



## JULIEN FOURET



Julien Fouret

Partner

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Julien specialises in international commercial arbitration and investment treaty arbitration notably in the construction, energy, hospitality, mining, and oil and gas sectors.

He acts as counsel, chairman of the arbitral tribunal, co-arbitrator or sole arbitrator. He has extensive experience of complex arbitration in Europe, the Middle East and Africa under the rules of the most prominent arbitral institutions, and has also considerable experience in sports arbitration before the CAS/TAS.

Julien is the Secretary General of the International Academy for Arbitration Law, is a former Vice-Chair of the IBA Arbitration Committee, a former co-chair of the ASA below 40, the CFA 40 and of the IBA Arb40 subcommittee.

Julien is also a former Counsel at the Secretariat of the International Court of Arbitration of the ICC.

He is ranked among France's leading international arbitration lawyers by Chambers & Partners, and features in The Legal 500's Arbitration Powerlist. He is also recognised in GAR, Who's Who Legal and Décideurs Leaders League.

He is the author of several articles including four books notably the critically acclaimed "The ICSID Convention, Regulations and Rules – A Practical Commentary" (Edward Elgar Publishing, 2019), which has been described as "*an impressive piece of scholarship*" and "*anyone interested in this field will certainly want to add it to their library*" as well as "Provisional and Emergency Measures in International Arbitration" (Edward Elgar, 2023) described as "*an invaluable contribution*".

He teaches international arbitration law in Masters programs in Masters programs at the Université Paris-Ouest Nanterre and the Université de Paris-Est Créteil. He is also a guest lecturer at the Université de Sherbrooke in Quebec, Canada.

Julien is a member of the Paris Bar and is fluent in French and English.

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## Qualifications and Admissions

- 2002-2003 LL.M. (Master of Law), Institute of Comparative Law, McGill University, Montréal (Canada)
- 2001-2002 DEA (post-degree), Law of European and International Economic Relations, University of Paris X (Nanterre)
- 2000-2001 Maîtrise (degree), European and International Law, University of Paris X (Nanterre) and Legal Studies in English (D.E.J.A. II), University of Paris X (Nanterre)

## Professional Experience

Since 2024	Partner, Holman Fenwick Willan (HFW)
2019-2024	Partner, Eversheds Sutherland
2015-2019	Partner, BETTO SERAGLINI
2012-2015	Counsel, Castaldi Mourre & Partners, Paris
2010-2012	Counsel of the Secretariat of the International Court of Arbitration of the International Chamber of Commerce, Paris
2008-2010	Associate, Derains & Gharavi, Paris
2007-2008	Associate, Salans, Paris
2006	Consultant, Investment Division, Directorate for Fiscal, Financial and Enterprise Affairs, OECD
2004-2006	Jurist, Shearman & Sterling LLP, Paris

## Academic Position

Since 2018	Lecturer, Faculty of Law, University of Paris X (Nanterre)
2012-2017	Lecturer, Faculty of Law and Social Sciences, University of Paris II (Panthéon-Assas)
Since 2013	Lecturer, Faculty of Law, University of Sherbrooke (Québec)
Since 2012	Lecturer, Faculty of Law and Social Sciences, University of Paris XII (Créteil)
2010-2013	Lecturer, Faculty of Law and Social Sciences, University of Poitiers
2003-2004	Teaching assistant in Public International Law, University of Law, McGill University (Montréal)

## Profile



Secretary General, International Academy for Arbitration Law (Since 2023)

Co-Editor in Chief, ICC Dispute Resolution Bulletin (Since 2017)

Vice-Chair, IBA Arbitration Committee (2020-2022)

Secretary, IBA Arbitration Committee (2018-2020)

Website & Newsletter Officer, IBA Arbitration Committee (2016-2018)

Co-chair of the IBA Arb40 subcommittee (2014-2016)

Co-chair of the ASA Below 40 (2014-2017)

Co-chair of the CFA 40 (2013-2015)

