# Anne K. Hoffmann

Anne K. Hoffmann, LL.M. Hoffmann Arbitration FZE

PERSONAL DATA
Nationality: German

Level 3, The Offices 3, One

Central,

World Trade Centre QUALIFICATIONS
PO Box 9573 LL.M. (Master of Laws)

Dubai University College London, University of London, 1998

Germany

Mail: First State Exam, Freie Universität Berlin, 1997

hoffmannarbitration.com
Second State Exam, Rechtsanwältin (qualified to practice since November 2000)

Phone:

+971 50 98 76 488 England and Wales

Solicitor (qualified to practice since June 2003

www.hoffmannarbitration.com

#### **EXPERIENCE**

Oct 2018 – present Independent Arbitrator, Hoffmann Arbitration, Dubai

Jan 2017 – Sep 2018 Legal Director at Clyde & Co, Dubai

Jun 2013 – Jun 2016 Special Counsel at Al Tamimi & Company, Dubai

Apr 2005 – May 2013 Associate and Partner (from 2011) at Python & Peter, Geneva

Jan 2003 – Mar 2005 Worked as assistant at the Bar in London, especially for VV Veeder, QC and Alan Redfern

Nov 2000 - Dec 2002 Associate at Coudert Brothers, London

### REPRESENTATIVE CASES AS ARBITRATOR

# Commercial Arbitration

- · UAE company v. UAE company, dispute arises out of constructions project, DIAC Rules, UAE law (Chair)
- US company v. CIS State, dispute concerns financial instruments, LCIA Rules, English law (Co-arbitrator)
- Singaporean company v. two Indonesian entities, dispute arises from an agreement concerning the sale of coal and related guarantee, SIAC Rules, Singaporean law (Sole Arbitrator)
- Maltese entity v. Dutch company, dispute concerns interests arising out of a sale and purchase agreement, HKIAC Rules, English law (Co-arbitrator)
- Kazakh, Belorussian and Azerbaijani company v. Russian company, HKIAC Rules on Emergency Arbitration, English law (Emergency Arbitrator)
- German company v. Saudi company, dispute relates to a service agreement concerning medical laboratory services, DIS Rules, German law (Co-arbitrator)
- Swedish company v. two Saudi companies, dispute arises out of a distribution agreement in the medical sector, SCC Rules, Swedish law (Co-arbitrator)
- Swiss company v. UAE company, dispute relates to a payment guarantee issued in the context of a design and construction project, DIAC Rules, DIFC law (Sole Arbitrator)

