

Hafez R Virjee

*Solicitor of the Senior Courts of England and Wales
Avocat à la cour (Paris bar) (non-practising)*

CURRICULUM VITAE

PERSONAL DETAILS

Nationality:	French	
Date and place of birth:	9 July 1982, in Nairobi, Kenya	
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LANGUAGES English, French

DISTINCTIONS Who's Who Legal - International Arbitration, Future Leaders: since 2018, and listed among most highly regarded (Europe) in 2020

SELECTED LEGAL EXPERIENCE

January 2019 – present	Independent Arbitrator – London, Paris.
April 2010-December 2018	Senior Associate, Dechert (Paris) LLP – Paris, with a five-month secondment to Dubai in 2015. Acted as counsel, arbitrator and tribunal secretary in international arbitrations involving private and listed companies, state entities and treaty organisation, in disputes spanning commercial, corporate and investment issues, in a wide range of sectors including telecoms, tech, pharmaceutical, construction, energy, finance, transport and military. Led various knowledge management initiatives.

February 2008-February 2010 **Trainee Solicitor, Freshfields Bruckhaus Deringer LLP** – eighteen months in London (project finance, litigation, international arbitration, corporate), and six-month secondment to Paris (international arbitration).

REPRESENTATIVE MATTERS

(MOST RECENT FIRST, AND EXCL. AS MEDIATOR)

a) As Arbitrator and Secretary to Arbitral Tribunals

- Acted as Co-Arbitrator in a M&A dispute between two Middle Eastern companies in the energy industry (LCIA, English law, DIFC).
- Acted as Sole Arbitrator in a procurement dispute between a North African company and its Asian supplier in the energy industry (ICC, French law, Paris).
- Acted as Sole Arbitrator in a sale dispute between a Singaporean company and an American company in connection with the procurement of commodities from Latin America (ICC, English law, Paris).
- Acted as Sole Arbitrator in a payment dispute between two UAE construction companies (DIAC, UAE law, Dubai).
- Acted as Secretary to an arbitral tribunal in a joint venture dispute in the real estate industry, between an American company and its Brazilian affiliate as claimants, and several Brazilian parties as respondents (ICC, Brazilian law, Miami).

b) As Counsel in International Arbitration

- As an independent practitioner, acted as counsel for a group of minority shareholders in a potential dispute arising from the breach of a share purchase agreement in connection with an oil and gas project in East Africa (LCIA, English law, London).
- As an associate at Dechert (Paris) LLP, acted as counsel in a dispute in connection with the attempted purchase of an African telecom company (LCIA, English law, London).
- As an associate at Dechert (Paris) LLP, acted as counsel in a potential investment dispute with potential related commercial proceedings (ICSID/LCIA).
- As an associate at Dechert (Paris) LLP, acted as counsel in a post-acquisition dispute involving leading Middle Eastern and European telecommunications groups (ICC, English law, Singapore).

- As an associate at Dechert (Paris) LLP, acted as counsel for a leading satellite operator in a potential dispute against another leading satellite operator (ICC, English law, Paris).
- As an associate at Dechert (Paris) LLP, acted as counsel for the BVI affiliate of an East African energy company against a Swiss energy company in connection with a potential dispute arising from a wind farm project in East Africa (Swiss Chambers of Commerce, English law, Zurich).
- As an associate at Dechert (Paris) LLP, acted as counsel for the Saudi affiliate of an Asian construction company against its Middle Eastern subcontractor in a dispute arising from the construction of a large energy research centre in the Middle East (ICC, Saudi law, Riyadh).
- As an associate at Dechert (Paris) LLP, acted as counsel for the BVI affiliate of an Asian State entity in connection with a potential USD 100 million dispute against a DRC company in the mining industry (ICC, DRC law, Geneva).
- As an associate at Dechert (Paris) LLP, acted as counsel for the European parent of an East African company in a potential dispute with another East African company in the field of information and communications technology (ICC, Kenyan law, Paris).
- As an associate at Dechert (Paris) LLP, acted as counsel for a Spanish construction company against an International Organisation in disputes arising from three FIDIC-based contracts in connection with the construction of a large experimental energy facility (*Ad hoc*, French law, France).
- As an independent practitioner, acted as counsel for a Lebanese company in a potential dispute in the start-up industry arising out of a shareholder agreement (Beirut Chamber of Commerce and Industry, Cayman Islands law, Beirut).
- As an associate at Dechert (Paris) LLP, acted as counsel for an Asian construction company against its Middle Eastern subcontractor in a potential dispute in excess of USD 100 million arising from the construction of a large energy research centre in the Middle East (ICC, Saudi law, Saudi Arabia).
- As an independent practitioner, acted as counsel for a Cayman Islands company against a Lebanese company in a potential dispute in the start-up industry arising out of a shareholder agreement (Beirut Chamber of Commerce and Industry, Lebanese law, Beirut).
- As an associate at Dechert (Paris) LLP, acted as counsel for an Asian State in two related long-running disputes for USD 1 billion against four French defence companies, each arising from a military procurement contract and the payment of illicit commissions (ICC, French law, Paris).

