

## Analía González

Partner

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*“Analía González [is] an ‘extremely enthusiastic, hardworking and proactive lawyer’ with a ‘clear mastery of international arbitration’ and ‘a fantastic understanding of the Latin American market.’”*

— *Who’s Who Legal 2021*

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### Services

- International Arbitration and Litigation
- Commercial Litigation
- International Transactions
- Global Fraud and International Asset Tracing and Recovery

Analia Gonzalez serves as the leader of BakerHostetler’s Latin America Arbitration and Litigation team. She specializes in international arbitration and litigation, with a focus on investment and commercial arbitrations. A considerable amount of her work involves matters regarding investment and trade in Latin America, as well as issues pertaining to the environment, natural resources, public health, energy, infrastructure, and trade and customs compliance. Analia has represented clients before a variety of arbitral tribunals, including the International Centre for Settlement of Investment Disputes (ICSID), and the International Chamber of Commerce (ICC) and the International Court of Justice (ICJ), and in *ad hoc* arbitrations under the United Nations Commission on International Trade Law (UNCITRAL). Notably, she serves as an arbitrator in commercial arbitrations under the auspices of the International Court of Arbitration of the ICC and under the auspices of the International Arbitration Center of the Peru-United States Chamber of Commerce (AMCHAM-Peru).

Analia’s extensive experience working with high-level government officials and facilitating integrated projects between multiple Latin American countries provides a solid and comprehensive foundation to her international practice.

### Experience

#### Investor-State Arbitrations

- Representing a Central American country in an ICSID arbitration under DR-CAFTA initiated by a US investor in the agriculture industry.
- Representing a U.S. resort development company in an ICSID dispute against Grenada arising from the improper termination of funding mechanism used to construct and develop hotel properties.
- Representing a U.S. investor and U.S.-controlled renewable energy company in an ICSID arbitration arising from Peru’s interferences with the Claimants’ Project in the energy sector.
- Representing Westmoreland Coal Company in a NAFTA Chapter 11 arbitration against Canada seeking compensation relating to the phase out of coal-fired electricity emissions by 2030.
- Representing one of the world’s largest paper producers in an NAFTA Chapter 11 investor-State arbitration challenging Canada’s unlawful subsidies to a competing paper mill.
- Represented Uruguay in an ICSID case involving tobacco labeling standards. The Tribunal unanimously rejected the claimant’s challenge against Uruguay’s progressive

### Prior Positions

- Foley Hoag LLP (2006-2019)
- Inter-American Development Bank: Consultant (2001 to 2006)
- Inter-American Investment Corporation: Intern (2003)

### Admissions

- Uruguay
- *\*Admitted only in Uruguay, Licensed in the District of Columbia as a Special Legal Consultant.*

### Education

- Diploma in Energy Law, Escuela Libre de Derecho, 2018
- LL.M., International and Comparative Law, George Washington University Law School, 2004
- J.D. (equivalent), University of the Republic of Uruguay Law School, 1999
- LL.B., University of the Republic of Uruguay Law School, 1996

### Languages

- Spanish
- English

### Citizenship

- Uruguay
- United States

tobacco-control measures, aimed at reducing cigarette consumption and its devastating impact on public health. It also rejected the claimant's denial of justice claims.

Represented Venezuela in an ICSID (Additional Facility) proceeding brought by a major United Kingdom-based mining company under a bilateral investment treaty in connection with a nickel mining concession, securing a victory for Venezuela.

