

# Sorin DOLEA

**Nationality:** Moldovan, Romanian.

**Languages:** Romanian (native); Russian (fluent); English (fluent).

**Qualified attorney** in Moldova (License no.3513 as of 9 January 2020); **Licensed mediator** in Moldova (License no. 541 as of 25 November 2014).

**Address:** Str. Lomonosov 33, Chisinau, Republic of Moldova, MD-2009.

**Email:** [sorin@dolea.md](mailto:sorin@dolea.md); **Phone:** +373 60112265; **LinkedIn:** <https://www.linkedin.com/in/sorin-dolea-6bb18490/>.

## WORK EXPERIENCE

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| September 2022             | <b>Moldova State University, Law faculty – Lecturer</b><br>International and European Law Department. Courses: <ul style="list-style-type: none"><li>- Private International Law</li><li>- International Commercial Law</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| May 2021 - present         | <b>The Campaign for Greener Arbitrations – member of Europe sub-committee</b><br>The Campaign for Greener Arbitrations seeks to raise awareness of the significant carbon footprint of dispute resolution. The Campaign addresses the need for environmentally sustainable practices in arbitration, and encourages all stakeholders (including counsel, arbitrators, parties to disputes, and institutions) to commit to the Campaign's Guiding Principles and reduce their carbon footprint when resolving disputes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| July 2020 - present        | <b>Dolea &amp; Co – <u>Founding attorney</u></b> <ul style="list-style-type: none"><li>● Chisinau, Republic of Moldova</li></ul> <p>Dolea &amp; Co is a law firm specialized in corporate and business law matters. Within the firm, I am specialized in arbitration &amp; litigation; energy, oil &amp; gas, renewables and ESG investments. Key projects:</p> <ul style="list-style-type: none"><li>- Representing investors in <i>RTI Rotalin Gas Trading AG and Rotalin Gaz Trading S.R.L. v. Republic of Moldova</i> (ICSID Case No. ARB(AF)/22/4).</li><li>- Advising a Lichtenstein-based gas company on its gas supply and distribution activities in Moldova.</li><li>- Advising a Swiss-US investment fund on its operations in Moldova in gas-related field.</li><li>- Assisting, advising and representing a Moldovan-based gas trade company on a daily basis on its operations in Moldova.</li><li>- Representing Romanian entity against the Republic of Moldova under Energy Charter Treaty.</li><li>- Representing a Czech entity in Moldovan courts against a Moldovan supplier.</li></ul>                                                                                                                                                                                                                                                                                                                                                          |
| September 2018 – June 2020 | <b>Freshfields Bruckhaus Deringer LLP (International Arbitration Group) – Juristischer Mitarbeiter</b> <ul style="list-style-type: none"><li>● Vienna, Austria (September 2018 – August 2019)</li><li>● Frankfurt am Main, Germany (September 2019 – June 2020)</li></ul> <p>I was involved in the below-mentioned investment and commercial arbitrations. I conducted research on public international law; investment arbitration; and arbitration procedure under ICSID, SCC, ICC, LCIA and VIAC rules and under arbitration laws of Switzerland, Germany, Austria, Russian Federation and Romania. I was involved in all stages of arbitrations with drafting and organisational tasks (drafting the request for arbitration, request for bifurcation, answer to request for arbitration, memorial on jurisdiction and admissibility, memorial on merits, witness statements, preparation for hearings, and drafting post-hearing briefs).</p> <p><b>Investment arbitrations</b></p> <ul style="list-style-type: none"><li>- Assisted the team representing investors in the investment arbitration case <i>Elitech B.V. and Razvoj Golf D.O.O. v. Republic of Croatia</i> (ICSID Case No. ARB/17/32).</li><li>- Assisted the team representing investors in the investment arbitration case <i>Strabag SE, Erste Nordsee-Offshore Holding GmbH and Zweite Nordsee-Offshore Holding GmbH v. Federal Republic of Germany</i> (ICSID Case No. ARB/19/29).</li></ul> |

