



DAVID J.A. CAIRNS ARBITRATOR

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ARBITRATORS
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David is a leading independent arbitrator at Int-Arb Arbitrators & Mediators, having previously been a partner at B. Cremades y Asociados in Madrid, Spain.

He has been acting for many years as sole, chair or party-appointed arbitrator in investor-State and international commercial arbitrations. He now practises exclusively as an international arbitrator.

He has been based in Madrid for over 20 years and has particular experience in disputes arising from European and North American investment in Latin America. He is qualified in three jurisdictions with extensive knowledge of common law and civil law approaches to arbitration and disputes.

David is fluent in Spanish and English and is a national of New Zealand and the United Kingdom. He writes and speaks regularly on arbitration related topics. [A list of his arbitral appointments and his publications is available here.](#)

INVESTMENT ARBITRATION

David J.A. Cairns acts as arbitrator in investor-state disputes arising from bilateral investment treaties or investment agreements. His work has covered, amongst other issues, treaty interpretation, the definition of 'investment', standards of treatment in international investment law (expropriation, fair and equitable treatment, legitimate expectations), illegality in investment, denial of justice, the protection of intellectual property in international law, disputes between state entities and joint venture parties, the interface of investor rights and the power to regulate, international trusts, the relationship between contractual and treaty rights, compensation, annulment, and procedural questions relating to the interpretation and application of the ICSID Convention and Arbitration Rules.

David is currently the presiding arbitrator in an ICSID arbitration arising from an infrastructure project in Peru (*Metro de Lima Línea 2 S.A. v. Republic of Peru (ICSID Case No. ARB/17/3)*), a member of the Tribunal in a NAFTA arbitration pursuant to the ICSID Additional Facility Rules (*Lion Mexico Consolidated L.P. v. United Mexican States (ICSID Case No. ARB(AF)/15/2)*), and the presiding arbitrator in an investor-State arbitration administered by the Permanent Court of Arbitration in The Hague pursuant to the UNCITRAL Arbitration Rules. He has previously acted as an arbitrator in an investment arbitration pursuant to the Spain-Cuba BIT.

He has acted as counsel in an ICSID arbitration arising from an infrastructure project in Honduras (*Elsamex SA c. Republic of Honduras ICSID Case No. ARB/09/4*), and in ICSID annulment proceedings in relation to concession contracts in Argentina (*Compañía de Aguas del Aconquija SA y Vivendi*

Universal c. Republic of Argentina, ICSID Case No. ARB/97/3) and *Venezuela (Blue Bank International & Trust (Barbados) Ltd. v. Bolivarian Republic of Venezuela (ICSID Case No. ARB/12/20))*.

David was a member of the ICSID Panel of Conciliators from 2011 to 2017.

INTERNATIONAL COMMERCIAL ARBITRATION

David's commercial experience has covered all types of contractual disputes, including construction and infrastructure projects, corporate acquisitions, joint ventures, international sale of goods, licensing and distribution, and intellectual property.

He has received appointments as an arbitrator in commercial disputes under a wide range of institutional rules, including the rules of the London Court of International Arbitration (LCIA), the International Chamber of Commerce (ICC), the international division of the American Arbitration Association (ICDR-AAA), the World Intellectual Property Organization (WIPO), the Court of Arbitration of Madrid, the Arbitration Foundation of South Africa, and the Court of Arbitration for Sport. He has also issued three expert determinations pursuant to ICANN's new gTLD program. He is a member of WIPO's Trademark PDDRP and UDRP Panels and ICANN's PICDRP Standing Panel.

MEDIATION & DISPUTE BOARDS

David is an accredited UK mediator and a former member of the ICSID Panel of Conciliators.

He received his mediation training in London (Chartered Institute of Arbitrators), Madrid (ISDE-Instituto Superior de Derecho y Economía) and Geneva (WIPO Workshop for Mediators in Intellectual Property Disputes).

DIRECTORIES AND LEGAL PUBLICATIONS

David J. A. Cairns is listed in Who's Who Legal Arbitration 2020 as a Global Leader.

PROFESSIONAL AND ACADEMIC QUALIFICATIONS

Professional

2002, Madrid (Abogado)

2001, England and Wales (Solicitor-Advocate, Civil)

1984, New Zealand (Barrister & Solicitor, non-practising)

Academic

Universidad San Pablo-CEU, Diploma-Spanish law for EU lawyers, 2006

University of Cambridge, Ph.D, 1995 (Senior Research Scholar, Pembroke College)

University of Toronto (Commonwealth Scholar), LL.M, 1986

University of Canterbury, NZ, LL.B (Hons), 1982

PROFESSIONAL ASSOCIATIONS

Fellow and Chartered Arbitrator, Chartered Institute of Arbitrators, London

Member, London Court of International Arbitration

European Advisory Board, International Institute for Conflict Prevention & Resolution (CPR)

Panel of Arbitrators of the Singapore International Arbitration Centre

ICC National Committees, New Zealand & United Kingdom

Member of the ICDR Panel of International Arbitrators

List of Arbitrators of the American Chamber of Commerce of Peru

Society for Construction Law, London

Club Español del Arbitraje, Madrid

Australia-Spain Business Association, Madrid