

## VIAC – Questionnaire for Arbitrators

1. **Name:** Kabir Duggal

2. **Citizenship:** USA/Overseas Citizen of India (OCI holder)

3. **Contact information:**

Address: Arnold & Porter, 250 W 55 Street, New York, NY 10019, USA

Telephone: +1-212-836-7141

Fax:

E-Mail: [kabir.duggal@arnoldporter.com](mailto:kabir.duggal@arnoldporter.com) and CC: kduggal@law.columbia.edu

Website: <https://www.arnoldporter.com/en/people/d/duggal-kabir>

LinkedIn: <https://www.linkedin.com/in/kabir-duggal-467572165/>

4. **Current position:** Senior Associate, Arnold & Porter LLP; Adjunct Professor, Columbia Law School; Managing Editor, the American Review of International Arbitration

5. **Education:**

- Ph.D. Candidate, Evidence in International Arbitration, Leiden Law School (The Netherlands) (2016-date)
- LL.M., International Legal Studies, NYU School of Law (United States), Hauser Global Scholar and Transitional Justice Fellow (2008)
- BCL (Master's Degree in Law), University of Oxford (United Kingdom), DHL-Times of India Scholar (2007)
- Post Graduate Diploma in International Humanitarian Law, NALSAR (India), Gold Medal
- Post Graduate Diploma in Human Rights, University of Mumbai (India), Gold Medal
- LL.B., Government Law College, University of Mumbai (India), 5 University Awards and Ranganath Rao Trophy

6. **Practiced experience in arbitration**

- How many arbitrations have you participated in (domestic/international); under which Rules?
  - Worked in some of the largest international investments arbitration and international commercial arbitration proceedings under the ICSID, ICC, UNCITRAL, ECT rules and under several international contracts and bilateral investment treaties. A list of the publicly known cases is placed below.
  - Experience in the oil, gas, cement and telecommunication industries in Europe, South Asia, Latin America, Central Asia and North Africa.
- How often have you acted as Chairman?

None
- How often have you acted as Sole Arbitrator?

Five times (total invitations were 9 but had business conflicts for 4 of these cases)
- How often have you acted as Co-Arbitrator?
  - None
- How often have you acted as Counsel?

My entire docket only involves international arbitration cases. A list of publicly known cases is pasted below:

  - *Mobil et al. v. PDVSA et al.*, ICC Case No. 15415/JRF
  - *Devas Multimedia Private Limited v. Antrix Corporation Ltd.*, ICC Case No. 18051/CYK
  - *OPIC Karinum Corp. v. PDVSA et al.*, ICC Case No. 17544/JRF

- *Consolidated Exploration Holdings Ltd. et al. v. The Kyrgyz Republic*, ICSID Case No. ARB(AF)/13/1
  - *Edenred S.A. v. Hungary*, ICSID Case No. ARB/13/21
  - *Gavrilović and Gavrilović d.o.o. v. Republic of Croatia*, ICSID Case No. ARB/12/39
  - *Longreef Investment A.V.V v. Bolivarian Republic of Venezuela*, ICSID Case No. ARB/11/5
  - *Mobil et al. v. Bolivarian Republic of Venezuela*, ICSID Case No. ARB/07/2
  - *ConocoPhillips et al. v. Bolivarian Republic of Venezuela*, ICSID Case No. ARB/07/30
  - *OPIC Karinum Corp. v. Bolivarian Republic of Venezuela*, ICSID Case No. ARB/10/14
  - *Holcim et al. v. Bolivarian Republic of Venezuela*, ICSID Case No. ARB/09/3
  - *Brandes v. Bolivarian Republic of Venezuela*, ICSID CASE NO. ARB/08/3
  - *CEMEX et al. v. Bolivarian Republic of Venezuela*, ICSID Case No. ARB/08/15
  - *Tidewater et al. v. Bolivarian Republic of Venezuela*, ICSID Case No. ARB/10/5
  - *Mærsk Olie, Algeriet A/S v. The People’s Democratic Republic of Algeria*, ICSID Case No. ARB/09/14
  - *Vodafone International Holdings BV v. Republic of India*, UNCITRAL Arbitration
  - *Tenoch Holdings Ltd. et al. (ByCell Dispute) v. Republic of India*, UNCITRAL Arbitration
  - *CC/Devas (Mauritius) Ltd., Devas Employees Mauritius Private Ltd., and Telcom Devas Mauritius Limited v. Republic of India*, UNCITRAL Arbitration
  - *Deutsche Telekom AG v. Republic of India*, UNCITRAL Arbitration
  - *Khaitan Holdings (Mauritius) Limited v. Republic of India*, UNCITRAL Arbitration
  - *Karachaganak v. Republic of Kazakhstan*, UNCITRAL Arbitration
- How often have you acted in a different function (e.g. Administrative Secretary)?

