

MAIRÉE URAN BIDEGAIN

Los Misioneros 2221, Comuna de Providencia, Santiago de Chile, Chile / + 56(9) 44226663 /
mub@uran-bidegain.com

Mairée Uran Bidegain has more than 17 years of experience in international investment law. She has participated in more than 25 foreign investment arbitrations in English, Spanish, and French. She has worked in the public and private sectors and international arbitration institutions and has academic and professional experience in France, the United States, and Latin America.

Mairée Uran Bidegain is an expert in international arbitration and public international law. Her experience includes arbitrations concerning transportation and infrastructure, construction, renewable energy, electricity, oil and gas and natural resources, telecommunications, and health and pension systems.

A Colombian, Uruguayan, and French national, throughout her career, Mairée has served in various roles in the field of investment arbitration. Between 2018 and 2022, she was in charge of the defense and representation of the State of Chile in investment arbitration, and consultation and negotiation proceedings initiated by foreign investors against the State, and she led the Chilean delegation in multilateral negotiations where possible reforms to the investor-state dispute settlement system are being discussed. Between 2011 and 2018, in her capacity as legal counsel and Team Leader of the International Centre for Settlement of Investment Disputes (ICSID) she oversaw the administration of more than 60 cases, including arbitrations and annulments, and served as secretary of tribunals, *ad hoc* committees, and conciliations commission in dozens of proceedings. Mairée was an associate at the international arbitration practice of a renowned international law firm in Washington D.C. between 2006 and 2011.

She has been an adjunct professor at American University, Washington College of Law, and Georgetown University Law Center. She is co-editor of the book, *Building International Investment Law: The First 50 Years of ICSID* and is a regular speaker at specialized seminars and conferences. She is licensed to practice law in New York.

EXPERIENCE

- Present- 09/2023 **INDEPENDENT CONSULTANT** **Santiago, Chile**
- Assisting a sitting judge of the International Tribunal for the Law of the Sea on the *Request for an Advisory Opinion submitted by the Commission of Small Island States on Climate Change and International Law*.
 - Assisting an international arbitrator in the rendering of an award relating to a case between a European investor and a Latin American country.
- 09/2023 - 10/2018 **MINISTRY OF FOREIGN AFFAIRS, REPUBLIC OF CHILE** **Santiago, Chile**
Vice Ministry of International Economic Relations
Head of Program for the Defense of the State in International Investment Arbitration (2018-2022) and Advisor to the Vice Minister of International Economic Relations (Trade) (2018-2023)/
- Leading the defense and representation of the Republic of Chile in investment arbitrations related to various sectors, including Santiago's public bus transportation system, the development of Chile's largest energy transmission line, the concession of Santiago's International Airport, and the closure of a publishing enterprise;
 - Represented the State in consultations and complex negotiations initiated by foreign investors under international treaties in connection with the pension and health sectors, and the construction of a hydroelectric plant;
 - Advised the Vice Minister of International Economic Relations and the Vice Minister of Foreign Affairs on the implementation of international treaties on foreign investment;
 - Participated in the negotiation of the Chile-European Union trade and cooperation agreement and led the Chilean delegation in multilateral negotiations before the United Nations Commission on International Trade Law (UNCITRAL) Working Group III.
- 08/2018 - 07/2011 **WORLD BANK GROUP** **Washington, DC**
Int'l Centre for Settlement of Investment Disputes (ICSID)
Team Leader/Senior Counsel (08/2018 - 08/2016); Legal Counsel (08/2016-07/2011)
- Supervised an 11-member team handling the administration and resolution of over 60 disputes brought before ICSID involving a variety of sectors;
 - Acted as secretary of international tribunals in dozens of investment arbitrations in English, French, and Spanish, providing advice to tribunals in the interpretation of international law instruments and assisting them in the drafting of decisions and awards.
 - Secretary of international tribunals, commissions, and *ad hoc committees* in international arbitration, conciliation, and annulment proceedings in dozens of cases assisting tribunals in the preparation of procedural orders, decisions, and awards, including in the landmark case brought by Phillip Morris against Uruguay in the public health sector;
 - Participated in the management of ICSID, including its strategic planning and institutional development;
 - Led and participated in institutional initiatives, such as the reform of the ICSID rules and the development of procedures to improve the process for assessing arbitrator and counsel conflict of interest.

06/2011 - WHITE & CASE LLP **Washington, DC**
09/2006 *Associate*
Advised States and private parties on cross-border transactions, project restructurings, and resolution of international disputes relating to sectors such as energy, natural resources, infrastructure projects, and financial instruments. Skills developed include drafting memorials, opinions, and reports; preparation of oral arguments; participating in multilingual negotiations and hearings; reviewing contracts, memoranda of understanding, and term sheets; and identifying, gathering, and managing large volumes of evidentiary materials.

