

Lucian ILIE

Year of Call: 2021 (Solicitor Advocate since 2018); 2016 (Bucharest); 2013 (Paris)

Direct Access: Yes

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Lucian is a barrister specialising in international law, transnational litigation and international arbitration, with particular expertise in investor-State disputes and commercial arbitration cases. Combining experience of civil law culture with common law know-how, Lucian's practice areas include: (i) **International Arbitration** (including arbitration-related litigation), (ii) **International Organisations**, (iii) Private and Public International Law (including rules of jurisdiction, conflict of laws, enforcement of foreign judgments/awards, State immunity, extradition, ECHR law) and (iv) **International Commercial Litigation** (including before the DIFC and ADGM courts).

Before moving to the English Bar, during almost 10 years, Lucian advised and represented parties throughout Europe, the Middle East and the CIS countries (i) in investment and commercial arbitration matters in various industry sectors (including construction, telecoms and energy) under different arbitration rules (including ICSID, UNCITRAL, PCA, SCC, ICC, LCIA and SCAI), and (ii) before a number of international courts (including the ECtHR and the ECJ). He is recognised by GAR's Who's Who Legal as a "Future Leader" in international arbitration, being considered in England "a well-regarded and very knowledgeable practitioner with particular expertise in investment law and intra-EU arbitration".

Prior to joining Outer Temple Chambers, Lucian amassed a wealth of international legal experience. He was in the International Arbitration group at Reed Smith in London, and practised in Paris with Lazareff Le Bars, McDermott Will & Emery and Freshfields Bruckhaus Deringer. He also interned with the European Court of Justice in Luxembourg and the European Commission in Brussels.

After successfully completing his legal education with honours in civil law and common law jurisdictions (France, Ireland and England), Lucian was admitted to practise law in France and Romania (as a member of the Paris and Bucharest Bars) and in England and Wales (first as solicitor advocate and then as barrister). Lucian is registered for direct access and qualified for litigation.

In addition to his counsel work, Lucian accepts appointments as arbitrator. He is a Member of the Chartered Institute of Arbitrators, and is listed as arbitrator at several arbitration institutions, including on the Bucharest International Arbitration Court's list of arbitrators. Lucian also maintains a keen academic interest in law, being the contributor to a number of publications, speaking regularly at conferences, and teaching on issues of arbitration, international and European law.

A dual national of France and Romania, Lucian speaks English, French and Romanian.

London (Main Office)

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Abu Dhabi

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Areas of Expertise

International Arbitration and ADR

Lucian is a specialist in international arbitration advising clients on investor-State and commercial arbitrations in various industry sectors (including construction, telecoms and energy) and under different arbitration rules (including ICSID, UNCITRAL, PCA, SCC, ICC, LCIA and SCAI). He has advised and represented clients in over 15 international cases. Recent work includes:

Notable International Arbitration and ADR cases

Representing an Austrian investor in a several hundred million US dollars ICSID arbitration initiated against Romania under the Energy Charter Treaty (ECT) in relation to a dispute over a local oil refinery (led by Daniel Kalderimis of Twenty Essex and instructed by McDermott Will & Emery in London)

Representing a multinational catering company in two SCAI commercial arbitrations brought against it by the owner of the brand under two license agreements, for claims in damages of more than USD 150 million

Representing the Republic of Kazakhstan in a several hundred million US dollars ICSID arbitration case brought against it by the oil and gas company Big Sky Energy Corporation

Representing the Republic of Kazakhstan in a several hundred million US dollars ICSID arbitration case brought against it by two gold mining companies, Alhambra Resources Ltd and Alhambra Cooperatief U.A

Representing a Greek company in an ICC commercial arbitration brought against it by a Cypriot hotel management company, for a claim in damages of USD 10 million

Representing Italian and Canadian investors in submitting a Notice of Intent and preparing a Request for Arbitration against Mexico under the UNCITRAL Arbitration Rules, for a claim in damages of USD 1.5 billion

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Advising a Spanish investor on a potential investment treaty claim against Mexico arising out of a dispute relating to Mexico's legislative changes in the renewable energy sector in response to the COVID-19 pandemic

Representing an Emirati construction company in an UNCITRAL investment arbitration claim amounting to USD 525 million, initiated against Libya under the investment agreement of the Organisation of Islamic Cooperation