None

**7. Publications and other activities in arbitration (e.g. training sessions, seminars, conferences, articles and others):**

PUBLICATIONS AND BOOK REVIEWS

- “Evidence in International Investment Arbitration,” Oxford University Press (April 2018).
- “India Chapter,” The Baker & McKenzie International Arbitration Yearbook 2017-2018, March 2018 (co-author).
- “General Duties of Counsel,” in Handbook on Third-Party Funding in International Arbitration, March 2018 (co-author).
- “Understanding Racial Representation in International Investment Arbitration,” Dispute Resolution Journal (Vol. 72(2), 2017).
- “Evidentiary Principles in Investor-State Arbitration,” The American Review of International Arbitration (Vol. 28(1), 2017).
- “The Role of Sovereign Welfare Funds and National Oil Companies in Investment Arbitrations,” Global Arbitration Review, July 2017 (co-author; second edition).
- “International Courts: The Year in Review,” Annual Publication of the ABA Section of International Law/SMU Dedman School of Law, July 2017 (co-author).
- “The New Brazilian BIT on Cooperation and Facilitation of Investments: A New Approach in Times of Change,” ICSID Review 2017 (co-author).
- “The Washington Discourse,” Investment Treaty Arbitration and International Law, Juris LLC (Vol. 10) (co-author).
- “International Arbitration Insights: CAS and Lex Sportiva,” American Bar Association Section of International Law, April 2017 (Editor).
- “Diversity and The Court of Arbitration for Sport.” in International Arbitration Insights: CAS and Lex Sportiva, American Bar Association Section of International Law, April 2017 (co-author).
- “Investor-State Arbitration,” The Baker & McKenzie International Arbitration Yearbook: 10th Anniversary Edition (2016-2017), March 2017 (co-author).

- “India Chapter,” The Baker & McKenzie International Arbitration Yearbook: 10th Anniversary Edition (2016-2017), March 2017 (co-author).
- “The Conflicting Landscape Relating to Costs in Investor-State Arbitration,” Indian Journal of Arbitration Law (January 2017) (co-author).
- “The Final 2015 Indian Model BIT: Is this Change the World Wishes to See?,” ICSID Review 2016 (co-author).
- “The Investment Treaty Working Group Task Force on the Investment Court System,” ABA Investment Treaty Working Group (Section of International Law), October 2016 (co-reporter).
- “The Changing Landscape of Investor-State Arbitration in India,” Jindal Global Law Review (2016).
- “International Arbitration Checklists,” Juris LLC (Third Edition), Associate Editor.
- “Investor-State Arbitration,” in International Arbitration Checklists (Juris LLC, Third Edition).
- “Allocating Costs in Investment Arbitration,” Practical Law, June 2016 (co-author).
- “ICC Guidance Note for the Disclosure of Conflicts by Arbitrators,” Practical Law, April 2016 (co-author).
- “India Chapter,” The Baker & McKenzie International Arbitration Yearbook 2015-2016, March 2016.
- “The 2015 Indian Model BIT: Is this Change the World Wishes to See?,” ICSID Review 2015 (co-author).
- “The Role of Sovereign Welfare Funds and National Oil Companies in Investment Arbitrations,” Global Arbitration Review, July 2015 (co-author).
- “Philip Morris et al. v. Uruguay,” AJIL January 2014 (co-author).
- “Occidental Petroleum v Ecuador (2012): Observations on Proportionality, Assessment of Damages and Contributory Fault,” ICSID Review 2013 (co-author).
- “Limits on Compensation for Internationally Wrongful Acts,” in International Investment Law: A Handbook, Hart Publishing (co-author).
- “The Energy Sector, Investment Arbitration, and the Energy Charter Treaty: Carving out a Special Regime,” Juris LLC 2013.
- “The World Economic Crisis as a Changed Circumstance,” Columbia FDI Perspectives No. 43, August 1, 2011 (co-author).
- “International Investment Law and Arbitration: 2012 in Review,” in 2012-2013 Yearbook on International Investment Law & Policy (Oxford University Press).
- “International Investment Law and Arbitration: 2013 in Review,” in 2012-2013 Yearbook on International Investment Law & Policy (Oxford University Press).
- “Investment Treaty Arbitration and International Law: Vol. 6” Juris LLC, Associate Editor.
- “Investment Treaty Arbitration and International Law: Vol. 7” Juris LLC, Associate Editor.
- “Investment Treaty Arbitration and International Law: Vol. 8” Juris LLC, Associate Editor.
- “Investment Treaty Arbitration and International Law: Vol. 9” Juris LLC, Associate Editor.
- “Investment Treaty Arbitration and International Law: Vol. 10” Juris LLC, Associate Editor.
- “Investment Treaty Arbitration and International Law: Vol. 11” Juris LLC, Associate Editor.
- Book Review: “Backlash against International Arbitration,” Kluwer Arbitration 2010 published in Chartered Institute of Arbitrators (Vol. 78(2), April 2012) (co-author).
- Book Review: “The Evolving International Investment Regime,” Oxford University Press 2011 published in The Journal of World Investment & Trade (Vol. 13 (2012)) (co-author).

