

Ms. Niuscha Bassiri

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For more than two decades, Ms. Niuscha Bassiri has acted as arbitrator and counsel in numerous international arbitrations under the major arbitral institutions and arbitration rules (CEPANI, DIFC-LCIA, DIS, ICC, LCIA, NAI, Swiss Rules, SCC, SIAC, UNCITRAL, VIAC) governed by various procedural and substantive laws, including *ad hoc*.

The arbitrations and mediations in which Ms. Bassiri has been involved concern State-entities and private entities alike, spanning a multitude of sectors such as banking, construction, energy, entertainment, finance, food and beverage, highways, infrastructure, insurance, luxury and leisure, maritime equipment, metallurgical industry, mining, nuclear power plants, oil & gas, pharmaceuticals, railways, real estate, satellites, solar power plants, steel, telecommunication, third-party funding, transportation, watches, wind parks and yachts and relating to diverse legal issues including corruption, distributorship, investment, joint ventures, licensing, patents, post-M&A, sales of goods and shareholding.

Ms. Bassiri's matters have been conducted at various seats, governed by a variety of substantive and procedural laws (including of Austria, Belgium, England and Wales, Estonia, Ethiopia, France, Germany, Greece, Italy, Jersey, Kazakhstan, Latvia, Luxembourg, Mongolia, Netherlands, New York, Romania, Russia, Singapore, Sweden and Switzerland).

Ms. Bassiri's training as a District Court and Court of Appeal judge in Germany gives her relevant insight into the 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. Ms. Bassiri appears as counsel before EU Member State courts, also representing sovereign States. As a mediator, Ms. Bassiri has successfully concluded an ICC mediation in an international post-M&A matter.

Ms. Bassiri is a member of the faculty of the University of Miami White & Case International Arbitration LLM program, and was a Visiting Senior Fellow at the National University of Singapore Faculty of Law and a guest lecturer in the Geneva LLM in International Dispute Settlement (MIDS) program. She was the inaugural and long-time lecturer in the master's program of the ICHEC Business and Management School in Brussels on International Commercial Law and Dispute Resolution in the English language. She has given lectures at the ICC's ePIDA Training on International Commercial Arbitration in 2020. Since 2020, Ms. Bassiri has been a faculty member of the CI Arb's Virtual Diploma on International Commercial Arbitration program. In 2023-2024, she is sharing her expertise as the Co-Chair and faculty member of the ICC

Advanced Arbitration Academy for Eastern Europe. Ms. Bassiri is also the Chair and faculty member of the Delos Dispute Resolution's Writing Awards Course. As a member of the ICC Task Force Addressing Issues of Corruption in International Arbitration, she is a Co-coordinator of one of the tracks, focusing on the use of AI for detecting red flags.

Ms. Bassiri regularly speaks at leading conferences and seminars on international arbitration. She publishes widely on topics such as efficiency in investment arbitration, arbitrators' nationality, EU consumer law and arbitration, enforcement of awards rendered in ODR, default arbitration proceedings, institutional rules' nationality requirements and arbitrators and their online identity. Ms. Bassiri is the co-editor and author of various landmark books, amongst them International Arbitration and the COVID-19 Revolution, as well as Arbitration in Belgium, the sole English-language commentary on the Belgian arbitration law. Ms. Bassiri is also a co-author in the leading German language commentary on the ICC and DIS Rules, now in its second edition. Amongst others, she has led the task force on the Young ICCA Guide on Arbitral Secretaries and translated from English into German ICCA's Guide to the Interpretation of the 1958 New York Convention.

Bar admissions: Cologne (2002), Brussels (B-List, 2006)

Languages: German, Farsi, English, French, Dutch, Spanish

Nationalities: German, Iranian

Education:

- Legal Training and Second Legal State Examination, Higher Regional Court of Cologne (2002)
- Erasmus Scholarship, University of Barcelona (1997)
- First Legal State Examination, University of Cologne (1993-2000)

Professional background

- Partner, Hanotiau & van den Berg, Brussels (2012-present)
- Associate, Hanotiau & van den Berg, Brussels (2006-2011)
- Associate, Robert Knutson, London (2003-2006)
- Associate, Wilmer Cutler Pickering Hale and Door LLP, London (2002-2003)

