

OUR PEOPLE

## Nicholas Fletcher KC

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WHO'S WHO LEGAL

"Nicholas Fletcher KC is held in "very high esteem" for his impressive arbitration practice, having been active in the field of international commercial arbitration for over 30 years."



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## Nicholas Fletcher KC is a specialist in International Arbitration and now sits exclusively as an arbitrator.

[Click here to download Nic's CV.](#)

Ranked as a "Leading Individual" in International Arbitration by The Legal 500, Chambers and Who's Who Legal, Nic is described as "*confident and knowledgeable*" and "*praised for his ability to stay on top of the detail*". Appointed Queen's Counsel in 2014 (now King's Counsel), he has been active in the arbitration of international commercial disputes for 40 years. He is admitted to practice in England and Wales and in New York.

Having trained at the Bar, Nic practised for several years at Haight, Gardner, Poor & Havens in New York before joining Clifford Chance, where he became a partner in the firm's highly-ranked international arbitration practice. In 2009, he took over as Head of International Arbitration at Berwin Leighton Paisner LLP, developing and leading that firm's international arbitration practice.

Nic has experience of arbitrations conducted under a wide variety of institutional and procedural rules. He has served extensively as chair and as sole arbitrator, as well as a party-nominated arbitrator. He has handled numerous LCIA and ICC disputes, as well as matters under the rules of the AAA, SIAC, SCC, DIFC and the DIAC. He has also acted as arbitrator on an *ad hoc* basis under the UNCITRAL Rules and the Arbitration Act, 1996. He has dealt as both arbitrator and counsel with cases involving a wide range of national laws, including those of England, New York, France, Spain, Hungary, Romania, Russia, Ukraine and the UAE. He has particular experience of acting as arbitrator in complex and high value energy disputes, corporate investment, joint venture and financing disputes, life sciences and offshore engineering and technology and construction matters. Nic has also been appointed to Sports Resolutions' Legal Arbitrator Panel.

Nic is the reporter for England & Wales for the Institute of Transnational Arbitration and Consultant Editor of a Commentary on the IBA Rules on the Taking of Evidence in International Arbitration (OUP). He is a member of the ICC Commission and the ICC's Task Force on the New York Convention. He is a member of the Board of Trustees of the Foundation for International Arbitration Advocacy.

## Privacy Policy

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## Expertise

### International Arbitration

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***“A superlative arbitrator.” “He is an excellent arbitrator and effective and excellent chair; he is very strong procedurally and delivers detailed judgments.” “Nicholas Fletcher has an enormous depth of understanding and a very good manner.” – Chambers & Partners, 2024 (International Arbitration: Arbitrators)***

***“He is bright, on the ball, conscientious, hard working, well balanced, commercial, with sound judgement, very good with the parties and an excellent drafter of awards. Completely impartial, incisive but also very sensible and is easy to work with.” – Legal 500, 2024***

***“He is always excellently prepared and has strong commercial awareness, great common sense and superlative people skills – just an exceptional arbitrator.” “He is a very good all-rounder and well versed in international matters.” – Chambers & Partners (International Arbitration: Arbitrators)***

***“He looks at matters with a strong legal and strong commercial sense.” “He is prepared and efficient.” “He writes beautifully and is well organised.” – Chambers & Partners (International Arbitration: Arbitrators)***

***“A superb chairman. On top of every detail and extremely user-friendly as well as scrupulous in consulting his co-arbitrators.” – Legal 500 (International Arbitration: Arbitrators)***

***“He handles arbitrations in an orderly and clear fashion and is fair dealing with the parties.” “He is absolutely fantastic and has a lovely manner. He has gravitas and commands the room.” – Chambers & Partners (International Arbitration: Arbitrators)***

***“He is an excellent and fair-minded arbitrator who fully appreciates both the legal and commercial aspects of disputes.” – Legal 500 (International Arbitration: Arbitrators)***

Ranked as a **“Leading Individual”** in International Arbitration and **“a well-rounded, excellent lawyer and arbitrator”** who is a **“pleasure to work with”** by The Legal 500 and Chambers. Who’s Who Legal describes Nic as **“confident and knowledgeable”** and **“praised for his ability to stay on top of the detail”**. Appointed Queen’s Counsel in 2014, he has been active in the arbitration of international commercial disputes for over 35 years. He is admitted to practice in England and Wales and in New York.