#### CONFERENCES

- Speaker, “Evidentiary Issues in Investor-State Arbitration,” New York International Arbitration Club (May 23, 2018).
- Speaker, “Cyber Security in Investor-State Arbitration,” Miami International Arbitration Society (MIAS) (May 2, 2018).
- Speaker, “Evidence and International Investment Arbitration,” New York International Arbitration Center (April 23, 2018).
- Speaker, “Gender and Race before International Courts and Tribunals,” American Bar Association Spring Meeting 2018 (April 19, 2018).
- Speaker and Trainer, “International Commercial Arbitration: All Day Training,” American Arbitration Association (April 17, 2018).
- Speaker, “Investment Arbitration: An Introduction,” St. John’s Law School (April 10, 2018).

- Moderator, “Political Backlash against International Investment Arbitration,” Penn Law School International Arbitration Association 2nd Annual Conference (April 6, 2018).
- Speaker, “Public International Law and Law of Expropriation,” Georgetown University Law Center (April 5, 2018).
- Speaker, “Diversity in Law Firms,” 50th National Black Law Students Association, New York (March 15, 2018).
- Moderator, “Reforming Investor-State Arbitration: Between Pragmatism & Utopia,” Columbia Arbitration Day 2018 (March 2, 2018).
- Speaker, “Consistency and Coherence in International Arbitration: The European Court Proposal,” Harvard Law School (March 1, 2018).
- Speaker, “Pathways to Employment in International Law,” ABA and NYU School of Law (January 26, 2018).
- Speaker, “Introduction to Investor-State Arbitration,” ADR Cell--Government Law College, Mumbai (January 18, 2018).
- Speaker, “Careers in International Law and International Arbitration,” Society for the Promotion of International Law (Mumbai) (January 18, 2018).
- Speaker, “Expropriation and Compensation,” International Law Institute (November 30, 2017).
- Speaker, “International Arbitration,” 2017 Judith S. Kaye Arbitration event (November 10, 2017).
- Speakers, “Careers in International Arbitration,” Chartered Institute of Arbitrators, Young Members Group (November 7, 2017).
- Speaker, Treaty Shopping and Denial of Benefits, 7th Annual Investment Treaty Conference (Czech Ministry of Finance) (October 26, 2017).
- Speaker, “Provisional Measures, Young ICCA (Prague) (October 25, 2017).
- Speaker, “The Role of Customary International Law in Challenging Times,” International Law Weekend (October 20, 2017).
- Speaker, “Brazil and International Investment Arbitration,” Centro Brasileiro de Mediação & Arbitragem (October 9, 2017).
- Speaker, “Introduction to International Investment Arbitration,” Centro Brasileiro de Mediação & Arbitragem (NYU School of Law) (October 9, 2017).
- Speaker, “Written Submissions and Motions Practice,” Harvard Law School (October 6, 2017).
- Speaker, “Cross Cultural Negotiation,” Fordham Law School (September 28, 2017).
- Speaker, “Cybersecurity Challenges in International Arbitration,” Columbia Law School (September 26, 2017).
- Speaker, “Challenges for Least Developed Countries in Investment Arbitration: A Review of the Case Law,” United Nations Secretariat Launch of the Investment Support Programme (September 22, 2017).
- Speaker, “Executive Trainings for Investment Arbitration,” Government of the Republic of the Union of Myanmar (Naypitaw and Yangon) (August 29-September 7, 2017).
- Speaker, Executive Training on Investment Arbitration for Government Officials (Columbia Center on Sustainable Investment) (August 8, 2017).
- Speaker, “Investment Support and Least Developed Countries,” United Nations Headquarters (July 20, 2017).
- Moderator, “Tribunal Secretaries in International Arbitration,” Second Oxford Summer Academy (July 6-7, 2017).
- Speaker, “Damages in International Arbitration,” ICC-IASC Training on Arbitration (Mexico City), (June 15, 2017).
- Speaker, “New Developments in International Arbitration,” Fordham International Arbitration Association (June 1, 2017).
- Speaker, “Arbitral Tribunal, Arbitrator Ethics and Challenges to an Arbitrator,” ILI Training on International Commercial Arbitration and Mediation (May 28, 2017).
- Speaker, “Investment Promotion and Facilitation Measures for the Least Developed Countries,” United Nations Headquarters (May 25, 2017).
- Moderator, “Allegations of Corruption in Investor-State Arbitration,” 2017 ABA Spring Meeting, (April 26, 2017).

