

EDUARDO ZULETA J

QUALIFICATIONS

- LL.M., Queen Mary University of London, London, United Kingdom; specialization – International Dispute Resolution (2002)
- Specialization – Banking Law – (1981)
- J.D. Universidad del Rosario, Bogotá D.C., Colombia (1980)

PRINCIPAL AREAS OF PRACTICE

- Energy and Oil & Gas
- M&A
- Project Finance/ Financial Transactions
- Construction
- Agency/ Distribution
- Investor-State Disputes

ADMITTED

- Colombia (1982)

EMPLOYMENT HISTORY

- Member of Arbitration Chambers (January 2023 – present)
- Partner, Zuleta Abogados (2017 – 2022)
- Partner, Gomez Pinzon Zuleta (2008 – 2017)
- Partner, Zuleta, Suárez Araque & Jaramillo (2000 – 2008)
- Partner, Baker McKenzie (1989 – 2000)
- Associate, Baker McKenzie (1982 – 1989)

NOMINATIONS AS ARBITRATOR

Relevant cases – Commercial Arbitration

- Ad hoc; Road Concessionaire v. Municipality; President
- Ad hoc; Colombian Coal Company v. Swiss Mining Company, Co-arbitrator
- Lima Chamber of Commerce; Peruvian Mining Corporation v. Dutch Supplier; Co-arbitrator
- Lima Chamber of Commerce; Peruvian Company v. Multinational; Co-arbitrator
- ICC; Brazil/Uruguay Consortium v. French/Japanese Consortium; Co-arbitrator
- ICC; Brazilian company v. Brazilian Bank; Co-arbitrator.
- ICC; Chinese and Brazilian Corporations v. Brazilian Shareholders; Co-arbitrator
- ICC; Ecuadorian Public Company v. Chinese Company; President
- ICC; European mining company v. Latin-American consortium; Co-arbitrator
- ICC, India Construction Company v. Latin American State Entity; Co-arbitrator
- ICC; Mexican Bank v. Construction company; President
- ICC; Mexican Construction Company v. Latin American port operator; Co-arbitrator
- ICC; Mexican individuals v. Japanese companies; President
- ICC; Mexican Oil Company v. Mexican Oil Company; Co-arbitrator
- ICC; Mexican Telecommunications company v. Mexican and Spanish Companies; President
- ICC; Spanish Consortium v. Austrian company; Co-arbitrator
- ICC; Spanish consortium v. Latin-American Construction company; Co-arbitrator
- ICC; UK Insurance Companies v. German Manufacturer; Co-arbitrator
- ICC; U.S. Pharmaceutical Company v. Latin-American Pharmaceutical Company; Co-arbitrator

- ICC; Dispute between shareholders of a pharmaceutical company; Co-arbitrator
- ICC; U.S. and Kazakhstani Individuals v. Patrimony foundations; Co-arbitrator
- ICC; Ecuadorian Shareholders v. Spanish/Mexican Company; Co-arbitrator
- ICC; Swiss/Spanish Consortium v. Argentine Company; President
- ICC; Italian Consortium v. Bolivian Company; Sole Arbitrator
- ICC; Chile/Brazil Consortium v. Chile/Brazil Company. Co-arbitrator
- ICC; U.S. and Spain Companies v. Panamanian entity; Co-arbitrator
- ICC; Chilean Company v. Cuban Banks and Hotel Companies; President
- ICC; Salvador Telecom Companies v. Salvador Company; Co-arbitrator
- ICC; Italian Energy Company v. Central American State Companies; Co-arbitrator
- ICC; Mexican Railway Company v. Mexican Consortium; President
- ICC; Panamenian Consortium v. Panamenian Hydroelectrical Company; Sole Arbitrator
- ICC; Mexican Company v. U.S. Company; President
- ICDR; International consortium v. Latin American State entity; Co-arbitrator.
- ICDR; Latin American oil company v. US Oil company; Sole Arbitrator
- ICDR; Law Firm v. Energy Company; Co-arbitrator
- ICDR; Engineering Company v. Mining Company; President (2015)
- ICDR; US Jetliner Manufacturer v. Latin American airline manufacturer; Co- arbitrator.
- LCIA; Mexican State Company v. Private company; President
- LCIA; Mexican State Company v. Private company; President
- UNCITRAL; Mexican investors v. International Appliances Manufacturer; President