#### Featured International Arbitration Cases

#### Shareholder/Investment/Financing Disputes

- Chair of a tribunal appointed to determine a very high value dispute (in excess of US\$ 1 billion) over investment in and the management of a country-wide cellular telephone system in the Middle East (ICC);
- Chair of a tribunal appointed to hear a dispute over the ownership of share in a BVI corporation (Ad hoc);
- Chair of a three-person tribunal hearing a dispute between joint venture partners concerning real estate investments in Eastern Europe (LCIA);
- Chair of a tribunal hearing a claim under a corporate guarantee governed by Cyprus law (LCIA);
- Chair of tribunal appointed to hear dispute arising from share-sale agreement under UAE law (DIAC);
- Chair of a tribunal hearing claims against a borrower and guarantor for non-payment of bank loans (LCIA);
- Sole arbitrator in a dispute between alleged shareholders in a company engaged in exploiting an oil concession in North Africa (ICC);

- Sole arbitrator in a breach of warranty dispute under a share sale agreement (LCIA);
- Sole arbitrator in respect of two arbitrations concerning investment in an infrastructure project vehicle in West Africa (LCIA);
- Sole arbitrator determining a dispute over a share sale and purchase governed by New York law (LCIA);
- Sole arbitrator in dispute concerning sums owed under loan agreements (LCIA);
- Member of a three-person tribunal hearing an employment dispute concerning a senior investment banker (LCIA);
- Member of a three-person tribunal hearing a dispute concerning the sale of shares in an advertising business (ICC);
- Member of a three-person tribunal appointed to hear a dispute concerning a guarantee agreement relating to an aircraft loan (LCIA);
- Member of a three-person tribunal hearing a dispute over alleged breaches of a facility agreement governing the loan of several hundred millions of dollars to a Central Asian copper mine (LCIA);
- Member of a three-person tribunal hearing an investment-banking dispute (LCIA);
- Member of a three-person tribunal hearing a dispute over loans to a hotel development project in East Africa (ICC);
- Member of a three-person tribunal hearing a dispute between shareholders concerning investment in a television station in Eastern Europe (ICC);
- Member of a three-person tribunal hearing a complex breach of warranty dispute arising out of the sale of an aviation service business (ICC).

#### General Commercial

- Chair of a tribunal hearing a dispute concerning issues arising out of the breach of a long-term contract for the delivery of oil cargoes (LCIA);
- Chair of a tribunal appointed to hear a dispute arising out of an abortive Initial Coin Offering in respect of a cryptocurrency (LCIA);
- Chair of a tribunal hearing a dispute arising out of a corporate transaction relating to a real estate development in Moscow (LCIA);
- Chair of an ad hoc tribunal appointed to hear a dispute between parties to a mobile telecommunications joint venture in South-East Asia (Ad hoc);
- Sole arbitrator of a dispute seated in Dubai concerning alleged breaches of a joint venture agreement to build and operate a hotel in central Africa (DIFC-LCIA);
- Sole arbitrator in two related arbitrations concerning fraud in the financing of the purchase and sale of consignments of copper ingots (LCIA);
- Sole arbitrator in ad hoc arbitration between a firm of lawyers and Leading Counsel in respect of allegations of professional negligence;
- Sole arbitrator in a dispute concerning sums owing to merchants from a credit card company (LCIA);
- Sole arbitrator of an English law dispute relating to commission alleged to be payable under a brokerage agreement (Ad hoc).
- Member of a three-person tribunal appointed to hear a dispute over a share purchase agreement (ICC);
- Member of a three-person tribunal appointed to hear a dispute over the usage of a trade-mark (ICC);
- Member of a three-person tribunal appointed to hear a dispute regarding breaches of an agreement for the supply of products in the defence sector (LCIA);
- Member of a three-person tribunal appointed to hear a dispute concerning the establishment of a company in India (Ad hoc);
- Member of a three-person tribunal hearing a dispute between shareholders concerning investment in a television station in Eastern Europe (ICC);
- Member of a three-person tribunal sitting in a dispute concerning claims of mismanagement of television stations in Asia (LCIA);
- Member of a three-person tribunal sitting in 4 related arbitrations involving disputes over the acquisition of an agricultural products trading business in Europe and the Far East (LCIA).
- Member of a three-person tribunal hearing a claim between an agent and a football player under the Football Association's Rule K.

#### Construction & Engineering

- Chair of a tribunal appointed to hear a multi-billion dollar dispute concerning the development, licensing and use of nuclear power technology (KCAB);
- Chair of a tribunal hearing a highly complex and very high value (circa. US\$1 billion) dispute under 3 design subcontracts for a light rail system in the Middle East (ICC);
- Chair of a tribunal appointed to hear a dispute over delays and cost overruns on a leisure complex in a Gulf State (DIFC-LCIA);

