

# Eduardo Silva Romero

Partner | International Arbitration



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Eduardo Silva Romero, co-Chair of Dechert's International Arbitration global practice, focuses his practice on arbitration matters, particularly disputes involving States and State entities.

An acknowledged expert in international arbitration, Mr. Silva Romero has supervised numerous proceedings before arbitration panels worldwide. Former Deputy Secretary General of the ICC International Court of Arbitration, Mr. Silva Romero has far-reaching experience in all areas of international arbitration, including international sales and distribution contracts, construction, telecommunication, mining, oil and gas, and electricity-related disputes. He advises on arbitration matters conducted under the auspices of the ICC, ICSID, PCA, ICDR/AAA and the SCC, as well as in *ad hoc* proceedings under the UNCITRAL and EDF arbitration rules. As an arbitrator, Mr. Silva Romero has acted in more than 140 arbitrations.

Mr. Silva Romero is ranked by *Chambers France 2022* as Band 1 and noted he is "held in high regard for his ICSID cases expertise." *Chambers Europe 2022* states he "has an impressive caseload of investor-State arbitration mandates that have a clear European nexus." He was recently described by *The Legal 500 EMEA 2022* (Hall of Fame) as "one of the best in the field". He is also consistently recommended by *Global Arbitration Review*, *Chambers Europe*, *Chambers Latin America*, *Chambers Africa*, *The Legal 500 Latin America*, *Décideurs (Leaders League)* and *Who's Who Legal*. He was recognized as "Lawyer of the Year" by *Best Lawyers* for Arbitration and Mediation in France in 2018 and in 2020. He was also selected in 2021 and 2022 by *Law360* as MVP ("Most Valuable Player") in International Arbitration for his outstanding winning record and significant contributions to Dechert's International Arbitration practice group.

Mr. Silva Romero is Professor Emeritus at the University of Rosario's Law School in Bogota. He teaches Investment Arbitration at Paris 2 (Panthéon-Assas) University, Investment Arbitration and International Contracts at the Paris Institute for Political Studies (Sciences Po), and French Arbitration Law at the University of Paris-Dauphine (Paris IX).

He is a regular speaker at numerous conferences, seminars and courses in Europe, the U.S. and Latin America, and has published dozens of books and articles on international arbitration and other matters.

He is a member of the ICC International Court of Arbitration and the Chair of the ICC Institute of World Business Law.

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## Experience

- The **Czech Republic** in three investment arbitrations in the real estate, gaming and airplanes sectors.

- The **Republic of Ecuador** in ten investment and commercial arbitrations in, for instance, the telecommunication, oil and gas, construction and mining concession sectors.
- The **Plurinational State of Bolivia** in eleven investment arbitrations (under the auspices of ICSID or under the UNCITRAL rules) and one commercial arbitration involving several sectors, including telecommunications, infrastructure, mining, energy and oil and gas.
- The **Republic of Colombia** in five investment arbitrations (under the auspices of ICSID or under the UNCITRAL rules) in the mining and telecommunication sectors.
- **A group of Costa Rican and Dutch investors** against a Central American State in an ICSID arbitration relating to the construction and development of an ecotourist resort.
- **A French multinational** in a dispute with a Central American state entity in an ICC arbitration related to the construction of a hydro electrical plant.
- **A Brazilian company** against a Portuguese group of companies in an ICC arbitration arising from fraudulent schemes in the execution of several financial agreements concluded for the financing of a construction project.
- **A leading European gas company** in its gas pricing dispute against another leading European gas company in a potential ICC arbitration arising from a long term gas supply contract.
- **A French fund** against a French company in an ad-hoc arbitration arising from a shareholders agreement in the food industry.
- **A leading American technology company** against a South Korean company in an ICC arbitration relating to the softwares of the smartphones.
- **A Spanish company** against two Peruvian companies in an AAA arbitration related to the breach of a shareholders agreement.