- Chamber of Commerce of Bogota; China Construction Company v. State Road Infrastructure Enterprise
- Chamber of Commerce of Bogotá; Fondo de Garantías de Instituciones Financieras v. Bancolombia. S.A.; Co-arbitrator
- Chamber of Commerce of Bogotá; Bogotana de Aguas y Saneamiento S.A. v. Distrito Capital de Bogotá; Co-arbitrator
- Chamber of Commerce of Bogotá; Comerciamovil S.A.S. v Colombiamovil S.A.; President, (Case No. 1346) (2006)

Relevant cases – Investment Arbitration

- ICSID Gold Group Resources v United Mexican States; President (ARB/23/4)
- ICSID; WM Mining Company, LLC v. Mongolia; President (ARB/21/8),
- ICSID; Koch Industries, Inc. And Koch Supply & Trading, LP v. Canada; President; Dispute Under NAFTA (ARB 20/52)
- ICSID; Campos de Pesé, S.A. v. Republic of Panama; President (ARB 20/19)
- ICSID; Espíritu Santo Holdings, LP v. United Mexican States; President (ARB/20/13)
- ICSID; Carlos Sastre and others v. United Mexican States; President (ARB/UNCT/20/2)
- ICSID; Latin American Regional Aviation Holding S. de R.L. v. Oriental Republic of Uruguay; Co-arbitrator (ARB/19/16)
- ICSID; Veolia Propreté SAS v. Italian Republic; President (ARB/18/20)
- ICSID; Samsung Engineering Co., Ltd. v. Kingdom of Saudi Arabia; President; (ARB/17/43)
- ICSID; Joshua Dean Nelson v. United Mexican States; President (UNCT/17/1)
- ICSID; Raymon Charles Eyre and Montrose Developments (Private) Limited v. Democratic Socialist Republic of Sri Lanka; President – Annulment Committee (ARB/16/25)
- ICSID; Agroinsumos Ibero-Americanos, S.L. and others v. Bolivarian Republic of Venezuela; President (ARB/16/23)
- ICSID; STEAG GmbH v. Kingdom of Spain; President; (ARB/15/4)

- ICSID; Ioan Micula, Viotel Micula and others v. Romania; President – Annulment Committee (ARB/14/29)
- ICSID; Infrastructure Services Luxembourg S.à.r.l. and Energia Termosolar B.V. (formerly Antin Infrastructure Services Luxembourg S.à.r.l. and Antin Energia Termosolar B.V.) v. Kingdom of Spain; President (ARB/13/31)
- ICSID; Caratube International Oil Company LLP and Devincci Saluh Hourani v. Republic of Kazakhstan; President – Annulment Committee (ARB/13/13)
- ICSID; Valores Mundiales, S.L. and Consorcio Andino S.L. v Bolivarian Republic of Venezuela; President (ARB/13/11)
- ICSID; Poštová banka, a.s and ISTROKAPITAL SE v. Hellenic Republic; President (ARB13/8)
- ICSID; Telefónica S.A. v. United Mexican States; President (ARB (AF)/12/4)
- ICSID; Renée Rose Levy and Gremcitel S.A v. Republic of Peru; Co-arbitrator (ARB/11/17)
- ICSID; Conviao Callao S.A. and CCI-Compañía de Concesiones de Infraestructura S.A. v. Republic of Peru; Co-arbitrator (ARB/10/2)
- ICSID; Iberdrola Energía, S.A. v. Republic of Guatemala; President (ARB/09/5)
- ICSID; Perenco Ecuador Limited v. Republic of Ecuador; President–Annulment Committee (ARB/08/6)
- ICSID; ConocoPhillips Petrozuata B.V., ConocoPhillips Hamaca B.V. and ConocoPhillips Gulf of Paria B.V. v. Bolivarian Republic of Venezuela; President (ARB/07/30)
- ICSID; Impregilo S.p.A. v. Argentine Republic; Member of the Annulment Committee (ARB/07/17)
- ICSID; Joseph C. Lemire v. Ukraine; Member of the Annulment Committee (ARB/05/1)
- ICSID; Daimler Financial Services AG v. Argentine Republic; President – Annulment Committee (ARB/05/1)
- ICSID; SAUR International v. Argentine Republic; President – Annulment Committee (ARB/04/4)
- ICSID; Total S.A. v. Argentine Republic; President – Annulment Committee (ARB/04/1)

