

7TH ANNUAL CONFERENCE ENERGY ARBITRATION & DISPUTE RESOLUTION IN THE MIDDLE EAST AND AFRICA



Brandon Malone
Conference Director

Barrister, Arbitrator & Chair of
the Scottish Arbitration Centre



Funke Adekoya
Keynote Speaker - Africa Day

Independent Arbitrator &
Litigation Consultant



Sarah Malik
Keynote Speaker - Middle East Day

Award-winning Lawyer, CEO of
SOL International

Herbert Smith Freehills | 30th - 31st May 2024

Exchange House, Primrose Street
London EC2A 2EG

WELCOME FROM THE CONFERENCE DIRECTOR

It is with great excitement that I wish everyone a very warm welcome to the 7th Annual Conference on Energy Arbitration and Dispute Resolution in the Middle East and Africa.

My aim, when developing the programme, has been to generate expert insights into the various economic, technical, legal and geopolitical considerations driving energy disputes in the Middle East and Africa, and create an event that combines high-level theoretical debate with practical guidance.

It is a great privilege to welcome our keynote speakers, Funke Adekoya SAN, who is speaking on Day 1, and Sarah Malik, who is speaking on Day 2.

The first day will be focussed on Africa, with sessions covering topics including the Impact of the Energy Transition on Dispute Resolution in Africa, Trends and Challenges in African ADR, an investigation of LNG, Lithium and Hydrogen disputes, and a look at energy arbitration in North African states.

The second day of the conference has a Middle Eastern focus, with topics including an examination of common law, civil law and sharia law issues, geopolitics, a comparison of emerging and established dispute resolution institutions, and the increasing use of dispute boards.

I trust that you will all make the most of this unique opportunity to hear from some of the leading minds in the field, and meet the wide range of international energy dispute resolution professionals we have with us today.

Finally, I hope to be able to meet as many of you as possible at the drinks receptions which will follow both days of the conference.

Brandon Malone
Conference Director
Barrister, Arbitrator & Chair of the
Scottish Arbitration Centre



Brandon Malone is a barrister, solicitor advocate, arbitrator and adjudicator with over 25 years experience in dispute resolution. He is a Fellow of the Chartered Institute of Arbitrators (FCIArb) and in 2013, Brandon was elected an eminent Fellow of the Royal Institution of Chartered Surveyors. He is an Honorary Lecturer at the Centre for Energy, Petroleum and Mineral Law and Policy at the University of Dundee. Brandon was a driving force behind the establishment of the Scottish Arbitration Centre and is Chairman of the Centre's Board. He is also Co-Director of the International Centre for Energy Arbitration.

KEYNOTE SPEAKER : AFRICA DAY

Funke Adekoya

Independent Arbitrator & Litigation Consultant

Funke Adekoya is a distinguished Senior Advocate of Nigeria based in Lagos, where she serves as an independent arbitrator and litigator with a robust practice in international arbitration. She is dual-qualified, holding legal qualifications in Nigeria and as a non-practising solicitor in England and Wales. Her expertise primarily spans across sectors like energy and construction, but she also adeptly handles a variety of commercial and investment disputes.

Throughout her career, Funke has been appointed in numerous high-profile arbitrations, functioning in various capacities such as chair, wing, or sole arbitrator. She has presided over and participated in institutional proceedings under major arbitration rules, including the International Chamber of Commerce (ICC), London Court of International Arbitration (LCIA), and International Centre for Settlement of Investment Disputes (ICSID), as well as ad hoc arbitration proceedings under the UNCITRAL Rules.

Her extensive experience and deep understanding of arbitration have made her a trusted figure in resolving complex disputes involving multinational corporations, government entities, and private investors. Beyond her arbitration practice, Funke is a committed advocate for the development of arbitration practice in Africa, actively involved in training and mentoring young arbitrators and promoting arbitration practice within the continent.

She regularly speaks at international arbitration forums, contributes to scholarly articles, and participates in workshops aimed at enhancing the legal framework and arbitration facilities in Africa. Her contributions to the field have been recognized globally, making her one of the most respected figures in international arbitration today.



KEYNOTE SPEAKER : MIDDLE EAST DAY

Sarah Malik

Award-winning Lawyer, CEO of SOL International

Sarah Malik is an award-winning lawyer who achieved Litigator of the Year (2022) at the first GCC Women in Law Awards and received an honourable mention as Law Firm Leader of the Year. In 2022 SOL was named by Legal 500 EMEA as a 'Firm to Watch in Dispute Resolution: Arbitration and International Litigation'. Sarah was listed as a leading practitioner in 'The Arbitration Powerlist: Middle East' by Legal 500 EMEA in 2023.

