



Kevin Lee
Director, Dispute Resolution

LL.M. University of Cambridge (1st Class Honours; Jennings Prize; Trailblazer Foundation Scholar)
LL.B. (Hons), National University of Singapore (NUS Global Merit Scholar)
Advocate & Solicitor of the Supreme Court of Singapore
Barrister of England and Wales (Middle Temple)
Consultant, Council of Europe (2016)
Consultant, South Asian Association for Regional Cooperation (2017)
Visiting Professor, Zhejiang University, Guanghua Law School (2019)
Lecturer, Sorbonne-Assas International Law School (2019, 2020)
Adjunct Lecturer, National University of Singapore, Faculty of Law (2017 to 2019)
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ABOUT KEVIN

Kevin acts as counsel in cases before Singapore courts, international courts and arbitral tribunals. His practice spans a broad range of matters, with a particular specialisation in international arbitration, public international law, commercial litigation, oil & gas, energy, and construction.

Kevin has particular expertise in international disputes, and frequently acts in matters involving public international law. He has acted as counsel in State-to-State disputes before a variety of international courts and tribunals, from the Permanent Court of Arbitration to the International Tribunal for the Law of the Sea. He has also acted as legal advisor to a State in an inter-state mediation occurring in parallel with International Court of Justice proceedings.

Kevin also has significant experience in investor-state and commercial arbitration. He has been involved in a wide range of investment treaty, contract, and commercial disputes under ICSID, PCA, SIAC, ICC, UNCITRAL, ECT and *ad hoc* arbitration frameworks. He also has specialist experience at the Permanent Court of Arbitration, having previously worked there as Fellow and Assistant Legal Counsel.

Complementing his litigation and arbitration experience, Kevin is regularly instructed in an advisory capacity. In 2016, he was appointed by the Council of Europe as Consultant on the legal reform of the arbitration regime for the Republic of Armenia. In 2017, he was engaged by the South Asian Association for

Regional Cooperation as Consultant on public international law and international arbitration for the South Asian States (Afghanistan, India, Bangladesh, Bhutan, the Maldives, Nepal, Pakistan and Sri Lanka). In 2018 and 2019, Kevin was appointed by the Supreme Court of Singapore as Young Amicus Curiae to assist the Court on complex cases and novel points of Singapore law.

In addition to his counsel work, Kevin lectures globally on topics in his areas of specialisation. He has taught international law and arbitration as Visiting Professor at Zhejiang University, Lecturer at the Sorbonne-Assas International Law School, and Adjunct lecturer at the National University of Singapore. He has also lectured on international law and arbitration for students and programs of the London School of Economics, Tilburg University, American University of Armenia, California Maritime Academy, University of Naples Federico II and the Centre for Defence Studies of the Italian Armed Forces.

Kevin is dually qualified as an Advocate and Solicitor of the Supreme Court of Singapore and a Barrister of England and Wales. An NUS LL.B. alumnus and Jessup mooter, Kevin holds a first class LL.M. from the University of Cambridge. In 2016, Kevin was named a World Economic Forum Global Shaper.

EXPERIENCE

A representative selection of the high profile matters that Kevin has been involved in (as counsel, legal advisor, or advisor to the tribunal) include:

Inter-State Disputes and Public International Law Matters

- *PCA Case No. 2015-28: The Enrica Lexie Arbitration (Italy v. India)* (Permanent Court of Arbitration): Counsel to the Italian Republic.
- *ITLOS Case No. 24: The “Enrica Lexie” Incident (Italy v India), Provisional Measures*, (International Tribunal for the Law of the Sea): Counsel to the Italian Republic.
- *International mediation of an inter-State dispute occurring in parallel with International Court of Justice proceedings (confidential)*: Counsel / Legal Advisor to a sovereign Government.
- *Consultant to the South Asian Association for Regional Cooperation* on public international law and international arbitration matters for the South Asian States (India, Bangladesh, Bhutan, the Maldives, Nepal, Pakistan, Afghanistan and Sri Lanka).
- *The Bay of Bengal Maritime Boundary Arbitration (Bangladesh v. India)* (Permanent Court of Arbitration): Law of the sea dispute concerning the delimitation of the maritime boundary between Bangladesh and India.
- *The Indus Waters Kishenganga Arbitration (Pakistan v. India)* (Arbitration pursuant to the Indus Waters Treaty, Permanent Court of Arbitration): Treaty dispute concerning the interpretation of the Indus Waters Treaty.
- Advising foreign counsel on legal and strategic issues of international law and international arbitration arising in 8 domestic proceedings before a foreign Supreme Court.
- Counsel in a matter concerning the application of a Singapore-China treaty before the Singapore High Court.
- Non-contentious work includes advising on territorial and maritime boundaries,

treaty obligations, law of the sea, dispute settlement procedures, immunities, international human rights and international trade and investment law.

