

Samaa A. Haridi

Partner, King & Spalding, New York

Ms. Haridi is a common and civil law trained trilingual lawyer whose practice focuses on complex international litigation and arbitration proceedings involving joint ventures, construction projects, international investments, service agreements, contracts, banking, and securities.

Ms. Haridi has been ranked by clients and peers in Chambers USA and Chambers Global for International Arbitration. She has been singled out by clients for her “brilliant,” “really, really phenomenal,” “no-nonsense and impressive” approach, and is noted for her “expert handling” of commercial, investor-state and public international law disputes, with “very good sense of diplomacy” using her fluency in Arabic and French to assist in a range of Middle Eastern and European matters. Sources also acknowledge her as a “global leader” who is “hard-working and very entrepreneurial,” as well as a “unique practitioner with unique skills” who delivers “clear and intelligent arguments.” She is also recognized by The Legal 500, and by Who’s Who Legal: Global Elite Thought Leaders – Arbitration 2022.

Ms. Haridi has significant experience representing corporations and financial institutions from the United States, Europe, the Middle East, Latin America, and Asia, and has represented parties in proceedings under the arbitration rules of all the major arbitral institutions.

She is currently serving as an officer in a number of arbitral organizations, including as Vice-President of the ICC International Court of Arbitration, Senior Co-Chair of the Arbitration Committee of the International Bar Association and Executive Committee Member, Foundation for International Arbitration Advocacy (FIAA). Ms. Haridi also regularly sits as arbitrator in international proceedings and is a frequent speaker at conferences around the globe.

Ms. Haridi is a dual-qualified (United States/England & Wales) lawyer, and is admitted to practice in the U.S. in the states of New York and California. She is native in French and Arabic and fluent in English.



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Practices

Litigation and Arbitration
International Arbitration
International Trade and Investment
Alternative Dispute Resolution

Education

LL.M., University of San Diego
D.E.A., University of Paris I Panthéon-Sorbonne
Maîtrise en Droit, with honors, University of Paris I Panthéon-Sorbonne

Awards/Rankings

Who’s who, International Arbitration
Global Elite Thought Leaders

Chambers USA, and Chambers Global,
International Arbitration

Legal 500 U.S.

Burton Award for Legal Achievement
(Excellence in Legal Writing)

Selected Representative Experience

Investment Treaty Arbitration Experience

- Representing Canadian and Lebanese investors in ICSID arbitration proceedings against the Republic of Armenia, in connection with the expropriation of waste management contracts in the country's capital.
- Representing Hungary in an ICSID arbitration under the Hungary-Portugal BIT in relation to the bankruptcy of the investor, and the handling of an insolvency process by Hungarian officials and court.
- Representing two US-incorporated companies in connection with potential investment treaty claims against the Kingdom of Morocco in relation to the termination of a landfill management contract executed between the City of Casablanca and the investors' local entity and foreign investment in Morocco. The dispute was resolved via settlement in December 2018.
- Representing a Hungarian energy company in an ICSID arbitration under the Energy Charter Treaty (ECT) involving the company's investments in the Croatian domestic energy sector.
- Representing an American investor in an ICSID arbitration proceeding against Oman in relation to the expropriation of a limestone quarry.

International Commercial Arbitration Experience

- Representing a Canadian construction company in a large *ad hoc* construction arbitration under the UNCITRAL arbitration rules, and governed by Saudi law, against a Saudi project developer. The dispute related to allegations of delay in performance and resulting damages.
- Representing a U.S. commercial retailer against its Middle East distributor in three (3) separate DIFC-LCIA arbitration proceedings under the UNCITRAL arbitration rules, and governed by Saudi and Yemeni laws, involving allegations of unlawful termination of distribution and manufacturing relationships covering the territory of Yemen. Representation involves securing favorable interim relief remedies before the DIFC Courts in Dubai.
- Representing an Emirati hospitality company against a Mexican construction company in an *ad hoc* arbitration governed by Mexican law and administered by the PCA, under the UNCITRAL Arbitration Rules, in relation to allegations of delay in the construction of a hotel in Mexico.
- Representing an American aerospace, arms, defense and technology corporation in a dispute with the manufacturer of alleged defective

Memberships

Vice-President, ICC Court of Arbitration

Senior Co-Chair, Arbitration Committee, International Bar Association

Advisory Board Member, Cairo Regional Centre for International Commercial Arbitration (CRCICA)

Member, SIAC Users Council

Executive Committee Member, Foundation for International Arbitration Advocacy (FIAA)

Equal Representation in Arbitration Pledge, Steering Committee Member

Member, French-American Bar Association (FABA)

Member, Panel of Arbitrators of the Cairo Regional Centre for International Commercial Arbitration (CRCICA)

Member, Panel of Arbitrators of the International Centre for Dispute Resolution (AAA/ICDR)

Member, Panel of Arbitrators of the Dubai International Arbitration Center (DIAC)

Member, Advisory Council of Africa Arbitration (AA)

Former Co-editor-in-chief, ICC Dispute Resolution Bulletin

Former Editorial Board Member, Kluwer Journal of International Arbitration

Member, Arbitral Women

Member, New York International Arbitration Club

Bar Admissions / Qualifications

New York

California

England and Wales

Languages

propulsion system combining gearsets used to supply a large number of the U.S. Navy's Littoral Combat Ships.

