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**Professor Hi-Taek Shin**

Twenty Essex Chambers, London and Singapore  
(Practice based in Seoul, Korea)

Professor of Law (*emeritus*)  
Seoul National University School of Law

Chairman (non-standing), KCAB INTERNATIONAL

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**Nationality:** Korean (Republic of Korea)

**EDUCATION and QUALIFICATION**

- Yale Law School, New Haven, CT, U.S.A. (LL.M., 1983, J.S.D., 1990)
- Graduate School, Seoul National University, Seoul, Korea (LL.M., 1981)
- Judicial Research and Training Institute, Supreme Court of Korea  
(1975-1977, *summa cum laude*)
- College of Law, Seoul National University (LL.B, 1975, *summa cum laude*)
- Admitted to Korean Bar (1977)

**PROFESSIONAL EXPERIENCE**

**CURRENT POSITIONS**

- Professor, Seoul National University School of Law, Seoul, Korea (2007-2017)  
(currently *emeritus*)

Courses include international business law, international dispute settlement and international investment law.

- Chairman (non-standing), KCAB INTERNATIONAL, the international division of the Korean Commercial Arbitration Board (2018 - present)
- Member of the Governing Board of ICCA
- Member of the International Advisory Board of Vienna International Arbitration Centre
- Vice President, Asia Pacific Regional Arbitration Group (APRAG) (2016. 10. – present)
- Listed on the panel of arbitrators of the International Centre for Settlement of Investment Disputes (ICSID), AAA/ICDR (International Panel of Arbitrators), HKIAC, SIAC, JCAA, Shenzhen International Court of Arbitration (SCIA), THAC and Korean Commercial Arbitration Board (KCAB)
- Member of International Commercial Expert Committee, Supreme People’s Court of China (2018- present)
- Listed on the general List of Neutrals of the WIPO (World Intellectual Property Organizations)
- Chairman, Steering Committee for Asia Pacific Rounds of FDI Moot Competition (2013 - present)

#### **PAST PROFESSIONAL EXPERIENCE**

- Partner, Kim & Chang (the leading Korean law firm), Seoul, Korea (1980 - 2007).  
Practice areas included: cross-border transactions including international trade, licensing, and foreign investment and the resolution of disputes arising therefrom.
- Chairman/Commissioner (non-standing), Korea Trade Commission (2016.8 – 2019.8)
- Member, ICCA-Queen Mary Task Force on Third Party Funding (2015-2017)
- Member, Joint ICCA-ASIL Task Force on Issue Conflicts in Investor-State Arbitration (2013-2015)
- Member, Task Force for the amendment of Arbitration Act of Korea, the Ministry of Justice, Republic of Korea (2013 - 2015)
- Chairman, Special Commission on the enactment of a special legislation for the promotion of international arbitration, the Ministry of Justice, Republic of Korea (2014 - 2015)
- Vice President, Korea Mediation Society (2009 - 2011)
- Director for International Affairs, Korean Bar Association (1999-2001)

- Lecturer, Arbitration Academy, Paris (July 2012): “Investment Treaty Practice of China, Japan and Korea”
- Faculty, ICDR International Symposia in Advanced Case Management Issues, Tokyo, Japan (2014)
- President, Investment Treaty Arbitration Law Forum, Seoul, Korea (2012 - 2020)
- Non-executive (non-standing, outside) Director, Korea Development Bank (2014 - 2018)
- Non-executive Director, Woori Finance Holdings Co., Ltd. (2008 - 2013); Chairman of the Audit Committee of Woori Finance Holdings Co., Ltd (2010 - 2013)

### **ARBITRATION EXPERIENCE**

#### **Investment Disputes:**

- JGC Holdings Corporation (formerly JGC Corporation) v. Kingdom of Spain (ICSID Case No. ARB/15/27), Arbitration (President)
- Fábrica de Vidrios Los Andes, C.A., and Owens-Illinois de Venezuela, C.A. v. Bolivarian Republic of Venezuela (ICSID Case No. ARB/12/21), Arbitration (President)
- Ioan Micula, Viorel Micula and others v. Romania, (ICSID Case No. ARB/14/29), Annulment (Committee member)
- Blusun S.A., Jean-Pierre Lecorcier and Michael Stein v. Italian Republic (ICSID Case No. ARB/14/3), Annulment (Committee member)
- Poštová banka, a.s. and ISTORKAPITAL SE v. Hellenic Republic (ICSID Case No. ARB/13/8), Annulment (Committee member)
- Renée Rose Levy de Levi v. Republic of Peru (ICSID Case No. ARB/10/17), Annulment (Committee member)
- Kılıç İnşaat İthalat İhracat Sanayi ve Ticaret Anonim Şirketi v. Turkmenistan (ICSID Case No. ARB/10/1), Annulment (Committee member)
- Edenred S.A. v. Hungary (ICSID Case No. ARB/13/21), Annulment, (Committee member)

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#### **Commercial Disputes**

##### **Commercial Law (including Provision of Services & Agency) Disputes:**

- Arbitration in a commercial agency dispute between an American party and a Korean party under **ICC Rules** (sole arbitrator)
- Arbitration between a Korean party and a US party in hotel management disputes

under **HKIAC Rules** (co-arbitrator)

- Arbitration between a Korean manufacturer and its European distributor in a commercial dispute under **KCAB INTERNATIONAL Rules** (co-arbitrator)
- Arbitration between a UAE party and a Chinese party in a commercial claim under **ICC Rules** (President)
- Arbitration between an Australian party and a Japanese party involving a dispute relating to a research project under **ICC Rules** (sole arbitrator)

