

Elodie Dulac

Partner
International Arbitration

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Elodie Dulac is a partner in King & Spalding's Singapore office and a member of the firm's International Arbitration group. Ms. Dulac has represented clients in commercial and investment arbitrations around the world, with a particular focus on Asia where she has been based for 14 years. She has worked on international arbitrations under the rules of the ICC, ICSID, SCC, SIAC, and UNCITRAL. In addition to her work as counsel, Ms. Dulac has been appointed as sole arbitrator and chair in HKIAC, ICC, SIAC, KIAC, AIAC and *ad hoc* arbitrations. She is a member of the SIAC, AIAC, CRCICA, KCAB, KIAC and NCIA Panel of Arbitrators and the HKIAC List of Arbitrators. She is also a member of the SIAC Users Council. She is listed in Who's Who Legal - Future Leaders 2021 (Top 10 Asia-Pacific wide), and has been recognised in Chambers Asia Pacific and Legal500.

Ms. Dulac is a co-founder and member of the Organising Committee of the Annual East Africa International Arbitration Conference.

Ms. Dulac is admitted to practice in England & Wales (Solicitor-Advocate), Paris, France (Avocate) and Cambodia (Foreign Lawyer). She is a Registered Foreign Lawyer at the Singapore International Commercial Court.

EDUCATION

- D.E.A. (JD equivalent), Université Paris I Panthéon-Sorbonne
- LL.M., King's College, University of London

ADMISSIONS

- Solicitor-Advocate, England and Wales (2010)
- Avocate, Paris (2005)
- Singapore International Commercial Court, Registered Foreign Lawyer (2016)
- Foreign Lawyer, Cambodia (2013)

LANGUAGES

- English: fluent

- French: native

PROFESSIONAL MEMBERSHIPS

- Member, Panel of Arbitrators, Singapore International Arbitration Centre
- Member, Singapore International Arbitration Centre's Users Council
- Member, List of Arbitrators, Hong Kong International Arbitration Centre
- Member, Panel of Arbitrators, Asian International Arbitration Centre
- Member, Panel of Arbitrators, Korean Commercial Arbitration Board
- Member, Panel of Arbitrators, Cairo Regional Center for International Commercial Arbitration
- Member, Panel of Arbitrators, Kigali International Arbitration Centre
- Member, Panel of Arbitrators, Nairobi Centre for International Arbitration
- Founding Member and Member of Organising Committee, Annual East Africa International Arbitration Conference

SELECTED REPRESENTATIVE MATTERS

- Won an award for declaratory relief worth over USD 4 billion in an ICC arbitration in Singapore on behalf of **two international oil majors** against a Southeast Asian government arising out of a revenue-allocation dispute under a gas service contract.
- Representing **Shell** in a multibillion dollar ICSID arbitration against the Republic of the Philippines under the Netherlands-Philippines bilateral investment treaty. The dispute concerns revenue allocation for the Malampaya gas to power project. We recently obtained provisional measures in favour of our client.
- Representing **Chevron** in multibillion dollar UNCITRAL arbitration against the Republic of the Philippines under the Switzerland-Philippines bilateral investment treaty. The dispute concerns revenue allocation for the Malampaya gas to power project.
- Representing two **Singapore mining companies** in their arbitration against China under the China-Singapore BIT concerning the expropriation of exploration and mining licences.
- Representing a **South East Asian company** in an ad hoc arbitration in Singapore against a South East Asian State arising out of a contract for a light rail project in a South East Asian country.
- Representing a **Philippine conglomerate** with interests in major Philippine infrastructure projects in an SIAC arbitration in Singapore arising out of a shareholding dispute worth over USD 1 billion.
- Representing a **South East Asian mining company** in an SIAC arbitration in Singapore against its joint venture partner worth over USD 200 million.
- Representing **ConocoPhillips Indonesia** in an UNCITRAL arbitration in London against an Indonesian gas pipeline operator. The tribunal awarded our client over US\$70 million plus compound interest and most of its costs.
- Representing an **oil major** in cost recovery disputes against an Asian host government.
- Representing a **European industrial company** in an ICC arbitration in Zurich against a Korean company concerning a joint venture in China. Korean law governed
- Representing **two Vietnamese textile companies** in an ICC arbitration in Singapore against a North American company concerning a joint venture in Vietnam. Vietnamese law governed.
- Representing a **US private equity house** in an UNCITRAL arbitration in Singapore against an investee company from South Asia. Our client prevailed on all its claims.