Representing Senegal's state-owned electricity company in an ICC commercial arbitration in relation to a power purchase agreement claim amounting to USD 250 million

Representing a French investor in an UNCITRAL/PCA investment arbitration against the Russian Federation, in relation to a USD 12 billion expropriation claim

Representing a French telecommunications company in an ICSID arbitration against the Hashemite Kingdom of Jordan in relation to the renewal of a telecommunications license, for a claim in damages of USD 120 million

Representing a Swedish petroleum company in the context of an ICSID arbitration against the Tunisian state, arising out of an investment contract for a claim in damages of USD 50 million

Commercial Litigation

Lucian acts as counsel in international commercial litigation and arbitration-related court applications, such as applications relating to emergency injunctions (including freezing and anti-suit relief), the preservation of evidence and the enforcement of awards, as well as challenges and appeals against awards. He recently represented an Ukrainian electricity supplier company against the Republic of Moldova in the context of the annulment of a USD 49 million ECT UNCITRAL award before the Paris Court of Appeal and the French Supreme Court.

Arbitrator

In addition to his counsel work, Lucian accepts appointments as arbitrator directly from parties and via arbitral institutions. He is a Member of the Chartered Institute of Arbitrators, and is listed as arbitrator with several arbitration institutions. At the early stage of his career, Lucian was appointed tribunal secretary in several arbitrations under major arbitral institutions

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such as ICC, LCIA and CEPANI.

International Organisations

Lucian has a strong interest in work with an international element (both contentious and non-contentious), and welcomes instructions in any of the languages he speaks. He has worked on cases involving a number of international organisations such as the International Centre for Settlement of Investment Disputes (ICSID, an international body attached to the World Bank in Washington), the European Court of Human Rights in Strasbourg, the European Court of Justice in Luxembourg, and the European Commission in Brussels. Lucian has written extensively and lectured on international law subjects.

Private and Public International Law

Lucian is experienced in matters which raise issues of private and public international law (including rules of jurisdiction, conflict of laws, enforcement of foreign judgments/awards, State immunity, extradition, ECHR law, protection of foreign investment under international treaties). He is experienced in advising and representing governments, corporate bodies and individual litigants in international disputes before a range of (i) international courts (such as the ECtHR and the ECJ), and (ii) international arbitration tribunals (such as the ICSID and the PCA). Recently Lucian assisted *pro bono* a Tajik individual to file a request for interim measures against Serbia under Rule 39 of the ECtHR to suspend a deportation order against the applicant.

Memberships

- Called to the Bar in England and Wales (Honourable Society of the Inner Temple)
- Solicitor Advocate (Solicitors Regulation Authority – non-practising)
- Member of the Paris Bar
- Member of the Bucharest Bar
- Chartered Institute of Arbitrators (MCIArb)
- Steering Committee of the IBA under-40 Arbitration Group
- International Council for Commercial Arbitration (ICCA)
- LCIA's Young International Arbitration Group (YIAG)
- ICC Young Arbitrators' Forum (YAF)
- Member of Young ICSID
- Member of Young ITA
- Member of ASA 40
- Member of CEPANI 40