Academic Positions

- Member, Faculty of the LLM International Arbitration Program, University of Miami School of Law, Miami (2020-2024)
- Visiting Senior Fellow, National University of Singapore, Singapore (2021)
- Member, Faculty of the LLM program, International Dispute Settlement (MIDS), Geneva (2021)
- Lecturer, International Commercial Law and Dispute Resolution, ICHEC Business and Management School, Brussels (2009-2021)

Experience

Selected Arbitrator and Mediator Mandates

ICC

- Mediator in an ICC mediation between German, Hong Kong and Italian parties concerning a share purchase agreement in the pharmaceutical industry (German law)
- Presiding arbitrator in an ICC arbitration between German and Polish parties in the wind energy industry concerning supply and maintenance agreements (seat Hamburg, German law)
- Presiding arbitrator in an ICC arbitration between Italian, Luxembourgish, Romanian and Singaporean parties concerning a steel supply agreement (seat Luxembourg, Luxembourg law)
- Presiding arbitrator in an ICC arbitration between Ethiopian (State entity) and French parties in the wind energy industry concerning a licence, supply and maintenance agreement (seat Geneva, Ethiopian law)
- Presiding arbitrator in an ICC arbitration between Italian and Romanian (State-owned) parties in the rail industry concerning a FIDIC contract (seat Bucharest, Romanian law)
- Co-arbitrator in an ICC arbitration between German and Spanish parties in the rail industry concerning a supply contract (seat Berlin, German law)
- Co-arbitrator in an ICC arbitration between Turkish and US American parties in the military and aviation industry concerning a sale purchase agreement (seat Geneva, Dutch law)
- Co-arbitrator in an ICC arbitration between French and Libyan parties in the public health industry concerning a distribution agreement (seat Paris, French law)
- Co-arbitrator in an ICC arbitration between Iranian, Ukrainian and Turkmen parties in the petrochemical industry (seat Switzerland, Swiss law, languages: English and Russian)
- Emergency arbitrator in an ICC emergency arbitrator proceeding between Hungarian and Irish parties in the pharmaceutical industry concerning a distribution agreement (seat Amsterdam, Dutch law)
- Sole arbitrator in an ICC arbitration between Austrian and Bosnian parties in the transportation industry (Austrian law, language: German)
- Sole arbitrator in an ICC arbitration between Belgian and Greek parties concerning a shareholder agreement (seat Belgium, Greek law)
- Sole arbitrator in an ICC arbitration between Austrian, German, Japanese and Romanian (State entity) parties in the motorway industry concerning a FIDIC contract (seat Bucharest, Romanian law)

LCIA

- Presiding arbitrator in an LCIA arbitration between Jersey and U.S. parties concerning a shareholder agreement (seat London, Luxembourg law)
- Presiding arbitrator in an LCIA arbitration between Isle of Man, Italian and Swiss parties in the maritime and luxury watches industries concerning a partnership and licence agreement (seat London, English law)
- Presiding arbitrator in an LCIA arbitration between English and Kuwaiti parties in the sports equipment industry concerning a licence agreement and a guarantee (seat London, laws of England and Wales)
- Co-arbitrator in a LCIA arbitration between a Singaporean oil merchant and an Albanian buyer (seat London, laws of England and Wales)
- Sole arbitrator in an LCIA arbitration between Indian and Emirati parties in the automotive and IT industries concerning a licence agreement (seat London, laws of England and Wales)
- Sole arbitrator in a LCIA arbitration between Emirati and UK parties in the entertainment industry concerning a license agreement (seat London, laws of England and Wales)
- Sole arbitrator in an LCIA arbitration between BVI and Greek parties in the IT industry (seat England, English law)
- Sole arbitrator in an LCIA arbitration between Irish and Russian parties in the banking industry concerning a consumer loan agreement (seat England, English law)
- Sole arbitrator in a DIFC-LCIA arbitration between Dutch and Egyptian parties concerning a sale purchase agreement (DIFC)

Other

- Presiding arbitrator in a Swiss Arbitration Centre arbitration between Swiss and UK parties in the retail and aviation industry concerning a licence agreement (seat Geneva, Swiss law)
- Presiding arbitrator in an SCC arbitration between Estonian and Polish parties in the gas pipeline industry concerning a construction agreement (seat Stockholm, Estonian law)
- Presiding arbitrator in a CEPANI case between Belgian and Swedish parties in the maritime industry concerning an acquisition agreement (seat Brussels, Belgian law)
- Presiding arbitrator in a CEPANI case between Belgian parties in the wind energy industry concerning a license agreement (seat Brussels, Belgian law)
- Presiding arbitrator in a CEPANI arbitration between Dutch and French parties in the engineering industry concerning a shareholder and management agreement (seat Brussels, Dutch law)
- Presiding arbitrator in a DIS arbitration between German parties concerning a post-M&A agreement (seat Germany, German law, language: German)

