

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 15 years of international arbitration experience, Stephan Adell's practice focuses on international commercial and investment arbitration. He has intervened in over **90 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 advised 6 States in 11 international disputes and has acted as counsel in more than **30 investment arbitrations**. In Latin America, Stephan has acted in arbitrations in Bolivia, Chile, Costa Rica, Dominican Republic, Ecuador, 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 a member of the ICC Commission on Arbitration and ADR and teaches Alternative Dispute Resolution at *Pontificia Universidad Católica Madre y Maestra*.

AWARDS & RECOGNITIONS

- Who's Who Legal-Global Arbitration Review: Arbitration
- The Legal 500: Key Lawyers-France
- Latin Lawyer
- Best Lawyers

EDUCATION

- Université de Versailles, Master's in International Law and International Arbitration, (2007)
- Université Paris 2 Panthéon-Assas, Diploma in Comparative Law, (2007)
- Pontificia Universidad Católica Madre y Maestra, Law Degree, (2005)

MEMBERSHIPS

- ICC Commission on Arbitration & ADR

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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

Stephan was recognized by a peer who said, "I recommend him, particularly, for construction disputes, where he is excellent in cross-examination."

- WHO'S WHO LEGAL

- ITA Board of Reporters (Dominican Republic)
- Latin American Arbitration Association (ALArb)
- Club Español del Arbitraje (CEA)
- Centro Internacional de Arbitraje de Madrid (CIAM)
- Comité Français de l'Arbitrage

REPRESENTATIVE MATTERS

Investment arbitration

- Represented the Republic of Costa Rica in an ICSID arbitration filed by a Spanish investor related to the closure of poultry production facilities. 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. 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. Over US\$ 19 billion in dispute.
- Represented a Latin American State in a PCA investment arbitration under UNCITRAL rules initiated by a US investor concerning the modernization of an oil refinery. Over US\$ 110 million in dispute.
- Represented an Eastern European State in an ICSID arbitration filed by a Hungarian investor relating to various regulatory measures on a gas trading business. Over US\$ 1 billion in dispute.
- Represented an African State in two PCA arbitrations regarding the alleged expropriation of a real estate project. Over US\$ 1.5 billion in dispute.
- Represented an African State in an ICC arbitration regarding the alleged expropriation of a real estate project. Over US\$ 200 million in dispute.
- Represented Joseph Lemire in an ICSID arbitration, and its subsequent annulment phase, against Ukraine arising out of regulatory measures affecting a radio communications business.
- Represented a Lebanese investor in an UNCITRAL arbitration against a Central Asian State regarding the alleged expropriation of poultry production facility. Over US\$ 100 million in dispute.

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Stephan Adell was recognized as "one of the world's leading international arbitration practitioners."

- *WHO'S WHO LEGAL AND GLOBAL ARBITRATION REVIEW*

Commercial arbitration

- South American State in 2 construction arbitrations initiated by a Spanish-Italian consortium arising from the construction of a metro project. Over US\$ 1,2 billion in dispute.
- Middle Eastern company in an ICC arbitration against a European enterprise concerning design defects and delays in the construction of an MDF plant.
- European public entity in an *ad hoc* arbitration against a South American constructor regarding defects and delays in the construction of a highway.
- Latin American public entity in 3 ICC oil & gas arbitrations. Over US\$ 300 million in dispute.
- South American public entity in an ICC arbitration against a US services supplier for goods relating to oil & gas drilling. Over US\$ 250 million in dispute.
- Caribbean public entity in an ICC arbitration against a contractor from the US arising from a power generation project.
- European company in an LCIA arbitration against a Middle Eastern contractor for delays and defects in the construction of a large-scale tram system.
- Top-tier European companies in an ICC commercial arbitration seated in the UAE relating to a large-scale infrastructure project in the Middle East.
- Middle East country in an ICC arbitration relating to construction projects. Over US\$ 100 million in dispute.
- Design company in a DIAC arbitration relating to the construction of a large-scale medical facility in the Middle East. Over US\$ 470 million in dispute.
- 2 Spanish companies in an UNCITRAL commercial arbitration against an African publicly owned company relating to a natural gas liquefaction plant.
- European State in a commercial PCA arbitration under UNCITRAL rules arising from a shareholders' dispute relating to a cement plant.
- Spanish company in a UNCITRAL commercial arbitration against a Caribbean company relating to a long-term natural gas supply contract.

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

- **LEGAL 500 LATIN AMERICA**

SELECTED PUBLICATIONS

- 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.
- 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

- "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.

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- "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-YAF, Medellín, September 2019.
- "ICC Arbitration: particularities and novelties", 9nas Jornadas Internacionales de Arbitraje, La Paz, June 2019.
- "Temas de actualidad en el arbitraje comercial de América Latina", ICC-YAF, La Paz, June 2019.
- "Shutting down businesses: when a party to an arbitral proceeding goes impecunious, bankrupt or insolvent", 16th ICC Miami Conference, November 2018.