

# THREE CROWNS



## Shaparak Saleh

Partner, Paris

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Shaparak is a partner in Three Crowns' Paris office. She has acted as counsel for two decades in a large number of commercial arbitrations, both ad hoc and institutional, including under the DIAC, ICC, IEMA, LCIA, UNCITRAL, and VIAC rules. Her experience includes post-M&A disputes and disputes in the aeronautics, chemicals, construction, energy, food, mining, pharmaceutical, space and telecommunications sectors, relating to projects in Africa, Asia, Europe, the Middle East, and the United States.

She has represented a wide range of clients, including States, State entities, major international oil, gas, and mining companies, leading construction groups, an aircraft manufacturer, and electricity companies.

She regularly sits as arbitrator, including as chairperson.

In addition, Shaparak has broad experience in pre-arbitration and post-arbitration litigation before the French courts, having represented clients in approximately 25 set-aside proceedings. She was also involved in enforcement proceedings relating to numerous awards against sovereign States.

Shaparak is listed in the major international rankings. She is notably recognised as a Global Thought Leader and a Thought Leader for France for arbitration in the Lexology Index. She is also featured in Chambers Global and named a Next Generation Partner in The Legal 500. Global Arbitration Review also listed her as one of the world's top 45 arbitration lawyers under 45.

In 2024, Shaparak was appointed Delegate to the ICC Commission on Arbitration and ADR, comprising experts in the field of international dispute resolution.

For the past 16 years, Shaparak has been a lecturer in international arbitration, teaching courses on enforcement proceedings at a number of prominent universities, including Sciences Po Paris, Paris II – Panthéon-Assas and Aix-en-Provence. She is admitted in Paris and speaks French, English, Italian, and Persian.

### Selected Experience

- Acting for a consortium including four of the seven oil supermajors, in relation to disputes with the Republic of Kazakhstan concerning the Kashagan oil field, involving allegations of corruption, environmental breach, and breach of contract (ad hoc, Kazakhstan law, seat in Geneva)
- Obtaining a complete victory on behalf of a leading Malaysia-based independent water and power producer and its French subsidiary in defeating a €400 million claim under a shareholders' agreement and a sale and purchase agreement governed by Algerian law against an Algerian state-owned entity (ICC, Algerian law, seat in Paris)
- Representing an international mining company in a French-language ICC arbitration, brought by a West-African State arising from a settlement agreement pertaining to the development of a mining extraction and production complex (ICC, French and Senegalese laws, seat in Paris)
- Representing French construction groups in several disputes against the owners of projects (ICC and AFA, French law, seats in Paris)

- Representing a national oil and gas exploration and production company in annulment proceedings before the Paris Court of Appeal against an international energy services company based in the Middle East
- Representing an international oil and gas company in annulment proceedings before the Paris Court of Appeal against a state-owned oil company
- Representing a maritime company, part of a major European passenger and freight shipping group, in an ICC commercial arbitration against an international shipping group
- Successfully representing an Algeria-based developer in an arbitration against a Turkish construction group of companies in relation to the termination of a contract for the construction of a mixed-used project, comprising a business centre (offices and conference rooms), a mall, a hotel and several parking lots in Sétif, Algeria (ICC, French and Algerian law, seat in Brussels)
- Representing international petroleum companies in several disputes arising under production sharing contracts concluded with an Algerian state-owned company in relation to the exploitation of crude oil fields (ICC and UNCITRAL, Algerian law, seats in Geneva)
- Acting for a major Middle Eastern national oil company on potential related and interrelated disputes arising from the acquisition of a leading global fertiliser and ammonia producer, including issues related to a joint venture in North Africa and the revision of natural gas pricing by the State supplier (ICC, Algerian law, seat in Paris)
- Representing several Iranian citizens against a global food company in a dispute concerning the exercise of a put option (ICC, French law, seat in Paris)
- Representing an aircraft manufacturer in relation to disputes with its clients and suppliers (ICC, seat in Paris)
- Representing a franchisee against a franchisor in a dispute concerning the violation of a non-compete clause (ad hoc, French law, seat in Sophia-Antipolis)
- Representing several international petroleum companies in disputes related to the implementation of a tax on exceptional profits in Algeria (ICC and UNCITRAL, Algerian law, seats in Geneva)
- Representing a Russian company against an Italian consortium in relation to the termination of a construction contract (VIAC, Russian law, seat in Vienna)
- Representing an international cement company in a post-M&A dispute relating to a target in South America (ICC, Chilean law, seat in New York)
- Representing several Swiss and German electricity companies in disputes against a French electricity company (ICC, French law, seats in Paris and Geneva)
- Representing a Federal State in a tort claim brought by individuals who were abducted in that state
- Representing clients in relation to applications for interim measures before domestic courts preceding the constitution of the arbitral tribunal
- Advising a leading manufacturer and seller of lifestyle and performance footwear, in relation to a criminal complaint lodged by French NGOs against several multinational clothing manufacturers, accusing them of profiting from forced labour involving members of China's Uyghur minority

