

Elodie Dulac

Partner
International Arbitration

King & Spalding (Singapore) LLP
1 Raffles Quay
#31-01 North Tower
Singapore 048583

Direct: +65 6303 6004
Mobile: +65 8499 7283
edulac@kslaw.com



Elodie Dulac is a partner in King & Spalding's Singapore office and a member of the firm's International Arbitration group. Ms. Dulac has represented clients in commercial and investment arbitrations around the world, with a particular focus on Asia where she has been based for over 15 years. She has worked on international arbitrations under the rules of the ICC, ICSID, SCC, SIAC, and UNCITRAL. Ms. Dulac has particular expertise in energy, mining, joint ventures/shareholder disputes and investor-State disputes. In addition to her work as counsel, she has been appointed as sole arbitrator, co-arbitrator and chair in HKIAC, ICC, SIAC, KIAC, AIAC and *ad hoc* arbitrations. She is a member of the Panel of Arbitrators of the SIAC, HKIAC, AIAC, JCAA, KCAB, THAC, CRCICA, KIAC and NCIA. She is also a member of the SIAC Users Council and of the ICC Commission on Arbitration and ADR. She has been named as a leading lawyer for international arbitration in Chambers Asia Pacific 2023, Legal500 2023, Legal500 Arbitration Powerlist – Southeast Asia 2023, Best Lawyers 2023, Who's Who Legal 2023 (Global Leader and Thought Leader) and Who's Who Legal Southeast Asia 2023.

Ms. Dulac is admitted to practice in England & Wales (Solicitor-Advocate), Paris, France (Avocate) and Cambodia (Foreign Lawyer). She is a Registered Foreign Lawyer at the Singapore International Commercial Court.

EDUCATION

- D.E.A. (JD equivalent), Université Paris I Panthéon-Sorbonne
- LL.M., King's College, University of London

ADMISSIONS

- Solicitor-Advocate, England and Wales
- Avocate, Paris
- Singapore International Commercial Court, Registered Foreign Lawyer
- Foreign Lawyer, Cambodia

LANGUAGES

- English: fluent
- French: native

PROFESSIONAL MEMBERSHIPS

- Member, ICC Commission on Arbitration and ADR
- Member, International Bar Association, Investment Arbitration Committee
- Member, Inter-Pacific Bar Association, Investment Arbitration Committee
- Member, Singapore International Arbitration Centre's Users Council
- Member, Panel of Arbitrators, Singapore International Arbitration Centre
- Member, Panel of Arbitrators, Hong Kong International Arbitration Centre
- Member, Panel of Arbitrators, Asian International Arbitration Centre
- Member, Panel of Arbitrators, The Japan Commercial Arbitration Association
- Member, Panel of Arbitrators, Korean Commercial Arbitration Board
- Member, Panel of Arbitrators, Cairo Regional Center for International Commercial Arbitration
- Member, Panel of Arbitrators, Kigali International Arbitration Centre
- Member, Panel of Arbitrators, Nairobi Centre for International Arbitration
- Member, Panel of Arbitrators, Thailand Arbitration Centre
- Founding Member and Member of Organising Committee, Annual East Africa International Arbitration Conference

