. The team worked to an agreed schedule and made sure the state "could comment and offer input during the construction of each submission."*

- **GLOBAL ARBITRATION REVIEW**

**EDUCATION**

- Université de Versailles, Master's in International Law and International Arbitration
- Université Paris 2 Panthéon-Assas, Diploma in Comparative Law
- Pontificia Universidad Católica Madre y Maestra, Law Degree

**MEMBERSHIPS**

- Asociación Latinoamericana de Arbitraje (ALArb)
- CCI Comisión de Arbitraje & ADR
- Centro Internacional de Arbitraje de Madrid (CIAM)
- Club Español del Arbitraje (CEA)
- Comité Français de l'Arbitrage
- ITA Board of Reporters (Dominican Republic)

**REPRESENTATIVE MATTERS**Experience as arbitrator

- **President.** Claimant v. Respondent. International Chamber of Commerce (ICC). Case No: XXX83/AJP. The language of the arbitration is Spanish.
- **President.** Claimant v. Respondent 1; Respondent 2; and Respondent 3. International Chamber of Commerce (ICC). Case No: XXXXX/JPA. The language of the arbitration was Spanish.
- **President.** Claimant v. Respondent 1; and Respondent 2. Centro de Resolución Alternativa de Controversias (Cámara de Comercio y Producción de Santo Domingo). Case No: 1xxxxx3. The language of the arbitration was Spanish.
- **President.** Claimant v. Respondent 1; and Respondent 2. Centro de Resolución Alternativa de Controversias (Cámara de Comercio y Producción de Santo Domingo). Case No: 1xxxxx5. The language of the arbitration was Spanish.
- **President.** Claimant v. Respondent. International Chamber of Commerce (ICC). Case No: XXXXX/AJP. The language of the arbitration is Spanish.
- **Sole Arbitrator.** Claimant v. Respondent. Dubai International Arbitration Center (DIAC). Case No: XX/2022. The language of the arbitration was English.

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*Stephan Adell is "a skilled orator" who is recognized for his "brilliant drafting skills", "sharp mind" and "excellent advocacy". One peer says, "I particularly recommend him for construction disputes, where he is excellent in cross-examination."*

- **WHO'S WHO LEGAL**

- **Co-arbitrator.** Claimant 1 and Claimant 2 v. Claimant 3 v. Claimant 4 v. Claimant 5 v. Respondent. International Chamber of Commerce (ICC). Case No: XXX16/PDP. The language of the arbitration is English.
- **Co-arbitrator.** Claimant v. Respondent. Center for Arbitration and Mediation of the Chamber of Commerce Brazil-Canada (CAM-CCBC). Case No: XX/2022/SEC7. The language of the arbitration is English.
- **Co-arbitrator.** Claimant v. Respondent 1; Respondent 2; Respondent 3. International Chamber of Commerce (ICC). Case No: XXXXX/PDP. The language of the arbitration is English.
- **Co-arbitrator.** Claimant v. Respondent (State party). International Chamber of Commerce (ICC). Case No: XXXXX/AJP. The language of the arbitration is Spanish.
- **Co-arbitrator.** Claimant v. Respondent. International Chamber of Commerce (ICC). Case No: XXXXX/ASM. The language of the arbitration was Spanish.
- Administrative secretary of the arbitral tribunal in over **20 international arbitrations.**

Investment arbitration (counsel)

- Represents Costa Rica in an ICSID arbitration filed by German investors arising from expropriation proceedings relating to the construction of a hydroelectric dam. Approximately US\$ 40 million in dispute. The language of the arbitration is Spanish.
- Represented the Republic of Costa Rica in an ICSID arbitration filed by a Spanish investor related to the closure of poultry production facilities. The language of the arbitration was Spanish. Over US\$ 100 million in dispute.
- Represented the Republic of Kosovo in an ICSID arbitration initiated by a German investor concerning the tender for the privatization of the postal communication company. The language of the arbitration was English. Over US\$ 400 million in dispute.
- Represented the Republic of Turkey in an ICSID arbitration brought by investors from the Netherlands regarding alleged sale of assets of a large mobile phone company. The language of the arbitration was English. Over US\$ 19 billion in dispute.