## Education

- El Rosario University, -, 1993
- Université Paris 2 Panthéon-Assas, -, Comparative Law and Legal Terminology, 1995
- Université Paris 2 Panthéon-Assas, DSU, Private International Law, 1995
- Université Paris 2 Panthéon-Assas, DEA, Philosophy of Law, 1996
- Université Paris 2 Panthéon-Assas, Ph.D., Docteur en Droit, 2000, summa cum laude

## Admission

- Bogotá
- Paris

## Languages

- English
- Spanish
- French
- Portuguese

## Memberships

- Chair of the ICC Institute of World Business Law
- Member of the ICC International Court of Arbitration
- Member of the Permanent Court of Arbitration (PCA) for Colombia
- Former Chair of the Arbitration Committee of the International Bar Association (IBA)

## Publications

- Cross-Examination in International Arbitration: Theory and Practice for Practitioners Based in the Philippines - (October 04, 2022)
- Law360 Honors Five Dechert Partners as MVPs of the Year - (September 06, 2022)
- Five-Year Long Consultations on Modernization of the Energy Charter Treaty Conclude with Agreement in Principle - (June 30, 2022)
- L'équipe d'arbitrage international de Dechert remporte deux victoires historiques pour la Pologne devant les cours françaises, une première mondiale à la suite de l'affaire Achmea - (May 02, 2022)
- Dechert's International Arbitration Team Secures Two Historic Victories for Poland Before French Courts – a Worldwide-First Landmark After the Achmea Case - (May 02, 2022)
- Energy Transition in Latin America - (March 09, 2022)
- Law360 Honors Two Dechert Partners in Paris as MVPs of the Year - (August 31, 2021)
- VIAC Releases Vienna Investment Arbitration Rules - (July 15, 2021)
- Dechert Advises on Sale of Alameda Healthcare Group's Assets in the Middle East and North Africa Region to Cleopatra Hospital Group - (December 25, 2020)
- Who's Who Legal Recognizes Dechert Lawyers in Arbitration 2021 Guide - (December 09, 2020)
- Dechert appoints Yang Wang to lead its Beijing office - (September 28, 2020)
- Quelles sont les tendances de l'arbitrage - (September 24, 2020)
- Chambers Latin America 2021 Recognizes Dechert's International Arbitration Group - (September 03, 2020)
- Dechert renforce son équipe d'Arbitrage International avec l'arrivée d'une nouvelle Associée à Paris - (September 01, 2020)
- Dechert Significantly Strengthens International Arbitration Capability With New Paris Partner - (September 01, 2020)
- Dispute Boards: Another Potential Means of Resolving COVID-19 Disputes - (April 24, 2020)
- COVID-19 Coronavirus: Will Global Pandemic Excuse Contractual Performance? - (March 17, 2020)
- COVID-19 Coronavirus Business Impact - (March 11, 2020)
- COVID-19 Coronavirus: The Consequences on Contract Performance and the Resolution of Disputes - (March 09, 2020)
- Who's Who Legal Recognizes Dechert Lawyers in Arbitration 2020 Guide - (December 19, 2019)
- L'annulation des sentences CIRDI impliquant un État d'Afrique - (October 10, 2019)
- "Arbitrage et normes en danger" - Contournement, optimisation, évasion : les normes en danger? - (October 10, 2019)
- Financial Times Ranks Dechert 11th Most Innovative Firm in Europe - (September 13, 2019)
- Mining Arbitration in Latin America: Social and Environmental Issues in Investment Arbitration Cases - (July 01, 2019)

- Handelsblatt Recognizes Dechert Lawyers Across Practice Areas - (July 01, 2019)
- Who's Who Legal Recognizes Dechert Lawyers in France 2019 Guide - (June 18, 2019)
- The Legal 500 EMEA 2019 Recognizes Dechert Practices and Lawyers in 44 Categories - (April 11, 2019)
- The New Discovery of Latin America through International Arbitration - (April 03, 2019)
- Chambers Europe 2019 Recognizes 17 Dechert Practices and 30 Dechert Lawyers Across 29 Categories - (March 08, 2019)
- X CAI Costa Rica: Analysis of the last decade, lessons, tendencies and challenges - (February 24, 2019)
- Chambers Global 2019 Recognizes 39 Dechert Practices and 51 Dechert Lawyers - (February 21, 2019)
- Who's Who Legal Recognizes Dechert Lawyers in 2019 Arbitration Guide - (December 05, 2018)
- Arbitration of Corruption Allegations - (November 30, 2018)
- Updated HKIAC Arbitration Rules Seek to Save Time and Costs - (November 28, 2018)
- Arbitration in France - (November 16, 2018)
- The Legal 500 Latin America 2018 Recognizes Seven Dechert Lawyers and Four Practices - (September 07, 2018)
- Arbitrating the Conduct of International Investors - ICSID Review - Foreign Investment Law Journal by Oxford University Press - (August 30, 2018)
- Two Dechert International Arbitration Lawyers Appointed to ICC International Court of Arbitration - (July 10, 2018)
- Les Echos Recognizes Dechert Across Practice Areas in France - (June 26, 2018)
- Chambers Global Guide 2018 Recognizes 55 Dechert Lawyers and 32 Practice Areas - (February 21, 2018)
- Who's Who Legal Recognizes 14 Dechert Lawyers as Leaders in Arbitration - (November 16, 2017)
- Financial Times Recognizes Dechert in European Innovative Lawyers Report - (October 05, 2017)
- Chambers Latin America 2018 Recognizes Dechert's International Arbitration Group - (September 20, 2017)
- The Legal 500 Latin America Recognizes Five Lawyers and Practices Across Four Categories - (September 13, 2017)
- La confidentialité dans l'arbitrage : un mythe fondateur ? - (July 25, 2017)
- The Best Lawyers™ in France Recognizes 13 Dechert Lawyers - (June 07, 2017)
- La extensión del convenio arbitral a partes no signatarias en Europa: ¿un enfoque uniforme? - (May 30, 2017)
- The Legal 500 EMEA Recognizes 46 Dechert Lawyers and Practices Across 38 Categories - (April 12, 2017)
- Chambers Europe 2017 Recognizes 34 Dechert Lawyers and Practices Across 20 Categories - (April 10, 2017)
- Chambers Global 2017 Recognizes 63 Dechert Lawyers and Practices Across 32 Categories - (March 16, 2017)
- International Arbitration MVP: Dechert's Eduardo Silva Romero - (December 14, 2016)
- Who's Who Legal Recognizes Seven Dechert Lawyers as Future Leaders in Arbitration - (November 30, 2016)
- Law360 Names Arif H. Ali, Andrew J. Levander and Eduardo Silva Romero 2016 MVPs - (November 23, 2016)