Investment Treaty and Commercial Arbitration

- *Consultant to the Council of Europe* on legal reforms to the laws of commercial arbitration of the Republic of Armenia.
- *Impresa Pizzarotti & C. S.p.A. v. Kingdom of Morocco* (ICSID Case No. ARB/19/14): Counsel in a EUR 80 million dispute arising out of the construction and infrastructure industry concerning a breach of the Italy-Morocco BIT.
- *Surfeit Harvest Investment Holdings v. Taiwan, Republic of China* (Investment Treaty Arbitration pursuant to the Singapore-Taiwan BIT): Dispute concerning a breach of investment treaty arising from a USD 1.17 billion dollar share purchase.
- Two investment treaty disputes pursuant to the Energy Charter Treaty and relating to multi-million dollar investments in the oil industry (confidential).
- An investment treaty dispute between an investor and an Asian State in the gaming industry.
- *EDF International S.A. (France) v. Republic of Hungary (Investment Treaty Arbitration pursuant to the Energy Charter Treaty)*: Dispute arising from the termination of long-term power purchase agreements relating to investments in Hungary’s electricity generation sector. Claims in excess of USD 100 million.
- *Murphy Exploration & Production Company - International v. The Republic of Ecuador (Investment Treaty Arbitration pursuant to the USA-Ecuador BIT)*: Dispute concerning rights under a contract between Ecuador and a consortium of oil companies for exploration in the Amazon, vis-à-vis Ecuador’s amendment of its hydrocarbon laws.
- An investment treaty arbitration between an investor and an Asian State relating to a multi-million dollar investment in the telecommunications industry.

- *Philip Morris Asia Limited (Hong Kong) v. The Commonwealth of Australia* (Investment Treaty Arbitration pursuant to the Hong Kong-Australia BIT): Dispute arising from Australia's enactment of tobacco plain packaging legislation and the alleged violation of the Applicant's intellectual property rights in Australia. Amount in dispute is in the order of billions of dollars.
- Acting for an international distributor in a Singapore-seated SIAC arbitration against one of the world's largest apparel brands.
- An international arbitration arising out of a USD 48 million dispute in the construction sector, administered in accordance with ICC rules and seated in Abu Dhabi, U.A.E.
- Counsel to a Taiwan-listed company in an energy arbitration dispute spanning 4 countries.

Singapore Courts and Singapore International Commercial Court

- *DyStar Global Holdings (Singapore) Pte Ltd v Kiri Industries Ltd and others* [2019] 4 SLR 215: Successfully acting for an MNC in resisting a stay of execution of a multi-million dollar judgment in the Singapore International Commercial Court.
- *Wang Xiaopu v. Dr Goh Seng Heng and Dr Goh Ming Li Michelle* [2019] SHGC 284: Successfully acting for a foreign investor before the Singapore High Court for misrepresentation and breach of contract arising out of a private equity investment, with the foreign investor being awarded close to SGD 40 million.
- *PP v. Jurong Country Club and another appeal* [2019] SGHC 150: Young Amicus Curiae to the Singapore High Court in a dispute between a Government Agency and a company concerning matters of statutory interpretation affecting the national pension fund (CPF Act).
- Acting for a financial advisory company before the Singapore Court of Appeal on novel issues of vicarious liability in the financial advisory and insurance industry.
- Acting for several MNCs and directors in 3 multi-million dollar cases before the

Singapore High Court involving minority oppression, breach of contract, and breach of a joint venture agreement.

- Acting for an MNC in respect of breaches of non-competition and non-solicitation clauses in multiple countries.
- Acting for a foreign investor before the Singapore High Court in a conspiracy and breach of fiduciary duty claim.
- Advising foreign counsel in a multi-country investment dispute concerning issues of breach of contract, equity and trust law, conspiracy, misrepresentation, breach of fiduciary duties, negligence, and a breach of MAS regulations.