- Represented Venezuela in a \$3.03 billion claim against a Canadian gold mining company in an ICSID (Additional Facility) arbitration concerning the alleged nationalization of the company's gold assets, which resulted in an award that reduced damages significantly. Successfully represented Venezuela in subsequent proceedings to vacate the arbitral award before the tribunals in Paris, France, obtaining the annulment of the award.
- Represented Ukraine in case brought by Dutch investors concerning a dispute arising from measures in the Ukrainian banking and finance sector.
- Represented Venezuela in an ICSID proceeding brought by a Canadian company under the Canada-Venezuela bilateral investment treaty in connection with a mining operations contract, which resulted in an award that reduced damages to one third of the amount originally claimed. Represented Venezuela in subsequent proceedings to vacate the arbitral award before the United States District Court for the District of Washington, D.C.
- Represented Venezuela in an ICSID arbitration brought by a Canadian gold mining company over Venezuela's denial and cancellation of gold concessions and the revocation of related environmental permits, which resulted in an award that reduced damages significantly.
- Represented Venezuela in rectification and annulment proceedings of an award issued on an ICSID proceeding brought by European subsidiaries of an Argentine group under bilateral investment treaties with Luxembourg and Portugal in connection with the alleged expropriation of a plant involved in the production of hot briquetted iron. The Arbitral Tribunal issued an award that reduced damages to less than a quarter of the amount originally claimed.
- Represented Venezuela in an ICSID arbitration brought under the Venezuela-Dutch bilateral investment treaty regarding the alleged expropriation of gold and diamond mining concessions in Venezuela, securing a victory for Venezuela.
- Represented Venezuela in an ICSID (Additional Facility) arbitration brought by a Canadian mining company seeking \$1 billion in damages for the cancellation of a gold mining contract, securing a judgment in Venezuela's favor.
- Represented Venezuela in an arbitral proceeding under the UNCITRAL Rules, arising from the alleged violation of a coal supply contract, obtaining a victory in favor of Venezuela.

### International Commercial Arbitration

- Representing a Central American Ministry of Infrastructure in an arbitration initiated by a Mexican company related to the construction and maintenance of roads, administered by the PCA.
- Represented a Venezuelan State-owned shipyard in an ICC arbitration brought by a German company, related to a maintenance and repair of Venezuelan submarines, obtaining an award favorable to client.

- Represented Venezuelan State-owned oil and natural gas company in ICC proceedings brought by a consortium in connection with a breach of contract claim relating to enhanced oil recovery techniques.

#### **Litigation before the International Court of Justice**

- Represented Ecuador in case concerning Colombia's aerial spraying of toxic herbicides in close proximity to the Ecuadorian border, causing serious harm to human health, livestock, crops and the environment in Ecuador.
- Represented Uruguay in a proceeding before the ICJ, defending Uruguay's right to sustainable development through the construction of a pulp plant that satisfies the highest environmental standards.

#### **Litigation before United States Federal Courts**

- Represented Venezuela in a lawsuit brought before US Courts over alleged expropriation of mining concessions in Venezuela and in appeal of judgment in favor of Venezuela on grounds of sovereign immunity.

#### **Advisory Work**

- Advised Mexican natural gas regulatory entity responsible for operating the national system of transport and storage pipelines, with respect to its international bidding procedures and documents.
- Advised the Republic of Angola with respect to the delimitation of its maritime boundaries.

#### **Recognition**

- Legal 500 USA
  - Recommended in International Arbitration (2021-2022)
- Law360: International Arbitration Editorial Board (2021-2022)
- International Institute for Conflict Prevention (CPR): Rising ADR Star Award Nominee for Outstanding Contribution to Diversity (2021)
- Who's Who Legal
  - Future Leaders: Arbitration (2019 to 2022)
  - Arbitration Globally (2021-2022)
  - Arbitration in Mexico (2019 to 2021)
- Peru International Arbitration Court (AMCHAM-PERU), List of Arbitrators: Member
- Latinvex: Recognized as one of the top 100 Female Lawyers in Latin America (2020-2022)

#### **Memberships**

- International Chamber of Commerce Mexico, Investment-Arbitration Committee: Vice President (2017-2022)
- American Bar Association, International Law and Dispute Resolution Section

- International Bar Association
- American Society of International Law
- International Council for Commercial Arbitration
- Philip C. Jessup International Law Moot Court Competition: International Rounds Judge
- Mexican Arbitral Women's Group
- ALARB, Representative for Uruguay

### Pro Bono

- Provide counsel to the Heinrich Böll Foundation with regard to public private partnerships and infrastructure financing.