- Presiding arbitrator in a DIS arbitration between German and Swiss parties in the nuclear energy industry (seat Germany, German law, language: German)
- Presiding arbitrator in a NAI arbitration between Dutch and French parties in the maritime industry concerning a distribution agreement (seat Amsterdam, Dutch law)
- Co-arbitrator in an ad hoc arbitration between French and Italian parties in the metallurgical industry concerning a sale purchase agreement (seat Brussels, French law, language: French)
- Co-arbitrator in an SCC arbitration between Latvian parties concerning a construction project (seat Stockholm, Latvian Law)
- Co-arbitrator in an UNCITRAL arbitration between Dutch and French parties in the pharmaceutical industry concerning a license agreement (seat Paris, German law)
- Sole Arbitrator in a SIAC arbitration between Hong Kong and Mongolian parties concerning a settlement agreement and a guarantee (seat Singapore)
- Sole arbitrator under the VIAC Rules between Austrian (State-owned) and German parties in the wind energy industry concerning a shareholder agreement (seat Vienna, German law, language: German)
- Sole arbitrator in an UNCITRAL arbitration between an international organisation and a US American party concerning a sale purchase agreement

Recognition

Ms. Bassiri has received many professional accolades, recognising her as one of the best in international arbitration. Since 2014, she has been praised in Who’s Who Legal—Arbitration. Already 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”, which followed by praising her “clever and sophisticated advocacy”. Since 2018, Who’s Who Legal—Arbitration has acknowledged Ms. Bassiri as a Thought Leader and Global Leader. Over the years, peers and clients commented on her being “super-organised and insightful”, as well as “extremely knowledgeable in investment arbitration”.

The arbitration community acknowledged Ms. Bassiri’s arbitrator career by describing her as an “elegant and skillful arbitrator” who has deep “experience in international commercial arbitration and construction” disputes and is an “excellent arbitrator; top speaker and extremely knowledgeable in investment arbitration”. Ms. Bassiri continues to be “[h]ighly recommended for her leading investment and commercial arbitration expertise” and has been described as a “very smart and hard-working lawyer” and a “brilliant arbitrator”, who is “sharp, quick and attentive to details”, “has an abundance of hands-on experience” and “excellent experience in investment arbitration and energy-related disputes”. Who’s Who Legal—Arbitration 2024 states that “Ms. Bassiri is able to handle tricky situations as arbitrator with finesse and sound judgment” and that she is

“very experienced in investment arbitration”. Observers of her work also state that “her skills as an arbitrator are so polished she shines.”

Further Indication of External Recognitions

Institutional appointments

- Co-Chair and faculty member, ICC Advanced Arbitration Academy for Eastern Europe (2023-2024)
- Court Member, Casablanca International Mediation and Arbitration Center (CIMAC)
- Member, CEPANI Committee on Diversity and Inclusion
- Member, ICC Task Force Addressing Issues of Corruption in International Arbitration; Co-coordinator on the use of AI and detecting red flags
- Member, SIAC Users Council
- Member, ICC Institute of World Business Law
- Member, IBA International Arbitration
- Member, IBA Investment Arbitration and IBA Rules and Guidelines Sub-Committees
- Former Member, CIAM Award Scrutiny Commission
- Former Member, ICC Task Force on Emergency Arbitrator Proceedings
- Former Member, ICCA-IBA Joint Task Force on Data Protection in International Arbitration Proceedings
- Former Member, International Board of the Finnish Arbitration Institution (FAI)
- Former Member, Appointing Committee of the German Arbitration Institute (DIS)
- Former Vice-President, Belgian Chapter of the Club Español de Arbitraje

Leadership and Mentoring Roles

- Chair and faculty member, Delos Dispute Resolution’s Writing Awards Course
- Mentor, Young-ICCA Mentoring Programme
- Mentor, German Female Lawyers’ Association
- Advisory Board of CyberArb
- Editorial Board of the Journal of International Arbitration
- Advisory Board, Indian Review of International Arbitration
- Chair of the Jury of the CEPANI Academic Prize 2021
- Chair of the Young ICCA Guide on Arbitral Secretaries Task Force

