

# THREE CROWNS



## Scott Vesel

Partner, Washington, DC

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Scott, a partner in the Washington, DC office, has a decade and a half of experience handling complex international investment and commercial arbitrations in the oil and gas, construction, energy, mining, technology, and agribusiness sectors. In addition to his private practice in international arbitration, he has served as an attorney-advisor at the U.S. Department of State and at an international organisation.

*Who's Who Legal* has recognised him every year since 2016, noting that clients singled him out as “one of the smartest lawyers I have ever worked with”, describing him as “a thoughtful and well-regarded practitioner”, and praised his “impressive pre-hearing preparation and his advocacy”. He is listed in *The Legal 500's 2019 UK Arbitration Powerlist* and recommended in *The Legal 500 UK* where he “attracts praise for his ability to 'master complex issues'”.

He holds JD, MA, and BA degrees from Yale University, as well as an MPA degree from Princeton's School of Public and International Affairs. He is qualified as an attorney in New York and as a barrister in England & Wales and speaks English, French, German, Russian, and basic Latvian.

### Selected Experience

#### Advising and/or representing:

- a European construction company in a Paris-seated ICC arbitration involving a project in a CIS state under a contract governed by local law;
- a consortium of international oil and gas companies in a series of disputes with a CIS state under a PSA;
- an Asian national oil company as respondent in a London-seated, English law ICC arbitration arising out of its withdrawal from an exploration project in a Central Asian country – the claims valued at over US\$ 400 million were dismissed in their entirety with costs;
- a Middle Eastern State as respondent in the successful defence of a US\$ 200 million ICSID arbitration claim relating to the termination of a long-term oil and gas engineering and construction contract;
- a Middle East state in an ongoing ICC arbitration relating to outstanding cost recovery and other issues at the conclusion of a PSA's term;
- a French-German consortium in a € 3 billion Stockholm-seated ICC arbitration arising out of a Finnish law contract to construct a nuclear power plant in Finland – the case settled favourably;
- a Russian businessman and his affiliated entities in two English law, London-seated LCIA arbitrations seeking damages for counterparties' repudiations of two contracts relating to substantial Russian logistics business – the first arbitration concluded with a substantial award of damages.
- A European mining company in a \$140 million ICC arbitration against a South African engineering company arising out of a EPCM contract to expand a mining project in an

African country.

- A global energy company in a Stockholm-seated UNCITRAL Rules arbitration with a CIS State arising out of an English law production sharing agreement. Over \$600 million was in dispute and a favourable settlement was achieved.
- A global energy company in ICSID revision and annulment proceedings in a dispute with a Latin American State involving an award of over \$2 billion.

### Admissions

- New York
- England & Wales (Barrister)

### Languages

- English
- French
- Spanish
- German
- Russian
- Latvian

### Education

- JD, Yale Law School (2006)
- MA (Political Science), Yale University (2005)
- MPA (Master's in Public Affairs - International Relations), Princeton University (1999)
- BA (History), Yale University (1995)

### Publications and Speaking Engagements

#### Publications

- "International Law and Maritime Push-Back", *European Human Rights Law Review* (September 2021)
- "Can the reasons for reasons rescue ICSID Annulment?" *Arbitration Beyond Borders: Essays in Memory of Guillermo Aguilar Álvarez*, N. Blackaby and M. Reisman, eds. (2021, forthcoming), also published in Russian in *New Horizons in International Arbitration*, Issue 6 (2020).
- "Will the Future See More Investment Arbitrations Taking Place in the Middle East?" *BCDR Int'l Arb. Rev.* (2017)
- "The Revised UNCITRAL Notes and Case Management Conference(s): What to Address (and When)," *Slovenian Arb. Rev.* (2015)
- "A Case Review Conference, or Arbitration in Two Acts," with C. Partasides, 81 *Arbitration* 167 (2015)
- "A 'creeping' violation of the fair and equitable treatment standard?" *30 Arbitration International* 553 (2014) \*winner of the 2012 LCIA Gillis Wetter Prize

## Speaking Engagements

- “Making arbitration work for your client: secrets of success at three key stages”, Three Crowns and The Legal 500 (May 2022)
- “The Future of Oil and Gas Arbitration”, Cambridge University Arbitration Society and Lauterpacht Centre for International Law (November 2021)
- “The Use of Arbitration in Key Sectors”, Business and Arbitration in an Era of Globalisation: Challenges and Perspectives Conference, the Economic Chamber of North Macedonia (May 2021)
- “The Road Less Travelled on Damages Assessment: Date of Assessment, Tax, Interest and Covid,” India ADR Week 2021 (April 2021)
- “Can the reasons for reasons rescue ICSID Annulment?”, Russian Arbitration Day (August 2020)
- “2020’s revolution in arbitrator disclosures: Eiser and the draft UNCITRAL Code of Conduct”, Baltic Arbitration Days (August 2020)
- “Reasons for Reasons: Rethinking ICSID Annulment”, International Arbitration Symposium, Ankara Yildirim Beyazit University (April 2019)
- Comments on Proposed ICSID Rule Amendments, ICSID-SIA-BIICL Conference, London (Nov 2018)
- “The Achmea decision: implications for the future?”, Kings College Executive LLM dinner talk (July 2018)
- “New York Convention at 60”, Warsaw Arbitration Days (May 2018)
- “I can’t get no satisfaction... or can I? – Non-pecuniary remedies in treaty arbitration”, BIICL Investment Treaty Forum, London (May 2018)
- “Beyond Bifurcation: Options for Procedural Efficiency”, Young ITA, London (May 2018)
- “Improving the Way Price Revision Negotiations and Disputes Are Conducted”, Berlin LTG Supply Contracts (July 2017)
- “Provisional measures in treaty arbitration”, International Arbitration: Emerging Changes, Kyiv (March 2017)
- “Written Advocacy: What Persuades, or ‘the Advocate as historian’”, Quadrant Chambers, London (Nov 2016)
- “Of Taxes and Stabilisation”, CIArb YMG Sovereign Disputes Workshop, London (Nov. 2016)
- “Effects of insolvency on arbitration”, Upstream Oil and Gas Disputes, London (Jan. 2016)
- “Evidence obtained through corruption or other illegality”, Kiev Arbitration Days (Nov. 2015)