In 2023, Sarah was appointed to the Inaugural Advisory Committee for the Dubai International Arbitration Centre (DIAC) and the Advisory Board for ThoughtsLeaders4 FIRE Middle East Summit 2023. She was also appointed to the DIFC Users Committee and the Advisory Board for Juris Centre for Excellence in Legal Education and Training at Middlesex University, Dubai.

Sarah established SOL in the UAE in 2018, as a boutique dispute resolution practice which expanded to cover employment, tech, fashion, sports, and private client work and now has international recognition.

She is a member of the SIAC Users Council in the Middle East and is appointed on the Lagos Panel of Arbitration Neutrals. Sarah is a Fellow of the CIArb and sits as Arbitrator.

Sarah undertakes international commercial arbitration as Counsel and practices commercial litigation at the DIFC and ADGM Courts. She is frequently invited to speak at conferences within the GCC and internationally. Sarah is a published author and is currently involved in writing a book on 'Arbitration in the Arab world'.



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INTERNATIONAL CENTRE
FOR DISPUTE RESOLUTION®

The ICDR®—International Centre for Dispute Resolution®— is the international division of the largest arbitral institution in the world, the American Arbitration Association® (AAA®). The ICDR is the foremost provider of global conflict-resolution solutions to businesses and organizations involved in cross-border disputes. Drawing on the AAA’s 95+ years of experience, the ICDR administrative system offers a range of international alternative dispute resolution (ADR) services providing time and cost savings, along with vetted, skilled arbitrators and advanced technology.

Herbert Smith Freehills is a preeminent global law firm headquartered in London, with a network spanning Asia, Australia, Europe, the Middle East, and the U.S. Renowned for their expertise in litigation, dispute resolution, and arbitration, the firm delivers comprehensive legal services across a wide range of industries including finance, real estate, technology, and more. With their profound commitment to legal excellence and innovation, Herbert Smith Freehills has a well-established reputation for supporting major businesses in navigating complex legal challenges globally.



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1ST DAY - AFRICA FOCUS

TIME	SESSION	SPEAKERS
8.30 - 9.15	REGISTRATION & NETWORKING	
9.15 - 9.30	Welcome & Introduction	Brandon Malone – Arbitra International
9.30 - 10.00	1st Day Keynote - Balancing the Scales : Fairness in Economic Distribution in International Arbitration	Funke Adekoya SAN
10.00 - 10.20	Lecture : The outlook for the energy industry in Africa and the Middle East	Stuart Amor – FTI Consulting
10.20 - 10.40	Key Quantum issues arising from Energy Transition Disputes	Paul Cliff – Grant Thornton
10.40 - 11.00	BREAK	
11.00 - 12.20	Session 1 - The Impact of the Energy Transition on Dispute Resolution in Africa	Tunde Fagbohunlu SAN (Moderator) Ruth Byrne KC - King and Spalding Jessica Crow – Arbitra International Steven Finizio – Wilmer Cutler Pickering Hale and Dorr LLP Peter Cameron - CEPMLP
12.20 - 1.30	LUNCH	
1.30 - 2.45	Session 2 - Best Practice : Trends and Challenges in Africain ADR	Noreen Kidunduhu - Noreen Law (Moderator) Hamish Lal – Hamish Lal Partners Sean Gibbs – Hanscombe Intercontinental Bill Barton – Barton Legal Michelle Bradfield - Jones Day
2.45 - 3.00	COFFEE	
3.00 - 4.15	Session 3 - LNG, Lithium and Hydrogen : Disputes and their Resolution	Tunde Ogunseitan - Ogunseitan Arbitration (Moderator) Duncan Bagshaw - Howard Kennedy Ana Stanic – E&A Law Olivier Mette - Xodus Paul Sills - Arbitra International
4.15 - 5.30	Session 4 - Energy Arbitration in North African states	Professor Dr. Mohamed Sameh Amr Sally El Sawah - Junction Lady Olga Maitland – Algeria British Business Council (Moderator) Gofran Abaoub - Eltumi Partners
5.30 - 7.30	NETWORKING RECEPTION	