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*Stephan Adell was recognized as "is "an excellent practitioner" with "exceptional communication skills".*

**- WHO'S WHO LEGAL**

- Represented the Republic of Ecuador in a PCA investment arbitration under UNCITRAL rules initiated by a US investor concerning the modernization of an oil refinery. The language of the arbitration was English. Over US\$ 110 million in dispute.
- Represented the Republic of Croacia in an ICSID arbitration filed by a Hungarian investor relating to various regulatory measures on a gas trading business. The language of the arbitration was English. Over US\$ 1 billion in dispute.
- Represented the State of Libya in a PCA arbitration regarding the alleged expropriation of a real estate project. The language of the arbitration was English. Over US\$ 1.5 billion in dispute.
- Represented the State of Libya in a PCA arbitration brought by the heirs of a Middle Eastern businessman whose property was confiscated by the former regime of Muammar Gaddafi. The language of the arbitration was English. Over US\$ 424 million in dispute.
- Represented the State of Libya in an ICC arbitration regarding the alleged expropriation of a real estate project. The language of the arbitration was English. Over US\$ 200 million in dispute.
- Represented an investor in an ICSID arbitration, and its subsequent annulment phase, against Ukraine arising out of regulatory measures affecting a radio communications business. The language of the arbitration was English.
- Represented a Lebanese investor in an UNCITRAL arbitration against a Central Asian State regarding the alleged expropriation of poultry production facility. The language of the arbitration was English. Over US\$ 100 million in dispute.

Commercial arbitration (counsel)

- Represents a European intergovernmental organization in an ICC arbitration based in Munich, Germany, regarding alleged delays and cost overruns in the construction of a highly complex scientific project in a South American country. Over US\$30 million in dispute. The language of the arbitration is English.
- Represents a State Entity of a South American state in an ad hoc arbitration related to the expansion and conversion project of a high-capacity road. Over US\$70 million in dispute. The language of the arbitration is Spanish.

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*"Stephan Adell was recognized for his work in international arbitration in the city of Santo Domingo."*

**- LEGAL 500 LATIN AMERICA**

- Represents a Central American fruit producer in an ICC arbitration based in Miami, Florida, against one of the world's largest fruit companies concerning the termination of a long-term distribution contract. The language of the arbitration is English and Spanish.
- Represents a Central American company in an ICC arbitration seated in Houston, Texas, against several respondents in relation to a large photovoltaic energy project in the Dominican Republic. The language of the arbitration is English.
- Represented a Middle Eastern company in an ICC arbitration seated in Paris, under Swiss law against a European enterprise concerning design defects and delays in the construction of an MDF plant. The language of the arbitration was English. Over US\$ 100 million in dispute.
- Represented a European public entity in an ad hoc arbitration seated in Santiago under Chilean law against a South American constructor regarding defects and delays in the construction of a highway. The language of the arbitration was English. Over US\$15 million in dispute.
- Represented a Latin American public entity in 3 ICC oil & gas arbitrations seated in The Hague under Dutch law. The language of the arbitration was English. Over US\$ 300 million in dispute.
- Represented a South American public entity in an ICC arbitration against a US services supplier for goods relating to oil & gas drilling. The language of the arbitration was English. Over US\$ 250 million in dispute.
- Represented a Caribbean public entity in an ICC arbitration seated in Santo Domingo under Dominican law against a contractor from the US arising from a power generation project. The language of the arbitration was English. Over US\$30 million in dispute.
- Represented a European company in an LCIA arbitration seated in London under English law against a Middle Eastern contractor for delays and defects in the construction of a large-scale tram system. The language of the arbitration was English. Over US\$150 million in dispute.
- Represented Top-tier European companies in an ICC commercial arbitration seated in the UAE under Dubai law relating to a large-scale infrastructure project in the Middle

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*Stephan Adell is "one of the most dynamic young lawyers I have worked with. I will watch his career with some interest."*

**- WHO'S WHO LEGAL**

East. The language of the arbitration was English. Over US\$10 million in dispute.

- Represented a Middle East country in an ICC arbitration relating to construction projects. The language of the arbitration was English. Over US\$ 100 million in dispute.
- Represented a Design company in a DIAC arbitration seated in Dubai under Dubai law relating to the construction of a large-scale medical facility in the Middle East. The language of the arbitration was English. Over US\$ 470 million in dispute.
- Represented 2 Spanish companies in an UNCITRAL commercial arbitration seated in Geneva under Algerian law against an African publicly owned company relating to a natural gas liquefaction plant. The language of the arbitration was French.
- Represented a European State in a commercial PCA arbitration under UNCITRAL rules seated in Vienna under Kosovan law arising from a shareholders' dispute relating to a cement plant. The language of the arbitration was English.
- Represented a European company in a UNCITRAL commercial arbitration seated in New York under New York law against a Caribbean company relating to a long-term natural gas supply contract. The language of the arbitration was English. Over US\$300 million in dispute.

**SELECTED PUBLICATIONS**

- Author, "ICC x Jus Mundi Partnership: An Effective Tool on the Study of the Latest ICC Awards", ICC Dispute Resolution Bulletin, Issue 2, 2023.
- Author, "Cross currents? How national ethics rules affect international arbitration", 40 under 40: Upcoming Issues on International Arbitration, 2018.
- Co-author, "Cooling-off periods in investment arbitration", in "Oxy Case: The Defense of a Sovereign and Legal Decision of the Ecuadorian State", Procuraduría General de la República de Ecuador, 2014.
- Co-author, "Los Nuevos Principios de Lealtad, Celeridad y Confidencialidad del Código de Procedimiento Civil Francés", Spain Arbitration Review, 2011.
- Author, "France – Enforcement of Money Judgments" Book Chapter in "Enforcement of Money Judgments", 2010.

