

Shan Greer

Nationality: St Lucian, Canadian

Languages: English (fluent) French (conversational)



Shan Greer is an independent arbitrator who specialises in construction and engineering as well as oil and gas disputes. She has over twenty years of experience in complex and high value transactional and commercial disputes and is a leading figure in international arbitration.

She has sat as neutral on large infrastructure and construction projects for state-owned enterprises, international investors, joint venture partners and regional consultants under which the parties used bespoke or FIDIC, JCT and NEC standard forms of contract. In addition to her work within the construction and infrastructure sector, Shan has also acted as tribunal chair, sole and party-appointed arbitrator in matters relating to oil and gas, hotel development and gaming, banking and finance, as well as energy and telecommunications.

Shan is qualified to handle disputes in both civil and common law jurisdictions and has sat in AdHoc, UNCITRAL, AAA(ICDR), and PCA administered arbitrations.

Shan has developed an extensive practice in the Caribbean due to her combined regional knowledge and international expertise and has also sat in jurisdictions including Europe, North America and Asia.

Shan also regularly acts as mediator, adjudicator, and dispute board member to assist parties in settling their disputes in a wide variety of cases.

Shan is passionate about education, particularly in the Caribbean region. She is a member of the Chartered Institute of Arbitrators Education and Membership Committee as well as a former Chair of the Chartered Institute of Arbitrators (Caribbean Branch). Shan is a co-founder of the Caribbean ADR Initiative, a nonprofit promoting ADR in the Caribbean and actively contributes to the development of arbitration in the region. She currently sits as a member of the ITA Americas Initiative Caribbean Task Force and ICC - Caribbean Working Group, Committee Member. Most recently, Shan was accepted as a Council Member of the ICC Institute of World Business Law.

Sector Expertise

- Construction, Engineering and Infrastructure
- Energy, Oil & Gas
- Banking & Finance
- Technology & Telecommunications
- Commercial Dispute Resolution
- Mediation and Dispute Boards

Construction and Engineering

Shan has worked with contractors, consultants, developers, investors and financiers on a wide variety of development projects (high-end residential, commercial use, mixed-use schemes, education, hospitals, and hotel developments) and infrastructure projects (airports, telecommunications, water supply, waste management, marine engineering, road, tunnels, bridges and rail). She has represented clients and acted in disputes relating to projects using bespoke and general conditions, including but not limited to FIDIC, JCT, AIA and NEC standard forms of contract.

With her breadth of experience, Shan has an excellent understanding of the construction and real estate industries, enabling her to see the bigger picture and quickly assess legal and commercial issues arising in a dispute. She has presided as party-appointed arbitrator in disputes dealing with defects, delay, cost overruns, liquidated damages, misrepresentation, negligence, payment default, breach of contract and termination.

Energy, Oil & Gas

Shan's energy experience extends through the process of developing, financing, constructing and operating a wide range of wind and solar energy projects, from licensing through to decommissioning on projects in the United Kingdom, Europe and China. She has participated in disputes relating to power purchase agreements, joint operating agreements, procurement and supply chain packages, operation and maintenance agreements, grid connection and environmental and health and safety matters.

Shan has acted as both chair and party-appointed arbitrator on several mid-stream oil and gas disputes relating to processing, storing, transporting, and marketing oil, natural gas, and natural gas liquids in the Caribbean, North America, and Asia.

Banking & Finance

Shan has successfully handled commercial transactions and disputes across multiple jurisdictions in the Caribbean, Europe and North America, advising clients on various banking and financial issues relating to commercial transactions and disputes. Her cases have involved insurance disputes, bank guarantees and bonds on investments in commercial and infrastructure projects as well as trade, export and project finance contracts.

Shan has also advised and represented international and regional banks in the United Kingdom and the Caribbean on a wide variety of matters, including regulatory compliance, corporate governance, debt recovery, real estate finance transactions, development and investment funding.

She has presided as an arbitrator in disputes between lending institutions and their customers concerning insurance indemnity agreements and financial instruments.

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Technology & Telecommunications

Shan has advised and represented telecommunication companies in the Caribbean on the privatisation of the telecommunication sector and regulatory compliance. She has also acted as an arbitrator in statutory arbitrations in consumer disputes.

Commercial Dispute Resolution

Shan has a wealth of experience in commercial disputes across various industry sectors, including energy, construction, joint ventures, financial services, gaming and wagering, telecommunications, intellectual property and sale of goods. Most recently, she was appointed as a panel member for the Commonwealth Games Federation Court.

Mediation and Dispute Boards

Shan has represented clients and acted as a mediator on a wide variety of disputes. In particular, as a mediator, she successfully resolved two commercial disputes in the Caribbean, namely:

- a dispute under the FIDIC Red Book Standard Form between a contractor and property developer for variations and Extensions of time on a project for the construction of a multi-million-dollar hotel development in the British Virgin Islands;
- a class-action suit by the members of a homeowner association against a property developer for defective works in the construction of multiple middle-income residential homes in Barbados.

