

Shai Wade

Shai is a partner in the International Arbitration Group of Stephenson Harwood and Head of the firm's Upstream Oil and Gas Disputes Practice. He specialises in international arbitration, with a particular emphasis on large scale complex disputes in the Oil and Gas and Energy sectors as well as on joint-venture and shareholder disputes. He also enjoys considerable experience in International Trade, IT and Telecoms, Engineering and Construction disputes as well as investment arbitration.

Shai serves as arbitrator and as counsel under rules of the major arbitration institutions, including the ICC, LCIA, UNCITRAL, ICSID and the arbitration rules of various trade associations. He is a former Co-Chair of the Young International Arbitration Group (YIAG) of the LCIA. Shai served as a staff attorney to the Claims Resolution Tribunal for Dormant Accounts in Switzerland, and later drafted the arbitration procedures for the appeals process of the International Commission on Holocaust Era Insurance Claims.

Shai is a co-author of a leading textbook commentary on the LCIA Arbitration Rules 2014.

Representative matters

- **UNCITRAL** arbitration (as arbitrator) concerning disputed cash calls **under a JOA**.
- **ICC** arbitration arising under a JOA and Fram-In agreement relating to an oil and gas block in Kenya.
- **LCIA** arbitration concerning the sale of shares in offshore West African oil and gas blocks and the conduct of the Operator of the block prior to the sale.
- **ICC** arbitration (as arbitrator) concerning the construction of a power station in India.
- **ICC** arbitration (as arbitrator) concerning a joint-venture company owning television broadcasting rights in Turkey.
- **LCIA** arbitration concerning the engineering and construction of an LNG plant in the Yemen.
- **ICC** arbitration between two of the largest telecoms operators in India concerning access to an international submarine fibre optic cable stretching from the UK via the Middle East, India and South East Asia to Japan.



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- **LME** arbitration arising out of contract for the sale of iron ore, being the only known case in which commercial arbitrators were required by the English High Court to accept jurisdiction over defamation claims.
- Two **ICC** arbitrations involving an Energy Major and the national oil and national gas companies of a South American state, issues enforcing a contractual stabilization clause.
- **LCIA** arbitration concerning a high profile scandal involving futures trading in the oil reserves of an African state.
- **ICC** arbitration between power station provider and an industrial customer in an Asian project.
- **ICSID** between a US investor and a Caribbean State concerning the redevelopment of an offshore oil field.
- Two **ICC** arbitrations arising under EFET electrical energy trading contracts.
- A number of **LCIA** and **UNCITRAL** arbitrations (as arbitrator) concerning contracts for the international sale of commodities.
- **ICC** multi-party arbitration concerning the re-fit of power station stacks.
- **ICC** arbitration relating to claim following from a force majeure event in a West African rig.
- **UNCITRAL** arbitration between an independent Oil and Gas Company and its JOA partners concerning participation in an offshore India gas field.
- **Expert Determination** process resisting a claim for a reduction in the price paid for North Sea gas due to an alleged imposition of an environmental tax.
- **Swiss Chambers** claim arising out of a shareholders agreement.
- **ICC** arbitration/High Court dispute concerning solar energy plant technologies.
- **Investment Treaty** advising a precious metals mining corporation in connection with a claim arising under the ASEAN-Australia-New Zealand FTA.
- **Ad Hoc** arbitration concerning the delivery of an IT project to a national credit agency.
- **LCIA** arbitration concerning a metals trading dispute.
- **UNCITRAL** arbitration representing a major Oil and Gas producer in a JOA dispute concerning the construction and engineering of a subsea gas pipeline.
- **Ad Hoc** arbitration (as arbitrator) arising from contracts for the sale of scrap metal, issues involving letters of credit and market price valuations.
- **UNCITRAL** arbitration concerning claims by a State Agency against a Croatian bank for a contribution to its liabilities to the purchaser of the Bank following its sale by the Agency.
- **ICSID** arbitration concerning an electricity generation and transmission concession granted by a South American state.
- The first arbitration brought pursuant to the **AAA International Arbitration Rules** in a contractual dispute relating to an advanced sonar technology application.

Publications

- Wade, Clifford and Clanchy, *A Commentary on the LCIA Arbitration Rules 2014*, Sweet & Maxwell 2015
- "Emergency Arbitrators and the State Courts: Will They Work Together?", (2014) 80 *Arbitration, Issue 1*, p.48
- "Resolving Disputes Over Rights to Sub-Sea Resources", *Oil & Gas Journal Russia*, March 2013, N3 (69), p.82
- "The Revised ICC Arbitration Rules: Seeking Greater Efficiency and Transparency" *Corporate Counsel's Quarterly*, Vol. 28, No. 1, p. 1, January 2012
- "The Revised ICC Arbitration Rules", *The Lawyer's Brief*, November 31, 2011, Vol. 41, No. 22.
- "Libya: Regime Change and State Contracts" *Commodities Now*, 29 August 2011
- "Resource Nationalism: Managing the Risks" *Commodities Now*, 18 march 2011
- "Guerrilla Tactics Before Investment Tribunals: From Counsel's Point of View" *Transnational Dispute Management*, Volume 7, issue 2, November 2010
- "All Change in International Arbitration Rules" and "Getting Value for Money from Arbitration", *ADR Forum*, September 2010 (64)
- "Market View: How will the ash affect trade?", *Trade Finance Magazine*, 20 April 2010 (co-author)
- "Characterization of Competition law as Public Policy", in *Practical Aspects of Arbitrating EC Competition Law*, Zuberbühler and Oetiker (Eds.), Zurich 2007
- "ICSID: Recent Trends in Jurisprudence", *The International Comparative Legal Guide to International Arbitration 2005*, p. 21 (co-author)
- "Mass Claims Arbitration: The Experience of the Claims Resolution Tribunal for Dormant Accounts in Switzerland", *Mealey's International Arbitration Report*, Vol. 14#11, p.1
- "Westacre v Soleimany: What Policy? Which Public?", [1999]3 *International Arbitration Law Review*, p.97
- "John Demjanjuk v The State of Israel - Casenote and Comment", *Wig & Gavel, The London University Law Journal*, Autumn/Winter 1993

Shai is regularly invited to talk publicly on topics relating to international arbitration, he teaches a regular seminar on dispute resolution in oil and gas contracts.

Media References

- Azerbaijan National Television News – interviewed on independence and impartiality in international arbitration and regional arbitration in Azerbaijan.
- Financial Times, “Foreign Companies Face Arab Spring Fallout”, Lina Saigol, 3 October 2011, – interviewed on the rights of foreign investors following regime change
- BBC World Service, Business Daily, 4 April 2011 – radio interview on legal consequences of the February 2011 uprising in Libya
- Middle East Broadcasting Corporation, Business Today, 19 March 2008 - television interview on the rights of foreign oil companies following expropriations in Venezuela

Legal Education

1996 LLM, Cambridge University, Wolfson College

1995 Legal Practice Certificate, College of Law London

1994 LLB, School of Oriental and African Studies, University of London

Professional Admissions

- England and Wales (1998)

Professional Affiliations

- LCIA, Member
- Chartered Institute of Arbitrators, Member
- International Panel of Distinguished Neutrals, of the International Institute of Conflict Prevention & Resolution
- Energy Institute, Member