



PAUL LEFEBVRE
HANOTIAU & VAN DEN BERG
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PERSONAL INFORMATION

Place and date of birth: Ghent, 21 December 1960

Residence: Emile Clausstraat 18, 1050 Brussel

Civil Status : married, 3 children

LANGUAGES

bilingual Dutch/French;

English : fluent

German : intermediate

PRESENT PROFESSIONAL STATUS

- **Member of the Bar of the Supreme Court ;**
- **Partner at HANOTIAU & VAN DEN BERG ;**
- **Professor at the ICHEC in International Commercial Law and Dispute Resolution;**
- **Chairman and arbitrator in several institutional and *ad hoc* arbitrations.**

Office : Avenue Louise 480 Louizalaan Brussels 1050 Brussel, Belgium

QUALIFICATIONS

- Law degree, High Honours, University of Ghent Law School [*Rijksuniversiteit Gent*], June 1983 ;
- Certification of law degree in French, 1985 ;

- Certificate in Accountancy, University of Gent [*Universiteit Gent*], 1981 ;
- Certificate in Advanced English Business Law, City of London Polytechnics, 1983 ;
- Degree “*Droit Economique*”, High Honours (1984), Honours (1985), Free University of Brussels [*Université Libre de Bruxelles*], 1985 ;
- First year, High Honours, “*Droit Européen*”, at the Institute for European Studies of Brussels [*Institut d’Etudes Européennes à Bruxelles*], 1984 ;
- Master of Law [LLM], University of Cambridge, United Kingdom, 1986 (Studied: Law of Peace, Law of Conflicts and Peaceful Settlements, Law of Treaties, International Private Law) ;

PROFESSIONAL EXPERIENCE

Present situation

- Founding partner of Hanotiau & van den Berg in 2001 ; The firm was the Belgian Legal Award winner of the year both in 2006 and 2007 in the field of ADR & Arbitration ;
- Appointed by Royal Decree of 17 July 2001 member of the Bar of the Supreme Court (*Cour de cassation / Hof van Cassatie*) ;
- Chairman and arbitrator in several institutional arbitrations and arbitrations *ad hoc* ;
- Professor at the *Ichec* in Brussels, Master course, *International commercial law & dispute resolution*, (taught in English) ;
- From 1995, member of the Institute of Financial Law, operating within the law faculty of the University of Ghent. Focus on corporate & securities law.

Previous situation

- Sworn in as member of the Brussels Bar, January, 1985 :
Supervising Attorney: Ludovic DE GRUYSE, partner at SIMONT & SIMONT (presently STIBBE) and member of the Bar of the Belgian Supreme Court [*Cour de Cassation*]. Trained in specialised Supreme Court procedure and general commercial work, including bankruptcy law ;
- Assisting Professor of Professor Willy DE CLERCQ (Chair of Public Finance at University of Ghent) ;
- Trainee, TRAVERS, SMITH & BRAITHWAITE (law firm), London, England, July - October 1986 ;
- Assisting Professor of Professor WYMEERSCH (Chair of commercial law at the University of Ghent), February 1989 –1995 (six-year position expired) ;

- Associate, STIBBE, BLAISSE en DE JONG, August 1989 – April 1991. Focus on intellectual property law ;
- Partner, DERKS STAR BUSMANN HANOTIAU (made a partner in 1993), April 1991 – 2001.