- Swedish company v. Russian company, dispute arises out of a license agreement in the telecommunications sector, SCC Rules, Swedish law (Sole Arbitrator)
- Cypriot company v. US company, dispute concerns obligations under a loan agreement, HKIAC Rules, English law (Sole Arbitrator)
- Croatian company v. Russian company, dispute arises out of a contract for the sale and purchase of gas, ICC Rules, Austrian law (Co-arbitrator)
- Korean company v. Chinese company, dispute arises out of a payment guarantee, KCAB Rules, Korean law (Co-arbitrator)
- Swiss company v. Irish company, dispute concerns the suspension and termination of several long-term contracts for the supply of coal, ICC Rules, English law (Co-arbitrator)
- UK company v. UAE company, dispute arises out of a franchise agreement, DIAC Rules, DIFC law (Sole Arbitrator)
- UAE/Indian company v. UAE company, dispute arises out of a sale purchase agreement in the real estate sector, DIAC Rules, UAE law (Co-arbitrator)
- Austrian company v. English company, dispute arises out of agreements concerning the purchase of plastic materials, SCC Rules, English law (Chair)
- Swiss company v. Bulgarian company, dispute arising out of a coal supply agreement, SCC Rules, English Law (Chair)
- Turkish company v. Afghani company, dispute concerns substation construction project, SIAC Rules, Afghani Law (Chair)
- UAE entity v. UAE entity, dispute arises out of a partnership agreement, DIAC Rules, UAE Law (Chair)
- Gibraltar company v. Swiss company, dispute concerns oil delivery agreement, LCIA Rules, English Law (Co-arbitrator)
- UAE company v. UAE company, dispute arises out of a construction project, UNCITRAL Rules (ad hoc), UAE Law (Coarbitrator)
- Saudi Arabian company v. BVI, Maltese and Egyptian companies, dispute concerns the financing of a large infrastructure project, CRCICA Rules, English Law (Co-arbitrator)
- Saudi Arabian company v. Chinese/ Saudi company, dispute arises out of a power project, LCAM Rules, Law of Saudi Arabia (Co-arbitrator)
- UAE/Chinese company v. UAE company, dispute concerns feasibility study for infrastructure project, DIAC Rules, UAE Law (Chair)
- Azerbaijani entity v. Austrian and Jersey entities, dispute arises out of a service agreement, VIAC Rules, Austrian Law (Chair)
- UAE company v. Iranian company, dispute arising out of a cooperation agreement, DIAC Rules, UAE Law (Sole Arbitrator)
- UK company and Hong Kong company v. UAE company, dispute arising out of a sales contract relating to chemicals, SCC Rules, The United Nations Convention on Contracts for the International Sale of Goods (CISG) (Chair)
- UK entity v. UAE company, dispute arising out of a share purchase agreement in the property development sector, DIFC-LCIA Rules, DIFC Law (Sole Arbitrator)
- · Qatari entity v. Qatari company, dispute arising out of a lease agreement, ad hoc, Qatari Law (Chair)
- BVI entity v. three UAE entities, dispute arising out of management agreement, DIFC-LCIA Rules, DIFC Law (Sole Arbitrator)
- UK company and two UAE companies v. UAE company, dispute arising out of share sale and purchase agreement, DIFC-LCIA Rules, DIFC Law (Sole Arbitrator)
- Russian company v. Hong Kong company, dispute arising out of a sale and purchase agreement concerning maritime goods, HKIAC Rules (Expedited Procedure), Laws of England & Wales / Russian Law (Sole Arbitrator)
- UAE entity v. UAE entity, dispute arising out of a construction contract, ADDCAC Rules, UAE Law (Co-arbitrator)
- BVI company v. UAE company, dispute arising out of a loan agreement, DIFC-LCIA Rules, Laws of England & Wales (Coarbitrator)

- Indian entity (DIFC branch) v. UAE entity, dispute arising from a credit facility agreement, DIFC-LCIA Rules, Laws of England & Wales (Co-arbitrator)
- · Malaysian entity v. Singaporean entity, dispute arising from a supply agreement, ad hoc, Malaysian law (Sole Arbitrator)
- Indian claimant v. Panama respondent, dispute arising from a share purchase agreement, DIAC Rules, UAE Law (Chair)
- UAE claimants v. Japanese respondent, dispute arising from a shareholder agreement in the automotive industry, DIAC Rules, UAE Law (Chair)
- UAE entity v. Indonesian entities, dispute arising from a coal sale purchase agreement, SIAC Rules (Expedited Procedure), Law of England & Wales (Sole Arbitrator)
- UAE claimant v. UAE respondent, dispute arising out of a lease agreement, DIAC Rules, UAE Law (Chair)
- American and UAE claimants v. BVI and UAE respondents, dispute arising out of an option repurchase agreement in the hospitality sector, DIFC-LCIA Rules, UAE Law (Sole Arbitrator)
- UAE company v. Saudi Arabian company, dispute arising out of two licensing/franchising agreements, LCIA Rules, Kuwaiti and Bahraini Law (Chair)
- Omani claimant v. UAE respondent, dispute arising from shareholder agreement, DIFC-LCIA Rules, UAE Law (Sole Arbitrator)
- Omani claimant v. UAE respondent, dispute arising from share purchase agreement, DIFC-LCIA Rules, UAE Law (Sole Arbitrator)
- Saudi Arabian company v. UAE company, dispute arising from distribution agreement, ICC Rules, UAE Law (Sole Arbitrator)
- Indian claimant v. American respondent, dispute arising out of a partnership agreement in the hospitality sector, DIFC-LCIA Rules, UAE Law (Sole Arbitrator)
- US American claimant v. UAE companies, dispute arising from a joint venture agreement, DIFC-LCIA Rules, UAE Law (Coarbitrator)
- Russian claimant v. UAE respondent, dispute arising from a property contract, DIAC Rules, UAE Law (Sole Arbitrator)
- UAE company v. two Belorussian companies, dispute arising from an oil delivery contract, LCIA Rules, Law of England & Wales (Co-arbitrator in two parallel proceedings)
- Turkish company v. Tunisian company, dispute arising from steel sales contract, Swiss Rules (Expedited Procedure), Swiss Law (Sole Arbitrator)
- Belorussian company v. Italian company, delivery and installation agreement, Swiss Rules, Swiss Law (Sole Arbitrator)
- Swiss company v. US corporation, sales contract, ICC Rules, Swiss Rules, Swiss Law (Sole Arbitrator)
- French company v. Saudi Arabian company, dispute arising out of a design and management services agreement concerning the construction and restructuring of a shopping centre, ICC Rules, Swiss Law (Sole Arbitrator)
- Turkish company v. Ministry of Education of a Central Asian State, contractual dispute arising from a sales contract, UNCITRAL Rules, Swiss Law (Chair)
- · Russian company v. Irish company, contractual dispute in the telecommunications sector, ad hoc, Swiss Law (Chair)
- · Hong Kong corporation v. Ukrainian company, delivery of telecommunication equipment, DIS Rules, German Law (Chair)

