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## **PROFESSIONAL EXPERIENCE**

Niuscha Bassiri is a partner at Hanotiau & van den Berg in Brussels.

She has a solid track-record as counsel and arbitrator (sole, presiding and party-appointed arbitrator) in numerous international arbitrations under the major arbitral institutions and arbitration rules (CEPANI, DIS, ICC, LCIA, NAI, UNCITRAL, VIAC) and governed by various procedural and substantive laws. The arbitrations in which she has been involved concern State-entities and private entities alike and span a multitude of sectors, such as banking, construction, energy, finance, infrastructure, insurance, luxury, mining, nuclear power plants, oil & gas, pharmaceuticals, satellites, telecommunication, transportation and renewable energy and relate to diverse legal issues, such as investment, distributorship, joint ventures, licensing, patents, post-M&A, sales of goods and shareholdings.

Her training as a District Court and Court of Appeal judge in Germany gives Niuscha Bassiri relevant insight to judicial approach.

Her diverse and vast experience has led her to become a sought-after strategic adviser on setting-aside and enforcement matters, in particular under the New York Convention regime.

Niuscha Bassiri regularly speaks at leading conferences and seminars on international arbitration. She publishes on novel matters concerning international arbitration, most recently on efficiency in investment arbitration, arbitration in the digital age, arbitrators and their online identity and economic sanctions in international arbitration. She is the co-editor and author of the sole English-language commentary on the Belgian arbitration law, *Arbitration in Belgium*. She is also a co-author in the leading German language commentary on the ICC and DIS Rules. She has also led the task force on the Young ICCA Guide on Arbitral Secretaries.

Niuscha Bassiri is a long-time lecturer in the master's program of the ICHEC Business and Management School in Brussels on *International Commercial Law and Dispute Resolution*. She is also a member of the faculty of the LLM international arbitration program of the University of Miami School of Law. Niuscha Bassiri is former Vice-President of the Belgian Chapter of Club Español de Arbitraje and a member of the International Board of the Finnish Arbitration Institution, Appointing Committee of the German Institution of Arbitration (DIS), Editorial Board of the Journal of International Arbitration, IBA Investment Arbitration Sub-Committee, IBA Rules and Guidelines Sub-Committee, ICC Commission on Arbitration, ICC Task Force Addressing Issues of Corruption in International Arbitration, ICC Task Force on Emergency Arbitrator Proceedings, ICC Institute of World Business Law,

ICCA-IBA Joint Task Force on Data Protection in International Arbitration Proceedings, and SIAC Users Council. She is a member of the Austrian Arbitration Association, CEPANI, BVI International Arbitration Centre panel of arbitrators, DIS, IBA, ICCA, LCIA, SAC, and the SIAC panel of arbitrators.

Niuscha Bassiri attended the Universities of Cologne and Barcelona. She is admitted to the Cologne Bar and is a member of the Brussels Bar. Niuscha Bassiri holds German and Iranian nationalities. She is a native German and Farsi speaker, with fluency in English, a working knowledge of French and Spanish and good understanding of Dutch.

Since 2014, Niuscha Bassiri is praised in Who's Who Legal—Arbitration. In 2016, she was ranked in the top 20 practitioners worldwide by *WWL: Future Leaders – Arbitration*, described by peers and clients as an “extremely sharp arbitrator and counsel”, and in 2017 as “a personable, responsive and innovative arbitration specialist” who is praised for her “clever and sophisticated advocacy”. Since Who's Who Legal—Arbitration 2018, Niuscha Bassiri is acknowledged as a Thought Leader. She is mentioned as “the best in Belgium” and is “strongly recommended” for her impressive work on commercial and investment arbitrations as both counsel and arbitrator”. The highly ranked acknowledgment continued in 2019, Niuscha Bassiri being recognized once more as a Thought Leader for her exceptional practice and praised by peers as an “excellent arbitrator with a great client manner”. Also for 2020, Who's Who Legal—Arbitration acknowledges Niuscha Bassiri as a Thought Leader, stating that she is “already a leader in the younger generation of arbitrators”, with sources recommending her as “super-organised and insightful”, as well as “extremely knowledgeable in investment arbitration”.