- ICSID; Niko Resources (Bangladesh) Ltd. v. Bangladesh Oil Gas and Mineral Corporation (Petrobangla) and Bangladesh Petroleum Exploration and Production Company Limited (BAPEX); President – Annulment Committee (ARB/10/18)
- PCA; South American Silver Limited (Bermuda) v. The Plurinational State of Bolivia; President (Case No. 2013-15)
- PCA; Limited Liability Company Lugzor, (2) Limited Liability Company Libset, (3) Limited Liability Company Ukrinterninvest, (4) Public Joint Stock Company DniproAzot, (5) Liability Company Aberon Ltd v. Russian Federation; Co-arbitrator (Case No. 2015-29)
- PCA; Corcoesto, S.A. v. Kingdom of Spain; President (No. 2016-26)
- *Ad hoc*; Qatari Company v. Kingdom of Saudi Arabia; President (seated in London; Industry: Energy; Language: English, 2021)
- *Ad-hoc*; Sergei Viktorovich Pugachev v. Russia; President (PCA administered, seated in Paris; Language: English; Applicable Law: France-Russian Federation BIT)
- *Ad-hoc*; CC/Devas (Mauritius) Ltd. And others v. Republic of India; President (PCA Case No. 2022-34)
- *Ad-hoc*; Western Investor v. Eastern European State; President (Administered by the Stockholm Chamber of Commerce)
- *Ad-hoc*, Únete Telecomunicaciones S.A. and Clay Pacific S.R.L. v. The Republic of Ecuador; Co-arbitrator
- ICC; IuteCredit Europe v. Republic of Kosovo; Co-arbitrator (Case No. 25135)
- ICC; Spanish Investor v. Republic of Cuba; Co-arbitrator
- ICC; Hydro Srl v. Republic of Albania (I); Co-arbitrator (Case No. 20564/EMT/GR)

ARBITRATION PANELS

- Hong Kong International Arbitration Centre (HKIAC)
- China International Economic and Trade Arbitration Commission (CIETAC)
- Singapore International Arbitration Centre (SIAC)

- ICSID Panel of Arbitrators (ICSID). First appointment by the Chairman of the ICSID Administrative Council President's list, then appointed for a second period by the Republic of Colombia.
- Inter-American Arbitration Commission (IACAC)
- Vancouver International Arbitration Center (VanIAC)
- International Center for Dispute Resolution (ICDR)
- International Center for Dispute Resolution, Energy Arbitrators List (ICDR-EAL)
- Centres of Arbitration of the Chambers of Commerce of various Latin American Countries