Shan also regularly acts on Dispute Boards and as an adjudicator in construction disputes. Her most recent appointments include:

- Appointment to a Dispute Avoidance Adjudication Board for a US\$89 million reconstruction airport project under the FIDIC Red Book 2017 in a Caribbean Island.
- Appointment to a Dispute Adjudication Board for a multimillion-dollar hospital project for architectural works and remediation of the mechanical, electrical and plumbing installations in the British Virgin Islands.

Experience

Arbitrator

- Sole arbitrator in an international arbitration under the BVIIAC Arbitration Rules in a dispute relating to a contract for the marketing and promotion of remuneration trust schemes and other financial plans.
- Sole arbitrator in an ad hoc arbitration under the UNCITRAL Rules in an international investment dispute for negligence and fraudulent misrepresentation.
- Sole arbitrator in a seafarer's dispute under the International Centre for Dispute Resolution Rules.
- Chairperson of a three-person panel in an international oil and gas dispute between international companies operating in Thailand.
- Member of a two-person panel, appointed by the Permanent Court of Arbitration, in an oil and gas dispute relating to the party's obligations under an operation agreement.
- Member of a three-person panel in an international dispute over obligations arising under a construction agreement for a hotel development in the Caribbean.
- Member of a three-person panel in an international dispute under a marketing contract pursuant to the UNCITRAL Rules.
- A sole arbitrator in a dispute over rights fees due under a wagering agreement as well as a claim for wrongful termination and unjust enrichment.
- A sole arbitrator in a domestic arbitration between a contractor and sub-contractor for repudiation of contract and a claim for non-payment of sums due under the contract under the UNCITRAL Rules.
- A sole arbitrator, appointed by the Dispute Resolution Centre in Trinidad and Tobago, under the UNCITRAL Rules in a dispute between a local government entity and foreign construction company relating to the design and construction of a water recycling plant.
- An international arbitration relating to a loss and expense/defects liability claim for a commercial construction project governed by the FIDIC Red Book standard form of contract.
- An international arbitration between an insurance company and lending institution concerning the interpretation of terms relating to liability under an insurance policy.
- Secretary to an Arbitral Tribunal in a dispute between parties to a JV agreement for the construction of a multi-story commercial property development in Wales.
- A domestic Ad hoc arbitration concerning a claim brought by a property development company against a statutory body for damages caused by construction works.
- Under the UNCITRAL rules, a domestic arbitration involving a claim by a Chief Executive Officer against a statutory body for wrongful termination.
- A domestic arbitration under the DRA Fast Track Rules (St. Lucia) between a statutory body and property owner concerning the compulsory acquisition of the property. She delivered a preliminary determination on the interpretation of various provisions under the Land Acquisition Act of St. Lucia.
- An Ad hoc domestic arbitration under a commercial insurance policy for loss of property due to fire.
- Various statutory arbitrations relating to damages claimed against a public utility company by various private individuals and commercial entities.

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Mediator

- Mediator in a dispute under the FIDIC Red Book Standard Form between a contractor and property developer for variations and Extensions of time on a project for the construction of a multi-million dollar hotel development in the British Virgin Islands;
- Mediator in a class-action suit by the members of a homeowner association against a property developer for defective works in the construction of multiple residential homes.

Dispute Board/Adjudication

- Appointment to a Dispute Avoidance Adjudication Board for a US\$9 million reconstruction airport project under the FIDIC Red Book 2017 in a Caribbean Island.
- Appointment to a Dispute Adjudication Board for a multimillion-dollar hospital project for architectural works and remediation of the mechanical, electrical and plumbing installations in the British Virgin Islands;
- Acting as an adjudicator in a scope of works/variation dispute relating to the government entity's US\$1.38 billion National Recovery Resilience Plan in response to property damage resulting from Hurricane Irma.
- Acting as an adjudicator in an adjudication between a statutory body and contractor in a claim for sums due under a contract for the reconstruction and repair of a container park in a seaport;

Academic & Professional Qualifications

Education

- Executive Certificate in Conflict Management, University of Windsor (2020)
- MSc Construction Law and Dispute Resolution (Merit), Kings College, London (2006)
- Bar Vocational Course, Inns of Court School of Law, London (2000)
- LLB Degree (Upper Second Class Honours), University of London, London (1999)

Bar Admissions

- Called to the Bar of Belize (2017)
- Called to the Bar of Saint Vincent (2013)
- Admitted as a Solicitor in England and Wales (2008)
- Called to the Bar of Saint Lucia (2000)
- Called to the Bar of England and Wales (2000)

Professional History

- Independent Arbitrator, Arbitra International (January 2022 - current)
- Partner, Spencer West LLP, London, England, (January 2021 – current)