### Speaking Engagements

- Moderator, XI ITA-EIL-ICC Joint Conference on International Energy Arbitration, "The Implications of Changing Energy Policy in Energy Disputes", Houston, January 20, 2023.
- Speaker, XXXIII Diploma in Commercial Arbitration organized by the International Chamber of Commerce (ICC) Mexico, Session on Investor-State Arbitration, Virtual, January 19, 2023.
- Moderator, Arbitration Channel, "International Arbitration and Human Rights", Webinar, December 14, 2022.
- Speaker, Latin American Arbitration Conference (CLA) 2022, "Investment Arbitration and Criminal Proceedings", Asunción, October 25, 2022.
- Speaker, Practical Seminar on Investment Arbitration, organized by the Arbitration and Mediation Center of the Santiago Chamber of Commerce, the Inter-American Commercial Arbitration Commission and the International Commercial Arbitration Center of American University Washington College of Law, July 8, 2022.
- Speaker, Latin American Arbitration Conference (CLA) 2022, "Abuse of Rights in Investment Arbitration", Montevideo, June 3, 2022.
- Speaker, Seminar on Foreign Investment Protection, organized by American Chamber Mexico, "How, under what circumstances and for what purpose can foreign investors sue Mexico internationally?", February 25, 2022.
- Speaker, XXXII Diploma in Commercial Arbitration organized by the International Chamber of Commerce (ICC) Mexico, Session on Investor-State Arbitration, Mexico City, January 11, 2022.
- Speaker, BVI International Arbitration Center, International Arbitration in Latin America and the Caribbean, 4 November 2021.
- Speaker, Peruvian Arbitration Institute, 22 September 2021. Umbrella Clauses.
- Moderator, Virtual Conference 3rd ITA-ALARB Americas Workshop: "Winds of Change - The Impact of Regulatory Changes in Latin America on International Arbitration", 9 September 2021.
- Speaker, IX Arbitration Seminar organized by the Colombian Arbitration Institute and the Cali Chamber of Commerce, Panel on Recent Perspectives Investment Arbitration in Latin America, 10 August 2021.