- As an associate at Dechert (Paris) LLP, acted as counsel for a European State against a European investor in a potential dispute relating to electricity distribution arising under a BIT and the Energy Charter Treaty (ECT).
- As an associate at Dechert (Paris) LLP, acted as counsel for an English company and its Kazakh subsidiary against a listed South Korean company and its English subsidiary in a dispute in excess of USD 100 million arising out of an oil and gas project in Kazakhstan (ICC, Kazakh law, Paris).
- As an independent practitioner, acted as counsel for a Middle Eastern company against another Middle Eastern company and its shareholders in a dispute arising out of an acquisition that had not completed (ICC, Lebanese law, Beirut).
- As an associate at Dechert (Paris) LLP, acted as counsel for an English company against an Israeli company in a dispute arising out of a non-exclusive agency agreement in the field of information and communications technology (ICC, English law, London).
- As an associate at Dechert (Paris) LLP, acted as counsel for an Asian State against a French defence company in a dispute arising from military procurement contracts and the payment of illicit commissions (ICC, French law, Paris).
- As an associate at Dechert (Paris) LLP, acted as counsel for a French company against an Indian company in a post-acquisition dispute in excess of USD 100 million in the pharmaceutical industry (ICC, French law, Paris).
- As an associate at Dechert (Paris) LLP, acted as counsel for a French public investment firm against the Dutch subsidiary of a Middle Eastern private equity firm in a post-acquisition dispute in excess of USD 100 million (DIS, German law, Munich).
- As a trainee solicitor at Freshfields Bruckhaus Deringer LLP, acted as part of the counsel team to a Spanish company against a major airline organisation (ICC, English law, London).
- As a trainee solicitor at Freshfields Bruckhaus Deringer LLP, acted as part of the counsel team to an American company against a Swiss company in a dispute arising under a framework agreement for the development and launch of an innovative personal mobile technology device (ICC, German law, London).

c) As Counsel in International Litigation

- As an independent practitioner, acted as counsel in connection with a potential real estate dispute (French law).

- As an associate at Dechert (Paris) LLP, acted as counsel in connection with interlocutory proceedings before the French courts in relation to the enforcement of an award.
- As an independent practitioner, acted as counsel for a Lebanese company in a potential dispute in the start-up industry arising out of a services agreement (Lebanese law, Lebanese courts).
- As an associate at Dechert (Paris) LLP, acted as counsel in connection with annulment proceedings brought before the Saudi courts in respect of an ICC final award.
- As an associate at Dechert (Paris) LLP, acted as counsel for a BVI investment firm, its partners and a related individual in proceedings before the Paris Court of Appeal and French *Cour de cassation* challenging a sanctions decision of the Autorité des Marchés Financiers (“AMF”, the French financial regulatory authority).

PUBLICATIONS

a) Books and book chapters

- “*Empirical Study of Experiences with Remote Hearings: A Survey of Users’ Views*”, with Gary Born and Anneliese Day QC, Ch. 7 in Maxi Scherer, Niuscha Bassiri, Mohamed S. Abdel Wahab (eds.), *International Arbitration and the COVID-19 Revolution* (Wolters Kluwer, 2020).
- “*Review of Delos Dispute Resolution*”, with Ank Santens, Ch. 49A in Horacio A. Grigera Naón and Paul E. Mason (eds.), *International Commercial Arbitration Practice: 21st Century Perspectives* (LexisNexis Matthew Bender, 10th edn., 2019, updated 2020).
- *Delos Guide to Arbitration Places* (Co-General Editor) (Delos, June 2018, with updates in 2019 and 2020) – nominated for the 2019 GAR Award for Innovation. **Link:** <https://delosdr.org/index.php/gap/>.

b) Other publications

- “*Remote Hearings (2020 Survey): A Spectrum of Preferences*”, with Gary Born and Anneliese Day QC (*Journal of International Arbitration* 38.3). **Link:** https://delosdr.org/wp-content/uploads/2021/05/JOIA_38_0301.pdf.
- “*A Circle for a Triangle – Geometry in Aid of Efficiency in International Arbitration*” (Delos, March 2021). **Link:** <https://delosdr.org/index.php/2021/03/26/a-circle-for-a-triangle-geometry-in-aid-of-efficiency-in-international-arbitration/>.

