

## JUAN PABLO GÓMEZ MORENO

Associate



### Bar admissions

Colombia

### Languages

Spanish, English, French  
(intermediate), Portuguese  
(intermediate), Korean (basic)

✉ [jgomez@adellmerizalde.com](mailto:jgomez@adellmerizalde.com)

☎ +57 60 1 619 9699

## PROFESSIONAL PRACTICE

Juan Pablo Gómez's practice focuses on international commercial and investment arbitration. He has been involved in highly complex litigations, as well as **over 30** high-profile domestic and international arbitrations related to construction, corporate and commercial conflicts, energy, infrastructure, hydrocarbons, telecommunications, and transportation, including several cases under ICC and ICSID rules.

Before joining the firm, he worked as an international arbitration counsel at the biggest State-owned oil refining company in Colombia, where he participated in several settlements and arbitral proceedings, including one of the largest and most-complex ICC construction arbitrations in the world. Previously, he worked as an associate at 2 of the leading arbitration law firms in Colombia, where he gained considerable experience in dispute resolution and transactional services.

Juan Pablo has authored several publications in peer-reviewed journals on different issues of international law, including matters of commercial and treaty-based arbitration. He has held academic positions as a researcher and professor in projects from over 15 countries in Latin America, Europe, and Africa. He is currently an adjunct professor of International Contracts at Universidad de los Andes and Property Law at Universidad El Bosque.

## EDUCATION

- Columbia University, Construction Management Specialization
- Universidad de los Andes, Master's Degree in Private Law
- Agencia Nacional de Defensa Jurídica del Estado, National Diploma in Legal Defense of the State
- Universidad de los Andes, International Business Law Specialization
- Geneva Center for International Dispute Settlement, Latin American Arbitration Course
- Universidad de los Andes, Law Degree
- Universidad de los Andes, Philosophy Degree, Minor in Ancient Studies

## MEMBERSHIPS

- American Society of International Law (ASIL)
- Arbtech
- Chartered Institute of Arbitrators (Student Member)
- Colombian Very Young Arbitration Practitioners (COLVYAP)
- Cybersecurity in International Arbitration (CyberArb)
- Hong Kong International Arbitration Centre (HK45)

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- ICC Commission on Arbitration & ADR
- Institute for Transnational Arbitration (Young ITA)
- ICDR Young & International (ICDR Y&I)
- International Centre for the Settlement of Investment Disputes (Young ICSID)
- ICC Young Arbitration and ADR Forum (ICC YAAF)
- International Council for Commercial Arbitration (Young ICCA)
- Latin American Arbitration Association (ALArb)
- London Court of International Arbitration (LCIA YIAG)
- Red de Arbitraje Juvenil de la Cámara de Comercio de Bogotá
- Singapore International Arbitration Centre (YSIAC)

## REPRESENTATIVE MATTERS

### Investment arbitration

- South American State in an ICSID arbitration initiated by a European investor concerning the building and maintenance of a public port.
- European investor in an ICSID case against a South American country arising from regulatory measures of domestic authorities on the mining industry. Over US\$ 200 million in dispute.
- South American State and State-owned company in 2 potential ICSID disputes concerning investigations and sanctions imposed by domestic authorities. Over US\$4,5 billion in dispute.

### Commercial arbitration

- South American State-owned company in an ICC arbitration against an EPC contractor for cost overruns and delays in the construction of a crude oil refinery. Over US\$ 5 billion in dispute.
- South American company in a multi-party and multi-contract international arbitration against a public entity concerning a large energy project in the region. Over US\$ 3 billion in dispute.
- European power company in an ICC arbitration against South American enterprises arising from post-M&A disputes following the acquisition of a gas supply public entity.
- South American State-owned companies in an ICC arbitration against an EPC contractor for the construction of a power production asset.
- South American public-owned oil & gas company in arbitrations and settlement proceedings with several contractors and subcontractors of a construction megaproject. Over US\$ 130 million in dispute.

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- South American telecommunications company in a New York-based ICC arbitration against a Latin American State-agency for breach of a software management contract. Over US\$ 180 million in dispute.
- South American company in an international arbitration against a contractor from the region concerning an investment in an agroindustry business.
- South American public entity in an international arbitration against a European contractor regarding the supply of equipment for a natural resource's extractive enterprise. Over US\$ 100 million in dispute.
- South American group of engineering and construction companies in a dispute against a public entity regarding the construction and operation of a large highway project.
- European agroindustry company in an arbitral proceeding against a contractor regarding contractual breaches in several supply and distribution agreements.
- South American company in a complex corporate arbitration against a minority shareholder arising from alleged problems with a stock issuance operation.
- South American telecommunications company in an international arbitration against a Central American contractor concerning the installation of cable and mobile phone networks.
- South American infrastructure company in an arbitration against a contractor in charge of the mechanical and electrical completion of a multimodal transport terminal.

## SELECTED PUBLICATIONS

- Author, "Confidentiality and the Legitimacy in International Commercial Arbitration", Romanian Arbitration Journal, 2022.
- Author, "Regulatory Capacity and Rationality Of States To Protect Environmental And Public Health Under The SPS Agreement", International Trade Law Journal, 2022.
- Co-author, "Reglas del CIADI: Enmiendas de 2022", Revista Arbitrio, 2022.
- Author, "¿Recurso de anulación o tutela contra el laudo? Las ambigüedades de la causal de anulación del laudo por fallo en

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conciencia o equidad", Revista Colombiana de Derecho Procesal, 2022.

- Author, "Fear of Arbitration and Hope for Transition: Unfolding How Investment Arbitration Could Be in Contrast with Transitional Justice", Athena – Critical Inquiries in Law, Philosophy and Globalization, 2022.
- Co-author, "AFC v. Colombia: Developing the Scope of Objections under ICSID Rule 41(5) Regarding the Expiration of Time Limits for Commencing an Arbitration", Kluwer Arbitration Blog, 2022.
- Author, "La tensión entre inversionistas extranjeros y comunidades locales en el arbitraje internacional de inversión relacionado con proyectos extractivos en América Latina", Revista Estudios Sociojurídicos, 2022.
- Co-author, "IC Power v. Guatemala: Setting the Standard on Past Investments and Denial of Justice in Investment Claims", Kluwer Arbitration Blog, February 2022.
- Author, "La importancia de la licencia social para operar en los arbitrajes de inversión sobre proyectos minero-energéticos en América Latina", Revista Peruana de Energía, 2021.
- Co-author, "Holding Multinationals Accountable for Business and Human Rights Violations - What's Next?", American Society of International Law PILIG Newsletter, 2021.
- Co-author, "¿Cómo ven las declaraciones y garantías los tribunales de arbitraje en Colombia?", Universitas Estudiantes, 2021.
- Author, "Resolviendo las controversias contractuales derivadas del suspenso con respecto a las transacciones de M&A en la era (pos)Covid", Instituto de Análisis Societario, 2021.
- Author, "La defensa por estado de necesidad en futuros arbitrajes de inversión debido a la pandemia" Young Arbitration Magazine, December 2020.
- Co-author, "Fuerza mayor y hardship bajo arbitrajes internacionales en contextos de crisis: un análisis a la luz del Covid19", UNA Revista de Derecho, 2020.