



## Margarita R. Sánchez

MEMBER

PRACTICE LEAD, INTERNATIONAL ARBITRATION

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### PRACTICES

FCPA & International Anti-Corruption

Internal Investigations

International Arbitration

MDB/World Bank Sanctions Proceedings

### REGIONS OF FOCUS

Asia-Pacific

Latin America

### EDUCATION

LL.M., American University  
Washington College of Law,  
2008

J.D., Universidad del Norte,  
2000

### LANGUAGES

Spanish

Margarita R. Sánchez is a civil and common law trial lawyer with more than 20 years of experience representing public and private sector clients worldwide in international law. Ms. Sánchez focuses her practice on global anti-corruption, corporate investigations, and cross-border disputes. She has advised and represented sovereign states and private sector clients in numerous high-profile investigations and multi-million-dollar disputes, including international arbitration under most major rules arising out of projects and transactions in the Americas, Europe, Asia, and the Middle East.

Ms. Sánchez has experience in investor-state arbitration under investment treaties, as well as complex multi-jurisdictional disputes involving parties from Spain, Latin America, and the Caribbean (in particular, Caribbean Community (CARICOM) countries), combining her work as counsel in international arbitrations with arbitral appointments. She is a member of the International Centre for Settlement of Investment Disputes (ICSID) Panel of Conciliators and is listed on the Panel of International Arbitrators of the Bogota, Santa Catarina (Brazil), and El Salvador Chambers of Commerce.

Ms. Sánchez's white collar experience includes matters involving the U.S. Foreign Corrupt Practices Act (FCPA) and other anti-corruption laws. She has deep experience in international procurement and international development institutions' sanctions proceedings, including the Inter-American Development Bank (IDB), World Bank, Caribbean Development Bank, the United Nations Educational, Scientific and Cultural Organization (UNESCO), and the United Nations Office for Project Services (UNOPS). Prior to joining the private sector, Ms. Sánchez worked for the IDB's Office of Institutional Integrity (IDB-OII) conducting investigations of allegations of fraud and corruption occurring in activities financed by the IDB Group. She was one of the first members of IDB-OII and was involved in the drafting of the first sanctions proceedings. She assisted with the foundation of the Uniform Framework for Preventing and Combating Fraud and Corruption signed by the major multilateral development banks

(MDBs) and the International Monetary Fund (IMF) in 2006, delving into the policies of the multilateral debarment from its inception.

As a native Spanish speaker born and raised in Latin America, Ms. Sánchez has worked in nearly every country in the region. Prior to joining Miller & Chevalier, Ms. Sánchez practiced at two Am Law 200 firms and founded a boutique law practice in Washington, DC, specializing in international law with a regional focus on Latin American and the Caribbean. Earlier in her career, she served as in-house counsel for Monómeros Colombo Venezolanos, S.A., a fertilizer and chemicals company located in Colombia, where she oversaw the anti-narcotics and anti-money laundering (AML) regulatory compliance.

Ms. Sánchez has lectured at the International Law Institute in Washington, DC and from 2014-2016 was an adjunct professor at Georgetown University Law Center. She has published articles on topics related to international arbitration and global corruption in well-known publications. She is the author of the corruption chapter in *Tratados Internacionales y el Arbitraje de Inversión: Experiencias de Colombia y del Derecho Comparado* (Editorial IBAÑEZ, 2019).