Academic Experience

06/2018 - GEORGETOWN UNIVERSITY LAW CENTER **Washington, DC**
05/2016 *Adjunct Professor*, Spring Terms 2016 and 2018: “ICSID Arbitration: Jurisdiction and Core Procedural Aspects.” In charge of the design and implementation of the first course of its kind, taught exclusively by legal counsel at ICSID.

05-10/2015 AMERICAN UNIVERSITY, WASHINGTON COLLEGE OF LAW **Washington, DC**
Adjunct Professor, Spring Term 2015: Investment Treaty Arbitration and lecturer in the online program of the *Center on International Commercial Arbitration*.

LANGUAGES

- Spanish (Native);
- English (Fluent);
- French (Fluent).

NATIONALITIES

- Colombia;
- France;
- Uruguay.

EDUCATION

2006-2005 UNIVERSITY OF PENNSYLVANIA LAW SCHOOL **Philadelphia, PA**
Master of Laws (*LL.M.*)

2004-2003 UNIVERSITY OF PARIS I, PANTHÉON-SORBONNE **Paris, France**
Diplôme d'Études Approfondies (Master's degree) in International Economic Law

2003-1999 UNIVERSITY OF PARIS II, PANTHÉON-ASSAS **Paris, France**
Maîtrise in International Law
Licence, D.E.U.G. (Bachelor of Laws)

Duke University School of Law **Durham, NC**
Exchange program with University of Paris II (semester program 2002)

Certificates

09-11/2023 British Institute of International and Comparative Law (BIICL)
Short Course: Climate Change Litigation

08-12/2023 Mujeres Empresarias, Cambridge Business Association
Board of Women, Senior Management Program

MEMBERSHIPS/ PROFESSIONAL QUALIFICATIONS

New York State Bar, 2008 // Member of the American Society of International Law, 2018 Annual Meeting Program Committee Member, *ILM* Editorial Advisory Committee, *Int'l Legal Materials* (2016-2019)

PARTY REPRESENTATIVE

- *ADP International S.A. and Vinci Airports S.A.S. v. Republic of Chile* (ICSID Case No. ARB/21/40). Coordination of the defense of the Republic of Chile ("Chile") in the initial stages of an investment arbitration initiated under the France-Chile BIT concerning the effects of the COVID-19 pandemic on the concession contract for the expansion and operation of Santiago's International Airport.
- *Interconexión Eléctrica S.A. E.S.P. v. Republic of Chile* (ICSID Case No. ARB/21/27). Coordination of Chile's defense in the initial stages of an investment arbitration concerning delays in the construction of Chile's longest power transmission line, initiated under the Colombia-Chile FTA.
- *Carlos Rios and Francisco Javier Rios v. Republic of Chile* (ICSID Case No. ARB/17/16). Coordination of Chile's defense in a dispute regarding Santiago's public transportation sector, initiated under the Colombia-Chile FTA.
- *Víctor Pey Casado and Fundación Presidente Allende v. Republic of Chile* (ICSID Case No. ARB/98/2) - Second Annulment Proceeding. Coordination of Chile's defense in the second annulment proceeding and termination of the longest-running dispute in ICSID history, brought 22 years earlier under the Chile-Spain BIT, concerning a dispute in the media sector.
- *Fundación Pres. Allende et al. v. Republic of Chile* (PCA Case No. 2017-30). Coordination of Chile's defense in a parallel investment arbitration initiated under UNCITRAL rules brought under the Chile-Spain BIT, concerning a dispute in the media sector.
- *Aguaytia Energy, LLC v. Republic of Peru* (ICSID Case No. ARB/06/13). Successful representation of the Republic of Peru in an arbitration relating to the Peruvian energy sector, arising under a legal stability agreement.
- *Abaclat et al. v. Argentine Republic* (formerly *Giovanna a Beccara et al.*) (ICSID Case No. ARB/07/05). Representation of the claimants in a sovereign bond dispute arising under the Italy-Argentina BIT.
- *Corporación Quiport S.A. v. Republic of Ecuador* (ICSID Case No. ARB/09/23). Representation of an investor and concessionaire consortium in the successful restructuring and renegotiation of the Quito International Airport project, resulting in the termination of the arbitration proceedings.
- *TECO Guatemala Holdings, LLC v. Republic of Guatemala* (ICSID Case No. ARB/10/23). Representation of investors in the initial stages of a dispute concerning Guatemala's electricity tariff regime.

- *Convial Callao S.A. and ICC v. Republic of Peru* (ICSID Case No. ARB/10/2). Representation of the Republic of Peru in the initial stages of a US\$125 million claim relating to a concession to build a highway to Lima airport.

