



T. Alexander Brabant

Partner

MEMBER OF THE DLA PIPER AFRICA BOARD

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Member of Paris and New York Bars, Alexander Brabant is experienced in international litigation particularly in international arbitration. He regularly acts in business law dispute resolution, in particular in connection with contract law, mergers and acquisitions litigation, shareholder litigation, as well as in complex construction/industrial litigation involving multipartite judicial appraisals.

He also appears before state courts, in order to assist clients in securing conservatory or provisional measures, or in connection with the recognition and the enforcement of arbitral awards and foreign judgments, as well as motions for annulment.

A substantial portion of Alexander's practice also consists in advising companies in the natural resources (in particular mining) and telecoms sectors in Africa. Such work has included for example advising listed mining companies regarding the validity of their mineral titles, and their representation before ministerial commissions (such as the Commission de revisitation des contrats miniers in the Democratic Republic of Congo) and, more generally, regarding the development of strategies designed to protect mining rights.

- Litigation, Arbitration and Investigations
- Corporate
- International Arbitration

- Energy and Natural Resources
- Technology

English French

LANGUAGES SPOKEN

- English
- French

- Advising a Chinese construction and engineering company acting as the EPC contractor of the world's largest concentrated solar power plant in the Moroccan desert outside of Ouarzazate, in the context of ICC arbitration proceedings relating to claims for indemnification of losses arising out of breaches of contracts by one of its subcontractors responsible for the construction of molten salt tanks.

- Advising Alteo Gardanne SAS, the operator of an industrial plant specialized in the production of alumina, in the context of ICC arbitration proceedings relating to claims for indemnification of losses arising out of an environmental guarantee granted as part of a corporate transaction, against Aluminium Pechiney SAS and Rio Tinto Alcan (Canada).
- Advising Alcatel Lucent in the context of ICC arbitration against the purchaser of a group of entities relating to the latter's claims made pursuant to the representations and warranty provisions of a share purchase agreement.
- Advising Technip France SA in the context of ICC arbitration against Sonatrach regarding the termination of an EPC contract for the expansion and upgrading of the Algiers refinery with an amount in controversy of over 2 billion USD (subject to Algerian law).
- Advising Ghanaian mobile operator in the context of ICC arbitration proceedings seated in Geneva relating to the claim for payment of roaming charges arising out of an International Roaming Agreement against Togo Cellulaire, a mobile operator in Togo.
- Advising Vodacom Tanzania Public Limited in the context of an UNCITRAL ad hoc arbitration brought by one of its super-dealers for wrongful termination of (i) a contract for the production on paper recharge vouchers entitling users to buy airtime and (ii) a super-dealer agreement.
- Advising the French subsidiary of the Sonae Group, an international company specialized in the manufacture of floor coverings and wall panels, in the context of two parallel ICC arbitrations brought against an Italian supplier aiming at the termination of sales contracts for wood cutting and packing industrial lines (subject to French law).
- Advising a company incorporated under Moroccan law, in the context of ICC arbitration against an Austrian affiliate of the Kraft Corporation. The dispute concerned the recovery of certain sums wrongfully withheld by Kraft pursuant to the representation and warranty and related provisions of an acquisition transaction (subject to Moroccan law).
- Advising an Australian mining company in the context of ICC arbitration commenced against Norilsk, one of the largest Russian mining conglomerates, regarding unjustified retention of information and abusive termination of a joint venture agreement prior to the feasibility study on bankability, relating to the development of a nickel mine in New Caledonia.
- Advising British American Tobacco Group in the context of several ICC arbitrations relating to the termination of English-law distribution agreements relating to distribution networks in Djibouti (subject to English law).
- Advising an American oil company against a subsidiary of Total in the context of a dispute arising out of the failure to perform certain obligations of the operator of an oil raising platform causing a technical failure resulting in the impossibility of fuelling tankers (subject to Portuguese law).
- Advising the Mauritian and South African subsidiaries of the Vodafone Group in the context of the ICC Arbitration against the minority shareholder of a joint venture in the Democratic Republic of Congo in order, in particular, to ensure the recapitalization of the joint venture company and the exclusion of the minority shareholder (subject to DRC law).
- Advising the state owned petroleum company in the Republic of Congo in the context of ICC arbitration against the local subsidiary of a Norwegian conglomerate regarding the breach by the latter of its obligations under a joint venture and crude oil sharing agreements (subject to Congolese law).
- Advising Katanga Mining Group in the context of ICC arbitration against a drilling contractor in the Democratic Republic of Congo (subject to English law).
- Advising an international leader in the manufacture of powder coat paints (ICC arbitration) in the context of a shareholder dispute seeking, in particular, the termination of a joint venture agreement and a license agreement (subject to Belgian law).
- Advising a Congolese company specialized in the transport and the circulation of merchandise in the DRC in the context of ICC arbitration regarding the wrongful termination of a maritime agency agreement (subject to Congolese law).
- Advising the roads and highway operator of the Romanian state, the Société nationale des autoroutes et routes nationales de Roumanie, in the context of actions to set aside partial and final ICC awards before the Court of Appeals of Paris.
- Advising Spie Fondations in the context of litigation brought against the owner of a commercial building relating to the defective concrete of pile foundations.
- Advising an Austrian drilling contractor in the context of litigation brought by the owner of a drilling project relating to damaged sheaths pulled under the Seine river destined to receive a power network to feed electricity to the Elysée Palace.

CREDENTIALS

Professional Qualifications

- Avocat admitted to the Paris Bar
- Attorney-at-law admitted with the Supreme Court of New York

Prior Experience

Alexander was previously a partner at an international law firm and leader of its International Litigation Department.

Recognitions

- *Acritas Star™* Lawyer - Litigation & Regulatory – 2021
- *Chambers Global* – Foreign Expert – International Arbitration – 2021
- *Chambers Global* – Foreign Expert – General Business Law – Democratic Republic of Congo – 2020

‘Alexander Brabant is a great technician and knows his files to perfection.’ – *Legal 500*, 2021

‘Very strong on everything regulatory in the telecoms sector.’ – *Chambers Global*, 2020

Education

- New England School of Law, J.D., 1990
- Syracuse University, B.A., 1987

INSIGHTS

Publications

Africa Arbitration Review

15 October 2020

Africa continues to make its mark in the world of international arbitration and has been the home of some innovative developments in recent months. In this new series, we will highlight some of the major developments for international arbitration across Africa and give you an insight into what to expect in coming months.

- Article: “Pour une meilleure protection du créancier en cas de recours en annulation devant les juridictions françaises », *La Revue de l'arbitrage*, October 2021
- Article : « Les enjeux sociétaux sont bien de l'ordre du présent » (*Les Echos Start – Cahier Spécial ChooseMyCompany*), Juin 2021
- Blog post: “Africa Arbitration Review”, *DLA Piper Insights*, October 2020

Events

- Interview : « Stratégie RSE et cabinets d'avocats : un marché à deux vitesses » (*La lettre des juristes d'affaires – Numéro spécial – Le top 40 des avocats du CAC 40 en partenariat avec Forbes*), Juillet 2021