## REPRESENTATIVE ENGAGEMENTS

### Investor-State Arbitration

- *B-Mex, LLC and others v. United Mexican States* (ICSID Case No. ARB(AF)/16/3). Counsel for the claimants in an international arbitration related to the gaming industry.
- *Alicia Grace, et al. v. United Mexican States* (ICSID Case No. UNCT/18/4). Counsel for the claimants in an arbitration related to oil exploration and production equipment.
- *Karkey Karadeniz Elektrik Uretim A.S. v. Islamic Republic of Pakistan*. ICSID. Counsel for the claimant. USD \$2 billion claim related to an electricity power generation project.
- *Nations Energy, Inc., et al. v. Republic of Panama*. ICSID. Counsel for the Republic of Panama. USD \$62 million claim related to an electricity power generation project.
- *RDC v. Republic of Guatemala*. ICSID. Counsel for the Republic of Guatemala in its first ICSID case under the Dominican Republic-Central America-United States Free Trade Agreement (CAFTA-DR). USD \$65 million claim by a U.S. investor.
- *Vannessa Ventures Ltd. v. Bolivarian Republic of Venezuela*. ICSID. Counsel for the Bolivarian Republic of Venezuela. USD \$1 billion claim for an alleged expropriation of a gold and copper mine.
- *Victor Pey Casado, et al. v. Republic of Chile*. ICSID. Counsel for the Republic of Chile. USD \$515 million claim related to an alleged investment in the media sector.

- *I&I Beheer B.V. v. Bolivarian Republic of Venezuela*. ICSID. Counsel for the Bolivarian Republic of Venezuela in an arbitration initiated by a Dutch company regarding a claim related to promissory notes.
- *Compañía General de Electricidad (CGE) v. Argentine Republic*. ICSID. Counsel for the claimant. USD \$125 million case against the Republic of Argentina.
- Advised the Dominican Republic on three investment arbitrations related to a highway concession.
- Advised a German company in the healthcare sector on potential investor-state arbitration against Mexico.

#### **International Commercial Arbitration**

- Represented a Colombian company in an International Chamber of Commerce (ICC) dispute seated in Panama against a Central American company.
- Advised a European entity and its Peruvian subsidiary in a potential ICC arbitration seated in London.
- Represented the Dominican Republic in a high-profile ICC arbitration involving a toll highway concession contract.
- Represented a Chilean sports company, led by award-winning tennis stars and philanthropists, in an ICC arbitration brought by a U.S. sports management company related to the Association of Tennis Professionals (ATP) tennis tournament in Latin America.

#### **Transnational Litigation**

- Advised a CARICOM conglomerate in an international litigation against a sovereign state.
- Advised a Colombian businessman in a U.S. litigation related to a failed arbitration clause.
- *Sea Search Armada v. Republic of Colombia* (D.C. Cir). Represented the Republic of Colombia in a USD \$17 billion federal court litigation involving the *San José*, a Spanish galleon that sank off the coast in Colombia in 1708.
- *Republic of Panama v. Jaime Jurado* (M.D. Fla). Represented Panama in the enforcement of an ICSID arbitration award.
- *Railroad Development Corporation v. Republic of Guatemala* (D.D.C.). Represented Guatemala in a litigation related to the enforcement of an ICSID award.
- *Skye Ventures v. Republic of Venezuela* (S.D. Ohio). Represented the Republic of Venezuela in a USD \$100 million U.S. federal litigation involving forged notes.

#### **Arbitral Appointments**

- International arbitration between an Asian conglomerate and a Colombian company. President of the Arbitral Tribunal (active).
- International arbitration between a Chinese conglomerate and a Colombian company. Co-Arbitrator (concluded in 2019).
- International arbitration between a Spanish company and a Colombian company. President of the Arbitral Tribunal (concluded in 2019).