Member of the Groupe de Travail de la Commission d'Arbitrage de la CCI sur les Institutions Financières et l'arbitrage international (2014-2016)

Member of the International Law Association – French section (since 2014)

Member of the Arbitration Commission of the ICC

Member of the Arbitration Commission of ICC France

Member of the Comité Français de l'Arbitrage

Panel of arbitrators at the Court of Arbitration for Sports – Tribunal Arbitral du Sport (CAS/TAS)

Panel of arbitrators of the Centre de Médiation et d'Arbitrage de Paris (CMAP)

Panel of arbitrators of the Abu Dhabi International Arbitration Centre (arbitrateAD)

Panel of arbitrators of the Kuala Lumpur Regional Center for Arbitration (KLRCA)

Panel of arbitrators of the Chambre Arbitrale Internationale de Paris (CAIP)

Member of the International Bar Association (IBA)

Member of the International Arbitration Institute (IAI)

Member of the European Society for International Law

Member of the Société Québécoise de Droit International

## What the market says about Julien

- Chambers - Global Guide 2024: International Arbitration Band 4 – “*Julien Fouret moves up the rankings this year and regularly advises states and private companies on expropriation and contractual disputes. He boasts extensive experience handling cases involving African jurisdictions.*” “*I would highly recommend Julien as a lawyer. He is an excellent litigator with experience in both investment and commercial arbitrations.*”



- Who's Who Legal 2023 – Arbitration France: *"Julien is calm and reliable, with extensive knowledge of investment law"*.
- Legal 500 Private Practice Arbitration Powerlist: France 2023
- Legal 500 France 2023 : *"Julien Fouret is excellent: he supervises his teams well and finds very good arguments to serve his customers."*
- Who's Who Legal 2023 – Arbitration France: *"Julien is calm and reliable, with extensive knowledge of investment law"*.
- Who's Who Legal 2022 – Arbitration France: Julien Fouret is widely regarded as *"a top name in the arbitration field"* by peers and market sources who commend his *"outstanding expertise in investment arbitration"*.
- Legal 500 France 2022: *"With no doubt, Julien Fouret is an excellent lawyer; highly competent and able to explain to his clients the various options and proceed to a joint decision"*; *"For Julien Fouret, dispute resolution is his bread and butter. His extensive know-how of the subject combined with his calm, but confident attitude makes you feel like you do not have to worry about anything"*

## Credentials - Counsel

Representing a European company in an ICC Dispute following the Breach of Public-Private Partnership in the mining sector in West Africa. (4 billion dollars, Civil Law, ICC, The Hague, French language)

Representation of a global energy company in an arbitration related to an iron ore mine in Sierra Leone. (75 million USD, LCIA London, English law, English language)

Representing a Middle-Eastern investor in a BIT Arbitration with the Russian Federation concerning the expropriation of his investment (100 millions dollars, UNCITRAL, English Language)

Representing a consortium of European companies following in an ICC dispute arising out of an EPC contract for the construction of a LNG terminal. (700 million euros, ICC Paris, French law, English language)

Representation of African Petroleum against Senegal in an ICSID arbitration about an expropriation in the energy sector (ICSID ARB/18/24). (400 million euros, Civil Law, Senegalese law, ICSID)

Representation of a UK Company against a EU State in a BIT arbitration related to changes in the photovoltaic legislation (150 million euros, UNCITRAL BIT, English Language)

Representation of Rumeli and Telsim against Kazakhstan in a BIT arbitration concerning an expropriation in the TMT sector. (150 million dollars, ICSID (including annulment proceedings), English language)

Representing a North American EPC contractor in relation to two ICC arbitrations concerning alleged delays and defects in the engineering and construction of a sulphuric acid recovery plant and a phosphate plant in Jordan.