#### **Investment Treaty Arbitration**

- Dutch & Swedish investors v. Eastern European State, dispute concerns investment in the energy sector, BITs, UNCITRAL (Co-arbitrator appointed by respondent State)
- Eastern European investors v. European State, mining dispute, BIT, UNCITRAL (Co-arbitrator appointed by claimants)
- Japanese investor v. Spain, (ICSID Case No. ARB/16/4), dispute arising under the Energy Charter Treaty, ICSID Rules (Presiding Arbitrator)

• English/ US investors v. Kazakhstan (ICSID Case No. ARB/15/13), dispute arising under the UK/US – Kazakhstan BITs, ICSID Rules (Co-arbitrator appointed by claimants)

#### REPRESENTATIVE CASES AS COUNSEL

- · representing Claimant in ICC gas price adjustment dispute
- representing Dutch investor in UNCITRAL BIT arbitration against North African State
- representing Claimant in UNCITRAL proceedings concerning contracts in support of activities of an international organization
- · representing Claimant in DIAC proceedings concerning property development dispute
- · representing Claimant in ad hoc, PCA administered, proceedings concerning construction project
- representing Claimant in GCC Arbitration Centre proceedings concerning failed joint venture
- representing Claimant in DIAC proceedings against developer
- · representing Dutch investor in UNCITRAL BIT proceedings against Eastern European State
- representing German investor in UNCITRAL BIT arbitration against Eastern European State
- representing American investor in ICSID proceedings against Central Asian State
- · representing Claimant in ICC arbitration between shareholders in Iraqi company
- · representing Respondent in ad hoc arbitration in Russia between two telecommunication companies
- representing Claimant in major ICC arbitration regarding oil terminal in Eastern Europe
- · representing Respondent in ICC arbitration between two telecommunication companies
- representing Claimant in large ICC arbitration between two major European telecommunication companies

#### **LANGUAGES**

English, German, Russian, French

# SPECIAL PROFESSIONAL ACTIVITIES/ ACHIEVEMENTS

- 2011 2021 Visiting Lecturer at Humboldt University, Berlin, Germany
- Panel of Arbitrators of SIAC, HKIAC, AIAC, KCAB and ArbitrateAD
- · Member of SIAC Users Council
- · Member of the Middle East Sub-Committee of the Equal Representation in Arbitration Pledge
- Member of the MENA Sub-Committee of the Greener Arbitrations Campaign (until December 2023)
- Chair of the Advisory Committee of the Dubai International Arbitration Centre (DIAC)
- recommended by Who is Who Legal as a Global Leader in arbitration consistently since 2014, and since 2024 as a Global Elite Thought Leader
- recommended by Who is Who Thought Leaders in Arbitration (since 2024)
- · listed by Chambers Global as Most in Demand Arbitrator"
- listed in The Legal 500 Arbitration Powerlist Middle East
- Mentor in the Young ICCA Mentoring Programme 2024/25

