



Alexander Marcopoulos

Attorney and Counselor at Law (New York)

Avocat à la Cour (Paris)

Date of Birth: 1 February 1982
Address: Hughes Hubbard & Reed
4 rue Cambacérès
75008 Paris -- FRANCE
Nationality: US, Greek
Current Position: Partner at Hughes Hubbard & Reed

Professional Experience

- **Hughes Hubbard & Reed LLP:** Partner and member of the International Arbitration and Public International Law groups, based in Paris, France;
- **Panthéon-Assas University (Paris II):** Lecturer in international investor-State arbitration;
- **Sciences Po University:** Lecturer in written and oral advocacy in international arbitration;
- **A&O Shearman:** Counsel in the International Arbitration and Public International Law groups;
- **United Nations International Criminal Tribunal for Rwanda:** seconded to the Office of the Prosecutor to assist with preparation of appeals;
- **Shearman & Sterling LLP:** Associate in the Litigation Group in New York; focus on securities litigation and complex commercial disputes.

Arbitration Experience

More than 15 years of international experience as counsel, providing strategic advice and advocacy in commercial, investor-state and maritime arbitrations carried out under the auspices of a variety of institutional and *ad hoc* rules. Significant experience resolving technically and legally complex disputes in the energy and construction sectors in particular.

Experience includes representation of:

- An EPC contractor as Claimant in an ICC arbitration in London against a European project owner. The dispute concerns delay and other issues arising from the construction of a PV power plant in sub-Saharan Africa. English law applies.
- A heavy equipment supplier and contractor in relation to an arbitration and a number of delay, disruption, defects and other disputes arising out of two energy construction projects in Africa with claims and counterclaims of over USD 2 billion. The law of the country of the projects applies.
- A European aerospace company in disputes with a US-incorporated service provider concerning issues of delayed or non-performance under the parties' contract.
- The Arab Republic of Egypt, Respondent in an investment treaty arbitration under the UNCITRAL Rules, administered by the Permanent Court of Arbitration, in relation to a petrochemical plant. Over USD 2 billion was at stake.
- Five natural gas importers, Respondents in SCC and UNCITRAL arbitrations in Stockholm initiated by an upstream supplier. The disputes arose from a gas price revision clause in long-term supply contracts. Swedish law applied.
- A South East Asian listed company, Claimant in an LMAA arbitration in London against a Chinese shipyard. The dispute arose in connection with various shipbuilding contracts. English law applied.

- Two international construction contractors, Respondents in an ICC arbitration in London brought by a Middle Eastern State entity arising out of the development of a world-class medical facility in the Middle East. The law of the Claimant's State governs and the language of the proceedings is English. Over \$3 billion is at stake.
- A French-German consortium in an ICC arbitration in Stockholm against a Finnish utility company. The dispute arose from an agreement for the construction of a nuclear power plant in Finland. Finnish law governed. Over EUR 6.1 billion at stake.
- A European energy company (as buyer in a long-term gas supply agreement) against another European energy company (as seller) in an ICC arbitration in Geneva. The dispute arose out of a long term, oil-linked gas purchase agreement and concerned the continued marketability of gas in the relevant domestic market. New York law applied.
- The Democratic Republic of Algeria in an ICSID arbitration initiated by Mærsk Olie, Algeriet A/S (ICSID Case No. ARB/09/14). The arbitration, which was brought under the Algeria-Denmark bilateral investment treaty, was in relation to a windfall profit tax in the context of a production-sharing contract. Over USD 3 billion was at stake.

In addition to his work as counsel, Alexander receives appointments to serve as arbitrator. He has acted as sole arbitrator in *ad hoc* international and domestic (UK) arbitrations.

Education Background

- Tulane University School of Law, J.D. (*cum laude*)
- New York University, B.A. in Economics and Philosophy

Expertise

- **Construction law**
- **Energy law** (including energy projects, commodity trading, and power purchase agreements)
- **General commercial law** (focus on contracts for the international sale of goods and services)
- **Public international law**
- **Maritime law and shipbuilding**

Practice Location/ Jurisdiction

Paris, France

Working Languages

English, Greek, French (working knowledge)

Other Relevant Experience

Professional Activities

- Member, Society of Construction Law UK (SCL)
- Member, International Arbitration Institute (IAI)
- Member, LCIA European Users' Council
- Member, ICC Hellas

Publications

- "Terminating or Renegotiating Shipbuilding Agreements Checklist," Thomson Reuters Practical Law, February 2022 (with D. Katsikis).
- "A new initiative for the arbitration of human rights abuses at sea," International Bar Association Arbitration Committee Newsletter, June 2021 (with E. Edson).
- "Revisiting the risk of undesired appeal in investment treaty arbitration: is deference to the tribunal's award still less likely in the ICSID context?," Arbitration International, April 2021.

- “High Court Upholds Tribunal’s Dismissal of Claim on Grounds Not Specifically Advanced by Either Party,” 2018(3) ICC Disp. Res. Bull. 31.
- “Planning for the Worst to Manage the Best: a Proactive Approach to Managing Construction Disputes,” MDA No. 101, at 8, 2015 (with A. Bevan).
- “Flags of Terror: An Argument for Rethinking Maritime Security Policy Regarding Flags Convenience,” 32 Tul. Mar. L.J., 2007.
- “Ferrostaal v. M/V Sea Phoenix: The Third Circuit’s Sinking of the Fair Opportunity Doctrine,” 31 Tul. Mar. L.J. 679, 2007.

Speaking Engagements

- “Climate Change, War and Sanctions: A Perfect Storm for Energy Disputes,” 4th Energy Law Forum, Athens, Greece, 27 November 2024.
- “Panel Discussion: Business and Human Rights Arbitration,” 5th ICC European Conference on International Arbitration, 28 June 2021.
- “Confronting the Human Rights Crisis in Fisheries: How Arbitration Can Improve Fishers’ Access to Justice,” UN World Oceans Day Webinar, 8 June 2021.
- Roundtable, “Handling the Hot Potato: Issues of Corruption in International Arbitration,” 14th ICC New York Conference on International Arbitration, 4 October 2019.
- “Addressing Risk in Long-Term Investment Contracts in the Energy Sector,” 4th Athens Conference on European Energy Law, 27 September 2019.
- “Construction Arbitration in the East Mediterranean,” Keynote Address, YPCP Conference, Paris, 17 April 2019.
- “Η Διαχείριση Εξαιρετικά Περίπλοκων και Τεχνικών Διαφορών” [Handling Especially Complex and Technical Disputes], Conference on Current Issues in Domestic (Greek) and International Arbitration, Thessaloniki, Greece, 25 January 2019.
- “The Review and Reviewability of Non-ICSID Investment Arbitration Awards by State Courts,” Sharm El Sheikh VII Conference, Sharm El Sheikh, Egypt, 9-10 December 2018.
- “The Role of Gas Price Review in Addressing Structural Changes,” 2nd East Mediterranean Energy Law Forum, Athens, Greece, 30 November 2018.
- “Examining the Effectiveness of Institutional Arbitration Where the Need (or Desire) to Consolidate Related Maritime Disputes Arises,” ICC Dispute Resolution Seminar held at Posidonia in Athens, Greece, 7 June 2018.
- “International Arbitration: An Unavoidable Yet Advantageous Dispute Resolution System,” 1st Greek Law Digest Conference on Legal and Business Challenges in Today’s Greece, 3 February 2017.