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- Consultant, Floissac Fleming & Associates, St. Lucia (2014 - 2020)
- Attorney at Law, Arbitrator & Mediator, Greer & Associates, St. Lucia (2010 to 2013)
- Solicitor, Burges Salmon LLP, Bristol, England (2007-2009)
- Barrister, Floissac Fleming & Associates, St. Lucia (2000- 2005)

Professional Associations & Recognitions

Professional Affiliations

- Chair of the British Virgin Islands International Arbitration Centre's Arbitration Committee
- Director of Forum for International Conciliation and Arbitration
- Director of Caribbean ADR Initiative
- Council Member of ICC Institute of World Business Law
- Fellow of the Chartered Institute of Arbitrators
- Member of the Chartered Institute of Arbitrators' Education and Membership Committee
- Past Chair of the Caribbean Branch of the Chartered Institute of Arbitrators
- President of the Dispute Resolution Association in St. Lucia
- Member of Arbitral Women
- Member of the Kings College Construction Law Association

Panel Admittance

- International Institute for Conflict Prevention and Resolution (CPR USA)
- British Virgin Islands International Arbitration Centre (BVIIAC)
- Permanent Court of Arbitration (PCA)
- International Centre for Dispute Resolution (ICDR)
- Federation Court of the Commonwealth Games 2022
- Arbitration and Mediation Court of the Caribbean, Barbados (AMCC)
- Dispute Resolution Centre in Trinidad and Tobago
- Dispute Resolution Association in St. Lucia
- Jamaica International Arbitration Centre in Jamaica (JAIAC)
- Mauritius International Arbitration Centre (MIAC)

Saint Lucia also nominated Shan Greer for inclusion in the CARICOM Secretariats List of Arbitrators and Conciliators established pursuant to the Revised Treaty of Chaguaramas.

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Publications, Articles & Thought Leadership

Initiatives

- ICC Institute of World Business Law, Council Member
- ICC - Caribbean Working Group, Committee Member
- CPR Dispute Resolution, Dispute Review Board Committee – Training Working Group, Committee Member
- CPR Dispute Resolution, Dispute Review Board Committee – Clause and Drafting Working Group, Committee Member
- Caribbean ADR Initiative – Founding Member

Conferences

- Trainer, ArbDossier NUJS Course on Arbitration Agreements, July 2022
- Panellist, CIARB Professional Practice Guidelines Webinar Series, Session 3 – The Power and Purposes of the Process, June 2022
- Facilitator, CADRI/BVI IAC Tribunal Secretary Training, Tortola, BVI, May 2022
- Construction Law Tutor, College of Contract Management, Advanced Diploma in Professional Practice in Contract Management, Introduction to Alternative Dispute Resolution, April 2022
- Facilitator, Chartered Institute of Arbitrators – Caribbean Branch – YMG Group, ADR Clinic (April 2022)
- Moderator, CIARB Caribbean Branch (Trinidad Chapter), Dispute Boards Webinar Series (April 2022)
- Speaker, Paris Arbitration Week, BVI IAC/EDAC, Caribbean Energy Sector - Past, Present and Future (March 2022)
- Moderator, CIARB Mediation Symposium, Inclusion and exclusion in mediation: Choosing to Challenge?, (October 2021)
- Panellist, GAR Live Atlanta, The year in review, a guide through the essentials, (September 2021)
- Panellist, Paris Arbitration Week, Arbitration in the BVI, an up-and-coming hub in the Caribbean (September 2021)
- Dialogue Solutions Guyana Launch, Serving SME's- Providing Accessible ADR Solutions (October 2021)
- Panellist, CIARB Caribbean Branch Fourth Triennial Conference, Improving the ADR Landscape (May 2021)
- Moderator, CADRI Webinar, Document Management in International Arbitration (November 2020)
- Panellist, BVI Arbitration Centre Webinar, Virtual Hearings, Online (October 2020)
- Moderator, CADRI Webinar, Arbitrator Independence and Impartiality (September 2020)
- Moderator, AfAA Conference, "The Coming of Age of International Arbitration in Africa", Rwanda, Africa (April 2019)
- Panellist, AtlAs Conference, "Skills and Cultures: The Road Ahead for International Arbitration", Atlanta, United States (November 2018)
- Organiser and Speaker, CIARB Caribbean Branch International Arbitration Conference, "ICSID and ICC Arbitrations in the Commonwealth Caribbean", Guyana (April 2018)
- Panellist, 2008 Ilaw 2018, "The ISL Global Forum on International Law", Miami, USA (February 2018)
- Panellist, ICC International Arbitration Conference, "Boosting the use of Arbitration in the Caribbean", Jamaica (August 2017)

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- Panellist, BVIIAC International Arbitration Conference, “Raising Our Gaze: Arbitration the Next Horizon”
British Virgin Island (May 2017)

Directories & Client Quotes

“She is an up and coming star”

“She is a leader in her field”

“Shan is bright, responsive and sensible”

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