2ND DAY - MIDDLE EAST FOCUS

TIME	SESSION	SPEAKERS
8.30 - 9.15	REGISTRATION & NETWORKING	
9.15 - 9.30	Welcome & Introduction	Brandon Malone – Arbitra International
9.30 - 10.00	2 nd Day Keynote – Reform and cultural shifts in the Middle East : the new centre for Dispute Resolution ?	Sarah Malik – SOL International
10.00 - 10.30	Lecture : The Emergence of Energy Issues in Governance in Middle East and African countries	Philippe Fortuit – Philippe Fortuit Cabinet d’Avocats
10.30 - 10.50	BREAK	
10.50 - 12.20	Session 1 - Common Law, Civil Law, Sharia Law : <u>a</u> coming together in the Middle East ? Key similarities and differences	Craig Tevendale - Herbert Smith Freehills (Moderator) Fatima Balfaqqeh – Fatima Balfaqqeh Advocates & Legal Consultants Dr Aseel Zimmo - The First Link Dr Youseph Farah - University of East Anglia
12.20 - 1.30	LUNCH	
1.30 - 2.45	Session 2 - Power and Energy : Geopolitics, Natural Resources, and Sustainability	Hugh Fraser – HFI Consulting International, Dubai (Moderator) Khushboo Shahdadpuri - Al Tamimi & Company Hind Al Aissi - Hughes Hubbard & Reed Jamie Trinidad KC – Albertson Solicitors Dr. Arman Sarvarian - University of Surrey
2.45 - 3.00	COFFEE	
3.00 - 4.15	Session 3 - Spoiled for Choice : Emerging and Established Dispute Resolution options in the MENA Region	Roberto Pirozzi - Pirozzi Lex (Moderator) Antonia Birt – Reed Smith Aysha Abdulla Mutaywea – Mena Chambers Lara Hammoud – Arbitra International Daniel Greineder – International Arbitration Practitioner
4.15 - 5.30	Session 4 - The use of Dispute Boards in Middle East energy infrastructure projects	Karen Gough - 39 Essex (Moderator) Saad Hegazy – Resolve International Luis Martinez - AAA/ICDR Jane Davies Evans KC - 3VB Dr. Nasser Al-Adba – Chartered Institute of Arbitrators Qatar
5.30 – 6.30	NETWORKING RECEPTION	

OUR SPEAKERS / AFRICA DAY



Stuart Amor
FTI Consulting



Paul Cliff
Grant Thornton



Tunde Fagbohunu
Senior Advocate of Nigeria
(Moderator)



Ruth Byrne KC
King & Spalding



Jessica Crow
Arbitra International



Steven Finizio
Wilmer Cutler Pickering Hale and
Dorr LLP



Peter Cameron
CEPMLP



Noreen Kidunduhu
Noreen Law (Moderator)

OUR SPEAKERS / AFRICA DAY



Hamish Lal
Hamish Lal Partners



Sean Gibbs
Hanscombe Intercontinental



Bill Barton
Barton Legal Limited



Michelle Bradfield
Jones Day



Tunde Ogunseitan
Ogunseitan Arbitration
(Moderator)



Duncan Bagshaw
Howard Kennedy



Ana Stanic
E&A Law



Olivier Mette
Xodus

OUR SPEAKERS / AFRICA DAY



Paul Sills
Arbitra International



Professor Dr Mohamed Sameh Amr
Amr & Partners Law Firm



Sally El Sawah
El Sawah Law



Gofran Abaoub
Eltumi Partners



Lady Olga Maitland
Algeria British Business Council
(Moderator)

OUR SPEAKERS / MIDDLE EAST DAY



Philippe Fortuit
Philippe Fortuit, Cabinet d'Avocats



Craig Tevendale
Herbert Smith Freehills
(Moderator)



Fatima Balfaqeeh
Fatima Balfaqeeh Advocates &
Legal Consultants



Dr Aseel Zimmo
The First Link



Dr Youseph Farah
University of East Anglia



Hugh Fraser
HFI Consulting International ,
Dubai (Moderator),



Khushboo Shahdadpuri
Al Tamimi & Company



Hind Al Aissi
Hugues hubbard & Reed LLP

OUR SPEAKERS / MIDDLE EAST DAY



Jamie Trinidad KC
Albertson Solicitors



Dr Arman Sarvarian
University of Surrey



Roberto Pirozzi
Pirozzi Lex (Moderator)



Dr. Nasser Al-Adba
Chartered Institute of Arbitrators
Qatar



Antonia Birt
Reed Smith



Aysha Abdulla Mutaywea
MENA Chambers



Lara Hammoud
Arbitra International



Daniel Greineder
international arbitration
practitioner

OUR SPEAKERS / MIDDLE EAST DAY



Karen Gough
39 Essex Chambers (Moderator)



Saad Hegazy,
Resolve International



Luis Martinez
AAA/ICDR



Jane Davies Evans KC
3VB

6TH ANNUAL CONFERENCE - JUNE 2023

About previous conferences

The sixth annual conference on Energy Arbitration and Dispute Resolution in the Middle East and Africa was attended by over one hundred in-person attendees from across the world and included representatives from government, legal practice, industry, diplomacy and academia. Keynote addresses were delivered by Lise Boseman (Executive Director of the International Council for Commercial Arbitration (ICCA) and Senior Legal Counsel at the Permanent Court of Arbitration (PCA)), and Craig Tevendale (Partner and Head of Energy Group UK at Herbert Smith Freehills).