- The Extension of the Arbitral Agreement to Non-Signatories in Europe: A Uniform Approach? - (October 14, 2016)
- Nuevos desarrollos de la jurisprudencia internacional en materia de extensión del convenio arbitral a partes no signatarias - (October 10, 2016)
- Financial Times Names Dechert Among Top 10 Most Innovative European Law Firms - (October 06, 2016)
- Chambers Latin America Recognizes Dechert in its 2017 Edition - (September 19, 2016)
- The Legal 500 Latin America Recognizes Five Dechert Lawyers and Practices in Three Categories - (September 07, 2016)
- Arbitration in France - (August 09, 2016)
- Aux origines de l'arbitrage commercial contemporain: l'émergence de l'arbitrage CCI (1920 - 1958) - (July 01, 2016)
- Dechert's International Arbitration Practice Shortlisted for Chambers Latin America Award for Excellence - (June 22, 2016)
- Chambers Europe Recognizes 30 Dechert Lawyers and Practices Across 23 Categories - (April 25, 2016)
- The Legal 500 EMEA Recommends 40 Dechert Lawyers and Practices Across 36 Categories - (April 13, 2016)
- Chambers Global Recognizes 61 Dechert Lawyers; Practices in 32 Categories - (March 17, 2016)
- Consolidation and Parallel Proceedings - (December 30, 2015)
- Some Remarks on the Contribution of ICC Arbitrators to the Development of International Commercial Arbitration Involving States and State Entities - (November 03, 2015)
- Actualité des Clauses de Stabilisation - (November 03, 2015)
- Dechert Recognized by Chambers Latin America in its 2016 Guide - (October 02, 2015)
- Dechert's International Arbitration Team Recognized in Latin America Guides by Chambers and The Legal 500 - (September 30, 2015)
- Dechert Ranked Among the Top Law Firms by Latinex - (September 15, 2015)
- The Legal 500 Latin America Recognizes Nine Dechert Lawyers and Practices in Three Categories - (September 15, 2015)
- Dechert Expands Global Arbitration Practice with Washington Hires - (August 05, 2015)
- Chambers Europe Recognizes 31 Dechert Lawyers and Practices in 21 Categories - (April 27, 2015)
- The Legal 500 EMEA Recommends 47 Dechert Lawyers and 30 Practice Areas - (April 08, 2015)
- Pierre Mayer Withdraws from Dechert Partnership to Dedicate Himself to His Work as Arbitrator - (March 23, 2015)
- Chambers Global Recognizes 62 Dechert Lawyers; Practices in 34 Categories - (March 17, 2015)
- ¿Cumple su finalidad el Nuevo Reglamento de Transparencia de la CNUDMI? - (December 01, 2014)
- Chambers Latin America Recognizes Dechert in its 2015 Rankings - (October 08, 2014)
- Continent latino-américain - (October 01, 2014)
- Dechert's International Arbitration Team Recognized by Chambers and The Legal 500 - (October 01, 2014)
- Dechert's International Arbitration Team Recognized by Chambers and The Legal 500 for Work in Latin America - (September 30, 2014)
- The Legal 500 Latin America Recommends Seven Dechert Lawyers and Three Practice Areas - (September 11, 2014)