- Representing **Astro All Asia Networks and South Asia Entertainment Holdings** in two UNCITRAL arbitrations against India under bilateral investment treaties. The dispute concerns mistreatment by India of our clients' investments in the satellite television and radio sectors in India.
- Representing **SGS** as claimant in its ICSID arbitration against the Republic of the Philippines, resulting in a settlement of CHF 150 million (of CHF 174 million claimed).
- Representing **North American investors** in an ICSID arbitration against Egypt.
- Representing **Malaysian Historical Salvors** in its successful action to annul an ICSID award made in favour of Malaysia.
- **Expert Consultant for the World Bank** on the reform of the international arbitration regime in Vietnam.

ARBITRATOR APPOINTMENTS

- Chair in SIAC arbitration in Singapore under the 2016 SIAC Arbitration Rules between an Australian party and a Vietnamese party. Vietnamese law governs. The case is pending.
- Chair in a KIAC arbitration in Kigali under the 2012 KIAC Arbitration Rules between an Indian party and an East African party. An interim order was rendered. The case is pending.
- Chair in an HKIAC arbitration in Hong Kong under the 2018 HKIAC Administered Arbitration Rules between an East African party and a European party. The case is pending.
- Sole arbitrator in an AIAC arbitration in Kuala Lumpur under the 2018 AIAC Arbitration Rules between a Malaysian party and an Austrian party. Malaysian law governs. The case is pending.
- Sole arbitrator in an ICC arbitration in Hong Kong under the 2017 ICC Arbitration Rules between two Cambodian parties. Cambodian law governs. A final award was rendered in November 2020.
- Chair in an SIAC arbitration in Singapore under the 2016 SIAC Arbitration Rules between a Korean party and a Hong Kong party. Korean law governs. A final award was rendered in March 2020.
- Emergency arbitrator in an SIAC arbitration under the 2016 SIAC Arbitration Rules between a Singapore party and a Hong Kong party. Singapore law governed. An interim order was rendered.
- Sole arbitrator in an SIAC arbitration in Singapore under the 2016 SIAC Arbitration Rules between a Thai party and a UK party. Thai law governed. An award was rendered.
- Sole arbitrator in an ICC arbitration in Singapore under the 2012 ICC Arbitration Rules between two Cambodian parties. Cambodian law governed. An award was rendered.
- Sole arbitrator in two SIAC arbitrations in Singapore under the 2016 SIAC Rules between two Singaporean parties. Singapore law governed. The case settled.
- Sole arbitrator in three SIAC arbitrations in Singapore under the 2013 SIAC Arbitration Rules between a Singaporean party and an Indian party. Singapore law governed. Three awards were rendered.
- Sole arbitrator in an ICC arbitration in Singapore under the 2012 ICC Arbitration Rules between a Singaporean party and a Sri Lankan party. Singapore law governed. A partial award on jurisdiction and a final award were rendered.
- Sole arbitrator in an SIAC arbitration under the 2013 SIAC Arbitration Rules in Singapore between a Thai party and an Indonesian party. English law governed. An award was rendered.
- Sole arbitrator in an ad hoc arbitration in Singapore between a Singaporean party and a Mongolian party. Singapore law governed. The case settled.

PRO BONO & ACADEMIC

- Civil Party Lawyer, Extraordinary Chambers in the Courts of Cambodia (Khmer Rouge Tribunal), Phnom Penh, Cambodia
- Visiting Lecturer, Settlement of International Disputes, Addis Ababa University School of Law, Ethiopia
- Visiting Lecturer, International Arbitration Course, University of Bahir Dar, Ethiopia
- Visiting Lecturer, International Investment Law Course, University of Mekelle, Ethiopia
- Secondment to the Office of the Prosecutor at the UN International Criminal Tribunal for Rwanda, Arusha, Tanzania

SELECTED PUBLICATIONS

- “Chinese Investment Treaties: What Protection for Foreign Investment in China?”, in M.J. Moser (ed.), *Dispute Resolution in China*, Juris Publishing, January 2020 (co-author).
- “Structuring Investments into Africa through Mauritius to Benefit from Investment Treaty Protection”, *MARC Insights*, Issue 1, December 2019 (co-author).
- “The 2016 SIAC Rules: New Features”, *Indian Journal of Arbitration Law*, *Indian Journal of Arbitration Law*, vol. 5, no. 2, January 2017.
- “Dar Es Salaam: A Focus on East Africa”, *Global Arbitration Review*, April 22, 2015 (co-author).
- Report on ICCA New York Convention Roadshow in Addis Ababa, Ethiopia, *ICCA Newsletter*, January 2015.
- “Chinese Investment Treaties: What Protection for Foreign Investment in China?”, in M.J. Moser (ed.), *Doing Business in China*, Juris Publishing, 2014.
- “The Protection Offered by ‘Umbrella Clauses’ in Korean Investment Treaties”, *Journal of Arbitration Studies*, vol. 23, no. 3, September 2013 (co-author).
- “Investment Treaties and Investment Arbitration in Asia: Coming of Age”, *Transnational Dispute Management*, Vol. 8, Issue 5, December 2011.