Representing the Republic of Turkey against Saba Fakes in a BIT arbitration concerning an alleged expropriation in the telecommunications sector. (19 billion dollars, ICSID, English language)

Representation the Republic of Albania in a BIT arbitration against Pantechniki concerning alleged violations of fair and equitable treatment and a denial of justice vis-à-vis a European investor. (30 million euros, ICSID, English language)

Representing the Republic of Cameroon in an ICC arbitration relating to an EPC contract with two European companies relating to delays and disruptions during the execution of the Contract (150 million euros, Civil Law, ICC).

Representation of European investors against an African State in an arbitration based on a BIT and an investment law concerning discriminatory measures and expropriation in the Hospitality sector. (35 million euros, ICSID (including annulment proceedings), French language)

Representation of a European investor against a State of Central Asia in a BIT arbitration concerning an expropriation in the textile industry. (50 million dollars, ICSID, English language)

Representation of a North American investor against an Eastern European State in a BIT arbitration concerning discrimination and violation of the fair and equitable treatment in the broadcasting industry. (80 million dollars, ICSID, English language)

Advising an EPC contractor on an arbitration under the UNCITRAL Rules in which claims were made against it for its work under FEED and EPC contracts for an Adriatic LNG terminal.

BIT Arbitration relating to the expropriation of a Western investor in an Eastern European State in various industrial sectors and in real estate. (12 billion USD - UNCITRAL/BIT, Seat in Madrid, English language)

Representation of European investors against a European State in a BIT arbitration concerning discriminatory measures and expropriation suffered in the food-processing industry. (1 billion dollars, ICSID, English language)

Representation of a European company concerning a Hotel Resort in Eastern Europe. (30 million euros, ICC Paris, French law, English language)

Representing an EPC contractor in an ICC Arbitration with respect to the construction of a pipeline in a North African Country (100 Million, Civil Law, ICC Paris).

Representation of a European State in a BIT arbitration concerning the liberalisation of the health insurance industry. (900 million dollars, UNCITRAL Paris, English language)

Representation of an Oil & Gas industry partnership in a dispute related to the construction of an oil & gas infrastructure in Europe. (550 million euros, French law, ICC Paris, French language)

Representation of a North American investor in a BIT arbitration against an Asian State in connection with the liberalisation of the energy sector. (500 million dollars, UNCITRAL Geneva, English language)

Representation of a major energy sector player on a shareholders dispute concerning a joint venture in North Africa. (500 million euros, ICC Geneva, Spanish law, English and Spanish language)

Representation of a major energy sector player concerning guarantees following the construction of an electric plant. (95 million euros, ICC Geneva, Swiss law, English language)



Representation of a European company in a dispute relating to the construction of a pipeline in North Africa.

(75 million euros, ICC Paris, Civil law, French language)

Representation of a Brazilian company against a French bank concerning Export Documentary Credit.

(70 million euros, ICC Paris, English language)

Representation of an Oil & Gas industry partnership in a dispute related to the construction of an oil & gas infrastructure in Europe. (35 millions euros, French law, ICC Paris, French language)

Dispute between shareholders in the affordable luxury sector. (23 million euros, FAI Helsinki, Finish law, English language)

### Credentials - Arbitrator

Co-Arbitrator appointed by Respondent in an BIT ad hoc case related to investment in the energy sector in a sub-Saharan State

CAS Sole Arbitrator in a case between an African Player and an African Football Federation

Co-Arbitrator appointed by Respondent in an UNCITRAL BIT case related to investment in the Energy industry in an Eastern European State with respect to a change in legislation.

CAS Co-Arbitrator in an appellate case between a Football Club, The Federation and the National League.

Chairman of an UNCITRAL BIT case between an Asian company and an African State related to railway construction.

CAS Co-Arbitrator in an appellate case between a European Football Federation, a player and UEFA.

Emergency arbitrator of an ICC Tribunal regarding preservation of evidence and bank guarantees with respect to a construction dispute in South America.