SECRETARY OF ARBITRATION TRIBUNALS AND CANCELLATION COMMITTEES

- *ESPF Beteiligungs GmbH, ESPF Nr. 2 Austria Beteiligungs GmbH, and InfraClass Energie 5 GmbH & Co. KG v. Italian Republic* (ICSID Case No. ARB/16/5) - Arbitration related to the renewable energy sector initiated under the Energy Charter Treaty.
- *Mathias Kruck and others v. Kingdom of Spain* (ICSID Case No. ARB/15/23) - Arbitration related to the renewable energy sector initiated under the Energy Charter Treaty.
- *Eiser Infrastructure Limited and Energía Solar Luxembourg S.à r.l. v. Kingdom of Spain* (ICSID Case No. ARB/13/36) - Annulment Proceedings of the first ICSID award rendered in the cases against the Kingdom of Spain relating to the renewable energy sector under the Energy Charter Treaty.
- *RREEF Infrastructure (G.P.) Limited and RREEF Pan-European Infrastructure Two Lux S.à r.l. v. Kingdom of Spain* (ICSID Case No. ARB/13/30) - Arbitration related to the renewable energy sector initiated under the Energy Charter Treaty.
- *Joseph Houben v. Republic of Burundi* (ICSID Case No. ARB/13/7) - Arbitration initiated under the Belgium/Luxembourg-Burundi BIT, concerning the acquisition of land for residential use.
- *Accession Mezzanine Capital L.P. and Danubius Kereskedőház Vagyonkezelő Zrt. v. The Republic of Hungary* (ICSID Case No. ARB/12/3) - Arbitration relating to the telecommunications and broadcasting sector under the Hungary-U.K. BIT.
- *Emmis International Holding, B.V., Emmis Radio Operating, B.V., MEM Magyar Electronic Media Kereskedelmi és Szolgáltató Kft. v. Republic of Hungary* (ICSID Case No. ARB/12/2) - Arbitration relating to the telecommunications and broadcasting sector under the Hungary-Netherlands BIT and the Hungary-Switzerland BIT.
- *Venoklim Holding B.V. v. Bolivarian Republic of Venezuela* - (ICSID Case No. ARB/12/22) - Arbitration and Annulment Proceedings - Dispute relating to the Venezuelan motor lubricants industry, initiated under the Netherlands-Venezuela BIT, and annulment proceedings of the related award.
- *Gambrinus, Corp. v. Bolivarian Republic of Venezuela* (ICSID Case No. ARB/11/31) - Arbitration relating to the nationalization of a fertilizer company, initiated under the Barbados-Venezuela BIT.

- *Getma International et al. v. Republic of Guinea* (ICSID Case No. ARB/11/29) - Arbitration relating to a container port terminal, initiated under Guinea's investment law.
- *Mamidoil Jetoil Greek Petroleum Products Societe S.A. v. Republic of Albania* (ICSID Case No. ARB/11/24) - Arbitration related to the hydrocarbons sector initiated under the Greece-Albania BIT.
- *Koch Minerals Sàrl and Koch Nitrogen International Sàrl v. Bolivarian Republic of Venezuela* (ICSID Case No. ARB/11/19) - Arbitration relating to the nationalization of a fertilizer company, initiated under the Switzerland-Venezuela BIT.
- *RSM Production Corporation v. Republic of Cameroon* (ICSID Case No. CONC/11/1) - Conciliation proceedings related to the hydrocarbons sector, initiated under a contract.
- *Philip Morris Brands Sàrl, Philip Morris Products S.A. and Abal Hermanos S.A. v. Oriental Republic of Uruguay* (ICSID Case No. ARB/10/7) - Arbitration related to the public health sector, filed under the Switzerland-Uruguay BIT.
- *Kılıç İnşaat İthalat İhracat Sanayi ve Ticaret Anonim Şirketi v. Turkmenistan* (ICSID Case No. ARB/10/1) - Arbitration and Annulment - Dispute concerning a real estate construction project, initiated under the Turkey - Turkmenistan BIT.