- Chair of tribunal appointed to hear a construction dispute arising under a steel structure subcontract governed by UAE law relating to a prestigious sports facility in the Gulf (DIAC);
- Chair of a three-person tribunal appointed to hear a dispute concerning an infrastructure project in the Gulf (LCIA);
- Chair of a three-person tribunal appointed to hear a dispute concerning intellectual property indemnity provisions in contracts for the design, construction, delivery and sale of four vessels from an Asian shipyard (LCIA);
- Sole arbitrator hearing a dispute involving US and Afghan law regarding sums paid under a final account in connection with an infrastructure project in Afghanistan (ICC);
- Sole arbitrator appointed to hear dispute concerning the provision of scaffolding services and supplies in a Gulf State (DIFC-LCIA);
- Sole arbitrator in a dispute concerning the construction of a luxury yacht (LCIA);
- Member of a three-person tribunal appointed to hear a \$500 million dispute concerning delay and changes said to arise out of the construction of a LPG storage and processing facility in a Gulf State (ICC);
- Member of a three-person tribunal appointed to hear a dispute regarding the alleged termination of a contract for the construction of an oil processing facility in the Middle East (ICC);
- Member of a three-person tribunal hearing claim for circa \$70 million for delay, disruption, prolongation and breach of contract under a project agreement for the construction of an oil processing facility in the Middle East (LCIA);
- Member of a three-person tribunal hearing a claim concerning the termination of a contract for the design, construction and operation of an LNG import and regasification terminal in SE Asia (LCIA);
- Member of a three-person tribunal hearing a dispute in respect of a supply and construction contract for gas facilities in Iraq (ICC);
- Member of a three-person tribunal appointed to hear a dispute over the construction of power transmission facilities in West Africa (LCIA);
- Member of a three-person tribunal hearing delay and prolongation disputes under two separate contracts concerning the construction of heavy oil processing facilities in a Gulf State (UNCITRAL);
- Member of a three-person tribunal hearing a dispute under a subcontract for the supply, delivery, installation, protection and commissioning of mechanical, electrical and plumbing services for the construction of a large development in the UAE (LCIA).

#### Oil & Gas/Energy/Mining

- Chair of a tribunal appointed to hear a dispute over intellectual property indemnity provisions in 5 contracts for the construction of dual-use, deep-water drillships (LCIA);
- Chair of a three-person tribunal appointed to determine accounting disputes arising out of two separate Joint Operating Agreements relating to oilfields in West Africa (ICC);
- Chair of a three-person tribunal hearing a dispute over a tender for an oilfield services contract in central Asia (UNCITRAL);
- Chair of a tribunal hearing disputes under a settlement agreement relating to an oilfield services agreement (LCIA);
- Sole arbitrator of a dispute concerning sums due under a contract for the sale and purchase of carbon credits governed by New York law (ICC);
- Sole arbitrator hearing an ad hoc dispute concerning rental payments for temporary power generation facilities in East Africa (UNCITRAL);
- Member of a three-person tribunal appointed to hear a dispute under a mining operations agreement in connection with a project in West Africa (ICC);
- Member of a three-person tribunal appointed to hear a dispute arising in connection with the alleged breach of a contract to deliver two drilling rigs (UNCITRAL);
- Member of a three-person tribunal appointed to hear multiple disputes arising out of the sale and purchase of LNG under a Master LNG Sale and Purchase Agreement (LCIA);
- Member of a three-person tribunal appointed to hear a dispute over the treatment of expenses and deductions for costs under an oilfield operating agreement (ICC);
- Member of an UNCITRAL tribunal appointed to hear three consolidated arbitrations concerning disputes over oilfield licences in Eastern Europe;
- Member of an UNCITRAL tribunal appointed to hear disputes governed by Alberta law between investors in an oilfield project in Central Asia (UNCITRAL);
- Member of an ICC tribunal hearing a dispute under an oilfield services agreement (ICC);
- Member of a three-person tribunal hearing a dispute concerning an oilfield services agreement (LCIA).

#### Pharmaceutical/Healthcare

- Sole arbitrator appointed to hear a dispute arising out of a license agreement for the production of a COVID-19 vaccination (LCIA);

- Sole arbitrator appointed to determine dispute concerning the alleged termination of a medical equipment patent license agreement (LCIA);
- Member of an ICC tribunal considering a dispute between joint venture partners concerning the establishment of a pharmaceutical manufacturing plant in the Middle East/North Africa ICC);
- Member of a three-person tribunal hearing a dispute over breaches of a manufacturing and supply agreement in relation to pharmaceutical products (UNCITRAL Rules/LCIA administration);
- Member of a three-person tribunal appointed to hear disputes under a contract for the purchase of medical and pharmaceutical products and related property and rights (LCIA).

## Awards



## Qualifications

Nic is a member of the ICC's Permanent Task Force on the New York Convention, of the United Kingdom's national committee to the ICC and of the board of trustees of the Foundation for International Arbitration Advocacy. He is the rapporteur for England and Wales for the Institute of Transnational Arbitration and is a member of the LCIA, the ICC, the IBA and ICCA.

Nic has an Honours degree in Jurisprudence from Balliol College Oxford and a Master of Laws degree from the London School of Economics & Political Science.