- Seminar Organised by Dechert with the Support of the Ministry of Justice of the Republic of Kazakhstan - (June 28, 2014)
- Chambers Europe Recognizes 33 Dechert Lawyers; Practices in 20 Categories - (April 30, 2014)
- Investment Arbitration 360 - (April 24, 2014)
- The Legal 500 EMEA Recommends 49 Dechert Lawyers and 18 Practice Areas - (April 10, 2014)
- Dechert Ranked #1 for Arbitrator Appointments by Global Arbitration Review - (April 09, 2014)
- Dechert's International Arbitration Team Recognized by Chambers and The Legal 500 - (April 01, 2014)
- Chambers Global Recognizes 58 Dechert Lawyers; Practices in 20 Categories - (March 24, 2014)
- Chronique des sentences arbitrales de la Chambre de Commerce Internationale – commentaire sous la sentence finale n° 12553 - (December 19, 2013)
- Chambers Latin America Recognizes Dechert in its 2014 Rankings - (September 18, 2013)
- The Legal 500 Latin America Recommends Nine Dechert Lawyers and Two Practice Areas - (September 18, 2013)
- Confidencialidad y transparencia en el arbitraje internacional - (July 10, 2013)
- Dechert Ranked for International Dispute Resolution in Europe - (June 05, 2013)
- De la calificación del arbitraje de internacional en el Estatuto de Arbitraje Nacional e Internacional colombiano - (May 15, 2013)
- De la confidencialidad del arbitraje internacional y materias aledañas - (May 15, 2013)
- Introduction to the Declaration of the 1st Ministerial Meeting of the Latin American States Affected by Transnational Interests - (April 22, 2013)
- States, State Entities and ICC Arbitration - (November 28, 2012)
- Immunity and Liability of Arbitrators: What is the Proper Balance? - (November 27, 2012)
- Dechert Ranked for International Arbitration in Latin America - (September 11, 2012)
- Chambers Europe Recognizes 30 Dechert Lawyers and 12 Practices - (May 14, 2012)
- Alvaro Galindo Joins Dechert as International Counsel in Washington, D.C. - (January 23, 2012)
- Chronique des sentences arbitrales de la Chambre de Commerce Internationale - commentaire sous la sentence finale n°14470 - (December 19, 2011)
- L'arbitrage CIRDI et les contrats de nature publique passés avec un Etat ou une entité étatique - (December 19, 2011)
- El artículo 14 de la nueva Ley Peruana de Arbitraje: Reflexiones sobre el contrato de arbitraje – realidad - (December 13, 2011)
- Limits on the Protection Afforded to Mining Investment Under International Treaties - (September 01, 2011)
- La nouvelle loi costaricienne sur l'arbitrage commercial international du 25 mai 2011 - (September 01, 2011)
- Quel arbitrage d'investissement (institutionnel ou Ad Hoc) ? - (September 01, 2011)
- Nouveau règlement d'arbitrage de la chambre de commerce international (CCI) - (February 24, 2011)
- São os Estados responsáveis pelas condutas de suas instrumentalidades? Um estudo sobre a jurisprudência da CCI - (December 19, 2010)
- Chronique des sentences arbitrales de la Chambre de Commerce Internationale - commentaire sous la sentence finale n°12456 - (December 19, 2010)
- The 'Double Hat' Debate in International Arbitration - (June 14, 2010)
- Observations sur la notion d'investissement après la sentence Phoenix - (January 02, 2010)