This was alongside participation from over thirty high-profile speakers. Some of the key themes across the conference's varied programme encompassed the ongoing implications of the Energy Transition, including infrastructure development and related transboundary issues. The event also assessed the success of renewed efforts by investors to implement Dispute Avoidance measures.



5TH ANNUAL CONFERENCE - 2022

About previous conferences

The fifth edition of the conference was attended by over one hundred in-person and virtual attendees from across the world.

Leading voices in the fields of international law, international relations and energy law discussed the legal, geopolitical, economic and international security dimensions of energy disputes in the region, as well as offering practical guidance for their successful resolution.

Keynote addresses were delivered by Lord Angus Glennie (Appeal Judge at the Dubai International Financial Centre courts) and Diamana Diawara (Africa Regional Director at the ICC), alongside participation from over 20 high-profile speakers from international arbitral institutions, leading legal practices and specialist academic centres.

A key theme across the conference's varied programme included the possible economic and political challenges created by the twin need across much of Africa and the Middle East for sectoral diversification and an energy transition.



4TH ANNUAL CONFERENCE - 2019

About previous conferences

The conference in 2019 focused on a broad range of technical, economic and diplomatic factors that affect Dispute Resolution in the Middle East and Africa. The conference again examined the impact of oil price variations and regional security issues across the continent and brought together a variety of participants including: academics, arbitrators, mediators, business professionals, corporate counsel, expert witnesses, government representatives, legal directors and practitioners, management consultants and many more.

This facilitated a timely dialogue and exploration of the ever-changing nature of energy law and energy arbitration, taking into account the constant fluctuations in the international sphere.



3RD ANNUAL CONFERENCE - 2018

About previous conferences

In its third year, the annual conference focused on a broad range of technical, economic and diplomatic factors that affect Dispute Resolution in the Middle East and Africa. Senior Advocate of Nigeria, Funke Adekoya, delivered the keynote speech during the Conference.

The host - the London Centre of International Law Practice (LCILP) - invited senior officials and representatives from the energy industry and from government departments and regulatory bodies, as well as senior practitioners from the legal field to participate in an enriching and focused discussion surrounding energy arbitration.

This included: The Impact of the One Belt One Road (OBOR) initiative on the Middle East and Africa, Energy Poverty in energy rich countries and regional foci including on East Africa. This allowed attendees to engage in a debate on how these issues affect parties involved in disputes, and what strategies can be put in place to manage the risks associated with international energy contracts.



2ND ANNUAL CONFERENCE - 2017

About previous conferences

The second annual conference on Energy Arbitration and Dispute Resolution in the Middle East and Africa was hosted by the London Centre of International Law Practice (LCILP) and one of the world's leading arbitration practitioners, Gary Born of Wilmer Hale, delivered the keynote address. During the Conference, experts from around the world engaged with Energy and Arbitration lawyers and business leaders and diplomats involved in the energy industry to discuss the best practice solutions in resolving issues arising from contractual and treaty obligations, focusing on the Middle East, Africa and the Eastern Mediterranean.

The conference examined then-current geopolitical and macroeconomic issues affecting the energy industry in the focus regions, and questioned whether the state of dispute resolution in the energy industry was fit for purpose and analysed trends and technologies likely to impact the practice of arbitration and dispute resolution in the future.



1ST ANNUAL CONFERENCE - 2016

About previous conferences

This conference was hosted by the London Centre of International Law Practice (LCILP) and co-organised by the Saudi Law Training Centre (SLTC). The Conference addressed the challenges in the then-current context marked by political instability and a drop in oil prices that is currently affecting the energy market in the Middle East and Africa.

Some of the main themes throughout the Conference and Workshops included, amongst others, a global insight into energy arbitration and dispute resolution, energy arbitration in the regional context of Africa and the Middle East and technical legal considerations in energy disputes.

Other relevant topics included investor protection, renewable energy and state actors, varying case studies on energy related disputes and more.



The background of the entire image is a photograph of a large wind farm situated in a body of water, likely a coastal area. Numerous wind turbines are visible, their silhouettes and blades reflecting on the calm water. The sky is a mix of soft pinks, oranges, and blues, indicating a sunset or sunrise. The overall mood is serene and modern, emphasizing renewable energy.

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62 Camden Road, London NW1 9DR
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