- “*A Black Swan Event? Implications of COVID-19 for Damages and Valuations in International Arbitration*”, with Lucy Martinez, James Nicholson and Noah Rubins QC (Kluwer Arbitration Blog, March 2021). **Link:** <http://arbitrationblog.kluwerarbitration.com/2021/03/15/a-black-swan-event-implications-of-covid-19-for-damages-and-valuations-in-international-arbitration/>.
- “*Opening up, one conversation at a time*” (ArbitralWomen, September 2020 Newsletter). **Link:** https://cdn1.arbitralwomen.org/wp-content/uploads/2020/09/AW_Newsletter_Issue_41-1.pdf.
- “*Delos checklist on holding arbitration and mediation hearings in times of COVID-19*” (Delos, March 2020) – nominated for the 2020 GAR Pandemic Response Award. **Link:** <https://delosdr.org/index.php/2020/03/12/checklist-on-holding-hearings-in-times-of-covid-19/>.
- “*Introduction to Blockchain and Smart Contracts*” (Delos, September 2019). **Link:** <https://delosdr.org/index.php/2019/09/26/introduction-to-blockchain-smart-contracts/>.
- “*Activating Arbitration: Four Delos Principles to Achieve Fair and Efficient International Arbitration*” (Delos, March 2017; Spanish-language translation published by Delos in January 2018). **Link:** <https://delosdr.org/wp-content/uploads/2018/01/Hafez-R-Virjee-Activating-Arbitration-Delos-2017.pdf>.

SELECTED SPEAKING ENGAGEMENTS

May 2021	JURIS – “ <i>The ICSID/UNCITRAL Draft Code of Conduct for Arbitrators: Voluntary or Mandatory?</i> ” – Panellist (online).
January 2021	Delos-SCC-VIAC – “ <i>Fast & Slow? A Look Back at Remote Hearings in 2020 and the Outlook for 2021</i> ” – Moderator (online).
December 2020	Queen Mary University of London (QMUL) School of International Arbitration (SIA) – “ <i>COVID-19 and its Effects on International Arbitration</i> ” – Panellist (online).
November 2020	AmCham Perú and Delos – “ <i>The Present and Future of Remote Oral Advocacy in Arbitration</i> ” (AmCham Perú Arbitration Unplugged Webinar Series, Ep. 7) – Moderator (online).
November 2020	RMA & Co. and Delos – “ <i>What to know – or what to forget – about an Arbitral Institution</i> ” – Moderator (online).
November 2020	Delos – “ <i>A Black Swan Event? Implications of COVID-19 for Damages and Valuations in International Arbitration</i> ” (a GAP Symposium 2020 event) – Moderator (online).

November 2020	Delos – “ <i>International Arbitration and the COVID-19 Revolution</i> ” – Panellist (online).
October 2020	The Arbitration Conversation, with Amy Schmitz, Episode 48 – Guest (online).
October 2020	Delos – ROAP 2020 Dedication Panel – “ <i>David D. Caron and International Adjudication & Arbitration</i> ” – Panellist (online).
October 2020	CEA Italian Chapter and AIA-ArbIt-40 – “ <i>Start-Arb: Arbitration and Start-Ups</i> ” – Panellist (online).
Sept. 2020-April 2021	Delos – “ <i>In conversation with Neil</i> ” – Moderator for the conversations with Sir Vivian Ramsey (Sept. 2020), The Hon. Fali Nariman (Oct. 2020), Juliet Blanch (Nov. 2020), Chiann Bao (Jan. 2021), Claudia Salomon (Jan. 2021), Prof. George Bermann (April 2021) (online).
August 2020	Fábrica de Startups Brazil – “ <i>Arbitration for Startups: Opportunities, Challenges and Success Cases</i> ” – Panel speaker (online).
June 2020	Bishkek Arbitration Days 2020: “ <i>Dispute Resolution in Times of Pandemic: Can Arbitration be the Answer?</i> ” – Panellist (online).
June 2020	Kings Chamber and Freshfields Bruckhaus Deringer: “ <i>International Arbitration: How is it adapting during COVID-19</i> ” – Panellist (online).
April-July 2020	Delos – TagTime Season 1 (webinar series): Guest interviewer for “ <i>Neil Kaplan on Procedural Order No. 1</i> ” (April 2020); Panellist for the “ <i>Summer Special</i> ” (July 2020).
November 2019	Delos and Shearman & Sterling – Dubai Arbitration Week 2019: “ <i>Innovation in arbitration: what does it take to promote useful change?</i> ” – Panellist (Dubai, UAE).
November 2019	CIArb YMG: “ <i>Is arbitration suitable for small claims?</i> ” – Panellist (Edinburgh, UK).
September 2019	International Business Law Journal / Revue du Droit des Affaires Internationales (IBLJ/RDAI) Round Table: “ <i>Arbitral Institutions: A Necessity or a Burden?</i> ” (London, UK).
September 2019	LCA – First International ADR Summit: “ <i>The Future of Arbitration in Technology – Blockchain and Smart Contracts</i> ” – Masterclass speaker (Lagos, Nigeria).
September 2019	CIDS Executive Course – “ <i>ICC Arbitration: Current Developments</i> ”: “ <i>Beyond The ICC: New Contenders On The Market</i> ” – Lecturer (Geneva, Switzerland).

