



**EMMANUEL FOY**

Partner

Tel. +33 (0) 1 40 555 000

Fax +33 (0) 1 40 555 105

[efoy@derainsgharavi.com](mailto:efoy@derainsgharavi.com)

NATIONALITY: **French and Irish**  
LANGUAGES: **French and English**  
ADMISSION: **Paris**  
OFFICE: **Paris**

Emmanuel is a partner at Derains & Gharavi specialised in international arbitration. He has regularly acted as counsel (for high net-worth individuals, major international private companies, foreign investors and Sovereign States) and secretary to the tribunal, in proceedings conducted under the Arbitration Rules of the International Court of Arbitration of the International Chamber of Commerce Centre (ICC), the International Centre for Settlement of Investment Disputes (ICSID), the London Court of International Arbitration (LCIA), the Netherlands Arbitration Institute (NAI), the Dubai International Arbitration Centre (DIAC), the Swiss Arbitration Centre (formerly the Swiss Chamber Arbitration Institution, or SCAI), and the UNCITRAL Rules.

Emmanuel's arbitration practice focuses on commercial and Investor-State arbitration in the sectors of mining, banking, energy, insurance, media, real estate, agency, construction, and shipping.

Emmanuel is dual-qualified in French and English law, registered to practice law at the French Bar since 2013, and obtained a Master II - International Private Law & International Trade Law, an LL.M in International Business Law and a Master II - Bilingual Studies of the laws of EU States - Anglo-American and French Law.

**ILLUSTRATIVE EXPERIENCE AS COUNSEL**

- Representing a major EU telecommunication group in ICC proceedings in Paris in a dispute arising out of a EUR 100 million+ supply contract of telecommunication equipment in the Middle-East.
- Representing an Omani company in an ICC arbitration in Paris against Oman in a dispute arising out of a road construction contract.
- Representing an Omani company in an ICC arbitration in Paris against Oman in a dispute arising out of the construction works on a section of a large airport expansion contract.
- Representing a high net worth Saudi national, one of the top five largest fortunes in the Middle East, as well as several other English and Saudi companies, in an ICC arbitration in Paris arising out of a consultancy agreement with another Saudi individual.
- Representing a Luxembourg national in a SCAI arbitration in Geneva against a multinational group of companies active in the energy sector, arising out of a commercial agency contract.

- Representing the Central Bank of Iran in an UNCITRAL arbitration against an Arab State initiated under a bilateral investment treaty in relation to an investment in Middle East banks for breach and over 7 billion USD in damages.
- Representing the Central Bank of Iran in an UNCITRAL arbitration against an Asian State initiated under a bilateral investment treaty in relation to an investment in East Asian banks and over 2 billion USD in damages.
- Representing two Turkish investors, Mr. Mustafa Orhan Özer and Mr. Nurettin Mendost Dirlik, against Libya in an investment arbitration initiated under a bilateral investment treaty in relation to the expropriation of their construction projects in Libya.
- Representing a US company, Metal Commodities Trade Corp., a UK company Altberg Developments LP and two Albanian companies, Durres Kurum Shipping Sh.A and Durres Container Terminal Sh.A, against the Republic of Albania, in an investment arbitration initiated under two bilateral investment treaties in relation to the expropriation of their investment in a shipping terminal in Durres, Albania.
- Representing two Iranian banks against the Kingdom of Bahrain in an UNCITRAL arbitration initiated under a bilateral investment treaty in relation to their investment in a Bahraini bank that led to a EUR 200 million favorable award and finding of political expropriation (PCA Case No. 2017-25).
- Representing the Iran Insurance Company against the Kingdom of Bahrain in an UNCITRAL arbitration initiated under a bilateral investment treaty in relation to its investment in a local Bahraini branch.
- Representing Belmont Resources Inc. against the Slovak Republic in an ICSID arbitration initiated under a bilateral investment treaty, in relation to the expropriation of their mining rights over the Gemerska Poloma deposit, one of the largest talc deposits in the world in relation to which annulment proceedings are pending (EuroGas Inc. & Belmont Resources Inc. v. Slovak Republic, ICSID Case No. ARB/14/14).
- Representing Romania in an ICSID arbitration initiated by a Cyprus investor in relation to the alleged expropriation of its investment in the renewable energy sector (EP Wind Project (Rom) Six Ltd. v. Romania, ICSID Case No. ARB/20/15).
- Representing Romania in an ICSID arbitration initiated by a Dutch investor in relation to the alleged expropriation of its investments in the insurance and media sectors (The Nova Group Investments, B.V. v. Romania, ICSID Case No. ARB/16/19).
- Representing the Republic of Albania in two parallel post-privatization investment disputes, under the UNCITRAL Arbitration Rules and the ICC Arbitration Rules, with a leading Czech energy actor, concerning the regulatory framework applying to Albania's main energy distribution company (settled).
- Representing the Republic of Albania in an ICSID arbitration initiated by a Greek investor in relation to an alleged investment in the oil and gas industry that led to the dismissal of the case on the merits (Mamidoil Jetoil Greek Petroleum Products Société Anonyme S.A. v. Republic of Albania, ICSID Case No. ARB/11/24).
- Representing the Republic of Albania in an ICSID arbitration initiated by an Italian investor in relation to an alleged investment in the gambling industry that led to the dismissal of the case on jurisdiction with full costs (Burimi SRL and Eagle Games SH.A v. Republic of Albania, ICSID Case No. ARB/11/18).