RESEARCH, PUBLICATIONS & LECTURES

Publications

- Co-editor (with Mohamed S. Abdel Wahab, Chiann Bao, Alexander G. Fessas, Mark Friedman and Claudia Salomon), *Leadership, Legitimacy Legacy. A Tribute to Alexis Mourre*, ICC Library (2022)
- Co-editor (with Guido Tawil), *International Commercial Arbitration – Study of the New York Convention – Tirant LoBlanch 2022* (Original in Spanish “Arbitraje Comercial Internacional – Estudio de la Convención de Nueva York” – Tirant LoBlanch 2022)
- *The Map Is Not the Territory – But We Do Need Maps: How Helpful Are Guidelines on What Constitutes a Conflict of Interest, and on the Circumstances under Which Disclosure Is Required?*, in *BCDR International Arbitration Review*, Vol 7, No.2 (December 2020) (with Maria Marulanda)
- *Chapter 40: Security for Costs: Authority of the Tribunal and Third-Party Funding*, in *Building International Investment Law – The First 50 Years of ICSID*, Meg Kinnear, Geraldine R Fischer, Jara Minguez Almeida, Luisa Fernanda Torres, Maireé Urán Bidegaín (Eds.) (2015)
- *International Jurisprudence, Global Governance and Global Administrative Law*, in *Practicing Virtue – Inside International Arbitration*, David Caron, Stephan Schill, Abby Cohen Smutny, Epaminontas Triantafyllou (Eds.) (2015)
- *Challenges of Creating a Standing International Investment Court*, in *Reform of Investor-State Dispute Settlement: In Search of A Roadmap*, TDM Special Issue 1 (2014)

- *Columbia*, in *Enforcement of Foreign Judgments*, Louis Garb, Lew Julian (Eds.), Kluwer Law (2014)
- *Colombia*, in *Interim Measures in International Arbitration*, L.W. Newman and C. Ong (Eds.), Juris (2014)
- *Colombia Enacts a New Arbitration Statute*, 32(1) ASA Bull. 8 (2014) (with Rafael Rincón)
- *El concepto de laudo arbitral*, Universidad del Rosario (2013)
- *Post Award Advocacy: The Relationship Between Interim and Final Awards - Res Judicata Concerns*, *Arbitration Advocacy in Changing Times*, ICCA Congress Series No. 15 at 231, Kluwer (2011)
- *Treaty Planning: Current Trends in International Investment Disputes that Impact Foreign Investment Decisions and Treaty Drafting*, in *Liber Amicorum Bernardo Cremades, M.A. Fernandez Ballesteros and D. Arias* (Eds.) (2010) (with A. Saldarriaga and Ana Vohryzek-Griest)
- *La relevancia de la llamada 'Nacionalidad de la Sentencia Arbitral' en la Convención de Nueva York*, en *Revista Ecuatoriana de Arbitraje*, Instituto Ecuatoriano de Arbitraje, Cevallos Editora Jurídica (2010)
- *Diez años de Merck: una década de evolución del arbitraje comercial internacional en Colombia*, en *Revista Ecuatoriana de Arbitraje*, Instituto Ecuatoriano de Arbitraje, Cevallos Editora Jurídica (2009)
- *A Current Look at the Protection of Foreign Investment in Colombia Latin America*, TDM 4 (2009);
- Co-editor (with Guido Tawil), *International Commercial Arbitration – Study of the New York Convention on its 50th Anniversary - Abeledo Perrot 2008* (Original in Spanish “Arbitraje Comercial Internacional – Estudio de la Convención de Nueva York con Motivo de su 50 Aniversario” – Abeledo Perrot 2008)
- *El arbitraje de inversión en el Tratado de Libre Comercio suscrito entre Colombia y Estados Unidos*, in *Arbitraje Internacional - Tensiones Actuales* 109, F. Mantilla-Serrano (ed.), Legis (2007)
- *The return to Calvo and the gun boat diplomacy: The future of investor- State arbitration*, *Revista Internacional de Arbitraje*, Legis (2006)
- *Arbitration in Colombia*, *Revista de Derecho Comparado*, Buenos Aires (2005)