- July 2019 King's College London, Executive LL.M.: Advanced International Dispute Resolution: "*The Market for Arbitration: Old and New Contenders*" – Workshop speaker (London, UK).
- May 2019 Innovative Legal Services Forum ("ILSF") 2019: "*CEE Case Studies: Dispute Resolution*" – Keynote speaker; "*Innovation in Dispute Resolution: Sci-Fi or Future Reality?*" – Workshop speaker (Prague, Czech Republic).
- February 2019 CARDS 3rd Tour de Arbitration: "*Experts' Indispensable Role In International Arbitration*" – Moderator (Paris, France).
- December 2018 Sciences Po Arbitration Society (SPAS): "*Arbitration x Technology: A Call For Awakening?*" – Panel speaker (Paris, France).
- November 2018 GAR Live in Paris, 6th Annual Edition: "*Arbitral institutions and their war on time and cost*" – Panel speaker (Paris, France).
- October 2018 Lilla Huck Otranto Camargo: "*The Use of Arbitration to Settle Technology Disputes*" – Panel speaker (São Paulo, Brazil).
- May 2018 Third Co-Chairs' Circle Global Conference: "*How to get that first appointment and continue to be appointed*" – Panel speaker (Rome, Italy).
- 2018-2019 Delos – Inaugural Events Series: "*Introduction to Delos*" – Keynote or panel speaker (Hong Kong in March 2018, Paris in April 2018, São Paulo in October 2018, Madrid and Dubai in November 2018 and Singapore in March 2019).
- December 2017 CIArb YMG: "*Navigating through Common law and Civil law waters in International Arbitration: Young Perspectives from Europe and the Americas*" – Panel speaker (Paris, France).
- November 2015 ICC YAF: "*Workshop on arbitrator conflicts of interest*" – Panel and workshop speaker (Athens, Greece).
- November 2014 Banque du Liban ("BDL") Accelerate 2014: "*De-Risking Startups*" – Keynote speaker; "*Resolving Difficult Relationships*" – Workshop speaker; and Seedstars Beirut 2014 Jury (Beirut, Lebanon).

OTHER EXPERIENCE (excl. non-legal pro bono)

- January 2014 – present **President and Co-Founder, Delos Dispute Resolution** – London, Paris.
Delos is an independent arbitral institution established to promote time and cost efficiency in the resolution of disputes, combined with quality and flexibility. Delos received the 2018 GAR Award for Innovation.
Since 2020, Delos also provides advanced oral advocacy training through a programme known as ‘ROAP’, which was nominated for the 2021 GAR Award for Innovation, and arbitration hearing services, both physical and remote.
- July 2012-July 2015 **Member, His Highness Prince Aga Khan Shia Imami Ismaili National Conciliation and Arbitration Board for France** – Paris.
Voluntary work for a three-year term.
- July 2011-January 2012 **Legal Consultant, University of Central Asia** – Paris. Provided public international law advice on the question of the role of non-State actors in international law.

EDUCATION AND QUALIFICATIONS

- February 2019 **Admitted to practise as an *Avocat à la cour* at the Paris Bar – non-practising since April 2019**
- November 2014 Mediator Skills Training (two-day residential course), His Highness Prince Aga Khan Shia Imami Ismaili Mediation Training Programme
- March 2010 **Admitted to practise as a Solicitor of the Senior Courts of England and Wales**
- 2006-2007 University of California, Berkeley (Boalt Hall) – LL.M. Overall achievement: High Honours.
Scholarship Award: Hollond Travelling Studentship in Law
- 2005-2006 Oxford Institute of Legal Practice – Postgraduate Dipl. in Legal Practice (L.P.C.): Commendation
- 2001-2005 University of Cambridge, Trinity College – B.A. in Law (M.A. 2008)
Université Paris II-Panthéon Assas – Maîtrise en droits français et anglais
Scholarship Award from Clifford Chance LLP
- 2000-2001 Lycée Louis le Grand, Paris – Classe préparatoire Economique et Commerciale, voie scientifique