SELECTED REPRESENTATIVE MATTERS

- Won an award for declaratory relief worth over USD 4 billion in an ICC arbitration in Singapore on behalf of **two international oil majors** against a Southeast Asian government arising out of a revenue-allocation dispute under a gas service contract.
- Won on an award worth over 1.5 billion in an SIAC arbitration in Singapore on behalf of a **Philippine conglomerate** with interests in major Philippine infrastructure projects. The dispute arose out of a shareholding dispute.
- Representing a **Philippine conglomerate** with interests in major Philippine infrastructure projects in an SIAC arbitration in Singapore. The dispute arises out of a shareholding dispute and is in an amount of over USD 2 billion. We recently obtained a security for costs in favour of our client.
- Representing **Prime Energy** in a multibillion dollar ICSID arbitration against the Republic of the Philippines under the Netherlands-Philippines bilateral investment treaty. The dispute concerns revenue allocation for the Malampaya gas to power project. We recently obtained provisional measures in favour of our client.
- Representing **Southeast Asian conglomerate** in SIAC arbitration in Singapore against European contractor arising out of a major infrastructure project. Over USD 400 million is in dispute.
- Representing **European company** in SIAC arbitration against Chinese company in relation to a plant project in Russia and arising out of the 2022 EU sanctions against Russia.
- Representing **Chevron** in multibillion dollar UNCITRAL arbitration against the Republic of the Philippines under the Switzerland-Philippines bilateral investment treaty. The dispute concerns revenue allocation for the Malampaya gas to power project.

- Representing two **Singapore mining companies** in their arbitration against China under the China-Singapore BIT concerning the expropriation of exploration and mining licences.
- Representing a **South East Asian company** in an ad hoc arbitration in Singapore against a South East Asian State arising out of a contract for a light rail project in a South East Asian country.
- Representing a **South East Asian mining company** in an SIAC arbitration in Singapore against its joint venture partner worth over USD 200 million.
- Representing **ConocoPhillips Indonesia** in an UNCITRAL arbitration in London against an Indonesian gas pipeline operator. The tribunal awarded our client over US\$70 million plus compound interest and most of its costs.
- Representing an **oil major** in cost recovery disputes against an Asian host government.
- Representing a **European industrial company** in an ICC arbitration in Zurich against a Korean company concerning a joint venture in China. Korean law governed
- Representing **two Vietnamese textile companies** in an ICC arbitration in Singapore against a North American company concerning a joint venture in Vietnam. Vietnamese law governed.
- Representing a **US private equity house** in an UNCITRAL arbitration in Singapore against an investee company from South Asia. Our client prevailed on all its claims.
- Representing **Astro All Asia Networks and South Asia Entertainment Holdings** in two UNCITRAL arbitrations against India under bilateral investment treaties. The dispute concerns mistreatment by India of our clients' investments in the satellite television and radio sectors in India.
- Representing **SGS** as claimant in its ICSID arbitration against the Republic of the Philippines, resulting in a settlement of CHF 150 million (of CHF 174 million claimed).
- Representing **North American investors** in an ICSID arbitration against Egypt.
- Representing **Malaysian Historical Salvors** in its successful action to annul an ICSID award made in favour of Malaysia.
- **Expert Consultant for the World Bank** on the reform of the international arbitration regime in Vietnam.

ARBITRATOR APPOINTMENTS

- Chair in ICC arbitration in Hong Kong under the 2021 ICC Rules between a Cayman party and a South East Asian Government relating to an energy project. Hong Kong law governs. The case is pending.
- Co-arbitrator in SIAC arbitration in Singapore between Cayman company and Singapore company about cryptocurrency. English law governs. The case is pending.
- Sole Arbitrator in SIAC arbitration in Singapore between an African Government and Singaporean parties relating to real estate. Singapore law governs. The case is pending.
- Sole Arbitrator in AIAC arbitration in Kuala Lumpur under the 2021 AIAC Rules between a Malaysian company and a Malaysian Government authority relating to a construction project. Malaysian law governs. The case is pending.
- Sole arbitrator in SIAC arbitration in Singapore under the 2016 SIAC Rules between a US party and a Vietnamese party relating to a refinery. The governing law is in dispute between the parties. The case is pending.
- Sole arbitrator in an AIAC arbitration in Kuala Lumpur under the 2018 AIAC Arbitration Rules between a Malaysian party and an Austrian party relating to agency services in relation to a petrochemical project. Malaysian law governs. The case is pending.