Languages

- English
- French
- Romanian

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Publications/Conferences

Publications

- September 2022, "*GAR Know-How: Investment Treaty Arbitration in Romania*" (GAR Investment Arbitration)
- August 2022, "*International Arbitration Laws and Regulations – Romania Chapter*" (International Comparative Legal Guide)
- December 2021, "Revisiting the Concept of Legitimate Expectations in Renewable Energy Treaty Cases" (European Investment Law and Arbitration Review)
- October 2021, "Romania's Recent Renewable Energy Disputes: Similar Issues, Same Outcomes?" (Romanian Arbitration Journal)
- June 2021, "Enforcing Contracts Questionnaire – the United Kingdom" (World Bank, Doing Business 2021 pro bono project)
- October 2020, "COVID-19 and the construction sector: potential relief under international investment treaties" (Reed Smith article, Lexology publication)
- October 2020, "GAR Know-How: Investment Treaty Arbitration in Romania" (GAR Investment Arbitration)
- October 2020, "The attempted unplugging of Mexico's renewable energy market and how investment treaties are already determining its future" (Reed Smith's newsletter, Latin America 1st edition)
- July 2020, "Investor-treaty arbitration 2020 – Indepth Feature Romania" (Financier Worldwide Magazine)
- June 2020, "Green tariffs in Ukraine: lessons from Spain and the Czech Republic" (Reed Smith article, Lexology publication)
- June 2020, "Judicial expropriation in investment arbitration" (Jus Mundi Wiki note)
- November 2019, "*Investment Treaty Arbitration Across Different Sectors*" (Reed Smith's Global Guide to International Arbitration)
- October 2019, "Shareholders' Claims in Investment Treaty Arbitration: No Piece of Cake!" (Romanian Arbitration Journal)
- January 2018, "What is the Future of Intra-EU BITs?" (Kluwer Arbitration Blog)
- November 2017, "Cross-Border Litigation in Europe: Romania Chapter" (Hart Publishing)
- May 2017, "Energy Contracts in African Countries: Issues to Take into Account" (Magazine du Droit des Affaires en Afrique)
- April 2017, "Strengthening the arbitrator's role in competition law through the Directive on actions for damages" (International Business Law Journal, N°4-2017)
- March 2017, "African mining industry: the challenges encountered when facing the termination of contracts" (Magazine du Droit des Affaires en Afrique)
- February 2017, "Case Note on the ICSID award *Micula v. Romania*" (European Investment Law and Arbitration Review)
- February 2017, "CETA: Creating Opportunities for your business in 2017" (International Arbitration Law)
- January 2017, "International Arbitration and EU Competition Law Complement Rather than Contradict One Another" (Journal of International Arbitration, Volume 34 – Issue 6 of 2017)

Conferences

- November 2022 "*A Workshop on the IBA Arb40's Toolkit for Arbitral Award Writing*" (IBA event hosted by W&C London, UK)
- November 2022, "*Contracts in the Time of the Cholera*" (Delos webinar)

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- September 2022, "The Unwritten Rules of a Career in International Arbitration" (ICC YAAF event held in Vilnius, Lithuania)
- June 2021, "How to Start Your Arbitration: The Case Management Conference" (YRAP event – Bucharest Arbitration Days)
- January 2021, "The renewed role of States in arbitration" (6th EFILA Annual Conference, London, UK)
- December 2020, "What do transactional lawyers make of arbitration?" (BIAC Conference, AmCham Romania)
- March 2020, "Unilateral Arbitration Agreements: the position in France and in the UK" (7th University of Bucharest Pre-Moot Conference, Bucharest, Romania)
- June 2019, "Trends in Construction and Energy Arbitration – What is next?" (5th AFSIA Alumni Conference, London, UK)
- Mai 2019, "The role of written advocacy in international arbitration: developing the skills" (IALS seminar, London, UK)
- April 2019, "The Future of Renewable Energy: an international round-table of business, regulatory and legal experts" (SCC/BIAC joint conference, Bucharest, Romania)
- November 2018, "Innovation in Arbitration: A Brave New World" (YMG CIArb Annual Conference, Dublin, Ireland)
- June 2018, "Changing the Rules – Institutions' Efforts to Reduce Time and Cost" (4th Annual School of International Arbitration Alumni Conference, London, UK)
- February 2018, "Nationality of Investors – An Unresolved Issue" (University of Bucharest, Romania)
- December 2017, "Current Issues in Investment Arbitration: What is the future of the Intra EU-BITs?" (BIAC Conference, AmCham Romania)
- April 2017, "Doing Business after Brexit: Legal Implications – Impact on Arbitration" (AFJE and QMUL Conference, Paris)
- December 2016, "The Unsettled Territory – Can Investors rely on BIT Protection within the EU?" (ICC, YAF and ICDR Conference, Zagreb, Croatia)
- July 2015, "Dispute resolution through ICSID arbitration" (AFJE Conference, Paris, France)
- November 2014, "Nationality in Investment Arbitration" (Sciences Po and QMUL Conference, Paris, France)

Education

- Queen Mary, University of London, LL.M., International Dispute Resolution, *merit*
- University of Toulouse, Master's Degree, International and European Law, *magna cum laude*
- University of Toulouse/University College Dublin, LL.B., French and English Law, *distinction*

Privacy Policy

Read Lucian's [Privacy Policy](#).

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