



## Jessica Crow

**Nationality:** Canadian/American

**Languages:** English & French (Fluent)

Jessica is an independent arbitrator, international law consultant and academic researcher specialising in Energy and Natural Resources, Climate Change and the Environment, International Dispute Resolution and Public International Law. She has particular expertise in matters relating to the energy transition and the international climate change regime. She handles high-value, complex disputes across a range of industry sectors, including energy and natural resources, construction, engineering and infrastructure, telecommunications and fintech.

Jessica has more than a decade of experience in international commercial and investment arbitration. She has served as Sole, Co-Arbitrator and Counsel under most major arbitral institutions, numerous governing laws, and arbitral seats. She also has experience in the energy sector as in-house counsel to a prominent Engineering Procurement and Construction (EPC) company and in the public sector as the Special Legislative Assistant to the Government House Leader in the Parliament of Ontario, Canada.

In the field of climate law and governance, she advises corporates, investors, and States in relation to international and domestic climate policy, energy transition regulations, ESG and litigation risk. Jessica's practice is also shaped by her role with leading research institutions. She is a doctoral researcher in climate law at the University of Cambridge, Centre for Environment, Energy and Natural Resource Governance (CEENRG) where she collaborates with world-leading experts in climate science, economics, and law. She also works in close collaboration with the Lauterpacht Centre for International Law and teaches international law, climate change and environmental law at Cambridge.

Jessica Co-Chairs the North American regional sub-committee of the Campaign for Greener Arbitrations, is a member of the Chartered Institute of Arbitrators ADR & Sustainability Specialist Group Steering Committee and sits on the Advisory Committee of the Young Canadian Arbitration Practitioners (YCAP).

She is admitted to practice in New York and as a Solicitor in England and Wales and is a Member of the Chartered Institute of Arbitrators..

## Sector Expertise

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- Energy, Oil & Gas
- Construction, Engineering & Infrastructure
- Environment, Renewables & Climate Change
- Commercial Dispute Resolution

## Construction, Engineering & Infrastructure

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Jessica has experience as counsel and arbitrator in construction and engineering disputes involving nuclear energy facilities, offshore pipelay, pipelaying vessels, sustainable smart cities, urban rail and complex industrial facilities. She has experience dealing with issues of delay, disruption, prolongation, liquidated damages, misrepresentation and negligence.

## Energy, Oil & Gas

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Jessica has experience in disputes in the Energy sector, Oil & Gas, including midstream transportation and pipeline agreements. As in-house counsel to a prominent EPC company in Milan, she focused on projects and disputes in the midstream sector both on and offshore. She is knowledgeable in upstream granting instruments, exploration and production, construction, operation and decommissioning, as well as stakeholder issues, including indigenous rights, social licencing, local content and the environment.

## Environment, Renewables & Climate Change

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Jessica has deep expertise in the law and governance of the energy transition, climate change and environmental law. She has experience advising governments, corporates, and other key stakeholders on climate litigation risk and ESG matters. She is familiar with the workings of the international climate change regime, including the United Nations Framework Convention on Climate Change (UNFCCC), the Paris Agreement and the complex interactions between international investment and the environment in public international law. She is knowledgeable in renewable energy incentives and support policies including Green Credits (GCs) and feed-in-tariffs (FITs); market mechanisms, such as emissions trading schemes (ETS), and the commercial and investment implications of decarbonization policies. She teaches international law, climate change and environmental law at the University of Cambridge where she is a doctoral researcher.

## Commercial Dispute Resolution

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Jessica has considerable experience in commercial disputes across a range of industry sectors, including energy, construction, joint ventures, industrial chemicals, financial services, digital assets, telecommunications, intellectual property and commercial agency.

