

## ALEC EMMERSON

**Nationality: British**

**Languages: English, French (working knowledge)**



Alec Emmerson is a pedigree independent arbitrator with a wealth of experience in UK, Europe, Asia and the Middle East.

Since 2008, Alec has sat in more than 220 arbitrations as co-arbitrator, chair or sole arbitrator under ADCCAC, DIAC, DIFC-LCIA, EMAC, GCCAC, ICC, LCIA, LMAA and SIAC rules as well as in UNCITRAL and other ad hoc arbitrations. The disputes have been subject to a wide range of substantive and procedural laws across many business sectors involving shipping and ship building, insurance, international trade, energy, commercial contracts, agency & distributorships, hospitality and leisure, joint ventures, investments, real estate, telecommunications and infrastructure.

Prior to this, Alec was a leading partner at an international law firm with one of the largest arbitration practices globally, where he practised for 40 years. Alec spent time as an associate and then partner in England for 7 years, managing partner in Asia, based in Hong Kong, for more than 12 years, international partner with strategic responsibility for the firm's offices outside the UK for 3 1/2 years (based in London) and finally a partner and consultant for 18 years based in Dubai, where he moved to develop the firm's MENA disputes practice. He was also a member of the firm's global arbitration executive committee from its formation until the end of 2017.

Alec qualified as both an English and Hong Kong solicitor and also has many years of experience advising on and arbitrating disputes subject to civil laws in Asia and the Middle East. He was a trustee and chief executive of DIFC Arbitration Institute from November 2015 to 20 September 2021. He was a member of the LCIA Court from 2015-2020. In 2017 he became vice chairman of the ICC – UAE Commission on Arbitration and ADR and continues as a member of the Commission. He takes a commercial approach to arbitration and mediation.

## Sector Expertise

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- Construction, Engineering & Infrastructure
- Commercial Dispute Resolution
- Energy, Oil & Gas and Renewables
- Hospitality (including Hotel Management & Related Agreements)
- Insurance & Reinsurance
- Marine, Shipping & Superyachts
- Technology & Telecommunications

## Experience

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### As Arbitrator

- Chairman in a DIAC shareholder dispute between three UAE parties (US\$100 million+).
- Chairman of LMAA Tribunal in London in relation to a long term rig charterparty dispute (US\$250 million+).
- Sole Arbitrator in an ad hoc Hong Kong Arbitration between an Australian boat builder and a Hong Kong entity arising from a contract for in excess of 20 new builds.
- Co-Arbitrator in a DIAC subcontract dispute relating to the provision of certain technical services to a major telecoms company.
- Co-arbitrator in an LCIA arbitration in Singapore relating to the construction of a terminal and pipeline (US\$50 million).
- Co-arbitrator in an ICC arbitration in Muscat relating to works for gas supply facilities
- Sole Arbitrator in a DIFC-LCIA arbitration in Muscat relating to the operation and maintenance of a desalination plant (about OMR 4.5 million / US\$ 11.7 million)
- Sole Arbitrator in a SIAC arbitration in the maritime sector relating to a loan and share sale agreement (US\$9.5 million)
- Chairman of the first EMAC arbitration which was an AED 45 million charterparty dispute.
- Sole Arbitrator in a DIFC-LCIA arbitration arising out of a warehousing and distribution contract in a MENA country.
- Co-arbitrator in a consolidated DIFC-LCIA arbitration with a London seat arising out of a shareholders' agreement and a share purchase agreement for fast food franchised restaurants around the GCC.
- Co-arbitrator in an UNCITRAL Rules arbitration between a Cayman company & a Luxembourg S.A. arising out of the hire of a drill-rig unit (US\$16 million)
- Co-arbitrator in LCIA Rules dispute in relation to supply and installation of audio-visual systems for a project in Doha with values in dispute of about GBP 7 million. QFC seat and venue and Qatar Law.
- Sole Arbitrator in ICC Rules dispute between Iraqi and S. Korean parties in relation to construction contract in Iraq. Paris seat, English language and Kurdistan Law.
- Presiding Arbitrator in a DIFC-LCIA arbitration between a UAE subsidiary of a global oil field services supplier and a company based in Saudi Arabia arising out of a representation agreement subject to the laws of Saudi Arabia and with DIFC as the arbitral seat (amount in issue US\$70 million).
- Co-Arbitrator in an LCIA arbitration with London seat and Abu Dhabi venue with claims of about US\$ 59million arising out of a construction contract in the energy sector.
- Co-arbitrator in an ICC Rules dispute between a multinational main contractor j.v. and a subcontractor in relation to a refinery project in Kuwait (US\$25 million).
- Co-Arbitrator in ICC Rules Muscat seated arbitration arising from subcontract dispute in relation to an airport construction project.