French (native)

Arabic (native)

English (fluent)

- Representing an American aerospace, arms, defense and technology corporation in a dispute with a Western Asian government's military, involving the manufacture and supply of helicopters.
- Advising and negotiating on behalf of an American multinational pharmaceutical and biotechnology corporation in relation to the sale and distribution of its products (including the COVID-19 vaccine) globally.
- Representing a large international organization in an international commercial arbitration pursuant to the UNCITRAL arbitration rules involving a contractual dispute with an aircraft vendor servicing a Mission in South Sudan.
- Representing a hotel management company in a Paris-based ICC arbitration relating to a hospitality project in Lebanon under the laws of Lebanon.
- Representing a large international organization in an international arbitration proceeding under the UNCITRAL arbitration rules filed by a former vendor, alleging that the organization had wrongfully terminated that vendor's contracts and improperly removed it from its vendor roster.
- Representing the National Investment Commission of the Government of Liberia in relation to a dispute between the National Port Authority of Liberia (NPA) and APM Terminals, arising out of a 25 year Concession Agreement under which APM, the Concessionaire, was charged with the rehabilitation and management of the Freeport of Monrovia.
- Representing a French car maker in JAMS arbitration proceedings governed by California law against a film production company in relation to the placement of the car's brand and logo in a major motion picture.
- Representing a French disposable consumer products manufacturer in a SIAC dispute under Indian law against an Indian former joint venture partner in relation to the French company's failed investment in India.
- Representing a Chinese footwear distributor in ICDR arbitration proceedings governed by New York law against a Brazilian manufacturer in relation to allegations of unlawful termination of a distribution agreement.
- Representing a leading China-based conglomerate, and its affiliates in an AAA-ICDR arbitration proceeding under Delaware law (San Francisco seat) brought by former business partners in relation to a failed US-based online travel agency.
- Representing a Djiboutian company in ICDR arbitration proceedings governed by Texas law against a U.S. government contractor for

Citizenships

Egyptian

American

breach of contract for the performance of personnel recruitment and management at a U.S. Navy base in Djibouti.

- Representing a Spanish contractor in a Paris-based ICC arbitration under Greek law involving the upgrade of an oil refinery in Greece.
- Representing a hotel management company in a London-based ICC arbitration under the laws of the UAE relating to a hotel in the UAE.
- Representing a Polish chemical manufacturer in a London-based ICC arbitration under New York law relating to the termination of a supply agreement.
- Representing a large Japanese telecommunications company in an ICC arbitration under English law with a voice termination services provider involving alleged breaches of an international voice service agreement.
- Representing a Malaysian joint venture in a dispute under the LCIA arbitration rules related to the supply of equipment to an offshore oil platform in Qatar.
- Representing a Hungarian energy company in an UNCITRAL arbitration proceeding administered by the PCA, in relation to allegations of corruption and related efforts to terminate agreements to acquire shares of a large energy company in Croatia.

Arbitrator Experience

- Chairing an *ad hoc* arbitration (Geneva seat) brought by Lebanese and Jordanian investors pursuant to the Agreement for Promotion, Protection and Guarantee of Investments Among Member States of the Organisation of the Islamic Conference, against a North African government, involving allegations of expropriation of an investment in the host country.
- Acting as co-arbitrator (appointed by the Claimant) in *BRIF TRES d.o.o. Beograd and BRIF-TC d.o.o. Beograd v. Republic of Serbia* (ICSID Case No. ARB/20/12) in relation to a dispute involving the construction of a shopping mall in Belgrade.
- Chairing a Cairo Regional Centre for International Commercial Arbitration arbitral tribunal hearing a dispute (Egyptian law, Cairo seat) between an Egyptian EPC contractor and a Spanish manufacturing group regarding a supply agreement in the oil & gas field.
- Chairing a Cairo Regional Centre for International Commercial Arbitration arbitral tribunal hearing a FIDIC construction dispute (Egyptian law, Cairo seat) between a leading hotel management company and a construction company involving alleged breaches of a contract for the execution of mechanical infrastructure contract work in a luxury hotel in Cairo, Egypt.
- Chairing a Dubai International Arbitration Centre (DIAC) arbitral tribunal hearing a construction dispute (UAE law, Dubai seat)

between a United Arab Emirates real estate developer and an Indian national regarding a large real estate project in Dubai.