Sole Arbitrator in a DIA case between a Middle-Eastern FFP2 mask supplier and a European State Agency

CAS Sole Arbitrator in a case between a National Team Coach and an African Football Federation

Chairman of an ICC Arbitral Tribunal in an arbitration relating to pipelines construction between European Company and African State-Owned companies.

Chairman in a CMAP arbitration between two French companies in the Defense Sector related to multiple supply contracts.

Sole Arbitrator in Danish Institute arbitration between the Ministry of Foreign Affairs of a European State and an African NGO regarding the construction of health-related facilities.

Chairman of an arbitral tribunal in an ICC arbitration relating to the construction of a power station opposing a Middle Eastern company to another Middle Eastern company.

Sole Arbitrator in a case between two major European companies arising out of an EPC contract for the construction of a hospitality facility.



Chairman of an ICC Arbitral Tribunal in an arbitration relating to a construction contract in the Hospitality industry between European Company and two Middle Eastern companies.

Co-arbitrator in an ICC construction arbitration relating to clean energy projects in a European Country.

Chairman in a CEPANI arbitration between a European Company and Middle Eastern Companies arising out of a Real Estate/Construction project in a European Country.

Co-arbitrator in an ICC arbitration between an African supplier and a European major Pharmaceutical Company

Sole Arbitrator in an ICC Dispute relating to patent infringement between two major publishing companies

Sole Arbitrator in a ICC arbitration between a Taiwanese company and a UK company for the construction of a Waste treatment facility.

Co-arbitrator in a Franco-Italian CMAP arbitration on liability guarantees.

## Publications

### BOOKS

Provisional Measures in International Arbitration, Edward Elgar Publisher, July 2023

Enforcement of Investment Treaty Arbitration Awards: A Global Guide, 2<sup>nd</sup> Edition, Globe Law and Business Publishing, January 2021

The ICSID Convention, Rules and Regulations: A Commentary, Elgar's Commentaries Series, Edward Elgar Pub. Co-edited with R. Gerbay et G. Alvarez, 2019

Enforcement of Investment Treaty Arbitration Awards: A Global Guide, Globe Law and Business Publishing, 2015

Recueil des Commentaires des Décisions du CIRDI (2002-2007), Editions E. Bruylant, 2009 (with Dany Khayat)

### ARTICLES

#### English:

"The Arbitration Agreement: Legal Nature, the Contractual and the Jurisdictional Aspect" in S. Kroll, A. Bjorklund and F. Ferrari, Cambridge Compendium of International Commercial and Investment Arbitration (2023) Cambridge at 669

"Provisional Measures by Arbitrators and Emergency Arbitrators t" in S. Kroll, A. Bjorklund and F. Ferrari, Cambridge Compendium of International Commercial and Investment Arbitration (2023) Cambridge at 1211



“Territorial Application of Treaties: State Succession and Contested Territories from an International Arbitration Perspective” (with W. Pydiamah, A. Fouchard Papaefstratiou & D. Papageorgiou) in E. Shirlow & K. Nasir Gore (eds.), The Vienna Convention on the Law of Treaties in Investor-State Disputes: History, Evolution and Future, Kluwer Law International, 2022, at 207-233.

“Confronting implicit bias effectively, the end justifies the means”, in Leadership, Legitimacy, Legacy: A Tribute to Alexis Mourre, ICC, 2022

“France” in E. Poulton (ed.), Arbitration of M&A Transactions: A Practical Global Guide, 2<sup>nd</sup> Edition Globe Law and Business Publishing, 2020, 67 (with W. Pydiamah)

“Pre-closing disputes” in E. Poulton (ed.), Arbitration of M&A Transactions: A Practical Global Guide, 2<sup>nd</sup> Edition, Globe Law and Business Publishing, 2020, 295

“A Practical Guide: Research Tools in International Investment Law” dans K. Yannaca-Small (ed), Arbitration Under International Investment Agreements : A Guide to the Key Issues, 2nd Edition, Oxford University Press, 2018.

