



Kate Brown de Vejar

Delägare

GLOBAL CO-CHAIR OF INTERNATIONAL ARBITRATION

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Kate Brown de Vejar focuses her practice on international commercial and investment arbitration. She has represented private corporations, sovereign states and state-owned entities in connection with international arbitrations under the leading institutional and ad hoc arbitration rules, including those of the International Centre for Settlement of Investment Disputes (ICSID), the United Nations Commission on International Trade Law (UNCITRAL), the International Chamber of Commerce (ICC), the London Court of International Arbitration (LCIA), the Mexican Chamber of Commerce (CANACO) and the Japan Commercial Arbitration Association (JCAA). Ms. Brown de Vejar also acts as an arbitrator.

Widely recognized for her experience handling complex, high profile disputes in the energy and infrastructure sectors, Ms. Brown de Vejar's experience also extends to disputes in the aeronautical, financial services, mining and satellite/telecommunications sectors. She is Vice-President of the LCIA's Latin American Users' Council, Co-Chair of the IBA's Subcommittee on Recognition and Enforcement of Arbitral Awards, a Board Member of CAIC (the Arbitration Center for the Construction Industry in Mexico), a member of the ICDR-CANACO Joint Committee, and Vice President of ANZMEX (the Australia, New Zealand, Mexico Business Council).

In its 2019 listing, Who's Who Legal ranked Ms. Brown de Vejar among the top two most highly regarded arbitration practitioners in Mexico, as well as a "thought leader," with respondents describing her as "an extremely dedicated and capable" attorney. In 2020, Ms. Brown de Vejar is listed among WWL's highly-regarded arbitration practitioners globally and in Mexico, with respondents describing her as "a great lawyer" and "super-smart younger partner." WWL said Ms. Brown de Vejar as well versed at representing private corporations and sovereign states in international commercial and investment arbitrations." In the 2017 edition of Legal 500 Latin America, sources praise her as "one of the best in investment arbitration." Ms. Brown de Vejar was named one of the top 100 female lawyers in Latin America by Latinvex in 2017, 2018 and 2019, and in July 2018, Law360 recognized her as a Rising Star in international arbitration.

From 2008–2017, Ms. Brown de Vejar represented Australia, her country of origin, at the meetings of UNCITRAL Working Group II (Arbitration and Conciliation) and the Commission. In this role, she participated in the Working Group's 2010 and 2013 revisions

RELATERADE TJÄNSTER

- Processer, skiljeförfaranden och utredningar
- Internationella skiljeförfaranden

SPRÅK

Engelska Franska
Spanish

to the UNCITRAL Arbitration Rules, the development of the UNCITRAL Rules on Transparency in treaty-based investor-State arbitration, the negotiation of the Mauritius Convention on Transparency, as well as the definition of the mandate for UNCITRAL Working Group III's current work on reform of investor-State dispute settlement.