PUBLICATIONS

- Note in Dutch concerning the repurchase of unsold stock in case of unilateral termination of exclusive distributorship agreements, under a decision rendered by the Court of Appeals of Brussels, 5 November 1990, *T.B.H.*, 1992, p. 515 ;
- Note in French concerning the loss of bearer shares, under a decision rendered by the Court of Appeals of Brussels, *T.B.H.*, 1993, p. 374 ;
- Note in French concerning the misuse of bank guarantees on first demand under a decision rendered by the Court of Appeals of Brussels, 26 June 1992, *T.B.H.*, 1994, p. 51 ;
- Article in Dutch concerning the civil law consequences of infringements/violations of the new financial legislation: in *Financieel Recht tussen Oud en Nieuw*, (Ed. WYMEERSCH, E.), Maklu Uitgevers, 1996, p. 406 ;
- Article in English concerning the distributorship agreements under Belgian law [CALLENS & LEFEBVRE], Belgium, in *International Encyclopedia of Agency and Distribution Agreements*, Kluwer Law International, 1997 ;
- Article in German concerning the distributorship agreements and agency agreements under Belgian law [HANOTIAU, B. & LEFEBVRE, P.] Belgium, in *Handbuch des Vertriebsrechts* (Eds. MARTINEK M., and ZEMMLER F.J.), C.H. Beck, p. 1116 ;
- Article in Dutch concerning the injunction procedure in financial matters, in *Artikelsgewijze Commentaar Financieel recht*, Kluwer ;
- Article in Dutch concerning the information to be disclosed by stock-listed companies, in *Artikelsgewijze Commentaar Financieel recht*, Kluwer ;
- Article in Dutch concerning the periodic information to be disclosed by stock-listed companies, in *Artikelsgewijze Commentaar Financieel recht*, Kluwer ;
- Article in English concerning the Belgian civil and commercial procedure. [Ed. Shelby Grubbs] in *International Civil Procedure*, Kluwer International, 2003 ;
- Article in Dutch concerning modifications between categories of securities, in *Artikelsgewijze Commentaar Vennootschapsrecht*, Kluwer ;
- Article in Dutch concerning the public character of financial transactions, in *Artikelsgewijze Commentaar Financieel recht*, Kluwer ;
- Periodic summaries of Belgian court decisions for law journal *Revue de Droit Commercial / Tijdschrift Belgisch Handelsrecht*. In French and Dutch) ;

- Article in Dutch, “Autopsy of a drag along clause with a few private international law questions” in *Liber Amicorum Prof. Wymeersch*, Intersentia, 2008 ;
- Article in English “*Legal Professional Privilege : Comparing Different Approaches Within the United States and the European Union*” by Paul LEFEBVRE, David J. ROSENBERG, Matthew ZWICK and Chloé VIALARD in *Defense Counsel Journal*, January 2012, vol. 79, n° 1, pp. 45-62. ;
- Article in French “*Vers une conception large de l’ordre public à l’instar de la portée qui lui est conférée dans le cadre de l’annulation de sentences arbitrales* » by P. LEFEBVRE and M. SERVAIS, in *B-Arbitra*, 2014/2, pp. 297 – 350 ;
- Article in French : « *La motivation de sentences arbitrales sous l’empire de la nouvelle Loi du 24 juin 2013* » by P. LEFEBVRE, in *P&B/RDJP*, 2015/4, pp. 126 – 141 ;
- Article in French : « *Le contrôle de la sentence arbitrale au regard de l’ordre public : le point de vue belge* » by P. LEFEBVRE & M. SERVAIS in *Journal des Tribunaux*, N° 45, 5 juin 2016, pp. 69 – 79 ;
- P. LEFEBVRE, “12. Kapitel. Internationales Vertriebsrecht/Länderberichte, §§ 59. Belgien”, pp. 1828 – 1844 in MARTINEK, SEMLER, FLOHR, *Handbuch des Vertriebsrechts*, 4. Auflage, 2016;
- Article in English : « *EU Data protection and the Conflicts of Laws : The Usual « Bag of Tricks » or a Fight Against the Evasion of Law?*” by P. LEFEBVRE and C. LAHAYE, *IADC in Defense Counsel Journal*, 2017, Volume 84, N° 3 ;
- Article in English : “*The New York Convention : An Autopsy of Its Structure and Modus Operandi*” by D. DE MEULEMEESTER & P. LEFEBVRE, in Maxi Scherer (ed.), *Journal of International Arbitration*, (© Kluwer Law International ; Kluwer Law International 2018, Volume 35, Issue 4), pp. 413-438 ;
- Article in French : « *Les différents régimes organisant la reconnaissance et l’exécution de sentences arbitrales établis par la Convention de New York du 10 juin 1958 et leur coexistence avec d’autres conventions ainsi qu’avec les dispositions de droit national* » par P. LEFEBVRE et M. SERVAIS, dans *B-Arbitra*, 2018/2, pp. 251-300 ;

SPEAKING ENGAGEMENTS :

15/09/2009 : **Companies involved in International Arbitration proceedings : An International Approach**
The Arbitrators point of view
 Atelier IJE / Lunchdebat IBJ
 HANOTIAU & VAN DEN BERG – Brussels