**HANOTIAU & VAN DEN BERG, BRUSSELS**

Partner from January 2012 to present; Associate from April 2006 to December 2011

**ICHEC BUSINESS AND MANAGEMENT SCHOOL, BRUSSELS**

Lecturer from January 2009 to present in *International Commercial Law and Dispute Resolution*

**ROBERT KNUTSON, LONDON**

Associate from October 2003 to March 2006 with focus on construction arbitration

**WILMER CUTLER PICKERING HALE AND DOOR, LONDON**

Associate from September 2002 to September 2003; Intern from January 2002 to May 2002

**RECENT REPRESENTATIVE MATTERS AS COUNSEL**

- Representing a sovereign State in setting-aside and enforcement proceedings in The Netherlands and Belgium, respectively, regarding awards rendered in The Netherlands under the ECT

- Representing British and German app developers in launching their respective apps in Europe, giving advice on data protection
- Representing a Bulgarian-led consortium against the EU concerning the construction of a courthouse relating to a FIDIC Yellow Book contract under EU and Belgian law, in an ICC arbitration in Brussels, conducted in English
- Representing a major Dutch bank against a major Swiss bank concerning a post-M&A dispute under Dutch law in an ICC arbitration in France, conducted in English
- Representing a Belgian pharmaceutical distributor against a major German pharmaceutical company concerning distribution of medical products in Israel under German law, conducted in English and German
- Representing an Iranian pharmaceutical distributor against a major German pharmaceutical company concerning distribution of medical products in Iran under German law, conducted in English and German
- Representing a major Dutch bank against two Belgian banks concerning a post take-over dispute under Belgian and Dutch law in a CEPANI arbitration in Belgium, conducted in English
- Representing a major multi-national oil & gas company against two major German oil & gas companies concerning price review under German law in an ICC arbitration in Germany, conducted in English
- Representing a German construction company against an Egyptian company concerning the construction of a steel mill under English law (FIDIC) in an ICC arbitration in England, conducted in English
- Representing a German construction company against an Italian company concerning a guarantee under English law in an LCIA arbitration in England, conducted in English
- Representing an NGO against a company concerning a domain name dispute under New York law in an NAF arbitration in New York, conducted in English
- Representing a major German telecommunications company against a major French telecommunications company under Polish law in a series of Vienna Arbitration Rules arbitrations in Austria, conducted in English
- Representing a group of NAZI-labor camp survivors in public international law disputes against major German corporations and the Federal Republic of Germany, conducted in English and German

## RECENT REPRESENTATIVE MATTERS AS ARBITRATOR

- Co-arbitrator in an ICC arbitration between a Turkish and U.S. American company in the aviation sector under Dutch law in Geneva, conducted in English
- Co-arbitrator in a UNCITRAL arbitration between Dutch and French pharmaceutical companies under German law in Paris, conducted in English
- Sole Arbitrator in an LCIA arbitration between a UAE and English service provider in the entertainment business under the laws of England and Wales in London, conducted in English
- Sole Arbitrator under the VIAC Rules between former European shareholders concerning a wind park in Romania in Vienna, conducted in German
- Chair in an ICC arbitration between an international construction consortium and a State-owned entity concerning the construction of rail roads in Romania under Romanian law in Bucharest, conducted in English
- Co-arbitrator in an LCIA arbitration between a Singaporean oil merchant and an Albanian buyer under the laws of England and Wales in London, conducted in English
- Chair in an NAI arbitration between Dutch manufacturers and a French distributor concerning the distribution of diesel engines in the maritime sector under Dutch law in Amsterdam, conducted in English
- Emergency Arbitrator in an ICC emergency arbitrator proceeding between a Hungarian pharmaceutical company and an Irish distributor concerning the distribution of contraceptives under Dutch law in Amsterdam, conducted in English
- Co-arbitrator in an ICC arbitration between a Libyan distributor and a major French multi-national concerning a distributorship agreement in the health sector under French law in Paris, conducted in English
- Sole Arbitrator in an UNCITRAL arbitration between a US entity and a supranational international organization, conducted in English
- Sole Arbitrator in an LCIA arbitration between an Irish entity and a Russian party concerning a loan agreement under English law in England, conducted in English
- Sole Arbitrator in an ICC arbitration between an international consortium of contractors and a Romanian State-owned entity concerning the construction

of motorways in Romania under the FIDIC Yellow Book regime under Romanian law in Bucharest, conducted in English

