



**CSABA KOVÁCS**  
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Avocat, Romania (2004, non-practicing at present)

Solicitor, England & Wales (2009)

Solicitor-Advocate, England & Wales (2012)

Independent Arbitrator

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## PROFESSIONAL PRACTICE

Csaba Kovács is a London-based senior international arbitration practitioner and arbitrator with over two decades of experience in complex, high-value international commercial and investment disputes and corporate transactions.

He acted as co-arbitrator and sole arbitrator in LCIA arbitrations in the energy and aviation sectors. As arbitration counsel at CMS, he has gained significant expertise, among others, in commercial and investor-State disputes under the rules of ICSID, ICC, LCIA, UNCITRAL, and SCC.

His arbitration practice covers a wide variety of sectors, including energy, mining, construction, banking, telecommunications, and commercial property.

As a former transaction lawyer, he advised private equity investors, banks, and development finance institutions on major loan and equity transactions in Central and Eastern Europe.

He was senior associate in the Bucharest and, subsequently, London offices of CMS Cameron McKenna for over a decade. Csaba is also Senior Project Solicitor (Offshore Renewables) at SSE. He has gained experience in the offshore wind industry while acting on commercial and construction matters on Seagreen, the world's deepest fixed foundation offshore wind farm.

Csaba is the author of *"Attribution in International Investment Law"* (Kluwer Law International, 2018), the first in-depth study on the use of the notion of attribution in international investment law. He is a former editor of the Investor-State Law Guide ([www.investorstatelawguide.com](http://www.investorstatelawguide.com)), a leading research tool for investor-State disputes.

He is a co-founder and former director of the Romanian Chapter of *Club Español del Arbitraje*. Csaba is a former seconded casework counsel at the London Court of International Arbitration.

Csaba is trained and qualified in civil and common law jurisdictions. He holds an LL.M diploma (2000) in International Business Law from the Central European University in Budapest and a BA degree (1999) from the Faculty of Law of the Babeş-Bolyai University in Cluj-Napoca.

## INTERNATIONAL ARBITRATION EXPERTISE

Csaba's first-tier international arbitration expertise is gained through his extensive counsel and arbitrator practice in commercial and investment disputes, including the following:

### *Commercial Arbitration Disputes*

- Acting as sole arbitrator in an LCIA arbitration arising out of an aircraft wet lease agreement.
- Acting as co-arbitrator in an LCIA arbitration arising out of an agreement for the supply of offshore oil drilling equipment.
- Acting as counsel for a commercial property developer in an SCC arbitration in relation to a share purchase agreement.
- Acting as counsel for an oil and gas service provider in an LCIA arbitration arising from the aborted float-over installation of topsides on an offshore exploration platform in Asia.
- Acting as counsel for an oil major two LCIA arbitrations in relation to cash call disputes arising from two Joint Operating Agreements concerning operations in Angola.
- Acting as counsel for a telecommunications company in relation to several disputes arising out of its agreements on a complex commercial property outsourcing scheme.
- Acting as counsel for a private equity investor in a telecommunications company in a suite of multiparty ICC arbitrations arising from a high-profile privatisation in Bulgaria.
- Acting as counsel for a bank in a dispute arising out of a share option agreement.
- Acting as counsel for a leading Finnish energy company and a global power company in an ICC arbitration in relation to the refurbishment of a major power plant in Romania.

### *Investor-State disputes*

- Acting as counsel for Romania in *Spyridon Roussalis v Romania* (ICSID Case No. ARB/06/1), an investment dispute arising out of a post-privatisation matter.
- Acting as counsel for the claimant investors in *MNSS B.V. and Recupero Credito Acciaio N.V. v Montenegro* (ICSID Case No. ARB(AF)/12/8) concerning a steel plant in Montenegro.
- Acting as counsel for *Erste Group Bank AG, Steiermaerkische Bank und Sparkassen AG and Erste & Steiermaerkische Bank d.d.* (ICSID Case No. ARB/17/49) concerning retroactive legislative changes to Swiss franc-indexed consumer loans.
- Assisting counsel for a West African State in an investment treaty arbitration under the UNCITRAL Arbitration Rules in relation to a free trade zone.
- Acting for an investor in a methanol plant in relation to its expropriation dispute.
- Advising a German mining investor in relation to its potential investment treaty claims arising from the withdrawal of a commercial discovery certificate and concession.

## INTERNATIONAL INVESTMENT LAW ADVISORY EXPERTISE

- Advising multiple investors in relation to the protection of their investments under bilateral and multilateral investment treaties, including in relation to the structuring and restructuring of their foreign investments to legitimately gain, maintain or maximise, investment treaty protection.

## NATIONALITY AND LANGUAGE SKILLS

Csaba hails from the ethnic Hungarian minority in Transylvania, Romania. He holds Romanian and British nationality.

Apart from his native Hungarian, he is professionally fluent in Romanian, English, Spanish and Portuguese. He is conversant in German.

## SELECT PUBLICATIONS AND SPEAKING ENGAGEMENTS

- *“Attribution in International Investment Law”* (Kluwer Law International, 2018)
- *“Attribution in Investment Arbitration: From Stricto Sensu to Lato Sensu”* (Kluwer Arbitration Blog)
- *“Attribution of the Conduct of State Enterprises to the State: The Search for Common Ground”*, State Owned Enterprises in Investment Disputes, seminar organised by the Lauterpacht Centre for International Law, Twenty Essex and CMS, London.
- *“Attribution of the Conduct of State-owned Enterprises to the State”*, SIAC and Centre for International Law’s Academic-Practitioner Colloquium, Singapore.
- *“Select Issues in International Investment Arbitration”*, Litigation and Arbitration Forum, Lima, presentations in Spanish.
- *“The Annulment Decision in Occidental v Ecuador”*, Legal Week Commercial Litigation and Arbitration Forum, London.
- *“Transparency in the TTIP”*, ICC YAF Seminar, Florence.
- *“International Law Protection of Foreign Investments in Argentina”*, seminar on Investment Opportunities and Challenges in Argentina, London.
- *“How to Build Trust in Institutional Arbitration”*, 2017 Annual Conference of International Court of Arbitration of Romanian-German Chamber of Commerce, Bucharest)
- *“Impropriety and Impartiality – Challenges in International Arbitration”*, co-author, Fraud Intelligence.
- *“International Investment Arbitration”* in CMS Guide to Arbitration, co-author, 2009 edition.
- Guest lectures on international investment law at Hong Kong University, Central European University, Coventry Law School, Summer ELSA Athens Law School, Tshinghua University School of Law and others.
- Volunteer arbitrator at the Willem C. Vis International Commercial Arbitration Moot in Vienna (annually, since 2002), the Vis East Moot and the Madrid International Competition on Arbitration and International Commercial Law.
- Author or co-author of many client alerts or publications on developments in commercial arbitration and international investment law.