- Advising a third-party funder in relation to a USD1 billion claim brought against some of the world's leading chemical groups for the damage caused by their pesticides to Nicaraguan workers
- Acting as arbitrator in commercial disputes, including as sole arbitrator and as chair (ad hoc and ICC, seats in Paris and Geneva)
- Representing clients in enforcement proceedings of arbitral awards before the French

courts (exequatur)

- Representing clients in actions to set aside arbitral awards rendered in France and in Belgium and in recourses against orders granting leave to enforce awards in France, at all levels of the French court system

### Admissions

- Paris

### Languages

- French
- English
- Italian
- Persian

### Education

- Postgraduate Degree in Private Law, Paris II – Panthéon-Assas (2005)
- Postgraduate Degree in Private International Law, Paris I – Panthéon-Sorbonne (2004)
- Master's degree in French and English law, Paris I – Panthéon-Sorbonne (2002)
- LL.B in French law and English law, King's College London (2000)

### Professional Affiliations

- Delegate to the ICC Commission on Arbitration and ADR
- Member of ArbitralWomen
- Member of the Association Française d'Arbitrage
- Member of the CFA
- Member of LEX

### Publications and Speaking Engagements

#### Publications

- "States' Reservations About the Commercial Nature of the Dispute: An Obstacle to Uniformity?", published by the Jus Mundi Arbitration Review, Vol. 2, Issue 1 (2025)
- « Délais et Coûts de l'Arbitrage : dix outils à usage des juristes d'entreprise », Échanges Internationaux, published by the French committee of the ICC (ICC France) (April 2025)
- Chapter, "ex parte measures" Provisional and Emergency Measures in International Arbitration, edited by Julien Fouret Edward Elgar Publishing (July 2023)
- Co-author, "Awards: Challenges" chapter, third edition of Global Arbitration Review's *The Guide to Challenging and Enforcing Arbitration Awards* (June 2023)
- Article, "No limitation period for seeking exequatur of a foreign judgement in France", *Corporate Disputes Magazine*, Financier Worldwide (co-author) (June 2023)
- "Note: Mr Ayoub-Farid Saab & Mr Michel Norbert Saab v. The Republic of Cyprus, Court of Appeal of Paris, RG No. 19/09863, 22 March 2022", *IJAA*, Vol. 14, No. 1 (co-author) (2022)
- "The Subway Saga: Arbitration and Franchise Agreements", *ICC Dispute Resolution*

Bulletin, Issue 1 (2021)

- « Les clauses d'arbitrage conclues avec des consommateurs seraient-elles devenues abusives ? », LJA (October 2020)
- « Arbitrage international : les règles de Prague, un an après », LJA (December 2019)
- « L'arbitrage est un moyen d'éviter les conflits armés », Le Point (28 May 2019)
- "Protection of States' Diplomatic Assets in France", Kluwer Arbitration (21 February 2018), co-authored with Yann Dehaut-Delville
- "Enforcement", GAR Know-how, co-authored with Elie Kleiman and Yann Dehaut-Delville (2017)
- "Bon courage, TRIBUNALS!", BCDR International Arbitration Review, 2, pp 1-14, co-authored with Lucy Reed (2015)
- "Paris Court of Appeal issues three confirmations in one decision", ILO, co-authored with Elie Kleiman (29 May 2014)
- "Enforcement of international arbitration awards: further developments", ILO, co-authored with Elie Kleiman (3 October 2013)
- "Enforcement of international arbitration awards: latest developments", ILO, co-authored with Elie Kleiman (14 March 2013)
- « Célérité et loyauté en droit français de l'arbitrage international : quels pouvoirs et quelles responsabilités pour les arbitres et les parties ? », Cah. arb. vol. 1, p 99, co-authored with Elie Kleiman (2012)
- "Arbitrators cannot seek a ruling on the constitutionality of statutory provisions", ILO, co-authored with Elie Kleiman (13 October 2011)

### Speaking Engagements

- "Trade Disputes and Geopolitical Developments: Implications for Enforcement", ICC Prague Arbitration Day 2026 (April 2026)
- "Paris, For me formidable!", CFA40, Paris Arbitration Week 2026 (March 2026)
- "Turbulence Ahead (For Sure): Political Tensions Reshaping International Arbitration", Paris Arbitration Week 2026 (March 2026)
- "Geopolitical Shifts and International Arbitration: Navigating Disputes in a Fragmented World", Swiss Arbitration Summit 2026 (January 2026)
- "Career Development – how to succeed in a changing world", IBA Young Lawyer Training Course: The Fundamentals of International Legal Practice, Abu Dhabi (April 2025)
- "Fire away: everything you wanted to ask about arbitration", Paris Arbitration Week 2025 (April 2025)
- « Développer sa carrière en arbitrage international : modes d'emploi », Paris Arbitration Week 2025 (April 2025)
- "The Future of International Arbitration: Adapting to New Challenges", Columbia Paris Law Society Arbitration Conference, Paris (February 2025)
- "Enforcement of arbitral awards against States: is the New York Convention fit for the purpose? – States' reservations about the commercial nature of the dispute (art. I 3)", Université Paris Cité (November 2024)

