



Melanie Willems

Partner

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PRACTICES Energy Litigation, Offshore Oil and Gas Dispute Resolution, Oil and Gas Litigation, Asia, Europe, Middle East and Africa, International Arbitration, Construction Litigation, Insurance Recovery, Renewable Energy, Traditional Power, Aviation, Hospitality, Technology

Melanie Willems, chair of the International Arbitration Practice Group in the London office, is experienced in all forms of alternative dispute resolution including expert determination, mediation, and adjudication. Clients benefit from Melanie's extensive experience in ad hoc proceedings and the major international rules, such as ICC, LCIA, UNCITRAL, ICSID, as well as standard form contract rules. She also represents clients in the English courts and sits as an arbitrator.

Melanie acts for clients in a range of industries, including engineering, energy, construction, rail, infrastructure/transport, hospitality and hotels, retail, property development, banking and finance, technology, and insurance. She has particular experience in contractual disputes arising from energy, major projects, and engineering matters. Clients seek Melanie's counsel on international projects disputes in Asia, Africa, Middle East, and India in relation to foreign investments, power plants, renewable energy, desalination plants, petrochemical plants, oil rigs, pipelines, hotels, roads/highways, hospitals, transport, and government projects.

Melanie is a ranked lawyer in the international arbitration practice area of *Chambers UK, 2020* (Chambers and Partners). The guide notes that Melanie "demonstrates particular skill in the energy and construction sectors. She frequently acts as both counsel and arbitrator in a range of disputes." *Chambers UK 2020* also praises Melanie as "extremely bright and very passionate about her clients' needs" and "particularly proficient in representing clients in the oil and gas sector in commercial and projects disputes."

Melanie is also recognised in the International Arbitration section of the 2020 edition of *The Legal 500 UK* (Legalease), on their elite list of leading individuals. The directory describes Melanie as "exceptionally driven, energetic and able to anticipate what clients want." She is also included in *The Legal 500* "International Arbitration Powerlist" published March 2019 (Legalease), which showcases 200 of the UK's leading practitioners working in law firms and the Bar.

Melanie is a prolific writer and speaker, and lectures frequently on topics related to international arbitration and various forms of dispute resolution, in the UK and abroad.

QUALIFICATIONS

EDUCATION

- LL.B., Kings College London, 1989
- Maîtrise, Law, Université de Paris, 1989
- M.Sc., Kings College London, 1993

LANGUAGES

- French

ADMISSIONS

- England and Wales
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PUBLICATIONS AND SPEAKING ENGAGEMENTS

- "How to Manage Your International Arbitration Counsel," presenter, Beijing Arbitration Commission, April 20, 2016.
 - "I Agreed To What? The Perils of Standard Arbitration and Indemnity Clauses," presenter, Executive Women's Retreat, October 2015.
 - "The Special Relationship: Why English Law is Still One of Your Best Friends in International Disputes," presenter, Houston, January 27, 2015.
 - "Third Party Funding – Pitfalls and Caveats," presenter, Queen Mary University, London, 2014.
 - "Third Parties in International Arbitration," presenter, IBA Annual Conference, Boston, 2013.
 - "Future Challenges," presenter, IBA International Women's Day Conference, 2013.
 - "Contractual Interpretation—Plus ça Change," presenter, Chartered Institute of Arbitrators, 2010.
 - "Third Party Funding—The Hand that Giveth Also Taketh Away," presenter, Society of Construction Arbitrators, 2009.
 - "Possible Consequences of Failing to Mediate," presenter, client seminar, 2008.
 - "Arbitrating Competition Law Issues," presenter, client seminar, 2008.
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PROFESSIONAL AFFILIATIONS AND ENGAGEMENTS

- Fellow, Chartered Institute of Arbitrators and Committee Member of the London Branch, 2007-Present
 - Committee/Arbitrator Member, Society of Construction Arbitrators, President of the Society, 2016-2017
 - International Chamber of Commerce (ICC)
 - London Court of International Arbitration (LCIA)
 - International Bar Association (IBA)
 - Panel Member (Arbitrator and Mediator), Sports Dispute Resolution Board (to 2015)
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SELECTED CLIENT REPRESENTATIONS

- Represented a major Japanese contractor in an ICC arbitration arising out of the construction of a petrochemicals plant in Northern England. The case involved claims for the cost of additional works, delay claims (including prolongation) and disruption claims.
- Successfully represented a large European contractor against a Kuwaiti government body in a Paris-based UNCITRAL arbitration concerning a project in Algiers. The work included defending challenges to arbitrators and an appeal to the International Court at The Hague.

- Acting for an international hotel operator in ICC arbitration proceedings concerning a luxury hotel in Madagascar, as regards compliance with brand standards and health and safety requirements.
 - Advised a Japanese contractor in a multi-party mediation arising out of claims regarding a Saudi Arabian power project. The matter was successfully settled.
 - Advised on an issue of stress-cracking on the blades of a wind turbine in a wind farm in Portugal.
 - Advised on design and workmanship claims due to a damaged pipeline network, including an underwater section and associated cabling.
 - Advising an international hotel operator in a dispute concerning unlawful termination of a management agreement for a new-build hotel in Moscow serving an international airport in Moscow, subject to ICC arbitration.
 - Conducted a large scale mediation in connection with liability for faults in a new design single point mooring buoy.
 - Advised the world's largest rail manufacturer in connection with a long-term contract for upgrade and improvement works on rail infrastructure and facilities in a major European capital. Interim claims were valued at £40 million.
 - Conducted an expert determination, concerning rights to hydrocarbons, on the consideration adjustment necessary in a purchase of North Sea interests.
 - Acted for an English/Lebanese joint venture on an ICC arbitration relating to the construction of an Egyptian "new town."
 - Acting in an ICC arbitration concerning the termination of a luxury resort hotel subject to a long-term management agreement, for one of the largest international hotel operators.
 - Advised client on contentious issues in PFI contracts, in connection with the mechanism for measuring performance and the impact of remuneration due to the contractor.
 - Acted on several large scale adjudications in connection with disputes in relation to the construction of the M6 motorway.
 - Represented an international hotel chain in an ICC arbitration concerning health and safety issues and the duties of the property owner under the hotel management agreement in connection with a substantial African hotel.
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AWARDS AND RECOGNITION

- Recognized in *The Legal 500 UK*, Legalease, 2020.
- Recognized in the International Arbitration Powerlist, *The Legal 500*, Legalease, 2019.
- Profiled as one of the leading Dispute Resolution: International Arbitration lawyers in London, *The Legal 500 UK*, Legalease, 2015-2019
- Recognized in *Best Lawyers United Kingdom*, Woodward/White, Inc., International Arbitration, 2015-2018
- Recognized in *London Super Lawyers*, Thomson Reuters, 2013-2015; Top 50 Women London Lawyers, 2013-2015; Top 100 London Lawyers, 2013-2015
- Profiled as one of the leading International Arbitration lawyers in London, *Chambers UK*, Chambers and Partners, 2009-2019
- Profiled as one of the leading solicitors in the UK, *The Legal 500*, Legalease, 2010, 2012- 2014
- Profiled as leading practitioner, *Global Arbitration Review*, Law Business Research, 2009