- Speaker, “What Role is there for International Law in the Protection of IP in the Technology Sector,” 11th Annual Conference (April 25, 2017).
- Speaker, “Public International Law and Law of Expropriation,” Georgetown University Law Center (April 20, 2017).
- Speaker, “International Joint Ventures,” Fordham Law School (April 19, 2017).
- Speaker, “Arbitrating Environmental and Human Rights Disputes Under Investment Treaties,” Harvard International Arbitration Day (March 31, 2017).
- Speaker, “Do We Need New Voices? The Role of Young Lawyers in a Changing Landscape,” ICC YAF Talk (Harvard) (March 30, 2017).
- Moderator and Speaker, “The Admissibility of Illegally Obtained Evidence in International Arbitration,” Columbia Arbitration Day (March 3, 2017).
- Speaker, “Evidence in International Arbitration,” Harvard Law School (February 28, 2017).
- Speaker, “Customary International Law and International Business Transactions,” Fordham Law School (February 13, 2017).
- Moderator and Speaker, “India and International Arbitration: Commercial and Investor-State Arbitration, Harvard India Conference 2017 (February 12, 2017).
- Speaker, “International Competition Law: Focusing on Trade and Investment,” Society for Promotion of International Law, Mumbai (February 3, 2017).
- Speaker, “International Arbitration Academy,” Colombia Ministry of Commerce, Industry and Tourism (Bogota) (January 30-31, 2017).
- Speaker, “Introduction to Investor-State Arbitration,” Baker McKenzie Scottsdale meeting (January 21, 2017).
- Speaker, “Expropriation and Compensation,” International Law Institute (December 1, 2016).
- Speaker, “India and International Law,” Indian Mission to the United Nations (on Indian Constitution Day) (November 22, 2016).
- Speaker, “International Commercial Arbitration,” International Law Institute (November 17, 2016).
- Moderator, Columbia Law School Fall 2016 International Investment Law and Policy Speaker Series, Fall 2016.
- Speaker, “Diversity Roundtable,” American Arbitration Association (October 21, 2016).
- Speaker, “Third Party Funding – Transparency v. Confidentiality Concerns,” CARTAL Conference On International Arbitration: National Law University, Jodhpur (October 15, 2016).
- Speaker, “Non-Pecuniary Remedies, including Interim Measures,” 6th Annual Czech Ministry of Finance Conference on Investment Treaty Arbitration (Prague) (October 13, 2016).
- Speaker, “Cross Cultural Mediation,” Garrigues LL.M. Program in International Transactions at Fordham Law School (September 28, 2016).
- Speaker, “Cybersecurity Challenges in International Arbitration,” Columbia Law School (September 19, 2016).
- Speaker, “Renewable Energy and Investment Arbitration,” Third Annual Houston Oil and Gas Conference (September 16, 2016).
- Moderator, “‘CAS’: The ‘Supreme Court of Sports’ at the 2016 Rio Summer Olympics,” American Bar Association, Section of International Law (August 29, 2016).
- Program Chair, Court of Arbitration for Sport, American Bar Association, Section of International Law (August-September 2016).
- Speaker/Coach, Case Study on Investor-State Arbitration, Executive Training on Investment Arbitration for Government Officials (Columbia Center on Sustainable Investment) (August 5, 2016).
- Speaker, “Cross Cultural Negotiation,” Fordham Law School (August 4, 2016).
- Speaker, “Defences and Exceptions under Customary International law and Treaties,” Executive Training on Investment Arbitration for Government Officials (Columbia Center on Sustainable Investment) (August 3, 2016).
- Speaker, “Arbitral Tribunal, Arbitrator Ethics and Challenges to an Arbitrator,” ILI Training on International Commercial Arbitration and Mediation (May 30, 2016).
- Speaker, “International Investment Arbitration – Revolutionary development or doomed experiment?,” Juris International Arbitration Conference (May 13, 2016).

