

## **NIUSCHA BASSIRI**

RECHTSANWÄLTIN

HANOTIAU & VAN DEN BERG

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### **PROFESSIONAL EXPERIENCE**

Niuscha Bassiri has a solid track-record as counsel, arbitrator and arbitral secretary in numerous international arbitration matters under all major sets of arbitration rules (AAA, CEPANI, CIMAR, CRCICA, DIAC, DIS, ICC, ICSID, LCIA, NAF, UNCITRAL, SCC, SIAC, Vienna Arbitration Rules), governed by various procedural and substantive laws, relating to diverse legal issues (e.g., investment, distributorship, joint ventures, licensing, patent, post-M&A, sales of goods, turn-key projects) and sectors (e.g., banking, construction, energy, finance, HoReCa, insurance, mining, nuclear power plants, oil & gas, pharmaceuticals, satellites, telecommunication, transportation).

She is also a lecturer at the ICHEC Business and Management School in Brussels on *International Commercial Law and Dispute Resolution*.

Niuscha Bassiri has been ranked by her peers and clients as an “extremely sharp arbitrator and counsel” in Who’sWhoLegal 2014 and 2015 in the arbitration category and an expert in arbitration in Belgium in *Expert Guides* since 2013.

Niuscha Bassiri is a Board Member of the International Board of the Finnish Arbitration Institution as well as a Board Member of the Belgian Chapter of the Club Español de Arbitraje. She is also a member of the Editorial Board of the Journal of International Arbitration.

Niuscha Bassiri is admitted to the Cologne Bar and a member of the Brussels Bar.

#### **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

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

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

**RECENT REPRESENTATIVE MATTERS INCLUDE**

EXPERIENCE AS COUNSEL

- Representing a Bulgarian-led consortium against the EU concerning the construction of a court house relating to a FIDIC Yellow Book contract under EU and Belgian law, conducted in English.
- Representing a major Dutch bank against a major Swiss bank concerning a post-M&A dispute under Dutch law in a 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 a 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 a ICC arbitration in England, conducted in English.
- Representing a German construction company against an Italian company concerning a guarantee under English law in a LCIA arbitration in England, conducted in English.
- Representing a NGO against a company concerning a domain name dispute under New York law in a 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-labour camp survivors in public international law disputes against major German corporations and the Federal Republic of Germany, conducted in English and German.

#### EXPERIENCE AS ARBITRATOR

- Sole Arbitrator in a LCIA arbitration between an Irish entity and a Russian party concerning a loan agreement under English law in England, 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 a 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 a ICC arbitration between a transportation company from Bosnia Herzegovina and an Austrian transportation company under Austrian law, conducted in German.
- Sole arbitrator in a LCIA arbitration between a BVI consultancy firm and a Greek IT company under English law in England, conducted in English.
- Co-arbitrator in a ICC arbitration between a major Iranian petrochemical company and major Ukrainian and Turkmen oil & gas companies under Swiss law in Switzerland, conducted in English and Russian.
- Co-arbitrator in a LCIA arbitration between a Swiss consultancy firm and a BVI investment management company under English law in England, conducted in English.

#### EXPERIENCE AS ARBITRAL SECRETARY

- Acted as arbitral secretary and assistant to the Arbitral Tribunal in over 40 arbitration matters.

## **EDUCATION**

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

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

### **UNIVERSITY OF COLOGNE**

September 1993 to January 2000

First Legal State Examination January 2000

### **UNIVERSITY OF BARCELONA**

Erasmus Scholarship September 1996 to July 1997

## **SPEAKING ENGAGEMENTS**

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.

*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**

*“Arbitration in Belgium”*, Niuscha Bassiri and Maarten Draye (eds) Kluwer International Law (forthcoming 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 Heiko Haller) of the ICC Rules and Article 30 of the DIS Rules.

*“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.

## **NATIONALITIES AND LANGUAGES**

German and Iranian.

German (native), Farsi (native), English (fluent), Spanish (working knowledge), French (working knowledge).

## **MEMBERSHIPS**

Austrian Arbitration Association, CEPANI, Cologne Bar Association, DIS, DJB, FAI, German Lawyers' Association, IBA, ICCA, LCIA, TRAC, YAF, YAP, YIAG, Young ICCA.