- *ICSID Arbitration, the need for specific consent*, *Ámbito Jurídico*”, Legis S.A.
- *Arbitration ratione materia – Arbitration and tort*, in *El Contrato de Arbitraje*, Eduardo Silva Romero (ed.), Legis (2005)
- *International Recognition and Enforcement of Annulled Awards*, *Revista “De Acuerdo”*, Chamber of Commerce of Bogota (2002)
- *ICSID, an option to consider*, *Revista de Derecho Público*, Universidad de Los Andes (2002)
- *Special Constitutional Action to Preserve International Arbitration*, *Journal of International Arbitration*, Kluwer Law International (2001)
- *Distribution Agreements in Colombia*, B&M (1995)
- *International Letters of Credit*, Legis (1980)

Speaking Engagements

- *The Americas and Europe between Constitutionalism and Populism*, ICCA Annual Congress Edinburgh (2022)
- *Dispelling Myths: Enforcement of Latin American Arbitration Awards in the United States and U.S. Arbitration Awards in Latin America*, New York Arbitration Week (2022)
- *The Constitution and Arbitration: A Shield or a Sword?*, Delos (2022)
- *Hottest Trends in International Arbitration*, ICC International Arbitration Conference, Miami (2021)
- *Changed Circumstances: Practical Insights from Seasoned Arbitration Counsel and Arbitrators*, ITA Workshop and Annual Meeting, Dallas (2019)
- *The corollaries of the bona fide principle as recognised by international arbitrators*, IBA Arbitration Day, Buenos Aires, Argentina (2018)
- Conference Chair, IBA Arbitration Day, Paris, France (2014)
- *The Spectre of Enforcement Risk and Inefficient Arbitral Procedures*, ITA Workshop and Annual Meeting, Dallas, Texas, USA (2014)
- *The Allocation of Costs in International Arbitration*, ICC Conference on the Eve of the 17th Annual IBA International Arbitration Day, Paris, France (2014)

- *Survivor Island meets International Arbitration: which Latin American seat?*, 2nd Annual GAR Live New York, New York, USA (2013)
- The IBA Guidelines on Party Representation, Brick Court Chambers (2013)
- *Advocacy from the Arbitrator's Perspective: What is Helpful and What is Not?*, ITA Conference 25th Anniversary, Dallas, Texas, USA, (2013)
- *Arbitral Decision-Making: The Legal Theory and the Psychological Reality*, ITA Conference 25th Anniversary, Dallas, Texas, USA (2013)
- *Soft law and arbitration*, X Conference of International Arbitration, Sao Paulo, Brazil (2013)
- *Challenges and developments in a time of opportunities*, Session Co-Chair, Biennial IBA Latin American Regional Forum Conference - Latin America, Bogotá, D.C., Colombia, (2012)
- *Tension issues in investment arbitration – Investment protection laws that do not contain offers to arbitrate?*, International Arbitration Seminar, Quito, Ecuador (2011)
- *Hot Topics in International Arbitration*, IBA Annual Conference, Vancouver, Canada (2010)
- *Advocacy after the arbitral award*, ICCA Annual Conference, Rio de Janeiro, Brazil (2010)
- *Cost controls in investment arbitration*, IBA-ICC, Mexico (2010)
- *Investment State Arbitration in Latin America: Recent issues and future prospects*, IBA-ICC, Mexico City, Mexico (2010)
- *FTA v. BITs?*, ICC-IBA Conference, San Jose, Costa Rica (2009)
- *Temas actuales de Arbitraje*, Panelist, II Jornada Internacional de Arbitraje: Buenos Aires, Argentina (2009)
- *Court support for arbitration in the Americas – The role of Public law*, IBA Annual Meeting Buenos Aires, Argentina (2008)
- *Dispute Resolution in the International Oil & Gas Business*, ICDR and AIPN, Rio de Janeiro, Brazil (2008)
- *Complex Energy Disputes*, Institute for Transnational Arbitration, 18th Annual International Commercial Arbitration Workshop, Dallas, Texas, USA (2007)