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*Stephan Adell is "one of the world's leading international arbitration arbitrators and practitioners."*

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- Co-author, "Panorama de Jurisprudencia Francesa", Commentary on the French case SNF vs. Cytec, Spain Arbitration Review, 2009.
- Author, "La Nouvelle loi Dominicaine sur L'arbitrage Commercial du 19 Décembre 2008", Revue de l'Arbitrage, 2009.
- Author, "L'exequatur d'une Sentence Arbitrale Attaquée au lieu du Siège de L'arbitrage, Dont le Droit est Soumis au Traité OHADA", Petites Affiches, 2008.

**RECENT SPEAKING ENGAGEMENTS**

- "Third-party funding como mecanismo de concretización de los reclamos arbitrales internacionales", Segundo Congreso de Derecho Contemporáneo (CDERC), August 2024.
- "Organización de la prueba desde la perspectiva del Tribunal Arbitral", Arbitration Chanel, August 2024.
- "IX Jornada de Litigio Estratégico: Protección de la inversión extranjera y arbitraje de inversión", Centro de Arbitraje y Conciliación de la Cámara de Comercio de Bogotá, August 2024.
- 5<sup>th</sup> and 6<sup>th</sup> Workshop of the ICC Advanced Arbitration Academy, Mexico City, July 2024.
- 4<sup>th</sup> Workshop of the ICC Advanced Arbitration Academy, Buenos Aires, May 2024.
- "M&A Disputes in Evolution", 12<sup>th</sup> ICC Brazilian Arbitration Day, Sao Paulo, March 2024.
- 2<sup>nd</sup> and 3<sup>rd</sup> Workshop of the ICC Advanced Arbitration Academy, Sao Paulo, March 2024.
- "Retos del Poder Judicial para su rol de colaboración con el arbitraje", X Meeting of the *Grupo Centroamericano y del Caribe de Arbitraje*, Santo Domingo, March 2024.
- "Arbitraje y proyectos de infraestructura – particularidades de los arbitrajes en este sector", ICC Colombia Arbitration Day, Bogota, September 2023.
- "¿Cómo potenciar la eficiencia en la gestión de conflictos en la industria de la construcción?", 11<sup>th</sup> International Arbitration Conference organized by the Arbitration Center of the Chamber of Commerce of Lima, Perú, June 2023.



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- "Producción de Pruebas en el Arbitraje Internacional", 17th Rio de Janeiro International Arbitration Conference: Procedural Innovation in International Commercial Arbitration and the Brazilian Practice, Rio de Janeiro, Brazil, May 2023.
- "Oral advocacy, party autonomy and the determination of the facts of the dispute: the opening statement at the hearing", ICC Institute Advanced Level Training, organized at the occasion of the 11<sup>th</sup> ICC Brazilian Arbitration Day, Sao Paulo, March 2023.
- "Primer Congreso de Derecho Contemporáneo", Santo Domingo, Dominican Republic, November 2022.
- "Thinking outside the box: innovative ways to avoid and resolve disputes", 20<sup>th</sup> ICC Miami Conference on International Arbitration, October 2022.
- "Novedades del Reglamento de Arbitraje de la CCI frente a la Práctica Arbitral del CRC", ICC República Dominicana, Centro de Resolución Alternativa de Controversias y la Cámara de Comercio y Producción de Santo Domingo, Santo Domingo, Dominican Republic, August 2022.
- "Arbitraje y Recursos Naturales", 10mas. Jornadas Internacionales de Arbitraje", La Paz, June 2022.
- "El Futuro de los Tratados Bilaterales de Inversión", Podcast Hablemos de Derecho Internacional, January 2022.
- "The ICC Emergency Arbitrator Provisions", Dubai Arbitration Week, November 2021.
- "Proyectos de Infraestructura 5G y su estandarización de acuerdo a la práctica global", Universidad del Externado de Colombia, June 2021.
- "Técnicas para la conducción efectiva del procedimiento arbitral", Centro de Resolución de Disputas de la Cámara de Comercio de Santo Domingo, February 2021.
- "Arbitraje en la industria de la Construcción: Perspectiva local e internacional", Centro de Resolución de Disputas de la Cámara de Comercio de Santo Domingo, December 2020.
- "ICC Report on Construction Arbitration Industries", ICC-FIDIC, Sao Paulo, February 2020.
- "Arbitration and State Entities: The tension between private and public", ICC-YAAF, Medellín, September 2019.