- El mito del carácter ilimitado del derecho a la propiedad de los inversionistas - (September 01, 2009)
- Por un regreso al sentido ordinario de la palabra "inversión" - (January 01, 2009)
- A propos de l'inexorable collision de philosophies dans la constitutionnalisation de l'arbitrage en Amérique Latine - (July 02, 2008)
- Are States Liable for the Conduct of Their Instrumentalities? ICC Case Law - (June 20, 2008)
- Dechert's Growing International Arbitration Practice Sets Sight on London as Daniel Gal Joins the Team - (June 05, 2008)
- Panorama de jurisprudence latino-américaine - (January 01, 2008)
- De la inexorable colisión de filosofías en la constitucionalización del arbitraje internacional en América Latina - (November 07, 2007)
- El arbitraje institucional y sus contratos aledaños - (November 06, 2007)
- Las tensiones del arbitraje internacional, in El Arbitraje Internacional : Tensiones Actuales - (January 01, 2007)
- El arbitraje institucional y sus contratos aledaños, in Los Contratos en el Derecho Privado - (January 01, 2007)
- Quelques brèves observations du point de vue de la Cour internationale d'arbitrage de la Chambre de Commerce Internationale, in Le contentieux arbitral transnational relatif à l'investissement - (January 01, 2006)
- "Théorie de l'arbitrage" by Bruno Oppetit (as translator) - (January 01, 2006)
- Chronique des sentences arbitrales de la Chambre de Commerce Internationale - commentaire sous la sentence intérimaire sur la responsabilité n° 10671 - commentaire sous la sentence finale n° 11426 - (January 01, 2006)
- L'Arbitrage en Amérique Latine : l'éveil du Brésil - (December 01, 2005)
- Crónica sobre jurisprudencia en materia de arbitraje - (July 01, 2005)
- Arbitrage international en Asie : brèves considérations - (May 01, 2005)
- ICC Alternative Dispute Resolution and Transition Countries, in Enforcing Contracts in Transition Economies - (January 01, 2005)
- Requiem for the Rule of Article 177(2) of the Swiss Private International Law Act ? - (January 01, 2005)
- Les apports de la doctrine et de la jurisprudence françaises à l'arbitrage de la Chambre de commerce internationale (CCI) - (January 01, 2005)
- International Arbitration Involving State Parties. Observations on the Applicable Law in State Contract Arbitration - (January 01, 2005)
- Panorama de jurisprudence latino-américaine - (January 01, 2005)
- Brèves observations sur l'opinion dissidente - (January 01, 2005)
- Chronique des sentences arbitrales de la Chambre de Commerce Internationale - commentaire sous la sentence intérimaire sur la compétence n° 10671 - (January 01, 2005)
- La circulation des conventions d'arbitrage dans les droits d'Amérique Latine, in Médiation et arbitrage / Alternative dispute resolution - (January 01, 2005)
- "El Contrato de Arbitraje" (as editor) - (January 01, 2005)
- Arbitrage Institutionnel et Investissements Internationaux - (January 01, 2005)
- Brief Report on Counterclaims and Cross-Claims : The ICC Perspective - (October 15, 2004)
- The Dialectic of International Arbitration Involving State Parties - (January 01, 2004)
- Algunas observaciones sobre el reconocimiento y la ejecución de laudos arbitrales extranjeros en América Latina - (January 01, 2004)

- América Latina como sede de arbitrajes comerciales internacionales - (January 01, 2004)
- La Distinción entre 'Estado' y 'Administración' y el Arbitraje Resultante de 'Contratos de Estado' - (January 01, 2004)
- Breves observaciones sobre la 'modernidad' del arbitraje internacional. A propósito de la Nueva Ley Española de Arbitraje - (January 01, 2004)
- La sede del arbitraje comercial internacional: la perspectiva de la Corte Internacional de Arbitraje de la Cámara de Comercio Internacional - (January 01, 2003)
- Multiparty and Multicontract Arbitration: Recent ICC experience - (January 01, 2003)
- Reflexiones sobre el contrato de arbitraje - Algunas confusiones conceptuales en derecho colombiano - (January 01, 2003)
- La 'jurisprudencia' arbitral de la Cámara de Comercio Internacional en materia de derecho aplicable a los contratos internacionales de distribución. Breve contribución al derecho internacional privado colombiano - (January 01, 2003)
- Crónica de jurisprudencia arbitral de la CCI en la Revista de Derecho Internacional y del Mercosur - (January 01, 2002)
- Arbitration of the International Chamber of Commerce and State Contracts - (January 01, 2002)
- Wittgenstein et la philosophie du droit - (January 01, 2002)
- El sistema de arbitraje de la Cámara de Comercio Internacional y la situación del arbitraje institucional en Colombia - (January 01, 2002)
- La filosofía del sistema de arbitraje de la Cámara de Comercio Internacional - (January 01, 2002)
- Las normas jurídicas aplicables en el arbitraje comercial internacional - Breve contribucion al derecho internacional privado colombiano - (January 01, 2002)
- The Application of Philosophy of Law's Method in International Commercial Arbitration - (January 01, 2001)
- "Csaga Varga, Lectures on the Paradigms of Legal Thinking" (book review) - (January 01, 1999)
- Financial Times Shortlists Dechert in European Innovative Lawyers Report - ()
- How to Commence Arbitration Proceedings - ()