- Chair in a DIS arbitration between two German companies concerning a post-M&A dispute under German law in Germany, conducted in German
- Sole Arbitrator in an ICC arbitration between a Greek shareholder and a Belgian and Greek company under Greek law in Belgium, conducted in English
- Chair in a DIS arbitration between a Swiss consultancy firm and a major German nuclear energy company under German law in Germany, conducted in German
- Sole arbitrator in an ICC arbitration between a transportation company from Bosnia Herzegovina and an Austrian transportation company under Austrian law, conducted in German
- Sole arbitrator in an LCIA arbitration between a BVI consultancy firm and a Greek IT company under English law in England, conducted in English
- Co-arbitrator in an ICC arbitration between a major Iranian petrochemical company and a major Ukrainian and Turkmen oil & gas companies under Swiss law in Switzerland, conducted in English and Russian

### **SPEAKING ENGAGEMENTS**

Global Online Conference, *Arbitration Online, Law and Practice*, online via Zoom, 20 May 2020

International Conference on Arbitration in the era of Globalization - 3rd Edition, *Enforcement of Arbitral Awards in Belgium*, New Delhi, 8 February 2020

6<sup>th</sup> Annual GAR Live Dubai, *The reasoning of arbitral awards and Res Judicata*, Dubai, 21 November 2019

CEPANI40, *Artificial Intelligence, Blockchain and International Arbitration - what to expect?* Brussels, 15 November 2019

Cambridge Arbitration Day, ICC YAF, *Young Practitioners: How to Raise Your Profile in the Arbitration Network? With a Special Emphasis on Social Media Networks*, Cambridge, 15 March 2019

Frankfurt Investment Law Workshop, *Investment Arbitration and Digitalization, Data Protection and Arbitration*, Frankfurt a. M., 8 March 2019

International Arbitration for Business: Energy and Infrastructure Sectors Uncovered, *Experiences in Arbitration in the Construction and Infrastructure Sector*, Bucharest, 21 February 2019

6<sup>th</sup> ITA-IEL-ICC Joint Conference on International Energy Arbitration, *Trendlines in Energy Disputes – What Is Next?*, Houston, 25 January 2019

ECT Modernization Conference, *The Umbrella Clause and the Right to Regulate*, Brussels, 17 January 2019

60 Years BIICL, 50 Years Brussels Regime, 60 Years New York Convention, *The New York Convention Turns 60*, London, 29 November 2018

ICC Belgium, *Sanctions and Arbitration*, Brussels, 7 September 2018

2<sup>nd</sup> ICC European Conference on International Arbitration, *Tomorrowland: AI, Smart Contracts, Blockchain and the End of Arbitration as We Know It?*, Paris, 9 April 2018

CEA Belgian Chapter, Third Annual Conference, “The Present and Near Future of New Technologies in Arbitration”, Brussels, 23 February 2018

SCAI Innovation Conference “Arbitrating the Future”, *Dealing with Quantum Submissions on Future Damage*, Zurich, 1 February 2018

ECT Investment Arbitration Masterclass, *PCA Investment Arbitration Practice and Procedure*, Brussels, 6 November 2017

Enforceability of South-Korean Awards in Belgium, *Joint CEPANI-KCAB Event*, Brussels, 25 October 2017

ICC YAF/ICDR Y&I/Young ICSID Joint Conference, *2016’s Hot Topics: Change Is in the Air*, Keynote Speaker, Paris, 8 December 2016

IADC International Corporate Counsel Conference, *Impact on Data Evolution on Discovery before Arbitral Tribunals in Light of the IBA Guidelines on Party Representation*, Brussels, 13 October 2016

ICSID-CRCICA Joint Conference—Key Issues in International Investment Arbitration, *Treaty Interpretation and the Role of States*, Cairo, 28 September 2016

Helsinki International Arbitration Day, *Digitalization and Cybersecurity—New Challenges to International Arbitration?* Helsinki, 26 May 2016

Georgetown International Arbitration Month, *The Role of Arbitral Secretaries*, Georgetown, 23 February 2016

Club Español de Arbitraje, *EU Law and Investment Arbitration—Some Paradigmatic Cases Other than Micula*, Brussels, 19 February 2016

IBA Vienna, *Sanctions and Arbitration*, Vienna, 6 October 2015

ICCA, Young ICCA, ICDR Y & I, ICC YAF Joint Conference, *Conduct of International Arbitration: The Arbitrator's Perspective*, Paphos, 18 September 2015

ICC YAF Annual Conference, *How to Become an Effective Administrative Secretary*, Workshop Lead Tutor, London, 27 June 2015

DIS Frühjahrsveranstaltung, *Anwaltliche Überzeugungskraft—Eine Frage der Rechtskultur?*, Dresden, 7 May 2015

CEPANI 40 Luncheon Debate, *Arbitral Secretaries—The Exposed Ghost Writer*, Brussels, 27 February 2015

