FATMA GUNEY

Barrister(NP), Solicitor (England & Wales)
International Construction Arbitration

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Professional Summary

Fatma is a Solicitor of England & Wales (2007) and Barrister (NP) (member of the Honourable Society of Gray's Inn, 2005), with extensive experience in international arbitration and dispute resolution, with a particular focus in major infrastructure projects and construction of facilities.

Fatma has acted as counsel in numerous international arbitrations, mediations and dispute adjudication board proceedings. Alongside her role as counsel, Fatma is also appointed as Arbitrator and has presided both as Sole Arbitrator and as party-appointed arbitrator.

She is a listed arbitrator for the DIAC and the Guangzhou Arbitration Commission in China.

Having practised as a litigator in London, in 2011, Fatma moved to Istanbul wherein she joined an International Arbitration Firm. Fatma was at the firm for 15 years, being promoted to Partner in 2021. In 2025 she relocated to London joining as Partner in a London Firm.

Fatma is a highly accomplished international arbitration lawyer with over 15 years of experience advising and representing clients in complex cross-border disputes, particularly in the MENA region, with a close focus on projects in UAE. She has built a distinguished reputation as a trusted advisor to multinational corporations, state entities, and high-net-worth individuals involved in high-stakes arbitration proceedings.

Fatma has successfully handled disputes across the energy, construction, transportation, and international trade sectors. With deep expertise in infrastructure and engineering-related matters, she has guided clients through intricate claims arising from issues such as project delays, variations, cost overruns, defects, and consequences of changes in laws and force majeure. Fatma has successfully resolved disputes under leading arbitration rules, including LCIA, ICC, SIAC, ICSID, DIAC and UNCITRAL, often in multi-jurisdictional settings.

Fatma excels at crafting innovative strategies to protect clients' interests, whether through early resolution techniques, effective claims management, or assertive representation in arbitration hearings, mediations and before dispute avoidance and resolution boards.

Beyond her legal practise, Fatma is a thought leader in international arbitration and construction law. She regularly contributes articles to leading legal publications and has recently published an article in the Construction Law Journal. She also participates in professional forums to promote best practises in dispute resolution.

- **LCIA** Arbitration between an international construction company and an Ethiopian state-owned entity with respect to a 390 km railway project, including construction of bridges, underpasses and the related infrastructure. Project delays, applications for extension of time to completion not being granted, the effects of the civil war on the works and contractual notice provisions were major issues. English law governed the arbitration agreement. Dispute value approx. *USD 800 million*.
- **ICC** Arbitration between a reputable company in the Metallurgical Industry – a producer of, inter alia, Low Carbon Ferrochrome and calcium carbide - who sought to upgrade its Chromite Concentration Plant for the production of high-quality low carbon ferrochrome against a company incorporated in South Africa. The case related to the design and supply of specialised DC furnaces, and assistance in installation and commissioning. After a period of negotiations, the matter was successfully settled amicably. Value of the dispute: *USD 30 million*.
- **ICC** arbitration between an international conglomerate and a Turkish Construction Company concerning an infrastructure project relating to the Doha Metro in Qatar. Delays in design, defects, wasted materials and failure to close out Final Account were integral issues. Value of the dispute: *USD 68 million*.
- **ICC** arbitration proceedings and international mediation process between a Turkish Construction Company and a South Korean EPC Contractor, with respect to the construction of a 400 kV GIS Electrical Substation project in Northern Iraq, with an upstream Steam Power Plant Project in Khabat, near Erbil, financed by the Korean National Oil Company (KNOC). Project was substantially delayed, provision of design was late, IPC's, variations and additional works were unpaid and liquidated damages were levied. Defeated substantial counterclaim made by Employer. Value of the dispute: *USD 25 million.*
- **SCC** Arbitration - Advising a leading global Turkish Construction Company regarding the unlawful expropriation of their investments (construction plants and other assets) as well as other breaches of the Turkey-Russia BIT, following invasion of the Donetsk and Luhansk regions by Russia. Disputed Amount:
  approx. *USD 300 million*.
  - Engaged in settlement negotiations with the foreign ministers of Turkiye.
  - Developed enforcement strategies under claims procedures established by the UN and EU for litigation proceedings before Ukraine Courts against the Russian Federation.