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- Co-arbitrator in DIAC Rules arbitration concerning the sale & purchase of a plot of land with a hotel to be constructed.
- Co-Arbitrator in ADCCAC Rules arbitration in relation to a construction dispute (AED 275 million).
- Chairman in a DIAC Rules construction dispute relating to a major residential villa development and facilities for about AED300 million between the employer and main contractor.
- Co-Arbitrator in a DIAC Rules shareholder dispute between the seller of shares in a retail group and the purchaser (about AED18 million).
- Co-Arbitrator in ICC Rules Doha seated arbitration arising from a dispute between two professional firms.
- Co-Arbitrator in ADCCAC Rules Arbitration seated in Abu Dhabi arising from a construction subcontract dispute.
- Chairman of Tribunal in an ad hoc infrastructure arbitration seated in Dubai between a main contractor and employer for a claim of about USD100 million.
- Co-Arbitrator in a Doha seated LMAA arbitration in relation to the detention of a vessel and dispute with the vessel's agents.
- Co-Arbitrator in a Dubai seated DIAC Rules construction dispute arising from a hotel construction contract with claims and counterclaims around AED163 million.
- Sole Arbitrator in an LCIA Rules arbitration with a Singapore seat arising out of an English law agency contract between a UAE company and an Australian company in connection with services in Egypt.
- Co-arbitrator in an ICC Rules construction sub-contract arbitration with a value of about AED 14 million arising out of the construction of a hotel and apartments in UAE. Dubai seat and UAE law.
- Co-Arbitrator in a Muscat seated ad hoc arbitration arising out of a contract for construction of a grid substation and overhead transmission lines, subject to Oman law.
- Co -Arbitrator in an LCIA arbitration with a DIFC seat relating to a settlement agreement of a shareholder dispute, subject to English law.
- Co-Arbitrator in a Dubai seated ad hoc arbitration in connection with a dispute between members of a professional services firm, subject to UAE law.
- Chairman in an LCIA arbitration with a London seat relating to a commodity contract dispute in Europe.
- Co-arbitrator in an ad hoc arbitration subject to Indian procedural law and proper law between service providers in the education sector.
- Sole Arbitrator in SIAC English law expedited arbitration seated in Singapore arising out of a term sale contract for propane and butane.
- Third arbitrator in documents only English law, London seat, ad hoc arbitration arising out of a time charter following the withdrawal of the vessel from hire in a North African Country.
- Co-arbitrator in a Dubai seated LCIA arbitration in connection with the financing of certain telecommunications infrastructure in an African Country.
- Co-arbitrator in an LMAA arbitration arising from cancellation of the sale & purchase of a tanker under English law with a London seat.
- Co-arbitrator in an ICC Rules construction sub-contract dispute arising out of desalination plant works in the Middle East.
- Co-arbitrator in an ADCCAC Rules arbitration which is a claim by a hotel developer against architects.
- Co-arbitrator in an LCIA arbitration arising from alleged breaches of a tanker charterparty.

