We have more than 40 years of international arbitration experience and are widely known and respected for the results we achieve for clients. Our historical connections to this practice are deep, and continue today. In the 1970s the firm represented several major oil companies in the arbitration of expropriation claims against the Libyan government and in the early 1980s the firm represented a broad range of US companies in investment claims against the Iranian government before the Iran-US Claims Tribunal in The Hague. Steptoe has continued this practice in recent years with prominent representations in investor-state arbitration, international commercial arbitration, and state-to-state arbitration.

Our partners have also served as chairs and party-appointed arbitrators, putting them among an elite group of lawyers with deep insight into the arbitral decision-making process. This includes Lucinda Low, who was appointed by President Obama to the Panel of Conciliators, ICSID. In addition to the above-mentioned experience, we have played significant roles in the development and application of public international law. In particular, many Steptoe lawyers have had extensive experience developing and applying international law in senior governmental and institutional positions. In the US, this includes senior positions at the Departments of State, Defense, and Homeland Security, the Office of the United States Trade Representative, the Central Intelligence Agency, and the National Security Agency; indeed, two Steptoe partners have served as Legal Adviser to the State Department. Monroe Leigh, a Steptoe partner served as State Department Legal Adviser to US Secretary of State Henry Kissinger and played a leading role in the drafting and enactment of the Foreign Sovereign Immunities Act and Brian Egan recently served as Legal Advisor at the Department of State in the Obama administration.

International commercial and investment arbitration may involve virtually any kind of commercial dispute in any industry. We have extensive experience handling international commercial arbitrations in a broad range of industries, particularly the construction, energy, telecommunications, and high-tech industries. Clients range from governments and financial institutions to manufacturers and telecommunications firms and more. Steptoe’s lawyers have handled cases before all of the major world’s tribunals, established under the rules of all of the major international arbitration institutions. Steptoe has represented clients in arbitrations held in: London, Paris, The Hague, New York, Washington, Geneva, Vienna, Zürich, Stockholm, Mexico City, Hong Kong, Singapore, Shanghai, Beijing, Moscow, and Cairo. Our lawyers have conducted arbitrations, in whole or in part, in Spanish, Portuguese, French, Russian, and Mandarin Chinese, and are capable of handling arbitrations in a number of other languages.

Investor-State Arbitration

Foreign investors sometimes contend that statutory or regulatory measures adopted by host governments have deprived them, in whole or in part, of the economic value of their investments. The investors may have the right to bring their claims against the host state before an international arbitration tribunal under the auspices of the World Bank’s International Centre for Settlement of Investment Disputes (ICSID) if the investors’ home state and the host state of the investment are parties to (a) a bilateral investment treaty (BIT), (b) a free trade agreement with investment protection provisions (e.g., the Korea-United States Free Trade Agreement), or (c) a multilateral investment treaty (e.g., the North American Free Trade Agreement (NAFTA) or the Energy Charter Treaty (ECT)). Investor-state disputes of this nature are typically complex and often involve issues governed by both public international law and the laws of one or more states.

Steptoe also advises clients on the structuring of their international investments so as to ensure that any disputes with the host country will be subject to international arbitration under a BIT or other applicable treaty.

Our lawyers work closely with the Rule of Law Committee and the Private International Law Committee of the US State Department to formulate the terms of standard US BITs so as to best protect US investors in their investments in other countries.
Representative Matters

- Chaired a three-member tribunal in a SIAC, multi-party arbitration involving parties based in Singapore, Indonesia and the British Virgin Islands. Claims in excess of US$30 million for payments alleged to be due and owing under convertible loan notes and guarantees.
- Defended a South Asian Government and its national oil company against US$120 million in multiparty claims in an LCIA arbitration arising from sponsorship, construction, and operation of a 1300 MW power project.
- Represented a Caribbean state and its national electricity corporation in the defence of US$775 million in claims by an investor concerning power generation facilities, at the International Chamber of Commerce arbitration in Mexico.
- Represented a Polish engineering and construction firm in a US$50 million arbitration with an Egyptian State-owned company before the Cairo Regional Centre for International Commercial Arbitration.
- Represented a US parts supplier in a US$80 million ICDR arbitration with an Indian manufacturer held in New York.
- Represented a large Russian metals producer in a multibillion-dollar LCIA arbitration arising out of a shareholders' dispute.
- Represented a major telecommunications provider in a £375 million product liability dispute under a GSM frame contract involving alleged defects in one of Europe's largest GSM/GPRS networks.
- Advised a system supplier concerning software development claims arising from a joint venture with a major international oil company for development of North Sea drilling systems. The arbitration was conducted under UNCITRAL Rules.
- Obtained an LCIA award on behalf of three investor companies against a Bermuda-based affiliate of a leading Russian investment bank following the market crisis of 2008.
- Represented a Swiss trading company in an SCC arbitration in Stockholm arising from a shareholder dispute and consequent fraud under various agreements associated with the Russian aluminum industry where claims of US$380 million were in dispute.
- Represented shareholders in a shareholder dispute in relation to a commodities business. Ad hoc arbitration under the UNCITRAL Arbitration Rules.
- Represented an African Bank in a dispute with its former Chief Executive over the alleged breach of an arbitration agreement. Ad hoc arbitration under the UNCITRAL Arbitration Rules. Also acted in the High Court and Court of Appeal in England on the bank's application for an anti-enforcement injunction in respect of the alleged breaches.
- Represented a bank pursuing claims arising out of an alleged fraud concerning a trade finance transaction. Swiss Chambers' Arbitration Institution.

Investor-State Representative Matters

- Represented Motorola in an ICSID arbitration against Turkey that resulted in payments to Motorola of approximately US$1 billion. The case arose out of Motorola's claims against Telsim, a Turkish telecom company, which was seized by the Government of Turkey after Motorola had obtained both a US court judgment and a Zürih Chamber of Commerce arbitral award against Telsim and its owners.
- Represented Corn Products International in an ICSID Additional Facility arbitration against Mexico (Case No. ARB(AF)04/1) arising from the application of a discriminatory tax. When rendered, the US$58 million (after tax) award was the largest rendered in a NAFTA Chapter 11 investment dispute.
- Advised the Government of Canada in two high-profile NAFTA Chapter 11 arbitrations.
- Represented foreign investors in three ICSID arbitrations against the Government of Zimbabwe, including the first ICSID case involving multiple, unrelated parties (Funnekotter & Ors v Zimbabwe). (ICSID Case No. ARB/05/6); Border Timbers Ltd & Ors v Zimbabwe (ICSID Case No. ARB/10/25); and von Pezold & Ors v Zimbabwe (ICSID Case No. ARB/10/15).
- Served as lead co-counsel to investors in Trans-Global Petroleum Inc. v. The Hashemite Kingdom of Jordan, an ICSID arbitration arising from alleged breaches of a BIT.
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