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|                            | <ul style="list-style-type: none"> <li>- Assisted the team representing the State in the investment arbitration case <i>Petrochemical Holding GmbH v. Romania</i> (ICSID Case No. ARB/19/21).</li> <li>- Assisted the team representing investors in the investment arbitration case <i>Portigon AG v. Kingdom of Spain</i> (ICSID Case No. ARB/17/15).</li> </ul> <p><b>Commercial arbitrations</b></p> <ul style="list-style-type: none"> <li>- ICC arbitration seated in Zurich concerning a breach of a sales representative contract in IT sector.</li> <li>- VIAC arbitration seated in Vienna between a Belarusian and Czech entity in relation to demand for payment under a bank guarantee.</li> <li>- SCC arbitration seated in Stockholm related to an oil-indexed gas price arbitration based on the gas purchase agreement.</li> <li>- LCIA arbitration seated in Vienna concerning a post M&amp;A dispute.</li> <li>- ICC arbitration seated in Zurich concerning the alleged breach of supply agreement in the automotive sector.</li> <li>- ICC arbitration seated in London concerning breach of supply agreement in aviation sector.</li> <li>- Analysis of potential of potential claims under Austrian and Russian laws arising out of the delivery of an allegedly defective glucose cross flow filtration system.</li> </ul> |
| November 2017 - present    | <p><b>CIS Arbitration Forum – Contributor &amp; Researcher</b></p> <ul style="list-style-type: none"> <li>• London, United Kingdom</li> </ul> <p>CIS Arbitration Forum is an online journal about Dispute Resolution in Russia, Ukraine, Kazakhstan, Belarus and Moldova. I am responsible for researching and drafting the articles regarding the dispute resolution in Moldova and CIS States, and the international cases where Moldova is involved.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| August 2015 – July 2017    | <p><b>Schönherr Attorneys at Law – Trainee lawyer / Lawyer</b></p> <ul style="list-style-type: none"> <li>• Chisinau, Republic of Moldova</li> </ul> <ul style="list-style-type: none"> <li>- Assisted an oil company with the ongoing business matters in Moldova.</li> <li>- Represented the clients before First Instance Court and Court of Appeal in commercial cases.</li> <li>- Member of the team which represented the Republic of Moldova in investment arbitration <i>Z.Grot and others v. the Republic of Moldova</i> (ICSID Case no. ARB/16/8).</li> <li>- Represented clients on corporate legal matters, including registration, reorganization and liquidation of limited liability companies.</li> <li>- Conducted due diligence within M&amp;A deals.</li> <li>- Assisted clients on IP and Competition matters.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| July 2014 – September 2014 | <p><b>Ministry of Justice of Republic of Moldova, Contentious Department</b></p> <ul style="list-style-type: none"> <li>• Chisinau, Republic of Moldova</li> </ul> <p>Assisted the Ministry of Justice in representing the Moldovan Government in initial phases of the investment arbitrations commenced by foreign investors before International Centre for Settlement of Investment Disputes; Arbitration Institute of the Stockholm Chamber of Commerce; and other arbitrations under UNCITRAL Arbitration Rules.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

## EDUCATION

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| 2018-2022                      | <p>PhD candidate in International Law - Moldova State University (International Law Department)</p> <ul style="list-style-type: none"> <li>• Chisinau, Republic of Moldova</li> </ul> <p>Pursuing my PhD in International Law and drafting the PhD thesis on “Settlement of contractual claims in investment arbitration” under the supervision of Dr. Hab. Prof. Aurel Baiesu.</p>                                                                                                                                                                                                                                                                                         |
| September 2017- September 2018 | <p>MIDS – Geneva LLM (<i>Master of Laws</i>) in International Dispute Settlement - Geneva Law School and the Graduate Institute of International and Development Studies</p> <ul style="list-style-type: none"> <li>• Geneva, Switzerland</li> </ul> <ul style="list-style-type: none"> <li>- Full merit-based scholarship. Selected courses: Investment Law; ICC Arbitration; The New York Convention of 1958; Arbitration in the US; EU Law and International Arbitration; The French Law on International Commercial Arbitration; ICSID Arbitration; Contract Law in International Commercial Arbitration; International Arbitration in Latin America; Sports</li> </ul> |