RECENT SPEAKING ENGAGEMENTS

- Speaker, GAR Live Africa, “Decision-making in arbitrations with African parties”, Virtual, December 2020.
- Speaker, 8th East Africa International Arbitration Conference, Virtual, August 2020.
- “Party autonomy *vis-à-vis* appointment of arbitrator(s)”, *SIAC India Webinar*, August 2020.
- “Asian Energy Disputes: Project Finance, Price Review and Arbitrations”, *AIAC Webinar*, March 2020.
- “Corporate (Re)structuring of Investments to Benefit from Investment Treaty Protection?”, *MCIA Investment Arbitration Conference*, New Delhi, January 2020.
- Speaker, “Investment Treaty Arbitration in the Sector of Renewable Energy”, *Japan Arbitration Association Seminar*, Tokyo, November 2019.
- Speaker, “Early Dismissal”, *ICC 2nd Indonesia Arbitration Day*, Jakarta, November 2019.
- Speaker, “Expedited Procedure” and Faculty member, *SIAC Conference and SIAC Academy*, Manila, November 2019.
- Speaker, “Investment Structuring to Ensure Investment Treaty Protection: Is it Permitted?”, *7th East Africa International Arbitration Conference*, Nairobi, August 2019.

- Speaker, “Commercial Relations and Arbitration Involving Africa and India”, Mauritius Arbitration Week, Mauritius, June 2019.
- Speaker, Arbitral Women Seminar and I-Arb Africa Seminar, Mauritius Arbitration Week, Mauritius, June 2019.
- Speaker, SIAC-NYU Law Seminar, “How International Should International Arbitration be? International Standards v. Domestic Law in International Commercial Arbitration”, Singapore, March 2019.
- Speaker, “Review of BITs signed in Southern Africa”, Southern Africa International Arbitration Conference, Cape Town, November 2018.
- Speaker, China-Related Investment Arbitration, SIAC Conference, Beijing, October 2018.
- Speaker, China-Africa Arbitration, 6th East Africa International Arbitration Conference, Addis Ababa, Ethiopia, August 2018.
- Speaker, “Recent Trends in Investment Treaty Arbitration”, Women in Arbitration, Singapore, March 2018.
- Speaker, Training on International Arbitration, Cambodian Ministry of Mines and Energy, Phnom Penh, February 2018.
- Speaker, SIAC India Conference and YSIAC Oral Advocacy Workshop, New Delhi, India, October 2017.

RECOGNITION

Leading individual in international arbitration (Singapore)

CHAMBERS ASIA PACIFIC, 2017-2021

Next generation partner

LEGAL500 2020-2021 – SINGAPORE: INTERNATIONAL ARBITRATION

ARBITRATION FUTURE LEADERS – WHO’S WHO LEGAL 2021 (TOP 10 MOST-HIGHLY REGARDED ASIA-PACIFIC WIDE)

Recognised

WHO’S WHO LEGAL SOUTHEAST ASIA 2021 – ARBITRATION

“Elodie Dulac impresses in oil and gas and investment treaty cases”

LEGAL500 2020 – SINGAPORE: INTERNATIONAL ARBITRATION

“[V]ery good lawyer and particularly good for investor-state work”

CHAMBERS ASIA PACIFIC, 2020

[A] class act, with a world of experience and good instincts”

CHAMBERS ASIA PACIFIC, 2019

“Elodie Dulac is highlighted for her growing profile in investment treaty cases across the region”

“She is very, very good, a first-rate lawyer”

CHAMBERS ASIA PACIFIC, 2018

“[A] well-recognised figure in the Asia-Pacific market where she is highly recommended for her top-tier work on both investment and commercial arbitration”

ARBITRATION FUTURE LEADERS – WHO’S WHO LEGAL 2019 (TOP 10 MOST-HIGHLY REGARDED ASIA-PACIFIC WIDE)

An “outstanding practitioner’ who is recognised for her broad knowledge of investment law”

ARBITRATION FUTURE LEADERS – WHO’S WHO LEGAL 2018

Recognised

BEST LAWYERS – SINGAPORE ARBITRATION AND MEDIATION 2021

Ranked Expert

EUROMONEY EXPERT GUIDES 2021 – COMMERCIAL ARBITRATION, SINGAPORE

Ranked Expert

EUROMONEY EXPERT GUIDES 2021 – WOMEN IN BUSINESS LAW, SINGAPORE

Commercial arbitration "Rising Star"

LGM RISING STAR, 2021