- Acting as sole arbitrator in a AAA/ICDR arbitration (New York law, New York seat) between a UK-based international voice and IP solutions provider and a Lebanese telecommunications provider in a dispute involving alleged breaches of a telecommunications services agreement.
- Acting as sole arbitrator in an ICC arbitration (New York law, Los Angeles seat) between two members of a partnership regarding allegations of wrongful termination of buyout payments for partnership interest following a merger.
- Acting as co-arbitrator in an ICC dispute (Qatari law, London seat) related to the construction of the Doha Qatar international airport.
- Acting as co-arbitrator in an ICC arbitration (English law, London seat) between a U.S. international health services provider and a Kuwaiti medical center regarding the alleged breaches of a contract for the provision by the US party of know-how, intellectual property and experience to prepare a private general hospital in Kuwait to open and operate.
- Acting as co-arbitrator in a dispute (English law, Dubai seat) involving a U.A.E. armored vehicle manufacturer and an Iraqi security service provider in a DIFC-LCIA arbitration regarding the supply of armored vehicles for use by a multinational oil company in Iraq.
- Acting as co-arbitrator in an ICC dispute (New York law, New York seat) between a French multinational beauty company and a Brazilian distributor regarding the distribution of luxury fragrance products in Brazil.
- Acting as co-arbitrator in a SIAC dispute (English law, Singapore seat) between an Indian energy company and an American company regarding the alleged breach of a Master Liquefied Natural Gas (LNG) Sale and Purchase agreement.
- Acting as co-arbitrator in a dispute (New York law, New York seat) under the Construction Arbitration Rules of the American Arbitration Association between Spanish and Italian multinational engineering and construction firms regarding a project to design and improve an interstate highway and related alleged breaches of a JV agreement.
- Acting as co-arbitrator under the Swiss Rules of International Arbitration under the auspices of the Swiss Arbitration Association dispute (English law, Geneva seat) between Lebanese and Egyptian entities regarding alleged breaches of a contract for the sale and purchase of steel products.
- Acting as co-arbitrator in an ICDR dispute (New York law, New York seat) between a French alcoholic beverages company and a US wine and spirits distributor related to the alleged breach of a distribution agreement.

- Acting as co-arbitrator in AAA-ICDR arbitration (New York law, New York seat) regarding allegations of breach of a supply agreement, involving a manufacturer of fluorescent leak detection and UV equipment and a manufacturer of plastic injection molding.
- Acting as Emergency Arbitrator in AAA/ICDR dispute (New York law, New York seat) between a Swiss electromechanical repair and consulting company operating in the aviation industry, and a US developer of Brain Fingerprinting technology relating to allegations of fraudulent inducement and IP right violations in connection with a partnership agreement between the parties.

Selected Published Works

"COVID-19 and Energy Disputes." International Arbitration and the COVID-19 Revolution, Kluwer Law International (2020)

"Security for Costs and Claim Under the ICC Rules of Arbitration: Rare but Possible." ICC Dispute Resolution Bulletin (2020 – Issue 2)

Chapter Publication *"the Agreement on Promotion, Protection and Guarantee of Investments Among Member States of the Organization of the Islamic Conference (OIC)."* World Arbitration Reporter (2019)

Chapter, *"Article 26 of the Convention on The Settlement of Investment Disputes Between States and Nationals of Other States,"* published in *"the ICSID Convention, Regulation and Rules – A Practical Commentary,"* Edward Elgar Publishing (2019)

Chapter Publication *"Enforcement of ICSID Awards"* published in *"International Arbitration in the United States."* Wolter's Kluwer, (2017)

"Public Policy: Can the Unruly Horse be Tamed?" *The International Journal of Arbitration, Mediation, and Dispute Management*, (02.2017)

"Using New York Fora to Enforce Judgments After Motorola Credit Corp. v. Standard Chartered Bank and Daimler AG v. Bauman." *New York Dispute Resolution Lawyer (NYSBA)*, (04.2016)

"Towards Greater Gender and Ethnic Diversity in International Arbitration." *International Arbitration Review of the Bahrain Chamber for Dispute Resolution*, (02.2016)

"The Public Policy Exception Under the New York Convention: The Unruly Arabian Horse in the Middle East Region." *Transnational Dispute Management*, (03.01.2015)

"Enforcement of International Arbitration Awards in New York." *New York Law Journal*, (04.2013)

"Set-Aside Actions in France Under the New 2011 Arbitration Law." *IBA Newsletter*, (09.2012)

"Syria and Lebanon Strengthen Investment Ties Despite Political Uncertainty and Instability." International Dispute Resolution Alert, (08.2011)

"The Cairo Regional Centre for International Commercial Arbitration (CRCICA) Newly Revised Arbitration Rules: Incorporating the New UNCITRAL Model Rules of 2010 and Expanding the Centre's Role as an Appointing Authority." Transnational Dispute Management, (03.2011)