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|                                | <p>Arbitration.</p> <p>- Masters' Thesis: <u>Price determination by Arbitrators in Gas Price Review Arbitration</u> (supervised by Prof. Gabrielle Kaufmann-Kohler).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 2018-2019                      | <p>Young ICCA Mentoring Programme 2018-2019</p> <ul style="list-style-type: none"> <li>• The Hague, Netherlands</li> </ul> <p>Mentee within the mentoring programme under the mentorship of Prof. Luca Radicati di Brozolo.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| August 2016                    | <p>Hague Academy of International Law (Private International Law course)</p> <ul style="list-style-type: none"> <li>• The Hague, Netherlands</li> </ul> <p>The Course on Private International Law included:</p> <ul style="list-style-type: none"> <li>- the Effectiveness of International Commercial Arbitration;</li> <li>- the UNIDROIT Principles and the Law Governing International Trade Contracts;</li> <li>- private International Law Issues concerning Surrogacy Arrangements;</li> <li>- the Legal Regime of International Space Activities: Between Public and Private Law;</li> <li>- Restrictive Practices in Private International Law; and</li> <li>- the Protection of Small and Medium Enterprises in Private International Law.</li> </ul>                                                                                                                                                                                                                            |
| July 2016 - August 2016        | <p>International Academy for Arbitration Law</p> <ul style="list-style-type: none"> <li>• Paris, France</li> </ul> <p>- Full merit-based scholarship.</p> <p>- <u>General course</u>: Simplifying the major conceptual difficulties in International Commercial Arbitration (Prof. Jan Paulsson).</p> <p>- <u>Special courses</u>: Legal issues raised by the agreement to arbitrate (Prof. Bernard Audit); Relationship between arbitral awards and court decisions (Prof. Sebastien Besson); Emergency arbitrations (Prof. Kaj Hober); Arbitration Contracts revolving around the Arbitration Agreement (Prof. Charles Jarrosson); Evidence in international arbitration (Prof. Guido Santiago Tawil); and Investment Treaty Arbitration and General International Law (Prof. Campbell McLachlan).</p> <p>- <u>Workshops and seminars</u>: ICSID Arbitration Practice; ICC Arbitration Practice; PCA Arbitration Practice; ICDR Arbitration Practice; and Special seminar on quantum.</p> |
| September 2015 - February 2017 | <p>LLM (<i>Master of Laws</i>) in International Law - Moldova State University</p> <ul style="list-style-type: none"> <li>• Chisinau, Republic of Moldova.</li> </ul> <p>Masters' Thesis: <u>International legal protection of the investments in the energy industry</u> (supervised by Dr.Hab. Prof. Aurel Baiesu).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| September 2011 - July 2015     | <p>Bachelor of Laws (Licentiate in Law) - Moldova State University</p> <ul style="list-style-type: none"> <li>• Chisinau, Republic of Moldova</li> </ul> <p>- Thesis: <u>Investment Arbitration in Republic of Moldova</u> (supervised by Dr.Hab. Prof. Aurel Baiesu).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| September 2014 - February 2015 | <p>Bachelor of Laws, Erasmus program – Alexandru Ioan Cuza University of Iasi</p> <ul style="list-style-type: none"> <li>• Iasi, Romania</li> </ul> <p>- Awarded Summa Cum Laude distinction.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

## SELECTED PUBLICATIONS

### Handbooks

- Gas Price Arbitration Handbook (Chisinau, 2020) Cartea Juridica Publishing House. [https://dolea.md/media/filer\\_public/f5/09/f5090a60-aad2-46ca-aafb-e9d01c23731b/gas-price-arbitration-handbook.pdf](https://dolea.md/media/filer_public/f5/09/f5090a60-aad2-46ca-aafb-e9d01c23731b/gas-price-arbitration-handbook.pdf)
- Inter-State Maritime Arbitration (Chisinau, 2021) Cartea Juridica Publishing House. <https://juridicemoldova.md/wp-content/uploads/2021/04/Inter-State-maritime-arbitration.pdf>
- Protection of Chinese Investments in Moldova (Chisinau, 2021). <https://juridicemoldova.md/wp-content/uploads/2021/06/Protection-of-Chinese-investments-in-Moldova-6-June-2021.pdf>
- Ridicarea valului corporativ și răspunderea statului în raporturile contractuale încheiate de entitățile de stat și investitorii străini în arbitrajul investițional (Prof. Dr. Hab Aurel Băieșu). [https://juridicemoldova.md/wp-content/uploads/2021/09/Ridicarea-valului-corporativ-final-A.Baiesu-S.Dolea\\_.pdf](https://juridicemoldova.md/wp-content/uploads/2021/09/Ridicarea-valului-corporativ-final-A.Baiesu-S.Dolea_.pdf)