## **PUBLIC SPEAKING**

• 28 June 2024 – Speaker at seminar organized by the National Board of Trade Sweden on "Investment treaty claims in respect of sanctions", Stockholm

- 6 9 June 2024 Participating in the 12th CILS Biennial Arbitration Symposium, Salzburg
- 25 April 2024 Speaker at the Civil Law Conference Change of circumstances and the contract in civil law: flexibility or uncertainty? Pacta sunt servanda: is the contract always the law of the parties?", Abu Dhabi
- 26 February 2024 Speaker at the ICC Institute of World Business Law Advanced Training on Documentary Evidence: Reassessing its role and value in international commercial arbitration Focusing on critical key issues of M&A and construction disputes, Dubai
- 22 February 2024 Speaker at the AAA-ICDR event on "ICDR Technology, Life Sciences and IP Survey Recommendations: Exploring the Survey Results, Recommendations and Insights", Singapore
- 14 November 2023 Speaker at event during Dubai Arbitration Week on "Evidence and Cross-examination in International Arbitration", Dubai
- 12 October 2023 Speaker at the South-Eastern Europe Arbitration Conference on "Ask the Arbitrator", Vienna
- 31 August 2023 Speaker at event of the Swedish Women in Arbitration (SWAN) on issues regarding appointments as arbitrator, Stockholm
- 8 March 2023 Speaker at the Annual IPBA Conference on The Present and Future of International Climate Change Litigations, Dubai
- 7 March 2023 Speaker at SIAC/ADGM Arbitration Conference 2023 on Global Developments and Trends in International Construction Arbitration, Abu Dhabi
- 28 February 2023 Speaker at Naschitz Brandes Amir Law Firm / Tel Aviv Arbitration Week event on Navigating damage calculation through global turbulence", Dubai
- 25 January 2023 Speaker at GAR Live on This house believes that post-covid in-person main hearings will again become the norm", Abu Dhabi
- 25 November 2022 Speaker at CEPANI Colloquium Default in International Arbitration Striking the balance" on the topic Iura Novit Arbiter", Brussels
- 17 November 2022 Speaker at Reed Smith / Dubai Arbitration Week event on Is Regional Arbitration Fit For Purpose?", Dubai
- 16 November 2022 Speaker at GAR Live on This house believes that arbitration should apply a binding doctrine of precedent", Dubai
- 15 November 2022 Speaker at Masin / Dubai Arbitration Week event on The Great Delay Debate in Construction Arbitrations", Dubai
- 8 November 2022 Speaker at SIAC/ SCL Korea Seminar on Global Construction Projects Understanding Emerging Markets and Revisiting Dispute Resolution Methods", Seoul
- 18 October 2022 Speaker at ICC UAE/ CIArb Seminar on International Challenges in Investment Arbitration", Dubai
- 13 October 2022 Speaker at Arbitral Women/ Istanbul Arbitration Week on Arbitration and Human Rights", Istanbul
- 7 October 2022 Speaker at Asia ADR Week on Playing Solomon: A Temptation to be Resisted?", online
- 9 February 2022 Speaker at GAR Live on Perfecting Persuasion Advanced Advocacy", Abu Dhabi
- 23 September 2021 Speaker at Paris Arbitration Week on The impact of the BRI on dispute resolution in emerging markets", online
- 26 August 2021 Speaker at the ELSA Athens Summer Law School on International Investment Law on Counterclaims in Investment Arbitration, online
- 19 August 2021 Speaker at ASIA ADR Week on Quo Vadis, Malaysia? Revisiting Third Party Funding", online
- 8 April 2021 Speaker at the launch event of the Equal Representation in Arbitration Pledge Middle East Subcommittee on How to make it as a female arbitrator in the Middle East", online
- 7/8 April 2021 Speaker at SIAC Middle East Academy on Theory and Practice of Emergency Arbitration", online