- **ICC** arbitration between a Construction Company in respect of the Operation and Maintenance services for power plants in a West African country. The proceedings were suspended for amicable settlement negotiations which we concluded in favour of the client.
- **ICC** arbitration concerning a reputable Turkish Energy Construction Company concerning the alleged non-performance of a pipeline construction contract. Value of the dispute: *EURO 17 million*.
- Consultation to a Turkish Petroleum Off-Shore company on contract negotiations in respect of the potential project for the development of Sakarya Gas Field in the Black Sea in Turkey.
- ***Ad Hoc*** arbitration proceedings between Turkish and Saudi firms concerning international trade.

- **ICC** arbitration between an international construction company and an intergovernmental security alliance with respect to the Design and Construction of road access across the Adazi Training Area in Latvia. Design issues, delays and compliance with local regulations and requisite approvals were predominant issues in the matter. Value of the dispute: approx. *EURO 10 million*.
- **SIAC** arbitration before against an Afghani state-owned entity with respect to the construction of a substation and its facilities in Afghanistan.
- **DIAC**: A series of arbitration proceedings involving a government controlled Company and a Turkish Construction Company in respect of large-scale infrastructure projects in Dubai. These included the Jumeirah Park Villa and Infrastructure packages. Project delays, performance bonds being at risk of being encashed, and lack of requisite funding and payment issues were prevalent in the case. There were also problems pertaining to coordination of the interfaces involved in the project and subcontractors. Six successful arbitrations in favour of the client resulted from this process.
- **ICC** arbitration concerning a dispute between the shareholders of a Joint Venture in a mining project between a French conglomerate and Turkish mining company.
- **AAA** arbitration concerning a dispute regarding allegations of breach of a sales contract between a company in Turkey manufacturing and selling parts to an American company in the Defence Industry. Value of Dispute: approx. *USD 762,000.*
- **DAB** proceedings between a Japanese firm and an Iraqi state-owned entity concerning complex technical design issues with respect to a major port project in Basra, Iraq. Three consecutive Dispute Board Awards were issued in favour of the client, leading to a settlement prior to commencement of arbitration.
- **DAB** proceedings against a European ministry of foreign affairs with respect to the construction of an embassy complex in South Sudan. Compliance with local laws and regulations regarding procurement of labour and materials, and project delays being prevalent factors in the case.

- **ICSID** Case Number ARB/13/19 concerning the unlawful expropriation of a Turkish Contractor's Investments by the Republic of Uzbekistan. The case was settled in favour of our client, the Turkish Contractor, whereby the State was ordered to pay damages in the region of approximately *USD 40 million*.
- **ICSID** Case Number ARB/16/19 Nova Group v Romania, defeated a claim against the State for USD 369.40 million.
- **ICSID** Case Number ARB/21/32, dispute concerning an unlawful expropriation of the Claimants' investments under the Turkey-Uzbek BIT by the Republic of Uzbekistan and unlawful conviction of Claimant to 11-year imprisonment. Award is pending. Approx value of dispute: *USD 168 million*.
- **ICSID** Case Number ARB/21/32 Co-counsel in a dispute between Turkish investors and Serbia regarding the unlawful termination of a contract in the transportation sector. Value of the dispute: *USD 17 million*.

Qualifications

- Qualified as a Barrister, Member of the Honourable Gray's Inn (2005)
- Qualified as a Solicitor in the Supreme Court in England & Wales (2007)

Education

- BPP Law School, Qualified Lawyers Transfer Test (QLTT) (A Grade) (2007)
- Kings College, LL.M - Masters in Law (2005 - 2006)
- BPP Law School, Bar Vocational Course (London UK) (2004 - 2005)
- London Guildhall University - **1st Class** LL.B (Hons.) (2001- 2004)
- Bachelor of Laws with Honours

Employment History

- 2025-ongoing **Partner** at Hamish Lal Partners, Boutique Law Firm International Arbitration (London)
- 2011-2025: **Partner** - Akinci Law Office (Istanbul)
- 2008 - 2011: **Consultant - Litigation** - Fuglers LLP (London)
- 2005 - 2008: **Counsel - Litigation** - Elliott Stephens & Co. (London)

Memberships

- ICC Turkiye
- Society of Construction Law (SCL) UK Branch
- SCL Turkiye Branch, member of the Events Committee
- CiArb, European Branch, Associate Member

Awards and Recognition

- WWL Lexology Arbitration Future Leader – Partner 2026
- WWL Lexology Arbitration Future Leader – Partner 2025
- WWL Lexology Client Choice Award 2025 – Arbitration in Turkiye – Global Elite Thought Leader
- WWL Lexology Client Choice Award 2024 – Arbitration in Turkiye

Languages

- English (Native)
- Turkish (Fluent)