### Articles

- 1) **Moldovan Supreme Court: Execution of Enforcement Title Falls Outside the Scope of the New York Convention** (Kluwer Arbitration Blog, 26 September 2021): <http://arbitrationblog.kluwerarbitration.com/2021/09/26/moldovan-supreme-court-execution-of-enforcement-title-falls-outside-the-scope-of-the-new-york-convention/>
- 2) **Mind the Gap – Jurisdictional Factors to be Considered in Investment Restructuring** (co-author Eliane Fischer) Austrian Yearbook on International Arbitration 2022, pp.341-350
- 3) **Abuse of process in investment arbitration – key factors to be considered when restructuring investments** (co-author Eliane Fischer) Revista Română de Arbitraj, nr.1/2022, Vol. 58, pp. 34-44
- Abuse of process in investment arbitration – key factors to be considered when restructuring investments, co-author Eliane Fischer, Hein Online. <https://heinonline.org/HOL/LandingPage?handle=hein.journals/romabj16&id=7&page=>
- 3) **Counterclaims in investment arbitration** (co-author Amanda Neil) – in progress
- 4) **Legality defense in investment arbitration involving CIS jurisdictions** (co-author Eric Leikin) – in progress
- 5) **COVID 19 and State of Necessity in Investment Arbitration** (Romanian Arbitration Journal no.4, December 2020), pp. 44-63
- 6) **COVID 19 and State of Necessity in Investment Arbitration**, Hein Online. <https://heinonline.org/HOL/LandingPage?handle=hein.journals/romabj14&id=43&page=>
- 7) **Crimea-related arbitral award annulled for lack of ratione temporis jurisdiction** (CIS Arbitration Forum, 29 April 2021) <http://www.cisarbitration.com/2021/04/29/crimea-related-arbitral-award-annulled-for-lack-of-ratione-temporis-jurisdiction/>
- 8) **Dual national fails in a multi-billion claim against Russia** (CIS Arbitration Forum, 31 July 2020): <http://www.cisarbitration.com/2020/07/31/dual-national-fails-in-a-multi-billion-claim-against-russia/#:~:text=In%202015%20a%20Russian%20court,to%20companies%20under%20his%20control.>
- 9) **Arbitrability of Disputes Arising out of Procurement Contracts Concluded by Municipally Owned Companies in the Russian Federation** ((ASA) Bulletin Vol. 37, Nr. 1, March 2019, pp 82-96)
- 10) **Book Review: Law and Practice of International Arbitration in the CIS Region** (Commercial Arbitration Review, No.1(1) January-June 2019, pp 381-383)
- 11) **Effect of forum selection clauses in investment arbitration** (Studia Universitatis Moldaviae, 2019, no.8 pp 122-129)

12) **The arbitrability of corporate disputes in the Russian Federation**, co-authors Amanda Neil and Desire Prantl (Corporate Disputes Magazine, April-June 2019, pp 101-105)

13) **VIAC becomes the only European arbitral institution with „Permanent Arbitration Institution” status in Russia** (CIS Arbitration Forum, 11 September 2019): <http://www.cisarbitration.com/2019/09/11/viac-becomes-the-only-european-arbitral-institution-with-permanent-arbitrationinstitution-status-in-russia/>

14) **London High Court: too late for Kazakhstan to challenge an award issued on Canada-USSR BIT** (CIS Arbitration Forum, 22 June 2019): <http://www.cisarbitration.com/2019/06/22/london-high-court-too-late-for-kazakhstan-to-challenge-an-award-issued-on-canada-ussr-bit>

15) **Investment claim against Ukraine follows an antimonopoly fine imposed on Gazprom** (CIS Arbitration Forum, 13 December 2018): <http://www.cisarbitration.com/2018/12/13/investment-claim-against-ukraine-following-an-antimonopoly-fine-imposed-to-gazprom/>

16) **The Svea Court of Appeal set aside the final award won by Spanish investor in Yukos Oil Company** (CIS Arbitration Forum, 20 July 2018): <http://www.cisarbitration.com/2018/07/20/the-svea-court-of-appeal-set-aside-the-final-award-won-by-spanish-investors-in-yukos-oil-company/>

17) **Monetary claim as protected investment under ECT: Energoaliants v. Moldova case** (CIS Arbitration Forum, 8 May 2018): <http://www.cisarbitration.com/2018/05/08/monetary-claim-as-a-protected-investment-under-ect-energoaliants-v-moldova-case/>

18) **London High Court fails to recognize Russian insolvency proceedings** (CIS Arbitration Forum, 23 February 2018): <http://www.cisarbitration.com/2018/02/23/london-high-court-fails-to-recognize-russian-insolvency-proceedings/>

19) **Fraud allegations at the enforcement stage of ASCOM case** (CIS Arbitration Forum, 7 December 2017): <http://www.cisarbitration.com/2017/12/07/fraud-allegations-at-the-enforcement-stage-of-ascom-case/>

20) **State immunity and state-owned enterprises: a recent dispute involving Moldova** (Lexis Nexis; CIS Arbitration Forum, 16 May 2017): <http://www.cisarbitration.com/2017/05/16/state-immunity-and-state-owned-enterprises-a-recent-dispute-involving-moldova/>