- 8 March 2021 Guest speaker at CRCICA webinar on The New World of Arbitration Lessons for Counsel and Arbitrators from the Past Year", online
- 17 November 2020 Moderator at GAR Interactive Dubai of a discussion on Achieving full diversity and inclusion", online
- 10 November 2020 Speaker at ADGM Arbitration Community Check-in The status of arbitration in the current environment", online
- 8 October 2020 Speaker at GAR Interactive Moscow on This house believes that judges or arbitrators should be more critical of counsel and experts in awards", online
- 20 August 2020 Speaker at the ELSA Athens Summer Law School on International Investment Law on Counterclaims in Investment Arbitration, online
- 5 February 2020 Speaker at SIAC/ADGM Arbitration Conference on Saving Time and Costs under the SIAC Rules Expedited Procedure, Emergency Arbitrator, Early Dismissal", Abu Dhabi
- 5 February 2020 arbitrator in mock cross examination during YSIAC Workshop on Oral Advocacy, Abu Dhabi
- 28 January 2020 Speaker at GAR Live on This House believes that the erosion of arbitral immunity is to invite the guerrilla into the room", Abu Dhabi
- 18 November 2019 Speaker at the 2019 International Arbitration Conference on Around the globe in 60 minutes: hot topics in international arbitration", Brisbane
- 26 September 2019 Chair of the 6th Annual International Arbitration and Regulatory Global Summit Turkey & Middle East, Istanbul
- 28 May 2019 Speaker at GAR Live on the topic Arbitral Institutions what does value for money mean for users", Frankfurt
- 23 November 2018 Speaker at the 2nd International Conference of the Libyan International Arbitration Centre on Counterclaims in Investment Arbitration", Tunis
- 18 November 2018 Speaker during the BCDR-AAA/ SCC Joint Conference on Salient Issues in Investment Arbitration, Bahrain
- 15 November 2018 Speaker at GAR Live on the topic of  $\,$  AI in IA  $\,$  , Dubai
- 27 September 2017 Speaker during 4th International Arbitration Summit on Protecting Investments through Bilateral Investment Treaties", Istanbul
- 15 June 2017 Speaker at GAR Live on issues of third-party funding, Istanbul
- 4 April 2017 Speaker during ICC MENA Conference on Parallel proceedings, tactics and remedies: Overview of available options, prevailing practices and anti-suit injunctions", Dubai
- 24 February 2016, Lecture on Counterclaims in Investment Arbitration" at law school of McGill University, Montreal
- 23 February 2016, Speaker at McGill Journal of Dispute Resolution Symposium on expert evidence in international arbitration. Montreal
- 10 December 2015 Speaker at BCDR-AAA/ BIICL International Investment Arbitration Conference Bahrain, on What next for the MENA Region and Investment Treaties are Arab States being left behind?", Manama
- 20 November 2014 Speaker during GAR Live on Investment Arbitration is the Middle East heading the way of Latin America?", Dubai
- 19 November 2014 Speaker at the Young ICCA Workshop (Strategy Considerations in International Arbitration in the Middle East") and the MENA Young Arbitrators Conference (Investment Arbitration in the Middle East"), Dubai
- 22 May 2014 Speaker on Investment Arbitration during the first Madrid Arbitration Day
- 29 October 2013 Speaker during CIArb Young Group's seminar, Dubai
- 18 October 2013 Chair of panel during ABA fall meeting on Abuses in International Arbitration", London
- 12 June 2012 Rapporteur at the ICCA Congress on Evidence, Document Production, Witnesses, Experts and Hearings", Singapore