Publications and Speaking Engagements

Selected Publications

Books

- German Translation of ICCA's Guide to The Interpretation of the 1985 New York Convention: A Handbook for Judges (with C. Liebscher), ICCA (2011), translation 2021; second edition forthcoming
- International Arbitration and the COVID-19 Revolution (ed with M. Scherer, M. Abdel Wahab), Wolters Kluwer, 2020
- Arbitration in Belgium – A Practitioner's Guide (with M. Draye), Kluwer International Law, 2015
- ICC-SchO/DIS-SchO Praxiskommentar zu den Schiedsgerichtsordnungen, first edition (2014), second edition (2024), author/co-author of commentaries on selected articles, including Article 6 of the ICC Rules and Article 30 of the DIS Rules
- Young ICCA Guide on Arbitral Secretaries (with C. Bloch, L. Bruton, J. Fellenbaum, U. Gantenberg, A. Riccio, G. Schofield), The ICCA Reports No. 1, 2014

Articles, Books Contributions

- *'Devil's Advocate – Counterintuitive? – What, Why and Who Is the Devil's Advocate in Default Proceedings?'*, Default in International Arbitration, Reports from the CEPANI Colloquium, Wolters Kluwer, November 2022
- *'Consumer Protection'* (with E. Hay), in J. R. Mata Dona, N. Lavranos (eds), International Arbitration and EU Law, Elgar, 2021; second edition forthcoming
- *'Full Endorsement of Arbitral Tribunal's Powers to Order Remote Hearings'*, b-Arbitra, Belgian Review of Arbitration, 2021
- *'The View from Europe: What's New in European Arbitration?'*, 76(1) Dispute Resolution Journal (S. Wilske, B. P. Ebert, N. Bassiri, T. Stouten, T. Schneider, eds), 2022
- *'Cross-Border Enforcement of Arbitral Awards Rendered in ODR'*, 8(1) Bahrain Chamber for Dispute Resolution International Arbitration Review (N. Bassiri, P. Panjwani, eds), June 2021
- *'Conducting Remote Hearings: Issues of Planning, Preparation and Sample Procedural Orders'*, in M. Scherer, N. Bassiri, M. Abdel Wahab (eds), International Arbitration and the COVID-19 Revolution, Wolters Kluwer, 2020
- *'The (Ir)Relevance of The Arbitrator's Nationality'* (with T. Vijra), Liber Amicorum, 50th Anniversary of CEPANI, Wolters Kluwer, 2019
- *'Efficiency'*, International Bar Association Investment Arbitration Subcommittee's Report on Consistency, Efficiency and Transparency, 2018
- *'Arbitrators and their Online Identity'*, in C. Aschauer, M. Piers (eds), Arbitration in the Digital Age – The Brave New World of Arbitration, Cambridge University Press, 2018
- *'Commentaries on Articles 6, 28 and 29 ICC Rules and Article 30 DIS Rules'* (with J. Nedden, A. Herzberg, U. Kopetzki), in O. Schmidt (ed), ICC-SCHO, DIS-SCHO Praxiskommentar, 2014
- *'Arbitral Secretaries'* (with C. Partasides, U. Gantenberg, L Bruton, A. Riccio), International Arbitration – The Coming of a New Age?, ICCA Congress Series no. 17, 327, Kluwer Law International, 2013

Blog, Notes and Reviews

- *'Arbitral Institutions in a New Light'*, Book Review of the Functions of Arbitral Institutions, R. Gerbay, ICC Dispute Resolution Bulletin, 2017, Issue 1, 103
- *'Back to Basics – The First PCA Award Of 14 October 1902'*, ICCA Newsletter No. 4, December 2013
- *'Book Review, The Practice of Arbitration, Essays in Honour of Hans Van Houtte'*, 13(2) Les Cahiers de l'Arbitrage, 2013, 541
- *'Book Review Armand De Mestral, Céline Lévesque (eds), Improving International Investment Agreements'*, 8(9) Global Trade and Customs Journal, September 2013, 306
- *'The Instant Cost Order'*, Kluwerblog, 2012

Selected Speaking Engagements (since 2020)