- “Efficient International Arbitration Processes and Practices”, 5th UNCITRAL Latin America-Caribbean (LAC) Days, (November 2024)
- “Third Party Crowdfunding”, Faculté de Droit et des Sciences politiques de Tunis (May 2024)
- “Arbitration, Crime & Gaps in National Law Enforcement”, Sciences Po Paris (April 2024)
- “Fund Time” breakfast panel, Paris Arbitration Week 2024 (March 2024)
- “French Courts as ISDS Lawmakers”, Paris Arbitration Week 2024 (March 2024)

- “Comparing Swiss vs French Seats of Arbitration: Scope of judicial review of awards and arbitrators’ duty of disclosure”, Paris Arbitration Week 2023 (March 2023)
- “Belokon, Sorelec and co – What to do now? The new French approach to international public policy violations from the perspectives of arbitrators, counsel and institutions”, Paris Arbitration Week 2023 (March 2023)
- “Corruption Arguments in International Arbitration”, Belt and Road High-level Dialogue on International Commercial Arbitration (December 2022)
- “The National Courts’ Stance on Public Policy in International Arbitration”, CFA40 (Comité français de l’arbitrage) and the Rising Arbitrators Initiative (RAI) (December 2022)
- « La sécurisation des projets à l’international : les réflexes clé pour se prémunir contre les risques politiques et financiers » (“Securing international projects: key reflexes to protect international investments from political and financial risks”) webinar (September 2022)
- « Les conseils et utilisateurs de l’arbitrage en France et en Suisse : demandes, attentes et déceptions » (“Arbitration Users in France and Switzerland: Desires , Expectations and Deceptions”) (September 2022)
- “Deference in Annulment and Enforcement Proceedings”, Deference in International Arbitration”, Sciences Po and New York University’s Center for Transnational Litigation, Arbitration, and Commercial Law Colloquium (June 2022)
- Co-Chair, GAR Live: Istanbul – The Future Leaders in Arbitration Symposium (June 2022)
- “Renewable Energies and Arbitration”, Three Crowns, Paris Arbitration Week 2022 (March 2022)
- “Challenges to awards: possible areas of improvement of English law from a French law perspective”, Twenty Essex Street Chambers (October 2021)
- “Proving Disruption Claims: Not Just a Pandemic Problem”, Paris Arbitration Week 2021 (September 2021)
- “French courts’ review of investment arbitration awards: what’s left of Prof. Fouchard’s teachings?”, Paris Arbitration Week 2021 (September 2021)
- “Understanding the Threats and Barriers to Revive the JCPOA – The Role of Dispute Resolution Mechanisms”, Tehran Regional Arbitration Centre (June 2021)
- « Actualités de l’arbitrage », Les mardis du CMAP (May 2021)
- « L’Iran et le JCPOA (Accord Nucléaire Iranien) à l’épreuve des élections présidentielles américaines », Société de Législation Comparée (November 2020)
- « Les contrats commerciaux à l’épreuve de la crise sanitaire : anticiper les contentieux et les arbitrages » (April 2020)
- “The Art of Cross-Examination in International Arbitration: Dos and Don’ts”, Third Tour de Arbitration (February 2019)
- “Efficiency and quality in international commercial arbitration”, Fifth International Conference for a Euro-Mediterranean Community of International Arbitration (November 2018)
- “Domestic Courts or ICSID Annulment Committees: Between a Rock and a Hard Place?”, Paris Arbitration Week 2018 (April 2018)

- « Le risque contractuel dans les accords pétroliers et gaziers africains », Colloque pluridisciplinaire sur les enjeux de l'exploitation pétrolière et gazière en Afrique (May 2017)
- « La réforme du droit des contrats », Formation EFE, 2015-2016
- "Interim measures", ICC-YAF / Young Austrian Arbitration Practitioners Conference (March 2015)
- « Reconnaissance, exécution et annulation des sentences arbitrales en France et aux Etats-Unis », Ecole de Formation Professionnelle des Barreaux de la Cour d'Appel de Paris (April 2013)
- "Class Actions?", Conference on Common Law, École Nationale de la Magistrature (April 2010)
- « Reconnaissance et exécution des sentences arbitrales », Conference on International Contracts, Formation EFE (2009)