#### **M&A and Shareholder Disputes:**

- Arbitration involving a multi-billion dollar claim between international private equity funds in an M&A related dispute under **HKIAC Rules** (co-arbitrator)
- Arbitration in a post-M&A dispute between a Chinese party and an Italian party under **ICC Rules** (co-arbitrator)
- Arbitration between an Oman party and a Korean party in a joint venture dispute under **SIAC Rules** (co-arbitrator)
- Arbitration between a Japanese party and a Mongolian partner in a joint venture dispute under **SIAC Rules** (sole arbitrator)
- Arbitration between a German party and a Korean party involving shareholder disputes in a joint venture company under **KCAB INTERNATIONAL Rules** (co-arbitrator)
- Represented a European party in a shareholder dispute with a Korean joint venture partner under **ICC Rules**
- Represented a Korean manufacturer in a shareholder dispute with Brazilian partners under **ICC Rules**
- Advised private equity funds in their disputes relating to exercise of options with controlling shareholders

#### **Energy Disputes:**

- Arbitration in a renewable energy related dispute between European parties under the **ICC Rules** (co-arbitrator)
- Arbitration between an American party and a Japanese party in the energy sector under **SIAC Rules** (President)
- Arbitration between a Swiss party and a Korean party in a dispute involving a coal supply contract for power plants under **SIAC Rules** (co-arbitrator)

### **Banking & Financial Services Disputes:**

- Represented a US investment bank in a multi-billion-dollar dispute arising from derivative transactions
- Represented a US investment bank in a dispute with a Korean party
- Oversight over a Korean bank's claim against a US investment bank before a US court

### **Pharmaceutical, Life sciences & Healthcare Disputes:**

- Arbitration between a Japanese company and a Korean company involving licensing of new pharmaceutical products under **ICC Rules** (co-arbitrator)

### **Defense Procurement Disputes:**

- Arbitration between an American defense contractor and the Korean Government in a dispute relating to defense procurement under **KCAB INTERNATIONAL Rules** (Chairman)
- Represented a US defense contractor in defense of a product liability claim from a state party.
- Represented a US defense contractor in the aviation industry in a contract claim dispute with a state party.
- Represented a US defense contractor in a dispute with its agent under **ICC Rules**.

### **Construction & Infrastructure Disputes:**

- Arbitration between a French sub-contractor and a Korean construction company relating to construction of infra-structure projects in a Mid-East state under **KCAB INTERNATIONAL Rules** (co-arbitrator)
- Represented a major Korean construction company (sub-contractor) in a dispute with the main contractor in a Mid-East project under **ICC Rules**

### **RECENT ARTICLES/BOOKS**

- "The Potential for Arbitrators to Also Act as Mediators for Facilitating Settlement of Disputes", in "Proceedings UNCITRAL Working Group III, Virtual Pre-intersessional Meeting, 9 November 2020, Hong Kong SAR, China: The Use of Mediation in ISDS" (Asian Academy of International Law, Cambridge University Press).
- Korean chapter in "The UNCITRAL Model Law and Asian Arbitration Laws" (G. Bell ed., 2018, Cambridge University Press).

- Annulment, in “Building International Investment Law, The First 50 Years of ICSID” (Meg Kinnear et. al. eds, 2016)
- Korea’s Experience with International Investment Agreements and Investor-State Dispute Settlement, *The Journal of World Investment & Trade* 16 (2015) (co-author)
- The Regionalization of Investment Treaty Arrangements: Developments and Implications, *Investment Treaty Law Current Issues V*, British Institute of International and Comparative Law (2014)
- International Investment Arbitration and Public Policy: Review of Recent Arbitral Awards and Decisions (in Korean, co-editor, Seoul National University Press, 2014)
- UNCITRAL Arbitration Rules and the Investment Treaty Arbitration Practice (in Korean, 2013)
- Korean chapter in “Commentaries on Selected Model Investment Treaties” (Oxford Commentaries on International Law (C. Brown ed., 2013)
- Balancing the Domestic Regulatory Need to Control the Inflow of Foreign Direct Investment Against International Treaty Commitments, *Asia Pacific Law Review*, Vol 19, No 2 (primary writer) (2011)
- The Domestic Decision-making Process and Its Implications for International Commitments, *Yale Journal of International Law*, Vol. 34
- The Domestic Decision-Making Process and Its Implications for International Commitments, in “Looking to the Future: Essays on International Law in Honor of W. Michael Reisman” (2010, Martinus Nijhoff Publishers)
- An Ombudsman as One Avenue Facilitating ADR and Socio-Cultural Aspect Affecting ADR in Investment Treaty Dispute Resolution, in UNCTAD, “Investor-State Disputes: Prevention and Alternatives to Arbitration II” (2010)
- The Transnational Investment Process from the Perspective of the New Haven School of Jurisprudence, *Asia Pacific Law Review*, Vol 18, No 1 (2010)
- Korean chapter in “International Product Liability Law: A Worldwide Desk Reference” (co-author, 2003)

#### **MEMBERSHIP in PROFESSIONAL ASSOCIATIONS**

- LCIA Users’ Council
- SIAC Users’ Council
- International Council for Commercial Arbitration (ICCA) (Governing Board member)

- ISDS Academic Forum (UNCITRAL WGIII)
- International Bar Association (IBA)
- American Society of International Law
- Korean Bar Association
- Korean Arbitrators' Association
- Korean Society of International Trade Law
- Korean Society of International Economic Law
- Korean Mediation Society

### **LANGUAGES**

- Korean and English
- Japanese (capable of reading Japanese legal materials with modest oral communication)