- Speaker, “Agreed, Vereinbart, Acuerdo-Cross Cultural Negotiation,” American Bar Association 2016 Spring Meeting (April 14, 2016).
- Speaker, “The Mixture of International Public Law and Investment Arbitration, Its Importance and The Opportunities that those Generate for a Professional Career,” Georgetown University Law Center (April 7, 2016).
- Speaker, “Public International Law and the Development on the Law of Expropriation,” Georgetown University Law Center (April 7, 2016).
- Speaker/Moderator, “Document Production in International Arbitration,” Mannheim ICC Conference (February 26, 2016).

**8. Membership in arbitral institutions / functions in arbitral institutions/organizations:**

- Admitted to Hong Kong International Arbitration Centre’s List of Arbitrators (June 2018).
- Admitted to FINRA’s arbitration roster (January 2018).
- Admitted to the Asian International Arbitration Centre (formerly the Kuala Lumpur Regional Centre for Arbitration (KLRCA)) Panel of Arbitrators and Panel of Mediators (January 2018).
- Admitted to CEDR (ABTA Travel Panel)) as an ADR officials (November 2017).
- Admitted to SIAC Panel of Arbitrators (October 2017).
- Admitted to the American Arbitration Association, Panel of Arbitrators (August 2017).
- Admitted to The International Institute for Conflict Prevention and Resolution, Panel of Distinguished Neutrals (February 2017).
- Listed on USCIB’s Arbitrator’s Panel (February 2017).
- Listed on the LCIA and LCIA Mauritius’ Neutrals Database (February 2015).

**9. Languages**

Mother tongue: English

Working languages (i.e. languages in which you have both a spoken and written command so that you may conduct arbitral proceedings in this language): Hindi

**10. In which legal systems have you trained?**

- Civil Law
- Common Law
- Austrian Law
- Hungarian Law
- Swiss Law
- Czech Law
- Polish Law
- Ukrainian Law
- German Law
- Slovakian Law
- European Law

Other \_\_\_\_\_

**11. What is your main jurisdiction of practice?**

United States (New York)

**12. Special expertise or specializations (please list a maximum of five):**

- Antitrust/Unfair competition
- Damages
- Insolvency
- Power plants
- Aviation
- Distribution
- Insurance
- Private Intern. Law
- Banking & Finance
- Domain name disputes
- Intellect. property (IP)
- Public Intern. Law
- Capital markets
- Employment
- ISDS/ Foreign invest.
- Real estate
- CISG
- Energy
- Joint ventures
- Shipping
- Civil fraud disputes
- Engineering
- Licensing
- Sports
- Commercial disp. / transactions
- Entertainment
- Life sciences
- State/Public contracts
- Commodity market
- Healthcare & Pharmac.
- Maritime arbitration
- Technology
- Company/Corporate/M&A
- Hotel/Gastro./Tour.
- Media
- Telecommunication
- Construction
- Inform. technology (IT)
- Mining
- Transport
- Contract law
- Infrastructure
- Natural resources
- Other \_\_\_\_\_

**13. Date of birth: March 12, 1981**

I have completed this questionnaire to the above to the best of my knowledge and believe they are accurate. I understand that the above information will be used for VIAC's internal use and may be given to interested persons and may be put on VIAC's website.

June 20, 2018

\_\_\_\_\_ and \_\_\_\_\_  
Date Signature