AIA Brussels Arbitration School, *Training on the Arbitration Proceedings*, Brussels, 9 February 2015

FAI, *The International Board of the Finnish Arbitration Institute*, Helsinki Arbitration Day, Helsinki, 5 June 2014

AFSIA/DAV, *Germany as Seat of Arbitration—Is Germany Meeting the Expectations of Foreign Parties?* Frankfurt, March 2014

ICC YAF, YAC, *Confidentiality and Drafting Arbitration Clauses*, Helsinki, September 2013

IBA 5th Biennial Construction Projects Conference, *Drafting the Contract, Drafting Dispute Escalation/Resolution Provisions*, Brussels, September 2013

Hanotiau & van den Berg Luncheon, *The New Belgian Arbitration Law—Arbitrator Appointment, Challenge and Replacement*, Brussels, September 2013

IBA Annual Conference, *The Do's and Dont's of Trial Work*, Dublin, October 2012

ICCA 2012 Congress, *The Use of Arbitral Secretaries*, Singapore, June 2012

Roschier Arbitration Forum, *Disclosure—Less is More*, Stockholm, May 2012

DIS Latvia, *Construction Disputes*, Riga, May 2012

Young ICCA, *Document Disclosure in International Arbitration*, Stockholm, March 2012

Young ICCA, *Document Disclosure in International Arbitration*, Prague, October 2011

Young ICCA, *How to Avoid Double Accounting in Parallel Contract and Treaty Claims—Damages in Investment Arbitration*, Buenos Aires, September 2011

ASA below 40, *Torpedoes and Anti-torpedo Torpedoes—Using and Avoiding Parallel Court Proceedings*, Zurich, November 2009

Deutscher Juristinnen Bund, *General Overview on International Arbitration*, Brussels, November 2009

## **PUBLICATIONS**

German translation of ICCA's *Guide to the Interpretation of the 1985 New York Convention: A Handbook for Judges*, ICCA, 2011, forthcoming 2019/2020, together with Christoph Liebscher

"*The (Ir)Relevance of the Arbitrator's Nationality*", *Liber Amicorum*, 50<sup>th</sup> Anniversary of CEPANI, Wolters Kluwer, 2019, together with T. Vijra

Chapter on "*Efficiency*" (co-author), in the "*International Bar Association Investment Arbitration Subcommittee's Report on Consistency, Efficiency and Transparency*", 2018

"*Arbitrators and Their Online Identity*", Christian Aschauer and Maud Piers (eds.), *Arbitration in the Digital Age—The Brave New World of Arbitration*, Cambridge University Press, 2018

"*Arbitral Institutions in a New Light*", Book Review of *The Functions of Arbitral Institutions*, by Rémy Gerbay, ICC Dispute Resolution Bulletin (2017, Issue 1, p. 103)

"*Arbitration in Belgium – A Practitioner's Guide*", Niuscha Bassiri and Maarten Draye (eds.), *Kluwer International Law*, 2015

"*Young ICCA Guide on Arbitral Secretaries*", *The ICCA Reports* No. 1, April 2014

"*Back to Basics—The First PCA Award of 14 October 1902*", *ICCA Newsletter*, p. 11, December 2013

"*ICC-SchO, DIS-SchO, Praxiskommentar zu den Schiedsgerichtsordnungen*", Verlag Dr. Otto Schmidt, Köln 2013, Commentaries to Articles 6, 28 and 29 (Article 29 together with H. Haller) of the ICC Rules and Article 30 of the DIS Rules (second edition forthcoming)



“*Arbitral Secretaries*”, International Arbitration – The Coming of a New Age? ICCA Congress Series No. 17, p. 327, Kluwer Law International 2013 (with C. Partasides, U. Gantenberg, L. Bruton and A. Riccio)

“Armand de Mestral & Céline Lévesque (eds), *Improving International Investment Agreements*”, Book Review, Global Trade and Customs Journal, Volume 8 (2013), Issue 9, pp. 306-310

“*The Practice of Arbitration, Essays in Honour of Hans van Houtte*”, Book Review, Les Cahiers de l’Arbitrage, Vol. 2, 2013, p. 541

## **EDUCATION**

### **HIGHER REGIONAL COURT OF COLOGNE**

Legal Training and Second Legal State Examination June 2000 to July 2002

### **UNIVERSITY OF BARCELONA**

Erasmus Scholarship September 1996 to July 1997

### **UNIVERSITY OF COLOGNE**

September 1993 to January 2000

First Legal State Examination January 2000