### **Anti-Corruption and White Collar**

- Advised a Mexican company in connection with an investigation initiated by UNOPS) into allegations of fraud and corruption.
- Represented a United Arab Emirates company in connection with an investigation initiated by IDB and the International Finance Corporation (IFC), related to a major infrastructure project in Latin America.
- Represented a Panamanian company in connection with an IDB investigation into allegations of fraud and corruption related to an infrastructure project in Latin America.
- Advised a Mexican businessman in connection with an investigation of corruption charges by the Mexican government.
- Represented a Latin American businessman in a money laundering and drug trafficking investigation by the U.S. Department of Homeland Security (DHS) and Drug Enforcement Administration (DEA).
- Advised a U.S. artificial Intelligence company regarding the application of the FCPA and multilateral debarment in connection with its operations in Latin America.
- Represented a Fortune 500 consumer products company in an FCPA investigation in Latin America and China.
- Represented a large European civil engineering firm in connection with a World Bank investigation related to allegations of corruption involving a road concession in Latin America.
- Advised an international organization in connection with a corruption investigation involving a Spanish company executing a public health program in Latin America.
- Advised an international organization in connection with a corruption investigation involving a Spanish consortium executing a water supply and sewerage project in an Andean country.
- Advised an international organization in connection with a corruption investigation involving a Central America company executing a water supply and rural project in Central America.
- Advised an international organization in connection with a corruption investigation involving a Central America consortium executing a storm water drainage project in Central America.
- Advised a sovereign Latin American country in connection with a World Bank corruption investigation involving a Spanish consortium executing a road concession project.
- Advised a large Latin American company regarding an FCPA investigation and the whistleblower provisions.
- Counseled a multinational company in relation to the Colombian anti-drug trafficking and AML laws.
- Represented a Latin American company before the Colombian National Anti-Narcotics Department (Dirección Nacional de Estupefacientes).

### **Latin America and the Caribbean**

- Advised a conglomerate of Trinidad & Tobago in relation to a potential mergers and acquisitions (M&A) transaction

- Advised a company of Trinidad & Tobago in a project finance operation in St. Lucia.
- Advised a Latin American company in connection with its operations in Trinidad and Tobago and Suriname.
- Advised CARICOM on its draft model investment chapter for free trade agreements.
- Advised a European consumer products company in structuring its investments and expansion in Latin America.
- Advised a European engineering company in connection with the construction and supervision of a metro and two additional massive transportation projects in a major Latin American city.
- Advised the Republic of South Korea in the negotiation of a free trade agreement with a South American sovereign state.
- Advised the Customs Uni-Pass Agency (CUPIA, the Republic of South Korea's customs agency) in the implementation of a Single Window project in Argentina, financed by the IDB and Export Import Bank of Korea (KEXIM).
- Advised a U.S. company in connection with a public bidding process in Colombia under Colombian constitutional and administrative Law.
- Assisted a U.S. energy company in structuring renewable projects in Colombia and Mexico.

#### **Pro Bono**

- Advised the family of the victim in an extradition proceeding under the Brazil-Colombia Extradition Treaty.
- Represented a Kurdish Iranian journalist seeking asylum in the U.S. after years of political persecution in Iran.
- Represented numerous Central American and South American immigrants in non-immigrant status for victims of criminal activity (U visa) and Violence Against Women Act (VAWA) petitions.
- Represented a Maryland Deferred Action for Child Arrivals (DACA) recipient in *John Doe, et al., v. Maryland State Board of Elections*, a civil litigation case questioning the validity of a referendum to overturn the Maryland DREAM Act (2011).

#### **IN-HOUSE EXPERIENCE**

In-house Counsel, Monómeros Colombo Venezolanos, S.A, 2000 - 2002

#### **RANKINGS AND RECOGNITION**

*Who's Who Legal*: GAR Arbitration – Future Leaders, 2017 - 2022

*Latinvex*: Latin America's Top 100 Female Lawyers: Arbitration & Litigation, 2015 - 2022

*Latinvex*: Latin America's Top 100 Female Lawyers: FCPA & Fraud, 2015 - 2022

*Latino Leaders Magazine*: Top Latino Lawyers, 2020

*Entrepreneur Magazine*: 360 List, 2019

*Latino Leaders Magazine*: 25 Most Influential Lawyers in the United States, 2016 - 2017

*Chambers USA*: Shortlisted for the 2015 Chambers Women in Law Awards "Lawyer of the Year," 2015

*Chambers Global*: Arbitration (International), 2013 – 2015

*Legal 500 Latin America*: International Firms: Compliance and Investigations, 2023

Hispanic National Bar Association (HNBA): Top Lawyer Under 40, 2013

DC Bar Capital Pro Bono High Honor Roll, 2013

## AFFILIATIONS

Officer of Diversity & Inclusion, Access to Justice and Legal Aid Committee, International Bar Association (IBA), 2021 – present