- Co-arbitrator in SIAC arbitration in Singapore between a Singapore company and an English company relating to crypto currency. Singapore law governs. The case is pending.
- Emergency Arbitrator in SIAC arbitration between a Swiss company and a Korean company relating to a biotech contract. Korean law governed. An Interim Award was issued in December 2022.
- Chair in SIAC arbitration in Singapore under the 2016 SIAC Arbitration Rules between an Australian party and a Vietnamese party relating to the banking sector. Vietnamese law governs. An award was rendered in January 2022.
- Chair in a KIAC arbitration in Kigali under the 2012 KIAC Arbitration Rules between an Indian party and an East African Government relating to an IT service contract. An interim order was rendered. An award was rendered in December 2021.
- Chair in an HKIAC arbitration in Hong Kong under the 2018 HKIAC Administered Arbitration Rules between an East African party and a European party relating to an upstream oil & gas project. The case settled shortly before the issuance of the award.
- Sole arbitrator in an ICC arbitration in Hong Kong under the 2017 ICC Arbitration Rules between two Cambodian parties. Cambodian law governs. A final award was rendered in November 2020.
- Chair in an SIAC arbitration in Singapore under the 2016 SIAC Arbitration Rules between a Korean party and a Hong Kong party. Korean law governs. A final award was rendered in March 2020.
- Emergency arbitrator in an SIAC arbitration under the 2016 SIAC Arbitration Rules between a Singapore party and a Hong Kong party. Singapore law governed. An interim order was rendered.
- Sole arbitrator in an SIAC arbitration in Singapore under the 2016 SIAC Arbitration Rules between a Thai party and a UK party. Thai law governed. An award was rendered.
- Sole arbitrator in an ICC arbitration in Singapore under the 2012 ICC Arbitration Rules between two Cambodian parties. Cambodian law governed. An award was rendered.
- Sole arbitrator in two SIAC arbitrations in Singapore under the 2016 SIAC Rules between two Singaporean parties. Singapore law governed. The case settled.
- Sole arbitrator in three SIAC arbitrations in Singapore under the 2013 SIAC Arbitration Rules between a Singaporean party and an Indian party. Singapore law governed. Three awards were rendered.
- Sole arbitrator in an ICC arbitration in Singapore under the 2012 ICC Arbitration Rules between a Singaporean party and a Sri Lankan party. Singapore law governed. A partial award on jurisdiction and a final award were rendered.
- Sole arbitrator in an SIAC arbitration under the 2013 SIAC Arbitration Rules in Singapore between a Thai party and an Indonesian party. English law governed. An award was rendered.
- Sole Arbitrator in SIAC arbitration in Singapore under the 2013 SIAC Rules between two Singaporean parties. Singapore law governed. The case settled.
- Sole arbitrator in an ad hoc arbitration in Singapore between a Singaporean party and a Mongolian party. Singapore law governed. The case settled.

PRO BONO & ACADEMIC

- Civil Party Lawyer, Extraordinary Chambers in the Courts of Cambodia (Khmer Rouge Tribunal), Phnom Penh, Cambodia
- Visiting Lecturer, Settlement of International Disputes, Addis Ababa University School of Law, Ethiopia
- Visiting Lecturer, International Arbitration Course, University of Bahir Dar, Ethiopia

- Visiting Lecturer, International Investment Law Course, University of Mekelle, Ethiopia
- Secondment to the Office of the Prosecutor at the UN International Criminal Tribunal for Rwanda, Arusha, Tanzania