- 11/7/2011 : **“Cost Containment in Arbitration : An Arbitrator’s Perspective”**.
Speaker - IADC Annual Conference at Whistler (Canada)
- 17-18/05/2013 : **First session : Class action : how far are we in the EU compared to the US and how far do we want to go ?**
Second session : How far should one go with facilitating private actions in Competition law ?
Organizer - IADC Brussels Regional Meeting, HANOTIAU & VAN DEN BERG – Brussels
- 3/09/2013 : **The New Belgian Arbitration : “Setting aside awards”**
Speaker - Luncheon HANOTIAU & VAN DEN BERG - Brussels
- 23/05/2014 : **“How to Represent Clients in International Commercial Arbitrations More Effectively – Best Practices and Golden Standards : Learning from the Mistakes of Others ; Views from Experienced Arbitrators”**
Panelist - IADC Stuttgart Regional Meeting
- 5/07/2014 : **Power Over Me ? Personal Jurisdiction, Forum Non Conveniens and Choice of Law Issues That Arise in international Business Disputes**
Speaker - IBA Annual Meeting Vienna
- 27/11/2014 : **“Drafting and registration of Awards”**
Speaker - AIA – Association for International Arbitrators
BILLIET Lawyers : Avenue Louise 146, Brussels
- 12/02/2015 : **“Drafting and registration of Awards”**
Speaker - ABAS – Association for International Arbitrators
BILLIET Lawyers : Avenue Louise 146, Brussels
- 15/05/2015 : **Panel Discussion : The most relevant case-law at the European Union Court of Justice in 2014**
Speaker - IADC Lisboa
- 27/05/2015 : **A way forward : “Conflict of law and choice of arbitrator”**
Speaker - Joint Seminar of the Association of international Arbitration, the Arbitration Institute of Stockholm, Chamber of Commerce and the Brussels Diplomatic Agency
- 25/01/2016 : **Think Tank pour le développement de l’arbitrage à Luxembourg**
« Le contrôle de la sentence arbitrale au regard de l’ordre public »
Speaker - Chambre de Commerce de Luxembourg , Luxembourg
- 7/09/2016 : SAA - Swedish Arbitration Days – 8/9/2016 and 9/9/2016
Pre-conference : 18 : 00 – 20 : 00
P. LEFEBVRE, **“Do arbitrators tend to stretch their jurisdiction in investment arbitration ? A debate on Yukos awards.”**
- 13-14/10/2016 : **The Facts :**
How do I Process Them ?

How do I Store Them ?
How do I Discover Them ?
And Can I Lie About Them ?
Organizer - IADC Regional Meeting, Warwick, Brussels

- 22/06/2017 : *Turning Victory into Value*
Enforcement of arbitral awards in Belgium
Deep Dive on Arbitration
Speaker - IJE / IBJ - Brussels
- 11/05/2018 : *Challenging Arbitration Awards – An Examination of the Yukos Case from a Russian Perspective*
Speaker - 2018 IADC Singapore Corporate Symposium
- 05/10/2018 : *The future of investment arbitration within the European union : international court systems on the rise*
Presenter - IADC Rome
- 10/12/2018 : *State Courts and the Sovereign Immunity against Enforcement of Arbitral Awards*
Belgium laws and jurisprudence
Speaker - CRCICA Conference Sharm El Sheikh VII 9-10 December
Egypt, Sharm El Sheikh, Savoy Hotel SOHO SQUARE Egypt Hall
- 25/02/2019 : *GDPR : Nine Months Later – The Impact in the EU on Enforcement and Compliance and in the US on Discovery*
Speaker - 2019 IADC Midyear Meeting February 23 -28
The Ritz-Carlton Bacara, Santa Barbara, California, USA
- 10/05/2019 : *Enforcement and Registration of Arbitral Awards*
Speaker - 2019 SCCA/IADC Singapore Corporate Symposium, May 9-10
Rajah & Tann Singapore LLP, 9 Battery Road, Singapore

MEMBERSHIPS

- Instituut Financieel Recht at the Ghent University ;
- Centre Belge d'Arbitrage et de Médiation/ Belgisch Centrum voor Arbitrage en Mediatie ;
- International Bar Association ;
- International Association of Defense Counsel (IADC) ;
- July 2016 : nomination of Chair of the *International Committee* ;
- Association Européenne pour le Droit Bancaire et Financier (AEDBF) / Europese Vereniging voor Bank-en Financieel Recht (EVBFR) ;
- The Cambridge Society of Belgium ;

- Cercle Gaulois artistique et littéraire ;
- De Warande.