“Enforcement of the Yukos awards: a second Noga saga or a new Sedelmayer fight?”, ICSID Review - Foreign Investment Law Journal Vol. 30, Number 2, Spring 2015

“France” in S. Jagusch & E. Triantafilou (ed.), Getting the Deal Through – Investment Treaty Arbitration 2015, (2014) at 22 (with Pierre Daureu)

“Pre-closing disputes” in E. Poulton (ed.), Arbitration of M&A Transactions: A Practical Global Guide, Globe Business Publishing, 2013, 311 (with Alexis Mourre)

“France” in S. Jagusch & E. Triantafilou (ed.), Getting the Deal Through – Investment Treaty Arbitration 2014, (2013) at 19 (with Pierre Daureu)

“Stay(ing) on Track or Falling off the Edge: The Absence of Legal Security in the Ad hoc Committees’ Decisions Under Article 52(5) of the ICSID Convention”, (2012) 27.2 ICSID Review – Foreign Investment Law Journal 303

“The Malicorp Saga: A Spaghetti Bowl of Proceedings”, (2012) 4.2 International Journal of Arab Arbitration 7

“A Practical Guide: Research Tools in International Investment Law” in Arbitration Under International Investment Agreements: A Guide to the Key Issues, Oxford University Press, 2010, directed by Katia Yannaca-Small

“Denunciation of the Washington Convention and Non-Contractual Investment Arbitration: “Manufacturing Consent” to ICSID arbitration?”, (2008) 25.1 Journal of International Arbitration 71

“The World Bank and ICSID: Family or Incestuous Ties?”, (2007) 4.1 International Organizations Law Review 121

French :





*“Investissements et éthique (du) numérique”* dans R. Maurel (dir.), Le droit international des investissements au prisme de l'éthique, CREDIMI- LexisNexis, 2021, p. 163

*“Compétence matérielle: bien, propriété et investissement”* dans W. Ben Hamida & F. Coulée (dir.), Convergences et contradictions du droit des investissements et des droits de l'homme: une approche contentieuse, Pedone, 2017, p. 65

*“Le chapitre X de l'accord économique et commercial global Canada-Union Européenne: Une solution équilibrée au débat sur le recours à l'arbitrage dans le règlement des différends entre investisseurs et États?”* in Mélanges Pierre Mayer – published in 2015 (with A. Mourre)

*“Dettes souveraines des Etats et Arbitrage CIRDI, un mariage arrangé?”* in G. Dufour, D. Pavot (dir.), *La crise des dettes souveraines: approches croisées Canada – Europe*, Lexis Nexis, Montréal – Paris, 2014, 335

*“La sentence arbitrale et les recours contre cette sentence”*, Contribution lors du Colloque Paris I – Paris II du 22 mai 2005: Le choix du mécanisme de règlement des différends investisseur/Etat (Etude comparative des mécanismes CIRDI, CNUDCI et CCI), *Revue Droit des Affaires* 57

*“Une nouvelle donne juridique – La protection des investissements étrangers au Liban”*, (2007) 42 *Revue Libanaise de l'Arbitrage Arabe et International* 11 (with Dany Khayat)

*“CMS c. LG&E' ou l'état de nécessité en question”*, (2007-2) *Revue de l'Arbitrage* 249

*“Du rôle de la Cour internationale de Justice: peau neuve ou peau de chagrin? Quelques réflexions sur l'arbitralisation de la Cour mondiale”*, (2003) 16.2 *Revue Québécoise de Droit International*, pp. 191-233 (published in 2005) (with Mario Prost)

*“La multiplication des juridictions internationales: de la nécessité de remettre quelques pendules à l'heure”* (2002), 15.2 *Revue Québécoise de Droit International*, pp. 117-138 (published in 2004) (with Mario Prost)

## CASE LAW COMMENTS

### English:

*“International Centre For Settlement of Investment Disputes (ICSID)”* (2014-1), 13.1 *The Law and Practice of International Courts and Tribunals* 117 (with Dany Khayat)