21) **ASCOM case: the Kazakhstan's request to set aside is rejected, the SCC award "was not fraudulent"** (Lexis Nexis, 20 January 2017; CIS Arbitration Forum 10 January 2017): <http://www.cisarbitration.com/2017/01/10/ascom-case-the-kazakhstans-request-to-set-aside-is-rejected-the-scc-award-was-not-fraudulent/>

22) **The Constitutional Court of Moldova has spoken: No Need for Acquirer of a Share Stake to Obtain Shareholder's Resolution Before Registration** (Schoenherr Legal Insight, 5 December 2016):

23) **Moldova: a Summary of Investment Arbitration History** (CIS Arbitration Forum, 23 September 2016): <http://www.cisarbitration.com/2016/09/23/moldova-a-summary-of-investment-arbitration-history/>

24) **Hello there, Moldova! Is there some room left for guaranteed feed-in tariffs for renewables?** (Schoenherr Legal Insight, 23 May 2016)

25) **Examination of witnesses in international arbitration** (Alexandru Ioan Cuza University of Iasi, Law Faculty, University Journal. December 2014, p 108).

26) Contributor World Bank Doing Business 2017 (*Moldova Jurisdiction*)

## VOLUNTEERING AND PRO-BONO ACTIVITIES

|                      |                                                                                                                                                                                                                 |
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| March 2022 - present | <b>UnitedForUkraine – Pro-bono counsel</b>                                                                                                                                                                      |
|                      | United For Ukraine is a fully operational international NGO effectively addressing Ukraine's imminent needs for emergency relief and consolidating action to rebuild the country, following Russia-Ukraine war. |
|                      | I assist on Moldovan law the Ukrainian refugees seeking asylum in Moldova, as well as Ukrainian people who need a legal advice on Moldovan law.                                                                 |

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| 2021 - present | <b>Moldovan Arbitration Association - <u>Co-founder</u></b><br>Moldovan Arbitration Association (MAA) is a non-profit association dedicated to promoting domestic and international arbitration. It brings together lawyers who are professionally engaged or interested in international arbitration.                                                                                                                                                                                                                                                                                                                                                                                           |
| 2022 - present | <b>ArbTech - member</b><br>ArbTech is an online forum that fosters cross-disciplinary dialogue on the future of justice and technology (such as AI, distributed online ledgers, cybersecurity, and computational linguistics). The ArbTech forum debates, discusses, and collaborates on the innovative, ethical application of technology to peacefully, efficiently, and equitably resolve international disputes.                                                                                                                                                                                                                                                                             |
| 2021-present   | <b>Energy Related Arbitration Practitioners - Co-founder of Moldovan chapter</b><br>Energy Related Arbitration Practitioners (ENERAP) is a worldwide forum that aims to promote the development of arbitration through the study of the characteristics, complexities and challenges involved in commercial and investment arbitration proceedings related to the energy sector.                                                                                                                                                                                                                                                                                                                 |
| 2019-present   | <b>National Olympic and Sports Committee of the Republic of Moldova - <u>Pro-bono counsel</u></b><br>Represented and assisted the Committee in a sports arbitration before the Court of Arbitration for Sports in Lausanne, Switzerland.                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 2009-2015      | <b>Service Civil International - <u>Volunteer</u></b><br>Service Civil International is an international non-governmental voluntary service organization and peace movement with 43 branches and groups worldwide. I was involved in the following projects: <ul style="list-style-type: none"> <li>- Human rights in Nazi Period. Hamburg, Germany (23.07-06.08 2011) organized by SCI;</li> <li>- Peace Caravan (project manager), Austria, Hungary, Great Britain, Belgium (20.06.2012-20.09.2012); organized by Service Civil International and International Voluntary Service;</li> <li>- Project management within volunteering projects - Barcelona (23.06.2014 - 01.07.2014)</li> </ul> |
| 2011-2015      | <b>Legal Clinic of Moldova State University - <u>Pro bono counsel</u></b><br>I gave free legal advice on family, civil and labor matters to individuals living in poverty and who could not afford paid legal advice.                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 2008-2014      | <b>Center for Community Justice - <u>Volunteer</u></b><br>Center for Community Justice is a national organization founded to protect refugees, forcibly displaced communities and stateless people who seek asylum in Moldova. I was involved in: <ul style="list-style-type: none"> <li>- Organization of informative workshops and trainings for asylum seekers on Moldovan legislation</li> <li>- Giving free advice regarding the procedures of obtaining residence in Moldova</li> <li>- Organization of workshops and flash mobs in support of asylum seekers in Moldova</li> </ul>                                                                                                        |

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