- *'Award & Scrutiny, Delivering Award, Enforcement, Training Workshops'*, ICC Advanced Arbitration Academy for Eastern Europe, Bucharest, 18-19 October 2024
- *'Interview Of Mentor Ms. Bassiri Bassiri by Young ICCA Mentees'*, Young ICCA Mentoring Programme, 15 July 2024
- *'Evidence & Hearing, Training Workshops, ICC Advanced Arbitration Academy for Eastern Europe'*, Warsaw, 12-13 July 2024
- *'Tribunal Dynamics'*, Baumann Soirée, Hamburg, 25 June 2024
- *'International Sanctions and Arbitration: Enforcement Regimes & Provisional Measures'*, Armenia, Armenia Arbitration Days, Yerevan, 20-21 June 2024
- *'Arbitrator Duties and Conflicts of Interest'*, II Comillas Arbitration Day Madrid, 12 June 2024
- *'Appointing An Arbitral Tribunal'*, CIArb Virtual Diploma Course, 4 May 2024
- *'Provisional Measures & Security for Costs'*, Training Workshop, ICC Advanced Arbitration Academy for Eastern Europe, Paris, 22 March 2024
- *'The Use of AI to Assist in The Identification, Validation and Assessment of Red Flags of Corruption'*, Task Force Addressing Issues of Corruption in International Arbitration, ICC Commission on Arbitration and ADR, Paris, 19 March 2024
- *'Beyond The Verdict: Exploring Interest-Based Approaches to Arbitration'*, Panel Moderation, 8th ICC European Conference, Paris, 18 March 2024
- *'Jurisdiction of Tribunal'*, Training Workshop, ICC Advanced Arbitration Academy for Eastern Europe, Sofia, 8-9 December 2023
- *'Tribunal Dynamics – A Guide to The Soft Skills Required of An Arbitrator'*, Panel Discussion at CEIA Mujeres Event, Jones Day, Brussels, 23 November 2023
- *'Module Re Petita'*, Delos Written Advocacy and Writing Awards Course, with Lindsay Gastrell, 24-25 October 2023

- *'Appointment as an Arbitrator & Case Management'*, Training Workshop, ICC Advanced Arbitration Academy for Eastern Europe, Prague, 15-16 September 2023
- *'Damages and Quantum Valuation in International Arbitration'*, Training Workshop and Panel Discussion, CEPANI 40, 8 June 2023
- *'Piercing The Bubble: When Outsiders Discover Arbitration...'*, Paris Arbitration Week, Paris, 28 March 2023
- *'Devil's Advocate in Default Arbitration – Counterintuitive?'*, Default in International Arbitration, CEPANI Colloquium, 25 November 2022
- *'The Year is 2032: the "Old Approach" to Witness Evidence is no Longer Fit for Purpose'*, ICCA Congress, YICCA Event, Edinburgh, 20 September 2022
- *'Interview With Ms. Bassiri Bassiri'*, Breaking Through, 25 July 2022
- *'Digital Due Process: Walking the Walk'*, Dispute Resolution in Digital Economy, UNCITRAL, Ministry of Justice of Japan (MOJ), and the Japan International Dispute Resolution Centre (JIDRC), webinar, 30 March 2021
- *'Elected Cases, Studies in Law, Practice and Procedure of International Arbitration –Covid-19 Special Issues'*, CIArb Virtual Diploma in International Commercial Arbitration, 26 March 2021
- *'The Modern Landscape of International Arbitration'*, AIAC YPG Virtual Conference, 3 March 2021
- *'Artificial Intelligence and Arbitration'*, Institute of Juridical Research at UNAM, the Faculty of Law of the University of Aberdeen and the Mexican Arbitration Centre, webinar, 30 November 2020
- *'International Arbitration and The Covid-19 Revolution'*, Delos, webinar, 2 November 2020
- *'Battle of the Virtual Hearing Protocols'*, Hardwicke and Osborne Clarke London, webinar, 8 October 2020
- *'Tips & Tricks for Virtual Hearings'*, Dealing with Contract Breaches in Times of Covid-19, Webinar ICC Belgium-CEPANI, 28 September 2020
- *'Remote Hearings'*, CEPANI and ICC Belgium, Preparing for Claims in Times of Covid, webinar, 28 September 2020
- *'Update On Committee Activities and Tribunal Secretaries: Uses and Misuses'*, USCIB/ICC USA Arbitration Fall Series, webinar, 8 September 2020
- Speaking engagements prior to 2020