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- Co-arbitrator in a QICCA Rules arbitration in relation to a highway construction subcontract dispute.
- Co-arbitrator in an LMAA C/P arbitration as a result of alleged contamination of gas oil.
- Sole Arbitrator appointed by DIFC Courts in an English law DIFC seat charter party dispute for unpaid hire and bunkers.
- Sole Arbitrator in an Omani ad hoc arbitration between contractors and a government entity arising out of a long-running dispute in previous arbitration and the courts and relating to a hotel construction contract.

### As Mediator

Alec advised regularly on several mediations a year for many years as party counsel. He usually sits several times a year as a mediator covering a wide range of sectors including shipping & shipbuilding, I.T., hospitality, real estate, construction, insurance, healthcare, and employment disputes.

## Academic & Professional Qualifications

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- B.A. HONS (OXON)
- Solicitor England & Wales (now non-practising)
- Solicitor Hong Kong (now non-practising)

## Professional Associations & Recognitions

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### Professional Memberships

- Member Of Saudi Centre For Commercial Arbitration Rules Advisory Committee (2019 Onwards) & SAUDI CENTER FOR COMMERCIAL ARBITRATION COURT (SCCA COURT) (Nov 2022 - ongoing)
- Vice Chairman – ICC – UAE Commission On Arbitration & ADR (2016 To 2019) And Committee Member (Ongoing)
- Member Of LCIA Court (From June 2015 To June 2020)
- Chief Executive And Trustee DIFC Arbitration Institute (Nov 2015 to 20 September 2021)
- Member DIFC Court Users' Committee (2006 – Feb 2011 And 2014-2016)
- Freeman Of The Worshipful Company Of Arbitrators
- LMAA Supporting Member
- Member Of Society Of Construction Lawyers
- Founder Member Of IPBA
- Member LCIA
- Accredited CEDR Mediator
- Fellow CIArb

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### Arbitral Panels

- AAA-ICDR
- ADCCAC
- ADGM Arbitrators Panel
- AIAC (formerly known as KLRCA) (& certified adjudicator)
- ARIAS - ASIA
- BCDR-AAA
- CMAC
- CRCICA
- DIAC
- EMAC
- HKIAC
- KCAB
- SIAC (INC. EMERGENCY PANEL)
- SICAC (Takheem)
- SCIA
- Also appointed under ICC, GCCAC, LCIA, LMAA & DIFC-LCIA Rules
- EMIRATES RACING AUTHORITY APPEAL PANEL (2015-2018 & 2020-2022)

## Publications, Articles & Thought Leadership

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Alec has authored many articles for trade publications, arbitration and legal publications. He has appeared on business radio and T.V. programmes as an arbitration and regional legal expert (although he no longer practices as a lawyer). He speaks at many international trade, legal and arbitration conferences on diverse topics.

- Author of Lexis Nexis User's Guide to ADCCAC Rules 2014
- Author of DIFC-LCIA Arbitration Centre Rules (2016 & 2021)

## Directory or Client Quotes

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Alec is credited with a no-nonsense style and a very diligent work ethic and approach to arbitration and mediation. Directories have described him as "disputes czar", "the dean of arbitration" and "incredibly knowledgeable". He speaks and writes widely on arbitration topics.

- Alec is listed as a leading individual for arbitration from 2009 to date by GAR/WWL.
- "Disputes czar..." - Chambers Global
- "Incredibly knowledgeable" - Legal 500
- "Dean of arbitration" - Newton Arbitration

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- "A robust independent arbitrator" - WWL 2022
- "An extremely experienced and seasoned arbitrator" - WWL 2022
- He has been recognized for many years in Who's Who Legal for mediation, transport and insurance/reinsurance and as a highly recommended individual for the UAE in PLC Which Lawyer in the field of Dispute Resolution.
- He features on the GAR Arbitrator Research Tool ("ART")
- Platinum ranked on the Newton arbitration platform.

He also features in Chambers 2021 and 2022 Directories as one of the most in demand UAE arbitrators.