- 17 November 2011 Speaker at Kyiv Arbitration Days 2011 on Document Production abuse and how much is too much?"
- 29 March 2011 Guest Lecture on investment arbitration at King's College London before the Master Class of International Arbitration 2010/2011, London
- 3 March 2011 Roundtable Talk at the Faculty of International Law at the University of Vienna on What is an investment? Recent developments on this issue in international investment law"
- 30 April 2010 speaker at the Juris Conference on Investment Arbitration in the Asia Pacific Region", Washington DC
- 1/2 April 2009 speaker at the ITA-CANACO Americas Workshop, Mexico City
- 18/19 June 2008 speaker at roundtable talk on Interest and Cost in Arbitration" as well as at the ITA Annual Workshop on Damages in International Arbitration", Dallas
- 14/15 May 2008 speaker at conference on Investment Treaties and Investor-State Dispute Settlement: Emerging Issues and Challenges for Arab Countries" (jointly organised by UNCTAD/CRCICA), Cairo
- 7 March 2008 organiser of and speaker at conference on Protection of Investments through Modern Treaty Arbitration Diversity and Harmonisation", Zurich
- 21 September 2007 speaker at conference on Substantive Standards of Protection in Investment Arbitration", Vienna
- 29 September 2006 moderator at the annual seminar of ASA below 40, Zurich
- 6 October 2004 chairing panel on Arbitration during the annual meeting of the European Branch of the Chartered Institute of Arbitrators, Vilnius, Lithuania

#### **PUBLICATIONS**

- Duty of Disclosure and Challenge of Arbitrators: The Standard Applicable Under the New IBA Guidelines on Conflicts of Interest and the German Approach, 21(3) Arb. Int'l 427 (2005)
- Counterclaims by the Respondent State in Investment Arbitrations The Award on Jurisdiction over Respondent's Counterclaim in Saluka Investments B.V. v Czech Republic, 6 SchiedsVZ, 317 (2006)
- Book review on International Investment, Political Risk and Dispute Resolution: a Practitioner's Guide" by Noah Rubins and Stephan Kinsella, 23(3) Arbitration International, 518 (2007)
- The investor's right to waive access to protection under a bilateral investment treaty, 22(1) ICSID Review Foreign Investment Law Journal, 69 (2007)
- Indirect Expropriation, in: Substantive Standards of Investment Protection (ed. A. Reinisch), Oxford University Press (2008);
- The Relationship between International Tribunals and Domestic Courts (co-authored with J. van Harsoelte van Hof), in: The Oxford Handbook of International Investment Law (2008)
- Protection of Investments through Modern Treaty Arbitration Diversity and Harmonisation, ASA Special Bulletin edited by Anne K. Hoffmann, May 2010
- Modern Forms of Expropriation, in: Protection of Investments through Modern Treaty Arbitration Diversity and Harmonisation (ed. Anne K. Hoffmann), ASA Special Bulletin, May 2010
- Public policy versus private interest has balance been maintained in investment protections in the Asia-Pacific region? in: Investment Treaty Arbitration and International Law - Volume 4, Ian A. Laird, Todd J. Weiler, Nina Mocheva (editors), Juris 2012
- Counterclaims in Investment Arbitration, 28(2) ICSID Review Foreign Investment Law Journal, 438 (2013)
- Selection and Appointment of Arbitrators, in: Arbitration in Switzerland The Practitioner's Guide (ed. Manuel Arroyo), Kluwer 2013 (first edition); 2018 (second edition)
- Denial of Benefits, in: International Investment Law A Handbook (ed. M. Bungenberg, J. Griebel, S. Hobe, A. Reinisch), C.H. Beck-Hart-Nomos, 2015

- Counterclaims, in: Building International Investment Law The First 50 Years of ICSID, (ed. M. Kinnear, G. Fischer, J. Minguez Almeida, L. F. Torres, M. Uran Bidegain), Kluwer, 2016
- Middle Eastern Investors as Claimants in Investment Treaty Arbitrations, in: (2016) 3 BCDR International Arbitration Review, 389, Issue 2
- The New Arbitration Law of the United Arab Emirates Two steps forward?, in: 3 SchiedsVZ, 126 (2019)
- Country Update: United Arab Emirates, in: Asian Dispute Resolution, October 2020, 179
- Iura Novit Arbiter, in: Default in International Arbitration Striking the balance, Reports from the CEPANI Colloquium held on 25 November 2022 (ed. Dirk De Meulemeester), Wolters Kluwer 2022, 109
- Awards, Orders and Deliberations, in: MENA Leading Arbitrators' Guide to International Arbitration (ed. G. Blanke, S. Corm-Bakhos, N. Comair-Obeid), Juris, 2023