SELECTED PUBLICATIONS

- “Intra-Africa Bilateral Investment Treaties: Salient Features and Trends”, in *International Commercial and Investment Treaty Arbitration in the Middle East and Africa: Topical Themes and Key Issues*, Kluwer (publication forthcoming 2023) (co-author).
- “Substantive Protections: Fairness” in *Global Arbitration Review -- The Guide to Investment Treaty Protection and Enforcement*, January 2022 (co-author)
- “Chinese Investment Treaties: What Protection for Foreign Investment in China?”, in M.J. Moser (ed.), *Dispute Resolution in China*, Juris Publishing, January 2020 (co-author).
- “Structuring Investments into Africa through Mauritius to Benefit from Investment Treaty Protection”, *MARC Insights*, Issue 1, December 2019 (co-author).
- “The 2016 SIAC Rules: New Features”, *Indian Journal of Arbitration Law*, *Indian Journal of Arbitration Law*, vol. 5, no. 2, January 2017.
- “Dar Es Salaam: A Focus on East Africa”, *Global Arbitration Review*, April 22, 2015 (co-author).
- Report on ICCA New York Convention Roadshow in Addis Ababa, Ethiopia, *ICCA Newsletter*, January 2015.
- “Chinese Investment Treaties: What Protection for Foreign Investment in China?”, in M.J. Moser (ed.), *Doing Business in China*, Juris Publishing, 2014.
- “The Protection Offered by ‘Umbrella Clauses’ in Korean Investment Treaties”, *Journal of Arbitration Studies*, vol. 23, no. 3, September 2013 (co-author).
- “Investment Treaties and Investment Arbitration in Asia: Coming of Age”, *Transnational Dispute Management*, Vol. 8, Issue 5, December 2011.

RECENT SPEAKING ENGAGEMENTS

- Speaker, “Gas Pricing Disputes”, Seoul ADR Festival, Seoul, November 2022.
- Keynote Speaker, “ESG and Investment Treaty Disputes”, AIAC Evening Talks, Kuala Lumpur, September 2022.
- Speaker, “Multiparty Arbitration, Joinder and Consolidation”, Kigali International Arbitration Centre’s 10th Anniversary Conference, Kigali, September 2022.
- Speaker, “The Future of Energy Arbitration and the Challenges Moving Forward”, SIAC Philippines Webinar, August 2022.
- Speaker, “Duties of International Arbitrators”, Maxwell Conversations Webinar, July 2022.
- Speaker, “Mediation: Does it Really Work”, Singapore International Mediation Centre Webinar, June 2022.
- Speaker, “Intra-African BITs”, 9th East African International Arbitration Conference, Kigali, Rwanda, June 2022.
- Speaker, “Recognition and Enforcement of Foreign Arbitral Awards”, Asian Institute of Alternative Dispute Resolution, Webinar, April 2022.
- Speaker, “International Arbitration in Singapore”, French Chamber of Commerce, Singapore, November 2021.
- Speaker, “RCEP Investor-State Dispute Settlement Mechanism: A Calculated Risk or a Pure Gamble?”, AIAC Webinar Series, July 2021.

- Speaker, “Energy Development Trends and Disputes in Africa”, East Africa International Arbitration Conference Webinar, July 2021.
- Speaker, “Effectively Managing International Arbitration Disputes – The SIAC Advantage”, SIAC Africa Webinar, June 2021.
- Speaker, “Decision-making in arbitrations with African parties”, GAR Live Africa, December 2020.
- Speaker, 8th East Africa International Arbitration Conference, Virtual, August 2020.
- “Party autonomy *vis-à-vis* appointment of arbitrator(s)”, SIAC India Webinar, August 2020.
- “Asian Energy Disputes: Project Finance, Price Review and Arbitrations”, AIAC Webinar, March 2020.
- “Corporate (Re)structuring of Investments to Benefit from Investment Treaty Protection?”, MCIA Investment Arbitration Conference, New Delhi, January 2020.
- Speaker, “Investment Treaty Arbitration in the Sector of Renewable Energy”, Japan Arbitration Association Seminar, Tokyo, November 2019.
- Speaker, “Early Dismissal”, ICC 2nd Indonesia Arbitration Day, Jakarta, November 2019.
- Speaker, “Expedited Procedure” and Faculty member, SIAC Conference and SIAC Academy, Manila, November 2019.
- Speaker, “Investment Structuring to Ensure Investment Treaty Protection: Is it Permitted?”, 7th East Africa International Arbitration Conference, Nairobi, August 2019.
- Speaker, “Commercial Relations and Arbitration Involving Africa and India”, Mauritius Arbitration Week, Mauritius, June 2019.
- Speaker, Arbitral Women Seminar and I-Arb Africa Seminar, Mauritius Arbitration Week, Mauritius, June 2019.
- Speaker, SIAC-NYU Law Seminar, “How International Should International Arbitration be? International Standards v. Domestic Law in International Commercial Arbitration”, Singapore, March 2019.
- Speaker, “Review of BITs signed in Southern Africa”, Southern Africa International Arbitration Conference, Cape Town, November 2018.
- Speaker, China-Related Investment Arbitration, SIAC Conference, Beijing, October 2018.
- Speaker, China-Africa Arbitration, 6th East Africa International Arbitration Conference, Addis Ababa, Ethiopia, August 2018.
- Speaker, “Recent Trends in Investment Treaty Arbitration”, Women in Arbitration, Singapore, March 2018.
- Speaker, Training on International Arbitration, Cambodian Ministry of Mines and Energy, Phnom Penh, February 2018.
- Speaker, SIAC India Conference and YSIAC Oral Advocacy Workshop, New Delhi, India, October 2017.

