

Estudio Ehecopar.

Member Firm of Baker & McKenzie International



Javier Ferrero

Principal Associate

Lima, Peru

+51 (1) 618 8559

javier.ferrero@bakermckenzie.com

Local practice

Regulatory

Related legal services

Public International Law

International Investment Arbitration

International Commercial Arbitration

National Arbitration

Foreign Investment

Languages

Spanish

English

Biography

Attorney with experience on public international law and dispute resolution in the fields of international investment and commercial arbitration. Also, with experience in national arbitrations representing clients of different industries. Javier worked as an international associate in the arbitration practice of White & Case LLP, in Washington, D.C. (2007-2009) where he was involved in ICSID arbitration proceedings and international commercial arbitration matters.

Education

- Latin American International Arbitration Course (LAIAC), 2020
- Specialization Course in Mining Law, National Society of Mining, Petroleum and Energy, 2018.
- Diploma on Concession Law, Universidad Peruana de Ciencias Aplicadas, Graduate School (2012).
- American University Washington College of Law, Master in Law (LL.M.), Washington, DC, 2004.
- Universidad de Lima, Law Degree, Lima, 2002.

Memberships

- Member of the Rising Arbitrators Initiative, 2021.
- Member of the List of Arbitrators of the Arbitration Center of Lima Chamber of Commerce.
- Member of the List of Arbitrators of the Center of Analysis and Dispute Resolution of the Pontificia Universidad Católica del Perú.
- Member of the Sub Commission for the Promotion of Instruments and Events of Peru's ICC Commission on Arbitration. (2018).
- Member of the Executive Committee of the ICC YAF Peru. (2017).
- Member of the List of Arbitrators of the Arbitration Center of the American Chamber of Commerce of Peru (AMCHAM Peru) (2011).
- Member and Country Rapporteur for Peru of the Task Force of the International Court of Arbitration of the ICC regarding National Rules of Procedure for Recognition and Enforcement of Foreign Awards,

Estudio Ehecopar

Av. Los Conquistadores 1118

Piso 6, San Isidro

15073

Lima, Peru

with respect to the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards. (2011).

Admission

- Lima Bar Association, 2002.

Experience

- Principal Associate at Estudio Ehecopar since 2013.
- Senior Associate at Estudio Ehecopar (2009 - 2012).
- Foreign Associate at White & Case LLP (2007-2009).

Representative legal matters

Among the most relevant matters, Javier has been involved are the following:

- He was part of the team of attorneys that represented the Republic of Peru together with White & Case LLP in the civil complaint filed by the Republic of Peru before the United States District Court of the District of Connecticut against Yale University for the recovery of the archaeological artifacts of Machu Picchu.
- He was part of the team of attorneys that together with White & Case LLP represented the Republic of Peru in the following international investment arbitrations, which resulted in complete victories for the Republic of Peru:
 - *Convial Callao S.A. y CCI - Compañía de Concesiones de Infraestructura S.A. v. Republic of Peru (ICSID Case No. ARB/10/2)*, regarding a concession for a highway construction project in the Via Expresa del Callao.
 - *Caraveli Cotaruse Transmisora de Energía S.A.C. v. Republic of Peru (ICSID Case No. ARB/11/9)*, regarding an electricity transmission concession and the alleged effects of the 2008 global financial crisis.
 - *Isolux Corsan Concesiones S.A. v. Republic of Peru (ICSID Case No. ARB/12/5)*, regarding the public bid for an electricity concession, which was settled between the parties through an Integral Settlement Agreement.
 - *Renco Group Inc v. Republic of Peru*, UNCITRAL arbitration under the Investment Chapter of the Peru – U.S. Free Trade Agreement, regarding the operations of the Oroya Metallurgical Complex by Doe Run Peru.
- Also, Javier was part of the team of attorneys that together with White & Case LLP represented the Republic of Peru in the following international investment arbitrations:

- *DP World Callao S.R.L., P&O Dover (Holdings) Limited and The Peninsular and Oriental Steam Navigation Company v. Republic of Peru (ICSID Case No. ARB/11/21)*, regarding a concession for the North Pier of the Callao Port.
- *Exeteco Internacional Company S.L. c. La Republica del Peru, Ad hoc UNCITRAL arbitration*, regarding a public bid for the concession for the construction of a prison in Northern Peru.
- In addition, he was part of the firm's team that represented the Republic of Peru in a Direct Negotiation Phase with a foreign investor, which ended a potential ICSID arbitration with the signing of a Settlement Agreement.
- Javier was part of the firm's team that represented the Republic of Peru in a Direct Negotiation Phase with a foreign investor, which ended in a settlement agreement avoiding and ICSID arbitration.
- Also, he has been involved in various international commercial arbitrations, including the following:
 - Two ad hoc international commercial arbitrations under UNCITRAL Arbitration Rules, representing a Peruvian private entity against a foreign investor in the electricity sector.
 - An international commercial arbitration before the Inter-American Commission on Commercial Arbitration (CIAC) representing Perupetro S.A., Peruvian Private entity in charge of all the Contracts for the Exploration and Exploitation of Hydrocarbons in Peru, in an arbitration initiated by an Argentine hydrocarbons company,
 - An international commercial arbitration before CIAC representing Perupetro S.A., in an arbitration initiated by an American hydrocarbons company,
 - An ICC arbitration representing a consortium in an arbitration regarding sanitation works.
 - Currently represents an investor in two *ad hoc* UNCITRAL arbitrations against a Municipality in Peru, regarding a highway concession.
 - Currently represents an investor in two arbitrations before the International Arbitration Chamber of Paris against a Municipality in Peru, regarding a highway concession.

Publications

- "Conditions for the state's consent to arbitrate under international investment agreements", IBA Newsletter, May 2019.
- "International investment arbitration under the Peru – United States Free Trade Agreement", *Advocatus Law Magazine*, No. 28, 2014.

Estudio Echecopar.

Member Firm of Baker & McKenzie International

- "The Pacific Alliance and Foreign Investment, El Peruano, October 2014.
- "Venezuela versus the ICSID Convention", Semana Economica, April 2012.
- "Ethical Matters in International Arbitral Tribunals" (co-author), article for the book in honor of distinguished Peruvian attorney Manuel De La Puente y Lavalle, January 2012.
- "New UNCITRAL Arbitration Rules", Newspaper El Comercio, August 2010.
- "Finally Paperwork is Over and Simplicity is Here with the Long Awaited Apostille Convention", Newspaper El Comercio, Editorial Section, May 2010.
- Intellectual Property Protection Through International Investment Agreements: Challenges of a Different Horizon of Investment Protection", World Arbitration & Mediation Review, Vol 3, Nos. 4-5, 2009.