



First Name, Last Name
Occupation

Benjamin SIINO
Avocat à la Cour

Date of Birth: 19 December 1980
Address: Shearman and Sterling LLP
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Nationality: French
Current Position: Counsel, Shearman and Sterling

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Professional Experience

- **Shearman and Sterling** (Paris), Counsel in the International Arbitration and Public International Law practices
- **August Debouzy** (Paris), Associate in the Dispute Resolution team
- **Organisation for Economic Co-operation and Development** (OECD, Paris), Consultant
- **French Ministry of Defence** (Paris), Consultant

Arbitration Experience

Counsel in litigation proceedings before French courts, with a focus on proceedings to seek the recognition and enforcement of arbitral awards and foreign judgments.

Recent Experience Includes Representation of

- The People's Democratic Republic of Algeria as Respondent in an ICSID arbitration initiated by Orascom TMT Investments S.à.r.l. (formerly known as Weather Investments II S.à r.l.) (ICSID Case No. ARB/12/35). The dispute related to alleged breaches of the Algeria-Belgium-Luxembourg bilateral investment treaty in relation to the operation of a mobile telephone company in Algeria. Over USD 4 billion was at stake.
- Sonatrach as Respondent in an ICC arbitration in Geneva initiated by Spanish company Repsol and its Asian partners in relation to the performance of a production-sharing agreement. Algerian law applied.
- The People's Democratic Republic of Algeria as Respondent in an UNCITRAL arbitration initiated by Orascom Telecom. The dispute arose from alleged breaches of the Algeria-Egypt bilateral investment treaty in relation to the operation of a mobile telephone company in Algeria. Over USD 16 billion was at stake.
- A North African State-owned company as Respondent in an ICC arbitration brought by an Asia Pacific mining company. The dispute arose from a joint venture agreement for the development of a mine to exploit a zinc deposit. The law of the Respondent's State applied.

- The People's Democratic Republic of Algeria in an ICSID arbitration initiated by Mærsk Olie, Algeriet A/S (ICSID Case No. ARB/09/14). The arbitration, which was brought under the Algeria-Demark bilateral investment treaty, was in relation to windfall profit tax in the context of a production-sharing contract. Over USD 3 billion was at stake.
- A European pharmaceutical company as Claimant in an ICC arbitration in Paris against three subsidiaries of a global health care company. The dispute arose from a Manufacturing Right Purchase and License Agreement. French law applied.

Post-Award Proceedings

- Representation of the majority shareholders in the former Yukos Oil Company in proceedings initiated in multiple jurisdictions to seek the recognition and enforcement of the USD 50 billion awards rendered in the arbitrations brought by the shareholders against the Russian Federation concerning the expropriation of their investments in Yukos.
- Representation of a Latin American State-owned entity in proceedings before French courts related to the attachment of its bank accounts by a creditor of the State.
- Advice to Mr Viorel Micula in proceedings for the recognition in France of an award rendered in an investment arbitration.
- Advice to the subsidiary of a Middle Eastern conglomerate in proceedings before the courts of Bangladesh to obtain the recognition and enforcement of an ICC award while challenging the anti-suit injunction issued by the same courts at the request of the opposing party.

Education Background

- Panthéon-Assas University (Paris II), *DEA* in Public International Law (hons)
- Panthéon-Assas University (Paris II), *Maîtrise* in Public International Law (hons)

Expertise

Investment and general commercial disputes
Public International Law
Enforcement
Energy (oil & gas)

Practice Location/ Jurisdiction

France, Paris

Working Languages

- French (native)
- English (fluent)
- Italian (good working knowledge)
- Spanish (good working knowledge)

Other Relevant Experience

Professional Affiliations

- Member, Comité Français de l'Arbitrage (CFA)

- Board member, CFA-40
- Member, International Arbitration Institute (IAI)
- Member, LCIA European Users' Council

Publications

Research Assistant and Co-Team Leader, New York Convention Guide Project (www.newyorkconvention1958.org)

“L’immunité d’exécution dans la Loi Sapin II après l’arrêt Commisimpex du 10 janvier 2018” in *The Paris Journal of International Arbitration* 65 (Co-author) (2018)

“L’efficacité de la convention de New York de 1958 [The efficiency of the 1958 New York Convention],” in *L’exécution des sentences arbitrales internationales* 87 (M. de Fontmichel and J. Jourdan-Marques eds., LGDJ, 2017) (Author)

“Le Guide du Secrétariat de la CNUDCI sur la Convention de New York pour la reconnaissance et l’exécution des sentences arbitrales étrangères [The UNCITRAL Secretariat Guide on the Convention for the Recognition and Enforcement of Foreign Arbitral Awards],” in *Conference for a Euro-Mediterranean Community of International Arbitration / Conférence pour une communauté euro-méditerranéenne de l’arbitrage international* 21 (UNCITRAL Publication No. V. 15-06738, 2015) (Author)

“La réparation par le juge d’appui de la clause prévoyant une parité d’arbitres : interprétation extensive de l’article 1454 du Code de procédure civile [Intervention of the judge acting in support of the arbitral process: broad interpretation of Article 1454 of the French Code of Civil Procedure],” 2009(3) *Revue de l’arbitrage* 521 (Co-author)

“La consolidation de la place de l’estoppel dans le contrôle des sentences arbitrales [The increasing recognition of the estoppel principle in the review of arbitral awards],” 2008(2) *Revue de l’arbitrage* 325 (Co-author)

Speaking Engagements

“The New York Convention Guide and web platform,” Vilnius Arbitration Day 2018 - 60 years of the New York Convention: present and future challenges, Vilnius (19 October 2018)

“Riconoscimento e esecuzione dei lodi stranieri in Francia e in Italia alla luce della recente giurisprudenza in materia nei due paesi. Profili comparatistici [Recognition and enforcement of foreign awards in France and in Italy in light of recent case law in those two countries. Comparative profiles],” Parigi Italia Arbitrato, Roma (9 October 2018)

“The Yukos saga. Have you ever tried to enforce a 50 billion arbitral award annulled by a court in multiple other jurisdictions?,” ICDR Young & International conference, Arbitration War Stories, What they don’t teach you at Law School, Geneva (26 September 2018)

“The UNCITRAL Secretariat Guide on the New York Convention and the newyorkconvention1958.org website,” Special seminar during the 2018 session of the Arbitration Academy, Paris (July 2018)

“Flexibility and Evolution in the Interpretation of the New York Convention,” Celebrating 50th UNCITRAL and 60th New York Convention Anniversaries – Joint UNCITRAL, Federal Ministry of Justice of Nigeria and International Dispute Resolution Institute conference, Abuja (14 June 2018)

“Is document production really necessary/useful in arbitration,” Third Co-Chairs’ Circle Global Conference, Rome (18 May 2018)

“Les systèmes disponibles pour obtenir des mesures provisoires et conservatoires durant l’arbitrage et les mécanismes pour les faire exécuter. Regards croisés entre la France et l’Espagne,” IX Journées Franco-Espagnoles – Regards croisés sur la relation entre les juges et l’arbitrage, Madrid (2 February 2018)

“L’efficacité de la Convention de New York,” Colloque de l’Université de Versailles St. Quentin-en-Yvelines, L’exécution des sentences arbitrales internationales, Paris (26 September 2016)