SELECTED PUBLICATIONS, SPEAKING ENGAGEMENTS and LECTURES

- *Investment Arbitration and Climate Change* in *ARBITRATION IN TIMES OF CRISIS* (co-author, forthcoming)
- *Commentary to Article 10*, co-author in *COMMENTARY TO THE CODE OF CONDUCT FOR ARBITRATORS AND ADJUDICATORS* (forthcoming, Kluwer 2024)
- *BUILDING INTERNATIONAL INVESTMENT LAW: THE FIRST 50 YEARS OF ICSID* (co-editor with M. Kinnear, G. Fischer, J. Mínguez Almeida, and L. Torres (eds.)), Kluwer 2016
- *“International Centre for Settlement of Investment Disputes”*, co-author, in *THE RULES, PRACTICE AND JURISPRUDENCE OF INTERNATIONAL COURTS AND TRIBUNALS* (C. Giorgetti (ed.), Nijhoff, 2012) (77-110)
- *“Colombia: Constitutional Court Rulings on the Applicability of International Arbitration to State Contracts”* *International Disputes Quarterly* (2007)
- *“Immigration, Regional Agreements and Social Change”* *Capitulos*, SELA, Venezuela (2002)

Speaking Engagements and Lectures

- *Ensuring the Effective Constitution of the Arbitral Tribunal*, ICC, International Arbitration Congress, XV Edition, San José de Costa Rica (February, 7-9 2024)
- *Expert Consultation – Perspectives on CEDAW’s future GR No. 40 on Women’s Equal and Meaningful Participation in Int’l Decision-Making Systems*, GQUAL Campaign (Wash. D.C., Sept. 25-26, 2023)
- *Procedimientos Paralelos: tribunales internacionales, jueces y organismos de control*, Colombia Arbitration Week (Webinar, 18 de septiembre, 2023)
- *ESG and Investment Arbitration*, Arbitration Center of the Lima Chamber of Commerce (Lima, June 6, 2023)
- *The role of NGOs, local communities, and indigenous groups in the global investment governance*. International Law Association, Paris, 150th Anniversary (Webinar, April 3, 2023)
- *Environmental v. Investment Protections – Are they mutually exclusive?* ITA-ALARB Americas Workshop (Webinar, Sept. 8, 2022)

- *A Multilateral Reform Agreement to Reform ISDS*, Washington Arbitration Week (Webinar, Dec. 1, 2020)
- *Encouraging Mediation Through a Multilateral Instrument on ISDS Reform*, UNCITRAL WG III, Virtual Pre-Intersessional Meeting - The Government of Hong Kong S.A.R. (Webinar, Nov. 9, 2020)
- *The Draft Code of Conduct, Implementation and Enforcement*, ITA (Webinar, Sept. 25, 2020)
- *Challenges for investors and governments in the use of investment arbitration in times of COVID*, ICC México (Webinar, Sept. 11, 2020)
- *Draft Code of Conduct for Adjudicators in ISDS: Low-Hanging Fruit or Unreachable Goal?* Max Planck Institute Luxembourg for International, European and Regulatory Procedural Law (Webinar, July 2, 2020)
- *VII Int'l Seminar on Investment Arbitration*, Cámara de Comercio de Santiago (Santiago, Sept. 24, 2019)
- *Technology and International Arbitration*, Young ICCA/ICC YAF (Santiago de Chile, Aug. 22, 2019)
- *ICSID Arbitration & Latin America: Relevant Trends*, Institute for Transnational Arbitration- ALARB, Natural Resources Arbitrations (Santiago de Chile, May 4, 2018) (Sp.)
- *Deciding Case Strategy - APEC Capacity Building Workshop* (Washington D.C., Oct. 4, 2017)
- *Who Should Regulate the Advocates and What Should be Regulated? The Future of Ethics Regulation in Int'l Arbitration*, ITA-ASIL Conference (Washington, D.C., March 30, 2016)
- *Enforcing Environmental Obligations for the Benefit of All Stakeholders: An Int'l Court for the Environment, Int'l Arbitration & other Legal Avenues*, Law Justice and Development Week, World Bank (Washington D.C., Dec. 7, 2016)
- *Arbitral Institutions, Making Arbitration Work for Africa*, Casablanca Arbitration Days 2015 (Casablanca, Morocco, Dec. 11-12, 2015)
- *Provisional Measures in Investment Arbitration - Investment Protection and Sovereignty*, Asociación Latinoamericana de Arbitraje (ALARB), Cámara de Comercio de Bogotá, (Colombia, June 2, 2015) (Sp.)
- *Certificate on Int'l Commercial and Investment Arbitration*, Università Roma Tre – UNIDROIT (Rome, Italy, September 2014)
- *ICSID Workshop: Consent & the Notion of Investment*, International Academy for Arbitration Law (Paris, France, July 15-16, 2014)
- *Costs in Arbitration*, 12th IFCAI Biennial International Conference (Caracas, Venezuela, March 15, 2013)
- *Arbitration in Times of Crisis*, 2012 Canadian Council on International Law, Annual Conference - SOS International Law: International Law in Times of Crisis and Emergency, (Ottawa, Canada, Nov. 2012)
- *ICSID and the Americas – Transparency and Confidentiality*, ICDR's 10th Annual Miami International Conference: The Greatest Hits (Miami, FL, Sept. 9-11, 2012)