SPRÅK

- Engelska
- Franska
- Spanish

ERFARENHET

- Ms. Brown de Vejar is lead counsel representing two investors in connection with their BIT claim arising out of investments in the renewable energy sector
- Ms. Brown de Vejar is part of the team defending Lithuania in a US\$300 million case brought in relation to the bankruptcy of Bankas Snoras (Fund for Protection of Investor's Rights in Foreign States v. Republic of Lithuania, UNCITRAL Case)
- Ms. Brown de Vejar is one of the lead counsel representing a retail sector client in an ICC arbitration arising out of a long term contract for the supply of hydro electricity
- Ms. Brown de Vejar is part of the team representing a national aviation authority in a commercial UNCITRAL arbitration with an International Organization
- Ms. Brown de Vejar was one of the lead counsel that secured a comprehensive victory for Turkmenistan in a US\$570 million ICSID arbitration - all claims against Turkmenistan were dismissed and the claimant was ordered to pay US\$1.7 million in costs. The case (Içkale İnşaat Limited Şirketi v. Turkmenistan, ICSID Case No. ARB/10/24) involved 13 different civil engineering EPC contracts for facilities ranging from hotels and schools, to a man-made canal. The same team went on to defeat the claimant's request for a supplementary decision and rectification of the award in mid-2017
- Ms. Brown de Vejar acted for a Mexican state-owned entity in an LCIA arbitration relating to a US\$45 million energy sector infrastructure project. This arbitration, which commenced in early 2017, is ongoing
- From 2017–January 2019, Ms. Brown de Vejar was one of the lead counsel in a multi-billion dollar ICC arbitration for Turkmenistan's State-owned gas entity, against the National Iranian Gas Company. The arbitration is ongoing
- Ms. Brown de Vejar was one of the lead counsel for Turkmenistan in a US\$450 million ICSID arbitration involving claims arising out of 31 distinct EPC contracts for the construction of a range of facilities, including an industrial steel mill, a water treatment plant and a recycling plant (Muhammet Çap & Sehil İnşaat Endüstri ve Ticaret Ltd. Şti. v. Turkmenistan, ICSID Case No. ARB/12/6). This arbitration is ongoing
- Ms. Brown de Vejar defended Venezuela in the ICSID case Saint-Gobain Performance Plastics Europe v. Bolivarian Republic of Venezuela (ICSID Case No. ARB/12/13). In December 2016, the Tribunal majority issued a decision accepting all of Venezuela's arguments on damages except one, including agreeing to apply a nominal discount rate of 19.88%, and to reduce the claimant's claimed future profits by 25% based on Venezuela's analysis that a willing buyer would have to spend at least that much on marketing and distribution
- Ms. Brown de Vejar was a core member of the arbitration team which represented Algeria and its national oil company, Sonatrach, in parallel UNCITRAL and ICSID arbitrations brought by Anadarko and Maersk in 2009–2012, relating to the introduction of a windfall profits tax on petroleum operations. The arbitration was discontinued when the parties reached a settlement

KVALIFIKATIONER

Admissions

- Australia
- New York

Yrkesbakgrund

Until January 15, 2019, Ms. Brown de Vejar was a partner at a New York-based international law firm.

Utmärkelser

- Kate Brown de Vejar was included in the 2020 *Best Lawyers* in Latin America for Arbitration and Mediation in Mexico.
- In 2020, Ms. Brown de Vejar is listed among WWL's highly-regarded arbitration practitioners globally and in Mexico, with respondents describing her as "a great lawyer" and "super-smart younger partner."
- In its 2019 listing, *Who's Who Legal*, ranked Ms. Brown de Vejar among the top two most highly regarded arbitration practitioners in Mexico, as well as a "thought leader," with respondents describing her as "an extremely dedicated and capable" attorney.
- Named one of the top 100 female lawyers in Latin America by Latinvex in 2017, 2018 and 2019, and in July 2018.
- In the 2017 edition of *Legal 500 Latin America*, sources praise her as "one of the best in investment arbitration."
- *Law360* recognized Kate as a Rising Star in international arbitration.
- Widely recognized for her experience handling complex, high profile disputes in the energy and infrastructure sectors.

Utbildning

- LL.M., International Finance, Harvard Law School 2005
Australian Federation of University Women Fellowship 2004–2005
- LL.B., University of Queensland
first class honors
University Medal for Law
- B.A., French, University of Queensland

INSIGHTS

Publikationer

- DLA Piper Client Alert, Brazilian federal government issues decree regulating arbitration in disputes between Public Administration and transport and logistics sectors, October 1, 2019
- Forthcoming 2019, "The Economics of Access: Systemic Imbalances in ISDS," ICCA Congress Series No. 20

Events

- Panelist, "Elimination of Bias in International Dispute Resolution," ICDR-AAA California Summit, San Francisco, December 5, 2019
- Panelist, "The revision of final awards: when, if ever, is it acceptable? Dealing with requests for clarification seeking the revision of the award," 17th ICC Annual Miami Conference Miami, November 10-12, 2019
- Panelist, "ICC Advanced Arbitration Academy for Latin America, Alumni Workshop: Emergency Arbitrator," Miami, November 9, 2019
- Panelist, "Infrastructure Disputes - an in-depth analysis of the infrastructure and construction disputes that arise in the international oil & gas business," Association of International Petroleum Negotiators (AIPN) Conference on Dispute Resolution in the International Oil & Gas Business, Houston, October 25, 2019
- Panelist, "Infrastructure Disputes - an in-depth analysis of the infrastructure and construction disputes that arise in the international oil & gas business," at the Association of International Petroleum Negotiators (AIPN) and ICDR Conference on Dispute Resolution in the International Oil & Gas Business, Houston, October 24-25, 2019
- Panelist, "New Techniques in Investment Treaty Drafting: their Use by States and Application by Tribunals," at the 9th