- *Arbitration and the Courts*, Young Arbitrators Forum, Institute for Transnational Arbitration, Dallas, Texas, USA (2007)
- *Recognition and enforcement of foreign awards*, Ecuadorian American Chamber of Commerce, Quito, Ecuador (2007)
- *Investment: Problem and Litigation*, IBA, Sao Paulo, Brazil (2006)
- *Sovereignty issues in Litigation and Arbitration in Latin America*, IBA, Prague, Czech Republic (2005)
- *The Art of Arbitrating*, Institute for Transnational Arbitration, 16th Annual International Commercial Arbitration Workshop, Dallas, Texas, USA (2005)
- Lectures on international arbitration and on investment arbitration, specifically on the Argentinean cases, in the event organized by the International Court of Arbitration of the ICC titled *The Developments of International Arbitration in Ecuador and Latin America*, Quito, Ecuador (2005)
- *The New York Convention, Application and Scope*, Co-chair of the International Arbitration Congress, Bogotá, D.C., Colombia (2005)
- Lecturer in the event organized by the International Court of Arbitration of the ICC titled *Impact of the New York Convention in the Development of International Commercial Arbitration*, Caracas, Venezuela (2005)
- *Insolvency is changing globally: How and Why?*, IBA, Seville, Spain (2004)
- Lecturer in the event organized by the International Court of Arbitration of the ICC titled *International Commercial Arbitration in Latin America: The ICC Perspective*, Miami, Florida, USA (2004)
- Lecturer in the event organized by the International Court of Arbitration of the ICC and the Center of Arbitration of the Chamber of Commerce of Bogotá titled *Arbitration without an arbitration clause*, Bogotá, D.C., Colombia (2003)
- Lecturer in the event organised by University of Columbia, New York titled *Enforcement of arbitral awards*, New York, New York, USA (2001)

LEGAL TEACHING

- Adjunct Professor, Georgetown Law
- Director International Arbitration Diploma (Tirant LoBlanch – Chamber of Commerce of Medellin)
- Co-Director ICC Academy for Latin America
- ICCA Mentor in three consecutive ICCA Mentorship Programs
- Professor at Universidad del Rosario
- Lecture at Columbia Law School on Emergency Arbitration (with Professor George Bermann)
- Tutor in international arbitration in the program organized by the OAS and the IACAC in several Latin American countries, including Argentina, Chile and Venezuela
- Training to the Ministry of Trade, Industry and Tourism – Division of Foreign Investments – and to governmental officials at different levels on international arbitration
- Professor and tutor in the Center of Arbitration of the Chamber of Commerce of Bogota in international arbitration and investment arbitration
- Invited by the United Nations Conference on Trade and Development (UNCTAD) to participate in experts meeting in “*Investment for Development*”.
- Lecturer in the University of Miami School of Law in the specialization international arbitration
- Lecturer in New York University School of Law on matters related to investment arbitration

PROFESSIONAL ACTIVITIES AND QUALIFICATIONS

Previous positions

- Vice President, ICC Court of Arbitration (2015 - 2021)
- Vice President, LCIA Court

- Member, ICCA Governing Board
- Co-Chair, IBA Arbitration Committee
- Member of the Drafting Committee of the IBA Arbitration Guidelines on Conflict of Interest in International Arbitration and the IBA Guidelines on Party Representation in International Arbitration
- President, Latin American Arbitration Association
- Chair, America's Initiative Institute for Transnational Arbitration
- Vice President, Institute for Transnational Arbitration
- Member of the Drafting Committee of the Colombian Arbitration Statute

Current positions

- Member, Sanctions Board World Bank
- Member, Advisory Board of ICCA
- Member, Advisory Board of New York International Arbitration Center
- Member, Board of ICC Alumni Group
- Member, ICC Commission on Arbitration and ADR
- Member, Review Committee ICDR-EAL
- Founder and Member, Board Latin American Arbitration Association

LANGUAGES

Spanish, English