LECTURES AND PUBLICATIONS

- Editor, UK Supreme Court Yearbook (2015-2017)
- Author, 'The International Tribunal for the Law of the Sea and its Joint Declaration with Singapore—Prospects, Possibilities and Predictions' (2015)
- Author, 'The United Nations Security Council and Internal Armed Conflicts' in *Ida Caracciolo & Umberto Montuoro, Conflitti armati interni e regionalizzazione delle guerre civili* (Giappichelli, 2016)
- Keynote Speaker, "*Dispute Settlement in International Trade and Investment*", International Petroleum and Natural Gas Enterprises Conference 2019
- Speaker, South Asian Association for Regional Cooperation, "*Treaty-based Dispute Settlement Mechanisms in Cross-Border Energy Trade*" (upcoming)
- Speaker, 2nd day Opening Address, Council of Europe Working Group on Legal Reforms for Arbitration in Armenia (2016)
- Speaker, National University of Singapore, "*The Practice of Public International Law*" (2017)
- Speaker, National University of Singapore, "*International Legal Process*" (2017)
- Guest Lecturer, American University of Armenia, "*International Dispute Settlement: The Armenia-Azerbaijan Conflict*" (2016)

- Speaker, Training session for the in-house Legal Department of the IDeA Foundation, “*Business and Human Rights*” (2016)
- Lecturer, Centre for Defence Studies of the Italian Armed Forces: training for senior legal advisors of the Italian armed forces on “*The Practice and Perspectives of International Humanitarian Law in Asia*” (2015)
- Lecturer, Centre for Defence Studies of the Italian Armed Forces: training for senior military officials from Italy, Brazil and Indonesia on “*Internal Armed Conflicts and the Evolving Practice of the United Nations Security Council*” (2015)
- Lecturer, University of Naples Federico II, “*Advanced Public International Law*” course: The Law of the Sea (the high seas, the exclusive economic zone, and the piracy regime under UNCLOS) (2014)
- Lecturer, University of Naples Federico II, “*Basic Elements of Public International Law*” course: The Settlement of International Disputes (2014)
- Guest Lecture, California Maritime Academy, “*International Arbitration: A focus on UNCLOS Disputes*” (2014)
- Guest Lecture, London School of Economics, “*International Law and International Relations*” (2014)
- Guest Lecture, Tilburg University, “*The Principles and Procedure of International Arbitration: A Focus on the Investment Treaty Arbitration Regime*” (2014)
- Guest Lecture, Association of Southeast Asian Nations (ASEAN), “*The Permanent Court of Arbitration and International Dispute Settlement*” (2013)
- Coach, National University of Singapore, NUS DM Harish International Law Moot Team (2013)
- Moderator, The protection of civilian population in warfare - The role of Humanitarian Organisations and Civil Society, Panel: *Humanitarian Organisations and Civil Society in International Humanitarian Law*, Carabinieri Officers Academy (2017)
- Moderator, Non-State Armed Groups in International Humanitarian Law. Panel: *Non-State Armed Groups as Makers of International Law*, Carabinieri Officers Academy (2016)
- Moderator, International Humanitarian Law and Modern Warfare, Panel: *The Law of Weaponry and New Technologies*, Carabinieri Officers Academy (2015)

APPOINTMENTS/MEMBERSHIPS

- Panel of Arbitrators, Thailand Arbitration Centre
- Consultant on International Arbitration, Council of Europe (2016)
- Consultant on Public International Law and International Arbitration, South Asian Association for Regional Cooperation (2017)
- Visiting Professor, Zhejiang University, Guanghua Law School (2019)
- Lecturer, Sorbonne-Assas International Law School (2019, 2020)
- Adjunct Lecturer, National University of Singapore (2017 to 2019)
- Young Amicus Curiae to the Supreme Court of Singapore (2018, 2019)
- Global Shaper, World Economic Forum (2016 to 2018)
- Member, Public and International Law Committee of the Singapore Law Society
- Member, Alternative Dispute Resolution Committee of the Singapore Law Society
- Member, Trial Advocacy Committee of the Singapore Law Society
- Member, Singapore Academy of Law
- Member, Singapore Law Society
- Member, LCIA Young International Arbitration Group
- Member, Young SIAC Arbitration Group
- Member of the Honourable Society of the Middle Temple