Investment Treaty Arbitration Conference organized under the auspices of the Ministry of Finance of the Czech Republic, Prague, October 9-10, 2019

- Speaker, "Recent Challenges in Enforcing Commercial and Investor-State Awards Involving Sovereigns," at the Third Annual Juris Conference on Enforcement of Arbitration Awards, Boston, September 26, 2019
- Speaker, "International Arbitration Law Update (India, Mexico & California)," ICDR Event, Los Angeles, July 10, 2019
- Speaker, "Elimination of Bias in International Dispute Resolution," hosted by The Boeing Company, Los Angeles, July 9, 2019
- Panelist, "El Arbitraje en Iberoamérica – Retos y Tendencias," Arbitration Conference, México City, June 25-26, 2019
- Speaker, Global Arbitration Review's 5th Annual "Live BITs" Conference, Washington, DC, May 16, 2019
- Speaker, "Complejidades actuales del cálculo de daños," XII Conferencia de Arbitraje Internacional, Quito, April 4-5, 2019
- Speaker, "The role of arbitral tribunals against corruption," 2nd ICC Peru Arbitration Day, Lima, October 11-12, 2018
- Panelist, "Hot Topic: Producción de documentos en el Arbitraje Internacional," LUYAP - Lima Very Young Arbitration Practitioners and Amcham Perú, Lima, October 11, 2018
- Panelist, "The use of evidence in international arbitration," Harvard International Arbitration Law Students' Association, International Arbitration Workshop, Cambridge, October 2, 2018
- Speaker, "Arbitration Challenged II: The Realities of Arbitration Economics: Who Gets to Play, and What are the Implications?" (cost allocation, security for costs and third party funding in ISDS: systemic imbalances), ICCA Congress, Sydney, April 16, 2018
- Speaker, "Arbitration with Public Entities," LCIA Latin American and Caribbean Users' Council Symposium, Buenos Aires, February 27, 2018
- Speaker, "Resource Nationalism in Emerging Markets," 5th Annual ITA-IEL Joint Conference on International Energy Arbitration, Houston, January 18-19, 2018.
- Speaker, "Hot topics in international arbitration," IBA Annual Conference, Sydney, October 9, 2017.
- Speaker, Young ITA Dallas Roundtable at the 29th ITA Workshop, Plano TX, June 14-16, 2017.
- Panelist, Global Pound Conference, Miami, April 6-7, 2017.
- Speaker, "Umbrella clauses in investment arbitration," Foro de Jóvenes en Arbitraje CAM – CANACO, México City, March 2, 2017.
- Speaker, "How to choose an arbitrator: A masterclass," Latin Lawyer – GAR Live Arbitration Summit, Miami, April 27, 2017.
- Panelist, Global Pound Conference, Miami, April 6, 2017.
- Speaker, "La cláusula paraguas: límites, alcances y su situación actual," Foro de Jóvenes en Arbitraje CAM – CANACO, México City, March 2, 2017.
- Speaker, "Hot topics in international arbitration," IBA Annual Conference, Washington DC, September 22, 2016.
- Speaker, "Motions for Summary Dispositions in Arbitration," ArbitralWomen Breakfast Meeting and Panel Discussion at the IBA Conference in Washington, DC, September 19, 2016.
- Speaker, "Transparencia en los arbitrajes," VIII Conferencia Latinoamericana de Arbitraje (CLA), Miami, June 21, 2016.

NEWS

MEDIA MENTIONS

- Quoted, "Revised 'new NAFTA' signed in Mexico," *Global Arbitration Review*, December 11, 2020
- Mentioned, "Kate Brown de Vejar Is Appointed as Co-Chair of the IBAs Recognition and Enforcement of Arbitral Awards Subcommittee," *Arbitral Women*, October, 2019
- Quoted, "DLA Piper gains practice co-chair with Curtis hire," *Global Arbitration Review*, January 21, 2019
- Quoted, "Rising Star: Curtis' Kate Brown De Vejar," *Law 360*, August 6, 2018