#### **EXPERIENCE AS TRIBUNAL SECRETARY**

- Secretary to the Sole arbitrator in a NAI arbitration between a Dutch satellite services provider and an Asian daily.
- Secretary to the Sole arbitrator in a NAI arbitration between a Dutch satellite services provider and an African broadband network operator.
- Secretary to the Sole arbitrator in an ICC arbitration between a French and an Algerian consortium partner concerning the design, construction and operation of a water treatment facility in Algeria.

- Secretary to the Tribunal in a DIAC arbitration between two Emirati companies in relation to a major construction project in Dubailand.
- Secretary to the Tribunal in an LCIA arbitration under English law between two Mauritius and Cayman claimant companies, and six respondents of Indian and other nationalities, in relation to the breach of a shareholder and subscription agreement in a major Indian group.

#### **SPEAKING ENGAGEMENTS**

- Speaker at the YAF Conference in Tehran on April 22, 2018 on the topic of litigation strategies in Investment Arbitration
- Moderator at the YSIAC Paris Forum 2019 on the topic of "Emergency Arbitration: Perspectives from Asia and Europe"
- Speaker at 2022 PAW Event on "Investment Arbitration as an Avenue of Combatting Internet Censorship?"

#### **ACADEMIC ENGAGEMENTS**

- Guest Speaker since 2018 at the *Université Paris II Panthéon-Assas* on the topic of Investment Arbitration for the *Master II Droit International Économique*

#### **PROFESSIONAL EXPERIENCE**

From Jan. 2022      Partner, Derains & Gharavi (Paris)  
 Oct. 2013-2021    Associate, Derains & Gharavi (Paris)

#### **EDUCATION**

2013	Professional Lawyer's Certificate ( <i>Certificat d'Aptitude à la Profession d'Avocat</i> ), Versailles Bar School (HEDAC), Versailles, France
2012	Master II - International Private Law & International Trade Law ( <i>Droit International Privé &amp; Commerce International</i> ), University Paris II La Sorbonne – Assas, Paris, France
2011	LL.M in International Business Law, Merit - Research Dissertation: The Protection of Software IP Rights in the European and American legal systems - University College London, United Kingdom
2010	Master II - Bilingual Studies of the laws of EU States - Anglo-American and French Law, Honours ( <i>Master II Etudes Bilingues des Droits de l'Europe - Mention Droit des Affaires – Droit Anglo-Américain, Mention Bien</i> ) - Research Dissertation: The Enforcement of American Class Actions Judgments and Settlements in France - University of Paris X Nanterre, France
2009	Master I - Bilingual Studies of the laws of EU States - Anglo-American and French Business Law, Honours ( <i>Master I Etudes Bilingues des Droits de l'Europe - Mention Droit des Affaires – Droit Anglo-Américain I, Mention Bien/Assez bien</i> ), University of Paris X Nanterre, France
2009	LLB in English & French law, First Class Honours, University of Essex, United Kingdom
2008	Law degree in French & Anglo-American Law ( <i>Bi-licence en Droit Français/Droit Anglo-Américain</i> ), University of Paris X Nanterre, France