- Speaker, Peruvian Arbitration Institute, II International Congress on Legal Skills in International Arbitration, 23 April 2021.
- Speaker, XXXI Diploma in International Commercial Arbitration organized by the ICC, Investor-State Arbitration module, 26 January 2021.
- Speaker, International Conference Women in Arbitration, “The redefinition of the concept of “seat of the arbitration”, Peruvian Arbitration Institute, 21 January 2021.
- Speaker, Webinar “International Standards for the Protection and Promotion of Investments in BITs and TLCs”, Cajamarca Bar Association, Peru, 11 December 2020.
- Speaker, Webinar on Investment and Commercial Arbitration, *Athena Grupo Jurídico* (Perú), 21 October 2020.
- Speaker, Diploma in Commercial Arbitration organized by the Universidad Austral of Buenos Aires Law School, “Investment Arbitration”, 7 October 2020.
- Speaker, Webinar “International Perspective on COVID-Related Disputes”, organized by the New York State Bar Association, International Law Section, 5 August 2020.
- Speaker, VIII International Investment Arbitration Seminar, Session on International Investment Arbitration and the Protection of Public Health in COVID-19 times, organized by the Peruvian Arbitration Institute, 17 July 2020.
- Speaker, Webinar “Protection of Investments in Renewable Energy Projects in Mexico”, organized by the Mexican Association of Energy Law, 11 June 2020.
- Speaker, Seminar “International Commerce, Investment and Arbitration”, Panel on Admission of Evidence in International Disputes, organized by the Mediation and Arbitration Network, Montevideo, 14 March 2020.
- Speaker, XXX Diploma in International Commercial Arbitration organized by the ICC, Investor-State Arbitration module, Mexico City, 21 November 2019.
- Speaker, ICC/YAF Forum, “Amicus Brief in International Arbitration”, Miami, 11 November 2019.
- Moderator, VII International Investment Arbitration Seminar organized by the Peruvian Arbitration Institute, “Annulment of Awards under the ICSID Rules”, Santiago de Chile, 24 September 2019.
- Speaker, 3rd ICC Peruvian Arbitration Day, “New trends in Investment Arbitration”, Lima, 19 September 2019.
- Moderator, International Conference organized by the International Chamber of Commerce (ICC) and the International Council for Commercial Arbitration (ICCA), Technology in International Arbitration, Santiago de Chile, 22 August 2019.
- Speaker, ICC Arbitration Committee (Jalisco), “Alternative Dispute Resolution Mechanisms under the USMCA”, Guadalajara, 8 March 2019.
- Speaker, Diploma in Commercial Arbitration organized by the International Chamber of Commerce (ICC), Investor-State Session, Mexico City, 26 February 2019.
- Speaker, International Conference Women in Arbitration, “The participation of women as lawyer, arbitrator, judge, and legal expert”, Peruvian Arbitration Institute, Lima, 31 January 2019.
- Speaker, “Workshop on Cross-Examination in International Arbitration”, co-organized by COLVYAP and Philippi Prietocarrizosa Ferrero DU, Bogotá, 20 November 2018.
- Speaker, International Law Weekend, “Investor-State Dispute Settlement: A Brave New World or the Clock that Went Backward”, New York, 19 October 2018.

- Speaker, Forum CAM/CANACO, “Status and Challenges of Arbitration in Ecuador, Uruguay and Colombia”, Mexico City, 6 September 2018.
- Speaker, Workshop on International Arbitration, “The Future of Investment Arbitration”, organized by the Mexican Ministry of Foreign Affairs, Zacatecas (México), 29 August 2018.
- Speaker, “Are you ready for Commercial Arbitration in times of change?”, Mexican National Association of In-House Counsel (ANADE), Mexico City, 11 July 2018.
- Speaker, Diploma in Commercial Arbitration organized by the International Chamber of Commerce (ICC), Investor-State Session, Querétaro, 29 June 2018.
- Speaker, Conference on Practical Application of ICC Arbitration Rules, co-organized by ICC Mexico and Universidad Iberoamericana, Tijuana, 27 April 2018.
- Speaker, XI Conference on International Arbitration co-organized by the Arbitration and Mediation Centre of the American Chamber of Commerce (AMCHAM) Quito and the Ecuadorian Arbitration Institute (IEA), ICC YAF Latin American Chapter, “Arbitrators, Superheroes?”, Quito, 23 March 2018.
- Moderator, ICC YAF Forum, “Vision of In-House Counsel on Arbitration”, Mexico City, 6 March 2018.
- Speaker, International Law Weekend, “The changing paradigm of Investment Protections in Latin America: Implications for investment and investor-State arbitration”, New York, 21 October 2017.
- Moderator, ICC Mexican Arbitration Day, “Damages in Investor-State Arbitration”, Mexico City, 7 September 2017.
- Speaker, Seminar organized by CAM/CANACO (Mexico), “Umbrella Clause: limits and current situation”, Mexico City, 2 March 2017.
- Moderator, Seminar “Arbitration in the Energy Sector”, organized by the Mexican Chapter of the International Chamber of Commerce and the Young Arbitrators Committee, Mexico City, 13 October 2016.
- Speaker, Seminar “International Arbitration in the context of the Energy Reform”, co-organized with the Mexican Fiscal Attorney General’s Office, 11 April 2016, Mexico City.
- Speaker, 25th United Nations Legal Advisers Meeting, “The Contribution of Latin America to International Law”, 29 October 2014, United Nations Headquarters, New York.