RECOGNITION

Leading individual in international arbitration (Singapore)

CHAMBERS ASIA PACIFIC, 2017-2023

Next generation partner

LEGAL500 2020-2023 – SINGAPORE: INTERNATIONAL ARBITRATION

Ranked

LEGAL500: THE ARBITRATION POWERLIST: SOUTHEAST ASIA 2023

"Elodie Dulac is an eminent figure in Singapore where she impresses market observers with her "skill in advocacy and communication" and her wealth of experience in commercial and investment arbitrations across the region. "She is outstanding in treaty arbitrations."

WHO'S WHO LEGAL ARBITRATION 2023 – THOUGHT LEADERS

Global Leader and Thought Leader

WHO'S WHO LEGAL ARBITRATION 2023

"Elodie has a very good reputation. She is a very sharp lawyer and has real expertise in the field of investment arbitration"
CHAMBERS ASIA PACIFIC, 2023

"She is noted by market sources for her expertise in investor-state matters and described as a 'very, very good' lawyer".
CHAMBERS ASIA PACIFIC, 2022

"[A] reference in regional investor-State disputes", "One impressed source notes, 'She is the best chair so far I have served with'"

WHO'S WHO LEGAL SOUTHEAST ASIA 2021 – ARBITRATION

"Elodie Dulac impresses in oil and gas and investment treaty cases"

LEGAL500 2020 – SINGAPORE: INTERNATIONAL ARBITRATION

"[V]ery good lawyer and particularly good for investor-state work"

CHAMBERS ASIA PACIFIC, 2020

"[A] 'highly intellectual lawyer with deep expertise regarding energy disputes' who possesses a 'profound understanding of investment arbitration'".

ARBITRATION FUTURE LEADERS – WHO'S WHO LEGAL 2021

[A] class act, with a world of experience and good instincts”

CHAMBERS ASIA PACIFIC, 2019

“Elodie Dulac is highlighted for her growing profile in investment treaty cases across the region”

“She is very, very good, a first-rate lawyer”

CHAMBERS ASIA PACIFIC, 2018

“[A] well-recognised figure in the Asia-Pacific market where she is highly recommended for her top-tier work on both investment and commercial arbitration”

ARBITRATION FUTURE LEADERS – WHO’S WHO LEGAL 2019 (TOP 10 MOST-HIGHLY REGARDED ASIA-PACIFIC WIDE)

An “outstanding practitioner’ who is recognised for her broad knowledge of investment law”

ARBITRATION FUTURE LEADERS – WHO’S WHO LEGAL 2018

Recognised

BEST LAWYERS – SINGAPORE ARBITRATION AND MEDIATION 2023