Officer, Access to Justice and Legal Aid Committee, Section on Public and Professional Interest, International Bar Association, 2023 – present

Member, Law360 2023 International Arbitration Editorial Advisory Board

Co-Chair, Inter-American Legal Affairs Sub-Committee, DC Bar, 2019 - 2020

Fellow, Chartered Institute of Arbitrators, 2014 - 2015

Commissioner, Latina Commission, HNBA, 2013 - 2014

## BAR ADMISSIONS

District of Columbia

Republic of Colombia

## PUBLICATIONS

- [The New Economic Crimes Law in Chile: Severe Sanctions and Broad List of Corporate Crimes for Companies Operating in Chile](#), September 6, 2023
- [A Broader Path to Collect Foreign Arbitral Awards in the United States After U.S. Supreme Court's Ruling Allowing Racketeering Claims by Foreign Plaintiffs](#), August 17, 2023
- [U.S. Supreme Court Holds That an Appeal of the Denial of a Motion to Compel Arbitration Automatically Stays Lower Court Litigation](#), June 28, 2023
- [As the End of NAFTA's Sunset Period Approaches, Mexican, U.S., and Canadian Investors Have Until April 1, 2023, to Submit a Notice of Intent](#), March 15, 2023
- [Coinbase v. Bielski: Forcing Arbitration in Crypto Disputes](#), December 22, 2022
- [Trade Compliance Flash: Executive Order Targets Gold Mining in Nicaragua and Lays Groundwork for Expanded Sanctions and Trade Restrictions](#), October 28, 2022
- [International Arbitration Avenues for U.S. and Canadian Investors in Mexico to Narrow While USMCA's Consultations Advance](#), September 8, 2022

## SPEAKING ENGAGEMENTS

- Universidad del Norte, "Challenges and Opportunities for Colombia in the Caribbean," September 19, 2023
- International Law Institute Procurement Integrity Seminar, "Mitigating Risks in Interamerican Development Bank (IDB) Procurement," September 15, 2023
- Institute for Transnational Arbitration & The Center for American and International Law, "Young ITA Talks South America – Oral Advocacy Workshop," September 14, 2023
- Bogota Chamber of Commerce: The 360° of International Arbitration, "The Beginning of the Proceedings," August 29, 2023
- ICC Panama International Arbitration Congress, July 19, 2023
- VenAmCham Arbitration Committee Meeting, "Impact of Economic Sanctions in International Arbitration," June 28, 2023
- Asociacion Venezolana de Arbitraje IV Caracas Arbitration Week, "Guerilla Tactics in International Arbitration," June 27, 2023
- Bolivian Arbitration Society: 11th International Arbitration Conference, "Recent Developments in Investment Arbitration in Latin America," June 2, 2023
- International Chamber of Commerce Mexico: XIII International Trade Course - USMCA Agreement, "Anti-Corruption Session," May 4, 2023
- Webinar: Doing Business in Venezuela from a U.S., U.K., and European Union Sanctions Perspective, March 14, 2023
- Asset Recovery Americas: Fraud Litigation, Contentious Insolvency & Enforcement in the Americas, "David vs Goliath – Enforcement Actions Against States and State-Owned Entities," December 2, 2022
- Washington Arbitration Week Virtual Panels, November 29, 2022
- American Chamber-Mexico/USAID: Business Integrity and Corporate Risk Identification and Management, "President Biden's Pro-Integrity Policy and the Implications of Chapter 27 (Anti-Corruption of the USMCA)," November 14, 2022
- IBA 2022 Annual Conference, "Sustainability Focus: Access to Climate Change Justice for Our Most Vulnerable Citizens," November 1, 2022
- American University Washington College of Law: 40th Anniversary of International Legal Studies, October 20, 2022
- Bogotá Chamber of Commerce 5th National & International Arbitration Congress, "Advantages of Exploring International Arbitration CCB," October 6, 2022