*“International Centre For Settlement of Investment Disputes (ICSID)”* (2013-3), 12.3 *The Law and Practice of International Courts and Tribunals* 475 (with Dany Khayat)

*“International Centre For Settlement of Investment Disputes (ICSID)”* (2013-1), 12.1 *The Law and Practice of International Courts and Tribunals* 113 (with Dany Khayat)

*“International Centre For Settlement of Investment Disputes (ICSID)”* (2012-1), 11.1 *The Law and Practice of International Courts and Tribunals* 137 (with Dany Khayat)



French:

"L'arrêt Gold Reserve: une mine d'or d'enseignements, note sous Paris, Pôle 1 - Ch. 1, 7 Février 2017" 2017.2 Rev. Arb. 566 (with Alexandre Reynaud)

"Panorama de jurisprudence française", Cahiers de l'arbitrage/Paris Journal of International Arbitration (with Priscille Pedone) (Since number 2012.4)

"Centre international pour le règlement des différends internationaux relatifs aux investissements" (2009), 22.2 RQDI 231 (with Dany Khayat)

"Centre international pour le règlement des différends internationaux relatifs aux investissements" (2008), 21.2 RQDI 291 (with Dany Khayat)

"Centre international pour le règlement des différends internationaux relatifs aux investissements" (2007), 20.1 RQDI 309. Jurisprudence 2007 (with Dany Khayat) "Centre international pour le règlement des différends internationaux relatifs aux investissements" (2006), 19.1 RQDI 271. Jurisprudence 2006 (with Dany Khayat)

"Centre international pour le règlement des différends internationaux relatifs aux investissements" (2005), 18.2 RQDI 313. Jurisprudence 2005 (with Dany Khayat)

"Centre international pour le règlement des différends internationaux relatifs aux investissements" (2004), 17.2 RQDI 231. Jurisprudence 2nd semester 2004 (with Dany Khayat)

"Centre international pour le règlement des différends internationaux relatifs aux investissements" (2004), 17.1 RQDI 160. Jurisprudence 1st semester 2004 (with Dany Khayat)

"Centre international pour le règlement des différends internationaux relatifs aux investissements" (2003), 16.2 RQDI 257. Jurisprudence 2nd semester 2003 (with Dany Khayat)

"Centre international pour le règlement des différends internationaux relatifs aux investissements" (2003), 16.1 RQDI 223. Jurisprudence 1st semester 2003 (with Dany Khayat)

"Centre international pour le règlement des différends internationaux relatifs aux investissements" (2002), 15.2 RQDI 167. Jurisprudence 2002 (with Dany Khayat)

**REPORTS**

"Investment Arbitration Session – Report on Session of the Arbitration Committee at the IBA Annual Conference in Boston", (2014) 19.1 IBA Arbitration News 21

"IAI Seminar, Paris, December 14, 2007 – The Precedent in International Arbitration", (2008) 26.1 Bulletin ASA 183

OECD, "Essential Security Interests under International Investment Law", in OECD, International Investment Perspectives – Freedom of Investment in a Changing World, OECD Publishing, 2007, 93 (Consultant)



## REVIEW

### English:

“Book Review – Contemporary Issues in International Arbitration and Mediation – The Fordham Papers 2010” (2012) 29.1 Journal of International Arbitration pp. 129-132

“Book review of Legal Framework for the Admission of FDI of Thomas Pollan” (2007), *Revue Québécoise de Droit International*, ([www.rqdi.org](http://www.rqdi.org))

“Book review of Takeover Law in the EU and the USA – A Comparative Analysis of Christin M. Forstinger” (2003), 16.1 *Revue Québécoise de Droit International*, pp. 371-373 (published in 2005)

### French:

“*Recension de l'ouvrage Droit International Public (7th ed.) des Professeurs Daillier et Pellet*” (2001), 14.2 *Revue Québécoise de Droit International*, pp. 299-303 (published in 2003)