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## Experience

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- Co-Arbitrator under the LCIA rules in an arbitration seated in the Bahamas and subject to Bahamas law arising out of a Subscription Agreement for the issuance of digital assets.
- Co-Arbitrator under the LCIA Rules in a dispute seated in Doha under the laws of Qatar relating to the construction of a sustainable urban regeneration project.
- Sole Arbitrator in an ICC administered arbitration seated in London under the law of England & Wales concerning a contract for the provision of commissioning services in the transportation sector between a sustainable rail construction and engineering company and a legacy train manufacturer.
- Co-Arbitrator in a multimillion-dollar LCIA dispute seated in London concerning a debt restructuring agreement in the telecommunications sector between a state-owned telecoms company and a government-owned mobile telecoms operator in a West African state.  
Co-Arbitrator in an ICC administered arbitration seated in Calgary under the law of Alberta in relation to a multi-million dollar claim between Canadian and U.S. parties concerning the construction of a large chemical industrial facility.
- Co-Arbitrator in an LCIA arbitration seated in London between under the law of England & Wales, in relation to a contract for the supply of personal protective equipment between UK and US parties during the COVID-19 pandemic.
- Sole Arbitrator in an ICC administered arbitration under the law of England and Wales between parties in relation to alleged breaches of a commercial agency agreement.
- Sole Arbitrator in two separate commercial disputes, under the LCIA rules, between parties in relation to alleged breaches of a consumer credit agreement.
- Acting as arbitrator in several arbitrations in the transport & tourism sector under the Arbitration Act 1996 (UK).
- Tribunal Secretary to sole arbitrator John Judge in an UNCITRAL dispute seated in Ontario and subject to the laws of Ontario concerning a political risk insurance policy over Libyan oil assets.
- Counsel to a leading European EPC contractor in ICC arbitration in relation to a cancelled pipeline project. English law governed and the language of the arbitration was English. Over EUR 1 billion was at stake.
- Acted on behalf of an oil and gas major in a dispute with a contractor arising out of political and social unrest in West Africa triggering force majeure provisions in the contract.
- Counsel to a French-German consortium in ICC arbitration in Stockholm against a Finnish utility company in relation to a dispute arising from an agreement for the construction of a nuclear power plant in Finland. Finnish law governed and the language of the proceedings was English. Over EUR 6.1 billion was at stake.
- Counsel to a prominent contractor in the Oil & Gas industry in an LCIA arbitration regarding variations and prolongation in relation to the supply of two vessels in the Kashagan Field.

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- Counsel to a multinational infrastructure firm in ICC arbitration in relation to one of the world's largest urban rail projects. The seat was in London and over US 900 million was at stake.
- Counsel to 13 financial investment companies and two individuals as claimants in ICC arbitration proceedings arising out of the revision and breach of a settlement agreement in relation to a substantial telecommunications operation in Brazil. The seat of the arbitration was Paris, Brazilian law applied and the language of the arbitration was English. Over EUR 15 billion was at stake.
- Counsel to three European chemical companies as respondents in ICC arbitration in Geneva against the European subsidiaries of a large North American chemical concern. Swiss law applied.

## Academic & Professional Qualifications

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### Education:

- 2022 - present: *University of Cambridge, United Kingdom*, PhD, International Climate Law and Governance of the Energy Transition
- 2020 to 2021: *Queen Mary University of London, United Kingdom*, Master of Laws, LLM Dispute Resolution, Energy and Climate Change
- 2007 to 2010: *University College London, United Kingdom*, Bachelor of Laws, LLB Hons, Editorial Board of the Law Review, The UCL Jurisprudence Review
- 2001 to 2005: *McGill University, Montréal, Québec, Canada*, Philosophy and Political Science, BA Hons

### Career History:

- 2020 to Present: Crow Arbitration, Independent Arbitrator, London
- 2015 to 2020: Vinson & Elkins, Senior Associate, International Dispute Resolution, London
- 2017: Saipem S.p.A, International Legal Department, Legal Counsel (secondment), Milan
- 2014-2015: Betto Seraglini, Senior Associate, International Dispute Resolution, Paris
- 2011-2014: Shearman & Sterling, Associate, International Arbitration Group, Paris

