

VIAC – Questionnaire for Arbitrators

Name: Peter Leon

Citizenship: Portugal/South Africa

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Current position: Partner and Africa Chair, Herbert Smith Freehills LLP

Education:

- BA (distinction in Roman Law), University of Cape Town, 1976
- LLB (cum laude), University of Cape Town, 1978
- LLM (Hons), University of Cambridge, 1980; Senior Scholar of Christ's College, Cambridge
- Diploma in Legal Studies (dissertation on jurisdictional error in administrative law), University of Cambridge, 1981
- Attorney of the High Court of South Africa, 1983
- Rights of audience in the High Court South Africa, 1996
- Registered Foreign Lawyer, Solicitors' Regulation Authority, England & Wales (2015-)

Practiced experience in arbitration

- How many arbitrations have you participated in (domestic/international); under which Rules? ICSID (x 1): PCA (x1) ICC (x1) Tanzania domestic (x1)
- How often have you acted as Chairman? Once in a PCA investor-state dispute.
- How often have you acted as Sole Arbitrator? Once – in Tanzania
- How often have you acted as Co-Arbitrator? N/A
- How often have you acted as Counsel? In all the matters listed above other than the PCA Tribunal which I chaired.
- How often have you acted in a different function (e.g. Administrative Secretary)? N/A

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

- EU Critical Raw Materials Act highlights intensifying competition in the race to net zero, *Global Energy Law and Sustainability*, Edinburgh University Press, 4.1-2 (30 October 2023)
- Beware pitfalls of resource nationalism: lessons from Indonesia, *Business Day*, 10 August 2023
- The new arms race: the EU Critical Raw Materials Act, *Law.com*, 17 July 2023
- Africa's extractives sector should comply with global due diligence obligations, *Business Day*, 6 February 2023
- Strategic advocacy and commercial diplomacy in extractives key to net zero, *Business Day*, 28 November 2022
- Rio Tinto's Serbian saga offers a lesson in critical minerals, *Business Day*, 31 August 2022
- Zambia must restore investor confidence to revitalise its mining sector, *Financial Times*, 4 May 2022
- Mining sector has critical role in the green energy transition, *Business Day*, 8 March 2022
- Security Act contravenes South Africa's commitments under the General Agreement on Trade in Services, *Business Day*, 15 November 2021

- Well-written bill may finally unlock South Africa's upstream petroleum potential, *Business Day*, 26 August 2021
- Localisation is no panacea for South Africa's economic woes, *Business Day*, 16 August 2021
- Beggar thy neighbour economics are self-defeating, *Business Day*, 29 April 2021
- South Africa will draw the short end of the stick in expropriation debate, *Business Day*, 31 March 2021
- AfCFTA protocol must provide a fair regulatory environment and protection for investors, *Business Day*, 11 October 2020
- Can AfCFTA deliver on what it promises, *Business Day*, 24 June 2020
- South Africa's fate is in its own hands, not the IMF's, *Business Day*, 3 May 2020
- African nations must resist siren song of resource nationalism, *Financial Times*, 29 August 2018
- Some Thoughts on the South African Mining Industry at a Time of Crisis, *The Journal of the Helen Suzman Foundation* | Issue 78 | April 2016
- Markana, Mangaung and the future of the South African mining industry, *Journal of Energy and Natural Resources Law*, May 2013
- Whither the South African mining industry, *Journal of Energy and Natural Resources Law*, March 2012
- International Best Practice and resource nationalism: the International Bar Association's mode mine development agreement project, *Journal of Southern African Institute of Mining and Metallurgy*, July 2011

Membership in arbitral institutions / functions in arbitral institutions/organizations: IBA

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):

In which legal systems have you trained?

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Civil Law | <input checked="" type="checkbox"/> Common Law | |
| <input type="checkbox"/> Austrian Law | <input type="checkbox"/> Hungarian Law | <input type="checkbox"/> Swiss Law |
| <input type="checkbox"/> Czech Law | <input type="checkbox"/> Polish Law | <input type="checkbox"/> Ukrainian Law |
| <input type="checkbox"/> German Law | <input type="checkbox"/> Slovakian Law | <input type="checkbox"/> European Law |

Other __South Africa_____

What is your main jurisdiction of practice? Mining and natural resources

In which jurisdictions are you admitted to the bar? South Africa; Registered Foreign Lawyer, England & Wales

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

- | | | | |
|---|---|--|--|
| <input type="checkbox"/> Antitrust/Unfair competition | <input type="checkbox"/> Damages | <input type="checkbox"/> Insolvency | <input checked="" type="checkbox"/> Natural resources |
| <input type="checkbox"/> Aviation | <input type="checkbox"/> Distribution | <input type="checkbox"/> Insurance | <input type="checkbox"/> Power plants |
| <input type="checkbox"/> Banking & Finance | <input type="checkbox"/> Domain name disputes | <input type="checkbox"/> Intellect. property (IP) | <input type="checkbox"/> Private Intern. Law |
| <input type="checkbox"/> Capital markets | <input type="checkbox"/> Employment | <input checked="" type="checkbox"/> Investment arbitration | <input checked="" type="checkbox"/> Public Intern. Law |
| <input type="checkbox"/> CISG | <input type="checkbox"/> Energy | <input checked="" type="checkbox"/> ISDS/Foreign inves. | <input type="checkbox"/> Real estate |
| <input type="checkbox"/> Civil fraud disputes | <input type="checkbox"/> Engineering | <input type="checkbox"/> Joint ventures | <input type="checkbox"/> Shipping |
| <input checked="" type="checkbox"/> Commercial disp. / transactions | <input type="checkbox"/> Entertainment | <input type="checkbox"/> Licensing | <input type="checkbox"/> Sports |

- | | | | |
|--|--|---|---|
| <input type="checkbox"/> Commodity market | <input type="checkbox"/> Healthcare & Pharmac. | <input type="checkbox"/> Life sciences | <input type="checkbox"/> State/Public contracts |
| <input type="checkbox"/> Company/Corporate/M&A | <input type="checkbox"/> Hotel/Gastro./Tour. | <input type="checkbox"/> Maritime arbitration | <input type="checkbox"/> Technology |
| <input type="checkbox"/> Construction | <input type="checkbox"/> Inform. technology (IT) | <input type="checkbox"/> Media | <input type="checkbox"/> Telecommunication |
| <input type="checkbox"/> Contract law | <input type="checkbox"/> Infrastructure | <input checked="" type="checkbox"/> Mining | <input type="checkbox"/> Transport |
| <input type="checkbox"/> Other _____ | | | |

Date of birth: 6 May 1955

VIAC offers arbitration practitioners the possibility to present themselves on its website. VIAC reserves the right to publish any presentations submitted and to remove it as the case may be. Parties are free to nominate an arbitrator of their choice and so is the VIAC Board when appointing an arbitrator. These presentations do not constitute recommendations but may assist the parties in choosing an arbitrator willing to conduct proceedings according to the Vienna Rules. The fact that an arbitration practitioner appears on this list, does not authorize this person to use the title "VIAC-arbitrator".

I have completed this questionnaire to the above to the best of my knowledge and believe they are accurate.

I hereby consent that the data provided in this questionnaire may be processed for the appointment of arbitrators and published by VIAC. This includes in particular publication on the website of VIAC as well as use in any presentations, etc. This consent may be withdrawn at any time by contacting VIAC at our general contacts, in particular by email addressed to office@viac.eu. The consequence of any such withdrawal will be that my data will no longer be processed by VIAC. For further information, see our privacy statement at <http://www.viac.eu>.

_____ 29/01/2024 _____

Date