## Professional Associations & Recognitions

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- Immediate Past President of the Executive Committee and Advisory Board Member, Young Canadian

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Arbitration Practitioners (YCAP)

- Chartered Institute of Arbitrators ADR & Sustainability Specialist Group Steering Committee
- Member of ICC Canada Arbitration Committee
- Co-Chair North American Regional Subcommittee, Campaign for Greener Arbitrations
- Member of LCIA Young International Arbitration Group (YIAG)

## Publications, Articles & Thought Leadership

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### Recent Engagements:

- Presenter, 20th Annual Colloquium of the IUCN Academy of Environmental Law 2023, “Harnessing the “duty of care” to operationalise the Paris Agreement.”
- Panelist, QMUL Institute of Energy and Climate Change Law, “How Climate Change is Changing the Law and Commercial Practice”
- Panelist, ICCA-VanIAC Joint Conference on Energy Infrastructure Disputes and Arbitration: Today and Tomorrow, “Predicting the Future of International Energy Arbitration”
- Panelist, Young ICCA/YCAP conference on the Arbitration of Energy and Climate Change Disputes, “Is arbitration the best dispute resolution procedure for climate change disputes?”
- Panelist, 7th ELG Energy Event in Paris, “Investment arbitration landscape in the context of the energy transition – Renewable Energy Arbitration”
- Panelist, 2023 ABA International Law Section Annual Conference, “Strategic litigation to enforce the Paris Agreement: Global Perspectives”
- Panelist, SCC Arbitration Institute Energy Transition Forum “Energy Transition and Climate Disputes”
- Panelist, RESOLVE 2023 Abu Dhabi International Dispute Resolution Forum (ADGM), "Anticipating and Mitigating ESG Related Disputes."
- Speaker, 39 Essex OUTLOOK Podcast, Building for the Future - Climate Change and Arbitration. (<https://www.39essex.com/information-hub/insight/outlook-building-future-climate-change-and-arbitration>)
- Author, LEXIS PSL Case Note *Tennant v Canada* (<https://lnkd.in/ewYUySvH>)

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- Panelist, ICC UK Conference on Arbitration and ADR 2022, "Climate Change meets Arbitration: A look ahead to 2030"
- Panelist, ICC Canada Conference 2022, Debate on the impact of sanctions on institutional and arbitrator neutrality
- Co-Author with Wolf von Kumberg "The Development of Investor State Mediation and its Future in supporting Climate Change" Arbitration: The Journal of International Arbitration, Mediation, and Dispute Management, Chartered Institute of Arbitrators 2022
- Speaker, Barton Legal Webinar: "Challenges for the Construction Supply Chain as a result of Climate Change and the Energy Transition." (<https://www.bartonlegal.com/site/webinars/may-2022-andrew-singer-qc-and-jessica-crow>)
- Guest Faculty, Toronto Commercial Arbitration Society Gold Standard Course in International Arbitration 2022
- Panelist, London International Dispute Week 2022: "The Next Generation: what young and rising arbitrators need to know - a roundtable focused on topics of interest to the next generation of arbitrators and the counsel appointing them."
- Panelist, Campaign for Greener Arbitrations Webinar: "The Path Towards Carbon Neutrality - how arbitrators, arbitral institutions, arbitration practitioners and other stakeholders of the arbitration community can reduce and meaningfully offset their carbon emissions."
- Panelist, Chartered Institute of Arbitrators Webinar: "Climate Change Disputes: Is Arbitration a Sustainable Option?"
- Panelist, Arbitra International Webinar: "COP26 Dispute Resolution Aftermath: insight, analysis, and advice on how decisions taken at COP26 in Glasgow may affect the arbitration and ADR arena."
- Arbitrator, LCIA, ICC and USCIB/AAA Vis Moots 2015 - Present